DISPOSSESSED BY TILENGA OIL PROJECT: FAMILIES DEMAND THAT TOTAL DESISTS FROM USING THEIR LAND

Some oil affected community members and their lawyers after addressing a press conference in Kampala in May 2024.

The community members and lawyers condemned the illegal evictions of oil-affected families by the Ugandan government to help oil companies to take over people’s land.

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Dear reader, welcome to AFIEGO’s May 2024 newsletter. On May 14, 2024, AFIEGO supported a press conference in Kampala during which some Tilenga oil project-affected families and their lawyers addressed over 20 journalists on the violations that oil-affected people are facing.

The families noted that government is filing cases in court against poor people and courts are issuing eviction and demolition orders against them.

As a result, oil-affected families are losing their land and property to oil companies including TotalEnergies without adequate compensation.

Indeed, beginning in 2020, the Government of Uganda (GoU) has used courts to secure eviction orders against oil project-affected families. The families are from TotalEnergies’ Tilenga oil project area.

The GoU is using the courts to violate and indirectly amend Article 26 of the 1995 Constitution.

The Constitution provides against deprivation of citizens of their property during compulsory land acquisitions unless prompt, fair and adequate compensation is paid.

In allowing the GoU to evict oil project-affected persons without adequate compensation, courts are being used to legitimise illegalities and impunity.

In our Word from CEO, we share the story of a family that was evicted and their house demolished with the kind of high-handedness that no government should use against its people. The eviction of the family, and others before it, sets a bad precedent that could affect every Ugandan seeking adequate compensation in case of displacement.

Through this newsletter, we call on the GoU to stop using courts to illegally amend Article 26 of the Constitution. We also call on TotalEnergies to desist from using land that has been acquired through unfair court orders.

In addition, in this newsletter, we bring you our pictorial section summarising the activities implemented by AFIEGO and our partners in May. These activities include community empowerment engagements, media trainings, meetings between lawyers and communities, press conferences and others.

In our lobbying section, we share some of the lobby and advocacy products that we disseminated in May.

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

We hope you enjoy the newsletter.

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“I have a big wound on my heart,” Rose Alinaitwe says.

Alinaitwe hails from the peaceful village of Kirama in Kigwera sub-county in Buliisa district. Part of TotalEnergies’ Tilenga oil extraction project is located in Buliisa.

The peace exuded in Kirama village however does not extend into Alinaitwe’s heart. Indeed, she need not tell a keen observer that her heart is full of grief.

Observed as she cooks over an open fire, one can tell that a tragedy of huge proportions befell Alinaitwe recently. Often an attentive mother, Alinaitwe absent-mindedly shoos away her baby who is vying for her attention.

The only task that Alinaitwe can pay attention to is ensuring that logs of firewood are pushed into her three-stone cookstove, and that the logs burn. Her energy is sapped by sorrow, and she cannot pay attention to more than one task at a go. Even if this task is comforting her baby and other children that are equally aggrieved.

Why is Alinaitwe in such a pitiful state?

THE BEGINNING
Alinaitwe is a wife to Fred Balikenda, a man that is well known for his resistance to the Tilenga oil project.

Alinaitwe and Balikenda are from one of the households affected by the Tilenga oil project in Buliisa district. Their property, which was affected under the Tilenga Resettlement Action Plan (RAP) 2, was assessed in 2018 when TotalEnergies, on behalf of the Ugandan government, started on processes to compulsorily take over their land and other property.

Balikenda and his wife opted for in-kind compensation where they were promised land, a land title and a house by TotalEnergies. They were also promised cash compensation for other assessed items such as crops. After many years of waiting from 2018, they received cash compensation for crops as they continued to wait for land, a land title and a house on the promised land.

Finally, Balikenda and Alinaitwe received replacement land and a land title but no house. He was told that the house was being built. Before the said house was completed and handed to him however, TotalEnergies decided to displace him. How so?

TROUBLED TIMES
In 2022, TotalEnergies told Balikenda, Alinaitwe and his family to go and live in a rented house. Balikenda rejected the option of
a rented house and indicated that he would relocate when his replacement house was completed.

