



## Uganda

TotalEnergies EP Uganda

O/Ref : DG 2024/2-1069

Business & Human Rights Resource Centre,  
The Foundry, 17 Oval Way,  
London  
SE11 5RR

**Subject: Response to a report by Just Finance International on alleged human rights abuses in the Kingfisher project area**

Kampala, 10<sup>th</sup> June, 2024

Dear Sir,

Reference is made to the invitation from Business and Human Rights Resource Centre (BHRRC) to TotalEnergies EP Uganda (TEPU) in our capacity as shareholder in Kingfisher project to respond to a report by Just Finance International (JFI) about alleged human rights abuses related to operations in the Kingfisher oil field in Uganda.

Further reference is made to our email response dated 4<sup>th</sup> May 2024, acknowledging receipt of your message, and informing you that in accordance with our Human Rights Policy, we were taking the subject very seriously and have contacted CNOOC Uganda Ltd which is the operator in charge of the Kingfisher Development Project to investigate these allegations to enable our response. This, therefore, is a follow up to our response sent to you on 4<sup>th</sup> May 2024.

Below and attached, we provide our response to the specific purported issues highlighted in the story "*Mass arrests and forced evictions reported as Chinese state oil major expands in Uganda*" based on what we have been able to establish from our discussions with our partner and operator CNOOC. In cooperation with CNOOC, we have also held separate consultations with various stakeholders in the Kingfisher Development Area including the Ministry of Agriculture, Animal Industry and Fisheries, Kikuube District Local Government officials, a health worker at the health centre III, local area leaders at Buhuka landing side where the Kingfisher project is located, local council leaders and representatives from the affected communities (fisherfolk).

Based on the above exchanges, we were able to establish the following:

- ✓ Nothing emerged from these consultations which would enable a connection to be established between the allegations reported by JFI and the activities of the Kingfisher operations in the project area. Likewise, no connection appears to exist between fishing regulations in Uganda and the Kingfisher project.
- ✓ To our information and knowledge, Kingfisher land acquisition process and project operations have not required intervention of the Uganda People's Defence Forces (UPDF) or other security agencies for this purpose, or to safeguard efficiency of project operations. According to the information we have, the allegations of physical displacement seem not connected to the Kingfisher project.
- ✓ As it is known, the presence of UPDF in the Kingfisher project area pre-dates project operations in the Kingfisher area due to its geographical location, which is close to an international border with the Democratic Republic of Congo (DRC), and a region where insecurity is common.

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TotalEnergies EP Uganda Simplified Joint Stock Company Registered Capital: €40,000  
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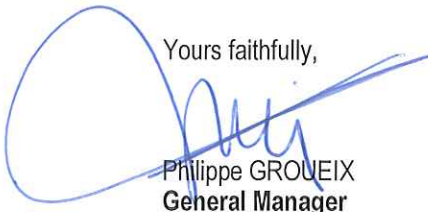


- ✓ Ministry of Agriculture, Animal Industry and Fisheries has confirmed that the Uganda People's Defence Forces Fisheries Protection unit was established in 2017 and deployed on all lakes in Uganda, including lake Albert, Lake Victoria, Lake Kyoga and other areas where commercial fishing is carried out, for the purpose of overseeing enforcement against illegal fishing practices and facilitating regeneration of fishing stocks on the water bodies, so that the economic viability of the fisheries sector can be restored.
- ✓ The enforcement operations of the Fisheries Protection Unit (FPU) are conducted under the Fisheries and Aquaculture Act 2022, a fisheries monitoring, control and surveillance unit established to enforce fisheries policies across all water bodies with commercial fisheries activities. The law, which is accessible to all, provides for means that the FPU may use to enforce the environmental and societal objectives pursued by the law.
- ✓ Community members informed a TEPU-CNOOC joint team that they were not properly sensitised about the standard of allowable fishing gear before the start of the enforcement operations, and they are willing to purchase the appropriate equipment. The Association of Fisheries and Lake Users in Uganda (AFALU), an NGO was reported to have conducted some awareness sessions, although to a limited extent.
- ✓ Allegations of sexual harassment could not be confirmed by area leaders including a female District Probation Officer and woman local council leader who are both mandated to track such incidences in the District. Both women confirmed that no grievances have been recorded with them in the Kingfisher area relating to sexual harassment.

