

For immediate release



Justice: Communities affected by Tilenga and EACOP demand compensation from Total

Paris and Kampala, Tuesday, June 27th 2023 - Twenty-six (26) members of communities affected by Total's mega-oil project in Uganda are filing a new lawsuit in France against the French oil giant. The communities are joined as plaintiffs by human rights defender Maxwell Atuhura, and five French and Ugandan civil society organizations (CSOs) (1).

The legal action demands reparations for human rights violations associated with the Tilenga and EACOP projects. While a first lawsuit filed in 2019 (3) aimed to prevent such violations, they have now occurred due to the lack of a swift judicial injunctive decision on the issue. By failing to comply with its duty of vigilance, Total has caused serious harm to the plaintiffs, particularly concerning their land and food rights. They are therefore asking the court to sentence the company to provide compensation.

The legal battle against Total resumes in France, at the initiative of 26 people directly affected by its Tilenga and EACOP oil mega-projects in Uganda. Together with the CSOs AFIEGO, Friends of the Earth France, NAPE/Friends of the Earth Uganda, Survie and TASHA Research Institute, as well as human rights defender Maxwell Atuhura, they are taking Total to court on the basis of the second legal mechanism of the French law on duty of vigilance.

The lawsuit, filed at the Paris civil court, seeks to hold Total civilly liable, and seeks compensation for the human rights violations committed against the Tilenga and EACOP-affected people over the past 6 years in Uganda. The summons clearly demonstrate the causal link between the failures in the elaboration and effective implementation of Total's vigilance plan, and the damage suffered as a result.

Total did not identify the risks of serious harm associated with its mega-project, nor did it act when alerted to their existence, nor did it implement corrective measures once the human rights violations had occurred. No measures relating to displacements of populations, restricted access to livelihoods or threats to human rights defenders appear in Total's 2018-2023 vigilance plans. Yet these risks could have easily been identified in advance, as the company chose to locate these projects involving massive evictions in countries where civil liberties are often violated.

The scale of the violations associated with the Tilenga and EACOP projects has been widely documented and denounced by various actors (civil society, MEPs, UN Special Rapporteurs) (4). The lawsuit that was filed today is focusing on the following violations:

- People affected by the Tilenga and EACOP projects were **deprived of the free use of their land** even before receiving compensation, for more than three or even four years, in **violation of their property rights**;
- This has led to the deprivation of their livelihoods, resulting in severe food shortages **in violation of their right to adequate food**;

- From 2022 onwards, farmlands in some villages were heavily impacted by **repeated flooding** caused by the construction of the Tilenga central processing facility (CPF);
- **Only a minority of people were able to benefit from compensation in kind** (« land to land » i.e. replacement house and land), and for the others, financial compensation was largely insufficient;
- Land acquisition by Total was in many cases the result of pressure and intimidation, and **the consent of those affected was therefore marred**;
- Several claimants were **threatened, harassed and arrested** for criticising the oil projects in Uganda and Tanzania and defending the rights of the affected communities.

Dickens Kamugisha, the CEO of AFIEGO, said: "*AFIEGO records injustices committed against Tilenga- and EACOP-affected people nearly every week. These range from under-compensation, delayed compensation to construction of small, inappropriate replacement housing that is not suitable to the family sizes of affected households, among others. Elderly and even young people complain about being forced to live a few metres from the EACOP. The injustices are too many and have caused real grief. We hope that the Paris civil court will reign in TotalEnergies and provide justice for the people*".

Juliette Renaud, Senior campaigner at Friends of the Earth France said: "*Total's Tilenga and EACOP projects have become emblematic, worldwide, of the ravages of oil on human rights and the environment. The affected communities must obtain justice for the violations committed by Total! This new battle is the battle of those whose lives and rights have been trampled upon by Total. We salute their courage in standing up to this powerful transnational corporation despite the threats they face, and call on the French justice system to repair this damage and thus put an end to Total's impunity*".

Frank Muramuzi, NAPE Executive Director added: "*It's a shame that foreign oil corporates continue to make supernormal profits while Ugandan oil host communities reap harassment, displacements, poor compensations and abject poverty on their own land*".

According to **Pauline Tétillon, co-president of Survie**: "*Contrary to Total's claims, its mega-oil project is far from contributing to the development of Ugandan communities: it has only threatened the future of tens of thousands of people in a country where any protest is stifled or even repressed. Although the "duty of vigilance" law forces communities to fight a David vs. Goliath battle by making them bear the burden of proof, it does offer them the opportunity to seek justice in France and finally have Total condemned for its repeated human rights violations*".

Maxwell Atuhura, director of TASHA concludes: "*We have had interaction with affected people and environmental human rights defender intimidated and harrassed in their home region, including myself, due to Total's oil projects in Uganda. Now we say enough is enough we need to defend absolutely the freedom of speech and opinio, our voices matters for better future*".

[Click here for the full press kit, with more details on the summons and quotes from plaintiffs.](#)

Press contacts :

Friends of the Earth France - Juliette Renaud: +33 6 37 65 56 40 – juliette.renaud@amisdelaterre.org

Afiego – Diana Nabiruma: dnabiruma@afiego.org

NAPE/Friends of the Earth Uganda - Frank Muramuzi : nape@nape.or.ug

TASHA - Maxwell Atuhura : +256 751 029 974 - atuhuramaxwell@tashacommunity.org

Notes :

(1) French and Ugandan CSOs involved in the lawsuit: AFIEGO, Friends of the Earth France, NAPE/Friends of the Earth Uganda, Survie and TASHA Research Institute.

(2) In October 2019, Friends of the Earth France, Survie, AFIEGO, CRED, NAPE/Friends of the Earth Uganda and NAVODA took Total to court using the summary proceedings procedure, which should normally enable a faster legal process in view of the urgency of one situation in particular. After an initial two-year procedural battle over the competent court, won by the civil society organizations, the Paris civil court declared the claim inadmissible in February 2023 on controversial procedural grounds. As a result, no ruling has been pronounced on the heart of the matter, i.e. whether or not Total is complying with its duty of vigilance obligations.

(3) See for instance :

- Field reports by [Friends of the Earth France and Survie](#), and by [FIDH and Oxfam](#)
- Communications sent by UN Special Rapporteurs (4 in less than 2 years) [compiled here](#)
- The [European Parliament resolution](#)