



## **HUMAN RIGHTS VIOLATIONS AMIDST OIL AND GAS AND RELATED DEVELOPMENTS; A CASE OF LAND RIGHTS AND VULNERABLE LOCAL COMMUNITIES IN HOIMA DISTRICT**

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### **Background**

On August 25, 2014, Global Rights Alert (GRA) received a distress call from the Chairperson LC V of Hoima District George Bagonza informing the organization that over 200 families were violently evicted from their homes in Rwamutonga Village, Bugambe Sub County, and Hoima District by businessman Joshua Tibangwa with the help of Uganda Police Force.

This was to pave way for the giveaway of the land to McAlester Energy Resources Limited (<http://www.mcalesterenergy.com>) for the construction of an **oil waste treatment plant** in Hoima District.

GRA immediately organized a team of journalist from leading media house of *New Vision*, *Daily Monitor*, *NTV Uganda*, *NBS TV* and *The Observer Media*. On Tuesday August 26, the team of 6 from Kampala, and 4 from Hoima districts travelled to Rwamutonga where the whole village consisting of 250<sup>1</sup> families had been evicted. Before GRA's intervention, journalists from Hoima had been barred from accessing the village or reporting about the eviction on the radio stations.

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<sup>1</sup> According to Alouzius Onzima, the LC 1 chairperson, Rwamutonga Village

## **The whole village wiped out, gardens destroyed, dry food burnt**

What we found on the ground was heart wrenching. Families had slept out in the cold because their houses had been broken down, their huts set on fire. All the houses were demolished. Gardens were slashed to the ground, banana plantations, fruit trees were cut down. Maize, Cassava, potatoes and vegetables were destroyed. Dry foods like maize and bean which were found in granaries were set on fire or looted.

*I was hiding under my bed when they broke down my house and it fell on me. They stole my goats and cut down all my banana trees and cassava plants which left me with no food to feed my grand children*". Says 70 year old Beatrice Ngozebwa, one of the many victims

## **District leaders condone the evictions**

After carrying out investigations, the team met Rev Canon Martin Ogen who said that his people had been evicted in an inhumane manner without eviction notice yet they owned the land where they live. People said that they have been living on the said land all their lives and felt that their rights were being abused by Mr Tibangwa.



*Rev Canon Martin Ogen displays bullets and tear gas canisters fired at people during the evictions in Rwamutonga*

The team met with the district Chairperson of Hoima District Bagonza. He said that the experience was a nasty abuse of the land rights of lawful occupants of their land. He said that this is an early symptom of the oil curse waiting to happen. He said that while he is a supporter of oil exploration, for people to be thrown off their land to put up a waste treatment plant is unimaginable and total abuse of their rights. He said that throwing off the land, without compensation while basing on a fictitious court order obtained from the magistrate of Masindi Court is unfortunate. The team then met with the Resident District Commissioner Godfrey Nyakahuma, The Deputy RDC Ambrose Mwesigye and Robinah Kusiima one of the owners of the land.

### **Directive came from President's Office**

The RDC said that the directive to evict these people came from The Office of the President signed by Sarah Nkonge and Mohammad Mayanja directing Uganda Police to effect the eviction. The deputy RDC said that he had gone to the site to ensure that people are not brutally handled during the eviction.

### **Human rights violated, food insecurity threatens**

Despite the clear provisions in the Constitution of Uganda, the Land Act, the Uganda National Land Policy and other numerous human rights treaties Uganda is party to, respect for human rights continues to dwindle. The evictions which were supported by The Office of the President violated all these provisions yet government is entrusted with the mandate to protect its people. The constitution protects the right of every one to own property in Uganda either as an individual or in association with others. The law prohibits illegal land eviction that is forcible removal of a tenant, directly or indirectly, without prior court approval.



*A garden destroyed in Rwamutonga village*

***This eviction is an immediate threat to food security and livelihoods of over 1000 people and particularly women and children as they are the most vulnerable and immediately affected by these violent actions.*** Says Ngabiirwe Winfred- Executive Director, Global Rights Alert.



*70 year old Beatrice Ngozebwa speaking to the press outside her demolished house in Rwamutonga*

<https://www.facebook.com/pages/Global-Rights-Alert/179503128816261?ref=hl>

### **Access to Justice Hurdle**

The communities lack legal representation and understanding of the processes to follow up on the evictions. According to the LC V chairman, there was a court injunction on the sale of this land pending the hearing and judgment of the main suit by Masindi High Court, but communities did not have a lawyer to follow the injunction up. These evictions should have come with due notice and adequate compensation for interests on the land. Global Rights Alert reached out to ASF for possible legal assistance. We are still waiting for their response and action.

