



**JOINT NON-GOVERNMENTAL ORGANISATIONS SUBMISSION TO THE
UNIVERSAL PERIODIC REVIEW (UPR) 40TH SESSION OF THE UPR WORKING
GROUP -THE UNITED NATIONS HUMAN RIGHTS COUNCIL**

On The Republic of Uganda

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Joint Submission by:

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I. Introduction

1. This report has been submitted by 15 registered Ugandan civil society organisations (CSOs)¹ under the leadership of Africa Institute for Energy Governance (AFIEGO). AFIEGO is a non-profit organisation that was registered in 2009 with an objective of promoting good governance in the extractives and other sectors. The other 14 Ugandan CSOs that are signatory to this report also work to promote good governance in the extractives sector, environmental conservation, climate change mitigation and the protection of community livelihoods.
2. The report is submitted on the occasion of Uganda's 3rd cycle review. It examines the human rights developments between 2016 when Uganda underwent its 2nd cycle review and 2021. To this end, under Annex 2, the report examines Uganda's progress in implementing the accepted recommendations relating to the extractives industry. The report also focuses on the emerging human rights issues since 2016. These issues were not assessed in the 2nd cycle review. This report makes action-specific recommendations to address the concerns raised herein.

II. Methodology

3. This report was compiled in a participatory and consultative manner. A webinar in which the signatory 15 Ugandan CSOs and community-based representatives from Uganda's oil region (Western and South Western regions) participated was organised in June 2021. During the webinar, the CSOs and community-based representatives discussed the emerging human rights concerns in the extractives sector to inform the report writing. The organisations and community representatives also provided information on various human rights thematic issues that have emerged since Uganda's 2nd cycle review in 2016 to 2021. A draft report was generated from the information collected, shared amongst the contributing organisations, and comments incorporated to make this final report. The participating organisations consented to being listed on the cover page of this report.

III. Emerging human rights concerns in the extractives sector in Uganda [2016-2021]

Uganda discovered commercial oil deposits in 2006² and since then, a number of human rights violations and concerns have emerged in the country. The report addresses them in various sections in the following order: Compulsory land acquisition and the right to property; Women's rights; Inadequacy of health and safety standards; Access to information rights and; Militarization of the extractives sector. The report ends with recommendations to address the human rights issues.

A. Government compulsory land acquisition and violations of property rights

4. Progressively, Article 26 (1) of the 1995 Uganda Constitution³ which is in tandem with Article 17 of the Universal Declaration of Human Rights (UDHR) to which Uganda is a State Party, provides for the right of Ugandans to own property either individually or collectively.⁴ The same article, Article 26 2(b) empowers the Ugandan government to compulsorily acquire land for public projects among others. This acquisition can only happen after government pays prompt, fair and adequate compensation to the affected persons⁵. The same Article provides for the “right of access to a court of law ...” for any affected persons to seek redress for any violations under the Article. Despite the above provisions, the Government of Uganda (GoU) and its private sector partners operating in the extractives sector have continuously breached the aforementioned right through among other forms, failure to pay project-affected persons (PAPs) prompt, fair and adequate compensation in cases of compulsory land acquisitions.
5. A 2017 audit⁶ undertaken by the Office of the Auditor General (herein after called OAG) noted that the Ugandan government failed to pay prompt, fair and adequate compensation to the oil refinery-affected people. In 2012, the Ugandan government commenced on compulsory land acquisition processes for a planned oil refinery in Uganda. Over 29 sq. km of land was acquired from 7,118 people. Compensation of the people was supposed to commence on June 13, 2013 and end on February 13, 2014. The audit report of the OAG found that only 104 (4%) persons were paid promptly within the aforementioned set timelines while 96% suffered delayed compensation. Between 2019 and 2020, AFIEGO undertook a study of the oil refinery-affected people⁷. The study found that some of the affected people suffered delays averaging five years. Some of the people were compensated in 2018 partly due to compensation disputes and delays in solving them. The study further found that the delayed, unfair and inadequate compensation resulted in the abuse of the oil refinery-affected people’s economic, education and other rights. The people suffered a decrease in land ownership, decline in ability to participate in economic activities, increased school drop-out rates amongst boys and girls and others⁸. This has undermined the attainment of the Sustainable Development Goals (SDGs) such as SDG 4 on ensuring access to equitable and quality education for all⁹ and SDG 8 on promoting sustained inclusive and sustainable economic growth as well as full and productive employment for all¹⁰.
6. At the time of writing this report, the same compensation challenges of paying delayed and inadequate compensation to other oil-affected people were ongoing. For instance, the 20,631 East African Crude Oil Pipeline (EACOP)-affected people in ten districts in

Uganda¹¹ were suffering the challenges. While cut-off dates were set on the people's property in May and June 2019 and the affected communities were stopped from using their land to set up new developments and grow perennial food as well as cash crops, the affected communities are yet to be compensated as at July 2021. Under the aforementioned oil refinery project, the 7,118 people whose land was compulsorily acquired were stopped from using it for new developments and for growing perennial crops on June 2, 2012 as the cut-off date. This was in violation of Article 23 of the UDHR. The same violation is ongoing under the EACOP project. The use of cut-off dates, which are not time-bound and can go into infinity while families are stopped from engaging in some productive activities, has caused food insecurity thereby affecting the right to food as enshrined under Article 25 of the UDHR¹². This has also curtailed efforts to attain SDG 2 on zero hunger¹³. The use of cut-off dates without expiration dates has also caused school drop-outs due to lack of school fees which were originally sourced from the subsistence farming by communities, reduced family incomes hence affecting oil-affected communities' economic rights and other human rights violations attendant to the aforementioned.

