



Joint Parallel Report

submitted by

the Africa Institute for Energy Governance,

the Center for International Environmental Law &

Les Amis de la Terre France/Friends of the Earth France

to the

Human Rights Committee

on the occasion of the consideration of the

List of Issues

For

Uganda

during the Committee's 135th Session, 27 June – 29 July 2022

Submitted 2nd May 2022

About the submitting organizations:

*The **Africa Institute for Energy Governance (AFIEGO)** is a Ugandan incorporated non-profit company that influences energy and related policies to benefit poor and vulnerable communities. Based in Kampala, Uganda, the organisation was born out of the need to contribute to efforts to turn Africa's clean energy potential into reality and to ensure that the common man and woman benefits from this energy boom that should be realised in an environmentally-compatible manner. Through research, advocacy and community education, AFIEGO works with communities and leaders in Uganda, East Africa, the African Great Lakes region and beyond to ensure that energy resources are utilised in a way that promotes equitable development, environmental conservation and respect for human rights.*

*The **Center for International Environmental Law (CIEL)** uses the power of law to protect the environment, promote human rights, and ensure a just and sustainable society. CIEL seeks a world where the law reflects the interconnection between humans and the environment, respects the limits of the planet, protects the dignity and equality of each person, and encourages all of earth's inhabitants to live in balance with each other.*

***Les Amis de la Terre France/ Friends of the Earth France (FoE France)** is a non-profit environmental and human rights network, independent from any religious or political influence. FoE France is a key player on corporate impunity issues: it has been working with affected communities and environmental defenders in different countries, and was amongst the core group of CSOs advocating for the adoption of legally binding legislation to prevent and remedy corporate abuse on human rights and the environment. It fought for the adoption of the French duty of vigilance law and has filed the very first legal case under this law, against Total for its Tilenga and EACOP projects in Uganda and Tanzania. It is also very active in the ongoing processes at the European level (EU directive on Sustainable corporate governance) and UN level (binding treaty on transnational corporations and human rights). FoE France is also known for its longstanding work on the finance sector (both public and private) responsibility in the expansion of the fossil fuel industry, thus fueling climate change.*

The Africa Institute for Energy Governance (AFIEGO), the Center for International Environmental Law (CIEL), and Les Amis de la Terre France/ Friends of the Earth France respectfully request that the Human Rights Committee include the following questions in the List of Issues (LOI) for Uganda:

1. Please identify the measures taken to prevent and mitigate the adverse impacts of the development of the Tilenga and Kingfisher oilfields and associated East African Crude Oil Pipeline on human beings, the natural environment, and the climate in the affected and surrounding areas. Specifically, given the widespread recognition that climate change threatens the right to life and other human rights, that fossil fuels are the primary driver of climate change, and that there is an urgent need to address the climate crisis, please address: how the development of these new fossil fuel projects is compatible with the State's obligations to (i) respect and protect the right to life of the individuals and communities that are directly and indirectly affected by these projects and (ii) to take measures to prevent or mitigate foreseeable adverse impacts of climate change?
2. Please report on what the State is doing to ensure that communities adversely affected by the Tilenga, Kingfisher, and EACOP projects, or at risk of such adverse impacts, have access to an effective remedy, and what measures are being taken to prevent further foreseeable harms during the pendency of any legal actions seeking such remedy?
3. What steps is the State taking to respect and protect the rights of environmental and human rights defenders, including their rights to freedom of opinion, expression, peaceful assembly, association, and liberty and security of the person. Specifically: (a) what steps is the State taking to investigate reports of arbitrary arrest and detention of human rights and environmental defenders working with communities impacted by the Tilenga and Kingfisher oil fields and the East African Crude Oil Pipeline, and to provide effective remedy?; (b) what steps is the State taking to ensure a safe environment for civil society organizations and community organizations working with communities impacted by the Tilenga and Kingfisher oil fields and the East African Crude Oil Pipeline?

