

OIL IN UGANDA, LIVELIHOODS, AND HUMAN RIGHTS:

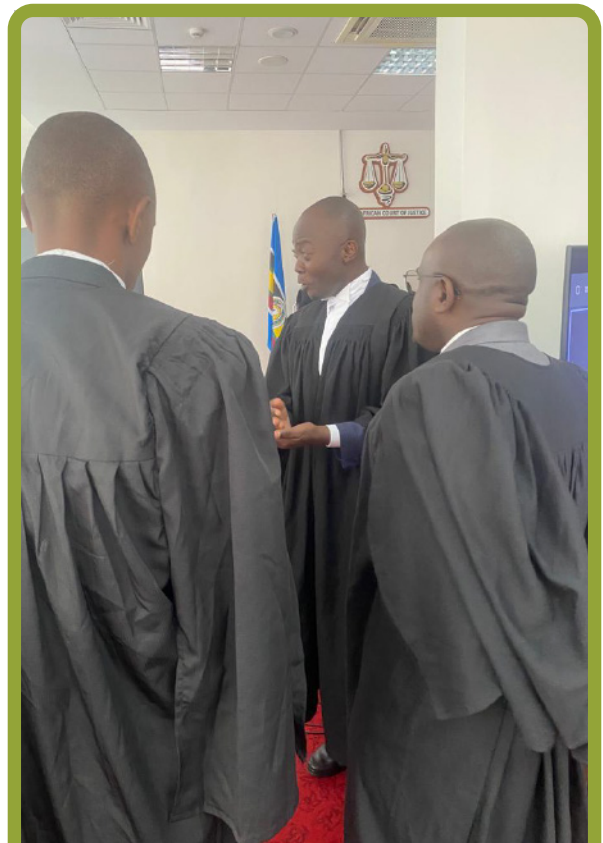
The East African Crude Oil Pipeline (EACOP) Case in the East African Court of Justice

(CEFR OHT & ORS VS AG OF UGANDA & ORS REFERENCE
NO. 39 OF 2020).

Center for Food and Adequate Living Rights (CEFR OHT) together with other Civil Society Organisations (CSOs) from East Africa; instituted a Public Interest Case in the East African Court of Justice (EACJ) against the Attorney General of the Republic of Uganda, the Attorney General of the United Republic of Tanzania and the Secretary General of the East African Community for Project Affected Persons' rights, environmental and biodiversity rights, riparian rights, African Charter and the East African Community Treaty and protocols.

According to Oxfam's human rights impact assessment of the EACOP, the Environmental Impact Assessment reports, the EU resolution and the Advisory Review of the resubmitted Environmental and Social Impact Assessment for the East Africa Crude Oil Pipeline (EACOP) the project is likely to pose environmental and human rights risks to the communities located along the proposed pipeline corridor in Uganda and Tanzania. These include among others; violating human rights like the right to livelihood due to evictions leading to food insecurity in communities.

The Construction of the EACOP is also projected to have adverse and devastating environmental effects on the Lake Victoria Basin. There is a threat of oil spills, water shortage, deforestation and many other impacts that could affect the people living around the pipeline. A great part of the pipeline passes close to Lake Victoria as it crosses into Tanzania and this poses a great risk to the East African region as Lake Victoria is a critical water source for millions of people in East Africa.





Experts have indicated that the EACOP is likely to have 34 million tons of Carbon dioxide emissions every year. This is contrary to Uganda's target to reduce greenhouse emissions by 22% in 2030. The construction of the EACOP would increase Uganda's greenhouse emissions by more than 150%.

Prayers from court

CEFROHT and other CSOs reference seeks for orders that;

(a) An Order that the 1st & 2nd Respondents must in constructing the pipeline adhere to the obligations of the East African Community law and National laws on the conservation of the environment.

(b) An Order against the 1st and 2nd respondent ensures that, prior to any similar project the following are conducted.

- a) Climate change impact assessment;
- b) Human rights impact assessment; and
- c) Meaningful, effective and transparent public consultations ensuring robust community and broad public participation.

(c) A Declaration that the 3rd respondent failed to discharge its obligations of undertaking, whether on his own initiative or otherwise of such investigations, collection of information or verification of matters affecting the Community that appears to merit examination contrary to **Article 71(1) (d) of the EAC Treaty.**

(d) An order that the 3rd Respondent directs the Lake Victoria Basin Commission to execute its duties in relation to the EACOP as provided under Articles **2, 3, 4, 6, (a), (e), (C), 12 and 13** of The Protocol for Sustainable Development of Lake Victoria Basin to the EAC Treaty.

(e) A permanent injunction against the respondents from constructing the pipeline through protected spaces in the 1st and 2nd respondent's jurisdiction.

(f) An order against the respondents to ensure that, before resuming the project implementation, the mandated authorities ensure that regular environmental, human rights and social impact assessments, with meaningful public participation are conducted.

(g) An order that the respondents compensates all project affected persons due to loss already incurred due to restrictions issued on use of their property by the developer and violation of their right to livelihoods



Status of the case;

The hearing of the case has so far commenced with the Preliminary objections that were raised by the Respondents and this is pending ruling that will be issued on notice. This ruling will henceforth determine the hearing of the temporary injunction to halt the construction of the EACOP until the case is determined to its logical conclusion.

CEFROHT is hoping that the case is expeditiously heard and determined as it is a matter of public interest and aimed to protect and preserve a Human Rights Based Approach in East Africa under the Treaty and the vulnerable East Africans' rights to livelihood, food, income, health, and promote adequate living rights in the East African Region.