7. Another challenge that needs addressing is lack of adequate monitoring for the impacts of oil compulsory land acquisition projects on the affected people by government. Tens of thousands of people in the oil region in Uganda are being displaced from their land to pave way for different oil infrastructure. The processes are depriving communities of farm land, businesses, as well as destroying social networks. A number of oil-affected people are left homeless or landless or put in confined settlements with limited means of earning a livelihood¹⁴. The above was especially seen with the oil refinery-affected people who were resettled by the Ugandan government in a squeezed settlement beginning in 2017. The affected people are also left without necessary community support due to the severe social fabric/communal living disruptions which make it hard for them to cope in their new settlements¹⁵. Unfortunately, no adequate interventions are made by government to fully address the various economic, social, and psychological challenges faced by the displaced communities. This is undermining the attainment of SDG 3 on ensuring healthy lives and promoting wellbeing for all by 2030¹⁶.

B. Women's rights in the extractives industry

8. In 2016, during Uganda's 2nd cycle review, one of the recommendations from Sweden was to the effect: 115.9 Enact laws that enhance equal access to property rights for women (Sweden).¹⁷ Progressively, and in relation to Uganda's legal framework, Uganda is signatory to the Convention on the Elimination of All Forms of Discrimination against Women, ratified to the Protocol to the African Charter on the Rights of Women in Africa in 2011, the Beijing Platform of Action and committed to attaining the fifth sustainable development goal of promoting gender equality.¹⁸ Uganda's 1995 Constitution explicitly recognises the necessity for women to be given full and equal dignity and makes it

mandatory for the state to ensure that women have equal rights and opportunities in political, economic and social activities as re-affirmed in SDG 10 which seeks to reduce inequality.

9. Unfortunately, extractives activities have had both direct and indirect implications that have affected women, men, and children. In Uganda, many rural communities' main source of livelihood is agriculture. Indeed, the Uganda Bureau of Statistics (UBOS) indicates that 7.4 million households in Uganda are engaged in agriculture. Ninety percent (90%)¹⁹ of women in these households rely on agriculture and they are responsible for the food security in these homes. Compulsory land acquisitions in which project-affected persons are paid inadequate, unfair and delayed compensation have seen women's access to land and ability to provide food for their families being negatively impacted. This was especially seen with the oil refinery-affected families whose households' land sizes reduced, thereby undermining food production²⁰. Consequently, this has undermined efforts to fulfill SDG 2 which aims at ending hunger, achieving food security and improving nutrition as well as promoting sustainable agriculture.²¹
10. Gender challenges are exacerbated because while women are primary land users in Uganda, the majority do not own land. Only 16% own land and of these, only 7% own registered land²². This means that during compulsory land acquisitions, women are left out of compensation processes. The men, who own land, have the right to receive compensation. While efforts have been made to ensure that women are involved in compulsory land acquisitions and that joint bank accounts in which compensation is deposited are opened, men who wield more power especially in the patriarchal set-up in Uganda end up deciding how compensation money is spent. This has led to wastage of compensation monies with men marrying other wives and gambling away their money²³. Ultimately, the men are unable to replace all the land for which they were compensated, affecting women's access to land and ability to provide food for their families as the aforementioned 2019-2020 AFIEGO study found. This study also revealed that 13.43% of the oil refinery-affected people became landless after their land was acquired by the Ugandan government beginning in 2012. Indeed, the effects arising from this 2012 land dispossession continue to date. Fraudulent land transactions largely perpetuated by men are also affecting women's land access. A recent report noted that "a number of communities in oil-rich Bunyoro region were falling victim to fraudulent land acquisitions that have left some of them homeless. The perpetrators were either wealthy businessmen seeking to tap into the multi-billion-shilling oil and gas industry, or mere speculators seeking to make an extra buck by acquiring land from unsuspecting villagers and selling it expensively to wealthy individuals"²⁴. Many now suffer vagaries that accompany landlessness.
11. Moreover, there has been destruction of the environment as well as water, lagoon and soil contamination in the oil region including the pollution of Lake Albert with oil waste.²⁵ Air and noise pollution in the region also increased due to oil exploitation activities. Moreover, oil and related activities have led to the destruction of forests such as Bugoma and

population influx among others. Pollution and destruction of environmental resources have increased women's burdens of food provision as well as accessing fuelwood and herbs among others²⁶. These disruptions were reported during April 2021 meetings between AFIEGO and communities living around Bugoma forest²⁷. In the same vein, the above environmental destructions infringe on the right to a clean and healthy environment as provided for under Article 39 of the 1995 Uganda Constitution and Article 24 of the African Charter on Human and Peoples' Rights.