A. The Tilenga and Kingfisher Oil Fields and the East African Crude Oil Pipeline are Threatening the Right to Life of Impacted Communities

As this Committee has declared, climate change is one of the “most pressing and serious threats to the ability of present and future generations to enjoy the right to life.”¹ The adverse local and global climate impacts from the Tilenga and Kingfisher oil fields and the East African Crude Oil Pipeline (EACOP) threaten the right to life of directly and indirectly impacted communities. The foreseeable threats to life connected with these projects trigger Uganda's duty to take measures to prevent foreseeable threats to life—and in particular a life with dignity. Doing so requires Uganda to prevent environmental harm, including pollution and climate change caused by public and private actors.²

The EACOP is a planned 1,443-kilometer heated pipeline that will transport crude oil extracted from the Tilenga and Kingfisher oil fields in Uganda's Albertine Graben (the Lake Albert Basin) to the Tanzanian port of Tanga, where it will be loaded onto tankers for export. The pipeline is expected to be one of the largest infrastructure projects in East Africa and the longest heated oil pipeline in the world.³ According to the respective projects' Environmental and Social Impact Assessments (ESIAs), at peak production, the Tilenga project aims to extract 190,000 barrels of oil a day,⁴ and the Kingfisher project aims to extract 40,000 barrels a day.⁵ According to TotalEnergies, the EACOP, if constructed, would carry 230,000 barrels of oil a day at peak production.⁶ The pipeline will be heated to 50°C in order to keep the crude oil in a liquid state during transportation.⁷

According to multiple sources the development of the EACOP and associated upstream fields and facilities have already caused, or threaten to cause, a range of local harms in Uganda and in Tanzania. These harms include: physical and economic displacement of tens of thousands of people and related socioeconomic effects; potential depletion and contamination of surface and groundwater sources; and safety and health impacts; among others. Collectively, project documents show that the Tilenga and Kingfisher oilfields and the EACOP will directly impact the land of approximately 120,000 individuals in Uganda and Tanzania.⁸ Within Uganda, the upstream oil field developments have already led to physical and economic displacement of thousands of people, and are expected to affect tens of thousands more in the area as production proceeds.⁹ Moreover, many individuals affected by the displacement and land acquisition process report that they have not received compensation, or adequate compensation, and are facing land use restrictions. For instance, individuals have reported being deprived access to their land or significant portions of their land, preventing them from growing food for survival or income generation.¹⁰

A number of reports show that the environmental harm of the upstream oil developments and the pipeline project threatens the right to life, especially the right to life with dignity, of all affected people. The oilfields and pipeline will cause irreversible impacts to protected parks, game reserves, forests, wetlands, lakes, rivers, and marine ecosystems, as well as to the livelihoods of those who reside in or nearby the project areas. Nearly one-third of the proposed pipeline is planned to be constructed in the Lake Victoria freshwater basin, which supports the livelihoods of up to 40 million people.¹¹ The planned route would also cross numerous watercourses utilizing a low-cost method that does not meet industry best practice.¹² An oil leak or spill—the likelihood of which is high, given that the pipeline will traverse an active seismic zone¹³—could have catastrophic and irreversible effects on these vital freshwater resources. The pipeline will also disturb nearly 2,000 square kilometers of protected wildlife habitats and multiple forest reserves critical to the preservation of vulnerable species like the eastern chimpanzee and the African elephant.¹⁴ The pipeline and the Tilenga and Kingfisher oil fields are likewise designed to run near or through a number of legally protected biodiversity areas, including several Ramsar

Wetlands of International Importance protected under international law.¹⁵ For instance, approximately one-third of the oil pads for the Tilenga project are within the Murchison Falls National Park (MFNP), which hosts the Murchison Falls-Albert Delta Wetland System, a Ramsar site.¹⁶ Extraction at oil fields in the Lake Albert Basin and related risks endanger the national park, a critical ecosystem and Uganda's second most visited national park,¹⁷ as well as the threatened Bugoma Forest Reserve.¹⁸ Moreover, E-Tech International's review of the Tilenga project ESIA identified numerous elements of the project that do not meet international best practices or best available techniques.¹⁹

On top of these adverse local impacts, the oil development and export activities will contribute significantly to anthropogenic climate change. According to emissions estimates across the full value chain, which encompasses the project's construction, operations, refining, and product use over the course of its 25-year lifetime, the EACOP will release 377.6 million metric tonnes of CO₂. Broken down, this includes estimated carbon emissions from the project's construction phase (0.24 MtCO₂ - Uganda only), operational emissions (6.55 MtCO₂e), refining emissions (34.52 MtCO₂), and product use emissions (330.71 MtCO₂).²⁰

