

**Mandates of the Special Rapporteur on the human right to a clean, healthy and sustainable environment; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the promotion and protection of human rights in the context of climate change; the Special Rapporteur on the right to development; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the right to food; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the human rights of internally displaced persons; the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes and the Special Rapporteur on the human rights to safe drinking water and sanitation**

Ref.: AL UGA 3/2025

(Please use this reference in your reply)

3 July 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the human right to a clean, healthy and sustainable environment; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the promotion and protection of human rights in the context of climate change; Special Rapporteur on the right to development; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the right to food; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the human rights of internally displaced persons; Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes and Special Rapporteur on the human rights to safe drinking water and sanitation, pursuant to Human Rights Council resolutions 55/2, 53/3, 57/31, 51/7, 54/14, 58/10, 52/9, 50/17, 51/21, 52/10, 52/4, 50/6, 54/10 and 51/19.

In this connection, we are writing to follow up on the concerns we expressed on the letter previously sent to your Excellency's Government (see [UGA 4/2024](#)), with updated information regarding allegations of severe human rights impacts, environmental and climate impacts associated with the East African Crude Oil Pipeline (EACOP) and the Tilenga and Kingfisher projects, including reports of an alarming pattern of repression and human rights violations targeting environmental human rights defenders, including women human rights defenders in Uganda protecting their rights and the environment that are impacted by said projects. These issues have previously been communicated to your Excellency's Government also in letters [UGA 1/2020](#); [UGA 2/2023](#); and [UGA 3/2023](#).

As described in the previous communications, the EACOP, Tilenga, and Kingfisher are related oil projects that threaten ecologically sensitive and biodiverse areas, including protected forests, wetlands, and lakes crucial for millions of people. These projects risk contaminating vital water sources, disrupting ecosystems, harming Uganda's fishing industry and food security, while allegedly force the displacement of over 100,000 people, the loss of 14,000 households, threatening also cultural and religious sites.

Based on the information received, the projects assessments, including the environmental impact assessments have important gaps, including in relation to the full climate impacts of the named projects. Additionally, potential compensation and resettlement offered would be inadequate, exacerbating poverty and gender-based violence, and increased health issues due to pollution, exposure to chemicals and even noise pollution.

In addition, the situation of environmental human rights defenders in connection with the EACOP and associated projects remains deeply concerning. Students, activists, and community members who have peacefully mobilized to protect their lands and defend their rights, expressing concerns due to the pollution and displacement of their communities, have faced multiple risks. This includes criminalization, arbitrary arrests, intimidation and restriction on civic space.

According to new information received, on 2 April 2025, at least nine youth activists were arrested by police in Kampala and charged with "common nuisance" after protesting outside Stanbic Bank's headquarters over the bank's involvement in financing the EACOP project. The protest was part of a larger march involving over 50 activists.

We would also like to bring to your attention that according to information received, the EACOP project faced difficulties in securing financing, with earlier public indications from over 60 financial institutions that they would not support the project. However, on 27 March 2025, EACOP Ltd announced the closing of the first financing tranche for the EACOP project, which obtained financing from banks such as African Export Import Bank (Afreximbank), The Standard Bank of South Africa Limited, Stanbic Bank Uganda Limited, KCB Bank Uganda and The Islamic Corporation for the Development of the Private Sector (ICD).

We deeply regret that, to date, we have not received a response from your Excellency's Government addressing the concerns and questions outlined in our previous communication, as well as other communications sent before regarding the same projects. Given the gravity of the allegations, including reports of arbitrary arrests, enforced disappearances, incommunicado detentions, forced displacement, inadequate environmental and human rights impact assessments, and judicial harassment of environmental defenders, we reiterate the urgency of receiving a substantive reply.