C. Inadequacy of health and safety standards

12. Progressively and in tandem with the international standards of promotion of safety and health as prescribed by the Mines Convention, 1995 (No. 175) and its accompanying recommendation No. 183, the government of Uganda has enacted a number of legal instruments to enable health and safety in the extractives sector.
13. Uganda's Health and Safety systems have been promoted through projects funded by international financial agencies including the World Bank, International Development Association (IDA), International Finance Corporation (IFC), African Development Bank (AFDB) and others. Herein, the issues of health and safety are usually actualised through development of Environment and Social Management Plans (ESMP) for specific projects and programmes. The existing laws and policies relating to health and safety in the extractives sector in Uganda are prescribed through the following legislative framework:
 - (a) Uganda Constitution (1995)
 - (b) The Petroleum (Exploration, Development and Production) Act, 2013
 - (c) The Petroleum (Refining, Conversion, Transmission and Midstream Storage) Act, 2013
 - (d) The Petroleum (Exploration, Development and Production) Regulations, 2016
 - (e) The Petroleum (Exploration, Development and Production) (Health, Safety and Environment) Regulations, 2016
 - (f) The Petroleum (Refining, Conversion, Transmission and Midstream Storage) Regulations, 2016
 - (g) The Petroleum (Refining, Conversion, Transmission and Midstream Storage) (Health, Safety and Environment) Regulations, 2016
 - (h) The Occupational Safety and Health Act, 2006
14. The State system and function on safety established a policy and safety objectives that reflect its commitment regarding health and safety and facilitate the promotion of a positive safety culture in the petroleum sector.

Emerging concerns

15. Despite the above, the health and safety systems have no specific indicators and therefore their level of achievement is difficult to measure with certainty at national level. They are characterised by lack of effective monitoring systems at national level to provide timely,

relevant and good quality information on the progress and success on implementation of the health and safety safeguards. Further, adequate attention has not been given to health and safety safeguards during project design in addition to prevalence of inadequate management commitment towards the implementation of the health and safety management safeguard systems in the extractives sector.

16. Additionally, performance reporting on health and safety safeguards components are not well streamlined at national level with no structurally agreed upon tools periodically used to assess performance. Health and safety strategic planning, monitoring and evaluation, periodic inspections and regular audits are not done for the entire extractive projects including oil and gas. This leaves the sector susceptible to health-related human rights violations.
17. Furthermore, extractives activities such as oil projects are ongoing or planned in Murchison Falls National Park (MFNP), Lake Albert, Lake Victoria, River Nile and other eco-sensitive areas. Particularly, oil infrastructure such as oil roads and bridges have been constructed in MFNP and oil extraction is expected to commence by 2025²⁸ under the Tilenga oil project. Oil extraction from within and around Lake Albert in Western Uganda is also expected to commence the same year, 2025. Oil pipelines to support the transportation of the extracted oil are planned to be developed under River Nile for the Tilenga oil project. Furthermore, nearly a third or approximately 460km of the East African Crude Oil Pipeline²⁹, a 1,443km pipeline that is to be built from Uganda to Tanzania, is expected to be constructed in the Lake Victoria basin. The extraction of oil and development of oil infrastructure in eco-sensitive areas have put Ugandans' rights to clean water access, food security, biodiversity protection, the right to a clean and healthy environment and others at risk.

D. Access to information rights

18. As a note of progress, in Uganda, the right of access to information is guaranteed under Article 41 of the 1995 Constitution and is operationalized under the 2005 Access to Information Act and the attendant regulations. Under this provision/legal framework, every citizen has a right of access to information in the possession of the state or its agencies. The right of access to information is also stipulated in Article 19 of the International Covenant on Civil and Political Rights and Article 9 of the African Charter on Human and Peoples Rights to which Uganda is a State party. Also, worth noting, on a progressive path is the existence of provisions on contract disclosure and transparency in Uganda's legal framework for the extractives sector. These include among others the 1995 Constitution, the 2005 Access to Information Act and the 2015 Public Finance and Management Act.

19. Despite the existing policies and laws, the Ugandan government has not been sufficiently proactive in providing access to information in the extractives sector, yet proactive disclosure is the recommended international best standard/practice. In particular, the extractives industry, particularly the oil and gas sector, has been shrouded in secrecy, denial and limited access to information to the public. The denial of access to information is especially perpetuated by placing high fees for access to public information. For instance, in January 2021³⁰, AFIEGO and seven other CSOs wrote to Uganda's National Environment Management Authority (NEMA) requesting for a certified copy of the Environmental and Social Impact Assessment (ESIA) certificate of approval that NEMA had issued to the East African Crude Oil Pipeline (EACOP) project developers in 2020. AFIEGO also requested for the final EACOP ESIA report on which NEMA had based to issue the certificate. In reaction, NEMA wrote a letter on March 4, 2021 through which the authority indicated that AFIEGO and the seven CSOs would only receive the certified ESIA certificate of approval, final EACOP ESIA report and the presiding officer's report after paying UGX 2,400,000. In a letter dated March 16, 2021, AFIEGO indicated that this amount was prohibitive and would deny citizens access to information. AFIEGO requested to be allowed to pay UGX 300,000/ to access the aforementioned reports and certificate. NEMA however refused to share the reports and cited laws such as the 2019 National Environment Act and 2020 National Environment (Environmental and Social) regulations as empowering them to prescribe the fees required to release information to the public. The setting of prohibitive costs as described here and outright refusal to share the full text of agreements such as the 2021 Host Government, Tariff and Transportation as well as Shareholders agreements relating to the EACOP oil projects has left those who are both directly and indirectly affected by oil and gas developments unable to make informed decisions on key aspects which concern their lives and livelihoods. The need to refrain from breaking confidentiality clauses is cited³¹ for refusing to share the full text of the agreements.
20. It is noteworthy that in 2006, two Ugandan journalists working with the *Daily Monitor* newspaper (a local daily) namely Charles Mwanguhya and Angelo Izama filed a request for access to information contained in the oil Production Sharing Agreements (PSAs) entered into by the government of Uganda and the oil companies. The request was made under the Access to Information Act by the two journalists. Section 5 (1) of the Access to Information Act states that every citizen has a right to access information and records in possession of the State or any public body, except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to privacy of another person. The journalists' request for the PSAs was denied by the Permanent Secretary in the Ministry of Energy and Mineral Development upon which they petitioned the Magistrates Court in accordance with the law. Unfortunately, the case failed with the court reasoning that they had failed to establish that the public benefit that would accrue from the disclosure of information contained in these PSAs was greater than the

