

EACOP

A DISASTER IN THE MAKING

Research into Total's mega pipeline project in Tanzania

OCTOBER 2022



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INTRODUCTION

A major project is currently underway in East Africa, led by French oil major TotalEnergies (hereinafter “Total”). The company intends to build the longest heated pipeline in the world, the East African Crude Oil Pipeline (EACOP), which will span 1,443 kilometres. It will run through Uganda and Tanzania, and is linked to two oil extraction projects in Uganda (the Tilenga and Kingfisher projects, the latter operated by Chinese company CNOOC).

In total, this project will require the displacement of roughly 118,000 people along the pipeline’s route, primarily farming communities who live off their land.

The EACOP will also cut through reserves and protected areas, endangering unique and highly fragile ecosystems which host a number of protected species, some threatened with extinction. The pipeline also represents a threat to Africa’s biggest freshwater basin, Lake Victoria Basin, which supports a population of 40 million people. In addition, the risk of an oil spill is very high on the Tanzanian coast, which is prone to tsunamis due to the region’s high seismic activity.

Total is intent on going through with the megaproject even though the International Energy Agency has said that, in order to avoid irreversible climate change, no oil project whose Final Investment

Decision is made after 31 December 2021 should go ahead, which is the case for both the EACOP and Tilenga projects. In addition, IPCC scientists have made it abundantly clear that any hope of limiting the global temperature rise to 1.5°C by 2050 requires that fossil fuels be kept in the ground. Yet if the EACOP goes ahead, it will generate up to 34.3 million tonnes of CO₂ per year, far more than the emissions of Uganda and Tanzania combined.

In light of the disastrous consequences such a project would have on the environment, the climate and on humankind, the project is being met with huge resistance from both the local and international community. The directly affected communities are taking action on the front line, supported by local organisations denouncing human rights violations and environmental risks. But they are facing a harsh backlash: several community leaders and NGO members have been threatened or arrested, organisations have been shut down and certain individuals that have expressed opposition to Total’s project have been hunted down, forcing them into hiding.

Drawing on France’s new duty of vigilance law,¹ six organisations issued a legal notice to TotalEnergies in 2019, contesting its oil megaproject in Uganda and Tanzania. Two of these organisations are French – Friends of the Earth France and Survie, and the four others are Ugandan – AFIEGO, CRED, NAPE/ Friends of the Earth Uganda and NAVODA. They argued that the French company was not complying

with its obligations to prevent human rights violations and environmental harm caused by the operations of its subsidiaries and subcontractors in Uganda and Tanzania. After Total rejected these accusations outright, the six organisations filed a lawsuit with the French courts in October 2019. The transnational corporation contested that the case did not fall within the jurisdiction of the civil court that it was initially referred to, requesting that it be referred to the commercial court. Although the Cour de Cassation (French Supreme Court) ruled, in December 2021,² that the case did indeed fall within the jurisdiction of the civil court, this has drawn out the case substantially. Providing no other procedural questions arise, the merits of the case will finally be judged in Autumn 2022, three years after the lawsuit was filed against Total.

Other legal proceedings against the project are also underway. Procedural questions have held up a lawsuit filed with the East African Court of Justice,³ which has meant no hearing on the merits has yet been held. Numerous lawsuits have been filed by local NGOs in Uganda, but the hearings are constantly postponed.

Many civil society organisations have documented the human rights violations that have occurred as a result of the EACOP, Tilenga and other associated projects, as well as negative environmental impacts

and risks, with an increasing number of reports since 2017.⁴ Other reports such as those produced by the Netherlands Commission for Environmental Assessment and the environmental consultancy E-Tech point to the risks of environmental harm.⁵ In addition, reports by international journalists have corroborated the organisations' research, reporting numerous human rights violations.⁶

Virtually all of the field research by both NGOs and journalists has been carried out in Uganda (with the exception of Oxfam's 2020 report which also covers Tanzania). Total's response to the various allegations against the company has often been to hide behind alleged communication problems, or lay the blame on local communities for supposedly misunderstanding the instructions given by its teams and/or its subcontractors. Total has also often blamed local or national Ugandan authorities.

This new report, which is the result of field research across the eight regions affected by the EACOP project in Tanzania ([see box on following page](#)) illustrates that the practices of Total and its subcontractors are just as problematic as those documented in Uganda. In certain areas, they are even worse, falling far short of the recommendations and international standards that the French supermajor claims to comply with.



THE INTERNATIONAL #STOPEACOP COALITION: A MASSIVE CIVIL SOCIETY CAMPAIGN

Local and international organisations, including Friends of the Earth France and Survie, have come together to form an international coalition: #StopEACOP. It now includes several hundred organisations from around the world, and is supported by over a million people. Following a massive campaign, twenty banks – the traditional backers of Total and its partners – as well as a dozen global insurers, have announced that they refuse to be associated with this new climate bomb. Several states, particularly in Europe, have also declined to support the project via their export credit agencies.

#STOPEACOP

+ STOPEACOP.NET



METHODOLOGY AND CONTEXT

This report is primarily the result of field research carried out in January and February 2022, over a period of just over five weeks. We interviewed 73 persons affected by the EACOP project (hereinafter “PAP”) from 23 different villages across the eight regions affected by the pipeline. All interviews, except for two, were individual interviews – or in the presence of another family member (husband and wife or parent and child). Ongoing phone contact was established with certain PAPs in order to follow up on their situation and that of their community. The names of all PAPs cited in the present report have been changed for safety reasons. We also met with environmental organisations, human rights protection organisations and organisations specialised in property issues, primarily in the towns of Dar Es-Salaam, Tanga and Arusha.