In connection with the previously communicated concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations as well as the ones mentioned in AL UGA 4/2024.
2. Please provide detailed information about the existing laws, regulations, and procedures that guide the consideration of human rights impacts of the establishment of the EACOP pipeline, as well as of the Tilenga and Kingfisher projects, including any environmental impact assessments conducted prior the approval of the project, including considerations regarding the impacts on safe climate and specific measures for pollution prevention and control.
3. Please indicate what measures your Excellency's Government has taken or is considering taking, including policies, legislation, and regulations, to uphold its obligations to protect people and communities against human rights abuses by business enterprises operating within its territory and/or under its jurisdiction. Specifically, what measures are being implemented to ensure that business enterprises conduct effective human rights due diligence to identify, prevent, mitigate, and address their human rights and environmental impacts, in accordance with the UN Guiding Principles on Business and Human Rights.
4. Please provide information on any guidance issued by your Excellency's Government to Ugandan business enterprises, including those involved in the EACOP, Tilenga, and Kingfisher projects, regarding their responsibility to respect human rights throughout their operations. This guidance may include, inter alia, measures related to conducting human rights due diligence, engaging in meaningful consultations with potentially affected stakeholders, and providing effective remedies for any adverse impacts.
5. Please indicate the specific initiatives undertaken to ensure that individuals and communities affected by business-related human rights abuses within Uganda's jurisdiction have access to an effective remedy, including both judicial and non-judicial grievance mechanisms, as well as appropriate reparations.
6. Please provide information on measures taken by your Excellency's Government to carry out a prompt, impartial, independent and effective investigation into the human rights violations and abuses targeting environmental human rights defenders. If no investigations have yet been undertaken, or if they have been inconclusive, please provide information as to the reasons thereof.
7. Please provide information on the steps taken by the relevant authorities to investigate the allegations of enforced disappearances, and

displacement in relation to the above-mentioned projects, identify those responsible for the crimes concerned, prosecute and sanction them, and the search activities to determine the fate and whereabouts of disappeared persons.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We would like to bring to the attention of your Excellency's Government that should sources submit the allegations concerning individual cases of enforced disappearances for the consideration of the Working Group on Enforced or Involuntary Disappearances under its humanitarian procedure, the case will be examined by the Working Group according to its methods of work, in which case your Excellency's Government will be informed by separate correspondence.

Please note that a letter expressing similar concerns was sent to the Governments of United Kingdom, France, China and Tanzania as well as to the business enterprises EACOP Tanzania, EACOP Uganda, Uganda National Oil Company, Total Energies EP Uganda, Total Energies, China National Offshore Oil Corporation, Tanzania Petroleum Development Corporation, African Export-Import Bank, The Standard Bank of South Africa Limited, Stanbic Bank Uganda Limited, KCB Bank Uganda Ltd, The Islamic Corporation for the Development of the Private Sector and the Islamic Development Bank.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on the human right to a clean, healthy and sustainable environment

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## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would first like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), to which Uganda acceded on 21 September 1995. In particular, we refer to articles 6, 7, 9, 14, 16, 19, 21, 22 and 25 read alone and in conjunction with article 2(3) of the ICCPR.

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11). The Committee states that article 19 also covers the right of a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion and a corresponding right of the public to receive media output. The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that "all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress" (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, proving "in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat" (CCPR/C/GC/34, para. 35). The Human Rights Committee recalled that the relation between right and restriction and between norm and exception must not be reversed. In this regard, the Human Rights Committee stated that the restrictions must be "the least intrusive instrument among those which might achieve their protective function". (CCPR/C/GC/34, para. 34).

In its general comment no. 35, the Human Rights Committee has found that arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression (art. 19), or on discriminatory grounds, in violation of article 2, paragraph 1, article 3 or article 26, are in principle arbitrary.

We also recall article 21 of the ICCPR, which protects the right to peaceful assembly. The Human Rights Committee highlighted that article 21 ‘protects peaceful assemblies wherever they take place: outdoors, indoors and online; in public and private spaces; or a combination thereof. Such assemblies may take many forms, including demonstrations, protests, meetings, processions, rallies, sit-ins, candlelit vigils and flash mobs’ (CCPR/C/GC/37, para. 6). The Human Rights Committee also affirmed that States “should effectively guarantee and protect the freedom of peaceful assembly and avoid restrictions that do not respond to the requirements under article 4 of the Covenant. In particular, it should refrain from imposing detention on individuals who are exercising their rights and who do not present a serious risk to national security or public safety” (CCPR/C/THA/CO/2, para. 40).