harm that would be suffered as a result of the disclosure. Court further averred that there were confidentiality clauses to be respected in such agreements. The above case is critical in the access to information discourse in Uganda for since that precedent, government agencies have continued to rely on it to justify the failure to disclose particular information arguing that it is confidential.

21. Restrictions on the enjoyment of the right to information also exist in the context of mining. Information on mining projects is very hard to obtain. The situation is further aggravated by the restricted access to mining sites since many of them are guarded by soldiers. Since mining companies do not work with the locals and district officials, it is hard to access information from mining companies. In cases where they are pushed hard, these companies and government sometimes issue out wrong information. For instance, in November 2020, the Petroleum Authority of Uganda (PAU) informed the over 3,000 households whose land is being compulsorily acquired for the EACOP project that they would be compensated in early 2021³². By the time this report was submitted in July 2021 however, the people were yet to be compensated. Sharing of wrong information breaches the right of access to information to the citizenry and is undermining the attainment of SDG 16 on promoting peaceful and inclusive societies for sustainable development³³.

E. Restrictive civic space

22. The oil and gas sector in Uganda is highly militarized. A special oil and gas police unit³⁴ and an army unit were created by the Ugandan government to guard the oil fields in Western Uganda³⁵. In Kabaale-Hoima where Uganda's oil refinery is supposed to be located, there are four army detachments with over 1,000 soldiers. The security presence in the oil region has created an atmosphere of fear within oil-affected communities and their representatives.
23. The armed forces move in communities with their guns and uniforms to intimidate community members. For instance, in Buliisa, the oil and gas police, Resident District Commissioner (RDC) and other security operatives visit project-affected persons (PAPs) for no reason. This creates fear. As a result, oil project-affected communities generally remain silent or very cautious when speaking about the violence and harassment they may have experienced and the impacts they have suffered from oil projects³⁶. This contravenes the people's right to freedom of expression as provided for under Article 29 (1a) of the 1995 Uganda Constitution and Article 19 of the UDHR.

24. Other than the heavy militarization, CSOs as well as environmental and human rights defenders (EHRDs) working in the oil sector get illegally arrested and intimidated. In May 2021 for instance, Mr. Maxwell Atuhura, a representative of the NGO AFIEGO and an Italian journalist, Ms. Federica Marsi, who were conducting interviews with oil-affected people in Buliisa were arrested by the Uganda Police³⁷. Mr. Atuhura spent two nights in detention and was harassed. Mr. Atuhura's arrest, whose holding charge was indicated as being unlawful assembly, came after being monitored and intimidated by the police and military over time. Previously, in 2010, the NGO Forum chairperson in Buliisa and National Association of Professional Environmentalists (NAPE) staff were arrested³⁸. The arrests arising after CSOs meet with communities curtail the enjoyment of freedom of expression and assembly that are provided for Article 29 (1d) of the 1995 Uganda Constitution and Article 20 of the UDHR respectively.
25. Further, in South Western Uganda, Mr. Kayinga Muddu Yisito of COTFONE has been intimidated by some state functionaries or their representatives who feel threatened by his advocacy on the East African Crude Oil Pipeline (EACOP). In October 2020, a group of soldiers and Ministry of Energy officials visited the EACOP-affected districts in Greater Masaka in South Western Uganda. They asked the Resident District Commissioner to rein in Mr. Kayinga to stop "inciting and misleading project-affected persons [PAPs]". Two Resident District Commissioners (Kyotera and Lwengo) sided with Mr. Kayinga, citing the lack of government information to PAPs. The two Resident District Commissioners didn't find fault with Mr. Kayinga; on the contrary they commended COTFONE for fulfilling a role that government failed to fulfill. They urged the Petroleum Authority of Uganda (PAU) to do their role.
26. CSOs working in the extractives sector are also faced with challenges such as being stopped from meeting with community members, being threatened with deregistration, being the subject of verbal attacks and smear campaigns among others³⁹, all of which contravene the right to freedom of assembly and association as provided for under Article 29 of the 1995 Uganda Constitution as well as Article 20 of the UDHR.
27. The above threats are especially seen in Buliisa district in Western Uganda where one of the oil extraction projects are located. In this district, CSOs and journalists are required to seek permission from the Resident District Commissioner (RDC) before meeting with communities. This is aimed at keeping outsiders out so as to enable a lack of scrutiny⁴⁰. Journalists and researchers are also denied access to communities in the district, further contributing to the secrecy of the sector thereby curtailing access to information and accountability.