TotalEnergies insisted on Balikenda and his family leaving his land and went ahead to fence off his family including children. This was in 2022. As a result, Balikenda lost his ability to grow food, feed his family and use his land to get income to take his children to school and provide other basic needs. The fencing also resulted into the death of his animals and other challenges.

In 2023, TotalEnergies told Balikenda that his house was complete and he needed to leave the fenced land to allow oil activities to continue. Balikenda noted that before he could be relocated, he needed to be compensated for the livelihood losses he had suffered after his home was fenced off.

He provided evidence of the death of his animals and indicated that he would voluntarily relocate after he was compensated for the death of his animals and other human rights violations.

COURT PROCESSES

Unfortunately, on December 4, 2023, the Government of Uganda (GoU) filed a case against 42 Tilenga oil project-affected families including that of Balikenda. On December 8, 2023, the High Court in Hoima ruled in favour of the government allowing eviction of the families.

Several of the 42 families were never served with court papers when they were sued by the GoU in December 2023. The court case against them was also rushed. The case was filed, heard and ruled on in a record four days!

The rushed processes made it hard for the affected families to prepare replies in the case against them, appear in court and procure legal services. In short, the families were denied their right to a fair hearing.

Be it as it may, on April 12, 2024, the GoU filed an application for a demolition order against Balikenda.

On May 9, 2024, the Hoima High court went ahead to rule in favour of the government. The court did not give Balikenda, whose lawyers had filed an appeal and orders for a temporary stay to bar the GoU from evicting Balikenda, a fair hearing.

Thereafter, on May 13, 2024, the government demolished Balikenda's house. They forced him, his wife Alinaitwe and children to leave their land before payment of compensation for the lost animals and violation of his rights.

Today, Balikenda and his children are living in a quickly set-up makeshift house in a neighbour’s
compound. While Balikenda, Alinaitwe and their children are traumatised by their harsh eviction which was enforced or witnessed by court bailiffs as well as legions of security and GoU officials, Balikenda remains strong.

He insists that will not live in the replacement house constructed by TotalEnergies until he is compensated for the lost animals and rights violations.

His community and extended family members are aggrieved as well.

“My son was treated like an animal,” Balikenda’s aging dad, whose body vibrates with anger that has refused to dissipate since Balikenda was unceremoniously, evicted says.

FAMILIES FACING EVICTIONS
Other families, which were sued by the GoU for the Tilenga oil project, are faced with impending harsh evictions. They include the families of Mr. Julius Asiimwe, Mr. Jealousy Mugisha Mulimba, Ms. Pityedi Mugisha and Ms. Dorothy Mbabazi to mention but a few.

Indeed, the compulsory land acquisition processes for the Tilenga project have hurt many families, and they bear wounds today.

Total and the GoU must right their wrongs. Community rights must be protected and to do so, Total must avoid using any land that has been acquired through forceful eviction and demolition orders against poor families.

The GoU must also stop using courts to indirectly amend Article 26 of the 1995 Constitution. Courts should also promote rule of law by refusing to be used by the GoU to issue illegal eviction orders against Ugandans, including poor communities.

By CEO

A car dumping Balikenda’s property at his new home (C). On the right, Balikenda, Alinaitwe and other family members in front of their new house made out of papyrus mats and a blue tarpaulin. Finally, Balikenda’s friends constructing him a new house (R).
AFIEGO EMPOWERS JOURNALISTS TO STRENGTHEN ENVIRONMENTAL REPORTING

On May 2, 2024, AFIEGO held an online exchange learning between Nigerian and Ugandan journalists. During the exchange learning, Nigerian journalists shared lessons on reporting on the oil and gas sector with their Ugandan peers.

The Ugandan journalists were also empowered with information on the environmental risks posed by the Tilenga and EACOP oil projects by scientists from ELAW-USA.

AFIEGO DISCUSSES ENVIRONMENTAL CONSERVATION WITH KYAMBOGO UNIVERSITY STUDENTS

On May 9, 2024, AFIEGO hosted a group of Kyambogo University students at our head office in Kampala.

