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FOR IMMEDIATE RELEASE
Hoima and Kampala – Uganda

LIGHT AT THE END OF THE TUNNEL: JUDGE ORDERS OIL REFINERY LAND
CASE TO PROCEED WITH VALUER'S EVIDENCE

A long-running case filed by oil refinery-affected people against the government of Uganda came up for hearing before the High Court at Hoima yesterday.

The case was filed by the people, with support from Africa Institute for Energy Governance (AFIEGO), in March 2014.

The people filed the case following their displacement for the oil refinery project beginning in 2012. The people, numbering 7,118 from 1,221 households, were displaced from over 29sq. km of land in Kabaale parish, Buseruka sub-county in Hoima district.

The East African Crude Oil Pipeline (EACOP) will begin its journey in Uganda from the land from which the people were displaced.

BACKGROUND

During the compulsory land acquisition processes, government, using a cut-off date, stopped the affected people from using their land to grow perennial food and cash crops. Government also stopped the people from setting up any new developments, and decreed that any new development on the affected land would not be compensated.

As a result, the affected people and their families faced untold suffering due to lack of adequate food, income, shelter, education and health services among other basic needs. Of the affected people, over 3,500 were children while 1,500 were women. The rest were men including the elderly, disabled and others.

Further, when government began compensating the affected people in 2013, the state paid them based on outdated compensation rates of 2011. To make matters worse, government delayed to pay the people with 98% of the affected people being paid out of the prescribed compensation timeframe, leading to a depreciation in the value of compensation.

Worth noting is that while government had committed to compensate the affected people beginning in June 2013 and ending on February 13, 2014, many households remained unpaid by the end of the compensation period that government had committed to. Indeed, those who opted for land-for-land compensation were in 2018 forcefully resettled in a camp-like settlement at Kyakaboga village in Hoima district, years after the compensation processes should have ended.

The delay to compensate the affected people violated their constitutional compensation rights.

Because of the above and other violations, some of the affected people filed a case before the high court through which they averred as follows:

- That the affected people were stopped from using their land in 2012 but many were not compensated until years later.
- That the use of the cut-off date to stop the affected people from using their land freely was in violation of the Constitution.
- That the compensation due to the people was delayed and not prompt as required under Article 26 of Uganda's Constitution.
- That the rates used to calculate compensation for the affected people were outdated, obsolete and unfair, contrary to Article 26 of Uganda's Constitution.
- That the oil refinery land acquisition processes caused serious livelihood disruptions and hardship.

Among others, the affected people requested court for:

- A declaration that the land use restrictions violated the affected people's constitutional rights;
- A declaration that the compensation rates used were outdated and unlawful;
- Orders requiring government to ensure fair and lawful compensation processes including avoiding resettling of the affected people in a camp;
- Orders that the compensation offered by government to the affected persons be reviewed and people be paid based on up-to-date compensation rates taking into account the many years of suffering; and
- General damages for the losses suffered.

HISTORY OF HEARINGS

The case has been before various judges since it was filed and has been heard in various high courts including Kampala, Masindi, and now Hoima.

At every hearing, the affected people have presented evidence demonstrating that government violated their constitutional rights.

At the last court session that was held on May 21, 2025, the judge presiding over the case, Justice Vincent Opyene, granted a request by the affected people's lawyers seeking to present a private valuer's report in court. The report indicates the compensation due to the people.

The judge ordered the private valuer to engage with the government valuer to agree on the compensation that was due to the affected people.

Since then, efforts by the affected people’s lawyers to convene a meeting with the government valuer have been futile. Several letters written by the affected peoples’ lawyers to the Attorney General (AG) went unanswered.

The AG’s office was responsible for convening the meeting with the government valuer.

MAJOR MILESTONE REGISTERED YESTERDAY

At yesterday’s hearing, the judge was briefed about the history of the case and the futile efforts made by the affected people’s lawyers to reach a compensation agreement with government. The affected people were represented by lawyers, Peter Arinaitwe and Timothy Ntare.

The lawyers from the AG’s chambers informed court that they had not reached an internal agreement on the issue of compensation. The AG’s office was represented by Allan Mukama.

The affected people’s lawyers requested Justice Opyene to allow the court case to proceed with hearing the evidence by the private valuer. The judge agreed and the affected people’s lawyers will now formally submit the valuer’s written evidence and report to court.

The judge set May 21, 2026 as the next hearing date. The valuer will be the final witness that will present evidence in court on behalf of the affected people. Government will also present witnesses.

REACTIONS

Following yesterday’s court events, Ms. Esther Abigaba, one of the affected people that filed the court case, observed, “For years, we have waited for justice. Our case has been watched by communities, who want justice to be served but have seen that the road to justice can be very slow and painful. There seems to be a light at the end of the tunnel and we hope that hearing of the case will be concluded this year.”

Mr. Dickens Kamugisha, the CEO of AFIEGO, stated, “Today’s court session moves the case back to a substantive hearing. The affected families are prepared to rely on independent expert evidence to support their claim for fair and adequate compensation. We remain committed to pursuing this matter through lawful judicial processes.”

This case remains significant not only for the affected families seeking fair compensation but also for all Ugandans. This is because the case is also seeking to compel government to define what prompt, fair and adequate compensation is. The lack of definitions for the above terms sees project-affected people’s compensation rights being abused.

*****ENDS*****

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