28. Furthermore, CSOs that are considered critical face financial restrictions and investigations. In 2019 for instance, 14 CSOs including AFIEGO that are considered critical of government were put under investigation by the Uganda government's Financial Intelligence Authority (FIA)⁴¹. Such investigations are aimed at intimidating CSOs that are considered critical of the government's governance, rule of law and human rights records. CSOs' bank accounts are also sometimes frozen by the Ugandan government. In 2020 for instance, the bank accounts of four CSOs involved in the country's General Elections were frozen⁴², further negatively impacting on these organisations. The repression of CSOs and reduction in civic space is generally undermining the attainment of SDG 16 as it curtails the building of effective and accountable institutions⁴³.

Harassment and death threats

29. Environmental and Human Rights Defenders (EHRDs) working to protect natural resources also face harassment. For example, on August 18, 2018, a community meeting organised by Friends of Zoka (FoZ) as well as the Ma'di Cultural and Development Foundation (MACDEF) meant to discuss natural resource management in the Ma'di sub-region of Adjumani and Moyo with specific interest on Zoka Central Forest Reserve was stopped by the Police in Adjumani despite earlier communication from the organisers to the police as stipulated in Uganda's Public Order Management Act (POMA). Police heavily deployed at the venue at Multipurpose Training Centre in Adjumani under the command of the District Police Commander (DPC) who later ordered for the arrest of the team leader of Friends of Zoka, Mr. Amanzuru William Leslie, for spearheading the meeting arrangement.

30. In February 2021, the activities of Friends of Zoka were temporally stopped by the Adjumani District Security Committee, which is headed by the Resident District Commissioner (RDC). This was after it was exposed that the Deputy RDC was dealing in illegal logging and commercial charcoal trade. This exposure attracted security threats against members of Friends of Zoka. The tree loggers have on numerous times sought and threatened to kill members of Friends of Zoka. Cyber harassment and death threats by unknown people are sent. Other threats involve surveillance of the homes of some of the outspoken defenders of the environment by unknown and unidentifiable men riding on motorcycles with no registration numbers. In particular, the team leader of Friends of Zoka, Mr. Amanzuru William Leslie, has been a victim on countless times.

31. Another such incident happened in Moyo district in West Nile on Wednesday May 20, 2020, when activists of Friends of Zoka, journalists, Metu sub-county leaders and others were stopped and detained for about an hour at a roadblock mounted by among others, Uganda People's Defence Forces (UPDF) from the Padiga village detach. The Friends of

Zoka team were attempting to halt the illegal cross-border log harvesting and collection of the endangered *Azelia Africana* tree.

32. Defenders have also faced arbitrary arrests. For instance, Mr. Amanzuru William Leslie was arrested on February 3, 2021. He was arrested following locals impounding Kampala-bound trucks ferrying illegal charcoal. A case against Mr. Amanzuru was registered at the Adjumani Central Police Station by the owners of the impounded charcoal. They accused Mr. Amanzuru of theft. This led to the aforementioned arrest on February 3, 2021. Mr. Amanzuru was later released on police bond. As part of his police bond requirements, he had to periodically report to police. On May 24, 2021, Mr. Amanzuru was informed that he has no case to answer, effectively vindicating him of the alleged theft of 270 bags of the said charcoal worth UGX 24 million. Mr. Amanzuru was arrested to harass, intimidate and besmirch his name.

F. RECOMMENDATIONS

A. Regarding the right to property and compulsory land acquisition

1. The Government of Uganda should expedite the passing of the 2018 Land Acquisition Bill that has stalled since 2018 to ensure protection of the right to property and attendant rights under threat during government compulsory land acquisitions across the country. Specifically, the bill should provide for time-bound cut-off dates. The law should provide that in the event that government and its agents fail to compensate project-affected persons within the period within which the cut-off date accrues, the property being acquired by government has to be re-assessed and revalued.
2. The Government of Uganda should reform the legal framework governing compulsory land acquisition to ensure that it is aligned to international human rights standards including among others defining what is prompt, fair and adequate compensation and establishment of mechanisms of regular follow-up on the oil-affected communities in the aftermath of the compensation and resettlement processes to ascertain their progress and wellbeing.

B. Regarding women rights in the extractives industry

1. The Government of Uganda should address the gender inequalities within the extractive industry through legislative reform to ensure a more inclusive framework that recognises and protects women's land rights specifically on issues of ownership, compensation, resettlement and access to justice. A law or regulations empowering women to participate in decision-making on how compensation is used should be put in place. Inclusive grievance handling processes should

women be denied their compensation rights should be instituted and enshrined in compensation laws.

C. Regarding health and safety standards

1. The Government of Uganda should strengthen its ability to enforce private sector adherence to health and safety frameworks. Trainings for relevant government staff should be conducted and resources should be provided to ensure adherence.

2. Further, to safeguard citizens' safety and health, the government of Uganda should ban the exploitation of oil and gas resources in lakes, rivers, national parks and other ecosensitive areas as well as the development of oil infrastructure in the same areas.

