

Independently conducted  
to evaluate:

# Tullow Oil PLC

## Human Rights Risk Assessment

Lake Albert Exploration Project

Hoima and Buliisa Districts,  
Bunyoro, Uganda

Prepared by:



1900 Wazee St. Ste. 303  
Denver, CO 80202  
[www.nomogaia.org](http://www.nomogaia.org)

**Authors:**

Dr. Kendyl Salcito  
Mark Wielga  
Blair Kanis



March 2012

## Table of Contents

<b>ABOUT THIS DOCUMENT .....</b>	<b>4</b>
<b>ACRONYMS.....</b>	<b>5</b>
<b>HUMAN RIGHTS RISK ASSESSMENT .....</b>	<b>6</b>
<b>1 EXECUTIVE SUMMARY .....</b>	<b>7</b>
1.1.1 Land management and resettlement.....	8
1.1.2 Corruption.....	9
1.1.3 Increasing militarization of the zone.....	10
1.1.4 Nondiscrimination.....	11
<b>2 INTRODUCTION.....</b>	<b>13</b>
2.1 HUMAN RIGHTS AND BUSINESS.....	13
2.2 HUMAN RIGHTS RISK ASSESSMENT .....	13
2.3 RIGHTS TO BE CONSIDERED .....	13
2.4 RIGHTSHOLDERS.....	14
<b>3 METHODOLOGY .....</b>	<b>14</b>
<b>4 OVERVIEW .....</b>	<b>15</b>
4.1 CONTEXT .....	15
4.1.1 Local.....	15
4.1.2 National.....	17
4.2 PROJECT AND COMPANY .....	17
<b>5 CATALOGS .....</b>	<b>18</b>
5.1 CONTEXT CATALOGS.....	18
5.1.1 Labor.....	18
5.1.2 Environment.....	20
5.1.3 Health.....	22
5.1.4 Political/Legal.....	27
5.1.5 Social/Economic.....	32
5.2 PROJECT AND COMPANY CATALOGS.....	39
5.2.1 Labor.....	39
5.2.2 Environment.....	40
5.2.3 Health.....	41
5.2.4 Political.....	43
5.2.5 Social/Economic.....	45
5.2.6 Human Rights Policy.....	48

<b>6</b>	<b>RIGHTSHOLDER ENGAGEMENT.....</b>	<b>49</b>
<b>7</b>	<b>HUMAN RIGHTS RISKS.....</b>	<b>49</b>
<b>8</b>	<b>GAP ANALYSIS AND FURTHER WORK.....</b>	<b>55</b>
<b>9</b>	<b>RECOMMENDATIONS.....</b>	<b>55</b>
9.1	GRIEVANCE MECHANISM .....	55
9.2	LAND, CROP AND STRUCTURE COMPENSATION.....	55
9.3	MAPPING.....	55
9.4	SECURITY ISSUES .....	55
9.5	NONDISCRIMINATION – LOCAL EMPOWERMENT .....	55
9.6	ANTI-CORRUPTION .....	55
<b>10</b>	<b>CONCLUSION.....</b>	<b>56</b>
<b>11</b>	<b>APPENDIX #1 SUBSTANTIVE HUMAN RIGHTS – BY SOURCE.....</b>	<b>57</b>
<b>12</b>	<b>REFERENCES .....</b>	<b>58</b>

## 1 ABOUT THIS DOCUMENT

NomoGaia is a nonprofit think tank that develops, pilots and publishes tools for corporate human rights due diligence. Since 2008, NomoGaia has focused on sector-specific human rights impact assessment (HRIA), examining the positive and negative, direct and indirect impacts of corporate capital projects on human rights. This document represents an initial pilot of a beta-version tool for human rights risk assessment (HRRR).

HRRRs, as we understand them, differ from HRIAs in two primary ways. First, they examine only risks to human rights. This makes them quicker to conduct, and it narrows their foci to the most significant risks, rather than considering the complex interplay between positive and negative impacts, and the indirect fallout from those. Second, in being quicker and more focused on the most severe risks, they can be implemented earlier in project conceptualization and design. This makes them, in some sense, an initial phase in human rights due diligence, a precursor to HRIA and a baseline benchmark.

NomoGaia's beta-version HRRR was first field-tested on Tullow's Uganda operations between 2011 and 2012. This document is published as a record of the process we have undergone to develop HRRR tools. More updated approaches to HRRR have been developed in the ensuing years, which are available by email at [info@nomogaia.org](mailto:info@nomogaia.org) and online at [www.nomogaia.org](http://www.nomogaia.org).

Although it is written in present tense, the findings within this document date from 2012 and are not necessarily representative of current conditions in Tullow's operating areas today. Comments from Tullow on this document have been incorporated during an extended comment period. As with all NomoGaia assessments, this work was not commissioned or funded by Tullow, but was independently conducted with the financial support of NomoGaia's donors.

## 2 ACRONYMS

ARV	Anti-retroviral medication to treat the Human Immunodeficiency Virus (HIV)
CNOOC	China National Offshore Oil Corporation
EIA	Environmental Impact Assessment
FAO	Food and Agriculture Organization
HIA	Health Impact Assessment
HIV/AIDS	Human Immunodeficiency Virus/Auto-Immune Deficiency Syndrome
HRIA	Human Rights Impact Assessment
HRRA	Human Rights Risk Assessment
IFC	International Finance Corporation
ICOC	International Code of Conduct for private security providers
MEMD	Ministry of Energy and Mineral Development
NGO	Nongovernmental Organization
OHS	Occupational Health & Safety
SIA	Social Impact Assessment
STI	Sexually Transmitted Infection
TBA	Traditional Birth Attendant
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commission on Human Rights
UNICEF	United Nations Children's Fund
UPDF	Uganda People's Defense Force
UPF	Uganda Police Force
VP	Voluntary Principles
WEF	World Economic Forum
WHO	World Health Organization

### 3 HUMAN RIGHTS RISK ASSESSMENT

This Human Rights Risk Assessment (HRRRA) predicts the most pressing human rights concerns that face proponents of ongoing exploration and pending extraction/conveyance of oil and gas in Uganda. The petroleum development project (“the project”) will be conducted by partners Tullow Oil PLC, Total S.A. and CNOOC Ltd. Tullow was the only operator present at the time assessment commenced, and so only Tullow’s operations are examined in detail. However, project area inhabitants do not differentiate among the design components and exploration blocks of different companies, so considerations of broader petroleum development, including those overseen by Ugandans and the Ugandan government are also assessed. This includes a planned oil refinery, although it is not yet known who will build, own or operate it.

A Human Rights *Impact* Assessment was planned for this Project, but given the lack of concrete plans for development, a careful analysis of Project engineering (including environmental engineering), placement and design was not possible. In addition, as Tullow has not, to date, implemented coherent systems for engaging communities, responding to grievances or supporting local development, future significant positive impacts cannot be confidently predicted. NomoGaia believes that significant positive impacts *could likely* result from Project development, but such a conclusion is not possible with the currently available information and field-based findings.

Because HRRAs focus only on the severe negative human rights potential associated with project development, NomoGaia does not intend to publish this document until (1) a full-scale HRIA is completed, presenting before-and-after improvements and positive impacts, (2) NomoGaia discerns that risks have become realities, and publication presents the possibility of protecting human rights, or (3) sufficient time has elapsed that lessons from this early phase assessment are of value independent of the project under assessment.

This document was initially issued to Tullow rather than the public to provide an opportunity to mitigate significant risks. It is based on literature review and primary interviews conducted during fieldwork in March 2011 and February 2012. Tullow provided interviews prior to both field visits, but no data was provided by the company at either time.

## 1 EXECUTIVE SUMMARY

Tullow was one of the first companies to begin modern oil exploration in Uganda and has invested considerable resources in the country, both for project development and local infrastructure. Given the economic potential for Uganda associated with petroleum development, Tullow has been under close public examination, particularly in the past year. As the project approaches the production phase, that scrutiny is likely to intensify. The Government of Uganda, recognizing this, has limited the public's access to the project, manning checkpoints with presidential security guards and directing western embassies to avoid travel to the area. Tullow has not expressed a position on the government's closed-door approach, however, NGOs that partnered with the company in the past have experienced increasing restrictions in access to areas they used to visit freely, which Tullow has taken no action to mitigate. The Project's most significant current human rights risks stem from four areas:

1. Land management and resettlement
2. Corruption
3. Increasing militarization of the zone
4. Nondiscrimination

These general themes represent several overlapping human rights impacts that interact and compound to present severe risks. The rights at greatest risk, and an accompanying ratings system guide, are below.

		1 – slight	2 – unlikely	3 – likely	4 – near certain
		A similar impact has occurred at 10 or more sites worldwide	A similar impact has occurred in the country 4 or more times	A similar impact has occurred among the project partners	Conditions, design & context make impacts likely and ongoing
4	Extreme	5	6	7	8
3	Severe	4	5	6	7
2	Significant	3	4	5	6
1	Minor	2	3	4	5

**Table 2 Human Rights Impact Ratings**

Nondiscrimination	Orange
Freedom of Housing, Residence	DATA GAPS
Right to Food, Adequate Standard of Living	Orange
Right to Water	DATA GAPS
Right to Public and Political Participation - Local	Burgundy
Right to Public and Political Participation - National	Orange
Noninterference (Perceptions of Corruption) - Local	Red
Noninterference (Perceptions of Corruption) - National	Orange



Security of Person	DATA GAPS
Freedom of Movement/Freedom of Assembly/Freedom of Expression	Burgundy
Right to Property	Red
Right to Privacy	Orange

### 1.1.1 Land management and resettlement

Resettlement activities are managed by the Ministry of Lands, Housing and Urban Development (MLHUD). MLHUD has well-documented procedures for acquiring land, but these are not strictly followed in practice. Evictions to date, under the auspices of Hardman Resources, which held exploration licenses prior to selling to Tullow, were conducted under the oversight of the Uganda People's Defense Force (UPDF). This is not in accordance with the *UN Framework for Human Rights and Business* or the IFC Performance Standards, to which Hardman was not committed. The corporate duty to respect human rights requires that a company ensure it is not committing, complicit in or benefitting from human rights violations. At present, as a result of Hardman's legacy and the state's involvement in petroleum development, Tullow is at risk of being complicit in and benefitting from violations of civil, political, economic and property rights.

Residents have no means to enforce fair compensation rates, which are broadly acknowledged by affected communities and resettlement experts to be implemented inadequately to meet basic human needs.<sup>1</sup> Compensation rates are set by government but funded by the company. Residents are compensated only for crops and structures, not land, owing to land tenure laws. The World Bank calls for land-for-land replacement in such cases, which is not planned for project development, and which is extremely difficult to attain in regions like Buliisa where available land is degraded and undesirable. Itemized crop and housing assessments are considered low by locals. Food supply and income was reduced during seismic studies, and women increased their farming labors to ensure enough cassava was grown to feed families, as compensation was reported to be insufficient for food purchases.

Inhabitants of petroleum development affected areas have been evicted by military personnel. Residents report that violent force was threatened against those who refused to allow access to their land and destruction of their crops for surveying and seismic studies. Residents of Kabaale Parish, the site of the proposed refinery are not permitted to formalize title to the lands they own, preventing them from demanding land compensation payments. Tullow will not be responsible for refining oil, but the refinery's creation arises because of the exploration and exploitation activities of Tullow and its partners. Holding only informal, traditional title to lands makes it extremely difficult for evicted residents to replace their ancestral lands, because in the modern land market, they have to purchase

<sup>1</sup>Stickler, M. M. (2013). The role of the Uganda investment authority in facilitating investor access to farmland: policy, practice and possible reforms. Development Economics Research Group, World Bank.

[http://www.commercialpressuresonland.org/sites/default/files/Stickler-436\\_paper.pdf](http://www.commercialpressuresonland.org/sites/default/files/Stickler-436_paper.pdf) ; Kangave, J. (2011) Reconstituting the role of law in development-induced displacement and resettlement: Lessons from Uganda's Bujagali Hydroelectric Project. University of British Columbia, Vancouver. [https://circle.ubc.ca/bitstream/id/127800/ubc\\_2011\\_fall\\_kangave\\_jalia.pdf](https://circle.ubc.ca/bitstream/id/127800/ubc_2011_fall_kangave_jalia.pdf) pages 44-45; Baguma, R., and Atuhairwe, R. Oil – Bunyoro demands fair compensation. 5, July 2012. AllAfrica.com. Original URL: <http://allafrica.com/stories/201207051033.html> ; Ssekika E. Oil: Hoima cries foul over compensation. Uganda Observer. September 2012.



new lands as well as replace crops, trees and structures. Evictions reportedly occur on a schedule that does not allow sufficient time for residents to build new homes – one wealthy family that was dislocated rented an alternative structure during construction, but a poor household reported being homeless until housing construction was completed. Organizations dedicated to increasing public awareness of oil issues have been banned from oil areas,<sup>2</sup> their members report being arrested and beaten. The UPDF has forbidden residents from interacting with such organizations.<sup>3</sup>

In addition to these concrete and ongoing issues, broader issues arise in conjunction with the current land management and resettlement system employed for the benefit of the petroleum sector. Government resettlement historically is insensitive to tribal and clan landholdings, and no formal mapping has been conducted to identify these borders. Between 2004 and 2012 the government resettled pastoralists (herders with historical roots in Rwanda and DRC who have lived in Uganda for generations) to ancestral Bagungu land. This resulted in violent conflicts and culminated in deaths, lawsuits, and the eventual re-re-resettlement of the pastoralists. There is no indication that increased sensitivity is planned in oil-related resettlement. Tullow was not involved in these activities but Hoima and Buliisa residents see the evictions as linked to oil development.

The government continues to prioritize formal freehold over customary land tenure, which has increased pressure on already limited land resources as speculators and investors (often wealthy urbanites and senior members of government) purchase tracts from local people who, fearing government relocation and lacking financial sophistication, sell at distressed prices and become landless. The incoming investors acquire land titles and become formal landowners, immediately increasing the value of their land investments. This process is too pricey, opaque and difficult for local residents to pursue.

#### 1.1.2 Corruption

Corruption is perceived as significant at the local and national levels. Perceptions of corruption pose risks both to corporate reputation and to human rights.

From a corporate risk perspective, by aligning itself with a widely mistrusted government (particularly in ethnic Banyoro lands, where tensions linger with ethnic groups from the ruling political party), the Company risks alienating the local population. The current regime is likely to end before oil exploitation does. Regardless of who comes to power when the government changes, the best opportunities for stable operations lie in ensuring that the Ugandan public generally, and the Hoima and Buliisa communities in particular, do not consider the Company complicit in corrupt dealings.<sup>4</sup>

Perception of corruption has sparked violence, heightened tribal distrust and generated discrimination, limiting the public's right to information and access to knowledge, and inhibiting the public's ability to participate in public and political processes. For example, at a local level, residents of Kabaale Parish

---

<sup>2</sup> Reported by activists, local residents, local clinicians and local school teachers

<sup>3</sup> Musiime, F.W., Young, N. Uganda: internal security officer named in Uganda land dispute. July 2012. Pambazuka News. ISO Major Herbert Asiimwe Muramagi was named in a complex land dispute in Hoima District where locals allege he bought 1200 hectares from an entity unauthorized to sell it, and when residents refused to move he had them beaten and arrested by soldiers.

<sup>4</sup> For examples of other countries where corporate allegiances with autocratic regimes at the expense of local populations created long-term corporate and human rights risks, see, for example: Coll, S (2012). *Private Empire: ExxonMobil and American Power*. Penguin, New York.

rioted against perceived corruption when early-phase plans for power transmission lines through their property were proposed without their local leaders' input. Since that time, they report a significant influx of plainclothes police in the area. In a situation reflective more of perceived than of actual corruption, pastoralists have been violently attacked, accused of being military spies sent to oil zones to clear locals out and open the area for oil development and destroy crops so that they would not have to be compensated when their land was expropriated. At a national level, 79 percent of Ugandans believe corruption mars business deals (Gallup World Poll, 2011). This perception is reinforced regularly. The National Environmental Monitoring Agency (NEMA) reduced its scrutiny of project EIAs after being upbraided by State House for causing delays. The Environment Minister and his team were suddenly replaced in 2011 on a confusing technicality. Months later, NEMA confessed that it lacked the staff and capacity to effectively monitor oil exploration activities in the Albertine Graben.<sup>5</sup> PSAs were signed without parliamentary involvement, and secrecy surrounding the agreements has generated rumors that include suspicions that the country is secretly exporting oil or misreporting production levels. It is widely reported in the Ugandan press that ministers under investigation for corruption accepted the alleged bribes (two resigned in February 2012 and Tullow maintains that no bribes were paid) and that parliamentarians are being bought off (most recently with \$40,000 payments for each to buy a car) to silence their opposition. Ugandans interviewed formally and informally expressed increasing doubt that oil will benefit ordinary citizens; this represents a change from perceptions and beliefs 12 months ago.

The Project must contend with facts, rumors and fears. The opacity in the sector tends to blur the lines among the three and make it harder for citizens to engage in public processes. Faith in the system is waning and political instability has become a reality since the 2011 election. In this context, Company conduct can resemble collusion with a government that labels all opponents of project development "economic saboteurs" and threatens their security.<sup>6</sup> In Buliisa, Kabaale and Hoima, the government has actively silenced opponents of petroleum development. Assessors witnessed firsthand the role of security forces to limit conversations about oil development in Kabaale Parish, where the government plans to partner with foreign donors to construct an oil refinery. While a strong civil society in Kampala hosts lively debates about the potential costs and benefits of oil development (with limits and periodic government harassment) these discussions have not translated to empowerment of or engagement with project-affected communities. Tullow points out that oil bills include stipulations for public consultation, but local residents report that these have historically been attended by security forces, severely limiting people's willingness to voice complaints. If activists' suspicions and allegations are correct, oil revenues could be used to silence opposition and prop up the current regime.

#### 1.1.3 Increasing militarization of the zone

Many Ugandans believe that opposition in Kampala has been silenced by bribes. Opposition in the project area appears to have been quieted by increasing militarization.<sup>7</sup> There are legitimate reasons for

---

<sup>5</sup> Thome, WH. NEMA's admission of failures prompts fears for future of protected areas. Aug 8, 2012, [eturboneews.com](http://eturboneews.com)

<sup>6</sup> The term "economic saboteurs" is fraught with legal implications. While Museveni was using the term on anti-oil activists, he was also pushing parliament to eliminate access to bail for such individuals in the first 6 months of pre-trial detention. <http://allafrica.com/stories/201110201475.html>

<sup>7</sup> Global Witness (2010). Donor engagement in Uganda's oil and gas sector: an agenda for action; International Alert (2009) Harnessing oil for peace and development in Uganda. Investing in Peace Issue No. 2; Westerkamp, M., Houdret, A. (2010). Peacebuilding across Lake Albert: reinforcing environmental cooperation between Uganda and  
Page 10 of 60

a military presence in the oil zone, primarily the persistent instability in the Ituri district of the Democratic Republic of Congo, across Lake Albert from the Project area, and additionally a long-standing border dispute between DRC and Uganda. The border dispute includes a thin slice of land near the Victoria Nile Delta, as the delta has shifted favorably for DRC while Uganda argues that the border retains its original GPS coordinates. Locals report, though Tullow disputes (and assessors did not witness), that Tullow works with the military during exploration work, and seismic surveyors are accompanied by military personnel at times. The military has been deployed for civilian issues, particularly clearing land users to make way for oil activities, though not, to date, on Tullow's behalf. In an unconfirmed incident from 2008 the DRC government accused Tullow of enlisting the Ugandan army to cross the border into North Kivu to conduct prolonged military operations inside its territory, and as a result confiscated Tullow's licenses in the region. Tullow denies the allegations. That accusation cannot be verified by assessors, but it is representative of the uncertainty that reigns over the logic and intention of military presence. Military-facilitated land acquisition is expected to increase during oil development.

No independent entity has estimated troop numbers in the zone, partly because much of the military and security apparatus is present as plainclothes officers in the area. Rather than deploying UPDF forces, President Museveni has deployed his personal force to the area, under the management (until January 2012) of his son. Private security for the oil companies is supplied by Saracen, which is part-owned by Museveni's brother Salim Saleh. Not only is this viewed by Ugandans as militarization, it is also viewed as the president's personal militarization, as reflected regularly in news reports and street-corner conversations. Museveni has repeatedly made public statements telling foreign nationals not to visit the oil zones.<sup>8</sup> Special procedures have been put in place for gaining access to the region, which are unique to oil areas and involve vetting by the petroleum sector of the Ministry of Energy and Mineral Development (MEMD). Visitors to the area are watched by plainclothes intelligence agents posted in towns. They prod locals to glean motives of visitors to the area, and they are believed to monitor telephone calls. When speaking in public spaces people say the military causes them no discomfort. In private conversations, however, they talk fearfully of "canings" and constant surveillance. Atop the escarpment, only a few kilometers from the Kingfisher exploration area (to be operated by CNOOC) and 40 kilometers from the Kaiso/Tonya development area, the military plans to clear 10 square miles of farmland for a military base, signifying a major increase in troop presence.