Other than the field research that informed Oxfam’s 2020 report,⁷ we are not aware of any other research into the land grabbing process in Tanzania due to the EACOP. In addition, almost no journalists have been able to go to the villages affected by the EACOP in order to meet impacted communities. A journalist from the French media outlet *Blast*, who had to call off his investigation after his arrival in Tanzania due to safety reasons, relayed the message he was given by an “anonymous

Tanzanian environmental expert: “There is a surveillance system along the entire route of the EACOP pipeline. [...] If you go into one of these villages alone, you won’t get 30 minutes before the police ask you to leave, or arrest you. You won’t be able to talk to anyone.”⁸ Authorities or representatives of the party in power did indeed make it difficult for us to conduct research in a number of villages, and we had to deal with the police on numerous occasions, with the result that we had to cut short our research, which ideally would have been longer.

None of the PAPs interviewed had previously met with an NGO. Several local organisations were interested in the EACOP project but stated that they were unable to work on the issue due to its sensitive and risky nature (see Section 1.3). Several organisations said they had received direct threats that served to discourage them from working on the negative impacts of the pipeline. We only met two organisations that were working directly with PAPs of affected villages on a long-term basis. One of these only organised meetings with the village communities alongside the state representative in charge of security. The other has signed a partnership with Total. These two avenues for intervention, used by local organisations in order to avoid being definitively shut down by the Tanzanian authorities, seem inadequate in allowing PAPs to express themselves freely.

I. EACOP, A COLOSSAL PROJECT

1 THE LONGEST HEATED PIPELINE IN THE WORLD

If the project goes ahead, the East African Crude Oil Pipeline (EACOP), spanning 1,443 kilometres, will be the longest heated pipeline in the world. The pipeline will start in Hoima District, on the shores of Lake Albert, in Western Uganda, covering a distance of 296 kilometres to reach the Tanzanian border. It will cut through 178 Ugandan villages, involving the displacement of nearly 25,000 people.⁹ In Tanzania, the pipeline will stretch across 1,147 kilometres to end in the port of Tanga, on the coast of the Indian Ocean. It will impact the land of nearly 62,000 people from 231 villages, and pose a threat to over 2,000 square kilometres of nature reserves.¹⁰ Combined with the Tilenga oil extraction project, which alone will displace nearly 32,000 people, this oil project already represents a major disaster for roughly 118,000 people.¹¹

The pipeline project is backed by a consortium of companies, which have formed the company “East African Crude Oil Pipeline (EACOP) Limited”. These companies include TotalEnergies, which is leading the project with a 62% stake in the venture. The EACOP company is registered in London, at the same address as Total’s other subsidiaries, and the majority of its key managers are from Total. Other companies in the EACOP consortium are Chinese public company CNOOC (China National Offshore Oil Corporation, with an 8% stake) as well as Ugandan and Tanzanian national oil companies (Uganda National Oil Company – UNOC, 15% stake and Tanzania Petroleum Development Corporation – TPDC, 15% stake). The so-called “Lake Albert Development Project”, which includes EACOP, Tilenga and Kingfisher, requires a total investment of over US\$10 billion.

The entire pipeline will be electrically heated to 50°C, due to the highly viscous nature of Uganda’s

crude oil and will transport approximately 216,000 barrels of oil a day, which will then be exported to the international market. Factoring in the transport of the oil, the refining process and, above all, the burning of the oil, the pipeline will generate up to 34 million tonnes of CO₂ per year,¹² significantly more than the current combined emissions of Uganda and Tanzania.