D. Regarding transparency and open governance in the extractives industry

1. The Government of Uganda should implement in full the access to information laws and consider establishment of cost-effective systems to publicly make information accessible, both through online and hardcopy options. All relevant natural resource and environment related information such as contracts, approved Environmental and Social Impact Assessment reports particularly in mining, logging and the oil sector among others should be made public.

2. The Government of Uganda should establish a pro-active disclosure regime of information that makes contracts in the extractives industry and associated documents easy to find, search, and use in adherence to Article 41 of the Constitution of Uganda to increase accessibility for all its citizens without discrimination.

3. The Government of Uganda, being a member of the Extractive Industries Transparency Initiative (EITI), should publish all revenues earned from petroleum and mining and Production Sharing Agreements (PSA) as well as Mining Agreements signed with especially international oil and mining companies.

E. Regarding the rights of Human Rights Defenders in the extractives industry

1. The Government of Uganda should guarantee and ensure a safe and enabling environment for human rights defenders working in the context of the extractive industries through among other measures, promoting the rule of law and holding accountable perpetrators of human rights violations.

2. Further, laws or sections of laws such as the 2016 Non-Governmental Organisations Act, 2013 Public Order Management Act, 2013 Anti-Money laundering Act, 2011 Computer Misuse Act and others that criminalise CSO work, curtail freedom of expression, movement and assembly should be struck down from the laws.

ANNEX 1: FOOTNOTES

¹ Africa Institute for Energy Governance; Action for Rural Women’s Empowerment; Center for Constitutional Governance; Civic Response on Environment and Development; Civil Society Coalition on Oil and Gas; Community Transformation Foundation Network; Ecological Trends Alliance; Environment Shield; Environmental Governance Institute; Friends for Environment; Friends of Zoka; Guild Presidents’ Forum on Governance; Oil Refinery Residents Association; World Voices Uganda/Publish What You Pay-Uganda; Youth for Green Communities

³ Uganda Constitution https://statehouse.go.ug/sites/default/files/attachments/Constitution_1995.pdf

⁴ The Universal Declaration of Human Rights, 1948. Accessible at https://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf

⁵ The 1995 Constitution. Accessible at https://www.constituteproject.org/constitution/Uganda_2005.pdf?lang=en

⁶ See the Auditor General of Uganda’s 2018 Annual Report Accessible at <http://www.oag.go.ug/wp-content/uploads/2018/01/Annual-Report-of-the-Auditor-General-FY-2017.pdf>

⁷ AFEIGO, ‘Assessing the impacts of the oil refinery land acquisition and resettlement project on the affected people (2012-2020),’ 2020. Accessible at <https://www.afiego.org/download/afiego-research-report-impacts-of-oil-refinery-project-on-the-affected-people/?wpdmdl=2051&refresh=60cb2669cd8d91623926377> [Accessed 26/06/2021]

⁸ AFEIGO, ‘Assessing the impacts of the oil refinery land acquisition and resettlement project on the affected people (2012-2020),’ 2020. Accessible at <https://www.afiego.org/download/afiego-research-report-impacts-of-oil-refinery-project-on-the-affected-people/?wpdmdl=2051&refresh=60cb2669cd8d91623926377> [Accessed 26/06/2021]

⁹ <https://sdgs.un.org/goals/goal4>

¹⁰ <https://sdgs.un.org/goals/goal8>

¹¹ <https://www.afiego.org/download/afiegos-october-2020-newsletter/?wpdmdl=2057&refresh=60cb2b6069b451623927648>

¹² <https://www.sciencedirect.com/science/article/pii/S2214629621000633>

¹³ <https://sdgs.un.org/goals/goal2>

¹⁴ AFEIGO, ‘Assessing the impacts of the oil refinery land acquisition and resettlement project on the affected people (2012-2020),’ 2020. Accessible at <https://www.afiego.org/download/afiego-research-report-impacts-of-oil-refinery-project-on-the-affected-people/?wpdmdl=2051&refresh=60cb2669cd8d91623926377>

¹⁵ <https://www.grocentre.is/static/gro/publication/466/document/aboda2018.pdf>

¹⁶ <https://sdgs.un.org/goals/goal3>

¹⁷ United Nations-Human Rights Council-Universal Periodic Review ‘Report of the Working Group On Uganda,’ at 13, 27 December 2016.

¹⁸ See United Nations, ‘Sustainable Development Goals’, accessible at <https://sdgs.un.org/goals>

¹⁹ Uganda Bureau of Statistics (UBOS), Accessible at <https://www.ubos.org/wp-content/uploads/publications/Annual%20Agricultural%20Survey%202018%20Statistical%20Release%20May%202020.pdf>

²⁰ <https://www.grocentre.is/static/gro/publication/466/document/aboda2018.pdf>

²¹ United Nations, ‘Sustainable Development Goal 2’, <https://sdgs.un.org/goals/goal2>