We thank you for the opportunity to consult with our partners and various stakeholders with the goal of establishing the facts related to the allegations raised in the JFI article. We take allegations of human rights violations very seriously and based on investigations conducted, the highlighted concerns do not appear to be related to the Kingfisher project operations.

In line with TEPU's Human Rights Policy, we will continue to engage with our partners, and exercise leverage on the protection of human rights in impacted communities to the extent possible.

Yours faithfully,



Philippe GROUEIX  
General Manager

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**Detailed Statement:**

**1. Kingfisher Project land acquisition**

Kingfisher project has acquired 950 acres affecting 788 PAPs. All of the affected PAPs have been fully compensated and the payments currently stand at 100%. 65 PAPs who were physically displaced by the project were provided with resettlement houses (63 resettlement houses and 2 institutional latrines). The project perimeter also does not extend into the lake, and fishing activities have continued alongside CNOOC's project activities.

CNOOC also has in place a Grievance Management mechanism, working through the oil and gas committees or Community Liaison Officers. However, no grievances related to human rights violations against the fisherfolk in the Kingfisher area have been received.

**2. UPDF presence and reports of forceful eviction of families from several villages**

Regarding the displacement of 13 villages and displacement of 1,200 people, we were able to establish from our consultations and engagements with the community that 6 villages had been disbanded by the government, as they were considered illegal settlements which were not officially gazetted through the local government structures.

From consultations with Kikuube district officials, and community consultations, the company established that the villages were considered to be potential hosts of international boundary challenges due to proximity of the affected areas with the DRC border.

The same position was reiterated by the district security team who emphasized that the disbandment of some of the villages was due to security concerns in the area. For example, we were informed by Kikuube district officials that a military detachment has been present in Kina, one of the villages in the Kingfisher area since 2018. Military patrols are being carried out as far as Panyimur in Pakwach District, and as far as Ntoroko District, outside of the Kingfisher project area.

We were also informed that some villages in Kyevunda Kabwoya sub-county in Hoima district had been disbanded to protect the fish breeding grounds, long before the commencement of the Kingfisher project operations. Breeding patterns have also been impacted by the rising population on the landing sites, which has prompted people to move to the small islands that used to be breeding grounds for the fish, e.g Kiina, Busidi, Kyenyanja and Kamina along the shoreline. These were not previously occupied by people and the rising population has impacted on the breeding patterns of the fish. The change in the fish breeding patterns were also confirmed during the community consultative session.

While community members complained of lack of sensitisation before the disbandment of the settlements, the district leadership on the other hand reported that the impacted villages were engaged and sensitized on the reasons for the disbandment prior to this exercise.

**3. UPDF enforcement activities among fisherfolk**

The enforcement of fishing regulations is being carried out countrywide. We have consulted with various stakeholders on the subject of UPDF enforcement activities among fisherfolk, i.e representatives from the Ministry of Agriculture, Animal Industry and Fisheries (MAAIF), and consultative session with fisherfolk.

MAAIF confirmed that the military enforcement operations on Lake Albert and other water bodies where commercial fishing is conducted in Uganda were being implemented under the Fisheries and Aquaculture Act, 2022 which established a Fisheries Monitoring, Control and Surveillance Unit to oversee and enforce fisheries policies.

From our consultations with the fisherfolk and community leaders, the biggest complaint was that they had not been properly educated and sensitised about the allowable standards before the Fisheries Protection Unit started enforcing the fishing regulations. Fishermen said they were therefore not aware of the consequences of non-compliance, as well as the enforcement by the Fisheries Protection Unit under the UPDF. The enforcement by the UPDF Fisheries Protection Unit teams therefore found fisherfolk unprepared to comply with the regulations and the impact on their practices.

It must be noted that between 2019 and 2024, the actions of the UPDF and the alleged use of excessive force in their enforcement of fishing restrictions has been discussed several times in the Ugandan Parliament and widely reported in the national media<sup>1</sup>.

From the consultative sessions we held with fisherfolk, they were now more aware of the enforcement of the fishing regulations by the army through the training the awareness sessions received from the NGO as well as government authorities and that this activity is unrelated to oil and gas operations of CNOOC, whose operations are within the same communities.

#### **4. Allegations of sexual assault**

From our engagements with the district Probation officer, and local area authorities, allegations of sexual harassment could not be confirmed as no grievances have been recorded with them in the Kingfisher area.

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<sup>1</sup> <https://www.monitor.co.ug/uganda/news/national/parliament-halts-updf-fisheries-operations-1865750>