During the meeting, the students learnt about AFIEGO’s work in relation to climate change mitigation.

AFIEGO requested the students to use their influence to mobilise more youth to campaign for clean energy access.

AFIEGO AND PARTNERS HOLD CONSULTATIVE MEETING ON SOLAR AFRICA CAMPAIGN

On May 9, 2024, AFIEGO partnered with 350Africa.org to organise an online meeting for community leaders from five districts along the EACOP route in Uganda.

The purpose of the meeting was to ensure that community leaders are introduced to and consulted on the Solar Africa Campaign, which is aimed at enhancing community access to clean energy.
AFIEGO SUPPORTS TILENGA OIL PROJECT-AFFECTED PERSONS TO CONDEMN EVICTIONS DURING PRESS CONFERENCE

On May 14, 2024, AFIEGO, Tilenga project affected persons and their legal representatives held a press conference in Kampala. During the press conference, the families that are facing eviction from their land without adequate compensation condemned the perpetrators of the evictions. They called on TotalEnergies, the developer of the Tilenga project, to avoid displacing them without compensation.

AFIEGO SUPPORTS EXCHANGE LEARNING FOR FOREST HOST COMMUNITIES

On May 25, 2024, AFIEGO supported communities that host Bugoma and Zoka forests to participate in an exchange learning in Kikuube district. During the exchange learning, the communities shared lessons on the best community forest conservation practices. Before the exchange learning, AFIEGO organised a safety training for the communities between May 23 and 24 in Hoima district.

AFIEGO SUPPORTS IGEN-EA PARTNERS TO TRAIN COMMUNITIES IN BEEKEEPING

On May 24, 2024, AFIEGO, the host institution of the Inclusive Green Economy Network-East Africa (IGEN-EA), supported IGEN-EA partners under the network’s natural resources working group to hold a training for women beekeepers and youth in Hoima district. During the training, the women and youth were skilled in beehive hanging, value addition and beehive making.
In May 2024, AFIEGO disseminated the lobbying and advocacy materials below.

LAST MAN FIGHTING: STATEMENT ON EVICTION MR. FRED BALIKENDA AND HIS FAMILY FOR TOTAL'S TILenga OIL PROJECT

Following a series of human rights violations perpetrated against Mr. Fred Balikenda and his family on account of TotalEnergies' Tilenga oil project, Mr. Balikenda and his family were forcefully evicted from their home in Kirama village, Butispa district on May 13, 2024. Mr. Balikenda’s house was also demolished amidst a big security presence during an exercise that was watched by several Uganda government officials.

Mr. Balikenda, who led an iconic one-man protest after TotalEnergies fenced his family off when he refused to be relocated before his replacement house was complete, was forcefully shifted from his home after court issued an eviction order against him.

Mr. Balikenda’s eviction was enabled by the impunity of big oil corporations that violate the rights of communities, a state that seems to be more interested in exploiting the country’s oil reserves at the expense of citizens’ rights and failure by Uganda’s judicial system to exercise its mandate to protect and defend poor and vulnerable Ugandans.

BACKGROUND

Mr. Balikenda, his wife and young children were among the 102 households that were displaced to make way for wellpads, flowlines and access roads among other infrastructure for the Tilenga oil project in Butispa district. The family was displaced under Resettlement Action Plan 2. Total was supposed to provide a replacement house for Mr. Balikenda and his family but before the house was complete. Total informed Mr. Balikenda that he would be temporarily relocated. This was in February 2022.

Because Mr. Balikenda is a farmer who rears livestock, he was worried that his family’s livelihood would be destabilised if he had to live in a rented home with limited access to land. Mr. Balikenda requested that TotalEnergies complete his replacement house before he could be relocated. Instead of engaging in a project-affected person-led relocation process where an affected household’s aspirations to retain their livelihood are given priority, chain link fences were constructed around Mr. Balikenda’s home.
In May 2024, AFIEGO staff, research associates and youth champions wrote newspaper articles that were published in the leading newspapers. Some of the published articles are captured below.