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- ²³ <https://oilinuganda.org/features/women-and-oil/betrayed-compensation-claims-more-victims-as-men-abandon-their-families/>
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- ²⁷ <https://www.afiego.org/download/afiegos-april-2021-newsletter/?wpdmdl=2322&refresh=60cb3cd1a4dc21623932113>
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- ³³ <https://sdgs.un.org/goals/goal16>
- ³⁴ <https://ugfacts.net/uganda-police-force-departments/>
- ³⁵ https://www.africaintelligence.com/oil-gas_state-strategy/2021/04/19/alarmed-by-mozambique-s-crisis-museveni-offers-total-extra-security-for-tilenga,109658760-art
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- ³⁸ <https://www.hrw.org/report/2012/08/21/curtailing-criticism/intimidation-and-obstruction-civil-society-uganda>
- ³⁹ Human Rights Watch, 'Curtailing Criticism, Intimidation and Obstruction of Civil Society in Uganda,' Accessible at <https://www.hrw.org/report/2012/08/21/curtailing-criticism/intimidation-and-obstruction-civil-society-uganda>
- ⁴⁰ <https://www.hrw.org/report/2012/08/21/curtailing-criticism/intimidation-and-obstruction-civil-society-uganda>
- ⁴¹ The Daily Monitor, 'Government Probes Several NGOs', Accessible at <https://www.monitor.co.ug/uganda/news/national/government-probes-several-ngos-1843016>
- ⁴² The Daily Monitor, 'Government freezes Accounts of 4 NGOs Doing Poll Work,' Accessible at <https://www.monitor.co.ug/uganda/special-reports/elections/govt-freezes-accounts-of-4-ngos-doing-poll-work-3216360>
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ANNEX 2: STATUS OF IMPLEMENTATION OF RELEVANT RECOMMENDATIONS FROM 2ND UPR CYCLE

An overview of the [relevant recommendations](#) accepted by Uganda in the 2nd UPR cycle that have not been implemented is provide in the table below.

Recommendation	Position	Full list of themes	Comments on level of implementation
Theme: A45 National Human Rights Institution (NHRI)			
<p>115.43 Capacitate and allocate resources to the Uganda Human Rights Commission in a sustainable manner (South Africa);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>A45 National Human Rights Institution (NHRI)</p> <p>Affected persons:</p> <p>- general</p>	<p>The Uganda Human Rights Commission has lacked a chairperson since November 2019.</p>
Theme: B6 Business & Human Rights			
<p>115.134 Implement the Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework to guarantee labour and land rights (Kenya);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>B6 Business & Human Rights</p> <p>Affected persons:</p> <p>- general</p>	<p>The state and oil companies have abused and/or continue to abuse the land, social, economic, food, education and other rights of over 20,000 people whose land is being acquired for the East African Crude Oil Pipeline (EACOP) project.</p> <p>The grievance handling mechanisms provided by oil companies to reinstate the rights of the people are also inadequate.</p>
<p>115.138 Ensure that companies exploiting natural resources conclude agreements with affected communities to allow them to access cultural sites or resources and be compensated (Kenya);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>B6 Business & Human Rights</p> <p>B71 Human rights and the environment</p> <p>B51 Right to an effective remedy</p> <p>E7 Cultural rights</p> <p>Affected persons:</p> <p>- general</p>	
Theme: D44 Right to peaceful assembly			

<p>115.103 Take measures to guarantee the right to peaceful assembly and avoid abuses in police activities and, if such abuses occur, ensure that they do not go unpunished (Spain);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>D44 Right to peaceful assembly</p> <p>B51 Right to an effective remedy</p> <p>Affected persons:</p> <p>- general</p>	<p>Civil society organisations as well as Environmental and Human Rights Defenders (EHRDs) are stopped from engaging with communities especially in the Buliisa Tilenga oil community.</p>
<p>Theme: D51 Administration of justice & fair trial</p>			
<p>115.82 Ensure the separation of power and the independence of the judiciary and prevent government officials from interfering in judicial proceedings (Slovenia);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>D51 Administration of justice & fair trial</p> <p>Affected persons:</p> <p>- judges, lawyers and prosecutor</p>	
<p>Theme: E21 Right to an adequate standard of living – general</p>			
<p>115.142 Enhance the efforts made to improve the economic rights of the people (Ethiopia);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>E21 Right to an adequate standard of living - general</p> <p>Affected persons:</p> <p>- general</p>	<p>The economic rights of the people whose land is being acquired for the EACOP project are being abused.</p> <p>Since May and June 2019, the people were stopped from using their land to grow perennial cash crops from which they make a living.</p>
<p>Theme: E51 Right to education – General</p>			
<p>115.128 Take further measures to improve children’s enrolment, access, quality and sustainability of education, especially for girls (Ukraine);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>E51 Right to education - General</p> <p>F19 Girls</p> <p>Affected persons:</p> <p>- general</p>	<p>Some children, including girls, whose parents’ land was acquired for the oil refinery and EACOP oil projects dropped out of school.</p>