#### 1.1.4 Nondiscrimination

The Bunyoro Kingdom has experienced decades of discrimination, first by colonial powers, then by the Ugandan central government, including being denied the right to buy land titles or funding to build schools and modern medical facilities. Discrimination is perceived to have continued with the government's support and protection of in-migrating pastoralists who have no historical roots in the area (prior to 2006). Bunyoro people are deeply sensitive to these deprivations. Overlaying that context, the Project has appeared complicit in ongoing deprivations by failing to establish training programs in the Project area (Tullow reports plans to develop a training facility in Hoima in 2012, but it is not clear that this is aimed at technical, oil-related jobs). Residents take casual labor jobs and watch non-locals

---

the Democratic Republic of Congo. Adelphi Research, IFP. Uganda outspent Kenya on military for the first time in 2012, as reported by the Uganda Independent, April 9, 2012 ("Why is Museveni building region's strongest army?")

<sup>8</sup> Sourced through interviews with western government agency representatives, international NGO personnel, and assessor experience. "Foreign saboteurs" have been identified as barriers to oil development, including in a December 2012 presidential speech.

arrive to hold skilled, well-paying, long-term jobs. Even casual labor hire shows signs of discrimination. Tullow asks LC1s to choose workers. In Kaiso/Tonya, LC1s are majority Bunyoro, while the local population is primarily Alur or Congolese. Alur and Congolese residents have repeatedly reported (to media, community impact researchers, and assessors for this document) that the small Bunyoro community is favored for hiring. There are no policies or practices at all for hiring women, who are often singlehanded caretakers for upwards of 12 children.

## 2 INTRODUCTION

### 2.1 Human Rights and Business

Although international agreements have endowed governments with the express duty to protect human rights, large transnational corporations have more limited responsibilities. The United Nations Special Representative on Human Rights and Business, John Ruggie, laid out these responsibilities. Ruggie's work capped the debate on corporations and human rights, first in a *Framework for Human Rights and Business*, produced in 2008 and unanimously welcomed by the United Nations Human Rights Commission, and conclusively with his Guiding Principles on Business and Human Rights. Corporations are subject to the responsibility to "respect" human rights. This is partly a reflection of the undeniable influence companies can have when operating projects on behalf of or in partnership with a state, even well beyond the Project fence line. The Guiding Principles define "respect" to entail the establishment of a human rights policy, the conduct of "human rights due diligence" and the provision of access to remedy for negative impacts to which they contribute. Principle 18, outlining the corporate duty to assess impacts, reads as follows:

"In order to gauge human rights risks, business enterprises should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships. This process should:

(a) Draw on internal and/or independent external human rights expertise;

(b) Involve meaningful consultation with potentially affected groups and other relevant stakeholders, as appropriate to the size of the business enterprise and the nature and context of the operation."

Principle 21 compliments Principle 18 and calls on companies to use assessment findings to alter operations and Project design.

### 2.2 Human Rights Risk Assessment

An HRRR predicts and quantifies the ways a Project is likely to severely negatively affect baseline conditions. It does not examine potential positive impacts or moderate impacts. An HRRR combines detailed analysis of preexisting studies with on-the-ground research in collaboration with, or in addition to, ongoing studies. Crucially, independent data is collected through interviews with community members, government officials, and Project staff. HRRR is a one-time study that often precedes a long-term Human Rights Impact Assessment, which involves periodic monitoring to provide continual updates on human rights conditions.

### 2.3 Rights to be considered

HRRRs are conducted based on the rights enumerated in International Labor Organization Fundamental Conventions; the United Nations' Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights. In addition, depending on the Project and the specified goals of the HRRR, other internationally recognized human rights conventions may be considered.<sup>9</sup> Please see **Appendix 1** for a list of relevant rights drawn from these documents. Applicable laws are also taken into account as informative of human rights. Where laws violate basic principles of human rights, including nondiscrimination, they inform on risks of corporate complicity in state-sponsored rights abuses.

---

<sup>9</sup> These may include such sources such as the Declaration of the Rights of Indigenous Peoples, the Convention on the Rights of the Child, as well as regional conventions such as the African Charter on Human and Peoples Rights.

## 2.4 Rightsholders

Human rights are held by individuals referred to as “rightsholders.” HRRAs necessarily employ this term, which is not used in other assessments, because rights analysis starts with the individuals whose human rights could be at risk. Traditional impact and risk assessments, in contrast, focus on groups that have a “stake” in the project – be it financial, social, environmental or otherwise. Most impact assessments categorize stakeholders by proximity, dividing them into host community, host country, and “wider community.”

## Potential Rightsholders

Labor Rightsholders	Environmental /Welfare Rightsholders	Civil / Political Rightsholders
<i>Directly Impacted</i>		
Employees	Residents whose health, education and sanitation infrastructure are burdened by population increases	Indigenous people with traditional uses for/activities in the Project area
Contractors and subcontractors	Residents whose water supply, access, or quality is impacted	Individuals aligned with traditional leaders who are cut out of Project agreements
Day laborers	Residents whose air quality is impacted	Anti-project protestors subject to violence or threats
Non-local recent hires	Residents dwelling near to blast sites	Victims of public or private security force brutality
	People who lose possession of their land	Constituents of local governments where graft rises
<i>Indirectly Impacted</i>		
Employees and owners in supply and production chains	Subsistence farmers with impacted lands	Press, fearing reprisals, self-censors
Farmers or tradesmen who have lost livelihoods to the Project	People at risk of losing possession of their land in the future	Those affected by a conflict financed or exacerbated by the Project
Minorities and disenfranchised groups not employed by the Project	Residents dwelling near to roads whose use will increase	Those fearing violence from private or public security forces supporting the Project
Spouses and families of employed people	Users of downstream water	Citizens affected by increased regional, national corruption
Members in unions with employees and contractors	Food purchasers struggling with inflated prices	Activists subject to reprisals for their opposition to the Project

## 3 METHODOLOGY

HRRAs are conducted to determine where and how the Project is likely to severely degrade pre-existing social, economic, environmental or political conditions (the “Context”) to the detriment of human rights. The status of rights protection before the project begins serves as a baseline; changes in that status constitute impacts. An HRA is performed in the following steps:

<b>Phase I – Overview</b>	Gather data on context, Project, company	Prepare preliminary list of at-risk rights	Prepare preliminary list of at-risk rightsholders
<b>Phase II – Catalogs</b>	Desktop analysis	Stakeholder Engagement	Rightsholder Engagement



Phase III – Risk Analysis	Topic Scoring	Rights Rating	Recommendations
Phase IV – Feedback	Acquire Company Feedback	Issue Final HRRR	(Recommended: Conduct HRIA)

Rights holders and stakeholders interviewed included project employees and managers, clinicians, school teachers, religious leaders, men, women, school-age youth, elders and working-age residents. Members of relocated households, members of secure and insecure tenure and community leaders were interviewed. Longtime residents as well as in-migrants from DRC were interviewed. Fishermen, farmers, herders and shop-keepers were included. In total, over sixty residents were interviewed, mostly in one-on-one interviews, with exceptions for youth and community leaders, who participated in group interviews.

## 4 OVERVIEW

### 4.1 Context

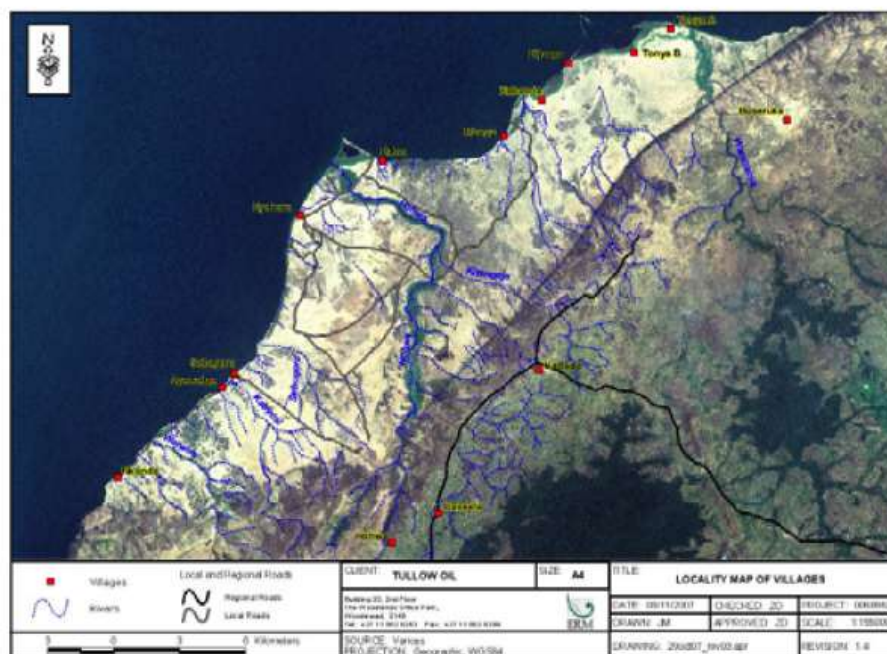
Tullow, in partnership with Total, CNOOC, and the Government of Uganda, will produce oil from wells throughout the Hoima, Buliisa, Mwoya, Nebbi and Ntoroko districts of Uganda in the initial phases of Project development. These two districts are in the west of the country, on the shore of Lake Albert, approximately 130 kilometers from Kampala, the nation's capital.

#### 4.1.1 Local

According to mid-2007 population estimates, Hoima and Buliisa districts are home to 430,900 persons, (1.4 percent of the National population) with a slight male bias. The region's population growth has been slowed by the impact of HIV/AIDS mortality and outmigration resulting from acute shortages of social services but has spiked in recent years, coinciding with oil exploration.

Nearly 80 percent of the population

*Map of the Kaiso-Tonya Valley, Showing the Ten Villages Located along the Lake Shore*



subsists on farming. Sweet potatoes, bananas, maize, cassava, beans, soy, rice, finger millet, sorghum, ground nuts, Simsim, yams and Irish potatoes are dominant crops in Hoima; only cassava, maize, sweet



potatoes and ground-nuts grow in Buliisa. The common cash crops include cotton, tea and coffee. Welfare is considered high in Hoima compared to national averages (2002 Census data), owing partly to the accessibility of diverse food sources, including fish from Lake Albert and crops grown on the relatively rainy plateau.

Owing to a combination of its desert climate, extremely high population growth (due to birthrates, remoteness from major cities and a recent government crackdown on illegal fishing, welfare in Buliisa is significantly lower. Banyoro is the dominant tribe. Including the Bagungu subgroup it accounts for about 77 percent of the population in Hoima. Buliisa is dominated by the Bagungu and the Alur. The immediate Project area is more ethnically diverse than the districts at large. Forty to 50 percent of the Tonya Parish population is foreign nationals, largely from the Democratic Republic of Congo (DRC), South Sudan, Rwanda and Kenya. The majority of the population in the Kaiso- Tonya Valley is Alur and Swahili-speaking, followed by the indigenous Banyoro population, divided into the Bagungu and Bakobya. Other Ugandan ethnic groups living in the Valley include Bagandans, Bagungu, Lugbara, Bakiga, Acholi, Langi, Banyankole, and Bakonjo. The highest concentrations of Congolese are said to be located in the villages of Nkondo and Mbegu.

Dominant languages spoken in the area are Swahili, Alur and Runyoro. Increasingly, nomadic herders have moved into the district since 2004, responding to population growth, drought and land shortages. These pastoralists, or Balaalo, are not all native to Uganda (though some are) and thus have no tribal, historical lands. With roots in Rwanda and Congo, they are considered outsiders by local populations. Their presence resulted in law suits and violence; in January 2012 the government of Uganda relocated them to less populated sub-counties.

Main health issues, nationally and regionally, are HIV and malaria. Uganda has the third highest deaths from malaria in Africa and some of the highest recorded malaria transmission rates in the continent, according to the Malaria Consortium. Pneumonia, malaria and diarrhea are the dominant causes of under-five deaths, accounting for 61 percent. Cholera and TB remain consistent problems, as does syphilis. Brucellosis has recently been found in the area, associated with poorly prepared milk and meat.

Region-disaggregated education levels to differentiate Kampala from Hoima and Buliisa are not available, but education standards are generally considered to be better in Kampala than in more remote areas, including the Project area and particularly Buliisa. Across Uganda, gender equality has become a feature of primary education, while officials have struggled to keep female enrolment rates equal with males in secondary and tertiary schooling.

Hoima District's hierarchy derives its authority from the Local Government Act 1997, as amended in 2005. It is governed by the democratically elected District Local Council, which is led by the District Chairperson. Each district has a five-tier Local Government Structure, which operates from the lowest level, known as the Local Council I (LC1), which represents a single village, through District Local Council. The 5735.3-square kilometer district is divided into two counties and one municipality (Bugahya, Buhaguzi and Hoima, respectively), 11 sub-counties, two town councils and 536 villages. Each county is a political constituency, represented in the Parliament of Uganda by an elected Member of Parliament (Hoima OVC Strategic Plan).

Buliisa was divided from Masindi and established as a district in 2006 and remains nascent, politically. With population growth of 4.5% a year, its current population is estimated at nearly 90,000, up from 65,000 during the 2002 census. Like Hoima, district government is organized hierarchically, beginning with LC1s at the village level. Buliisa residents place greater emphasis on elders to resolve local disputes than LCs. Elders resolve marital issues (including making judgments on divorces) and land conflicts in some areas, including Ngwedo where 4 wells are currently located. In other areas (Buliisa parish), a clan

leader will serve this purpose. Roads are paved from Kampala to Hoima town, but the 50 kilometers to Kaiso/Tonya are unpaved and drop down a steep escarpment to the lake. Between Hoima and Buliisa, all roads are unpaved. Information is current as of March 2012.

#### 4.1.2 National

Uganda is a presidential republic, in which the president is both head of state and head of government. Multi-party democracy exists, but corruption allegations have marred all recent elections. Executive power is exercised by the government. Legislative power is vested in both the presidency and the National Assembly. The system is based on a democratic parliamentary system with universal suffrage for all citizens over 18 years of age. The national government is based in Kampala, Uganda's largest city. The current president, Yoweri Museveni, has been in power for 26 years and was reelected for an additional five-year term in 2011.

Until 2005, Uganda operated under emergency law. The end of martial law increased freedom of speech to a degree but did not result in significant changes to political structures, authorities or practices. The 2011 elections were accompanied by riots in the capital and in neighboring districts. Demonstrations were violently quashed and the political opposition was repeatedly arrested, sprayed with pepper spray and at one point beaten. The military presence in Kampala and surrounding Project sites is not viewed as a major threat to local communities. On the contrary, people express more insecurity about the Project's private security force, Saracen. Despite the military's violent response to post-election troubles, the institution is widely respected in Uganda.

A longstanding conflict in northern Uganda recently ended, resulting in the closure of Internally Displaced Persons camps throughout northern and western Uganda. The demilitarization of the area is incomplete, as forces cross from DRC into Uganda with some regularity. In late 2011 the US sent 100 advisory troops to Uganda to conclusively end the violence in the area by killing Lord's Resistance Army leader Joseph Kony. This move has been received by Ugandans as an American attempt to interfere in Ugandan politics and potentially "steal" Uganda's oil.

#### 4.2 Project and Company

Tullow Oil was founded in 1986 to re-work small, old oil fields in Senegal. By the end of 2010, Tullow had interests in over 100 licenses across 22 countries, producing from a total of 67 fields. The Company had had 935 full time employees worldwide and is publicly traded on the London Stock Exchange and the Ghana Stock Exchange.

NomoGaia is assessing the initial development (extraction, conveyance and refinement) of oil and gas reserves in Uganda by Tullow and its partners. The Project was first explored by Hardman Resources and Heritage Oil, beginning in 2007. Tullow acquired a stake in the Project area with the purchase of Energy Africa in 2004. Tullow bought out Heritage's stake in the Project in 2010, giving the company 100 percent ownership of the site. Tullow sold stakes of the Project to Total (France) and CNOOC (China) in February 2012, after a significant government delay.

Human rights risks associated with extraction, conveyance, refinement and possibly energy generation and transmission<sup>10</sup> are evaluated. Rightsholders within the Project footprint are prioritized, but rightsholders impacted by the expenditure and allocation of oil revenues are also considered, given the high risks of corruption-related human rights violations in the Ugandan context.

---

<sup>10</sup> depending on how intimately linked the local population considers oil extraction and energy production

## 5 CATALOGS

Social, political, environmental and other conditions figure into the human rights baseline of a rightsholder group. Exploration of those three topics and their respective subtopics will suggest which rights may be impacted. Not all questions can be answered definitively. Evaluation of the data in these tables is found in the **Human Rights Risks Section**, below. These catalogs are overly comprehensive for a Human Rights Risk Assessment, with an eye to the possibility of a full-length Human Rights Impact Assessment when Project design is more developed.

### 5.1 Context Catalogs

5.1.1 Labor	
Wages	
Local and national minimum wage rates, hours	<p>Minimum wage has been a matter of contention for several years in Uganda, as bills have proposed minimum wage rates but no implementation has resulted. In late 2010 a minimum wage bill passed providing varying wage rates for major injuries. This bill is not available on the Uganda Parliament's website or Hansard reports (Accessed January 2012), but parliamentarians mentioned in session that minimum wage had increased from Ush 6,000 per month (set in 1984) to Ush 8,500 (set in the 1990s), which is not considered adequate. A National Employment Policy, published in April 2011, proposed the re-establishment of a Minimum Wage Advisory Board. The Minimum Wage Board recommended a minimum wage rate of Ush 70,000 per month in the 1990s but was refused (Uganda APRM Country Review No. 7 Uganda, page 203). Wage and hour rights are outlined in the 2006 Employment Act as well as in the Minimum Wages Advisory Boards and Wages Councils Act (Ord. No. 21) of 1957 (Chapter 196).</p> <p><b>Right:</b> Right to Fair Pay, Right to Adequate Standard of Living  <b>Rightsholder:</b> Project Employees, Contractors, Day Laborers</p>
Work hours	<p>Under the 2006 Act, Employees may work a maximum of 6 consecutive days without a day's rest for a maximum of 48 hours per week (unless otherwise agreed to by employee and employer.) Hours of work shall not exceed 10 hours per day or 56 hours per week and, if working hours exceed 48 hours per week, overtime pay must be provided. Workers are entitled to holidays with pay on every public holiday and one day every four months. Work on holidays is to be paid no less than double (Art 6(54)).</p> <p><b>Right:</b> Right to Fair Pay, Right to Adequate Standard of Living  <b>Rightsholder:</b> Project Employees, Contractors, Day Laborers</p>
Local employability	<p>Uganda has no experience with the oil and gas industry. Within the extractive sector, mining and quarrying contributed less than 1 percent of the economy's GDP (Uganda Bureau of Statistics, 2010). About 98 percent of the Project area population have no formal employment but engage informal trade activities, cattle keeping, farming and fishing.</p> <p><b>Right:</b> Adequate Standard of Living; Right to Work  <b>Rightsholder:</b> Project Area Inhabitants</p>
Wage levels in Project area – formal, informal	<p>Over 80 percent of area inhabitants work in agriculture.</p> <p><b>Right:</b> Adequate Standard of Living  <b>Rightsholder:</b> Informal wage earners; Non-local jobseekers; Formal Wage Earners</p>
Occupational Health & Safety laws; Workers Compensation	<p>The Occupational Safety and Health Act provides appointed inspectors with the power to enter workplaces to complete inspections and ensure health and safety requirements are being met. The Act outlines general penalties for health and safety violations, including the imposition of fines and/or imprisonment.</p> <p><b>Right:</b> Right to Favorable Working Conditions  <b>Rightsholder:</b> Project Employees, Contractors, Day Laborers</p>
Unions	
Legality of Unions	<p>Labor unions are legal and protected under Section 40 of the Constitution.</p> <p><b>Right:</b> Freedom of Association</p>

	<b>Rightholder:</b> Project Employees, Contractors, Day Laborers			
Presence and power of unions – national, local	Only six percent of the workforce is unionized. The government has periodically arbitrated labor disputes but has never historically sided with labor. Labor laws are not effectively enforced and union registration is not well regulated. <b>Right:</b> Freedom of Association <b>Rightholder:</b> Laborers in the Formal Sector			
Unions in industries relevant to Project	The National Organisation of Trade Unions (NOTU) is the sole national trade union umbrella organization in Uganda, and is responsible for coordinating the Uganda labour movement and the activities of all registered trade organizations. Among Uganda's trade unions, the Amalgamated Transport and General Workers' Union (ATGWU) represents workers in the transport, oils, chemical and private security industries is likely to be relevant to the Project. <b>Right:</b> Freedom of Association <b>Rightholder:</b> Laborers in the Formal Sector			
Exploitive Practices				
Percent of children ages 7 – 14 in workforce	An estimated 2.7 million Ugandan children are in the workforce, accounting for a third of the nation's children (New Vision, August 12, 2009). This figure does not include household or family work, such as farming or domestic work.			
Presence of child labor/ forced labor in the area	Child labor is most prevalent in the Northern Region. There is a strong correlation between HIV and child labor rates in Uganda as well as between poverty and child labor rates. In the Project area, near Lake Albert, children are a major driver of the fishing industry. The area was widely recognized for the recruitment of child soldiers (UNHCR 2009). There are reports in country of human trafficking for construction, though few details are available (USHRR 2010). <b>Right:</b> Freedom from Child Labor; Rights of the Child <b>Rightholder:</b> Child Fishermen; Child Farmers; Congolese/Immigrant Children			
Discrimination				
Unemployment rates by gender	Global Gender Gap Index (WEF 2011)	Female	Male	Ratio
	Labor force participation	80	91	.88
	Wage equality for similar work (survey)			.80
	Estimated earned income (PPP US\$)	963	1471	.65
	Legislators, senior officials, and managers	33	67	.5
	Professional and technical workers	35	65	.54
Groups at risk for marginalization in hiring	Hiring is conducted through village leaders. In Tonya these leaders are all Runyoro, while the majority of the population is Alur and Congolese. Non-Runyoro are at risk for marginalization, including members of the Alur, Jonam, Bakiga, Lugbara and Aringa tribes. <b>Right:</b> Right to Work; Right to an Adequate Standard of Living; Nondiscrimination <b>Rightholder:</b> The Uneducated; Members of the Alur, Jonam, Bakiga, Lugbara and Aringa tribes			
Attitudes towards minority groups	Minority tribes are Alur, Jonam, Bakiga, Lugbara and Aringa. Ethnic conflicts between the two majority groups, the indigenous Banyoro and Immigrant Banyoro, are the most widely recognized (and publicized). The Bakiga, sometimes disparagingly referred to as Bafuruki (meaning illegal immigrants), are thought to have arrived in Uganda from Rwanda. Though Bakiga people have been in the area for hundreds of years, their numbers ballooned after World War II and again during government-sponsored resettlement in the 1970s and 1990s. <a href="http://allafrica.com/stories/201005101331.html">http://allafrica.com/stories/201005101331.html</a> Discrimination against Northern tribes is common throughout Uganda and the Project area. There is a growing dissatisfaction with the increasing Congolese population in the Project area. <b>Right:</b> Nondiscrimination <b>Rightholder:</b> Alur, Jonam, Bakiga, Lugbara and Aringa			