### **Environmental Concerns**

The waste treatment plant not only threatens lives of women, men and children but also the wild life and environment because the contested land is adjacent to Wambabya forest and would not be ideal for the kind of proposed development.

Oil exploration and Production should not trample upon the rights of persons to a clean and healthy environment and should facilitate biodiversity conservation.



*Annette Tinkasiimwe sits with her husband and children in the rubbles of her broken house*

### **Security threats to journalists and GRA staff**

On the day of the evictions, journalists were barred from accessing the village to report on the evictions. People were beaten by goons and police.

When GRA travelled with journalist from Kampala to Rwamutonga to research on the eviction, a team of security operatives was sent to the village to stop us accessing the area and from reporting on eviction. We were reliably informed that security operatives wanted to confiscate journalists' equipments. The journalists were warned by residents of the pending arrests. When GRA and the journalists went to the RDC's office, a security operative stormed the office and started harassing the team. The area has been declared out of bounds for media and residents and cordoned off.

Victims who try to access the area in search of food are continuously beaten and thrown off their land as has been witnessed and reported by Daily Monitor

### **Oil Companies deny linkages to the waste Management Plant investor.**

As soon as TV reports were broadcast, Total E&P personal called GRA on behalf of the joint venture partners and quickly distanced themselves and denied any links with McAlester Energy Resources and said they had blacklisted it. Yet district leaders in Hoima speaks to the contrary.

### **Media reports and Dissemination of the information by GRA**

Global Rights Alert shared the information using various reporting channels through email and social media. We prepared a press release and shared it with various journalists especially those who report on Oil and Gas. These were reached through different social media platforms. On one of the media platforms, "Albertine Oil Reporters" Rachel Mugagura a project officer with Africa Centre for Media Excellence asked oil reporters in the Albertine Region to follow up on the evictions.

Indeed a few days after the eviction, the residents were attacked again at a school where they had taken shelter and chased away by security guards.

Daily Monitor reported on the said attacks: <http://www.monitor.co.ug/News/National/Evicted-Hoima-residents-return--clash-with-guards/-/688334/2436500/-/15scf07z/-/index.html>

Global Rights Alert also shared the report on our official Facebook page. Over 1300 people were reached by this report and it was shared by other civil society organisations.

The NTV report was also shared on our Facebook page and our website using a Youtube link. It shows that some 52 people have been reached and more are still accessing it.

A debate has triggered by our report on this eviction. For example, New Vision newspaper's editorial opinion of Monday September 8, 2014 titled "Move cautiously on land acquisition" states that Government plans an amendment to provide for express acquisition of private land for public projects before adequately compensating owners. It specifically cautions the Energy Minister Irene Muloni who claims that the move is aimed at removing impediments to public projects especially of infrastructural nature that normally stall over compensation. The editorial states that the current deadlock is not because of government's inability to compensate property owners but lack of proper planning.

### **Some of the media reports**

On August 27, NTV Uganda aired the report on its 7p.m and 9p.m New Bulletins.

<http://globalrightsalert.org/videos/hoima-200-families-evicted-pave-way-oil-waste-planet>

On August 28, Daily Monitor ran a new report in their business section on the eviction

On August 29, The Observer reported in the business section about the eviction

[http://observer.ug/index.php?option=com\\_content&view=article&id=33573:police-evicts-200-families-in-hoima&catid=57:feature&Itemid=69](http://observer.ug/index.php?option=com_content&view=article&id=33573:police-evicts-200-families-in-hoima&catid=57:feature&Itemid=69)

On September 1, Daily Monitor again reported about the eviction and that people have continued to be tortured

<http://www.monitor.co.ug/News/National/Evicted-Hoima-residents-return--clash-with-guards/-/688334/2436500/-/15scf07z/-/index.html>

On September 8, New Vision's Editorial centred on streamlining private acquisition of land for public use by

Red Pepper also reported that the Deputy RDC, Mwesigwa was interrogated by the district council for overseeing the eviction of people in Rwamutonga

<http://www.redpepper.co.ug/hoima-rdc-under-fire-over-land-evictions/>

The LC V chairperson Bagonza was also hosted on a radio talk show to discuss the evictions

For more information on this particular report please contact

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