2 OPENING UP AFRICA’S GREAT LAKES TO OIL EXPLORATION

Tilenga and Kingfisher, the two first oil extraction projects

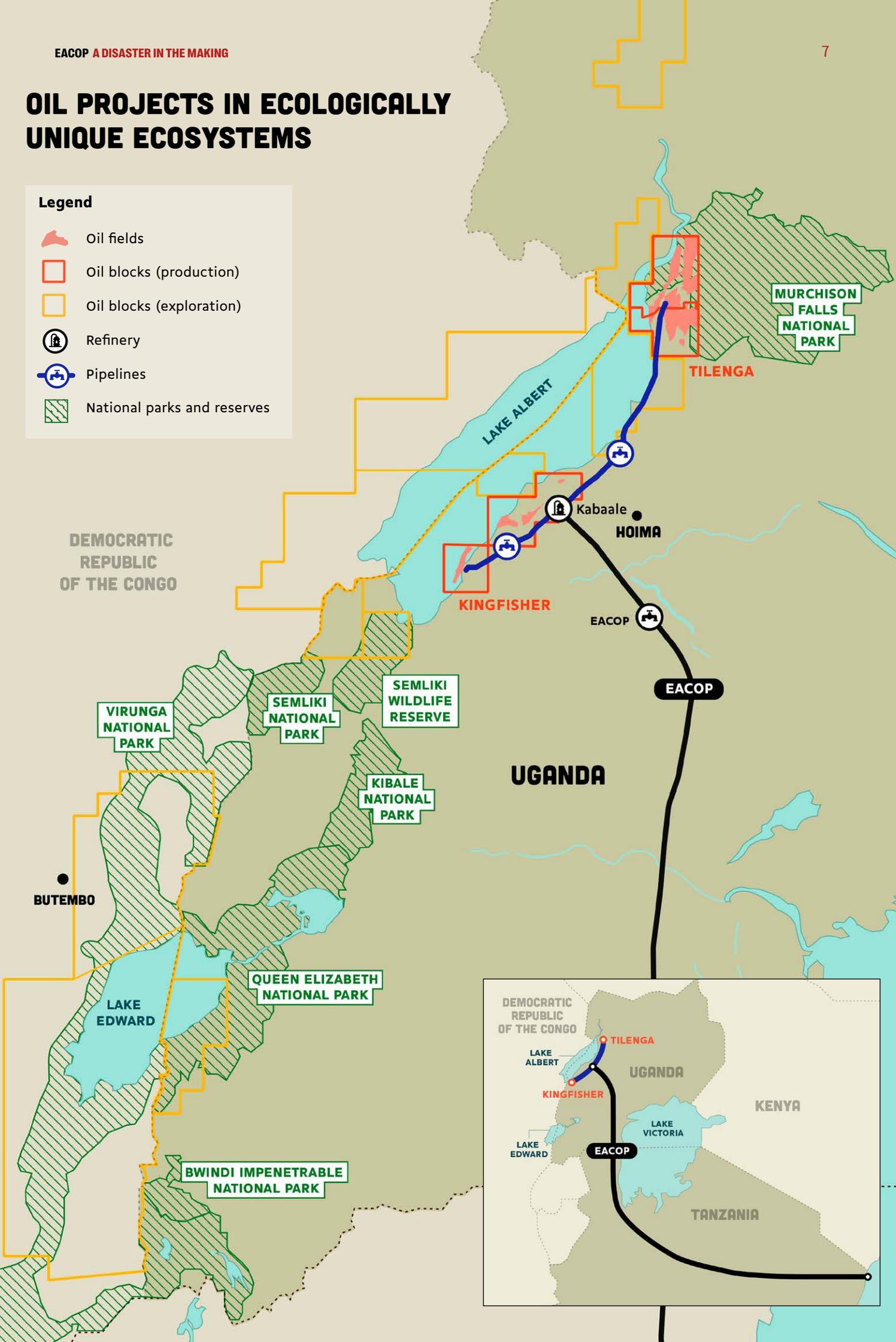
The EACOP pipeline project is associated with two oil extraction projects in Uganda. The first and biggest of the two, the Tilenga project, is set to produce 190,000 barrels a day. Operated by Total, it will require drilling more than 400 wells, 132 of which are located in Uganda’s largest and oldest national park – Murchison Falls National Park. The second development project, Kingfisher, in which Total is also majority shareholder, is operated by Chinese company CNOOC. Located on Lake Albert’s eastern shore, it aims to extract around 40,000 barrels per day.

These projects include associated infrastructure: a Central Processing Facility (CPF) for each project, two pipeline networks connecting the various wells (a total length of 226 kilometres¹³), a water extraction system, which will extract water from Lake Albert to be used in the oil extraction process, and two pipelines which will transport the oil from each extraction zone to Kabaale, in Hoima District. Plans are underway for the construction of a refinery and an international airport in Hoima, the giant pipeline’s starting point.

OIL PROJECTS IN ECOLOGICALLY UNIQUE ECOSYSTEMS

Legend

-  Oil fields
-  Oil blocks (production)
-  Oil blocks (exploration)
-  Refinery
-  Pipelines
-  National parks and reserves





Opening the door to other oil projects in the region

The EACOP project could pave the way for other oil extraction projects, both in Uganda and Tanzania, as well as in the region's other countries.

In this regard, the Ugandan government has opened up new calls for tenders for various oil blocks, particularly along the Albertine Rift, near the border with the Democratic Republic of the Congo (DRC). One licence is for an oil block in Queen Elizabeth National Park, the second biggest nature reserve in Uganda and that which attracts the most tourists. The licence also covers a section of the Lake Edward Basin. The Congolese shores of Lake Edward are located within Virunga National Park. The latter is Africa's oldest national park and is considered the most biodiverse protected area on the continent, home to more than a thousand species of mammals and birds as well to a third of the world's endangered mountain gorillas. Several years ago, following an international campaign led by civil society, Total eventually abandoned its oil extraction project in Virunga National Park.

The DRC has just launched a call for tender for thirty oil exploration licences,¹⁴ several of which are in nature reserves and national parks, including Upemba National Park, in the southeast of the country. DRC Hydrocarbons Minister, Didier Budimbu, has stated that "*TotalEnergies, [...] [is] among the oil companies to have expressed an interest in acquiring the blocks put up for auction*".¹⁵

It is clearly stated on the official EACOP website that the pipeline could be used for other oil fields in Uganda, DRC, Tanzania or even in South Sudan, over a time period that goes beyond three decades, thus well after 2050. This seems to blatantly contradict Total CEO Patrick Pouyanné's commitment to reach "*net zero by 2050*".

3 TANZANIA, AN AUTHORITARIAN REGIME

Tanzania was not originally first pick among the potential countries to export Ugandan oil to the international market. The Ugandan authorities had initially envisaged Kenya and its port Lamu.¹⁶ According to an internal source at Total, it was the French supermajor that pushed for Tanzania. Yet one would think that the situation in Tanzania would have been enough to put the French transnational off investing in the country and partnering with the Tanzanian national oil company. The Tanzanian regime is (as is the Ugandan regime) significantly more authoritarian than the Kenyan regime. There is an active repression of civil society and the media, and local legislation doesn't protect property rights (which seems particularly problematic given that the project involves displacing tens of thousands of people).