## 5.1.2 Environment

Surface Water	
Effluent emissions quality standards	<p>The Water Act (Ch 152) of 1995 provides for the management of water under the mandate of the Directorate of Water Development within the Ministry of Water, Lands and Environment. Section 31(1) addresses water pollution and discharge. Waste Discharge regulations (Section 107, 1998) and the National Environment Regulations (Standards for Discharge of Effluent into Water or on Land – 1999) outline standards. Regulation 3 details maximum permissible limits for 54 regulated contaminants, which must not be exceeded before effluent is discharged into water or on land. Uganda's publicly available monitoring data is online for Kampala and only measures pH, turbidity, color, free chlorine, E. Coli and Fecal/Streptococci bacteria. Most recent measurements (from January 2011) met standards.</p> <p><b>Right:</b> Right to Health; Right to a Clean Environment; Right to Water <b>Rightsholder:</b> All</p>
Presence and effectiveness of monitoring body	<p>The compliance to permit conditions for wastewater discharge, surface water abstraction and groundwater abstraction is estimated at 46%, 73% and 67%, respectively. The Enforcement and Compliance Monitoring Strategy (ECMS) for Water Resources management was finalized and now being implemented. The implementation of the ECMS for Water Resources is expected to address the challenges of compliance and enforcement of water laws and permit conditions, and should substantially improve compliance levels.</p> <p><b>Right:</b> Right to Health; Right to a Clean Environment; Right to Water <b>Rightsholder:</b> All</p>
Quantity	<p>Lake Albert is the birthplace of the Nile. Runoff from surrounding seasonal and perennial streams flow into it. The Hohwa and Sebugora streams are the only non-seasonal running water sources in the Block 2 Project area. Surface water peak runoff rates are 487 cubic meters per second for Hohwa and 46 cubic meters per second for Sebugora. Runoff from these rivers and seasonal streams flow into Lake Albert, which has a depth of 10 to 15 meters. Only one river runs through Buliisa district, originating in the Murchison Falls National Park and cutting through the north of the district. Flow rates were not available at the time of assessment.</p> <p><b>Right:</b> Right to Water <b>Rightsholder:</b> Residents at the Base of the Escarpment</p>
Quality	<p>The Hohwa and Sebugora streams are high in calcium. The Ngassa Spit Lagoon has high alkalinity and elevated sodium content. Metals testing was only done on the Hohwa. Trace metals were found at very low levels (EIA 6.10), with the exception of iron, which is twice the WHO drinking water standard in one sample station on the Hohwa River (Tullow EIA Appendix I Table 1.7). The Project is also located adjacent to the Ngassa Spit Lagoon. Poly-aromatic hydrocarbon (PAH) compounds were detected in both the lagoon and lake sediments, with the concentration of some of these compounds exceeding National Oceanic and Atmospheric Administration (NOAA) Threshold Concentrations for toxic effects in fresh water. Compounds exceeding the NOAA guideline values are naphthalene, acenaphthene, flourene, and phenanthrene. The concentrations of these compounds are generally higher in the lagoon than the lake. Oil seeps are present throughout the area. Chrome and nickel concentrations exceed the NOAA guidance criteria in most of the sediment samples.</p> <p><b>Right:</b> Right to Water; Right to a Clean Environment <b>Rightsholder:</b> Residents at the Base of the Escarpment</p>
Uses: Drinking, agricultural, cleaning, hydropower, etc	<p>Agriculture is rain fed – no irrigation is used in the area. Cattle are generally watered in Lake Albert (and sometimes boreholes). Women living near to rivers do laundry and bathe in the river.</p> <p><b>Right:</b> Right to Water; Right to a Clean Environment <b>Rightsholder:</b> Residents at the Base of the Escarpment</p>
Drinking water quality standards	<p>The main law relating to the protection of the environment in Uganda is the <i>National Environment Act, Cap 153 of 1995 (NEA)</i>.</p>

	<p>Section 7 of the Public Health Act of 1964 provides local authorities with administrative powers to take all lawful, necessary and reasonable practicable measures for preventing the occurrence of, or for dealing with any outbreak or prevalence of, any infectious communicable or preventable disease to safeguard and promote the public health and to exercise the powers and perform the duties in respect of public health conferred or imposed by this act or any other law.</p> <p>Section 105 of the Public Health Act (1964) imposes a duty on the local authority to take measures to prevent any pollution dangerous to the health of any water supply that the public has a right to use for drinking or domestic purposes. The Act further details the location of waste disposal facilities such as solid waste skips and septic tanks in relation to settlements and food points.</p> <p><b>Right:</b> Right to Health; Right to a Clean Environment; Right to Water</p> <p><b>Rightsholder:</b> All</p>
Depletion rates, changes in flow in recent years	<p>Depletion is not currently quantified but could pose major issues at the northern end of Lake Albert at the delta in Murchison Falls national park. A fragile ecosystem exists at the shoreline. Any water abstraction that lowers the lake level could have major impacts. Up the escarpment rainfall is sufficient to eliminate depletion. Though Project impacts are expected to be negligible, surface water flow has decreased significantly in recent years, and formerly perennial streams are now dry for part of the year at the base of the escarpment, where pastoralists and farmers rely on streams, stream flow rates have declined but no depletion rates have been estimated. The impacts of groundwater abstraction during the construction phase on surface water (the Hohwa and Sebugora Rivers, seasonal wetland and Lake Albert) are considered to be negligible given the depth of the tapped aquifer system (below 50m). The reduction of regional groundwater flow towards Lake Albert is also considered to be negligible due to the small ratio between wellfield abstraction and the total lake volume. Surface subsidence as a result of sediment dewatering must be quantified and will have to be taken into account during the construction of the EPS facility.</p> <p><b>Right:</b> Right to Water; Right to Health</p> <p><b>Rightsholder:</b> Residents at the Base of the Escarpment</p>
<b>Groundwater</b>	
Quality	<p>At the lakeside, groundwater meets global standards with the exception of iron, which is extremely elevated (up to six times the Ugandan and WHO drinking water standards) in most boreholes tested (Tullow EIA Appendix I, Table 1.5).</p> <p><b>Right:</b> Right to Water; Right to a Clean Environment</p> <p><b>Rightsholder:</b> Residents at the Base of the Escarpment; Residents Near Proposed Refinery and Power Station; Residents Near Oil Conveyance Lines</p>
Quantity	Hydrogeological studies were not available at the time of assessment.
Sources	Water is drawn from boreholes throughout the Project area. A few buildings have piped water (Catholic parish in Buliisa, for example).
Government subsidies - cost of water urban, rural	<p>Water is supplied free from boreholes. In Kabaale, where boreholes run dry at midday during dry season, residents charge 1000 shillings per jerry can for water. In Buliisa water can be bought from outdoor taps for 100 shillings per jerry can.</p> <p><b>Right:</b> Right to Water</p> <p><b>Rightsholder:</b> Kabaale Residents; Buliisa Residents</p>
Depletion rates, flow directions	<p>Depletion rates were not available at the time of assessment.</p> <p><b>Right:</b> Right to Water</p> <p><b>Rightsholder:</b> Residents at the Base of the Escarpment</p>
Uses: Drinking, agricultural, cleaning, industry, etc.	<p>Water for bathing, laundry, cooking and drinking is drawn from community wells along the lakeshore and along major roads. Livestock is sometimes watered from wells, when necessary, but usually is herded near streams and Lake Albert.</p> <p><b>Right:</b> Right to Water; Right to Clean Environment; Right to Health</p> <p><b>Rightsholder:</b> Residents at the Base of the Escarpment</p>



Air	
Quality - dust content, chemical content, GHG content	Pre-project air quality is quite good owing to the lack of industry. Field burning after harvest creates seasonal smokiness. Dust entrainment along roads is extreme during dry season. <b>Right:</b> Right to Clean Environment, Right to Health <b>Rightsholder:</b> Residents Living Near Refinery and Power Station
Flow patterns, flow rates	Airflow is poor at the valley floor but improves up the escarpment. Airflow in Buliisa is good. <b>Right:</b> Right to Clean Environment; Right to Health <b>Rightsholder:</b> Residents Living Near Refinery and Power Station

5.1.3 Health	
Underlying Health Determinants	
Life expectancy at birth;	Males: 51 Females: 55 (UNICEF 2009 data) Life expectancy in Hoima is 51 and 55 M/F, respectively (EIA Mputa Transmission Line, 4.4.5, p. 38)
Maternal Mortality per 100,000 births	The MGD goal for maternal mortality is 132 per 100,000 live births. Uganda's rate is currently estimated at between 435 (HSSP p. 51) and 520 (World Bank).
Total government spending on health	The government's allocation to health as a percentage total government budget has been on average 9.6 percent and 1.56 percent of GDP (World Bank 2009). It thus remains below the Abuja Declaration target of 15 percent (HSSP). Households constitute a major financing source of the National Health Expenditure at 49.7 percent and this is followed by Development Partners at 34.9 percent, Central Government at 14.9 percent and international NGOs at 0.4 (Uganda Bureau of Statistics Household Survey Report).
Under 5 malnutrition rates	73 percent of children under 5 years are anemic, 20 percent are vitamin A deficient, 38 percent are stunted, 16 percent are underweight, and 6 percent are wasted (UDHS 2006). Approximately 60 percent of infants 0-6 months are exclusively breastfed. At 4-5 months 35 percent of infants receive breast milk only; this has been complicated by the HIV infection.
Under 5 mortality	137 per 1000 live births (HSSP). 2009 rates were 128 per 1000 (; UNICEF data 2009).
Contraception – rates and types	Accessibility is said to be low. At the Project clinic accessibility is high and usage is increasing rapidly (Interview – clinic staff). The Population Reference Bureau estimates that 18% of Ugandan women use modern contraceptives (All Africa, Dec 12, 2011).
Local Childhood nutrition	Children in fishing communities and in Hoima at large have comparatively high nutrition levels, owing to the high quantities of fish in local diets (Interview – Butiaba clinic; 2002 census). Despite being a fishing community, Buliisa has high malnutrition rates among children. Children are rarely served fish and milk and are instead fed cassava and fish broth (interview – clinician – February 2012). Malnutrition contributes to 60 percent of under-5 deaths, nationwide (UDHS 2006). <b>Right:</b> Right to Food <b>Rightsholder:</b> Children
Comprehensive sex education during schooling	None. The Strategic Plan III refers to a sexual and reproductive health program that is only to be applied to pregnant women <b>Right:</b> Right to Health <b>Rightsholder:</b> Women/Girls
Prevalence rate of violence against	Domestic abuse is recognized as widespread but is not estimated in Ministry of Health documents. It is currently being studied in a DHS survey, due to be completed in 2012.



women	<p><b>Right:</b> Security of Person; Nondiscrimination; Public Participation</p> <p><b>Rightsholder:</b> Women (wives of uneducated men; wives of poor men are at highest risk)</p>
Health Programs	
Maternal mortality program	<p>A maternal mortality program exists in line with MDGs. It is not implemented in Buliisa, where traditional birth attendants are no longer trained by government and the cost of childbirth in a hospital is out of range for most local women (women must bring two plastic sheets, a basin, and a blade and be prepared to buy fuel for the ambulance if complications occur).</p> <p><b>Right:</b> Right to Health</p> <p><b>Rightsholder:</b> Women; Rural Women; Refugee Women</p>
Child nutrition program	<p>A child nutrition program exists as part of the Food and Nutrition Policy. There is no indication of this program in Buliisa's Health Center IV, and clinicians say that childhood nutrition is deeply neglected in the area. Orphan rates range from 12-17 percent of children in the Project area (UBOS Orphanhood status for Children 2002)</p> <p><b>Right:</b> Right to Health; Right to Food</p> <p><b>Rightsholder:</b> Children; Refugee Children; Poor Children; Orphans</p>
Health programs collaborating with traditional caregivers	<p>Traditional Birth Attendants were previously incorporated into the national system but have recently been phased out. Home births are not attended by skilled personnel.</p> <p><b>Right:</b> Right to Health; Nondiscrimination</p> <p><b>Rightsholder:</b> Ethnic Minorities; Women</p>
Contraception, family planning program	<p>The 2010-2015 Health Sector Strategic Plan intends to "Integrate and implement adolescent sexual and reproductive health in school health programmes" (page 95). This has taken the form of abstinence campaigns and posters in school zones. Family planning initiatives are highly controversial in Uganda, for religious and cultural reasons.</p> <p><b>Right:</b> Right to Health; Nondiscrimination</p> <p><b>Rightsholder:</b> Rural Women; Youth</p>
HIV/AIDS program	<p>A National Priority Action Plan for HIV and AIDS was created under the Uganda AIDS commission, and the Health Sector has developed an HIV and AIDS Strategic Plan. ARVs are said to be regularly available, but almost exclusively in district capitols, making access extremely challenging for the poor. USAID runs several HIV/AIDS programs in the country, generally promoting abstinence.</p> <p><b>Right:</b> Right to Health (complex rights issues associated with HIV/AIDS include Nondiscrimination, Right to Food, Right to an Adequate Standard of Living, Right to Work)</p> <p><b>Rightsholder:</b> High Risk Individuals include: Sex Workers; Construction Workers; Truck Drivers; Fishermen; Wives of these categories of men</p>
Domestic Violence program	<p>The Ministry of Gender, Labour and Social Development is charged with advocacy and prevention of gender based violence in collaboration with the health sector. There is no single and coherent gender-based violence program in the country. There are no GBV campaigns in Buliisa or Hoima districts.</p> <p><b>Right:</b> Security of Person; Right to Health</p> <p><b>Rightsholder:</b> Wives of Poor Men; Wives in Rural Areas</p>
Access and Infrastructure	
Hospitals and clinics per 1000 population, national, local	<p>Hoima District has one hospital, one district-level health center (HC IV), 16 HC IIIs(9 of which are government-owned and -run) and 21 HC IIs.</p> <p>In the Project area, there are three clinics (Kyeihoro, Butiaba, Biiso) and one health centre IV (undergoing reconstruction by the Project). Project documents alleging additional clinics in Sebagoro and Tonya A could not be verified (Tullow EIA 2008).</p>
Project clinics, District health facilities – medical stocks, wards, beds	<p>In Spring 2011 the Kyeihoro clinic was under reconstruction due to severe wall cracks. It was built by the Company 3 years prior.</p> <p>The existing clinic in Butiaba is 4 rooms: reception, dispensary, consult room and lab. The construction is solid, with a ceiling, wood walls and locking doors. It has a 7000-person (3000-child) catchment and</p>

	<i>the clinician sees 50 people per week (but 300 in Feb 2011, at the time of an assessment visit). The clinic has 10 staff members – enrolling nurse, porters, nursing assistance, a security guard (to protect medicines) and a lab worker (four staffers are medical). The refrigerator was broken at the time of assessment (March 2010) so vaccines and antibiotics were being held in Biiso.</i>
<i>Existing sanitation systems) – latrines at clinics, schools and private houses</i>	<i>Existing sanitation systems are extremely poor. Local clinicians say that a latrine construction program was obliterated by heavy rains, leaving a fraction of latrines available for use. In Butiaba, the LC asserted that families would be arrested for failing to build latrines in 2012. Follow-up on this was not conducted.</i>
Private doctors / midwives per 1000 population, national, local	In Uganda at the time of the 2006 DHS, 23 percent of babies were delivered by a TBA. The most recent health policy has eliminated support to TBAs in the Project area. Government clinics, particularly in Buliisa, are understaffed – there are no doctors in Buliisa and health staff refuse posts to remote Buliisa where there is no hardship pay despite difficult work conditions.
Accessibility of essential medicines – urban/rural	The availability of essential medicines was analyzed by a USAID team in May 2011. Delays in procurement, poor quantification by and late orders from facilities and poor records keeping are among the management issues that contribute to shortage and wastage of medicines in the public sector. A recent survey shows that even though 72 percent of the households were close to a public health care facility, only 33 percent of the households believe that medicines are available in public health care facilities (and only 30% of EMHS required for the basic package are provided for in the national budget). Medicines are 3-5 times more expensive in the private sector compared to the public sector procurement costs. For many people, medicines in the private sector are not affordable and this constitutes a major obstacle to households accessing medicines. Another study shows that only 45.7 percent of the public health facilities had key essential medicines; the situation was a bit better in mission facilities at 57.5 percent and private facilities at 56.3 percent. The length of stock-out duration in public health facilities is at 72.9 days. <b>Right:</b> Right to Health <b>Rightsholder:</b> All; Rural Residents; Refugees
Percentage of pregnant women seen +1 / +3 times	Sensitization initiatives to encourage women to use health facilities for antenatal care are seen by clinicians as effective, but less than one in four women return for a fourth antenatal checkup. Almost half of Hoima district women (46 percent) live within five kilometers of a family planning facility and 63 percent within five kilometers of a centre that provides primary health care and maternity services. Nine in ten pregnant women receive some antenatal care but only 32 percent of births occur in a health facility with trained medical assistance (2009 data). 94 percent of women received antenatal care from a skilled provider. Most women sought care from a nurse or midwife (84 percent), and 9 percent received care from a doctor. Only one percent of women received antenatal care from a traditional birth attendant (TBA) as their most qualified provider (DHS 2006). These statistics do not align with data in Buliisa, where an average of 200 women receive an initial antenatal consultation per month, and fewer than 50 women gave birth in the hospital. The proportion of facilities providing appropriate Emergency Obstetric Care is still low and so is access postnatal care within first week of delivery, which stands at 26 percent.
Accessibility and Appropriateness for minorities	Women from DRC and women of the Alur tribe remain reluctant to use health facilities for childbirth. Cost is given as one reason, but cultural preferences are also cited (Clinic interviews). <b>Right:</b> Right to Privacy; Right to Health <b>Rightsholder:</b> DRC Women; Alur Women
Public sanitation (rural and urban)	Waste is generally burnt in the villages; there are no formal waste removal services. Litter is problematic in in Mbegu, Kyehoro, and more densely populated villages. Sewerage is not managed or treated in any way. Latrines, built in 2008 under Corporate Partner supervision in Kaiso/Tonya, washed away in sandy soil during rainy season. The LC1 has developed an initiative to imprison heads-of-household who do not have latrines for 3 months. <b>Right:</b> Right to Health <b>Rightsholder:</b> Project Area Inhabitants
Potable water (rural)	Safe water is available to an estimated 77.5 percent of the rural population. Water is scarcest in

and urban)	Buseruka, Bugambe and Kigorobyia sub-counties. All water in the Project area requires boiling. For most Project area inhabitants water is supplied through communal boreholes. <b>Right:</b> Right to Health <b>Rightsholder:</b> Project Area Inhabitants			
Rural/Urban availability of essential medicines	Availability of and access to medicines in Uganda is limited. Only 30 percent of the medications on the country's Essential Medical and Health Supplies list (EMHS) are provided for in the national budget. In 2011 the country suffered a severe shortage of ARVs in particular. The length of stock-out duration in public health facilities is at 72.9 days compared to 7.6 days per year for the mission facilities. Mean availability of originator and generic medicines on the EML is at 3.5 percent and 45.7 percent, respectively (Health Sector Strategic Plan p. 6). <b>Right:</b> Right to Health <b>Rightsholder:</b> Project Area Inhabitants			
Rural/Urban availability of HIV testing, counseling and treatment	Item		Coverage (percent)	
			Hoima	Uganda
	Voluntary Counseling and Testing (VCT)	Knowledge of VCT facilities in area	63	
		Knowledge of benefits of VCT	18	12.5
		Tested for HIV	18	12.5
		Received the results of the test	15	12.5
	Mother to Child Transmission (MTCT)	Knowledge of MTCT of HIV	74	-
		Knowledge of periods of MTCT	50	-
	Sexually Transmitted Infection (STI)	Knowledge of signs, symptoms of STIs	58	-
		Knowledge of place to treat STDs	76.4	-
		Knowledge of sexual prevention of HIV	75	-
	Perception on HIV	At no risk of getting HIV	12	-
		Age at first sex with a condom	14 years	-
	Care and support of Primary Health Care (PHA)	Registered PHA receiving care, support	86	-
		PHA Knowledge of behavioral change	82	-
		PHA having sex with a condom always	54.7	-
(EIA 2008)				
Food				
Cropland	0.3 hectares per capita per agricultural worker (World Bank, 2008)			
Agricultural value added per worker	\$230(World Bank, 2009)			
% arable land under cultivation	FAO 2008 complete data is as follows (in thousands of hectares):			
	Country area		24104	
	Land area		19710	
	Agricultural area		13012	
	Arable land and Permanent crops		7900	
	Arable land		5650	
	Permanent crops		2250	
	Permanent meadows and pastures		5112	
	Forest area		3164	
	Other land		3533	
Food Security	In 2005 and 2008, WFP conducted Comprehensive Food Security & Vulnerability Analyses (CFSVAs) in Uganda. The results of the Uganda CFSVA 2009 indicate that 6.3 percent of households are food insecure, 21.3 percent are moderately food insecure and at risk of becoming food insecure if conditions deteriorate. The remaining 72.4 percent of the households are classified as food secure. Eastern Uganda has the highest food insecurity rates. Sorghum farmers have the highest poverty rates and thus food insecurity rates. With regard to malnutrition, five factors have been found to be significantly associated with being underweight: 1) younger children; 2) males; 3) children experiencing diarrhea; 4) children in households with no access to improved sanitation; and 5) children			

