



**AFRICA
INSTITUTE FOR
ENERGY
GOVERNANCE**



Delayed Justice: The 11-Year Legal Battle Over Uganda's Oil Refinery Land

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Introduction



In 2012, the Government of Uganda (GoU) **gazetted over 29 square kilometers of land** in Kabaale parish, Buseruka sub-county, Hoima district for Uganda's oil refinery. The EACOP will begin from this land.

The GoU displaced over **7,000** people, many of whom it paid delayed, inadequate and unfair compensation. Indeed, in his 2017 annual report, the Auditor General confirmed that 96% of the project-affected persons (PAPs) were paid out of time and unapproved compensation rates for crops were used to pay the PAPs.

Since their displacement, many PAPs have endured hardship. This brief discusses the litigation being undertaken by some of the PAPs to restore their livelihoods. The brief also documents the stories of some PAPs, who say that they were uprooted, ignored and left to suffer.



Legal action (The oil refinery case)

On March 28, 2014, Africa Institute for Energy Governance (AFIEGO) supported 11 oil refinery PAPs, who represent the over 7,000 that were displaced by the GoU, to sue the government at the High Court of Uganda.

The suit challenges the procedure and value of compensation for the land that was compulsorily acquired from the oil refinery PAPs by government.

The case has been litigated over an 11-year period and it has been transferred from the High Court Civil Division in Kampala to the High Court Masindi circuit, and later to High Court Hoima circuit where it is currently under hearing. The oil refinery case was filed at a time when compensation processes were still ongoing, and the judiciary had the opportunity to influence them by ordering that the GoU pays the PAPs timely, adequate and fair compensation in conformity with Article 26 of the 1995 Uganda Constitution. Hearing of the case delayed however, while cases filed by government in judicial expropriation are heard and determined within months, and in some cases, days.

The duration of this litigation journey has had notable negative impacts on the lives of the over 7,000 oil refinery PAPs whose future stands to be greatly impacted by court's decision in the case.



Legal claims and violations

The plaintiffs in the case argue that their constitutional rights have been violated, including:

- Violation of **Article 26** of the Ugandan Constitution, which protects the right to property and stipulates that compensation must be prompt, fair, and prior.
- Use of obsolete district compensation rates, leading to grossly unfair payments.
- Imposition of a “**cut-off date**” that denied them the right to use or benefit from their land for years, with no compensation during that period.

The plaintiffs are seeking:

- An order that the PAPs be paid the market value of their land and crops.
- An order that some PAPs be immediately resettled in their preferred area of choice.
- In the alternative, an order that the PAPs be left to utilize their land and make developments uninterrupted by the government.
- A declaration that the PAPs were assessed using obsolete rates.
- A declaration that the compensation process followed by the government violated Article 26 of the Constitution of Uganda.
- An order directing the government to formulate the regulations for the assessment and payment of compensation.
- An order that the PAPs be paid general damages by the government.
- A declaration that the cut-off date for none-use of land under the Resettlement Action Plan was unconstitutional.

Some of the reliefs sought, including those under bullet points 1 to 3 , were overtaken by events. Courts dilly-dallied in hearing the case, resulting in the above. All the oil refinery PAPs were compensated and resettled by 2018 based on rates that they argued were too low.

A case plagued by delay

Since its filing in 2014, the oil refinery case has suffered continuous delays and adjournments, including transfers between the High Courts of Kampala, Masindi, and Hoima. As of April 2025, there have been over 13 court sessions and just as many adjournments.

Frustrated by the repeated postponements, PAPs held a peaceful demonstration at the Hoima Court premises in April 2024, demanding swift justice. Letters have also been severally sent to various Deputy Chief Justices, Principal Judges and the Judicial Service Commission over the years requesting for expedited hearing of the case.

Despite these efforts, the case is yet to be concluded. The next court date is **May 21, 2025 at 9:00 am.**



Status quo

Whereas the case remains in court, the oil refinery project has commenced with government executing an oil refinery implementation agreement with Alpha MBM Investments LLC on March 29, 2025.

