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FOR IMMEDIATE RELEASE
KIGALI, KAMPALA, NAIROBI & ZANZIBAR

**EAST AFRICAN COURT OF JUSTICE TO HEAR APPEAL AGAINST EACOP
PROJECT**

The Appellate Division of the East African Court of Justice (EACJ) will, on February 24, 2025, hear an appeal filed by four East African civil society organisations (CSOs) seeking to reverse a judgment made by the First Instance Division of the EACJ.

The case was brought following continued environmental and human rights abuses or risks caused by the East African Crude Oil Pipeline (EACOP) project, and the project's failure to uphold key regional and international laws as well as agreements.

The hearing on the appeal will take place in Kigali, Rwanda.

Background to the case

In November 2020, the four CSOs including Africa Institute for Energy Governance (AFIEGO) from Uganda, Center for Food and Adequate Living Rights (CEFROHT) from Uganda, Natural Justice (NJ) from Kenya and Centre for Strategic Litigation (CSL) from Tanzania, filed a case seeking to stop non-compliance of the EACOP project to key regional and international laws as well as agreements.

The case was filed on behalf of the millions of East Africans whose human and environmental rights have either been abused or are at stake due to the EACOP project, which alongside the Tilenga oil project, has led to the forced displacement of over 120,000 people and is affecting environmental resources that East Africans rely on for their livelihoods, health and wellbeing.

The case was dismissed by the First Instance Division of the EACJ in November 2023. The judges averred that the case was filed out of time, resulting in the dismissal.

The appeal

A month later, in December 2023, the CSOs filed their appeal on grounds that the judges at the First Instance Division erred in their ruling.

The appeal was first [heard](#) at the EACJ in Arusha, Tanzania, in November 2024. During that hearing, the Appellate Division of the EACJ rejected a request by the Tanzanian government to dismiss the appeal. Instead, the court ordered the four CSOs to file a supplementary record of proceedings from the First Instance Division by November 29, 2024, to enable the judges to hear the case.

The supplementary record was accordingly filed and a hearing date was set for February 24, 2025.

Arguments

The arguments in the appeal include:

- That the case was filed in time and in compliance with relevant East African Community (EAC) laws.
- That the First Instance Division misinterpreted EAC laws and misapplied procedural law to find that the case was filed out of time.
- Further, that the First Instance Division erred in imposing costs on the public interest litigants who sought remedies on behalf of affected persons.

The applicants are therefore seeking the following remedies from the Appellate Division of the EACJ:

- Setting aside the ruling of the First Instance Division that dismissed the case;
- Deferral of the above case back to the First Instance Division for hearing on its merits; and
- Setting aside the decision of the First Instance Division in which costs were awarded to the governments of Uganda and Tanzania as well as the Secretary General of the EAC.

Mr. Dickens Kamugisha, the Chief Executive Officer (CEO) of AFIEGO, says, “We are looking forward to our case being heard. The Appellate Division has the opportunity to correct the mistakes of the First Instance Division by ordering that our case is heard on its merits. We remain hopeful that the court will dispense justice.”

Ms. Elizabeth Kariuki, the East Africa Hub Director at Natural Justice, adds, “We are resolute in our pursuit of justice. As the appeal hearing approaches, we remain hopeful that the Appellate Division will consider the broader issues at stake and provide an opportunity to address the serious environmental and human rights concerns surrounding the EACOP. The severity of the issues surrounding the pipeline demands an immediate and comprehensive examination and we anticipate nothing less than a commitment to justice for the affected communities.”

Ms. Rachael Tugume, an EACOP-affected person from Uganda says, “Despite the EACOP project developers saying that they have compensated over 90% of the people from whom they compulsorily acquired land, complaints over under-compensation persist. We are also worried about the environmental and climate change risks of the project. The human and environmental impacts of the project need to be addressed before any developments.”

Mr. Jelousy Mugisha, an affected person from Uganda, adds, “Oil-affected communities in Uganda are highly interested in the case, which is going to be heard a few weeks after an elephant [killed](#) a grandmother, and critically injured her grandson. Communities assert that elephant-human conflicts are being contributed to by oil drilling in Murchison Falls National Park. They are hopeful that courts will restore order by stopping harmful oil activities in protected areas.”

Mr. Deus Valentine Rweyemamu, the Chief Executive Officer of the Center for Strategic Litigation notes that the case provides “a real opportunity for the East African Court of Justice to help set the standards for foreign investors and the East African Community in ensuring that the community’s own standards on the environment as well as international commitments including the Paris Agreement are given life through this case”.

*****ENDS*****

For more information about the appeal, you may read this [factsheet](#).

For more information about the case that was filed at the First Instance Division of the EACJ, you may read [this](#).

For further information, please contact:

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