	<p>of poor families are at highest risk of being underweight (WFP CFSVA). Refugee settlements in the area are more food insecure, though they receive significant donations from WFP (WFP 2009 CFSVA). Food security is high in Hoima district but lower in Buliisa, where the arid climate and uncertain rains prevent crops from flourishing.</p> <p><b>Rights:</b> Right to Food <b>Rightsholders:</b> N/A</p>
Local food production	<p>Hoima district is among the most food-secure in the nation, owing partly to high fish (production and) consumption. Locals produce fish, milk from cows, and occasionally meat at the base of the escarpment. Atop the escarpment farming dominates. Agriculture accounts for the wide majority of livelihoods in the district. Sweet potatoes, bananas, maize, cassava, beans (including soy), rice, finger millet, sorghum, cowpeas and pigeon peas, ground nuts, Simsim, yams and Irish potatoes are grown; sorghum is a major food staple. The common cash crops include cotton, tea and coffee. Production of fruits, vegetables and spices, including tomatoes, cabbages, onions and pineapples, are on the rise. Chickens, goats and pigs are raised.</p> <p>Buliisa district food production also includes agriculture, fishing and cattle/goats/sheep, however the staple food, cassava, is nutrient-poor and fish are increasingly sold for profit rather than consumed locally.</p> <p><b>Right:</b> Right to Food; Right to Work; Right to Adequate Standard of Living <b>Rightsholder:</b> Fishermen</p>
<b>Infectious Diseases</b>	
HIV prevalence by age and gender, Local HIV rates	<p>Uganda is in the 92<sup>nd</sup> percentile for HIV prevalence (World Economic Forum 2010). According to the Lot Quality Assurance Supervision Survey (LQAS) 2004 results, the prevalence of HIV/AIDS in Hoima is 6.8 percent, and the majority of the affected are young people. In fishing villages along the shores of Lake Albert, rates range from 10% to near 30% (Interviews – Local health staff; HCIV District Data, Buliisa). Nationwide, HIV rates are estimated at 5.4% (WDR 2011).</p> <p><b>Rights:</b> Right to Health (and associated rights) <b>Rightsholders:</b> The HIV Positive; Fishermen (high risk); Youth (high risk)</p>
Major health concerns at significant levels	<p>Common diseases are upper respiratory tract infections, malnutrition, malaria, diarrheal diseases, dental diseases and bilharzia along the lake shores (Hoima OVC Strategic Plan). Brucellosis has recently arisen as a health concern, stemming from insufficiently cooked meat and milk (district health data).</p>
Infectious diseases at significant levels	<p>The country is 95<sup>th</sup> percentile for Malaria prevalence and 86<sup>th</sup> percentile for TB (100 being worst WEF Global Competitiveness Report 2011-2012). The World Bank estimates that TB incidence is 310 per 100,000 people. Communicable diseases account for 54 percent of the total burden of disease in Uganda with HIV and AIDS, tuberculosis (TB) and malaria, being the leading causes of ill health. More than 200,000 children under-five years still die every year mainly due to preventable conditions including malaria, pneumonia, diarrhea, vaccine-preventable diseases (e.g. measles), HIV/AIDS, and neonatal conditions (Health Sector Strategic Plan P. 22, 96).</p> <p><b>Right:</b> Right to Health <b>Rightsholder:</b> Project Area Inhabitants</p>
Immunizations: measles, diphtheria, tetanus, pertussis, polio	<p>66 percent of children aged 12-24 months are fully vaccinated (using measles immunization as a proxy). Coverage is lower in rural than urban areas. The HSSP indicates that DPT coverage is 78 percent (HSSP P. 21). Polio was considered to be eradicated in Uganda until 8 cases were diagnosed in 2009. Polio vaccines are again being imported. Health Ministry documents do not specify the quantities of polio vaccines imported.</p> <p><b>Right:</b> Right to Health <b>Rightsholder:</b> Project Area Inhabitants; Remote Rural Dwellers</p>

#### 5.1.4 Political/Legal

Form of Government	
Regulatory quality	47 <sup>th</sup> percentile (Bertelsmann scoring ranks Uganda slightly higher/ World Bank Governance Indicators)
Level of democratic functioning	<p>Although 2011 elections were considered free and fair by international observers, Museveni is widely recognized to have used oppressive tactics against opposition candidates and their supporters. The Supreme Court of Uganda found that the 2006 election was marred by intimidation, violence, voter disenfranchisement, and other irregularities, though they voted 4-3 to uphold the results of the election.</p> <p><b>Right:</b> Public and Political Participation <b>Rightsholder:</b> All; Political Opposition</p>
Form of government	<p>Uganda is a presidential republic, in which the President of Uganda is both head of state and head of government. The system is based on a democratic parliamentary system with universal suffrage for all citizens over 18 years of age. Political parties were restricted in their activities from 1986 when current-president Yoweri Museveni was elected and instated a non-party system, until 2005, when he terminated military rule. Under this system, political parties could exist but could not campaign or directly field candidates.</p> <ul style="list-style-type: none"> <li>· <u>The Executive branch</u>. Headed by the President who is assisted by the Vice President, the Prime Minister and Cabinet Ministers, who are appointed by the president.</li> <li>· <u>The Judiciary</u>. Formed by the various courts of judicature, which are independent of the other arms of government. They include the magisterial courts, High Court, Court of Appeal and the Supreme Court. The Judiciary is headed by the Chief Justice and deputized by the Deputy Chief Justice.</li> <li>· <u>Parliament</u>. The legislative arm of the government. It consists of 305 members most of whom were elected through the ballot box except a few special interest groups like the army, women, youth and the disabled whose representatives were elected by Electoral Colleges.</li> </ul> <p><b>Right:</b> Public and Political Participation <b>Rightsholder:</b> All</p>
Independence of press, status of free expression	<p>Press freedoms increased when military rule was lived in 2005, but crackdowns have been increasingly frequent since the lead-up to the 2011 presidential election. Jailings and beatings of journalists are increasingly commonplace. Activist organizations have been restricted in their ability to conduct sensitization campaigns and hold meetings. In the Project area, AFIEGO, FORUM and NAPE in particular have been silenced and populations threatened with “force” for interacting with them. A Ugandan citizen wrote a letter to the British Parliament, asking for an investigation of Tullow’s oil deals. The letter was confiscated and the author accused of “economic sabotage” and conspiracy.</p> <p><b>Right:</b> Freedom of Expression; Freedom of Press <b>Rightsholder:</b> Project Area Inhabitants; Activists; Project Opponents</p>
Traditional government structure in place	<p>The traditional government, while largely symbolic, operates parallel the national government. Ethnic leaders (including the Bunyoro king in Hoima) wield power as figureheads, and their views are valued and respected by their tribe members, even though they hold no official sway in the national political system.</p> <p>Traditional government is also represented largely by Alur, Banyoro and Bagungu clans. These clans control community land allocation and settle domestic disputes.</p> <p><b>Right:</b> Political Participation <b>Rightsholder:</b> Project Area Inhabitants</p>
Relations between/among traditional/ national government	<p>Under Section 80 of the Constitution, a person is not qualified for election as a member of Parliament if that person is a traditional or cultural leader as defined under the Constitution.</p> <p>Tensions have developed between the traditional government in Hoima district, the Banyoro Kingdom, and the central government. The Banyoro King believes that the president has withheld compensation payments owed him from the English government. Tensions have risen as the Banyoro kingdom has been excluded from discussions of oil sharing agreements.</p> <p>At the community level, there is minimal interaction between national/district government systems and local elders/clan leaders.</p>
Strength of Civil Society	

Percent of population voting in elections	An estimated 57 percent of registered voters cast ballots in the 2011 presidential election (Insight on Conflict; The Independent newspaper March 2011). An estimated 30 percent of the roughly 1.2 million registered voters reportedly cast their ballot in Kampala's mayoral election in 2011 (Africa NewsNet March 30, 2011)
Voice and accountability	32 <sup>nd</sup> percentile (WB Governance Indicators)
Political rights and civil liberties	40 <sup>th</sup> percentile for Civil Liberties (Freedom House ranking 2010)
Attitude of local police regarding demonstrations	Police regularly react violently to demonstrations (see below: Local laws regarding demonstrations). <b>Right:</b> Freedom of Expression; Freedom of Assembly <b>Rightsholder:</b> Project Area Inhabitants; Activists; Project Opponents
Local laws regarding demonstrations	Freedoms of association and assembly are officially recognized. In May 2008 the Constitutional Court nullified section 32(2) of the Police Act, eliminating the requirement to obtain the written permission of the inspector general of police before holding an assembly of 25 or more persons. However, the Ministry of Justice and Constitutional Affairs appealed the court's decision, which in effect stayed any action on the court's ruling. As of now no decision on the appeal has been made, and police and local government authorities use the Police Act to disrupt opposition party activities. However, in August 2009, police halted a demonstration and arrested eight FDC members who protested Museveni's decision to renew the electoral commission. Nongovernmental organizations encourage the expression of different views and are willing to address politically sensitive issues. However, their existence and activities are vulnerable to the abuse of legal restrictions, including the manipulation of registration requirements. The 2006 NGO Registration Amendment Act requires NGOs and religious organizations to reregister with the Internal Affairs Ministry each year, though enforcement is currently suspended pending a review of the law. Violent riots erupted in Kampala on September 10 and 11 after the government imposed travel restrictions on the king of the Buganda Kingdom. Security forces used tear gas and live ammunition to disperse demonstrators, resulting in 26 deaths and numerous injuries. More than 1,000 persons were detained, of whom more than 400 were in prison awaiting trial at year's end. In February 2009, students were shot while protesting food quality. (Freedom House; US State Department Human Rights Report). <b>Right:</b> Freedom of Expression; Freedom of Assembly <b>Rightsholder:</b> Project Area Inhabitants; Activists; Project Opponents
Frequency of protests in Project area	Protests were not characteristic of the Project area prior to 2007, when Norwegian surveyors siting a location for a power plant in Kabaale. Kabaale residents took to the streets and stormed the LC3's residence, demanding explanations. The protest was quashed peacefully but all future interactions with the community have been characterized by a strong military presence and a threat of "force" for anyone who attempts to "sabotage" government or company plans. Locals report that when four LC1s banded together to oppose surveying for the Kabaale power plant they were caned by military. Canings were also reported in Buliisa among residents who rejected the presence of surveyors on their land. <b>Right:</b> Political Participation; Freedom of Assembly; Security of Person <b>Rightsholder:</b> Project Area Inhabitants
Law Systems	
Crime/Personal Safety	52 percent of Ugandans feel safe walking alone (46 percent of women) 36 percent of Ugandans had money or property stolen in the past year (2010 data) 17 percent of Ugandans were assaulted in the past year (Gallup World Poll)
Confidence in Judiciary and Law Enforcement	Gallup reports a 70 percent confidence level in the police in Uganda. Confidence in the court system is lower at 49 percent (Gallup World Poll). Despite the high polling level for confidence in police, there have been allegations of nepotism and tribalism in hiring and promotion. The recruitment of 350 cadet assistant superintendents of police (CASP) in 2007 raised a lot of controversy as according to media reports, about 37 percent, or 130 of the 350 recruited officers, were alleged to have come from the same region of Western Uganda. In addition, budget shortfalls have reduced the effectiveness of the police. The police is one of the most under-funded units in the government. This has constrained



	investigations and resulted in poor pay, poor and insufficient living standards and houses with more than two families sharing one housing unit in the police barracks, while others are living in houses that should have been condemned years ago (Global Integrity Scorecard).
<i>Treaty ratifications relevant to corporate human rights issues</i>	<p>ICCPR (Accession) International Covenant on Civil and Political Rights</p> <p>ICESCR (Accession) International Covenant on Economic, Social and Cultural Rights</p> <p>CEDAW (Ratification) Convention on the Elimination of All Forms of Discrimination Against Women</p> <p>CERD (Accession) Convention on the Elimination of All Forms of Racial Discrimination</p> <p>CMW (Accession) Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p>CPD (Ratification) Convention on the Rights of Persons with Disabilities</p> <p><a href="http://www.unhcr.ch/tbs/doc.nsf/Statusrset?OpenFrameSet">http://www.unhcr.ch/tbs/doc.nsf/Statusrset?OpenFrameSet</a></p>
Whistleblower protections	<p>None.</p> <p><b>Right:</b> Security of Person</p> <p><b>Rightsholder:</b> Whistleblowers</p>
Application of Laws	
<i>Rule of Law</i>	40 <sup>th</sup> percentile (World Bank Governance Indicators)
Effectiveness of civil courts; accessibility	<p>Local Council subcounty courts have the authority to settle civil disputes, including land ownership and debt cases, and criminal cases involving children. These courts, often the only ones available to villagers, reportedly exceed their authority by hearing criminal cases of adults. Decisions made by LC courts can be appealed to magistrates' courts, but there often are no records at the village level, and defendants are rarely aware of their right to appeal (US HRR 2010). Land disputes are also heard by national courts when disputes are between traditional land tenure and formal land title (see below for more). Magistrate's Courts handle the bulk of civil and criminal cases in Uganda. There are three levels of Magistrates courts: Chief Magistrates, Magistrates Grade I and Magistrates Grade II. These are subordinate courts whose decisions are subject to review by the High Court. Presently the country is divided into 26 Chief Magisterial areas administered by Chief Magistrates who have general powers of supervision over all magisterial courts within the area of their jurisdiction.</p> <p><b>Right:</b> Security of Person; Nondiscrimination; Right to Property</p> <p><b>Rightsholder:</b> The Poor; Rural Inhabitants</p>
Separation of government bodies	<p>The courts shall be independent and shall not be subject to the control or direction of any person or authority (Constitution Art 128(1). A judicial officer may be removed from office only for: (a) inability to perform the functions of his or her office arising from poor health of body or mind; (b) misbehavior or misconduct; or (c) incompetence (Constitution Article 144 (2), 128). The president can, however, audit court verdicts or prevent suspects (in custody) from testifying (Progress, Stagnation or Regression; Discerning Governance Trends in Uganda (2004-2008), February, 2009. Uganda National NGO Forum). Additionally, judges are appointed by the executive. Appointments often reflect political affiliations and loyalties.</p> <p><b>Right:</b> Political Participation (anticorruption)</p> <p><b>Rightsholder:</b> All Ugandans</p>
Corruption	
<i>Perception of corruption</i>	<p>30<sup>th</sup> percentile out of an ideal score of 100 (World Bank Policy and Institutional Assessment scoring). 89 percent of Ugandans polled said there is corruption in the country, putting the country among the highest in the world (Gallup World Poll).</p>
Repercussions/ penalties for corruption	<p>The Prevention of Corruptions Act of 1970 (Ch 121) makes it an offense for any person to corruptly give, promise, solicit or receive (whether for him/herself or any other person) any gratification as an inducement or reward to any member, officer or servant of a public body or private agent for doing of fore-bearing to do anything with respect to any matter or transaction in which that public body or that agent's principal is concerned. Penalties include imprisonment for up to ten years and/or fines up to three hundred currency points (a currency point equals 20,000 Uganda shillings) plus any sums corruptly received. This penalty is increased if the offence was connected with a contract or proposal to contract with a public body.</p> <p><b>Right:</b> Political Participation (anticorruption)</p>



	<b>Rightsholder:</b> All Ugandans
Project-related risks of corruption	<p>79 percent of Ugandans polled said corruption mars business deals (Gallup World Poll). Allegations that Tullow paid ministers bribes for oil contracts, which surfaced in October 2011, are under ongoing investigation. In February 2012 the two ministers under investigation resigned. CSOs allege that misreported oil production levels pose corruption risks in PSAs. Environmental performance and monitoring can also be subjected to corruption. There are allegations that this has begun already – NEMA, formerly an aggressive reviewer of Project EIAs, has gone silent and ceased distributing copies of the document. The Minister of Environment and his staff were suddenly replaced in 2011 on a confusing technicality.</p> <p>Indirectly the Company could contribute to inequitable and corrupt land dealings, causing wealthy, urban residents to take interest in land near Lake Albert that previously would not have appealed. Petty corruption has been presented as a significant issue in terms of landholding. The 2011 Land Policy cites land grabbing in the project area as an item of concern. Wealthy urban inhabitants are laying claim to Project area lands, hoping to sell to the company at a premium or build projects that will prove profitable in sales to employees. Some of these purchases are legal, some are not – nearly all are detrimental to local people.</p> <p><b>Right:</b> Political Participation (anticorruption); Right to Property <b>Rightsholder:</b> All Ugandans; Project Area Inhabitants</p>
Police	<p>In addition to problems of nepotism and tribalism (described above), the police force is extremely tightly linked to the political power structure. The increased militarization of the Ugandan police force have deprived it of its independence. The Daily Monitor reported in July 2009 "The police are increasingly being mistaken to be the armed wing of the ruling NRM government"(Human Rights Watch, January 2008 Uganda Human Rights Network (HURINET) Daily Monitor, July 19, 2009, Global Integrity Report).</p> <p>As of 2010, 24 police officers had been charged with corruption, although none had been discharged or dismissed for accepting bribes. The UPF reported receiving 5,000 allegations of human rights violations and unprofessional conduct from January 2008 to September 2009 and stated it took action in response to 3,000 of these cases (US HRR 2010).</p> <p>Police are generally seen to be less reliable than the military and more likely to take bribes. Their presence is concentrated in Kampala and roadways.</p> <p><b>Right:</b> Political Participation (anticorruption). <b>Rightsholder:</b> All Ugandans; Political Opponents</p>
Military	<p>The president comes from a military family. His son is running the military operations in the oil zones and his brother runs the private security firm used by the oil companies. Allegations of nepotism in these arrangements have not been substantiated.</p> <p><b>Right:</b> Political Participation (anticorruption) <b>Rightsholder:</b> All Ugandans; Project Opponents; Project Area Inhabitants; Political Opponents</p>
Conflict of Interest legislation	<p>There is no legislation requiring a public official to recuse him/herself to prevent a conflict of interest.</p> <p><b>Right:</b> Political Participation (anticorruption) <b>Rightsholder:</b> All Ugandans</p>
Central and local government	<p>A Corruption Inspectorate answers only to Parliament and is an independent body. It can authorize prosecution, arrests, and searches (including bank accounts). Other agencies with legal mandates to address corruption include: The Directorate of Public Prosecutions (DPP), The Auditor General, The Directorate of Ethics and Integrity.</p> <p>The Inspectorate's work is hampered by ministers who threaten and harass, the timidity of whistleblowers, who, unprotected, fear reprisal. The Inspectorate's office is understaffed (by 50%) and underfunded (funding dropped by 50% between 2008 and 2010) (The New Vision, Aug. 5, 2009, Global Integrity Index 2009, The Daily Monitor, July 21, 2009)</p> <p>The IGG actively initiated numerous investigations (including the investigation of the mayor of Jinja , Mohammed Kezaala, for corruption and abuse of office; investigation into sale of Naguru estates; investigation of Mismanagement of National Agricultural advisory Services funds; and investigation into the collapse of a 1 billion-shilling (US\$533,000) wall at Makerere University), but it is slow to act on complaints. Of 3,400 corruption complaints in the 2008/09 financial year, only 813 were investigated and completed. Of the 58 cases in court in 2009, only 10 were concluded, five of them</p>