Furthermore, we bring to your attention the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. We would like to draw further attention to the following provisions of the UN Declaration on Human Rights Defenders:

- article 5 (a) and (b), which provides for the right of all persons to meet or assemble peacefully and to form, join and participate in non-governmental organisations, associations, or groups;
- article 12, paragraphs 2 and 3, which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the Declaration.

We would also like to refer to the Human Rights Council resolution 31/32 which in paragraph 2 calls upon all States to take all measures necessary to ensure the rights and safety of human rights defenders, including those working towards realization of economic, social and cultural rights and who, in so doing, exercise other human rights, such as the rights to freedom of opinion, expression, peaceful assembly and association, to participate in public affairs, and to seek an effective remedy. It further underlines in paragraph 10 the legitimate role of human rights defenders in mediation efforts, where relevant, and in supporting victims in accessing effective remedies for violations and abuses of their economic, cultural rights, including for members of impoverished

communities, groups, and communities vulnerable to discrimination, and those belonging to minorities and indigenous peoples.

We would also like to refer to the report of the former Special Representative of the Secretary-General on the situation of human rights defenders to the General Assembly on 5 September 2006 (A/61/312), where the Special Representative urges States to ensure that law enforcement officials are trained in and aware of international human rights standards and international standards for the policing of peaceful assemblies and to investigate allegations of indiscriminate and/or excessive use of force by law enforcement officials (para. 98).

Moreover, in reference to the seemingly arbitrary nature of the protesters and activists' arrest, we would like to refer to article 9 of the ICCPR enshrining the right to liberty and security of person and establishing in particular that no one shall be deprived of their liberty except on such grounds and in accordance with such procedure as are established by law, as well as the right to legal assistance from the moment of detention. The international law on deprivation of liberty includes the right to be presented with an arrest warrant, which is procedurally inherent in the right to liberty and security of person and the prohibition of arbitrary deprivation, under articles 3 and 9 respectively of the Universal Declaration of Human Rights and article 9 of the Covenant, as well as under principles 2, 4 and 10 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. Article 9(4) also entitles everyone detained to challenge the legality of such detention before a judicial authority.

Furthermore, in its general comment no. 35, the Human Rights Committee has found that arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression (art. 19), freedom of assembly (art. 21), and freedom of association (art. 22). This has also been established in consistent jurisprudence of the Working Group on Arbitrary Detention. Article 14 upholds the right to a fair trial and equality of all persons before the courts and tribunals, the right to a fair and public hearing by a competent, independent and impartial tribunal established by law, as well as the right to legal assistance.

Enforced disappearances constitute violations of articles 6, 7, 9 and 16, read alone and in conjunction with article 2.3 of the ICCPR regarding the alleged disappeared persons and of article 7, read alone of the ICCPR with regard to the relatives of the disappeared persons. In addition, article 7 of the Declaration on the Protection of all Persons from Enforced Disappearances establishes that no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency may be invoked to justify enforced disappearances (article 7). The Declaration further sets out that the authority ordering or carrying out the deprivation of liberty is required to prevent enforced disappearances under all circumstances. The maintenance in every place of detention of official up-to-date registers of all detained persons (article 10), that all persons deprived of liberty must be released in a manner permitting reliable verification that they have actually been released (article 11), that each State shall establish rules under its national law indicating those officials authorized to order deprivation of liberty, establishing the conditions under which such orders may be given (article 12) and that family relatives have the right to obtain redress, including adequate compensation (article 19).