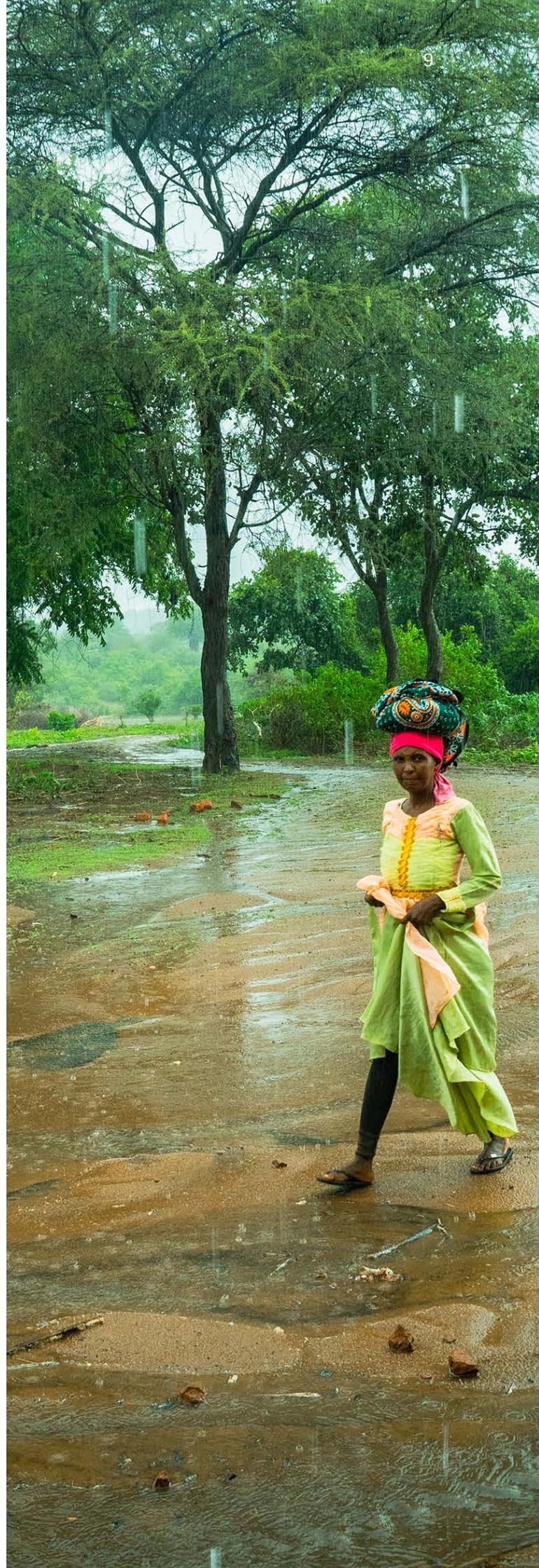
Although Tanzania has seen a succession of heads of state since its independence, the Chama Cha Mapinduzi (CCM) party, which was the only authorised political party until the early 1990s, has retained its stranglehold on power. According to several human

rights organisations,¹⁷ the Tanzanian government is operating a real system of surveillance via the CCM party, monitoring the local population, zoning in on each neighbourhood. The country's last elections (2015 and 2020) were tarnished by a number of irregularities, with a police crackdown on the civil population, the arrest of the main opposition leaders and international and local observer missions denied accreditation. A number of international media outlets were also refused accreditation.¹⁸

Since the election of John Magufuli in 2015, the government has cracked down with increasing severity on critics within the opposition party as well as on the media and civil society. The Statistics Act (2015), Cybercrimes Act (2015), Media Services Act (2016), Access to Information Act (2016), and Online Content Regulations Act (2018), repressive laws which enable authorities to criminalise dissenting and critical voices, were all toughened up in 2020.¹⁹ Foreign media outlets are not allowed to publish content without the permission of authorities.²⁰ Publishing unofficial statistics can also result in a prison sentence, making it a crime to factcheck or publish data that is not in line with official public figures.²¹

In recent years, several media outlets have been suspended and journalists and bloggers arrested. According to Reporters Without Borders' (RSF) World Press Freedom Index, Tanzania's ranking has plummeted, dropping from 34th in 2011-2012 to 123rd in 2022. Many NGOs have been shut down and their bank accounts frozen, making it difficult for them to continue their work.

The human rights situation has not improved since the sudden death of President John Magufuli in March 2021, despite promises from the country's new president, Samia Suluhu Hassan. In its latest report, Amnesty International noted that *"the government continued to limit the rights to freedom of expression, association and peaceful assembly by implementing draconian measures targeting political dissidents and opposition, human rights defenders, journalists and media outlets."*²²





II. A PROJECT BASED ON LAND GRABBING

For several years, researchers, journalists and civil society organisations, informed by research on the ground, have been documenting the numerous human rights violations that communities affected by the EACOP and Tilenga projects in Uganda are being subjected to. Total has tended to lay the blame on the Ugandan government. Yet this latest research shows that violations experienced by Tanzanian communities affected by Total's pipeline project are virtually the same as in Uganda. Worse still, some of the practices of the project's promoters not only fail to meet international standards, but are even more unsatisfactory than those implemented in Uganda, particularly in regards to consultation and free, prior and informed consent of affected communities.

Land grabbing is at the root of most human rights violations taking place: recurrent failure to obtain free, prior and informed consent; violation of property rights; impeding the right to an adequate standard of living, to decent housing, to health; and restriction of freedom of expression, assembly and association.

1 FAILURE TO INFORM AND CONSULT AFFECTED COMMUNITIES

"It's like the colonisation... because they take our land."

Mary, a 50-year-old woman affected by the EACOP project, in Singida District.

Free, prior and informed consent of the communities affected by a project that will result in their involuntary displacement is a right recognised by various international treaties, which Total has undertaken to respect. These include Article 32 of the United Nations Declaration on the Rights of Indigenous Peoples, the United Nations Declaration on the Right to Development and the International Labor Organization's (ILO) Indigenous Peoples Convention (No.169).²³ The promoters of the EACOP project must therefore consult persons affected by the project (hereinafter "PAP") beforehand and consent must be given freely, after receiving adequate information.