	<p>resulting in conviction and five in acquittals. This is partly attributed to staffing challenges and huge case backlogs, while in some cases prosecution takes too long. (New Vision, August 5, 2009 <a href="http://www.accu.or.ug">www.accu.or.ug</a>, Daily Monitor, Wednesday, Aug. 19, 2009 New Vision, Tuesday, Aug. 18, 2009)</p> <p><b>Right:</b> Political Participation (anticorruption)</p> <p><b>Rightsholder:</b> All Ugandans</p>
Access to Information law; effectiveness	<p>Section 41 of the Uganda Constitution provides for the right to access of information, stating that every citizen has the right of access to information in the possession of the state except if the release of such information is "likely to prejudice the security or sovereignty of the state or interfere with the right to the privacy of any other person" and that Parliament shall make laws prescribing such classes of information.</p> <p><b>Right:</b> Political Participation (anticorruption)</p> <p><b>Rightsholder:</b> All Ugandans</p>
<b>Civil War / Conflict</b>	
Public perception of military professionalism	<p>Under President Museveni the military is generally considered to be professional and responsible, though people become visibly uncomfortable when soldiers march through the streets. This represents a major shift from perceptions under Idi Amin.</p> <p><b>Right:</b> Security of Person</p> <p><b>Rightsholder:</b> All Ugandans; Project Area Inhabitants</p>
Availability/legality of weapons for civilians	<p>The government of Uganda, recognizing an overabundance of small arms in the Northern Region, created an action plan in 2007. 50,000 guns have been destroyed since then, but the program's success has been limited by institutional weakness, poor record-keeping, low public awareness, and the simple fact that Ugandans in conflict-affected areas feel they need guns to protect themselves, given the frequent bouts of instability and the low trust in the police force (Security Sector Reform Network). The Karimojong in the North acquire weapons from southern Sudan; on the domestic illicit market in Uganda; and, notably, from members of Uganda's security forces. Military-enforced disarmament initiatives have destabilized an already volatile security situation and involved extra-judicial killing and torture directed at the Karimojong. These initiatives have resulted in civilian displacement and engendered widespread fear of the Ugandan military.</p> <p>The annual value of small arms and ammunition imports to Uganda was reported to be US\$570,473 for 2007 and the asking price for an AK-47 was reported to be US\$86 (Small Arms Survey 2007)</p> <p><b>Right:</b> Security of Person</p> <p><b>Rightsholder:</b> Not currently known</p>
National military size, structure, and presence	<p>Military expenditure represents approximately two percent of Uganda's GDP and 17% of government expenditures. Operations are oriented largely against the rebel force, the Lord's Resistance Army, which is localized in the northwest of the country and across the border in DRC and South Sudan. The Constitution states: "It is the duty of all able-bodied citizens to undergo military training for the defence of this Constitution and the protection of the territorial integrity of Uganda whenever called upon to do so; and the State shall ensure that facilities are available for such training."</p> <p>The military is regularly deployed to quell (and deter) riots and break up protests. The military is stationed adjacent to every Project camp and drill site.</p> <p><b>Right:</b> Security of Person</p> <p><b>Rightsholder:</b> All Ugandans; Project Area Opponents</p>
Presence of mercenaries	None
Government responses to political opposition	<p>In the 2011 presidential election, government forces repeatedly arrested, and on one occasion violently attacked, the opposition candidate. Members of the political opposition face attacks at rallies, and political opponents have been tortured. In April 2011 the military fired live ammunition, tear gas and rubber bullets to end a political rally. Five died. On September 12, 2010 police in Bugiri fired live bullets to disperse a crowd during the NRM party primary elections. One person was killed. In January 2009 security agents in Bukedea District reportedly tortured to death David Okwi, a member of the opposition party Forum for Democratic Change (FDC).</p> <p><b>Right:</b> Freedom of Expression; Political Participation; Freedom of Assembly</p> <p><b>Rightsholder:</b> Political Opposition; Project Opposition</p>

Government responses to protests	<p>Government forces have used live ammunition to disperse protesters, resulting in deaths. News providers regularly report that they are beaten, their photos are deleted, and they are threatened with lawsuits and shut-downs (VOA News January 19, 2012). In July 2010 In police arrested more than 60 members of the National Alliance for Free and Fair Elections (NAFFE) and the Inter Party Cooperation (IPC) for staging nationwide demonstrations against the Electoral Commission.</p> <p>In the Project area, in Kabaale, the government responded to initial protests of soon-to-be-displaced landowners by leaving the company to develop a strategy. With the planned development of a refinery in that area, the government preempted protests with a show of force and a threat of “force” against parties that attempted to sabotage development (interviews – February 2012).</p> <p><b>Right:</b> Security of Person, Political Participation <b>Rightsholder:</b> Political Opposition Supporters (FDC); All</p>
Recent, likely, or current conflict zone	<p>North of Hoima district, the Lord’s Resistance Army has caused instability and has had frequent clashes with government forces and other rebel groups from DRC, South Sudan and Uganda. Conflict has rarely reached Hoima but has caused refugee numbers to soar in the district. All of Uganda was a conflict zone under Idi Amin.</p> <p>Tensions between the two largest tribal groups in the Western Region have existed since World War II and were exacerbated in the 1990s during a land redistribution program under Amin, which undermined existing landholdings. Uganda was invaded by the Tanzanian army in the ousting of military dictator Idi Amin in 1979. Conflict in the north of the country between the government and the LRA (Lord’s Resistance Army) began with Museveni’s rise to power in 1986 and has not officially terminated, though violence has declined significantly. In October 2011 the U.S. sent 100 training troops to Uganda to assist the Ugandan military to kill or capture the LRA leader Joseph Kony.</p> <p><b>Right:</b> Security of Person; Right to Property <b>Rightsholder:</b> Refugees</p>

5.1.5 <u>Social/Economic</u>	
Demographics	
Density of local population	<p>Population density in Hoima District is 95 persons per square kilometer. It is denser in population centers like Hoima town and sparser on the lakeshore. Only 1.4 percent of Uganda’s population lives in Hoima District (which covers 3 percent of Uganda’s territory), but it has one of the highest annual growth rates in the nation at 4.7 percent. Population density is higher in Buliisa, estimated at 738 people per square kilometer (UBOS 2009)</p>
Land	
Traditional and national landholding systems	<p>There are three ways of classifying land tenure regimes: legal (statutory versus customary), use-based (private, public, communal or government), and absolutist (whether the holding is time-bound or timeless). The Constitution and the Land Act have classified land tenure only in terms of the first and last. Both provide that land in Uganda may be held in terms of four tenure categories, namely customary, freehold, <i>mailo</i>, and leasehold.</p> <p><u>Customary:</u> Generally common property held by a community under social conventions. This is not accounted for in the 1995 constitution. This includes the land used by nomadic pastoralists, which they do not claim to hold or own. Nearly 80% of Uganda’s territory is still under Customary tenure and prior to Project development all of the Project area not deemed Public Land was.</p> <p><u>Freehold:</u></p> <p><u>Native Freehold:</u> Western kingdoms (Toro and Ankole) negotiated a freehold deal with the British in 1900 and 1901. The terms of tenancy between tenants and titleholders were fixed by law in 1937, so that title holders could not evict the inhabitants of the land.</p> <p><u>Mailo:</u> A system established in 1900 under British rule in the Buganda kingdom (and stretching west into Banyoro kingdom), designating multi-square-mile (<i>mailo</i>) plots to notables in the area (each chief and private land owner was allotted 8 square miles, missionaries were allotted a total of 92 square miles, the royal Buganda family was given 148 square miles and so on). The landless were left</p>

	<p>borrowing and leasing land from <i>mailo</i> holders).</p> <p><u><b>Leasehold:</b></u> Leasehold established temporary agreements between tenants and lessors.</p> <p><u><b>Public land:</b></u> land for national parks and reserves</p> <p><u><b>Government land:</b></u> land on which government and military installations are built</p> <p><b>Right:</b> Right to Property; Nondiscrimination</p> <p><b>Rightsholder:</b> The Poor; Rural Inhabitants; Holders of Customary Title; Pastoralists; Project Area Inhabitants</p>
National landholding law and policy	<p><u><b>Public Lands Act of 1962, 1969</b></u> – Transferring crown land to public land under the control of Land Boards and the Uganda Land Commission, which hadn’t been formally set up before Obote was overthrown by Amin in 1971.</p> <p><u><b>Land Reform Decree 1975</b></u> – Amin declared <i>all</i> land public, discarding all existing landholding systems. All <i>mailo</i> ownership was converted to leasehold and made all tenants into customary tenants on public land. Under this non-system system, <i>mailo</i> holders could no longer collect rent. Wrapped into this, in 1973 and 1992 the government attempted to institute Resettlement Schemes. The “sublessors” working their <i>mailo</i> plots began collecting rent from incoming landless, and title became increasingly vague until the 1995 Constitution was produced.</p> <p><u><b>Traditional Rulers (Restitution of Assets and Properties) Act, 1993</b></u> –</p> <p><u><b>Constitution 1995</b></u> – The 1995 Uganda Constitution vested land in the citizens of Uganda, restored freehold and <i>mailo</i> land tenures and made provision to enable customary tenants on public land to become freehold owners. Lawful and bona fide occupants on registered land were registered with a stipulation that within two years there would be a law to regulate the relationship between the ‘occupants’ and ‘owners’ of land. The Constitution anticipated that land management would be decentralized to the districts.</p> <p><u><b>Land Act 1998</b></u> – an operationalization of the Constitutional commitments. The 1998 Land Act was a political compromise between those who were interested in liberalization of the land market on the one hand and those who sought to control it, on the other. The term “Bonafide Occupant” is employed for people who used a plot of land unchallenged for 12 years or who was settled on land by government. These people have tenure security under the 1998 Land Act. They can only be evicted for non-payment of rent and only by order of a Land Tribunal (which are not widely known to operate and are rarely used).</p> <p><u><b>National Land Use Policy 2007</b></u> – A Draft Land Policy proposed to simplify the tenure regimes.</p> <p><u><b>Land (Amendment) Act 2010</b></u> – An attempt to reduce (and, at times, criminalize) evictions of tenants. Grants statutory protection to “Bonafide Occupants” but the final draft didn’t allow the ministry to set rent rates, making it at times impossible for leaseholders to meet rent requirements of landowners.</p> <p><u><b>Uganda National Land Policy 2011</b></u> – Under the current policy, efforts are underway to streamline landholding systems. However, the government reserves the right to use land for development purposes. This includes procuring right-of-way for roads and designating lands “wildlife areas” which are protected and do not allow grazing.</p> <p><b>Right:</b> Right to Property; Nondiscrimination</p> <p><b>Rightsholder:</b> The Poor; Rural Inhabitants; Holders of Customary Title; Pastoralists; Project Area Inhabitants</p>
Local landholding systems	<p>All non-public land in the Project area is historically under communal, customary tenure. Farming was traditionally done at higher elevations where more rain is received and soil is better. Cattle were herded in lower elevations where crops could not be grown. Along lake albert, fishermen kept houses. Many families have three permanent dwellings – near the water, near community centers and near their gardens.</p> <p>Clan ties are generally strong in Buliisa among that Bagungu Banyoro, where the community may jointly decide whether a clan member may sell land to another person. Boundaries between clan lands are known to communities, and families must settle in the land that belongs to their clan. Alur ties are less strong and land sales are less regulated, though gardens are carefully demarcated and closely positioned. Clan leaders, LC1s and lawyers are recognized as people who may oversee land sales in Hoima and Buliisa.</p> <p>Government resettlement schemes in 1973 and 1992, and the steady immigration and settlement by non-indigenous Banyoro and pastoralist communities politicized land conflicts as immigrants gained political control. Resentment has culminated in violent clashes. Additionally, public lands especially forest reserves have been massively encroached by immigrants (including pastoralists, who require</p>

	<p>significant tracts of land) (Land Policy 2011).</p> <p><b>Right:</b> Right to Property; Nondiscrimination</p> <p><b>Rightsholder:</b> The Poor; Rural Inhabitants; Holders of Customary Title; Pastoralists; Project Area Inhabitants</p>
History of instability in landholding	<p>Uganda has a history of fragmented land policies. The overlapping claims of communal, public, <i>mailo</i>, freeholder-titled, freeholder-certificate and freeholder-untitled rights have created severe insecurity, particularly because freeholder-titled claims have the most significant clout in court but are the least accessible to rural and poor people.</p> <p><b>Right:</b> Right to Property; Nondiscrimination</p> <p><b>Rightsholder:</b> The Poor; Rural Inhabitants; Holders of Customary Title; Pastoralists; Project Area Inhabitants</p>
Adjudicators of property disputes – between and among individuals; the state; social groups and communities	<p>Section 26 of the Constitution provides for a right of access to a court of law by any person with a property interest that is being compulsorily taken for public use or interest. In rural areas courts are inaccessible and land disputes at times result in violence. In Buliisa, elders and clan leaders adjudicate local property disputes.</p> <p><b>Right:</b> Right to Property; Nondiscrimination; Political Participation</p> <p><b>Rightsholder:</b> All Landholders; The Poor; Rural Inhabitants; Holders of Customary Title; Pastoralists; Project Area Inhabitants</p>
Existence of a public land ownership map	<p>A pilot program, planned to be expanded throughout the country, is ongoing from 2010-2013 to map land rights in Uganda. The program is implemented by IGN France. This pilot program will map only Mailo and Freehold/Leasehold titles in 6 districts near Kampala.</p> <p><b>Right:</b> Right to Property; Nondiscrimination; Political Participation</p> <p><b>Rightsholder:</b> All Landholders; The Poor; Rural Inhabitants; Holders of Customary Title; Pastoralists; Project Area Inhabitants</p>
<b>Economics</b>	
<i>GDP Indicator</i>	<p>Uganda's GDP in Current USD is just over \$17 billion. Per Capita GDP in Current USD (PPP) is \$1,250 (World Bank 2010)</p>
<i>Pop. Living below \$1.25 a day; \$2 a day</i>	<p>\$1.25: 57 percent \$2: 80 percent (World Bank Data – WDR 2011)</p>
<i>Value added as % of GDP from agriculture</i>	<p>38 percent (WDR 2011)</p>
<i>... Industry</i>	<p>30 percent (WDR 2011)</p>
<i>... Services</i>	<p>32 percent (WDR 2011)</p>
<i>Major imports</i>	<p>Uganda imported \$4.6 billion in goods in 2010, largely in mineral fuels, oils and waxes (20%), nuclear and mechanical equipment (11%), vehicles and vehicle equipment (9%), electrical machinery (9%) and Iron and steel (5%) (UN Comtrade, 2010).</p>
<i>Major exports</i>	<p>Uganda exported \$1.6 billion in goods in 2010, largely dominated by the coffee and tea industry (22%). Other major exports included fish (8%), electrical parts (6%), mineral fuels, oils and waxes (6%) and quarried substances including salt, sulfur, stone, lime, cement and plastering materials) (UN Comtrade 2010).</p>
Unemployment Rates – 15-40-year-old non-students	<p>Uganda Bureau of Statistics 2010 estimates of unemployment were 4.2 percent up from 3.2 percent in 2003 and 1.9 percent in 2006. Urban unemployment is three times higher than rural (12 percent in Kampala), and youth unemployment is significantly higher than general unemployment (World Bank, UBOS, National Household Survey 2009/10). These figures refer to members of the formal workforce</p>

	and were gathered in self-selecting surveys completed by businesses.
Source of local livelihoods	<p>Agriculture provides the livelihood for 80 percent of the Hoima District population (Tullow EIA 2008). The major cash crops produced are coffee, tobacco, bananas and cotton. Fishing has historically provided livelihoods for the communities along the Lake Albert shoreline. A government crackdown that intensified in 2011 against illegal fishing has significantly altered the shoreline economy (and diet) in the Project Area. Many men are now out of work and the families of former fishermen rely on gardens cultivated by wives for sustenance. Main crops are cassava, maize, simsim, groundnuts, sweet potatoes and cotton.</p> <p>Herders rely on cattle for livelihoods, selling milk for small expenditures and cows for major expenses. Many herdsmen are non-locals (from North Uganda and Rwanda) and are hired to watch cattle for wealthy Runyoro inhabitants of Hoima and Buliisa. Buliisa livelihoods are derived from agriculture, herding and, for some, fishing. Most families based in Buliisa town conduct all three activities, with men fishing, women cultivating, and children/men/employees herding cattle. This is said to be a recent development (within the past 10-20 years) – resulting from declining fish catches and space limitations limiting cattle herding.</p> <p><b>Rights:</b> Right to Work; Adequate Standard of Living; Right to Food  <b>Rightsholders:</b> Project Area Inhabitants; Fishermen; Pastoralists; Farmers</p>
Major industries	<p>There is no large-scale industry in the area. The development of oil by Tullow represents the first major industry in the area. Tea, coffee and tobacco estates have existed for decades, complete with processing factories, but these are generally rural and surrounding Hoima town.</p> <p>North and south of the project are major national parks which hold significant tourism potential.</p>
Natural resources	<p>The area atop the escarpment is well-suited to farming and has seen steady population growth as non-locals in-migrate seeking land; Lake Albert is also an important source of fish. Recent oil discoveries in the Lake Albert basin represent the dominant natural resource.</p>
Availability, style, material of housing	<p>Throughout the Project area, housing material (mud, thatch) is available. Land for housing is allocated by clan, tribe and LC, depending on the area and context. The structure of a basic house is wooden poles for framing, filled and finished with mud and roofed with thatched grass. The size of the house varies according to the number of people in that household and the availability of building materials (limited by cost and local availability). There is a rising number of corrugated metal roofs in the area. Some residents have alleged that compensation for damaged crops during seismic surveys was spent on roof materials rather than food.</p> <p><b>Rights:</b> Right to Housing; Adequate Standard of Living  <b>Rightsholders:</b> Project Area Inhabitants</p>
<b>Education</b>	
Education Indicators	<p><i>There is 99 percent gender parity in teacher training, and 89 percent of primary school teachers are formally trained. Between 2008 and 2009 Uganda achieved gender parity in primary school completion. 2008 data shows that 21 percent of female and 22 percent of male students continue on to secondary school (net enrollment rate), representing 92 percent gender parity. (UNESCO)</i></p> <p><a href="http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=136&amp;IF_Language=eng&amp;BR_Topic=0">http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=136&amp;IF_Language=eng&amp;BR_Topic=0</a></p>
Local school infrastructure	<p>The primary schools within the Block 2 Project area only go up to primary six. The building structure, teaching resources and associated facilities vary significantly, but blackboards, books and desks are insufficient at all schools. Hoima district has several secondary schools; those of high caliber are privately run and located in Hoima Town. Buliisa district has two high schools, one catholic and one public. By 2013 both will be full secondary schools educating through Secondary 6. Currently the Catholic school, founded in 2008, only educates up to Secondary 4.</p> <p>Public primary schools are overcrowded and understaffed, often with over 100 students in a class. The Kabaale primary school has enrollment of over 1000 students, taught by 15 teachers.</p> <p><b>Rights:</b> Right to Education  <b>Rightsholders:</b> Local Children; In-migrating Children</p>



Educational attainment (by gender and level)	<p>2009 National figures show parity between male and female student enrolment and attendance through primary school. This data contrasts with older generations, which show women aged 13-24 leaving school at much higher rates than their male counterparts (Tables 8 and B13, UBOS). At the public secondary schools in the Project area, nearly twice as many boys graduate as girls.</p> <p><b>Rights:</b> Right to Education <b>Rightsholders:</b> Children; Girl Children; Rural Children</p>
Literacy rates (adult and youth)	<p>In the Albertine valley, literacy rates are estimated at 40 percent and as low as 15 percent among women (Tullow EIA 2008).</p> <p><b>Rights:</b> Right to Education <b>Rightsholders:</b> Girls and Women</p>
<b>National Culture</b>	
Languages	<p>English is the national language. Three language groups dominate and are divided regionally. Bantu languages are dominant in the central, southern and western part of the country. Nilotic tongues are spoken among herder populations and crop growers in the north and east. Central Sudanic languages are spoken by approximately 6% of Ugandans, most of whom live in the extreme northwest (University of Pennsylvania – Study on Ethnic Groups)</p>
Family size, structure	<p>The Average Ugandan household has 6.9 members (Sustainable Livelihoods, Mobility and Activity Patterns in Zimbabwe and Uganda. TRL Limited in association with Makerere University, assessing the SLAM research project sponsored by DFID).</p>
Religions	<p>Catholic: 44 percent Anglican: 41 percent (northern villages) SDA: 2 percent Pentecostal: 3 percent Moslem: 5 percent (specifically in Kaiso, Mbegu and Kijange) Other: 5 percent (representing a larger population of Orthodox, Bahai, other Christian, Non-Christian and Traditional religions than in Uganda at large) (Uganda Bureau of Statistics) Abaikiriza is also present; originating from Muhoro Kagadi district with Bisaka as their head. Traditionalists are not common in the Valley.</p>
<b>Local Cultures</b>	
Languages	<p>Runyoro and Alur are the most frequently spoken languages. Runyoro is prioritized by the Banyoro people whose kingdom is in the area. Rutoro, Rukiga, Rugungu and Swahili are also present. Swahili is the dominant language among fishermen and herders, as a common tongue. Little English is spoken by residents born in the area.</p> <p><b>Right:</b> Nondiscrimination; Political Participation <b>Rightsholder:</b> Non-Runyoro Speakers</p>
Family size, structure	<p>Inhabitants of the western region view procreation as a sign of vitality. Average family size is estimated at 13 members. Fathers with over 30 children are not uncommon, and polygamy is prevalent. Orphan rates are high (12-17% of children in the area, by 2002 estimates) so many families also include the children of deceased brothers and sisters (Interview – midwife; UBOS Census 2002).</p> <p><b>Right:</b> Right to Health; Right to an Adequate Standard of Living <b>Rightsholder:</b> Wives in Polygamous Families; Orphans</p>
Cultural practices tied to land	<p>Land is allocated by clan among Bagungu in Buliisa district and shared for grazing, while households are individually allocated from within clan land. Families keep graveyards on their properties and hold ancestors in high esteem. Land has spiritual value to rural people. Shrines are often single trees, streams or rocks. Elders can identify areas where medicinal plants are found, though younger generations do not have an equally prolific knowledge of these areas.</p> <p><b>Right:</b> Right to Property <b>Rightsholder:</b> Project Area Inhabitants; Resettled Individuals</p>



