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**FOR IMMEDIATE RELEASE**

**Kampala, Uganda**

**AFTER SEVERAL DELAYS, TILENGA EIA COURT CASE TO BE HEARD  
TOMORROW**

Court will tomorrow (April 13, 2022) hear a court case that was filed by Africa Institute for Energy Governance (AFIEGO) and youth under the Guild Presidents' Forum on Governance (GPFOG). The case was filed in May 2019.

During the case hearing, court will also hear an amicus curiae application by the Environmental Law Alliance Worldwide (ELAW)-USA. ELAW is seeking court's permission to provide impartial expert advice so that court can make a just decision in the case that was filed by AFIEGO and GPFOG.

Through the case, the youth and AFIEGO want court to cancel the Tilenga oil project's Environmental Impact Assessment (EIA) certificate of approval.

The certificate was issued by Uganda's National Environment Management Authority (NEMA) to TotalEnergies E&P (U) B.V. among others on April 15, 2019.

The certificate allowed TotalEnergies to drill for oil from and develop infrastructure in eonsensitive and biodiverse areas such as Murchison Falls National Park (MFNP), Lake Albert, River Nile and others.

**GROUNDNS FOR THE CASE**

Issuance of the certificate was preceded by procedural irregularities and violations of Uganda's environmental laws.

The violations were seen in the public review processes and public hearings on the Tilenga oil project's Environmental and Social Impact Assessment (ESIA) study. The public hearings were organised by NEMA and the Petroleum Authority of Uganda (PAU) in November 2018.

Notably, the following among other violations took place:

- NEMA and PAU failed to give the Ugandan public notice of 21 days to effectively prepare for and participate in the Tilenga ESIA public hearings. This violated regulations 19 and 20 of the 1998 EIA Regulations.
- In addition, in November 2018, NEMA and PAU appointed a presiding officer with a conflict-of-interest to preside over the public hearings. This was contrary to Guideline 5(3) of the 1999 EIA Public Hearing Guidelines.
- Further, contrary to guideline 15(1) of the 1999 EIA Public Hearing Guidelines, the presiding officer denied youth that are party to the case an opportunity to make formal presentations at the public hearings.
- In addition, contrary to the public hearing guidelines, the presiding officer gave youth and community members who made informal presentations at the public hearings only one minute to submit their views. This was unfair considering that the ESIA report was voluminous with over 6,000 pages and youth as well as communities could not meaningfully submit their views in a minute.
- The EIA certificate of approval was also issued amidst failure by the government and TotalEnergies to promptly, fairly and adequately compensate the Tilenga oil project-affected communities, contrary to Article 26 of the 1995 Uganda Constitution.

This and other violations led to filing of the court case by AFIEGO and GPFOG.

### **DELAY IN CASE HEARING**

Despite the urgent need to hear and determine the case before the Tilenga oil project works commenced, court delayed to hear the case. Today, Tilenga project works such as clearing land for an industrial area in Buliisa district among others are ongoing.

“We had hoped that the court would hear our matter very quickly. Ordinarily, cases such as ours should be determined within six months but nearly three years after we filed our case, court is yet to pronounce itself on the case. This is a miscarriage of justice,” Mr. Dickens Kamugisha, the CEO of AFIEGO, says.

Moreover, court’s delay in concluding the court case has enabled the abuse of communities’ human rights.

“In Buliisa, communities’ land rights are being abused by the Tilenga project developers. Communities’ right to live in a clean and healthy environment, the right to food, the right to freedom of speech and assembly and others have also been violated due to the Tilenga project,” Mr. Maxwell Atuhura says.

Mr. Atuhura is the Executive Director of Tasha Africa Research Institute and a member of the Oil and Gas Region Human Rights Defenders Association (ORGHA) that is based in Buliisa district.

Communities in Nwoya district also continue to suffer from elephant raids, resulting in the destruction of hundreds of acres of crops. At the public hearing on the Tilenga ESIA report in Nwoya in November 2018, communities indicated that the elephant raids increased after oil exploration activities commenced in MFNP.

“If court had quickly determined the case to ensure that environmental laws are respected and adequate mitigation measures are put in place, the rights of the Tilenga project host communities in Nwoya and Buliisa would be upheld.

As we go to court tomorrow, we hope that the judge will stand on the side of the vulnerable by hearing and concluding the court case quickly and through allowing experts to support the court to make a just decision,” Ms. Angella Ndangano of GPFOG says.

\*\*\*\*\*ENDS\*\*\*\*\*

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