



November 15, 2022

The Hon. Minister,
Major Gen. Kahinda Otafiire,
Minister of Internal Affairs,
Kampala-Uganda.



Dear Sir,

RE: COMPLAINT OVER INTIMIDATION OF EACOP PROJECT-AFFECTED PEOPLE (PAPs) IN BUNYORO AND GREATER MASAKA

Greetings from the undersigned grassroots and national civil society groups that work with communities whose land is being acquired for oil and gas projects in Uganda to defend their rights.

We take this opportunity to thank you and your entire ministry for the work that is being done to promote citizens' enjoyment of their various civic rights.

Today, we write this letter on behalf of communities whose land is being acquired for the East African Crude Oil Pipeline (EACOP) project in Bunyoro and Greater Masaka. The communities approached us and requested that we write this letter to you.

We held meetings and engagements with the communities between November 5 and 8, 2022 during which it was agreed that this letter is written.

ABOUT THE EACOP

The EACOP is planned 1,443km pipeline that is to be built from Hoima in Uganda to the port of Tanga in Tanzania. In Uganda, the EACOP will traverse 296km and land is being acquired for the project from ten districts including Hoima, Kikuube, Kyankwanzi, Mubende and Gomba. Others include Ssembabule, Lwengo, Kyotera and Rakai in Greater Masaka.

0417785300

INTIMIDATION

Today, the people whose land is being acquired from some of the above districts want to bring to your attention the intimidation and threats that they are living with due to their refusal to accept low compensation, sign forms in a language they do not understand, sign compensation agreements if a third-year uplift is not paid to them and others.

Overall, because the communities are exercising their constitutional and other rights such as demanding to receive adequate and fair compensation as well as ensuring that they give informed consent before signing compensation agreements, they are intimidated. Below, we share more on their concerns.

CONCERNS

- a) **Threats from security personnel:** Some EACOP-affected persons that rejected low compensation and are yet to sign compensation agreements face harassment through telephone calls from security personnel. For instance, on November 1, 2022 at 9:42 am, one of the EACOP-affected persons received a phone call from **mobile number 0703-419495**. The caller identified himself as an employee of the EACOP project and said that he was recording the project-affected persons' (PAPs) profiles. When the PAP asked for the caller's name and how he got his phone number, the caller said that his name was Mr. Lutankome from Nabigasa sub-county. He also indicated where he had got the EACOP PAP's number.

Familiar with the name Lutankome, the PAP asked whether he was talking to Mr. Lutankome, the 'Gombolola' (sub-county) Internal Security Officer (GISO). He (Mr. Lutankome) was among those that arrested the PAP following an October 2021 meeting between the EACOP-affected people in Kyotera and their Area Member of Parliament (MP). When the PAP asked if he was the GISO, Mr. Lutankome instantly came clean and argued that he was mandated to know each EACOP PAP's profile.

Mr. Lutankome then demanded that the PAP share his profile with him, including where he works, his date of birth and where he resides. Because of the initial contradicting statements, the PAP declined to share his profile with him. Mr. Lutankome warned him to comply or risk being tracked down in a manner that he (the PAP) would regret.

- b) **Intimidating PAPs' family members:** Upon receiving this threat, the agitated PAP switched off his phone, hoping the threats would subside, but they did not. Instead, Mr. Lutankome rang the PAP's father and demanded the PAP's profile. The father is now living in fear. Both the father and intimidated PAP wonder how Mr. Lutankome got his father's mobile phone contact. The intimidated PAP also wants to know whether it is a

government and EACOP Company policy to work with security personnel to intimidate EACOP PAPs.