Provide cheap, reliable and affordable clean cooking sources

Recently the media reported about the government of Uganda collaborating with Private Sector Foundation Uganda (PSFU), Uganda and Energy Development Uganda, launching the Demand Side Result Based Financing Project in Uganda to expand clean energy access. This project is aiming at enhancing access to clean cooking products, including off-grid solar products, improved cooking stoves, and clean cooking stoves.

This project targets only 13 refugee host districts of Wamala, Zombo, Tooro, Tanga, among others, and host communities in Buikwe sub-region, northern Uganda specifically the West Nile and Acholi sub-region.

The initiative of the Government of Uganda and private sector companies to these communities is a very good idea for a country like Uganda because it reduces the pressure imposed on many forests and lands across the country and it will help to mitigate the impacts of climate change in the country.

The use of clean energy sources should be extended to all Ugandans, especially those living in rural areas because more than 30 percent of Uganda’s population still depends on charcoal and firewood for energy needs, and about 65 percent of Uganda’s population living in the remote areas turn to their kerosene lamps and candles for lighting. This is because of the failure by the government and private sectors to extend, engage, and invest much in clean, cheap, reliable and affordable energy sources such as solar, energy-saving stoves, and others.

Available data from the National Forestry Authority (NFA), indicates that a total of 109,000 hectares of forest is destroyed every year and 7,600 per month, while the rate at which woodlands and swamps are being degraded is equally worrying. This is because the increased demand for firewood and charcoal for cooking including timber.

The government and the private sectors must extend clean, cheap, reliable, and affordable sources of clean energy to all Ugandans because they cannot afford the high tariff of hydropower, and the power in Uganda is always unreliable and in some places the wires just pass by.

Additionally, extension of clean energy sources to all Ugandans will protect thousands of hectares of forests from destruction. It will also help to mitigate the effects of climate change the country is grappling with today.

Therefore, I call on the Government of Uganda and the private sector to extend investment and engage all Ugandans in the use of vehicle and affordable clean energy sources of solar, improved cooking stoves, biogas and energy-saving stoves that require less capital to maintain.

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Letters

Let us empower all the local leaders to conserve the environment

There have been reports of local leaders being accused of promoting environmental degradation in various parts of the country through cultivating tobacco, rice and farming with other environmental degrading fragile ecosystems such as wetlands and forests.

It is noted that most local leaders are engaged in environmental degradation because of generation corruption or poverty and lack of knowledge on the importance of environmental conservation. This was observed through various committees sensitization meetings against environmental degradation. The bad practices of the local leaders engaging themselves in the green forest degradation is not only in Holba district but it is in all districts across the country.

The local leaders are the first people who give the good hand to environmentalists by signing their agreements and even letting them stay in their areas of operation destroying the fragile ecosystems such as forest and wetlands.

Today, 41 percent of Uganda’s total area is experiencing degradation, and 13 percent is a severe state of degradation, just because of the local leaders’ failure to perform their task in regards to the protection of the environment.

Therefore, faculties of the local leaders have contributed to the environmental degradation of the environment which has resulted in changes of seasons, flood, drought and other impacts. This has led to the suffering of the poor people in the country because of the climate change which has affected the economic activities and the livelihood of the poor people.

The government and other stakeholders need to ensure all the local leaders from the grassroots level national on the importance of promoting environmental conservation. For instance, local leaders need to be trained to advocate for environmental policies, engage in public forums, and influence decision-making processes that affect their local environment. This will help to reduce the levels of environmental degradation in the country.

In addition to that, local leaders including the community need to be sensitized on how to maintain a clean environment.
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

June 3-8, 2024; Hoima: Cross-border exchange learning for Ugandan and Congolese civil society organisations

June 14, 2024; Kampala: Dissemination of joint communique by Ugandan and Congolese civil society on human rights and biodiversity concerns

June 17-20, 2024; Kampala: Engagement of religious and cultural leaders on human rights and biodiversity conservation concerns in Uganda’s oil sector

June 24, 2024; Kampala: Engagement of Ugandan parliament on Bugoma forest restoration