This new oil development in East Africa comes at a time when the world is already in the midst of an accelerating climate emergency, the consequences of which are being felt most acutely by those least responsible for global warming, including communities in Uganda and Tanzania. It also comes at a time when the Intergovernmental Panel on Climate Change (IPCC), the world's preeminent authority on climate science, has affirmed what other studies have shown: that there is more oil, gas, and coal already under development than the world can burn without exceeding 1.5°C warming and causing further irreversible harm.²¹

The science is unequivocal—the world must phase out fossil fuels to avoid climate catastrophe—and the economic and policy implications of that scientific reality are clear. The scientific community has known for decades that fossil fuel production and use is the principal driver of anthropogenic climate change.²² The IPCC has consistently found that keeping global warming below dangerous levels, consistent with the ultimate objective of the United Nations Framework Convention on Climate Change (UNFCCC),²³ requires an urgent and rapid shift away from fossil fuels.²⁴ As stated in the final draft of the most recent IPCC report, “limiting warming requires shifting energy investments away from fossil-fuels and towards low-carbon technologies.”²⁵ Yet the United Nations Environment Programme's 2021 Production Gap Report found that states around the world are planning to produce twice as much oil and gas in 2030 than what is consistent with a 1.5°C limit.²⁶ If those production plans proceed, the necessary transition away from fossil fuels will leave stranded assets.²⁷ That prospect calls into question the economic feasibility of the Tilenga, Kingfisher, and EACOP projects and highlights the potential risks to Uganda and to the impacted communities that will be left with the financial debt and environmental degradation.²⁸ In May 2021, the International Energy Agency declared that new

investment in oil and gas needs to halt if the world is to limit warming to 1.5°C.²⁹ The Tilenga and Kingfisher oilfields and the EACOP must be viewed against this backdrop: they are being planned and developed amidst an accelerating climate crisis and at a time when investment in a just transition to a fossil free future is urgently needed.

Civil society organizations working with communities affected by the upstream oil projects and EACOP have filed court cases in multiple fora, including in Uganda and the East African Court of Justice (EACJ), raising the above environmental and human rights concerns.³⁰ To date, however, the merits of the cases have not been heard and the applicants have faced repeated delays, including postponement of hearings.³¹ As a consequence, the applicants have so far been deprived of access to prompt and effective remedy for the alleged threats to and violations of their rights.³² Applicants before the EACJ have sought a temporary injunction to prevent the commencement of the EACOP's construction until the case can be heard and determined.³³ The delay undermines not only applicants' right to an effective remedy, but all the rights threatened by the project.

In light of the magnitude of these projects and their devastating impacts, the submitting organizations respectfully request the Committee to include the below questions in its LOI. In its 131st session, this Committee included a question about the EACOP in its LOI for Tanzania.³⁴ The EACOP originates in and traverses Uganda, where it runs from the associated oil fields to Tanzania. The Committee should, thus, likewise ensure that a question on Uganda's LOI focuses on the pipeline and the associated upstream oil projects in Uganda.

1. Please identify the measures taken to prevent and mitigate the adverse impacts of the development of the Tilenga and Kingfisher oilfields and associated East African Crude Oil Pipeline on human beings, the natural environment, and the climate in the affected and surrounding areas. Specifically, given the widespread recognition that climate change threatens the right to life and other human rights, that fossil fuels are the primary driver of climate change, and that there is an urgent need to address the climate crisis, please address: how the development of these new fossil fuel projects is compatible with the State's obligations to (i) respect and protect the right to life of the individuals and communities that are directly and indirectly affected by these projects and (ii) to take measures to prevent or mitigate foreseeable adverse impacts of climate change?
2. Please report on what the State is doing to ensure that communities adversely affected by the Tilenga, Kingfisher, and EACOP projects, or at risk of such adverse impacts, have access to an effective remedy, and what measures are being taken to prevent further foreseeable harms during the pendency of any legal actions seeking such remedy?

