



February 8, 2023

FOR IMMEDIATE RELEASE

Kampala, Uganda

OIL REFINERY COURT CASE TO BE HEARD TOMORROW

AFIEGO and oil refinery PAPs task court to boost public confidence by concluding case

Court will tomorrow February 9, 2023, hear a court case that the oil refinery project-affected persons (PAPs) filed against the Ugandan government. The hearing will take place at the Hoima High Court starting at 9.00 am.

Africa Institute for Energy Governance (AFIEGO) has been empowering the refinery-affected people since 2014 when they filed the court case against government. The case was filed following government's failure to pay the affected people prompt, fair and adequate compensation while acquiring the people's land for the Kabaale Industrial Park.

The park is expected to host Uganda's oil refinery. An airport to support oil sector activities is also being constructed at the park. Further, the East African Crude Oil Pipeline (EACOP) is expected to commence at the park.

The Ugandan government commenced the land acquisition processes for the Kabaale Industrial Park/oil refinery project in 2012. By 2014, many of the over 7,000 people including over 3,500 women and 1,500 children who were displaced for the project were yet to be compensated. The above people were also displaced before any Environmental and Social Impact Assessment (ESIA) for the oil refinery project was done.

Indeed, the Auditor General (AG), who in 2017 conducted a [Value for Money audit](#) for the project, found that only 4% of the oil refinery PAPs were paid within the timeframe that the Ugandan government had set for payment of compensation. All the PAPs were supposed to have been paid by February 13, 2014 but by 2018 some were still waiting.

The AG also found that unapproved compensation rates were used for compensation of the PAPs and that there was a failure to use uniform rates for all the PAPs, resulting in PAPs complaining about low compensation. The delay in compensation also resulted in unfair compensation.

Failure by the Ugandan government to pay the Kabaale Industrial Area/oil refinery PAPs prompt, fair and adequate compensation constituted a violation of Article 26 of the 1995 Uganda Constitution. The article provides for the prompt payment of fair and adequate compensation of PAPs before government compulsorily acquires citizens' private property.

During tomorrow's hearing, the oil refinery PAPs and AFIEGO hope that hearing of their court case will be concluded.

"The judiciary will be on trial tomorrow. For over eight years now, courts have failed to provide justice to the oil refinery PAPs who run to them seeking protection of their rights. While the judiciary has failed the people, we hope that they will redeem themselves tomorrow by concluding hearing of the people's case," Mr. Dickens Kamugisha, AFIEGO's CEO, says.

Mr. Innocent Tumwebaze, the chairperson of the Oil Refinery Residents Association (ORRA), notes, "Justice delayed is justice denied. When other oil project-affected persons such as those affected by the Tilenga feeder pipeline and the EACOP see how long courts have taken to hear our case, they become afraid to seek justice. The people say that the Ugandan government has got all the power to do what it wants and courts will not provide a solution. The people say that they have accepted low compensation as result. This is unfair. Our humble plea therefore is that the court concludes our case to boost public confidence in the court system."

Ms. Esther Abigaba, an oil refinery PAP says, "Women and school-going children suffer terrible impacts if project owners such as government and oil companies do not pay PAPs prompt, fair and adequate compensation. In our case, school-going children dropped out of school and girls got married at a young age. Some were even impregnated. Some women's husbands left them. By failing to provide justice, courts are enabling government and project owners to abuse women and girl's rights. We hope that court will protect girls and women by providing us with justice once and for all."

Among others, the refinery-affected people want the court to:

- Declare that the oil refinery compensation process by government violated Article 26 of the 1995 Uganda Constitution leading to delayed, unfair and inadequate compensation of the oil refinery-affected people;
- Declare that the use of cut-off dates through which PAPs are stopped from using their land for new developments before compensation is unconstitutional;
- Order government to pay adequate and fair compensation to the oil refinery-affected people; and
- Order government to formulate regulations for the assessment and payment of compensation as is provided for under Section 20 of the 1965 Land Acquisition Act to prevent the delayed compensation and under-compensation of PAPs that partly arises due to lack of the aforementioned regulations.

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