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**FOR IMMEDIATE RELEASE
MASAKA & KAMPALA**

COURT CASE AGAINST EACOP-AFFECTED PEOPLE ADJOURNED

Tens of affected people are victims of a government directive that could see them miss compensation, even if it is deposited with court!

The case filed by government against 80 people with interests in 41 parcels of land affected by the East African Crude Oil Pipeline (EACOP) in Lwengo, Kyotera and Rakai districts in Uganda was adjourned when it came up for hearing yesterday at the Masaka High Court.

The case was adjourned to September 16, 2024 because Justice Rolex Tweyanze, the resident judge at the Masaka High Court who is supposed to hear the case, is on leave. However, the judge has been ordered to return to work so that the case can be heard on the above-mentioned date.

The above date was decided upon despite the affected people, through their lawyers, asking that they are given at least two weeks to file responses to the application filed by government. The request was denied.

“This means that the affected people and their lawyers have only two working days within which to file their responses,” Ms. Aminah Acola, one of the lawyers who was at court with the affected people, says.

She adds, “Many of the affected people have no idea about court processes. They trickled into court yesterday with big files containing documents that are written in English, a language that many do not understand. For many of the people, it was unclear to them why they were sued.”

Nearly 70 people belonging to the families that were sued by government including women, the elderly, Persons with Disabilities (PWD) and men, attended court yesterday. Among them was a 102-year old woman from Mutukula in Kyotera district. It was unclear to her why her family was sued.

Other affected people such as Ms. Sarah Namatovu whose family was sued for lacking a legal representative also expressed confusion.

Ms. Namatovu said, “NewPlan came to our home in 2018 and informed us that the death certificate we have was not fit for purpose. This is because the certificate was not issued by NIRA [National

Identification & Registration Authority]. NewPlan promised to support us to acquire the right death certificate so that we could process letters of administration and get compensation, but they never did. The next thing we heard is that we had been sued because we rejected compensation, yet we did not.”

On behalf of the EACOP project developers, NewPlan implemented some of the activities under the EACOP Resettlement Action Plan (RAP).

Counsel Peter Arinaitwe, who was retained by Africa Institute for Energy Governance (AFIEGO) to represent some of the affected people in court, explains, “Some years ago, government [directed](#) the Administrator General to stop issuing certificates of no objection and letters of administration for estates under Buganda Kingdom. The affected estates are those under the Succession Register in Buganda Kingdom. Matters relating to those estates are supposed to be administered by the kingdom.”

He adds, “Because of that directive, it has been difficult for some people in Buganda to obtain certificates of no objection from the office of the Administrator General to process letters of administration. Most of the people affected by the EACOP suit fall under this category. This means that even if their compensation is deposited with court, the families will not access their compensation without letters of administration.”

Mr. Dickens Kamugisha, the CEO of AFIEGO says, “If affected people cannot access their compensation yet the Uganda Constitution of 1995 says that government cannot take possession of citizens’ property prior to compensation, then government will legally and morally have no right to use the land taken from the families without compensation.”

He adds, “Any company that claims to respect human rights and comply with international standards has no business using land taken from poor and vulnerable people without compensation. It is in TotalEnergies and CNOOC’s best interests therefore to desist from using land taken for the EACOP from people amidst grave acts of unfairness.”

Mr. Yisito Kayinga Muddu, the coordinator of Community Transformation Foundation Network (COTFONE), says, “We acknowledge the importance of the judicial process and respect the role of the High Court in ensuring that justice is served. However, we are concerned about the limited time given to the EACOP-affected individuals to file their responses. Despite requests for more time, only a few days have been granted for these vulnerable individuals to prepare.

We respectfully urge the court to consider the circumstances of those involved and to allow sufficient time for them to adequately respond. We trust in the court's commitment to fairness and justice, and we hope for a process that ensures all voices are heard and the rights of all parties are respected.”

For more information on the case, click [here](#).

Worth recalling is the fact that the following types of EACOP-affected people from Lwengo, Kyotera and Rakai have been sued by government:

- Six (6) households with 11 land owners or estate administrators who rejected compensation on grounds that it is low;
- Ten (10) households with 18 land owners or estate administrators who are involved in land disputes and the rightful land owner cannot be determined;
- 17 households with 41 land owners or estate beneficiaries who have no legally-recognised representative;
- Two (2) households with four (4) land owners or estate administrators who lack land titles;
- Five (5) absentee land owners; and
- One (1) person who refused to vacate the land even after receiving compensation.

Government is seeking the following orders from court:

- To be granted leave to deposit the affected people's compensation in court;
- To be granted vacant possession of the affected people's land so that it may be used for the EACOP project activities;
- To be granted eviction and demolition orders against the affected people;
- To be discharged from any liabilities arising out of any claim and/or order arising out of the orders being sought by government; and
- To provide for costs of the case to be paid by the affected 80 land owners or estate administrators or estate beneficiaries.

*****ENDS*****

For any further information, contact:

Ms. Diana Nabiruma, AFIEGO

dnabiruma@afiego.org

OR

Head of Communications, COTFONE: communication.cotfone@gmail.com