B. The Closing of Civic Space, Threats, and Detention of Environmental and Human Rights Defenders Violates their Rights to Freedom of Expression, Association, and Liberty and Security of the Person

Civil society, international organizations, and U.N. independent experts appointed by the Human Rights Council have long expressed concern over the closing of civic space in Uganda.³⁵ Over the past couple of years groups have documented threats, raids, arbitrary arrests, and the detention of environmental and human rights defenders working with communities impacted by the Tilenga and Kingfisher oilfields and the EACOP.³⁶ For example, in May 2021, AFIEGO reported that one of their field officers was arrested and detained after meeting with community members whose land is being, or has been, acquired for the Tilenga oil project.³⁷ In October 2021, AFIEGO reported that the police raided their offices in Kampala and, on multiple occasions, arrested staff members, including a breastfeeding mother and a person in need of medical attention; arrested and detained a chairperson of a community-based organization whose members work with AFIEGO; and arrested a community human rights defender who has advocated for the protection of the rights of people affected by the EACOP.³⁸ In February 2022, the Community Transformation Foundation Network (COTFONE) reported that unidentified individuals broke into their Masaka office and took computers (with important information), tablets, and a phone and broke into the Network Coordinator's home. COTFONE works with people affected by the EACOP and believes that these break-ins are connected to their "human rights defender work."³⁹ These incidents seem to be part of a broader crackdown on civil society organizations. In August 2021, the NGO Bureau halted the operations of dozens of civil society organizations, including AFIEGO and other groups that work on environmental rights and with communities affected by oil and gas development.⁴⁰

UN Special Rapporteurs have sent multiple communications to Uganda raising concerns "regarding the arrests, acts of intimidation and judicial harassments against human rights defenders and NGOs working in the oil and gas sector in Uganda."⁴¹ In the most recent Communication from January 2022, the experts noted that "these acts seem to be part of a broader pattern of intimidation and harassment of civil society organisations and groups in Uganda who have raised human rights concerns arising from oil and gas projects."⁴² The Communication details the protections that human rights and environmental defenders have under the International Covenant on Civil and Political Rights (ICCPR), including the right to be free from arbitrary arrest or detention and their rights to freedom of peaceful assembly, association, and expression, as well as the obligations of States to ensure a safe and enabling environment for human rights and environmental defenders to carry out legitimate and peaceful activities.⁴³

The reported pattern of closing civic space in Uganda threatens numerous rights protected by the ICCPR and should be a focus of the upcoming review of the State party. The submitting organizations respectfully request that the Committee including the following question in its LOI:

1. What steps is the State taking to respect and protect the rights of environmental and human rights defenders, including their rights to freedom of opinion, expression, peaceful assembly, association, and liberty and security of the person. Specifically: (a) what steps

is the State taking to investigate reports of arbitrary arrest and detention of human rights and environmental defenders working with communities impacted by the Tilenga and Kingfisher oil fields and the East African Crude Oil Pipeline and to provide effective remedy? (b) what steps is the State taking to ensure a safe environment for civil society organizations and community organizations working with communities impacted by the Tilenga and Kingfisher oil fields and the East African Crude Oil Pipeline?

¹ U.N. Human Rights Comm, General Comment No. 36, U.N. Doc. CCPR/C/GC/36, para. 62 (2019) [hereinafter, “HRC, General Comment No. 36”].

² HRC, General Comment No. 36, paras. 26, 62.

³ Oxfam Int’l et al., [Empty Promises Down the Line? A Human Rights Impact Assessment of the East African Crude Oil Pipeline](#), p. 5 (2020) [hereinafter Oxfam Int’l, Empty Promises].

⁴ Total et al., [Tilenga Project Environmental and Social Impact Assessment: Non-Technical Summary](#), p.10 (Feb. 2019) [hereinafter Tilenga ESIA]. *See also* Uganda National Oil Company, [Tilenga Project](#) (last visited Apr. 25, 2022); Alex Nyombi, [A Glimpse into the Development of Uganda’s Oil and Gas Resources](#), Petroleum Authority of Uganda (Jan. 26, 2022).

⁵ CNOOC Uganda Limited, [Environmental and Social Impact Assessment for the CNOOC Uganda Ltd Kingfisher Oil Development, Uganda](#), pp.1-3 (Sept. 2018). *See also* Nyombi, [A Glimpse into the Development of Uganda’s Oil and Gas Resources](#).

⁶ TotalEnergies, [Universal Registration Document 2021](#), pp. 82-83 (Mar. 2022).

⁷ TotalEnergies, [Tilenga and EACOP: Acting Transparently](#) (last visited Apr. 27, 2022); Empty Promises, p.11.