Level of social cohesion	<p><b>Kabaale Parish</b> – Kabaale Parish was previously an isolated agricultural community with interactions with fishermen at the lake and trading partners in Hoima town. In the four years since a power plant (and now a refinery) have been proposed in the area, the population has changed. Kiswahili has gained a presence in the area. At the time of assessment, shortly after a government announcement about the planned refinery, there were high levels of distrust toward foreigners and a general reluctance to be seen talking to outsiders. One man used Kiswahili to tell a shop owner to “figure out who these fools are and why they’re buying bread on the roadside.”</p> <p><b>Tonya Parish</b> –The area is, according to local leadership socially cohesive with neighbors who all know each other and a community that supports its members. Community members did not all share this perspective, and they offered their opinions in tones and languages different from the LCs. As fishing communities are largely comprised of “outsiders” who settled permanently in the area over time, there is no clear delineation between local and non-local residents, aside from Runyoro speakers. Congolese have been the slowest to integrate into the community, locals report.</p> <p><b>Buliisa</b> – Buliisa is populated largely by fishermen and herders. Cultivation is only possible in certain areas on the edges of the district. There is social cohesion within families and tribes and among women who cultivate together for 3 months at a time, 15 kilometers from their families, but community sentiment is largely limited to neighboring clans. Clans located 7 kilometers from Buliisa trading center, for example, are considered “far” and their populations are not known to the disperse Buliisa population.</p> <p><b>Right:</b> Right to Cultural and Political Participation  <b>Rightsholder:</b> Project Area Inhabitants</p>
Religions	<p>Western district has more protestants than the national average and than any other region. Protestant (46%), catholic (37.9%), Pentecostal (7.3%), Muslim (4%) and the rest are under 3 (SDA, traditionalist, other). In Buliisa town, the only church is Catholic and attendance levels are low.</p> <p><b>Right:</b> Freedom of Religion  <b>Rightsholder:</b> N/A</p>
Ethnicities/Tribes	<p>The Bagungu-Banyoro are local to Buliisa, while the Banyoro are local to Hoima district. Alur tribesmen have settled in Buliisa through intermarriage and friendly relations with the Bagungu. Pastoralists have been given land rights by the government, which have occasionally been revoked, as was the case in January 2012. These pastoralists do not currently inhabit the Project area. Note: The term “Balaalo” (meaning pastoralist) in fact refers collectively to anyone who looks after cattle: either his/her own flock, or as employed by others, and includes the Bahima of the Banyankole, Tutsi (from Rwanda and Burundi), the Bahuma among the Banyoro, the Batooro, and others. However the overwhelming stereotype about this group found in Uganda today is that they are made up of the Bairu (or laboring class) of the Banyankole tribe; or poor Bahima also of the Banyankole tribe (see Box 7 for an outline of social stratification in Ankole society), and that their role today is often to tend the distinctive cattle herds of the more powerful, pastoralist Bahima class. (IA Harnessing Oil for Peace and Development in Uganda) (International Alert).</p> <p><b>Right:</b> Nondiscrimination; Security of Person  <b>Rightsholder:</b> Balaalo people</p>
Culture of in-migrants	<p>In-migrants often come from West Nile and Congo as fishermen. For a time, pastoralists migrated into the area, partly under government supervision. Locals say they do not know what tribe they were, but that they bought land from clans and then brought too many cattle and people.</p> <p><b>Right:</b> Political Participation; Nondiscrimination; Freedom of Religion/Expression; Privacy  <b>Rightsholder:</b> Immigrants (from West Nile, Congo, Acholi, Karamoja, Alur, Rwanda); Runyoro and Bagungu</p>
Attitudes toward minorities	<p>Interactions between Alur and Bagungu are generally peaceable. Interactions with the non-local “balaalo” have been hostile and at times violent.</p> <p><b>Right:</b> Security of Person; Nondiscrimination; Right to Property  <b>Rightsholder:</b> Balaalo; Alur and Runyoro longtime-inhabitants</p>



## 5.2 Project and Company Catalogs

Oil production does not occur in a vacuum; it involves systems and networks. Extraction itself has impacts, which are compounded and altered by the complementary processes of oil refinement, conversion into power, transmission to other parts of the country, and collection (and redistribution) of revenues, in the form of taxes, royalties and sales (including exports). The “Project” assessed here is the exploration for and extraction of oil. Although the Company has not reported an intention to build, own or operate the plant or refinery, it will be viewed as one with the wells and pipelines by the community. As such, this assessment incorporates impacts and perceived impacts associated with the refinery and power plant as well, to the extent that rightsholders conflate them.

5.2.1 Labor	
Minimal data on labor profile, salaries, hiring practices, union policies are available. Although there is potential for tribal/ethnic discrimination in hiring and child labor in the supply chain (murram pits), no significant human rights risks are immediately apparent at this time.	
Employment Policies	
Equal pay for equal work policy	None <b>Right:</b> Equal Work for Equal Pay; Favorable Work Conditions; Nondiscrimination
Nondiscrimination in hiring and promotion; Policies for hiring women and minorities	<p>Tullow is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give their best.</p> <p>The purpose of this policy is to provide equality and fairness for all who work in Tullow Oil plc and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, disability, religion, sexuality or age. We oppose all forms of unlawful and unfair discrimination.</p> <p>All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be utilised to maximise the efficiency of the organisation.</p> <p><b>Tullow’s commitment is:</b></p> <ul style="list-style-type: none"> <li>• To create an environment in which individual differences and the contributions of all our staff are recognised and valued;</li> <li>• To ensure that every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated;</li> <li>• To make training, development and progression opportunities available to all staff;</li> <li>• To ensure that equality in the workplace is good management practice and makes sound business sense;</li> <li>• To review all our employment practices and procedures to ensure fairness; and</li> <li>• To regard breaches of our equality policy as misconduct which could lead to disciplinary action.</li> </ul> <p>Tullow expects all employees to accept personal responsibility and conform to its equal opportunity objectives in order to ensure that these aims are effective at all levels in the organisation. You should be prepared to challenge discrimination if you encounter it. No applicant or current employee should fear recrimination or victimisation for bringing to the attention of the relevant manager any concern on discrimination or complaint.</p> <p><b>Right:</b> Nondiscrimination</p>
Policies for working conditions	None <b>Right:</b> Favorable Working Conditions
Training standards and methods	None <b>Right:</b> Favorable Working Conditions
Worker grievance mechanism	A grievance procedure is mentioned in the Harassment Policy but is not publicly available. <b>Right:</b> Favorable Working Conditions

Unions	
Unionization policy	The Company's Human Rights policy states "All employees have the right to join trade unions, where such rights are recognised by law." The Company has no policy statement for labor associations in countries where unions are not legal. <b>Right:</b> Freedom of Association
Relations with unions	<b>Right:</b> Freedom of Association
Free speech and assembly policies	The Company has no free speech or free assembly policies. The Company has no stated policies for addressing Project opposition or peaceful protests. The Company has no stated policy permitting unionized workers to strike. <b>Right:</b> Freedom of Association; Freedom of Speech/Expression
Child and Forced Labor	
Child labor policies	Company has no public policy against child labor, however it's GRI G3 reporting in 2010 claims that Child Labor is addressed in the Code of Conduct. Assessors could not verify this – there are no child labor clauses in the code. <b>Right:</b> Freedom from Exploitive Child Labor
Forced labor/trafficking policies	Company has no public policy against forced or trafficked labor. The Company's GRI G3 reporting in 2010 claims forced labor is addressed in the Code of Conduct, but there are no forced labor clauses in the code. <b>Right:</b> Freedom from Forced Labor
Labor policies for contractors, supply chain	The Company lists building a sustainable supply chain policy among its 2011/2012 policies. As of January 2012 no such policy had been produced. In December 2011 the Company instituted a Supplier Training program in Ghana. This session is not summarized in a public document. <a href="http://www.tullowoil.com/supplier_centre/index.asp?pageid=22">http://www.tullowoil.com/supplier_centre/index.asp?pageid=22</a> <b>Right:</b> Right to Favorable Work Conditions

5.2.2 Environment	
Minimal data is available on environmental planning, project design, and project placement and associated environmental risks. Basic knowledge of common environmental risks associated with oilfield development is employed for extremely general risk analysis, which is not considered conclusive but can sometimes be beneficial to companies in project design.	
Corporate Experience	
History with the product to be developed	The Company was founded in 1986 as an oilfield operator.
History in the host country	This is the Company's first Project in Uganda. It has operated in sub-Saharan Africa for over 25 years.
History of corruption	In 2011 Wikileaks published a series of cables in which Company authorities alleged that other companies were bribing officials. In those cables, the Company alleged that its partner, Heritage, had also "compensated" Ugandan politicians and offered bribes to Congolese officials to accelerate exploration on the east side of Lake Albert. Later in the year, two ministers and the vice president were implicated in bribery scandals involving Tullow. Unsubstantiated allegations of corruption have resulted from the secrecy surrounding most of the Company's government contracts (New York Times November 26, 2011); Irish Times October 14, 2011). Prior to the Ugandan allegations, the Company had not been implicated in corruption of any kind. Tullow published an extensive collection

	of documents to prove the allegations were false and the alleged bribery documents were forgeries. The UK's metropolitan police service and the Ugandan parliament independently investigated the allegations and declared there to be no evidence of wrong-doing by Tullow (Telegraph UK April 12,2012).
History of Environmental issues	In early 2010 and late 2009 the Company's Jubilee Fields off of the coast of Ghana was the site of a number of spills. Tullow's partner Kosmos Energy had a 700-barrel spill of oil and mud in December 2009 on the ocean floor. Tullow had a 37-liter spill on January 1 2010 when a pipe broke. In 2010 the company had zero high-potential environmental incidents.
History with labor disputes	The Company has no history of labor strikes.
History of disputes with communities	None publicly available.
OH&S Record at other operations	The Company's 2010 lost time injury frequency rate was 0.85 and 0.76 in 2009. These rates are lower than the European average of 1.38 injury incidents per million hours worked but higher than the Canadian, German, North American and Spanish rates.
<b>Corporate Environmental Policy and Standards</b>	
Environmental Standards	Tullow operates according to national law, supplemented with an environmental management system that is ISO 14001 certified. <b>Right:</b> Right to Clean Environment

<b>5.2.3 Health</b>	
<b>Worker Health and Safety Policies</b>	
Existence of HIV Policy	Yes
Includes Nondiscrimination	Yes
Includes Privacy	Yes
Includes Education	Yes
Includes Testing	No/Not clear
Includes Counseling	Yes
Includes Treatment	Unclear – only access to counseling is specified
Covers Families	Unclear – only access to counseling is specified
Covers Communities	No.
<b>OH&amp;S Policy</b>	
Protective gear policy – repercussions for missing gear	The Environmental, Health and Safety Policy promotes a culture of reporting and investigating accidents, incidents and near misses, and the sharing of lessons learned. Employees are empowered to stop any activity that poses an unacceptable risk of accident or environmental incident. Further clarification is not publicly available <b>Right:</b> Right to Health; Favorable Work Conditions
Repercussions for missing gear	None stated
Training component	Yes. Staff and contractors are given appropriate EHS training to perform their tasks competently,

	safely and with due regard for the environment
<b>Community Health and Safety Policies</b>	
Regulations for Project vehicles	None standardized – always project-specific. <b>Right:</b> Right to Health; Favorable Work Conditions
Community health and safety policy	The Company's Environmental Health and Safety management system, called TOES, is a framework for managing biodiversity, climate change, resource management, stakeholder engagement, and monitoring/evaluation. Socio-economic impacts are incorporated into this framework but it is not clear how, beyond the commissioning of ESIA's for each project. <b>Right:</b> Right to Health
History of collaboration with existing health workers	In Uganda the Company has worked to train traditional birth attendants. <b>Right:</b> Right to Health
Community Malaria Policy	"The Board has identified health and safety, and in particular malaria awareness and prevention, as a key corporate risk for 2011. In response, an independent audit will be carried out to review all aspects of malaria management in Tullow. We are aiming to put a world-class malaria programme in place for employees and contractors, as well as building awareness and supporting prevention in our local communities." <b>Right:</b> Right to Health
Hazardous Materials Policies	The Company's Risk Management Policy addresses the risk of spills. The Environmental Health and Safety Management System is certified to the international standard for environmental management systems – ISO 14001 – and adopts a structure that accords with both ISO 14001 and OHSAS 18001, the internationally accepted standard for health and safety management systems. <b>Right:</b> Right to Health
Health engineering of Project to affect infectious disease vectors	Unknown
<b>Health Impact Assessment</b>	
Conducted	Not conducted.
<b>Risks to Safety</b>	
Traffic accident risks	Pedestrians and passengers have the highest death rates in Uganda resulting from traffic accidents (UBOS 2009). Road improvements and traffic increases on the Kaiso/Tonya-Hoima Road, the Hoima-Buliisa road, and remote roads to individual wells increase the risk of traffic accidents. Speed controls are implemented on Project vehicles, however, and to date no accidents have been reported. <b>Right:</b> Right to Health <b>Rights holder:</b> Inhabitants on Road from Hoima to Wells, Wells to Mputa; Wells to Kenya
Risk of explosions	Hydrocarbon is volatile, and the risk of explosion is significant. The Project has proposed an emergency shutdown system, but no draft of this system has been made available. <b>Right:</b> Right to Health; Right to Life; Security of Person <b>Rights holder:</b> Residents Living Near Wells; Residents Living Near Power Station and Refinery
Population within radius of blasting or flaring effects	The Project generally does not employ flaring for pressure reduction. Flaring has been used to test wells. Future plans involve alternate testing methods. There are residents of Buliisa District that live within 300 meters of the Nsoga, Wahrindi, Kasamene, Ngiri, Ngara, Ngege and Kigogole wells. As exploration continues, additional wells are likely to be drilled, impacting additional populations. <b>Right:</b> Right to Clean Environment; Right to Privacy; Right to Health <b>Rights holder:</b> Residents Living Adjacent to Wells



Risks to Health	
Risk of escape of hazardous materials	<p>There is no current documentation to indicate systems for air emissions control Drilling waste is currently stored in lined open pits in the exploration area. There are no publicly available monitoring systems to ensure seepage is not occurring.</p> <p><b>Right:</b> Right to Health; Right to Clean Environment; Right to Water</p> <p><b>Rightsholder:</b> Project Area Inhabitants</p>
Risk of increased disease from population influx	<p>Population influx has been ongoing in Hoima District and has increased with the early development stages of the Project. Existing health, sanitation and water infrastructure are insufficient for the current population and will be further strained by population influx. There is minimal population influx to Buliisa, but the population is very fluid, moving across a 60-km swath of land to carry out fishing, farming and herding activities. Lakeside communities including Buliisa, Butiaba and Kaiso/Tonya already have elevated HIV and STD rates, as well as extremely high malaria prevalence. Jobseekers, rather than residents, may be likely to be at higher risk. This has not been confirmed.</p> <p><b>Right:</b> Right to Health</p> <p><b>Rightsholder:</b> Jobseekers; Project Area Inhabitants; Local Women; Construction Workers; Truck Drivers</p>
Population within one kilometer of fence or Project features	<p>The map on page 15 shows the location of towns and their proximity to oil discoveries. In addition to these settled communities, the area is populated by pastoralists who herd cattle throughout the area, particularly near the lake, and migrate to gardens during rainy season. Further, populations are highly mobile, often farming lands 20 kilometers from their dwellings, and splitting time between fields and towns.</p> <p><b>Right:</b> Right to Clean Environment; Right to Privacy; Right to Health</p> <p><b>Rightsholder:</b> Project Area Inhabitants; Residents Near Wells (Bugoma, Kaiso, Tonya, Butiaba, Buliisa); Residents Near Infrastructure (Kabaale/Mputa)</p>
Population downstream	<p>The Project is on the shore of Lake Albert. As such, the downstream population technically includes all lakeside residents in Uganda and DRC in the case of a major spill or failure.</p> <p><b>Right:</b> Right to Clean Environment; Right to Health</p> <p><b>Rightsholder:</b> Lakeside Residents; Project Area Inhabitants</p>

5.2.4 Political	
Corporate Conflict Resolution Policies and Procedures	
Policy for addressing Project opposition	<p>None. Company Corporate Responsibility page suggests that “engaging with the opposition” is important but offers no protocol for such engagement.</p> <p><b>Right:</b> Freedom of Expression/Speech</p>
Corruption Policies	<p>The Code of Business Conduct commits the company to comply with the UK Bribery Act. The Company lists “open and transparent communication with all our stakeholders” as a governance priority and has issued a Statement of Support to the EITI. The Company has been a formal supporter of EITI since May 2011.</p> <p><b>Right:</b> Right to Political Participation (anticorruption); Right to Clean Environment</p>
Grievance procedures for communities	<p>None. Company website suggests that community consultation during ESIA preparation is a venue for grievances to be aired, which is not in line with acceptable grievance procedures.</p> <p><b>Right:</b> Right to Information; Right to Political Participation; Security of Person</p>
Security Policies (e.g. Voluntary Principles)	<p>In 2011/2012 the Company is reviewing the appropriateness and necessity of becoming a signatory to the Voluntary Principles for Security and Human Rights.</p> <p><b>Right:</b> Security of Person</p>

Policies regarding environmental and social impacts of products	TOES addresses the question of Climate Change in its framework, but how this plays out in practice is not demonstrated or explained. The Company is an oil exploration and production company. Oil is a major global source of greenhouse gas emissions. <b>Right:</b> Security of Person; Right to Clean Environment
<b>Project Security</b>	
Security plans	The government has deployed the Ugandan military (army and marines) to the Project area, with the stated aim of securing oil fields and addressing ongoing border strife with neighboring Democratic Republic of Congo. District security is also engaged by the government to guard the project area, including monitoring the presence of foreigners and NGOs. Independently, the Project has hired private security firm Saracen for exploration and site security. The project used G4S for compensation disbursement. <b>Right:</b> Security of Person; Right to Privacy; Freedom of Movement <b>Rights holder:</b> Project Area Inhabitants
Local, national, global reputation of security Corporate Partner to be employed	Saracen is a UK-based security firm. Its Uganda branch is run by President Museveni's younger brother, Gen Caleb Akandwanaho (AKA Salim Saleh). Formerly, he was the Ugandan Minister of State for Microfinance. He has featured in controversies regarding corruption, including being implicated by the UN Security Council for plundering natural resources in Congo (DRC). Saracen is a signatory to the International Code of Conduct for private security and human rights (through its parent company, Saracen International), but its operations in recent years have not demonstrated compliance with the code. <b>Right:</b> Security of Person; Right to Privacy <b>Rights holder:</b> Project Area Inhabitants
Extent of Project to be patrolled	At present whole districts are patrolled, with major military stations in Butiaba, a midpoint between Kaiso/Tonya and Buliisa, where developments for Block 2 and Block 1 are concentrated. At the time of site visit (February 2012), state security informed assessors that Buliisa and Kabaale were closed to all foreign visitors. This was not an official, documented position. Town centers and trading places are under steady surveillance by district internal security. <b>Right:</b> Security of Person; Right to Privacy <b>Rights holder:</b> Project Area Inhabitants
Project / Corporate Partner relationship with military and police	Project security liaises directly with the military. The president's son runs the Project-area military deployment, while the president's brother runs the private security firm. Interactions are steady among military, police and private security. Villagers report that military personnel have participated in evictions from the Project area under the auspices of previous concession-holder Hardman Resources. <b>Right:</b> Security of Person; Right to Privacy <b>Rights holder:</b> Project Area Inhabitants
<b>Civil Society</b>	
Intensity and scope of media scrutiny	Environmental activists have opposed oil development in the Lake Albert Basin, pointing to the value and sensitivity of the rich ecosystem in the area. The media has also begun reporting consistently on issues of land tenure and land grabbing by non-locals. Scrutiny has risen steadily, with particular attention to the industry in 2011, when two ministers and the prime minister were implicated for allegedly accepting bribes for oil deals. <b>Right:</b> Freedom of Press, Freedom of Expression <b>Rights holder:</b> Journalists
Presence / strength of NGO activity in community	There is minimal NGO activity in the Kaiso/Tonya area. Most activism is centered in Kampala, with some in Hoima town. The government has made interaction with certain NGOs (AFIEGO, FORUM) a punishable offense in Kabaale and Buliisa. These groups continue to do outreach and sensitization to oil areas when possible. <b>Right:</b> Freedom of Expression <b>Rights holder:</b>