EACOP A DISASTER IN THE MAKING



DEMOCRATIC REPUBLIC OF THE CONGO

ZAMBIA

TANZANIA

LAND GRABBING FOR THE EACOP PROJECT

Legend

- 3 000 Number of affected persons
- Priority Areas
- Affected regions
- EACOP pipeline

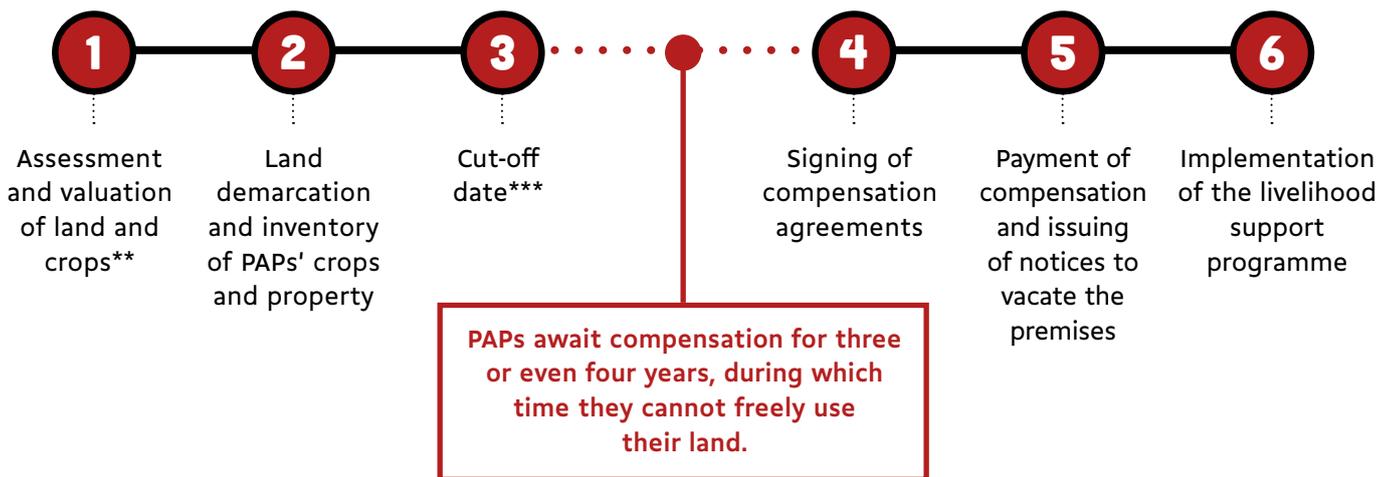
EACOP PRIORITY AREAS

The Priority Areas are areas where Total plans to set up the initial infrastructure required to construct the pipeline, including various camps for workers, storage facilities for construction materials and pumping stations.

The cut-off dates for Tanzania's Priority Areas were set for March 2018, several months before other areas affected by EACOP. PAPs living in these areas were the first to receive compensation (late 2021). However, the vast majority of other PAPs impacted by EACOP are still awaiting theirs.

The EACOP* Land Acquisition Process

BEFOREHAND: The government and the company called PAPs (although not all PAPs) to a meeting, introduced the EACOP project to them and announced that they would be displaced and would lose either some or all of their land.



* "East African Crude Oil Pipeline (EACOP) Limited" company, which includes TotalEnergies, the project's main shareholder, with a 62% stake. ** The land compensation rates are based on a study carried out by the company. The valuation of PAPs' land, crops and assets, also carried out by the company, is then approved by the Tanzanian administration. *** Compensation is supposed to be paid within six months following this date.

A. FAILURE TO CONSULT PAPs PRIOR TO PROJECT'S LAUNCH

In its official communication on the project, Total claims to have consulted over 35,000 people in Tanzania in order to carry out an Environmental and Social Impact Assessment²⁴ of the EACOP. Yet over the course of our research, none of the people we talked to recalled any kind of consultation prior to the project's launch. In addition, EACOP's former director Maxim Marchenko, explained in 2020 that the ESIA had not included any public meetings to consult the affected persons,²⁵ as Tanzanian legislation did not require this. PAPs do, however, remember meeting the EACOP teams for the first time. These encounters took place on various different occasions: at a meeting introducing the project, while their land was being assessed (during a visit to identify crops and buildings), while their assets (crops, farmland and infrastructure) were being assessed, or at meetings taking place even after these visits.

Meetings introducing the EACOP project

Many PAPs that we met first heard about a pipeline from Uganda in the media or in the street. But a great number of them learnt that their land and/or homes would be taken for the project at meetings organised by Total and the EACOP teams in 2018, held in the offices of local authorities.

This is how John, a 60-year-old living in Kigoma Region, first heard about the project. His first meeting with Total's teams was at a meeting that the village chief had invited him to. This was when the EACOP teams explained "how the project was important. They said we will be directly compensated. How it will benefit to the community around us, and said that there will be no negative impact [...] They said that some new jobs will be created, especially for youth." Then they added that "the teams will come the next day to my house to do an evaluation of the land." No prior consultation was mentioned in John's account, nor was it mentioned by any of the other



PAPs we talked to. They all referred to the same points covered at these first meetings: an introduction to the project, outlining the positive impacts it would have on them and their community, and the fact that they would receive substantial financial compensation for the affected land.

The village chief of Manyara Region reported the same thing: *"EACOP team told them what's the project, where he comes from. But EACOP never asked to PAPs and communities if they liked or not the project. But they told them the benefit from the project, that the government will get revenue from this. [...] EACOP team told them that they will be some CSR [Corporate Social Responsibility] for their village, as dispensary or school. But nothing implemented."* In addition, he stated that the EACOP teams asked different leaders, including himself, to tell PAPs about the advantages of the project, that would benefit both themselves and the community, and to reassure them that they would receive substantial compensation.