⁸ Les Amis de la Terre, [Number of People Affected by the EACOP Project in Uganda and Tanzania](#), (April 2021); Total et al., [Tilenga Project Resettlement Action Plans \(RAPs 2, 3a, 3b, 4 & 5\): Executive Summary](#), p. 138 (Table 25) (September 2020) [hereinafter, Tilenga RAP]; CNOOC Uganda Limited, [Environmental and Social Impact Assessment for the Kingfisher Field Development Area, Uganda](#), p. 79 (November 2019). *See also* Complaint to Compliance Advisor Ombudsman (CAO), “[Re: Complaint concerning IFC investment Britam Holding Plc. Project No 37294](#),” p.4 (Oct. 13, 2021) [hereinafter, CAO Complaint re Britam Holding] (citing numbers of affected households and individuals per project).

⁹ Tilenga ESIA at pp. 84-86 (identifying a range of community impacts associated with displacement, including loss of housing, loss of economic livelihoods and standard of living, increased impoverishment, and disruptions to communal and other land tenure systems); Tilenga RAP, p.138 (“[T]he Tilenga project shall impact 27% of the population in the Buliisa district and 1% in Hoima district,” more than 31,000 people in total); Tom Ogwang, et al., [Social impacts of land acquisition for oil and gas development in Uganda](#), p.2 (2019).

¹⁰ CAO Complaint re Britam Holding, p. 5 (citing interviews with complainants and other secondary sources. Complainants were individuals impacted by the EACOP, an oil refinery, and the Tilenga and Kingfisher oil fields.); Les Amis de la Terre & Survie, [A Nightmare Named Total: An Alarming Rise in Human Rights Violations in Uganda and Tanzania](#), pp.7-20 (Nov. 2020) [hereinafter Les Amis de la Terre & Survie, *A Nightmare Named Total*]; Les Amis de la Terre France & Survie, [Serious Breaches of the Duty of Vigilance Law: the Case of Total in Uganda](#), pp. 19-19 (June 2019); AFIEGO, [Black Gold or Poverty Trap? High Risks and Low Prospects for Uganda’s Oil Sector](#), p. 5 (Mar. 2021) [hereinafter, AFIEGO, *Black Gold or Poverty Trap?*].

¹¹ Oxfam Int’l, Empty Promises, at p. 71 & n. 340; AFIEGO, *Black Gold or Poverty Trap?* p.5.

¹² Netherlands Commission for Environmental Assessment (NCEA), [Advisory Review of the Environmental and Social Impact Assessment for the East Africa Crude Oil Pipeline \(EACOP\): UGANDA](#), pp. 5, 7-8 (June 2019) [hereinafter NCEA Advisory Review] (discussing water and wetlands crossing and water use); Oxfam, [Review of Adequacy of Environmental Mitigation in the ESIA for the East Africa Crude Oil Pipeline in Uganda](#), p.7 (Aug. 2019).

¹³ The pipeline will cross the Rift Valley, an area where seismicity is widespread with over 300 seismic events with a magnitude greater than 4.5 having been registered in this region in the last 20 years. See US Geological Survey, [Earthquake Hazards Program](#); US Geological Survey, [Tectonic Summary: Seismotectonics of the East African Rift System](#) (last visited May 2, 2021); BankTrack, [Crude Risk: Risks to banks and investors from the East African Crude Oil Pipeline](#), p.5 (Nov. 2020) [hereinafter, BankTrack, Crude Risk].

¹⁴ See [Open Letter to the Presidents of Uganda and Tanzania: Champion Environmental Conversation and Community Livelihoods Over the EACOP](#) (Sept. 15, 2020). See also Les Amis de la Terre & Survie, *A Nightmare Named Total*, p.24; NCEA Advisory Review, at pp. 8-9.

¹⁵ BankTrack, Crude Risk, p.8.

See also Tilenga ESIA, pp. 8, 71; Total East Africa Midstream BV, [East African Crude Oil Pipeline, Tanzania: Environmental Impact Statement Non-Technical Summary](#), p. 12 (Aug. 2019) (describing legally protected, internationally or nationally recognized areas affected by the pipeline, including forest reserves).

¹⁶ Les Amis de la Terre & Survie, *A Nightmare Named Total*, p. 23; Total et al., [Tilenga Project ESIA](#), Vol I, Table 4-7, p.4-19 (Feb. 2019).

¹⁷ Inclusive Development International, [Uganda & Tanzania: #StopEACOP - a Total Disaster](#) [last accessed 29 Jan. 2021]; Bill Powers, E-Tech International, [Review of Adequacy of ESIA for the TEP Uganda Tilenga Oil Development Project](#), pp. 1-7 (Nov. 27, 2019) [hereinafter E-Tech International, Review of Tilenga ESIA].