Formal complaints, lawsuits against the Project (by activists, government, other)	
Environmental	<p>The Project, under previous (Heritage) control, disposed of drilling waste in a national park under government orders. This was immediately condemned by the activist community. Local people report that waste is currently stored in open, unlined pits throughout Hoima and Buliisa districts. The disposal sites are now closed off on their perimeters, but birds still have access.</p> <p><b>Right:</b> Right to Clean Environment; Right to Health <b>Rightsholder:</b> Project Area Inhabitants</p>
Health	None
Human Rights	<p>Accusations have been leveled that corruption played a part in the development of a contract between the government and the operators, affecting the right of political participation. Two ministers were under investigation for this allegation at the time of assessment.</p> <p><b>Right:</b> Political Participation (anticorruption) <b>Rightsholder:</b> All</p>
Informal complaints against project (by communities)	
Environmental	<p>Project designs for a refinery have been repeatedly altered, owing partly to complaints and about the environmental impacts of placing a refinery in either the Kaiso/Tonya or Kabwoya Wildlife Reserve. The current location, in Kabaale Parish, Buseruka Sub-District, has not elicited environmental complaints at the time of site visit (however, site visit occurred 5 days after government announcement of site location). Community members individually confessed fears of smoke and fumes.</p> <p>Tonya residents believe gas flaring will cause acid rain and has caused fish kills.</p> <p><b>Right:</b> Right to Clean Environment; Right to Health <b>Rightsholder:</b> Project Area Inhabitants</p>
Health	<p>Tonya residents express fear that dark “fumes” during drilling are bad for health and cause sickness. At least one Tonya resident alleges that flaring will cause blindness. These beliefs reflect a poor understanding of health issues associated with petroleum development.</p> <p><b>Right:</b> Freedom from Fear; Right to Information <b>Rightsholder:</b> Tonya Residents; Residents Near Wells</p>
Human Rights	<p>A major concern involves land. Tensions over landholding have been exacerbated during oil exploration and development as non-locals have produced claims on the land, the oil companies have leased plots, and the government has increased protection of national parks. Locals fear they will not have sufficient land for grazing or farming.</p> <p>A ban on night fishing is viewed as a violation of the Right to Work and an Adequate Standard of Living (it was imposed for security reasons).</p> <p><b>Right:</b> Adequate Standard of Living; Right to Property <b>Rightsholder:</b> Fishermen; Project Area Inhabitants; Pastoralists; Kiryamboga residents (where Pastoralists have been resettled)</p>

### 5.2.5 Social/Economic

#### Marginalized Groups Policies

Community relocation/resettlement policy	<p>None.</p> <p><b>Right:</b> Right to Privacy; Right to Property; Right to Adequate Standard of Living; Security of Person</p>
Minority group policy	<p>The company’s antidiscrimination policy incorporates ethnic, religious and social minorities.</p> <p><b>Right:</b> Nondiscrimination; Right to Adequate Standard of Living; Favorable Work Conditions</p>

Foreseen Demography and Economy Changes for Project Area																																			
Project population influx significantly increases food prices	Residents of Kyehoro, Kiryamboga, Kaiso and Buliisa say food prices have increased. The price of fish has also risen, due to declining stocks and increasing access to markets. This is not localized to these areas and is not a result of in-migrants, but is rather a condition of the Ugandan economy in 2011. Grain prices in the country rose 81% in 2011. <b>Right:</b> Right to Food; Adequate Standard of Living <b>Rightsholder:</b> The Poor; Single Parent Households; Orphans and Elderly																																		
Project spurs student population influx	The lakeside population more than doubled in five years between 2002 and 2007. It has continued to increase, and while not all in-migrants bring families, many have. Schools are already strained and under-equipped; in-migration exacerbates the situation. This immigration resulted from oil exploration as well as increasing migration of fishermen from Congo and West Nile. Kaiso school population rose from 380 in 2010 to 408 in 2011. Tonya school population rose from 384 in 2010 to 434 in 2011. Buliisa's Catholic secondary school had 169 students in 2011, up from 121 in 2010. Its Catholic primary school had 406 primary students in 2011, up from 289 in 2010. These numbers reflect a growing population resulting largely from high birth rates and increasing emphasis on schooling in the area.  <b>Total Population Figures According to the Housing Census (2002) and Focus Groups (2007)</b> <table><tr><th>Landing Site/ Village (LC1)</th><th>Total Population (UBOS, 2002)</th><th>Total Population (Estimates given in focus groups, 2007)</th></tr><tr><td>Tonya A</td><td>No figures provided</td><td>1,702</td></tr><tr><td>Tonya B</td><td>470</td><td>No figures provided <sup>(1)</sup></td></tr><tr><td>Kijange</td><td>705</td><td>No figures provided <sup>(1)</sup></td></tr><tr><td>Kabanda</td><td>330</td><td>No figures provided <sup>(1)</sup></td></tr><tr><td>Mbegu</td><td>1,555</td><td>8,000</td></tr><tr><td>Kaiso</td><td>1,410</td><td>2,639</td></tr><tr><td>Kyehoro</td><td>1,500</td><td>2,013</td></tr><tr><td>Sebagoro</td><td>990</td><td>2,500</td></tr><tr><td>Nyawaiga</td><td>440</td><td>1,120</td></tr><tr><td>Nkondo</td><td>2,350</td><td>6,000</td></tr></table> <b>Right:</b> Right to Privacy; Right to Education <b>Rightsholder:</b> Children		Landing Site/ Village (LC1)	Total Population (UBOS, 2002)	Total Population (Estimates given in focus groups, 2007)	Tonya A	No figures provided	1,702	Tonya B	470	No figures provided <sup>(1)</sup>	Kijange	705	No figures provided <sup>(1)</sup>	Kabanda	330	No figures provided <sup>(1)</sup>	Mbegu	1,555	8,000	Kaiso	1,410	2,639	Kyehoro	1,500	2,013	Sebagoro	990	2,500	Nyawaiga	440	1,120	Nkondo	2,350	6,000
Landing Site/ Village (LC1)	Total Population (UBOS, 2002)	Total Population (Estimates given in focus groups, 2007)																																	
Tonya A	No figures provided	1,702																																	
Tonya B	470	No figures provided <sup>(1)</sup>																																	
Kijange	705	No figures provided <sup>(1)</sup>																																	
Kabanda	330	No figures provided <sup>(1)</sup>																																	
Mbegu	1,555	8,000																																	
Kaiso	1,410	2,639																																	
Kyehoro	1,500	2,013																																	
Sebagoro	990	2,500																																	
Nyawaiga	440	1,120																																	
Nkondo	2,350	6,000																																	
Project-Related Infrastructure Impacts																																			
Project dependent on few transportation points or paths	There are two roads from Hoima to Kaiso/Tonya (Block 2), the shorter of which drops down the steep escarpment and the longer of which cuts through Kabaale Parish. Roads to Buliisa and Block 1 are present to Murchison Falls in the north and Butiaba/Tonya (and ultimately Hoima) in the south.																																		
Project activities damage structures	3D seismic surveys through residents' gardens have destroyed large swathes of crops. Further exploration will have further impacts on residents' food sources and cash crops. <b>Right:</b> Right to Food; Right to Property; Right to an Adequate Standard of Living <b>Rightsholder:</b> Farmers																																		
Land the Project Occupies																																			
Resettlement housing plans	Resettlement is cash compensation at present. Kabaale residents may be given an alternative but this is not currently known. Project construction worker lodging arrangements are not currently known.																																		
Relocation of populations	Resettlement will be necessary for residents in 4 LCs of Kabaale Parish if a refinery is erected there. Locals estimate that this represents well over 1000 people. In January 2012 the military evicted 400 pastoral families from the Project area. According to local residents these individuals have no Ugandan tribal affiliation – their ancestors lived in Rwanda and DRC. Between 2004 and 2012 the government protected these pastoralists and their cows from the native Bagungu population, who violently opposed the presence of cows that ate crops. In January 2012, after a number of law suits, dozens of deaths, and a conflict between the pastoralists and Tullow over seismic studies, the government resettled them to different and less populated areas. Transmission lines may require resettlement and road right-of-way significantly reduced landholdings for roadside inhabitants.																																		

	<p>One individual and one family were resettled for drill pads under Hardman Oil operations, before Tullow procured exploration licenses in Buliisa.</p> <p><b>Right:</b> Right to Privacy; Right to Property; Adequate Standard of Living; Security of Person</p> <p><b>Rightsholder:</b> Residents of Kabaale; Residents Along the Hoima-Kaiso Road; Residents Along Transmission Lines; Pastoralists; Residents at drill sites</p>
Confiscation of land used for food production	<p>During 3D Seismic Surveys, cropland has been severely impacted, destroying seasonal crops. This situation will arise throughout exploration.</p> <p>Land in Kabaale is used almost solely for crops and will be confiscated by state forces for construction of a refinery.</p> <p><b>Right:</b> Right to Adequate Standard of Living; Right to Food; Right to Property</p> <p><b>Rightsholder:</b> Residents Along the Hoima-Kaiso Road; Pastoralists; Valley Farmers</p>
Confiscation of land used for businesses	<p>Current refinery plans leave the Kabaale business center intact. Right-of-way for the improved road from Kaiso/Tonya to Hoima is likely to displace roadside businesses (local business owners do not understand whether new road demarcations indicate that their shops will be removed, moved or untouched).</p> <p><b>Right:</b> Right to Adequate Standard of Living; Right to Work; Right to Property</p> <p><b>Rightsholder:</b> Small Business Owners along Transmission Line Corridor and Hoima/Kaiso Road</p>
Confiscation of land used for informal livelihoods	<p>Farmers have informal tenure to almost all land in Runyoro, including the sites for the proposed refinery, wells and pipelines.</p> <p>Much of the land confiscated (and to be confiscated) in Buliisa is used for herding.</p> <p><b>Right:</b> Right to Food; Right to Adequate Standard of Living; Right to Property</p> <p><b>Rightsholder:</b> Squatters; Informal Landholders in Project Area and Along Hoima-Kaiso Road</p>
Impacted access to neighbors	<p>The proposed refinery in Kabaale is sufficiently large to significantly impact access among neighbors (as well as access of children to school).</p>
Impacted access to timber/firewood	<p>Tullow has initiated a program promoting energy-saving stoves and briquettes and tree-planting. None of these programs were ongoing in February 2012.</p> <p><b>Right:</b> Right to Clean Environment; Right to Property; Right to Housing</p> <p><b>Rightsholder:</b> Project Area Inhabitants; Kiryamboga Residents</p>
Impacted access to crops or productive trees	<p>Residents along the road will lose all productive trees in the nearest approximately 10 meters of their property to the road. In all resettlement, inhabitants are compensated for trees but not for annual crops or the land itself. This has extremely negative impacts for poor residents of the area, who earned their livelihoods year-to-year from crops. Kyehoro residents also noted that compensation was not provided for houses destroyed during construction. Residents of Kyehoro resent that they were banned from fishing for months during seismic surveys and were uncompensated for the lost income (Leeds).</p> <p><b>Right:</b> Right to Food; Right to Property</p> <p><b>Rightsholder:</b> Formal and Landholders in Project Area and Along Hoima-Kaiso Road</p>
Impacted access to business supplies	<p>No negative impacts foreseen. Access may be improved</p>
Impacted access to food sources	<p>Trade improvements with residents atop the escarpment has improved access to food. The expanded fish market and increased enforcement of laws against illegal fishing has reduced access to fish (and increased costs) in the local areas, however, particularly around Kyehoro, Kaiso, Butiaba and Buliisa.</p> <p><b>Right:</b> Right to Food; Adequate Standard of Living</p> <p><b>Rightsholder:</b> Residents at the Base of the Escarpment</p>

## 5.2.6 Human Rights Policy

### Corporate Human Rights Policy

Policy	<p>“Tullow Oil supports and respects the protection of internationally recognised Human Rights. We uphold and promote Human Rights within our sphere of influence, which can include, but is not limited to, employees, contractors, local communities, suppliers, security forces, business partners and governments.</p> <p>This Human Rights statement of policy is applicable to all of the Group's business operations. It covers the rights of employees and the rights of local communities.</p> <p>The policy considers two groups of rightsholders: community members and employees. Tullow commits to “actively engage” contractors to “address” community rights, which are described as empowerment and quality of life. Employee rights include safe work conditions, nondiscrimination, a ban on child labor and forced labor and rights to unionize “where such rights are recognised by law.”</p>
Reference to Universal Declaration, UN Framework, Due Diligence	None



## 6 RIGHTSHOLDER ENGAGEMENT

As the individuals most vulnerable to rights violations, “rightsholders” are the individuals to be targeted in mitigation steps by the Company. Rightsholder engagement is often extremely casual in HRRAs, usually without a recorder and often with minimal use of notebooks – in an effort to keep conversation easy and promote free flow of dialog. These discussions aim at pinpointing the differences between official descriptions of on-the-ground situations – from company, government, and NGOs – and local experiences. Conversations were conducted in houses, schools, shops, restaurants, streets, fields, community centers, churches and government buildings, as well as by boreholes and at lakeside.

## 7 HUMAN RIGHTS RISKS

### Risk Matrix

	Slight	Unlikely	Likely	Near certain
	A similar impact has occurred at 10 or more sites worldwide	A similar impact has occurred in the country 4 or more times	A similar impact has occurred among the project partners	Project conditions, design & context increase likelihood of frequent impacts on site
Extreme				
Severe				
Significant				
Minor				

Ratings are contingent on the interplay among Context, Project and Company the ratings system is defined by the magnitude of the potential impact and the likelihood that it will occur. Likelihood is defined as the degree of confidence assessors have that risks will become realities if not mitigation is conducted. Magnitude is defined as the intensity of the impact, particularly with regard to the existing baseline conditions, and the degree to which the company is responsible. Each human right will be considered on this human right risk matrix, depicted above.

### Human Rights Risk Ratings

	Context (Con)/ Company (Com)/ International Standards (Intl)	Risk Rating
ENVIRONMENT / WELFARE		
Nondiscrimination		
Context	<p>The Bunyoro Kingdom has experienced decades of discrimination, first by colonial powers, then by the Ugandan central government. The discriminatory practices have been evidenced in the paucity of health facilities, infrastructure development and schools</p> <p>Discriminatory policies also precluded Banyoro from enjoying the right to buy land titles. This is perceived to have continued with the government’s support and protection of in-migrating pastoralists who have no historical roots or land rights in the area. At the same time, the pastoralists that have moved to the area within the past decade face discrimination by the local population and are considered outsiders at best, government spies at worst.</p> <p>Government is seen to be eliminating local livelihoods – fishing is now illegal, farmland is being purchased by non-locals, grazing land was occupied by non-local pastoralists and then</p>	

	by oil industry affiliates.	
Company	Nondiscrimination in hiring and promotion does not address structural discrimination within a society. No policies or programs exist for hiring women. LC1 hiring practices prioritize Bunyoro and excludes other ethnicities for unskilled labor required by the company. No skills training exists in the area. Locals are unaware of any plans for skills training programs, though Tullow states a facility is planned for Hoima. Locals are only hired for unskilled temporary work. A tradesman-level petroleum school has been developed in Kampala but is viewed by some government administrators and civil society members as a nepotistic institution for relatives of military personnel.	
Inter-national	Universal Declaration Articles 1 and 2; International Covenant on Civil and Political Rights Articles 2 and 3	
Right to Housing / Freedom of Residence		
Con	<p>Government, by law, is charged with carrying out resettlement, setting compensation rates, and ensuring that land is cleared. Force may be used. The government regularly resettles pastoralists when their numbers overflow their land allocation. The government displaced residents of Masindi to clear land for a sugar plantation. Military force, including hut burnings, have been reported.</p> <p>Resettlement compensation rates, provided to assessors by district land officer, are outdated (the current year's rates had not been produced). Resettlement authorities do not permit inhabitants to apply for title to land sought for public use. Customary landholders are not compensated for land. Eviction notices and deadlines are too close to allow for construction of new homes, a situation reported under Hardman Resources management. At that time, residents report they were threatened with force for failure to move.</p>	<p>Magnitude: DATA GAP regarding placement of refinery and pipelines</p> <p>Likelihood: DATA GAP</p> <p>NO RATING</p>
Com	No policies are in place. Two households had been permanently resettled at the time of assessment, by the previous exploration license holder. The Company does not act to restrict government from violating human rights to make way for Project development. Payment has been delayed by up to a year, affecting access to food for months at a time. Crop and housing assessment processes are not inclusive or dialogical, leaving land users feeling insufficiently compensated for their property. Fruit trees are compensated at rates that do not account for the number of years lost before new trees are grown. The absence of land compensation makes it extremely difficult for residents to replace their livelihoods in the modern land market where communal land is decreasingly accessible.	
Intl	Universal Declaration Articles 13 and 25	
Right to Food; Right to Adequate Standard of Living		
Context	Improved access to landing sites has increased the business capacity for fishing and the regulation level; small-scale fishermen are no longer able to sell their catch. Fish prices are too high for local consumption. Fish consumption has dropped with increased enforcement of fishing laws. Hoima has high food security, but Buliisa's is lower, owing partly to the poor soils and dry climate. An extremely fragile environment supports few crops and is severely at risk of degradation through industrialization. Agriculture provides the livelihood for 80 percent of Hoima district, while Buliisa livelihoods and food sources are derived from herding, fishing and farming. Cassava is the staple food, complimented (by some) with potatoes, sweet potatoes, bananas, millet, sorghum, pineapples, groundnuts and maize. Government resettlement actions in the past have resulted in crop destruction for existing land users. Fishermen are decreasingly capable of earning a living on the lake owing to increased regulations. Irregular rains have affected crops negatively in recent years (but positively in 2011).	

Company	None. Tullow has no public documentation of determining “Living Wage” standards or ensuring adequate benefits for workers. Nearly 100 km <sup>2</sup> of crops have been destroyed during seismic surveys. Compensation payment has been delayed, and residents report that rates are below-market value owing to price inflation, reducing their ability to replace crops with food purchases. Tullow has attempted to address low compensation rates by compensating affected land-users by paying rates for mature plants (e.g. paying for grown cassava when it is possible that younger cassava was affected) and by ensuring that 3D seismic surveys circumvent large trees, dwellings and buildings.	
Inter-national	IFC Performance Standard 4; ILO 100; Universal Declaration Article 25; International Covenant on Economic, Social and Cultural Rights Article 11	
Right to Adequate Supply of Water		
Context	Hydrogeological studies are not available for the Project area, but residents of Buliisa and Kabaale say they experience extreme water stress. Water supply in Kabaale is currently nearly insufficient – boreholes run dry by midday in dry season. Water supply in Buliisa becomes increasingly saline during dry season; quality and quantity decline in tandem. Surface water in Hoima is supplied in the Hohwa and Sebugora streams as well as seasonal streams. Local people have experienced decreasing water flows in recent years.	Magnitude: DATA GAP.  Likelihood: MAJOR DATA GAP – hydrology studies are required  NO RATING
Company	No policies In place.  The refinery in Kabaale, to be constructed under government auspices to refine petroleum extracted by private-sector actors including Tullow, will require significant water quantities in a water-stressed area.  Oil extraction in Block 1 will require water in a water-stressed area.	
Inter-national	Global Compact Principle 7; IFC Performance Standard 4; International Covenant on Economic, Social and Cultural Rights Article 12	
11.3. POLITICAL / SOCIAL		
Right to Participate in Political and Cultural Life – Local		
Context	Uganda has a variety of anticorruption laws and a committee to investigate and prosecute corruption. Uganda also has laws to empower citizens to participate in public processes, including the existence of NEMA for engaging the public in the environmental monitoring process. EIAs are not produced in local languages. The government does not permit discussing resettlemen and uses and threatens force against vocal opponents of the refinery. This is ongoing in Buliisa and Kabaale.	
Company	None. Tullow has not translated summaries of its EIAs. A description of the “early production scheme” was translated for a public hearing in Hoima in 2008. It is outdated.	
Inter-national	EITI; International Covenant on Civil and Political Rights Article 17	
Right to Participate in Political and Cultural Life - National		
Context	Uganda has a variety of anticorruption laws and a committee to investigate and prosecute corruption. Uganda also has laws to empower citizens to participate in public processes, including the existence of NEMA for engaging the public in the environmental monitoring process. In oil deals, however, parliament has repeatedly been cut out of the decision-making process. EIAs are available but not distributed.	
Company	No policies present.	