First encounters with EACOP team while land is assessed

Many PAPs met the EACOP team for the first time on their own land, when the latter were conducting surveys or were already at the stage of assessing the land that would be impacted.

For example, a PAP from Manyara Region said that the first time he saw the project teams was when they were lost and asked for help. *"So I took them to another place after where they wanted to go. They*

took some pictures there. And after I took them to the village office. They used to come several times." It was only two or three months later that he found out that he himself would be affected: *"I saw them doing an assessment [of my land], so it's like that I discovered I was affected. It was not in a meeting but in my farm. They took pictures of my wife and me. I had no choice. But they told me I will be compensated."*

In addition, many PAPs reported that they were not informed that meetings introducing and providing information about the project were being held in their village. This was the case for Issa, from the village of Diloda. He explains that he was not invited to the information meeting and describes his first encounter with the team in charge of the project: *"There were a Mzungu [white person] and one African, on my farm land, behind my house. I asked them what do they want, and they told me there is a project and my lands will be affected. It was in 2018. After they left, I went to the village office to ask more informations. But the chief just replies that they will have more information during the general village meeting."* But the EACOP teams didn't come until the next meeting, which was over two months later, to talk more about the project that would affect them.

Catherine, a 74-year-old woman, and her 37-year-old daughter Nadia, from Geita Region, also said that they found out they would be affected by the project while the EACOP teams were assessing their land: *"They told us our land will be affected by the project and they will give us money. But they didn't ask if we were ok with it."* Their neighbour Wilson told us that he met the EACOP teams on his land before

the meeting that was held with the village chief. The teams were doing research on the planned route of the pipeline, and this was when he was told that his land would be affected and that he would receive a compensation payment.

Aïsa, from the village of Mapanga, learnt that she would be affected by the project just before her land was assessed: *"Someone called me to tell me that my land is affected. So I came to meet EACOP team [who makes] the assessment. Before the assessment, I didn't know that my land was affected. [...] I was not happy, because that is our land I normally depend for my survival."*

Some PAPs were not even told until after the assessment. This was the case for Vincent, from the village of Iparamasa: *"First time I met them, it was after the assessment."* Not only was the assessment of his own land carried out while he was absent, but he also found out that he would be displaced only once the process was well underway.

B. FAILURE TO PROVIDE ADEQUATE INFORMATION TO MAKE AN INFORMED CHOICE

Our research also revealed that PAPs receive very little information on the land acquisition process, both in regards to their rights and the complaints procedures as well as to the compensation payment dates. Sometimes they do not even know the compensation amount they are to receive. This was an issue already highlighted by Oxfam in its 2020 report. Many PAPs are also concerned about the negative impacts of the pipeline, including the risk of an accident as well as health risks and potential environmental damage. They also want to know how the pipeline will affect their living conditions and livelihoods, both during the construction and operation phase.

Local chiefs kept in the dark

Village chiefs that we met told us that they received almost no information that they could pass on to affected persons. They were only told to tell PAPs that they would receive substantial compensation and that payments would be prompt. The chief of a village explained that *"EACOP team never consulted me how to improve [the situation], but they told me PAPs will be compensated very soon. EACOP team never*

asked me what challenges PAPs are facing". Another village chief from Kondoa District stated that there is *"only the village executive officer who knows how many people are affected in my village"*, but that he had not been told. While the village chief is elected by the residents, the village *"executive officer"* is the administrative head appointed by the government and is in charge of security at local level.

Meetings too infrequent and information provided inadequate

In the villages of several different districts, PAPs haven't been able to talk to the EACOP teams since 2019. Kasim, from the village of Chapulwa, explained that *"after assessment, they've never been here."* He thus has no idea of the date on which he will receive compensation nor of how much it will be. *"They came in August or September 2021, but without any meeting with PAPs."* This has been corroborated by other PAPs from the village, as well as other localities impacted by the pipeline.

Another issue is that when the information meetings take place, they can be held very far from the homes of those affected – sometimes several kilometres away. Their travel costs are not reimbursed, which doesn't encourage them to attend.

Many people mentioned how difficult it was to ask questions during the meetings with the EACOP teams. They even sometimes felt it was impossible: *"I have some questions about how I can use my land if the pipeline pass at the middle. But I didn't ask because they don't allow PAPs to ask questions during meeting,"* said Kamely from the village of Goima. Wilson, from the village of Iparamasa told us that *"[he] never asked the question, because during [the] meeting, time was very limited and they are many PAPs."*

The answers given by the EACOP teams were sometimes given with a tone of mockery, both at the meetings and on other occasions, discouraging PAPs from asking further questions. When Alfred, from the village of Kingali, complained about the disruption caused by the eviction process and asked Total what they were going to do about it, the teams made fun of him and said that they would add 4,000 shillings (about one euro) for *"disturbance costs"*. He added, *"I don't want to meet the EACOP team anymore. I don't trust them. They always disturb us. I don't*

understand why the government is not ashamed that this company disturbs people like that." A woman also reported that in October 2021, at a meeting held in the village of Kerema, attendants complained about the drawn-out process and the high rate of inflation since the initial assessments, affecting land prices, asking what would be done to address these issues. The teams sniggered and said there would be a new assessment. Shocked by their tone, it was clear to the people at the meeting that the teams had absolutely no intention of undertaking a new assessment and that they were not being taken seriously.