¹⁸ See, e.g., AFIEGO, Monthly Newsletter [“Bugoma Forest: How Oil is Failing Conservation of Critical Biodiversity,”](#) The Energizer (Issue 8), p.4 (Aug. 2020).

¹⁹ E-Tech International, Review of Tilenga ESIA.

²⁰ AFIEGO, Natural Justice, CEFROHT, [EACOP Court Case at the East African Court of Justice: Fact Sheet](#), p.5 (2022)[hereinafter, AFIEGO et al., EACOP EACJ Fact Sheet] (citing affidavit by Richard Heede in support of the EACOP case at the EACJ).

²¹ See generally Stockholm Environment Institute (SEI), International Institute for Sustainable Development (IISD), Overseas Development Institute (ODI), E3G, & UN Environment Programme (UNEP), [The Production Gap Report: 2020 Special Report](#) (2020); SEI, IISD, ODI, E3G, and UNEP, [The Production Gap: Governments’ Planned Fossil Fuel Production Remains Dangerously Out of Sync with Paris Agreement limits](#), pp. 3-4 (2021) [hereinafter, SEI et al., Production Gap Report 2021]. Intergovernmental Panel on Climate Change (IPCC), [Climate Change 2022: Impacts, Adaptation and Vulnerability, Working Group II \(WG II\) Contribution to the IPCC Sixth Assessment Report of the IPCC, Summary for Policymakers](#), p. 20 para. B.5.2, p. 21 paras. B.6, B.6.1 (2022); IPCC, WGII Contribution to the IPCC Sixth Assessment Report, [Technical Summary](#) (final draft), p. TS-13 para. TS.B.2, p. TS-42 paras. TS.C.12.1, TS.C.13, & TS.C.13.1.

²² IPCC, [Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Summary for Policy Makers](#), p. 5 (2014) (“Emissions of CO₂ from fossil fuel combustion and industrial processes contributed about 78% of the total GHG emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010 (high confidence).”); Heede, R., *Tracing Anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers*, 122 *Climatic Change* 229 (2014) (attributing the majority of cumulative worldwide CO₂ and methane emissions between 1751 and 2010 to 90 “carbon major” entities, including fossil fuel and cement producers).

²³ *United Nations Framework Convention on Climate Change*, art. 2, May 9, 1992, 1771 U.N.T.S. 107 [UNFCCC].

²⁴ See IPCC, *Global Warming of 1.5°C: An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty*, [Summary for Policymakers](#), p. 14, fig. SPM.3b, p. 15, para. C.2. (2018); IPCC, [Climate Change 2022: Mitigation of Climate Change, Working Group III \(WGIII\) contribution to the Sixth Assessment Report \(AR6\) of the IPCC, Summary for Policymakers](#), p.SPM-36 (2022) [hereinafter, IPCC, WGIII Contribution to AR6, Summary for Policymakers] ; IPCC, [Working Group III Contribution to the IPCC Sixth Assessment Report \(AR6\)](#) (Draft: Final Government Distribution), Technical Summary, pp. TS-47, TS-53, TS-54; Ch. 6, pp. 6-117, 6-126 (Nov. 29, 2021) [hereinafter IPCC, WG III Contribution to AR6].

²⁵ IPCC, WG III Contribution to AR6, Technical Summary p. TS-47.

²⁶ SEI *et al*, Production Gap Report 2021, pp. 3-4.