Inter-national	EITI; International Covenant on Civil and Political Rights Article 17	
Political Noninterference (Perceptions of Corruption) - Local		
Context	<p>There are no local-level measures to prevent corruption. Kabaale residents stormed the LC3's house suspecting he had sold their land for a thermal power plant without telling them. Breakdowns in communication between LC1s and LC3s have led locals to believe that their government level is excluded from decision-making.</p> <p>Lack of transparency has increased distrust of outsiders, particularly in Buliisa and Kabaale. In Buliisa, pastoralists have been accused of being military forces in disguise, sent to oil zones to clear locals off it so that it would be open for oil development and the government wouldn't have to pay locals for crops (which were destroyed by the cattle). Distrust and jealousy over oil wealth is being conflated with cultural distrusts and divides, which is compounded by a military presence. Local decision-making is hampered by all these components. Military control of the oil exploration areas by the president's brother and son suggests a 'personalization of control' by Museveni. In combination with his public speeches regarding "his" oil, this represents a deviation from democratic principles.</p>	
Company	The Code of Business Conduct commits the company to comply with the UK Bribery Act. The Company lists "open and transparent communication with all our stakeholders" as a governance priority and has issued a Statement of Support to the EITI. The Company has been a formal supporter of EITI since May 2011.	
Inter-national	Global Compact Principle 10; EITI; Universal Declaration Article 12; International Covenant on Civil and Political Rights Article 17	
Political Noninterference (Freedom from Corruption) - National		
Context	<p>Uganda has a variety of anticorruption laws and a committee to investigate and prosecute corruption. Uganda also has laws to empower citizens to participate in public processes, including the existence of NEMA for engaging the public in the environmental monitoring process. However, 89 percent of Ugandans believe corruption is pervasive in the country, and executive powers supersede all others, allowing that branch to override decisions made by courts and parliament. Two ministers under investigation for accepted bribes from Tullow resigned in February 2012. 79 percent of Ugandans believe corruption mars business deals. Uganda's ranking on the <i>Global Corruption Barometer</i> published by corruption watchdog Transparency International has indeed significantly worsened in recent years, with the country dropping to the last three places in the 2009 survey. Corruption scandals are regular and high-level; executive signing of PSAs without parliamentary involvement interferes with legal processes. NEMA has been discouraged from scrutinizing Project EIAs and delaying production; Environment minister and team were suddenly replaced in 2011. It is widely believed that the government smuggled oil out of the country to sell abroad; that the oil contracts will only benefit government agents and foreign companies – the secrecy about them confirms this for locals. It is increasingly doubted that oil will benefit ordinary Ugandans. Ugandans observe with suspicion that vociferously pro-transparency parliamentarians suddenly become quiet and that the government gave each parliamentarian \$40,000 in cash just after announcing funding cuts to every major ministry including Health and NEMA.</p>	
Company	The Code of Business Conduct commits the company to comply with the UK Bribery Act. The Company lists "open and transparent communication with all our stakeholders" as a governance priority and has issued a Statement of Support to the EITI. The Company has been a formal supporter of EITI since May 2011. The Company is not actively involved in ensuring that oil revenues are allocated transparently and honestly; repercussions of	

	misallocated revenues from an economy-dominating industry on wealth disparity, economic diversity, and general poverty are well-documented in Nigeria, Egypt, Russia, and several other economies where corruption mars business deals. Ghana, Botswana and Malaysia present a counterpoint to this, which requires a proactive commitment by all involved parties to non-corrupt dealings.	
Inter-national	Global Compact Principle 10; EITI; Universal Declaration Article 12; International Covenant on Civil and Political Rights Article 17	

#### 11.4. SECURITY

##### Security of Person

Context	<p>The UPDF (military) is considered professional and a low risk to the population. The UPF (police) has a mixed record. UPDF and UPF have been used to carry out evictions as well as to protect resettled populations. In January 2012 the military evicted 400 pastoral families from the Project area, shortly after over 30 were killed in violent clashes with local inhabitants. A major military base is planned atop the escarpment overlooking the Project area and DRC and requiring large-scale resettlement. The proposed refinery and possible power station in Kabaale Parish will require large-scale resettlement, which will be conducted by military.</p> <p>Project security is run by Saracen, a UK-based security firm with a Uganda branch run by President Museveni's younger brother, Gen Caleb Akandwanaho (AKA Salim Saleh). Salim Saleh has been implicated by the UN Security Council in an investigation into plundering natural resources in Congo (DRC). Project security liaises directly with the military, which until recently was run by the president's son in the Project-area.</p> <p>Sources of insecurity include instability in Ituri, DRC, and threats to oil operations. In 2008 the Congo-DRC government accused Tullow of enlisting the Ugandan for military operations (Tullow temporarily lost its licenses there).</p>	<p>Magnitude: DATA GAP FOR SITE LOCATION; magnitude is high if Kabaale is the placement for the refinery</p> <p>Likelihood: high</p> <p>NO RATING</p>
Company	In 2011/2012 the Company is reviewing the appropriateness and necessity of becoming a signatory to the Voluntary Principles for Security and Human Rights. Currently it has no Security of Person standards or regulations. CNOOC operations in Burma and Total operations in Angola involved military interventions. Total operates in several conflict-affected areas (Myanmar, Nigeria, Republic of Congo, Angola).	
Inter-national	Voluntary Principles on Security and Human Rights; Universal Declaration Article 3; International Covenant on Civil and Political Rights Article 6	

##### Freedom of Assembly/Freedom of Movement/Freedom of Expression

Context	<p>In February of 2012 President Museveni refused to allow the UN rapporteur on free expression into the country. Government often disperses protests with violence, including tear gas and live bullets. Military and police checkpoints dot roads entering Kampala and the oil zones. Movements of known activists and anti-government journalists are monitored restricted – AFIEGO and NAPE are not allowed to enter certain portions of the oil zone at present. Telephone conversations and SMS messages are monitored by security forces through the MTN network. Residents of Kabaale are banned from protesting oil developments or interacting with activists, under threat of violence and legal prosecution.</p> <p>Visitors are questioned and monitored in Kabaale and Buliisa.</p> <p>Anti-development gatherings are not permitted. Military presence ensures they do not occur. The one protest that occurred in 2007 was met with an expanded military and security presence in the area.</p>	
---------	---	--

	A Ugandan citizen wrote a letter to the British Parliament, asking for an investigation of Tullow's oil deals. The letter was confiscated and the author accused of "economic sabotage" and conspiracy.	
Company	No policies exist.	
Inter-national	Universal Declaration Article 20; International Covenant on Civil and Political Rights Article 21	
<b>Right to Property</b>		
Context	<p>Uganda produced a new Land Act Amendment in 2010 and a Land Policy in 2011 to address the complexities of land use and ownership in the country. In the Project area, longtime residents have only customary tenure or communal land rights. Titles for freehold/leasehold land are held almost exclusively by wealthy outsiders who have obtained land from individuals and communities. The new Land Act and Policy aim to reduce evictions and even explicitly point out that in the past government has used the Power of Compulsory Acquisition carelessly and irresponsibly. It does not provide concrete remedies for this.</p> <p>The current property situation is overlaid over a history of oppressive land policy. Until 1964 residents of Runyoro kingdom were not permitted to own land titles. At present, it remains costly and arduous to obtain title for local inhabitants. Kabaale residents are not permitted to seek titles to their lands.</p> <p>Landowners unwilling to leave property are threatened with force – this has been the case for oil development and for other business ventures in Uganda in recent years and months (including a Madhvani sugar plantation slightly north of the area, where forced evictions have made headlines for several months). Government prioritizes freehold over customary tenure in project area, degrading local rights to their land.</p> <p>To construct a new base near Hoima, the government plan to evict 2,000 families living on 10 square miles surrounding a refugee settlement.</p>	<b>Magnitude:</b> DATA GAP Regarding REFINERY PLACEMENT PEOPLE AFFECTED  <b>Likelihood:</b> near certain
Company	No policies in place, including during damaging 3D seismic surveys in Buliisa.	
Inter-national	Universal Declaration Article 17	
<b>Right to Privacy</b>		
Context	<p>Prior to oil exploration, remote Hoima and Buliisa districts were generally overlooked by the central government and land investors. Military (UPDF and Museveni's private force) and police presence in the area is expanding and increasingly limiting free movement. There are at least six substantial communities and numerous small hamlets present adjacent to drilling activities. In addition to these settled communities, pastoralists herd cattle throughout the area. Waraga, Taitai and northern wells are directly adjacent to dwellings.</p> <p>Resettlement and eviction of pastoralists disturbed activities of native inhabitants.</p>	
Company	No policies exist. Demarcation of Kabaale refinery, Mputa power line (both government projects but directly linked to oil activities) and seismic studies (by Tullow) involved trespassing; population growth is predicted to continue, altering rural lifestyles.	
Inter-national	Universal Declaration Article 12; International Covenant on Civil and Political Rights Article 17	



## 8 GAP ANALYSIS AND FURTHER WORK

An HRIA is to be conducted when feasibility studies are complete and ESIAs are underway. Detailed spill response plans, hiring policies, community development plans, health impact assessments, social impact assessments, environmental impact assessments and feasibility studies are expected to be forthcoming. A complete hydrology study is needed to understand impacts on human rights related to water in the water-stressed areas of Kabaale Parish and Buliisa District.

## 9 RECOMMENDATIONS

### 9.1 Grievance Mechanism

The Project should hire skilled grievance officers (preferably from each of the affected communities, though assessors recognize the challenges for this, particularly in Kaiso/Tonya) and post them in storefront offices in the affected zones. A detailed grievance procedure should be produced, explained orally to the community, and depicted in images on posters on public display. Assessors can assist in this process.

### 9.2 Land, Crop and Structure Compensation

The Project should pay compensation for land. This is not in accordance with national policy but is a necessary human rights risk mitigation step. Lands, crops and structures should be assessed at fair market value by a neutral third party. Fair market value can be determined using local pricing for foods, goods, transportation, housing materials, and long-term estimates of incomes derived from trees plus the cost of lost years of revenue or sustenance.

### 9.3 Mapping

Clan leaders should be hired to create a map of clan land boundaries. If clan tracts are large enough, this can be done using aerial photography and GPS mapping in collaboration with the currently piloted DESILISOR land mapping and titling program ongoing for six districts under IGN France management and World Bank Funding. If clan land demarcations are too small, less precise measures (using landmarks) is a possibility. This map should be accompanied by population estimates and soil/climate quality (also provided with clan leaders) to clearly identify what lands are under greatest demographic pressure.

### 9.4 Security Issues

The Company should become a signatory to the Voluntary Principles, and employ private security that is ICOC compliant. All Project security should be trained in human rights-responsible security practices. Given the close collaboration between military and the Project, the Project should coordinate with government to train locally-based military in human rights standards. Troops should cease to be present for resettlement processes for oil-related activities. Security present during seismic surveys and other exploration activities should be trained in human rights standards and practices and should, preferably, be Voluntary Principles members.

### 9.5 Nondiscrimination – local empowerment

Training programs should be instituted for the area's large and growing population of jobless men. Evicted land users should receive first priority. Options for such programs include training for food co-ops that can supply food and goods to the Project that meet Project quality standards.

### 9.6 Anti-Corruption

Local consultations should become frequent, regular and participatory. Project development timelines should be visually depicted in posters hung publicly as well as in storefront information centers (where

grievance officers are stationed). Issues of particular concern, including heavy truck movements, environmental risks, and job opportunities, should be announced publicly.

At a national level, the Company can only combat corruption allegations by demonstrating transparency of revenue movements. This is not currently in line with government wishes. The Company should pressure the government to increase transparency in matters pertaining to revenue streams, permitting, and environmental issues.

## 10 CONCLUSION

Oil producers risk complicity in human rights violations if they take no actions to control military violence against land users on land designated for petroleum development, land acquisition processes, and issues of corruption. Further, failure to promote local development among the Banyoro population could exacerbate tensions with the central government at a time when growing numbers of young men are out of work, having lost or sold land and been barred from traditional fishing. To ignore these contextual challenges opens the door to instability, threatens livelihoods and will almost certainly damage corporate reputations.

## 11 APPENDIX #1 SUBSTANTIVE HUMAN RIGHTS – BY SOURCE

Rights Topics	Right / Freedom	Source Article			
UD = Universal Declaration of Human Rights; ESC = Convention on Economic Social and Cultural Rights; CP = Convention on Civil and Political Rights; ILO = International Labor Organization Core Conventions.		ILO	UD	ESC	CP
I. Labor					
A. Working Conditions	1. Right to Favorable Working Conditions		23	6	
	2. Right to Work			7	
B. Child Labor	1. Freedom from Exploitive Child Labor	138		10	
C. Non-Discrimination	1. Nondiscrimination		1,2		2,3
	2. Equal Pay for Equal Work	100	6	2	16
	3. Freedom of Religion	111	7	7	18
			23		26
D. Right to Unionize	1. Freedom of Association		20		
	2. Right to Belong to a Trade Union	87	22	8	11
	3. Right to Strike	98	23		
E. Fair pay	1. Right to Just Remuneration		23		
	2. Right to Holidays with Pay	100	24	7	
	3. Right to a Basic Standard of Living		25		
II. Security					
A. Freedom from violence/ coercion	1. Rights to: Life, Liberty, Security of Person		3		6-
	2. Freedom from Degrading Treatment/Torture		5		11
	3. Freedom from Arbitrary Arrest, Imprisonment		7		14
	4. Freedom of Movement		9		15
B. Free speech/ freedom from intimidation	1. Freedom of Thought		18		18
	2. Freedom of Expression		19		19
	3. Freedom of Assembly		20		21
III. Health / Environment					
A. Environment	1. Right to Adequate Supply of Water			12	
	2. Right to Clean Air/Environment				
B. Health	1. Right to Std. of Living Adequate for Health		25	12	
	2. Right to Health				
IV. Property / Economic					
A. Housing	1. Freedom of Residence		13		
	2. Right to Housing		25		
B. Livelihood	1. Right to an Adequate Standard of Living		25		
C. Property	1. Right to Property		17		
D. Privacy	1. Right to Privacy (Noninterference)		12		17
E. Food	1. Right to Food, Freedom from Hunger		25	11	
V. Education					
A. Education	1. Right to Education		26	13	
B. Childhood	1. Rights of Children				24
VI. Political					
A. Corruption	1. Right to Public and Political Participation				17
VII. Indigenous Rights					
A. Informed consent	1. Right of Self Determination, Right to Natural Resources, Right to Subsistence			1	1
B. Culture	1. Right to Cultural Participation		27		27

## 12 REFERENCES

Bank of Uganda Remittance Monitoring, 2008.

[http://www.bou.or.ug/bouwebsite/export/sites/default/bou/bou-downloads/publications/TradeStatistics/RemittanceMonitoring/Uganda\\_Workers\\_Inwards\\_Remittance\\_Report\\_2008.pdf](http://www.bou.or.ug/bouwebsite/export/sites/default/bou/bou-downloads/publications/TradeStatistics/RemittanceMonitoring/Uganda_Workers_Inwards_Remittance_Report_2008.pdf)

Basiime, Felix Uganda: Ban on Bunyoro Land Titles Provokes High Emotions. 20 February 2012.

<http://allafrica.com/stories/201202210213.html>

Bertelsmann Transformation Index. [http://www.bertelsmann-transformation-index.de/fileadmin/pdf/Anlagen\\_BTI\\_2008/Detailed\\_Results\\_BTI2008.xls](http://www.bertelsmann-transformation-index.de/fileadmin/pdf/Anlagen_BTI_2008/Detailed_Results_BTI2008.xls)

Doyle, Shane. Crisis and Decline in Bunyoro: Population & Environment in Western Uganda 1860-1955. Fountain, Ohio. 2006.

The East African. Bank of Uganda Denies Printing Money For NRM Campaign January 18, 2012.

<http://www.theeastafrican.co.ke/news/Bank+of+Uganda+denies+printing+money+for+NRM+/-/2558/1311850/-/uqg8fb/-/>.

Global Integrity Scorecard – Uganda 2009 <http://report.globalintegrity.org/Uganda/2009/scorecard/96>

Global Witness. Donor Engagement in Uganda's Oil and Gas Sector: An Agenda for action. October 2010.

[http://www.globalwitness.org/sites/default/files/pdfs/uganda\\_final\\_low.pdf](http://www.globalwitness.org/sites/default/files/pdfs/uganda_final_low.pdf)

Godsen, Emily. Tullow Oil publishes Met Police and SFO documents in attempt to clear name over Uganda corruption claims. The Telegraph UK. April 12, 2012.

<http://www.telegraph.co.uk/finance/newsbysector/energy/oilandgas/9198606/Tullow-Oil-publishes-Met-Police-and-SFO-documents-in-attempt-to-clear-name-over-Uganda-corruption-claims.html>

Imaka, Isaac. Tullow Finally Sells 67% Oil Stake. Feb 22, 2012.

<http://www.monitor.co.ug/News/National/-/688334/1332478/-/b08m8bz/-/index.html>

International Alert. *Harnessing Oil for Peace and Development in Uganda*. Investing in Peace Issue No. 2.

September 2009. <http://www.international-alert.org/resources/publications/harnessing-oil-peace-and-development-uganda>

International Council on Mining and Metals. "ICMM Welcomes Ruggie Report." December 6, 2008.

<http://www.icmm.com/page/8331/icmm-welcomes-ruggie-report>

International Finance Corporation, The Global Compact, IBLF. *Guide to Human Rights Impact Assessment and Management: Road-Testing Draft*. June 2007

International Labor Organization. *Fundamental Conventions* International Labor Office, Geneva

<http://www.ilo.org/ilolex/english/convdisp1.htm>

International Labor Organization. *Declaration on Fundamental Principles and Rights at Work* International Labor Office, Geneva. 1998.

[http://www.ilo.org/dyn/declaris/DECLARATIONWEB.static\\_jump?var\\_language=EN&var\\_pagename=DECLARATIONTEXT](http://www.ilo.org/dyn/declaris/DECLARATIONWEB.static_jump?var_language=EN&var_pagename=DECLARATIONTEXT)

International Labor Organization. Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy .4th Edition. International Labor Office, Geneva. 2006

<http://www.ilo.org/public/english/employment/multi/download/declaration2006.pdf>

Kaufmann, D., A. Kraay, and M. Mastruzzi. *Governance Matters VII: Governance Indicators for 1996-2007*.

Kaufmann, Daniel, A. Kraay, and M. Mastruzzi. Governance Matters VII: Aggregate and Individual Governance Indicators, 1996-2007. World Bank Policy Research Working Paper No. 4654. SSRN and World Bank 2008. <http://ssrn.com/abstract=1148386>

New York Times Uganda Welcomes Oil but Fears Graft it Attracts. November 26, 2011. <http://www.nytimes.com/2011/11/26/world/africa/uganda-welcomes-oil-but-fears-graft-it-attracts.html>

Odyek, John and Henry Sekanjako. Museveni seizes oil letter to UK Parliament. Feb 22, 2012 <http://www.newvision.co.ug/news/629153-museveni-seizes-oil-letter-to-uk-parliament.html>

Platform. A Bad Deal Made Worse – How the PSAs are ripping off Uganda. [http://www.platformlondon.org/carbonweb/documents/Ugandas\\_oil\\_contracts\\_A\\_Bad\\_Deal\\_Made\\_Worse\\_Tullow\\_Heritage.pdf](http://www.platformlondon.org/carbonweb/documents/Ugandas_oil_contracts_A_Bad_Deal_Made_Worse_Tullow_Heritage.pdf)

Platform. PSA Block 3A [http://www.platformlondon.org/carbonweb/documents/uganda/leaked\\_Uganda\\_PSA\\_Block3A\\_Heritage\\_part1.pdf](http://www.platformlondon.org/carbonweb/documents/uganda/leaked_Uganda_PSA_Block3A_Heritage_part1.pdf); [http://www.platformlondon.org/carbonweb/documents/uganda/leaked\\_Uganda\\_PSA\\_Block3A\\_Heritage\\_part2.pdf](http://www.platformlondon.org/carbonweb/documents/uganda/leaked_Uganda_PSA_Block3A_Heritage_part2.pdf)

Reporters Without Borders. Press Freedom Index 2008 [http://www.rsf.org/article.php3?id\\_article=29031](http://www.rsf.org/article.php3?id_article=29031)

Republic of Uganda. *National Development Plan 2010/11 – 2014/15*. April 2010.

Republic of Uganda, Statutory Instruments. *The Employment Regulations, 2011*.

Republic of Uganda, Ministry of Energy and Mineral Development. *National Oil and Gas Policy for Uganda*. February 2008.

Republic of Uganda, Ministry of Lands, Housing and Urban Development. *The Uganda National Land Policy*. March 2011.

Small Arms Survey 2007. <http://www.smallarmssurvey.org/fileadmin/docs/B-Occasional-papers/SAS-OP21-Karamoja-ExS.pdf>

Social Institutions and Gender Index. OECD. <http://genderindex.org/country/uganda>

Sustainable Development Network Programme

United Nations Development Programme. Human Development Report

Uganda Electoral Commission – Website <http://www.ec.or.ug/management.html>

United Nations. *International Covenant on Civil and Political Rights*, GA res. 2200A (XXI), 21 UN GAOR Supp. (No. 16) at 52, UN Doc. A/6316 (1966); 999 UNTS 171; 6 ILM 368 (1967)

United Nations. *International Covenant on Economic, Social and Cultural Rights*, GA res. 2200A (XXI), 21 UN GAOR Supp. (No. 16) at 49, UN Doc. A/6316 (1966); 993 UNTS 3; 6 ILM 368 (1967)

United Nations. *Universal Declaration of Human Rights*, G.A. res. 217A (III), U.N. Doc A/810 at 71 (1948).

United Nations Comtrade <http://comtrade.un.org/pb/FileFetch.aspx?docID=3573&type=country%20pages>

UN High Commission on Human Rights –Ratifications and Accessions of Global Human Rights Treaties  
<http://www.unhchr.ch/tbs/doc.nsf/Statusfrset?OpenFrameSet>

United Nations Special Representative on Transnational Business and Human Rights John Ruggie.  
*Protect, Respect and Remedy: a Framework for Business and Human Rights*. U.N. Doc A/HRC/8/5. April 2008.

United States Department of State. Human Rights Report 2012.

VOA News. Uganda Opposition Leader Speaks Out Against Police Brutality. January 19, 2012.  
<http://www.voanews.com/english/news/africa/Uganda-Opposition-Leader-Speaks-Out-Against-Police-Brutality-137770968.html>

Voluntary Principles [http://www.voluntaryprinciples.org/files/voluntary\\_principles.pdf](http://www.voluntaryprinciples.org/files/voluntary_principles.pdf)

Winkler, Donald and Lars Sondergaard The Efficiency of Public Education in Uganda. Supported by Ministry of Education, World Bank. March 2008.

<http://info.worldbank.org/etools/docs/library/244476/day7Uganda%20Efficiency%20Study.pdf>

World Bank. *Country Figures*

World Bank Indicators 2008. [http://siteresources.worldbank.org/INTWDR2008/Resources/2795087-1192112387976/WDR08\\_24\\_SWDI.pdf](http://siteresources.worldbank.org/INTWDR2008/Resources/2795087-1192112387976/WDR08_24_SWDI.pdf)

World Bank Indicators 2009. [http://siteresources.worldbank.org/INTWDR2009/Resources/4231006-1225840759068/WDR09\\_22\\_SWDIweb.pdf](http://siteresources.worldbank.org/INTWDR2009/Resources/4231006-1225840759068/WDR09_22_SWDIweb.pdf)

World Health Organization Information Systems. <http://www.who.int/whosis/en/index.html>