2 PAPS PRESSURED INTO GIVING UP LAND AT AN UNFAIR PRICE

PAPs are asked to sign consent forms as part of the land acquisition process. As mentioned previously, consent must be given freely, prior to the acquisition of the land and only after receiving adequate information. Our research revealed that, in addition to receiving inadequate information, PAPs and their families are being coerced into giving up their land, and are not given any choice in the matter. Many PAPs told us that they didn't have any choice and several said that they were pressured into signing the forms. Communities seem to be especially reluctant to give up their land due to the meagre compensation payments, which are not enough to buy equivalent land and/or assets. In addition, certain assets will not be compensated by the project's promoters. And yet Total claims, in all its communications, to be following international best practice, including the International Finance Corporation's (IFC) Performance Standard 5, which states that *"cash compensation levels should be sufficient to replace the lost land and other assets"*.²⁶

A. LAND UNDERVALUED AND COMPENSATION INADEQUATE

Price of farmland undervalued

The vast majority of PAPs who know how much they are to be compensated complained that the amount was not on par with the value of their land, and would not enable them to buy new land of an equivalent size and quality. In addition, many were surprised at the amount, which they were informed of at the signing of the consent forms

in 2021, as it was less than the price they were initially told.

Emmanuel told us that *"the amount of compensation is much lower [than] what was done during assessment. But the EACOP team in October [2021] told they don't recognise the first team who did the assessment."* He added: *"One acre normally is sold for more than 400 000 [Tanzanian shillings], but EACOP team is going to compensate for 300 000 shillings. One acre, depending quality of the land, costs between 400k to 1M [shillings]/acre here."* The chief of the same village agreed: *"PAPs complained the compensation is too low, and [does] not represent the value of their land. I totally agree about that. For me, one acre starts with 500 000 here."* He told us that no land evaluations for the project were carried out in his village: *"The assessment of the value of the land was not done here, but in [neighbouring] town. And after that, they have just reduced the price because they said the price has to be lower. So no real assessment was done here."*

The chief of another village said that *"for the evaluation of the price and compensation, it was EACOP Team who did that in partnership with the government."* So, as in Uganda, the compensation amount that affected persons are to be paid is not defined by an independent organisation but by the EACOP company, controlled by Total. The latter carried out the preliminary assessment which was used to define the definitive compensation price that the company itself will pay.

Many PAPs also complained that the soil quality of the land was not taken into account. This has an impact on the land's fertility and, consequently, its market value: *"Value of land depend on the type of soil. But the compensation didn't take that into account. Here if you buy one acre of sand soil, you will pay approximately one million. But if you want loam soil, that will cost you more than 2 millions, because it's better. It's more fertile,"* explained Ahmed from Singida Region.

Rising inflation impacting the price of land, exacerbating PAPs' situation

Communities complained that the assessments and corresponding compensation rates were carried out in 2018 and don't reflect the current price of land and raw materials, due to high inflation. In addition,



an analysis of the various Resettlement Action Plans (RAPs) of the EACOP project in Tanzania, carried out by the company, shows that the compensation rates were based on “2016 base land rates”;²⁷ supplemented by additional research. Yet, in 2016 and 2017, the inflation rates were above 5% and continue to remain very high.

Tanzanian legislation recommends that compensation be paid within six months of assessments, so that affected persons will not be penalised for any inflation in land prices. However, assessments relating to the EACOP project were completed over four years ago and in many areas inflation has been very high. Although at the time of the assessment in 2018, PAPs from certain villages felt they could still find land of an equivalent value, four years later this is no longer the case: *“I was able to find a land by the time assessment was done. But because of the delay of compensation, now it’s not possible with that amount,”* said a PAP from the village of Mkindi, in Tanga District.

Alfred, from the village of Kingali in Kondoa District, was also worried about the compensation amount: *“I don’t know how much I will be paid, but since assessment in 2018, all prices are increased. So I’m afraid for the amount. The assessment was in 2018, so [I] need another assessment [to] take into account the current value of money and land.”* But when PAPs request a new assessment that takes inflation into account (as was requested in the village of Kerema), the EACOP teams are *“just laughing”* and don’t respond to their request, despite the fact that it is entirely valid.

The chief of a village explained that *“PAPs want a new assessment, due to the delayed payment.”* He added that *“prices of everything to build a house has increase since 2018. Before [it] was possible to build a new house. Now it will be more difficult.”*

In regards to compensation rates for crops and trees, according to the Resettlement Action Plan²⁸ report, the teams *“used the 2012 base rate for each district”*. Thus, the rates on which compensation payments are based are almost nine years old for Priority Areas, and more than ten years old for other areas. This raises further questions as to whether the compensation rates reflect the current value of crops, even when an average rate of inflation is factored in, as Total says it has done.

“Despite the fact that the compensation was already not good at the time, now it’s even worse, because the prices have increased,” said a farmer from the village of Diloda. Pius, from Manyara Region, went into more detail: *“When they did the assessment, the cost of land was 500 000/acre, and now it’s between 700 to 800k. But they want to pay 300k only!”* In other villages, PAPs showed us land purchase papers from before 2018 that show prices that are significantly higher (almost double) than the compensation they will receive. This demonstrates that the assessments of compensation rates carried out four years earlier were not always accurate.

No compensation for certain crops and trees

Several affected families reported that they would receive no compensation for a number of assets on their land. For example, only four varieties of trees would be compensated. *“EACOP team said they will compensate some type of trees, but not all. For example, some trees were used for medicine purpose, but are not compensated,”* explained Emmanuel.

Another PAP, Lugenge, from Hanang District, also felt that it was *“not fair to not compensate some trees, but EACOP team told us they will compensate only four important trees.”* However, many tree varieties that are not taken into account are used by communities for various activities, some of which are economic. Benson, from Manyara Region complained that *“during the assessment, some trees which were small were not considered. But now they are big, so they should be considered.”* Yet the restrictions in place since 2018 (see Section II. 3.) mean that he can’t cut them down and use them.

