



**ENVIRONMENT GOVERNANCE INSTITUTE
(EGI) UGANDA**

Plot 35, Seeta Uganda, P.O. Box 34913 Kampala Uganda
Web: www.egiuganda.org, Email: info@egiuganda.org Tel: +256 (0)393242705

May 16, 2023

Mr. Martin Tiffen,
The Managing Director,
East African Crude Oil Pipeline Co. Ltd,
Kampala (U).

Dear Sir,



RE: PETITION TO ADDRESS EMERGING GRIEVANCES OF EACOP-AFFECTED PEOPLE (PAPs)

We, the Environment Governance Institute (EGI), in collaboration with the EACOP host communities, are writing to bring your attention the emerging grievances faced by the EACOP-Affected People (PAPs) in relation to the East African Crude Oil Pipeline (EACOP) project.

The EACOP project, being a significant undertaking in our region, has brought about substantial changes and implications for the communities living along the pipeline route. Unfortunately, the PAPs have encountered various challenges and grievances that demand immediate resolution. The purpose of this petition is to shed light on these concerns and seek your assistance in finding appropriate remedies.

The grievances outlined in this petition are the result of discussions and meetings held with the EACOP project-affected persons (PAPs) from Kikuube, Kyotera, and Rakai. These discussions involved community champions who have been monitoring and reporting the grievances experienced by the EACOP PAPs in Uganda.

The following concerns persist among the affected communities and we urgently request your attention and action to address these pressing concerns.

GRIEVANCES

i) Delayed compensation

Despite reports in the media highlighting the successful compensation of some communities affected by the EACOP, it is surprising that there are still EACOP-affected communities who have not received compensation for their land, despite the cut-off date of 2018. These communities are yet to be compensated or relocated, which is taking longer than expected. It is also sad to note that some of your staff have moved ahead to start putting earthworks on people's land who have not been compensated, especially in Kyotera. This delay has resulted in increased tension and worry among the public about what the result will be as their land may be taken without adequate compensation.



In addition, due to the disruption of people's livelihoods, poverty among the public and borrowing from money lenders and savings and credit cooperative organizations (SACCOs) among the affected communities have increased, leading to an increase in cases of domestic violence in homes across all districts.

It is important to note that Article 26 of Uganda's constitution mandates prompt, fair, and adequate compensation prior to land acquisition. The delay in compensating these communities goes against international best practices for comprehensive land acquisition.

This delay has prevented them from engaging in meaningful economic activities, making it harder for parents to provide for their children's and families' basic needs.

Regrettably, the EACOP project-affected communities continue to suffer the same fate as the oil refinery-affected people, and the economic returns from oil will be minimal and will not benefit these communities.

i) Choice of house construction for the EACOP PAPs:

The PAPs who have chosen relocation have raised additional concerns regarding the housing provided by the company. Many of these individuals currently own houses with more than six rooms, but the houses being constructed for them have been standardized to three bedrooms or less. This poses a significant problem as these accommodations will not adequately meet the needs of their families.

A similar situation was experienced by those affected by the oil refinery project, where the government compulsorily acquired their land. Those who opted for relocation were provided with two-bedroom houses, which proved insufficient to accommodate some PAPs' large families. Moreover, this approach contradicted cultural values and customs, as it is customary for older children not to share the same sleeping space as their parents.

ii) Using the PAPs land to construct the house without compensation

We have also received distressing reports indicating that the EACOP team is constructing houses for the PAPs on the very land they own, without providing compensation for the land lost due to the pipeline route. This alarming practice has directly impacted the affected individuals who were utilizing the land for farming purposes. As a result, the available land for cultivation has significantly reduced, placing the affected communities at a heightened risk of food insecurity and economic instability.

Additionally, it is disheartening to learn that the construction team has proceeded to clear crops and coffee plantations without obtaining the necessary consent from the PAPs. This unauthorized action has only worsened the situation, causing additional distress and disruption to the affected communities who heavily rely on these resources for their livelihoods.

iii) Intimidation persists on the EACOP PAPs:

Despite numerous complaints and reports of intimidation by the affected communities, the issue has regrettably not been effectively addressed. It is deeply concerning that PAPs who have courageously voiced their demands for fair and adequate compensation have faced threats from unidentified individuals. These individuals, in a clear act of intimidation, warn the PAPs that they will face arrest for opposing government projects.