The Working Group on Enforced or Involuntary Disappearances has also recalled the importance of respect for cultural diversity and the existence of a space in which multiple opinions, positions and interpretations of history can find expression in the public sphere, which reduces the level of vulnerability of those who question dominant ideas and positions in one way or another (A/HRC/30/38/Add.5). Also, due to the collective nature of certain economic, social and cultural rights, the disappearance of one person can have a negative impact on the community as a whole. An example is the forced disappearance of a leader of a minority community and the impact this may have on the exercise of the right to participate in the cultural life of minorities and on other members of the affected community. Such disappearances may also affect the right to political participation and the existence and protection of other human rights. In this regard, we recall the 2019 Guiding Principles for the Search for Disappeared Persons, in particular principle 4 which provides that a search should follow a differential approach.

We remind that the prohibition of enforced disappearance and the duty to investigate it is a *jus cogens* norm, also enshrined in international customary law, from which no derogation is permitted.

The Universal Declaration of Human Rights also establishes, through its article 10, that “Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his/her rights and obligations and of any criminal charge against him/her”. The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, specifically principle 2, makes clear that “[a]rrest, detention or imprisonment shall only be carried out strictly in accordance with the provisions of the law and by competent officials or persons authorized for that purpose. It should also be noted that principle 9, states that “[t]he authorities which arrest a person, keep him/her under detention or investigate the case shall exercise only the powers granted to them under the law and the exercise of these powers shall be subject to recourse to a judicial or other authority.” Lastly, principle 11 outlines the right of all detainees to be heard promptly by a judicial authority.

Regarding the possible adverse effects on the environment, we would like to cite that, on 8 October 2021, the Human Rights Council adopted resolution 48/13, recognizing the right to a clean, healthy and sustainable environment, confirmed by the General Assembly in July 2022 with resolution A/RES/76/300. The right to a clean, healthy and sustainable environment comprises six substantive elements, including the need to ensure a sustainable climate for humanity, which was further elaborated in a report to the UN General Assembly in 2019 (A/74/161). In addition, in March 2008, the Human Rights Council, in resolution 7/23, expressed its concern that “climate change poses an immediate and far-reaching threat to people and communities around the world and has implications for the full enjoyment of human rights”.

In this sense, the right to a clean, healthy and sustainable environment, also comprises procedural elements, that is, access to information, participation and access to justice in environmental matters (A/79/270). Specifically, public participation includes “respecting and protecting the rights to freedom of expression, association and peaceful assembly related to environmental and climate matters and avoiding

restrictions not aligned with international law”; “guaranteeing safe civic spaces for all environmental, climate and human rights defenders, who must be free from any stigmatization, intimidation, criminalization and violence, and “diligently investigate, prosecute and punish perpetrators of such acts, while addressing the root causes of environmental and climate-related conflicts” (A/79/270). In addition, the Framework Principles on Human Rights and the Environment, presented to the Human Rights Council in March 2018 (A/HRC/37/59) set out basic obligations of States under human rights law as they relate to the enjoyment of a safe, clean, healthy and sustainable environment. Principle 4 provides, specifically, that “States should provide a safe and enabling environment in which individuals, groups, and organs of society that work on human rights or environmental issues can operate free from threats, harassment, intimidation, and violence.” Accordingly, “The requirements for such an environment include that States: adopt and implement laws that protect human rights defenders in accordance with international human rights standards; publicly recognize the contributions of human rights defenders to society and ensure that their work is not criminalized or stigmatized; develop, in consultation with human rights defenders, effective programmes for protection and early warning; provide appropriate training for security and law enforcement officials; ensure the prompt and impartial investigation of threats and violations and the prosecution of alleged perpetrators; and provide for effective remedies for violations, including appropriate compensation (see also A/71/281, A/66/203 and A/HRC/25/55, paras. 54–133).”