<p>115.127 Reinforce policies that favour access to education in rural areas (Syrian Arab Republic); Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>E51 Right to education - General H4 Persons living in rural areas Affected persons: - persons living in rural areas</p>	<p>Some rural children affected by the aforementioned oil projects dropped out of school. The children's parents lost their incomes due to the oil projects.</p>
<p>Theme: E52 primary education</p>			
<p>115.124 Improve fair access to and the quality and sustainability of primary education (Djibouti); Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>E52 primary education Affected persons: - general</p>	<p>Some children, including girls, whose parents' land was acquired for the oil refinery and EACOP oil projects dropped out of school.</p>
<p>115.125 Improve access to education, in particular in marginalized areas (Algeria); Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>E52 primary education H4 Persons living in rural areas Affected persons: - general</p>	<p>Some rural children affected by oil projects dropped out of school. The children's parents lost their incomes due to the oil projects.</p>
<p>Theme: F12 Discrimination against women</p>			
<p>115.57 Continue to improve its policies to protect the rights of women (Syrian Arab Republic); Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>F12 Discrimination against women Affected persons: - women</p>	<p>Policies such as the Land Acquisition, Rehabilitation and Resettlement Policy that to some extent safeguard the land rights of project-affected women are yet to be completed or approved by the Ugandan government.</p>

<p>115.8 Abolish all discriminatory laws and practices in accordance with its international obligations under the Convention on the Elimination of All Forms of Discrimination against Women (Iceland);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>F12 Discrimination against women</p> <p>A41 Constitutional and legislative framework</p> <p>Affected persons:</p> <p>- women</p>	<p>Women are still discriminated against during compensation for land that is compulsorily acquired by the Ugandan government for oil and other projects.</p> <p>There are no measures put in place by government to ensure that women participate in decision-making on how compensation money is used by men.</p>
<p>115.51 Continue with efforts to advance the rights of women and combat discrimination against women and girls, in particular to achieve equal access to education and prevent girls dropping out of school (Mexico);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>F12 Discrimination against women</p> <p>E51 Right to education - General</p> <p>F19 Girls</p> <p>Affected persons:</p> <p>- women</p> <p>- girls</p>	<p>Some children, including girls, whose parents' land was acquired for the oil refinery and EACOP oil projects dropped out of school.</p>
<p>115.9 Enact laws that enhance equal access to property rights for women (Sweden);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>F12 Discrimination against women</p> <p>E6 Rights to protection of property; financial credit</p> <p>A41 Constitutional and legislative framework</p> <p>Affected persons:</p> <p>- women</p>	<p>Women are still discriminated against during compensation for land that is compulsorily acquired by the Ugandan government for projects.</p> <p>There are no measures put in place by government to ensure that women participate in decision-making on how compensation money is used.</p>

<p>115.55 Continue to protect girls from all forms of discrimination and promote girls' rights and access to education (Pakistan); Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>F12 Discrimination against women F19 Girls E51 Right to education - General Affected persons: - girls</p>	<p>Some children, including girls, whose parents' land was acquired for the oil refinery and EACOP oil projects dropped out of school.</p>
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Theme: F39 Youth

<p>115.139 Continue to implement socioeconomic and development policies for safeguarding the rights of youth (Pakistan); Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>F39 Youth E21 Right to an adequate standard of living - general Affected persons: - general</p>	<p>Youth below the age of 18 whose parents' land is acquired for oil projects are not compensated as they are not land owners.</p> <p>Since they often also drop out of school due to disruptions caused by oil projects, the youth are often left landless and skill-less (without skills).</p> <p>This harms their economic prospects.</p> <p>Moreover, youth lost fishing opportunities/ grounds on Lake Albert due to the Tilenga and Kingfisher oil projects.</p>
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Theme: H1 Human rights defenders

<p>115.106 Consult a broad range of civil society actors and reflect their views in the Non-Governmental Organizations Act, 2016, to ensure an open, accountable and vibrant NGO sector (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>H1 Human rights defenders A61 Cooperation with civil society Affected persons: - general</p>	<p>The NGO sector is still hampered by the repressive 2016 NGO Act some of whose sections make NGOs' work difficult, for example by increasing the administrative burden of NGOs.</p>
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<p>115.110 Explicitly recognize the legitimacy of the work carried out by human rights defenders, publicly support their work and provide protection for them (Uruguay); Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>H1 Human rights defenders A61 Cooperation with civil society Affected persons: - human rights defenders</p>	Human rights defenders are arrested, detained and their work delegitimized, as this report has shown.
<p>115.94 Ensure that civil society organizations and human rights defenders can operate in a safe environment and that all allegations of intimidation, harassment and violence are fully investigated (Ireland); Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>H1 Human rights defenders D2 Right to physical and moral integrity B51 Right to an effective remedy Affected persons: - human rights defenders</p>	Harassment of civil society organisations still exists as this report has shown.
<p>115.95 Investigate the alleged harassment of human rights defenders and prosecute offenders (Ghana); Source of position: A/HRC/34/10 - Para. 115</p>	Supported	<p>H1 Human rights defenders D2 Right to physical and moral integrity B51 Right to an effective remedy Affected persons: - human rights defenders</p>	Government agents such as Resident District Commissioners, police officers and others who harass human rights defenders working in the extractives sector are not prosecuted.

<p>115.96 Thoroughly investigate the threats against human rights defenders and civil society organizations, bring to justice those responsible and guarantee reparations to the victims, especially those working for women's rights (Uruguay);</p> <p>Source of position: A/HRC/34/10 - Para. 115</p>	<p>Supported</p>	<p>H1 Human rights defenders</p> <p>D2 Right to physical and moral integrity</p> <p>B51 Right to an effective remedy</p> <p>F12 Discrimination against women</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - human rights defenders 	<p>Government agents such as Resident District Commissioners, police officers and others who threaten human rights defenders working in the extractives sector are not brought to justice.</p>
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