Dear Sir,

Re: Petition to Address the Grievances Faced by the Kingfisher Project Host Communities in Kikuube District

The above refers,

We the people whose land and properties are being compulsorily acquired for the Kingfisher oil project in Buhuka parish Kikuube District would like to take this opportunity to thank you in advance for taking into consideration our concerns.

Together with our civil society organization, Environment Governance Institutes (EGI), we are writing this petition to you with the hope that you will address the challenges that we have faced since the compulsory land acquisition processes for the Kingfisher oil project commenced in Kikuube district.

The grievances that are contained herein were derived from the discussions and meetings with the Kingfisher oil project host communities. The meetings and discussions, which EGI organized alongside other partners, took place in January, April, June, and September in Nzunzu A&B, Kyakupere, and Buhuka villages in Kikuube district.

Despite the official commissioning of the first Kingfisher oil rig by President Yoweri Museveni on January 24th, 2023, it is evident that the affected communities in Buhuka parish are dissatisfied with the manner in which Kingfisher project is progressively ignoring their cries and plea for help.

For instance, the PAPs reported to have encountered various challenges and threats due to oil activities, including intimidation, forced eviction from their land, disruption of fishing activities, noise pollution, among others.

Therefore, through this petition, EGI and the host communities of Kingfisher project, write to present to you the grievances that the Kingfisher PAPs have been facing since the compulsory land acquisition processes started, upon which they demand your immediate intervention.
GRIEVANCES

1. Disruption of Fishing activity:

The Kingfisher Project host communities reported an issue of militarisation and the seizure of local fishing boats in Buhuuka Parish. The situation in Lake Albert, where the majority of our community members earn their livelihoods, has taken a worrying turn. The area has become heavily militarized, preventing community members from fishing. Instead, they are forced to venture into the waters of the Democratic Republic of Congo (DRC), where they often fall prey to rebel groups.

Moreover, one of the commitments in the Kingfisher Environmental and Social Impact Assessment (ESIA) report was to ensure that the Kingfisher project is managed in co-existence with community livelihoods. It is a shame that fishing communities are losing their fishing jobs due to the oil developments on Lake Albert. The lake provides fish and income to the elderly and young children, but due to oil activities, communities have been stopped from using the lake.

2. Unfair compulsory land acquisitions:

During our engagements with the Kingfisher project PAPs, we observed that they are decrying the fact that many of their families have suffered unfair compulsory land acquisitions where the government and CNOOC have failed to pay them fair, adequate, or prompt compensation contrary to Uganda’s 1995 Constitution as well as the IFC Performance Standard 5.

This violation has not only caused psychological distress and household poverty but will also prevent the PAPs from replacing all the land that they lose, contrary to the IFC Performance Standard 5. As a result, these families are unable to engage in meaningful economic activities, making it challenging for them to meet the basic needs of their children and households. The lack of compensation has created significant hardships for the local community.

3. Choice of house construction for the Kingfisher PAPs:

The PAPs that opted for relocation are worried and concerned by the choices of houses that CNOOC and the government of Uganda constructed for them. Some of the fishermen (names available on request), who opted for relocation was offered a mud house as compensation. They had originally owned four houses with five (5) rooms each, and CNOOC had committed to compensating him with two houses. Regrettably, he received only a mud house as compensation. As a result of this inadequate compensation for his property, they have endured significant losses and hardships, including the dissolution of his marriage due to the subpar housing compensation. Furthermore, his ability to sustain his livelihood through fishing has been severely impacted, leading to his children dropping out of school due to his inability to afford their school fees.
4. Unmet/ empty promises:
When the China National Oil Off-shore Company (CNOOC), developing the Kingfisher oil project, first arrived in Buhuka, they made grand promises that raised hopes of the community members. They assured them best education and Health facilities within the area which for decades now has remained in vanity.

Initially, as they applauded the project as a blessing, the eventual perception of the project as a curse took precedence in their minds after observing no significant development change in their community. Education in Buhuka parish is limited to primary levels, leaving their children with no access to secondary or vocational schools, elevating Buhuuka health centre from level II to level IV posing a significant challenge.

5. Failure to put in place a central place to address PAPs’ grievances:
Moreover, the Kingfisher PAPs lack a centralized platform for expressing their urgent grievances, which necessitates prompt intervention by CNOOC. It is worth noting that while grievance committees were established to aid Kingfisher PAPs in addressing their concerns, these committees have not been operational and are insufficient in addressing the issues at hand. The committee members are only equipped to handle minor grievances, whereas the PAPs are grappling with challenges that demand immediate attention from CNOOC.

6. Presence of ghost landlords:
The ghost landlords where communal land in Buhuuka persists as a pressing issue demanding immediate attention. This predicament arises from a situation where a small group of individuals managed to secure letters of administration for the Kingfisher PAPs land compensation, despite the fact that the original PAPs in the Kingfisher area never had possession of these letters. As a result, the rightful PAPs are being deprived of their compensation for the land that was taken for the Kingfisher project, which is an injustice that requires urgent resolution.

7. Intimidation persists on the Kingfisher PAPs:
Despite numerous complaints and reports of intimidation, this issue continues to go unresolved. The PAPs who have been outspoken in their demands for just and sufficient compensation consistently receive threatening calls from unknown people warning them of potential arrests for opposing government initiatives.

Furthermore, during the meeting, the communities affected by the Kingfisher Project disclosed instances where they felt pressured to sign compensation assessment forms that did not align with their consent. This coercion primarily stems from the actions of security agencies and land acquisition consultants, especially within the Buhuuka Parish.
RECOMMENDATIONS
The following should be done to address the above grievances:

a) CNOOC should support the fishing communities with alternative fishing areas including exploring option for ponds to safeguard them against the risk of being targeted by rebel groups in the Democratic Republic of Congo (DRC).

b) CNOOC should take immediate steps to clarify the land valuation and compensation rates and offer affected individuals and households free and independent legal representation of their own for any dispute resolution of the Kingfisher project.

c) CNOOC should establish a grievance handling mechanism within the community to facilitate open communication and allow the community members to voice their concerns regarding the project and the compensation provided to them. It is crucial for CNOOC to pay close attention to the issues raised and address them appropriately.

EGI is prepared and eager to assist the communities in establishing a channel of communication with you. We believe that constructive engagement with the community is crucial to address these concerns effectively.

Yours Sincerely

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Samuel Okulony
Chief Executive Officer
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• The Minister of Energy and Mineral Development,
• The Minister of Gender, Labor and Social Development
• The Chairperson, Natural Resources Committee of Parliament,
• The Inspectorate of Government
• Chinese Embassy in Uganda