With regard to the protection of the human rights of climate activists as environmental human rights defenders, the Special Rapporteur on the rights to freedom of peaceful assembly and of association called on States to: adopt all necessary measures to ensure that climate defenders meaningfully participate in all just-transition policy development and implementation at all levels of decision making; conduct thorough, prompt, effective and impartial investigations into killings and violence against civil society actors; ensure that perpetrators are brought to justice; and refrain from issuing official and unofficial statements stigmatizing climate defenders. The Special Rapporteur on climate change and human rights has called on States to: protect climate activists as environmental human rights defenders; urgently develop, in coordination with civil society, positive narratives on the contributions of environmental human rights defenders to the protection of human rights in the context of climate change; gather and share information on threats of violence or attacks against environmental human rights defenders and available protection measures and challenges faced in accessing justice, including for children. She also underscored that intimidation or harassment of environmental human rights defenders by public administration bodies, business and other actors can have a deterrent effect on requesting information, which undermines the contribution of climate and environmental human rights defenders to the protection of everyone’s human right to a healthy environment, including a safe climate.

In relation to the above-mentioned facts and concerns, we would also like to draw your attention to the Paris Agreement on Climate Change, acceded by Uganda on 21 September 2016, which acknowledges that State Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights (preamble). This obligation includes the human right to a clean, healthy and sustainable environment. Moreover, article 12 of the Paris Agreement provides that “Parties shall cooperate in taking measures, as appropriate, to enhance climate change

education, training, public awareness, public participation and public access to information, recognizing the importance of these steps with respect to enhancing actions under this Agreement”.

In relation to this, we wish to refer to the Framework Principles on human rights and the environment of the Special Rapporteur on human rights and the environment (A/HRC/37/59, annex), which summarize the main human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. Namely, framework principle 1 provides that States should ensure a safe, clean, healthy and sustainable environment in order to respect, protect and fulfil human rights. In the same vein, principle 2 reiterates that States should respect, protect and fulfil human rights in order to ensure a safe, clean, healthy and sustainable environment. Principle 8 reaffirms that, to avoid undertaking or authorizing actions with environmental impacts that interfere with the full enjoyment of human rights, States should require the prior assessment of the possible environmental impacts of proposed projects and policies, including their potential effects on the enjoyment of human rights. The assessment requires meaningful participation of the public, done in a manner that does not discriminate anyone. Principle 14 requires States to ensure that they take additional measures to protect the rights of those who are most vulnerable to, or at particular risk from, environmental harm, taking into account their needs, risks, and capacities.

In addition, we recall that the Committee on the Rights of the Child, in its general comment No. 26 (2023), emphasized that to protect children’s right to a healthy environment, which is implicit in the Convention on the Rights of the Child, States must take immediate action to equitably phase out the use of coal, oil and gas; and States that have substantial fossil fuel industries should assess the social and economic impact on children of their related decisions. Furthermore, several Special Rapporteurs have pointed out the tremendous negative impacts on human rights of fossil fuels throughout their life cycle, from exploration and extraction to combustion and contamination, noting that fossil fuels exploitation affects the rights to life, health, food, water and sanitation, education, an adequate standard of living, cultural rights, and a clean, healthy and sustainable environment with marginalised and vulnerable communities bearing the brunt of the consequences.

We further recall that under the Convention on Biological Diversity, States have obligations to: manage biological resources important for the conservation of biodiversity whether within or outside protected areas, with a view to ensuring their conservation and sustainable use (art. 8); and introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biodiversity with a view to avoiding or minimizing such effects and allow for public participation in such procedures (art. 14). CBD Parties committed to: include approaches to conserve, enhance and sustainably use biodiversity and ecosystem functions and services in upstream decisions on investments in the energy sector, through strategic environmental assessments and integrated spatial planning, including the evaluation of alternatives to such investments; apply best practices on environmental impact assessments; review and as appropriate, update legal frameworks, policies and practices to promote the mainstreaming of biodiversity in the energy sector, including through safeguard, monitoring and oversight measures; and promote the full and effective participation of Indigenous peoples and local communities, academia, women, and youth, through consultations with Indigenous

peoples and local communities with a view to obtaining free, prior and informed consent, consistent with international agreements (Decision XIV/3, 2018).