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- ²⁷ See IPCC, WGIII Contribution to AR6, Summary for Policymakers, p.SPM-36-37 (“The combined global discounted value of the unburned fossil fuels and stranded fossil fuel infrastructure has been projected to be around 1–4 trillion dollars from 2015 to 2050 to limit global warming to approximately 2°C, and it will be higher if global warming is limited to approximately 1.5°C.”)
- ²⁸ See Matthew Huxham *et al.*, [Understanding the Impact of a Low Carbon Transition on Uganda’s Planned Oil Industry](#), Climate Policy Initiative (Dec. 2020).
- ²⁹ International Energy Agency, [Net Zero by 2050: A Roadmap for the Global Energy Sector](#), p. 21 (2021).
- ³⁰ AFIEGO *et al.*, EACOP EACJ Fact Sheet, p. 1; *Center for Food and Adequate Living Rights (CEFROHT) Limited and 3 Others v. the Attorney General of the Republic of Uganda & 2 Others*, EACJ Reference No. 39 of 2020 (filed Nov. 6, 2020) [hereinafter, EACJ Reference No. 39 of 2020].
- ³¹ AFIEGO, [The Energizer: AFIEGO’s Monthly Newsletter, “Courts Must Do Better! Delayed Justice is Undermining Citizens’ Human and Environment Rights!”](#) pp. 5-6 (Mar. 2022: Issue 3); Press Release, East African Community, [Court Hears Matter Challenging the Construction on East Africa Crude Oil Pipeline](#) (Mar. 3, 2022).
- ³² International Covenant on Civil and Political Rights art. 2(3), opened for signature Dec. 16, 1966, 999 U.N.T.S. 171 [hereinafter “ICCPR”]; Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, art. 11(b) G.A. Res. 60/147, U.N. Doc. A/RES/60/147 (Mar. 21, 2006).
- ³³ AFIEGO *et al.*, EACOP EACJ Fact Sheet, p. 1.
- ³⁴ U.N. Human Rights Committee, [List of Issues Prior to Submission of the Fifth Periodic Report of the United Republic of Tanzania](#), UN Doc. CCPR/C/TZA/QPR/5, para. 13 (Aug. 20, 2021).
- ³⁵ See Les Amis de la Terra & Survie, A Nightmare Named Total, pp. 20-22; CIVICUS *et al.*, [Republic of Uganda: Joint Submission to the UN Universal Periodic Review](#), 40th Session of the UPR Working Group (15 July 2021); U.N. Human Rights Council, [Report of the Working Group on the Universal Periodic Review: Uganda](#), UN Doc. A/HRC/34/10 (Dec. 27 2016); [Joint Non-Governmental Organisations Submission to the Universal Periodic Review \(UPR\) 40th Session of the UPR Working Group – the United Nations Human Rights Council, on the Republic of Uganda](#) pp. 9-12 (Submitted July 12, 2021) [hereinafter, Joint NGO Submission to the UPR 40th Sessions on the Republic of Uganda]; *see also infra* note 41.
- ³⁶ See Les Amis de la Terra & Survie, A Nightmare Named Total, pp. 20-22; Joint NGO Submission to the UPR 40th Sessions on the Republic of Uganda, pp. 9-12.
- ³⁷ AFIEGO, [AFIEGO and Partners Demand for Release of AFIEGO’s Buliisa District Field Officer](#) (May 20, 2021).
- ³⁸ AFIEGO, [Statement on Arrest of AFIEGO Staff](#) (Oct. 23, 2021).
- ³⁹ Press Release, COTFONE, [“Break in/Burglary and Theft at COTFONE-Masaka Office & Network Coordinator’s Home February 27th, 2022”](#) (Mar. 1, 2022). *See also* Davis Buyondo, [Rights Defender Relocates Family after Home Raid, Seeks Police Protection, Uganda Radio Network](#) (Feb. 28, 2022).
- ⁴⁰ [Uganda Suspends More than 50 Rights Groups, Citing Non-Compliance](#), Al Jazeera (Aug. 20, 2021); [Gov’t Suspends CCEDU, Chapter Four Uganda, 53 other NGOs](#), ChimpReports (Aug. 20, 2021); AFIEGO, [AFIEGO and Partners’ Response to NGO Bureau Suspension: Gov’t is Targeting Critical CSOS](#) (Aug. 20, 2021).
- ⁴¹ Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association, [Communication to Uganda](#), p.3, Ref. AL UGA 1/2022 (Jan. 24, 2022) [hereinafter, Jan. 2022, UN Special Rapporteur Communication to Uganda]; *see also* Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders, [Communication to Uganda](#), Ref. A UGA 4/2021 (Sept. 24, 2021); Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, [Communication to Uganda](#), Ref. AL UGA 3/2021 (July 6, 2021); Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; and the Special Rapporteur on the situation of human rights defenders, [Communication to Uganda](#), Ref. AL UGA 1/2020 (Apr. 20, 2021).
- ⁴² Jan. 2022, UN Special Rapporteur Communication to Uganda, p.3.
- ⁴³ Jan. 2022, UN Special Rapporteur Communication to Uganda, pp. 5-7.