Elsewhere, among the 7,000 project-affected persons, survival continues to become an impossible task. **Most people have lost land and, properties that were their sole source of sustenance and in the absence of fair and adequate compensation as guaranteed under Article 26 of the Constitution of the Republic of Uganda, they have failed to rebuild their lives.**

Moreover, thousands of the project-affected persons who opted for replacement houses were settled in what one would call a camp in Kyakaboga village, which is a total divergence from their community setup which was disrupted by government to accommodate the project.

In recent years, residents of the Kyakaboga “settlement” have been grappling with floods which come from the open trenches that were dug for a Tilenga oil project feeder pipeline, which runs from the Central Processing Facility in Buliisa to the oil refinery land in Hoima where the EACOP will begin its journey to Tanga, Tanzania.

AFIEGO recently documentend the experience of some of the litigants in this case. The documentation exercise exposed a number of hardships such as loss of livelihoods, high levels of school dropouts and others. Some of the profiled litigants include those that are below.



1. Mr. Wandera John Bosco

My name is Wandera John Bosco, and I am 56. I live in Nkwaki village, Kabaale sub-county, Hoima district. I used to own approximately three acres of land in Kitegwa village, Kabaale sub-county, where I grew crops such as simsim, tobacco, cassava, and sweet potatoes. I had avocado trees as well. My family and I relied on this land for our livelihood, and the land was earning sufficient revenue to support us.

But in 2012, when the government came to acquire my land for the construction of the oil refinery, all that was altered. I was devastated and shocked to hear that they were offering 3.5 million Uganda Shillings per acre, which was not even half of the market value of the land at that time. I used to get more than 3.5 million Uganda Shillings from an acre of land in a good year, so to be compensated with only my annual income was not fair. Having been displaced, I settled in Nkwaki village in Kabaale sub-county. It has been a tough and isolating experience, as most of my relatives and friends relocated. Losing my social network has had a negative effect on my business and greatly decreased my quality of life.

One of the hardest things was giving up my fertile land. I wasn't able to buy comparable land since the compensation I got was too low. My old land was situated in a central place, and I had a lot of business opportunities. I'm now stuck in the village, where there are fewer opportunities.

This situation has made it challenging to provide for my family. I can no longer pay my children's school fees on time, and this has affected their performance. Previously, we got most of our food from our garden, but now I often have to buy food from the market, sacrificing other needs just to ensure my family has enough to eat.

In 2014, I filed a case against the government, hoping for justice. I was confident that the court would deliver a fair judgment, allowing me to receive adequate compensation so I could rebuild my life or at least regain the stability I once had. But despite the 11-year delay, I still hold on to hope. I believe that if the court genuinely considers the evidence I presented, I will finally get the justice I deserve.

To the judiciary, I plead: please have mercy on us PAPs. Deliver a fair judgment, and consider the long delay and compensate us fairly, adequately, and considerately so we can rebuild our lives.

To the government, I say: if the court rules in our favor, please comply with the decision so we can move forward.

To NGOs, I express my deepest gratitude for your constant support and for standing with us through these tough times.

And to my fellow community members, I urge you to stay strong, be firm, and remain patient. For those who might face similar challenges in the future, I advise you to carefully analyze and verify the benefits and challenges of any project before giving up your land.

2. Mr. Tom Mpabisi



My name is Tom Mpabisi, and I am 56 years old. I used to live in Kitegwa village, Kabaale sub-county, Hoima district, where I owned 27 acres of land. My land was my livelihood. I grew sugarcane, bananas, maize, groundnuts, coffee, and vegetables. I also had fruit trees like oranges and jackfruits, and trees such as eucalyptus which provided firewood and building poles, which I sold to support my family.

In 2012, everything changed. The government marked my land for the oil refinery project. To my surprise, the land I knew to be 27 acres was recorded as just 19 acres during the government's assessment. Then, they offered me 3.5 million Uganda Shillings per acre, while I knew the market value at the time was between 5 and 7 million Uganda Shillings. I felt cheated. I immediately voiced my dissatisfaction, but no one listened. It was as if my concerns didn't matter.