One incident, in particular, is deeply troubling and exemplifies the vulnerability and fear experienced by the affected communities. In March 2023, a widow with four children (**Names available on request**) from Kyotera district was directly threatened by the EACOP staff for speaking out her concerns of the project. This incident serves as a stark reminder of the risks faced by individuals who dare to speak out against the project.

Moreover, during our meetings with the EACOP-affected communities, we have received distressing reports that some PAPs were coerced into signing compensation assessment forms that they did not agree with. These coercive actions were perpetrated by security agencies and land acquisition consultants, undermining the integrity of the compensation process and infringing upon the rights of the affected individuals.

iv) Failure to establish a centralized platform for addressing PAPs' grievances

Furthermore, it is critical to highlight that the EACOP PAPs currently lack a centralized platform to effectively report their grievances, which demands urgent intervention by the company. While grievance committees were initially established to support the PAPs in addressing their concerns, they have proven to be inadequate in handling the complexity of the issues raised. Moreover, these committees are administered by the very company responsible for the grievances, raising concerns about impartiality and fairness. Regrettably, it has been observed that committee members often prioritize resolving issues without fully engaging and reaching a satisfactory agreement with the affected parties.

v) Water sources affected

Another pressing grievance that requires immediate attention pertains to the destruction of water sources for communities residing in the villages of Kamusoga, Kitakomoga, and Kisalira B within Lwengo district. The acquisition of land for the EACOP project includes the water wells that are vital to these communities. While compensation has commenced for the affected PAPs in Lwengo, there is growing concern among women and girls as no alternative water sources have been provided to date. It is crucial to address this situation promptly by drilling boreholes to replace the water wells that are being acquired.

vi) Presence of ghost landlords:

The issue of ghost landlords, where unidentified individuals have fraudulently obtained letters of administration for the land belonging to the EACOP PAPs (Project Affected Persons) and claimed compensation, continues to pose a significant challenge. This situation demands your immediate intervention. It has arisen due to the fact that some PAPs did not possess the necessary letters of administration, allowing opportunistic individuals to exploit this loophole and fraudulently acquire them. Consequently, the PAPs are understandably concerned about missing out on their rightful compensation, despite their land being acquired for the EACOP project. Urgent action is needed to address this pressing matter and ensure that justice is served to the affected PAPs.

RECOMMENDATIONS

- a) Take immediate steps to clarify the land valuation and compensation rates. Offer affected individuals and households free and independent legal representation for any dispute resolution pertaining to the valuation process
- b) Strengthen monitoring of all subcontractors, especially those involved in land acquisition and construction, to ensure compliance with human rights standards. Provide human rights training to subcontractors and address any concerns or reports of intimidation raised by the PAPs.
- c) Provide immediate financial or in-kind assistance to communities currently affected by EACOP developments and delays. This support should include assistance for those who have been unable to engage in long-term crop cultivation due to project activities. Ensure that affected people's livelihoods are fully restored.
- d) Reassess the undervalued properties based on the current compensation rates set by the respective districts. Ensure that affected individuals receive fair and just compensation for their land and assets.
- e) Ensure transparency and provide access to relevant information about the key elements of the resettlement process to the oil-affected communities. This includes clear communication on the criteria for compensation, timelines, and available support services.
- f) Prioritize the establishment of accessible central spaces where ongoing grievances of the oil-affected communities can be addressed. These spaces should serve as platforms for effective communication, dialogue, and resolution of concerns. Ensure that the communities can easily access these locations.

Thank you,

.....
Samuel Okulony,
CEO, EGI- Uganda

CC:

- The Minister of Energy and Mineral Development
- The Minister for Lands, Housing and Urban Planning
- The Chairperson, Natural Resources Committee of Parliament
- The Chairperson, Human Rights Committee of Parliament
- The L.C. 5 Chairperson, Kyotera district
- The Chairperson, Kyotera District Land Board
- The Executive Director, Petroleum Authority of Uganda
- The Chairperson, Uganda Human Rights Commission (UHRC)
- The Chairperson, UN Human Rights Office