



May 17, 2024

LAST MAN FIGHTING: STATEMENT ON EVICTION MR. FRED BALIKENDA AND HIS FAMILY FOR TOTAL'S TILENGA OIL PROJECT

Following a series of human rights violations perpetrated against Mr. Fred Balikenda and his family on account of TotalEnergies' Tilenga oil project, Mr. Balikenda and his family were forcefully evicted from their home in Kirama village, Buliisa district on May 13, 2024. Mr. Balikenda's house was also demolished amidst a big security presence during an exercise that was watched by several Uganda government officials.

Mr. Balikenda, who led an iconic one-man protest after TotalEnergies fenced his family off when he refused to be relocated before his replacement house was complete, was forcefully shifted from his home after court issued an eviction order against him.

Mr. Balikenda's eviction was enabled by the impunity of big oil corporations that violate the rights of communities, a state that seems to be more interested in exploiting the country's oil reserves at the expense of citizens' rights and failure by Uganda's judicial system to exercise its mandate to protect and defend poor and vulnerable Ugandans.

BACKGROUND

Mr. Balikenda, his wife and young children were among the [102](#) households that were displaced to make way for wellpads, flowlines and access roads among other infrastructure for the Tilenga oil project in Buliisa district. The family was displaced under Resettlement Action Plan 2. Total was supposed to provide a replacement house for Mr. Balikenda and his family but before the house was complete, Total informed Mr. Balikenda that he would be temporarily relocated. This was in February 2022.

Because Mr. Balikenda is a farmer who rears livestock, he was worried that his family's livelihood would be destabilised if he had to live in a rented home with limited access to land. Mr. Balikenda requested that TotalEnergies complete his replacement house before he could be relocated. Instead of engaging in a project-affected person-led relocation process where an affected household's aspirations to retain their livelihood are given priority, chain link fences were constructed around Mr. Balikenda's home.

The family livestock including pigs died due to lack of access to fodder, as the paths that the family used to use to access resources were cordoned off. Mr. Balikenda requested TotalEnergies to compensate him for the loss of his livestock before he could be relocated, to no avail. Mr. Balikenda, whom the Ugandan government claims is that [last](#) Tilenga oil project-affected person to be relocated after his forceful eviction on May 13, 2024, refused to relocate to his replacement house until Total had compensated him for the human rights violations perpetrated against him and his family. The violations led to livelihood loss, psychosocial trauma due to his isolation from other community members and others.

COURT CASES

Before Total could compensate Mr. Balikenda however, Uganda's Attorney General (AG) filed a court case, Miscellaneous Cause No. 24 of 2023, at the Hoima High Court. The case, which was filed on December 4, 2023, was against 42 Tilenga oil Project Affected Persons (PAPs), including Mr. Balikenda. The application sought orders to allow the government to deposit any compensation amount with court and eviction orders to remove the PAPs from their land. Total acquired the Tilenga project land on behalf of the Ugandan government.

On December 8, 2023 and without proper notice to many affected PAPs, proof of service, nor adequate time and opportunity for affected persons to defend themselves, a ruling was delivered by court granting all orders prayed for against Mr. Balikenda and the other 41 PAPs.

Dissatisfied and aggrieved by the ruling, Mr. Balikenda filed an appeal at the Court of Appeal (Civil Appeal No. 006 of 2024) seeking to overturn the decision made against him and the other 41 PAPs. The appeal was filed on December 22, 2023. AFIEGO supported the PAPs to file the appeal.

On March 27, 2024, AFIEGO also supported Mr. Balikenda and the other appellants to file applications seeking for an interim and a temporary stay of execution of the December 8, 2023 orders granted to government by the court pending the hearing and disposal of the appeal filed at Court of Appeal.

On April 12, 2024 however, Uganda's Attorney General filed an application for eviction orders against Mr. Balikenda. Thereafter, on May 8, 2024, the Assistant Registrar of the High Court of Uganda at Hoima, His Worship Emmanuel Bamwite, delivered a ruling dismissing the application for interim stay of execution filed by Mr. Balikenda and other PAPs to stay execution of the orders granted to the government on December 8, 2023.

Soon after, on May 9, 2024, the acting Assistant Registrar of the High Court of Uganda at Hoima, His Worship Emmanuel Bamwiite, delivered a ruling granting eviction and demolition orders

against Mr. Balikenda. This ruling was made without a hearing and in disregard of Mr. Balikenda's right to adequate compensation before compulsory acquisition of his property.

WHAT NEXT?

Mr. Balikenda has expressed his disappointment in the Ugandan justice system. He says that he will not live in the replacement house provided by Total as a form of protest. He also reminds the Ugandan government that a project can never be more important and should not be prioritised over human beings.

AFIEGO is engaging Mr. Balikenda and other PAPs to determine the next steps in their valiant legal and human rights protection battle. Several of those PAPs, including Mr Balikenda, are also plaintiffs in the court case against TotalEnergies in France.

Worth noting as well is that a number of households that were displaced for the Tilenga project are engaged in ongoing court battles in Uganda's Court of Appeal and elsewhere, arguing that the compensation that Total offered them for their land and property was inadequate and unfair.

The Tilenga project's compulsory land acquisition processes have been marked by delayed, inadequate and unfair compensation as well as the use of threats, division of families, intimidation and other tactics to coerce many poor families to accept inadequate and unfair compensation.

As a result, many affected households are unhappy with the project, and call it a curse. Many argue that were it not for the harassment, intimidation, arrests, detentions and other threats that they face amidst no support from government and courts, they would never have accepted the low compensation.

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