We recall the explicit recognition of the human rights to safe drinking water by the UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the Universal Declaration of Human Rights, and article 11 of ICESCR. In its general comment No. 15, the Committee on Economic, Social and Cultural Rights clarified that the human right to water means that everyone is entitled to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.

Furthermore, the UN General Assembly (resolution 70/169) and the Human Rights Council (resolution 33/10) recognized that water and sanitation are two distinct but interrelated human rights. In particular, we recall explicit recognition that “the human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity, while reaffirming that both rights are components of the right to an adequate standard of living”.

In this regard, we would like to refer to the Special Rapporteur on the human rights to water and sanitation report, A/HRC/51/24, in which he recommended Member States to recognize in national legislation the existence of Indigenous Peoples within their borders and their collective rights to lands, territories and natural resources, including aquatic ecosystems, with legal communal ownership of the lands, resources and water rights in their territories.

We would also like to draw your attention to article 12 of the ICESCR, which Uganda acceded on 21 April 1987. The Article enshrines the right to the highest attainable standard of physical and mental health, which is also guaranteed as a part of the UDHR, article 25 read in terms of the individual's potential, the social and environmental conditions affecting the health of the individual, and in terms of health care services. In its general comment No. 14, the Committee on Economic, Social and Cultural Rights (CESCR) interprets the right to health as "an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health-related education and information". Accordingly, States have a duty to adopt measures against environmental and occupational health hazards and against any other threat as demonstrated by epidemiological data. Furthermore, article 24 of the CRC recognizes the right of the child to the enjoyment of the highest attainable standard of physical and mental health, and the concomitant duty of the State to provide adequate nutritious foods and clean drinking water, taking into consideration the dangers and risks of toxic pollution.

We would like to recall the duty of all States to prevent exposure to hazardous substances and wastes, as detailed in the 2019 report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes to the UN General Assembly (A/74/480). This

obligation derives implicitly, but clearly, from any number of rights and duties enshrined within the global human rights framework, under which States are obligated to respect and fulfil recognized human rights, and to protect those rights, including from the implications of exposure to toxics. Those rights include the human rights to life, health, safe food and water, adequate housing, and safe and healthy working conditions. The duty to prevent exposure is further reinforced by the national and regional recognition of the right to a safe, clean, healthy and sustainable environment, including clean air (see A/HRC/40/54 and A/79/270). The existence of the State's duty to prevent exposure is reinforced by the right to full respect for the bodily integrity of the person, which helps to provide context to the extent to which every person should have the right to control what happens to their body (see A/HRC/39/48). Read together, international human rights clearly establish a duty of the part of your Excellency's Government to prevent exposure to hazardous substances and wastes.

In its general comment No. 4 interpreting obligations under the ICESCR, the CESCR affirmed that all persons should possess a degree of security of tenure, which guarantees legal protection against forced evictions, harassment and other threats.

Further, in its general comment No. 7 on forced evictions, the CESCR clarified that if an eviction is to take place, procedural protections must be guaranteed, including, among others, genuine consultation, adequate and reasonable notice, alternative accommodation, and provision of legal remedies and legal aid. Under no circumstances should evictions result in homelessness, and the State party must take all appropriate measures to ensure that adequate alternative housing, resettlement or access to productive land, is available to affected individuals, where they are unable to provide for themselves. States parties shall ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons, with a view to avoiding, or at least minimizing, the need to use force. Legal remedies or procedures should be provided to those who are affected by eviction orders. States parties shall also see to it that all the individuals concerned have a right to adequate compensation for any property, both personal and real, which is affected.

The basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I), further state that urban planning and development processes should involve all those likely to be affected and should include: appropriate notice to all potentially affected persons that eviction is being considered and that there will be public hearings on the proposed plans and alternatives; effective dissemination by the authorities of relevant information in advance, including proposed comprehensive resettlement plans specifically addressing efforts to protect vulnerable groups; a reasonable time period for public review of, comment on, and/or objection to the proposed plan; opportunities and efforts to facilitate the provision of legal, technical and other advice to affected persons about their rights and options; and holding of public hearing(s) that provide(s) affected persons and their advocates with opportunities to challenge the eviction decision and/or to present alternative proposals and to articulate their demands and development priorities. Moreover, these Principles and Guidelines underscore that States must give priority to exploring strategies that minimize harm. Comprehensive impact assessments should be carried out prior to the initiation of any project that could result in development-based evictions and displacement, with a view to securing fully the human rights of all potentially affected persons, groups and

communities, including their protection against forced evictions. The State must make provision for the adoption of all appropriate measures, to the maximum of its available resources, especially for those who are unable to provide for themselves, to ensure that adequate alternative housing, and resettlement, is available and provided.

In general comment No. 26 on land and economic, social, and cultural rights, the CESCR stressed that “the sustainable use of land is essential to ensure the right to a clean, healthy, and sustainable environment and to promote the right to development, among other rights”. The general comment further emphasizes the essential role of land in the realization of a range of rights under ICESCR. In fact, the secure and equitable access to, use of and control over land for individuals and communities can be essential to eradicate hunger and poverty and to guarantee the right to an adequate standard of living, including the right to food and to adequate housing, as housing is often built on land used for the purpose of food production. Without such access, people could be subject to displacement and forced eviction, which could violate their right to adequate housing.

In his report on resettlement after evictions and displacement, the Special Rapporteur on the right to adequate housing recognized that resettlement, particularly when poorly executed, can have long-lasting negative effects on multiple generations. Resettlement must be treated as a last option to be resorted to when it becomes unavoidable. Resettlement should never unlawfully restrict the freedom of choice of residence. Nobody should be forced to resettle in a particular location or community. Resettlement must comply with human rights standards, be proportionate, avoid recourse to force and ensure benefit-sharing through negotiated agreements with affected persons (A/HRC/55/53). In his second report on resettlement, the Special Rapporteur further noted that intentional displacement and the concomitant resettlement of communities in the name of development is no longer acceptable from a human rights perspective, and that resettlement should be permitted only in cases in which it is called for due to overwhelming and persistent threats to the survival of communities such as those resulting from conflict or climate change (A/79/317).

We would like to refer to article 25 of the Universal Declaration of Human Rights (UDHR) recognizes the right of everyone to a standard of living adequate for the health and well-being of themselves and of their family, including food, housing and necessary social services.

Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) – ratified by Uganda in 1987 – recognizes the right of everyone to an adequate standard of living for themselves and their family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions. Article 11(2) provides “the fundamental right to freedom from hunger and malnutrition”, which is of immediate application. Article 11(1) of the ICESCR further requires States to “take appropriate steps to ensure the realization of this right”. The Committee on Economic Social and Cultural Rights (Committee) stressed in its general comment No. 12 that the core content of the right to adequate food refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems (para. 12). According to the Committee, the obligation to respect existing access to adequate food requires State parties to refrain from taking any pressures that result in

preventing such access. The obligation to protect requires the State to take measures to ensure that enterprises or individuals do not deprive other individuals of their access to adequate food. The obligation to fulfil (facilitate) means the State must proactively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including their access to land to ensure their food security (para. 15). The right to be free from hunger and malnutrition is not subjected to progressive realization as it must be fulfilled in a more urgent manner (para. 1).

As stated by the Committee in its general comment No. 12, States are required to respect existing access to adequate food and to take no action to prevent such access. The Committee also recalled that the formal repeal or suspension of legislation necessary for the continued enjoyment of the right to food may constitute a violation of this right. The formulation and implementation of national strategies, mandatory for the progressive realization of the right to food, require full compliance with the principles of transparency, accountability and participation of the people. Paragraph 54 of general comment No. 12 also emphasizes that “[t]he denial of access to food to particular individuals or groups” constitutes a violation of the right to food.