I relocated to Kibyama village, Kigumba sub-county in Kiryandongo district but this was not my choice, it was a requirement. The compensation I received was not enough to buy fertile land nearby, so I had to move far from my original home to find something affordable. Adjusting to this new place has been tough. I'm far from my family and friends, and the sense of isolation is overwhelming. My children too, have faced challenges; new schools, new faces, and a language barrier that makes them feel like outsiders.

I miss the abundance my old land provided. Back then, I never had to buy firewood or fruits; they were always there. Now, I find myself spending money on things I once had in plenty. My farming business has taken a hit too. The new land is not as fertile, and my yields have significantly dropped. I never imagined a life where I'd be forced to buy food because I couldn't grow enough for my family.

I filed a case against the government in 2012, hoping the court would quickly resolve the compensation issue. I wanted the injustice corrected, but more than a decade later, we're still stuck, waiting for a judgment. Watching the oil refinery project move forward while our lives remain in limbo feels like a betrayal.

To the court, I say this: we deserve a fair judgment. Come and see the reality of our lives before making a decision. Understand what we've lost and how we've been affected.

To the government, I demand fair and adequate compensation. It is your responsibility to ensure that citizens are treated justly and provided with the means to sustain themselves after being displaced.

To my fellow community members, do not give up. Keep demanding justice, no matter how long it takes.



3. Mr. Kato Fenehance

My name is Kato Fenehance. I am 75 years old and I currently live in Nyamugogo village, Kizirafumbi sub-county, Kikuube district. For most of my life, I called Nyakasenene village in Kabaale sub-county, Hoima district my home. I owned 10 acres of land there. The land wasn't just where I lived, it was where I farmed cassava, bananas, and beans. I also grew pine and eucalyptus trees, which provided an income for my family.

That all changed in 2012. The government marked my land for the oil refinery project. When officials assessed my property, they offered me just 3.5 million Uganda Shillings per acre. I couldn't believe it. My land was worth at least 10 million Uganda Shillings per acre at the time. I voiced my dissatisfaction, but my concerns fell on deaf ears. It felt like I had no say in the matter.

Relocating to Nyamugogo village in Kikuube district has been a harsh adjustment. I lost not just my land but my entire way of life. Farming isn't the same here. I don't have the space or the fertile soil that I once had. My body, too, has struggled to adapt to the new environment. I used to be strong, able to tend to my crops and trees without much trouble. Now, I find myself falling sick more often.

What hurts me the most is the separation from my children. Back in Nyakasenene, they were nearby, and we could rely on each other. Now, they have moved to distant places, seeking better opportunities. I rarely see them, and the loneliness is heavy. I never imagined that the land I passed down from my ancestors would be taken from me, leaving me in this unfamiliar place.

When I filed the case in 2014, I truly believed that justice would be swift. I hoped the court would recognize the unfairness and order a revaluation so we could receive fair compensation. But after 11 long years, I have started to lose faith. It feels like the court knows we have a strong case but is hesitant to rule against the government.

What pains me the most is seeing the oil refinery project moving forward while our lives are stuck in limbo. Our land, land we didn't willingly give up, is being used, and yet we are still waiting for justice. Some of the other affected people are aging or have already passed on, never seeing the outcome they fought for.

To the court, I say: Please give us a judgment without any more delays. Many of us are getting old, and some have already died waiting. We know we have a strong case, and it's time to deliver justice.

To the government, I say: Stop using our land until the court has made its decision. We were forced to relocate and accepted inadequate compensation under pressure. Some who received large sums had no guidance on how to manage the money, and it has left them worse off.

To the community, I urge you: Don't stay silent. Stand with us and speak out against this injustice. We need solidarity to hold those in power accountable.

4. Mr. Byaruhunga Godfrey



My name is Byaruhunga Godfrey. I am 34 years old, and I come from Kitegwa village, Kabaale sub-county in Hoima district. I once owned 7.89 acres of land in the same village, where I lived and made a living by cultivating sweet potatoes, sugarcane, cassava, and bananas. My land also had mango and eucalyptus trees, which provided food, income, and resources for my family.

