EAST AFRICAN CRUDE OIL PIPELINE-AFFECTED PEOPLE'S NETWORK (EACOP-N)

May 19, 2023

Mr. Martin Tiffen,
The General Manager,
East African Crude Oil Pipeline Co. Ltd,
Kampala-Uganda.

Dear Sir,

RE: PETITION REQUESTING THE EACOP COMPANY TO ADDRESS CHALLENGES FACED BY EACOP-AFFECTED PERSONS (PAPS)

Greetings from the East African Crude Oil Pipeline-affected people's network (EACOP-N). EACOP-N was formed in March 2023 and brings together aggrieved persons from six districts including Hoima, Kikuube, Kakumiro, Lwengo, Kyotera and Rakai whose land is being compulsorily acquired for the EACOP project in Uganda.

Since the compulsory land acquisition processes started in 2018 with engagement of the affected households, the affected people have suffered a number of challenges ranging from under-valuation of property, lack of adequate information on the project, delayed compensation, intimidation, inadequate compensation and others.

Currently, compensation of the affected people is ongoing. Available information indicates that 76% of the EACOP-affected people in Uganda have been compensated. In addition, some of the affected households that received compensation in the Bunyoro and Greater Masaka sub-regions have received eviction notices to leave their land within three months.

The affected people have experienced a number of challenges during the compensation process that require your intervention. These are discussed below.

CHALLENGES

a) **Under-compensation:** Grievances relating to under-compensation of the affected people remain. While a reported 76% of the affected people are said to have received compensation, anger over under-valuation of property remains. As a result, hold-outs in Greater Masaka exist. In Bunyoro and in particular in Hoima district, those who signed for and received inadequate compensation either because they were intimidated or because of other challenges are demanding that the EACOP Company does the right thing by re-assessing their property and tops up the compensation given to the affected people based on prevailing market rates. The people were paid compensation based on rates that are less than the prevailing market values.

b) **Unfair compensation:** In relation to the above, some affected people in districts such as Kyotera in the Greater Masaka sub-region have refused to accept compensation due to the under-valuation of their trees. The people, who are losing tens of trees, argue that their trees are valuable and they do not want to lose them. Moreover, the compensation that is being given does not take into account the future income that is going to be lost. The people are requesting that their trees are transplanted and the EACOP Company remains with its compensation.

c) **Leasing vis-à-vis compulsory acquisition:** The people have heard some of the EACOP project players say that they want to leave lasting value in Uganda. They wonder why this goal has not been seen during the compensation of poor households whose land is being taken for the EACOP however. The people, especially those in Greater Masaka, say that they bought their land with the hopes of bequeathing it to future generations, the way it happens in the Kiganda culture. However, the people are being given compensation below the prevailing market rates, curtailing them from replacing all the land that they are losing. If they had been able to replace their land, they could have bequeathed it. The people wonder why the EACOP Company did not lease their land so that the company could directly contribute to the annual income of affected households while ensuring that the affected people's land remains under the ownership of the affected households. Without this, they are skeptical about declarations that the EACOP Company wants to create value for Ugandans.

d) **Ghost land:** We would like to bring to your attention that in Kijumba village in Hoima district, some of the EACOP-affected people's land has been affected by two oil pipelines including the EACOP and finished petroleum products pipeline. Some unaffected land lies between the pipelines. The land is too small to support farming. The affected people in Hoima have repeatedly raised concerns over this ghost land and while some people's land was assessed and valued pending compensation, others' land was not valued. The people want the EACOP Company to assess, value and expeditiously compensate them for all the ghost land.

e) **No demarcation of EACOP land:** Further, some EACOP-affected households in Hoima say that there are no clear demarcation marks showing where exactly in the affected people's land the EACOP will pass. This has left the affected people worried that the EACOP Company could take even their land that the company did not pay for. The people want the company to plant markstones separating their land from that taken for the EACOP.

f) **Safety concerns and construction materials:** The people with land that neighbours the pipeline route are also worried. They think that their children and houses will be endangered during the EACOP construction phase. The people are worried that their children could become victims of accidents and that their houses could develop cracks due to vibrations from the construction activities. This has been seen in Buliisa district where oil sector construction activities are ongoing. The people are also concerned that the pipeline's construction materials and excavated murram could be dumped in their land,

endangering them. This is because the EACOP Company acquired only small pieces of land in some areas. This leaves the company with no area to put its excavated murram.

g) **Vulnerable families:** In addition, inadequate attention has been given to vulnerable EACOP-affected persons. Reports indicate that some people who received compensation on behalf of vulnerable persons such as the mentally ill misused it. Further, there is a family in Lwebicuncu village in Lwengo rural sub-county, Lwengo district that has failed to sign for compensation since August 2022 despite pleas to the EACOP project sub-contractors. The family's head is mentally sick and efforts to get the EACOP project sub-contractors to support the household head to transfer his powers of attorney to his mother have proved futile. Such families need support.

h) **Complaints of lower compensation** than that that was disclosed to some affected families being deposited on bank accounts have also been reported. So have complaints over failure by the EACOP Company to leave the affected people with signed copies of compensation forms.

i) **In Greater Masaka, the process of shifting of graves** or the remains of deceased members of EACOP-affected households is ongoing amidst complaints by the affected people. The people say that they have received less compensation for their graves than that that was disclosed to them. The people say that while they want to resist, they are being intimidated with threats of being sued if they resist being made.

RECOMMENDATIONS

The following should be done to address the above grievances:

a) **The EACOP Company should review the compensation** being given to the affected households and pay the hold-outs compensation that is commensurate with prevailing market rates;
b) **In addition, the EACOP Company should top up payments** to the PAPs that already received compensation following a review of the rates. The PAPs say that they have been unable to replace all the property they lost to the EACOP because of under-compensation;
c) **Furthermore, the EACOP Company should enter into agreements** with the affected people to make periodic payments to the affected households so that they continue to make money off their land instead of receiving the one-off unfair compensation that they have been paid;
d) **The company should also assess, value and expeditiously** compensate affected households with ghost land;
e) **In addition, the company should place markstones** in the areas where they aren't to clearly differentiate the company's land from that of the affected households;
f) **The EACOP Company should hold sensitisation meetings** with the affected households to disclose how their safety will be maintained during the EACOP project's construction

phase. The company should also share information on what processes communities will undertake to lodge grievances should any complaints arise during the construction phase.

g) **Further, the company should support all vulnerable** affected households that have grievances to address them. The company should also explain the discrepancies in compensation received by some PAPs who got lower amounts of money on their bank accounts than that that was disclosed to them.

h) **Finally, the discrepancies in compensation for graves** should also be explained. The company should also walk its talk on protecting human rights and should ensure that its sub-contractors stop intimidating the affected people.

Thank you,

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Clinton Bikorwa,
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CC:

- The Speaker, Parliament of Uganda
- Minister of Energy and Mineral Development
- The Chairperson, Natural Resources Committee of Parliament
- The Chairperson, Human Rights Committee of Parliament
- The Executive Director, Petroleum Authority of Uganda
- The Chairperson, Uganda Human Rights Commission (UHRC)
- The CEO, Africa Institute for Energy Governance (AFIEGO)
- The Coordinator, Civil Society Coalition on Oil and Gas