We also wish to draw the attention of your Excellency's Government to CESCR's general comment No. 26 on land and economic, social and cultural rights, which emphasizes the essential role of land in the realization of a range of rights under ICESCR. In fact, secure and equitable access to, use of and control over land for individuals and communities can be essential to eradicate hunger and poverty and to guarantee the right to an adequate standard of living, including the right to food and to adequate housing, as housing is often built on land used for the purpose of food production. Without such access, people could be subject to displacement and forced eviction, which could violate their right to adequate housing. Additionally, the Committee underlines that agrarian reform is an important measure to fulfil such rights, as more equitable distribution of land through agrarian reform can have a significant impact on poverty reduction and improve food security, since it makes food more available and affordable, providing a buffer against external shocks (para. 36). Such redistribution of land and agrarian reforms should focus particularly on the access to land of young people, women, communities facing racial and descent based discrimination and others belonging to marginalized groups and should respect and protect the collective and customary tenure of land. Therefore, States parties shall put in place laws and policies that allow for the recognition of informal tenure through participatory, gender-sensitive processes, paying particular attention to tenant farmers, peasants and other small-scale food producers (para. 39).

We further wish to draw your attention to the Guiding Principles on Internal Displacement. All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons (principle 5). Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence, including in cases of large-scale development projects, which are not justified by compelling or overriding public interests. (principle 6). Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether.

Where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects (principle 7(1)). The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated (principle 7(2)).

If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with: (a) a specific decision shall be taken by a State authority empowered by law to order such measures; (b) adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation; (c) the free and informed consent of those to be displaced shall be sought; (d) the authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation; (e) law enforcement measures, where required, shall be carried out by competent legal authorities; and (f) the right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected (principle 7(3)). Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty, and security of those affected (principle 8). States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands (principle 8). Every human being has the right to dignity and physical, mental, and moral integrity, and shall be protected in particular against inter alia rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution, and any form of indecent violence, acts of violence intended to spread terror among internally displaced persons, and threats and incitement to commit any of the foregoing acts shall be prohibited (principle 11). All internally displaced persons have the right to an adequate standard of living, which at a minimum should include essential food and potable water, basic shelter and housing, appropriate clothing, and essential medical services and sanitation (principle 18).

We would also like to highlight the UN Guiding Principles on Business and Human Rights, which were unanimously endorsed in 2011 by the Human Rights Council in its resolution (A/HRC/RES/17/31) following years of consultations involving Governments, civil society and the business community. The Guiding Principles have been established as the authoritative global standard for all States and business enterprises with regard to preventing and addressing adverse business-related human rights impacts. These Guiding Principles are grounded in recognition of:

- a. “States’ existing obligations to respect, protect and fulfil human rights and fundamental freedoms;
- b. The role of business enterprises as specialized organs or society performing specialized functions, required to comply with all applicable laws and to respect human rights;
- c. The need for rights and obligations to be matched to appropriate and effective remedies when breached.”

It is a recognized principle that States must protect against human rights abuse by business enterprises, including academic institutions, within their territory. As part of their duty to protect against business-related human rights abuse, States are required to take appropriate steps to “prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication” (guiding principle 1). This requires States to “state clearly that all companies domiciled within their territory and/or jurisdiction are expected to respect human rights in all their activities” (guiding principle 2). In addition, States should “enforce laws that are aimed at, or have the effect of, requiring business enterprises to respect human rights...” (guiding principle 3). The guiding principles also require States to ensure that victims have access to effective remedy in instances where adverse human rights impacts linked to business activities occur. States may be considered to have breached their international human law obligations where they fail to take appropriate steps to prevent, investigate and redress human rights violations committed by private actors. While States generally have discretion in deciding upon these steps, they should consider the full range of permissible preventative and remedial measures.

The guiding principles also recognise the important and valuable role played by independent civil society organisations and human rights defenders. In particular, principle 18 underlines the essential role of civil society and human rights defenders in helping to identify potential adverse business-related human rights impacts. The commentary to principle 26 underlines how States, in order to ensure access to remedy, should make sure that the legitimate activities of human rights defenders are not obstructed.