- c) **Threats to take land before pay:** In addition to the above, PAPs who reject low compensation are threatened with losing their land without pay if they continue to demand for better compensation rates, a third-year uplift and others. They are told that the EACOP is a big government project for which land must be taken. Previous court case rulings such as the one in which the Masindi High Court ruled against nine families that rejected low compensation rates for the Tilenga Central Processing Facility (CPF)/Industrial Area project are used to intimidate the PAPs. In that 2021 ruling, court ordered that the low compensation rejected by the Tilenga PAPs be deposited on court's account and the PAPs' land taken without their consent. This constituted an indirect amendment of Article 26 of the 1995 Uganda Constitution which provides that PAPs must be paid prompt, fair and adequate compensation prior to acquisition and possession of their land by government. Because the High Court made the above ruling, project developers were armed with a tool that they are using against the EACOP PAPs.

- d) **Threatening PAPs' with disabilities:** Furthermore, land for the EACOP is being acquired from various vulnerable groups including female-headed families, the elderly, disabled and others. Some PAPs with disabilities refused to sign compensation agreements owing to the reasons explained on page 2 of this letter. The PAPs, who are well within their rights to demand that their rights are respected, are however threatened by the EACOP project sub-contractors. They are told that at least able-bodied people can defend their rights but those with disabilities would be at a disadvantage in case situations like arrests were to happen. They wouldn't be able to run for safety.

- e) **Fencing of land:** In addition, the use of coercive methods to compel PAPs to accept compensation options that are not of their choice is seen. For instance, one Tilenga PAP, who is a resident of Kirama village, Kigwera sub-county, Buliisa District, had the land around him fenced off. This was after TotalEnergies failed to complete his replacement house in time for the PAP to relocate. While TotalEnergies wanted to temporarily relocate the PAP in Buliisa, the PAP requested to be relocated to Hoima. To coerce him into accepting to temporarily relocate to Buliisa, the land around the PAP's homestead was fenced off. The PAP is isolated and his family, including five young children, feel like they are living in prison. The PAP's animals also do not have land to forage for food. His animals are dying while his family feels like they are under detention!

- f) **Nowhere to report:** Amidst the above, the PAPs feel like they cannot report their cases to the Uganda Police. Some PAPs have tried to report their cases but where their grievances include security personnel, their cases are not recorded.

RECOMMENDATIONS

In view of the above, we recommend the following:

- (i) Direct security agencies to engage their officers to stop intimidating the EACOP PAPs;
- (ii) Direct the relevant security offices to investigate GISOs who have been reported for intimidating PAPs;
- (iii) Ensure that if found culpable, the GISOs are penalized;
- (iv) Direct Uganda Police to report all the PAPs' grievances that are reported to them; and
- (v) Engage the EACOP project developers to implement their human rights and other policies aimed at protecting EACOP PAPs' rights.

We look forward to your cooperation in this matter.

Yours sincerely,

.....
Mr. Clinton Bikorwa,
Team Leader, East African Crude Oil Pipeline Host Communities (EACOPHC)
bikorwaclinton@gmail.com

Other signatories

- East African Crude Oil Pipeline Host Communities (EACOPHC)
- Women for Green Economy Movement Uganda (WoGEM)
- Strategic Response on Environment Conservation (STREC)
- Youth for Green Communities (YGC)
- African Initiative on Food Security and Environment (AIFE)
- Oil Refinery Residents Association (ORRA)
- Oil and Gas Residents' Association (ORGHA)
- Center for Environmental Research and Agricultural Innovation (CERAI)
- Center for Conservation and Eco Energy Initiative (CCEI)
- Tasha Research Institute Africa
- Environment Governance Institute (EGI)
- Be Empowered
- Centre for Citizens Conserving Environment management (CECIC)

CC:

- Minister of State for the presidency

- The Inspector General of Police (IGP)
- The chairperson, Human Rights Committee of Parliament
- The Chairperson, Natural Resources Committee of Parliament
- All EACOP district Resident District Commissioners (RDC)
- The Chairperson, Uganda Human Rights Commission
- The Representative, Office of the High Commissioner for Human Rights, Uganda
- The General Manager, EACOP Company
- The Executive Director, Petroleum Authority of Uganda (PAU)