My troubles began in 2012 when the government decided to acquire my land for the oil refinery project. They offered me only 3.5 million Ugandan Shillings per acre as compensation, even though I knew the fair market price at the time was at least 7 million per acre. I tried to challenge this unfair compensation, but no one seemed willing to address my concerns. I felt powerless, as if my voice did not matter.

Eventually, I had to move to another part of Kitegwa village, but it wasn't the same. The compensation money was not enough to buy land of a similar size or quality. My income took a significant hit because the new land wasn't as productive. On top of that, moving meant losing the social connections I had built over the years —friends, neighbors, and people who supported me in good times and bad. Starting over has been a struggle, and I constantly feel the weight of the loss.

When we filed the case in 2014, I hoped the court would act quickly to address the injustice. I believed the court would see how unfair the compensation was and direct the government to reevaluate our property and compensate us fairly. But here we are, more than 11 years later, still waiting for a resolution. Meanwhile, the oil refinery project continues to develop on our land, land that was taken without adequate compensation.

This long delay has shaken my trust in the system. Many people in our community feel the same. It's hard to believe in justice when the powerful seem to move ahead without any consequences. Delayed justice, in my view, is almost the same as denying it.

To the court, I say this: Be fair and independent in your judgment. Don't let the government's influence cloud your decision. We need a ruling that is based on facts, and we need it without further delay.

To the government, I say: Respect the court's decision when it comes. If the judgment favors fair compensation for us, the PAPs, do not interfere, just do the right thing.

To my fellow community members, I urge you to stand together. We must be united in advocating for our human rights and not let divisions weaken our cause.



5. Ms. Tumuhairwe Fausta

My name is Tumuhairwe Fausta, and I am 53 years old. I live in Kyakaboga resettlement village, Buseruka sub-county, Hoima district. Before my land was acquired for the oil refinery project, I lived in Kitegwa village, Kabaale sub-county, where I owned one and a half acres of land. That land meant everything to me. I grew beans and sweet potatoes there, and it's where I called home, a place that sustained me and my family.

Then, in 2012, I was told that my land had been earmarked for the oil refinery project. I was given the choice between cash and in-kind compensation, and I chose the latter, hoping that the resettlement house they promised would at least give me a sense of security. Eventually, I was relocated to Kyakaboga resettlement village.

When I first saw the house, I thought maybe things would work out. It's permanent and durable, something I didn't have before. But as time went on, I realized that the land around it was too small and infertile. I couldn't grow anything on it. I used to cultivate enough to feed my family, but here, the soil just doesn't support crops. Losing my productive land has taken away my independence, and I now struggle to provide for my family.

The challenges don't stop there. Accessing basic facilities like markets, hospitals, and schools is much harder here. During the relocation, I lost a lot of my belongings, and I haven't been able to replace them. I feel like I was uprooted from a life I knew and planted in a place where nothing grows.

When we filed the case in 2014, I was hoping the court would address the injustices we faced during the relocation, especially the delays and the unfulfilled promises. They had assured us of proper services at the resettlement site, like a health center and good schools, but those promises remain unfulfilled. I wanted the court to hold those responsible accountable, but it's been over 11 years now, and the wait seems endless.

What frustrates me the most is that while we are still stuck in court, the government has already started using our former land to set up Hoima International Airport, ignoring the harm they've caused us. It feels like our struggles don't matter, like we've been forgotten. Still, I try to hold on to hope that one day justice will prevail.

To the court, I plead: Please make a judgment. We've waited so long, and we need to know what our future holds.

To the government, I say: Compensate us for the injustices we have faced, losing our livelihoods, our property, and even seeing the rise in teenage pregnancies due to the instability caused by relocation. Acknowledge our suffering and make things right.

To my fellow women, I urge you: Let's not stay silent. We need to stand up for our rights and speak out against any form of injustice. We must also work hard and support each other to overcome poverty.



END