In addition, several PAPs told us that the EACOP assessment teams did not note down all the assets and crops on their land. This is what happened to Nicholous, from Singida Region: *“On my paper assessment, they have written on the land use practice ‘Bush fallowing’, even if I used this land, up to now.”* A village chief confirmed that *“some crops was not considered for compensation, because for [the] EACOP [team], PAP had time to harvest them.”* Yet other similar crops that could be harvested were taken into account.

B. PAPs FORCED INTO SIGNING “CONSENT FORMS”

“It’s totally robbery, taking someone property without his consent.”

A PAP from Manyara Region.

Another man affected by the project in Manyara Region complained: *“I was forced to sign this compensation for one acre.”* A similar comment was made in another village: *“Before I didn’t sign that document [the consent form], because of that amount [of the compensation]. But I was intimidated: If I’m not going to sign, my land will be taken and I will not be compensated. EACOP team told us that if we don’t sign, the land will be taken without compensation, so it’s for that we signed”.*

Many PAPs reported that they signed the consent forms only because they had no choice other than to accept the compensation offered by the EACOP teams. They said that if they refused, they would still lose their land but would receive no compensation.

Part of the problem seems to stem from the conception of Tanzanian land law, as described by the Land and Resource Governance Division of the United States Agency for International Development (USAID): *“All land in Tanzania is considered public land, which is held by the President of Tanzania, in trust for the people.”*²⁹ This means that the president (and its representatives) can expropriate whoever he or she wishes, a fact that expropriated persons are well aware of. *“I complained about the amount that it was not fair. But EACOP team told me that if I don’t want to sign, I should file a case to the court. And for me, it was useless because based on Tanzanian land act, land is the property of the government,”* said Vincent, father of a family affected by the project. Nasra, a widow with seven dependent children living in Chemba District, made a similar comment: *“Because the government decided, if I signed or not, the project will pass across my land explained EACOP team.”*

Yet French law requires that Total identifies and prevents human rights violations caused by its activities. In order to meet obligations under the duty of vigilance law, the company should have identified the risks specific to Tanzania in the project’s initial stages, particularly those concerning property rights of the affected communities and their right to free, prior and informed consent. Yet the EACOP teams seem to have done the opposite, capitalising on the lack of protection for property rights in Tanzanian legislation in order to coerce PAPs into accepting the company’s conditions, which include low compensation rates.

In some villages, when the EACOP team’s arguments failed to convince the affected families to give up their land, government representatives also came to see them. Amina, a mother of a family, said, *“During the meeting [held by the government representatives], we had a boycott, as a strike. But government leaders told us that we had no choice. For those who don’t want [to give up their land], project will still rule but they will have no compensation. PAPs were afraid that they will remain homeless and land taken.”*

She added that the EACOP teams never asked her if she agreed to the project but presented it as a fait accompli: *"If I don't signed, the house and land will not be compensated but they will still take my land."* Another PAP, Kiwanga, described a similar situation: *"I can't find a land in this village, because [it is] too expensive and people don't sell land in this village. I signed because I know land is property of the government, so I have nothing to do with that. Government officer told me [whether] I sign or not, they will take my land. It was some officials not from the village."*

Forms incomprehensible for many PAPs

Many PAPs complained about having to sign documents that they were quite simply unable to understand. Joakim, from the village of Serya, living in a "Priority Area", told us that *"Sometimes some documents were only in English, so I didn't understand."* The language barrier between the teams and certain PAPs was an issue, both in regards to the use of English, which often seems to be the language used in documents given to PAPs, and the use of Swahili, the main language used by the EACOP teams but which many PAPs, especially the elderly, do not speak. *"They speak only Swahili, so for my mother, it was not possible to understand them,"* complained John, the son of a PAP affected by the pipeline project in Bukoba District, near the Ugandan border. Magret, from a neighbouring district, mentioned the same issue regarding her mother, who doesn't speak Swahili either.

Another major obstacle that made comprehension difficult is the fact that the EACOP teams don't give PAPs a copy of the forms to be signed beforehand, which means they are unable to study them and potentially seek advice. PAPs are not even allowed to keep a copy of the signed forms. This is a serious concern and was also noted in Uganda.

This results in situations where PAPs do not even know which section of their land will be affected or how much compensation they will receive, as is the case of Prosper, an elderly person from Geita Region: *"I don't know which size will be taken, because I was not there during assessment and I don't know how to read. So I don't know the size, and even where on my land it will be taken. And I don't have a copy of the form."*

PAPs both demoralised and afraid of authorities

"I don't want to talk about it, because it's a government problem, and nothing can be changed. I don't think anyone can help me."

A PAP from Dodoma.

Our research revealed that many PAPs are afraid of what the authorities will do if they criticise the project: *"PAPs don't complain because the land is the property of the government. I didn't complain about [the] compensation rate, because I don't have choice. Nothing will be done after if we complain,"* one PAP told us. Another person affected by the project explained that *"the problem of going to court for this amount, it means fighting with the government. It's too difficult and too dangerous for me."*

In addition, the EACOP teams are often accompanied by the authorities. As the meetings regularly take place in the offices of the village executive officer (the administrative head of the village in charge of security, among other duties), many PAPs are also afraid of the EACOP teams: opposing Total's project would ultimately amount to opposing the government's project.

3 VIOLATIONS OF PAPs' RIGHT TO PROPERTY

One of the main violations documented and denounced in Uganda concerns restrictions on how communities use their land, whether it be growing crops or other activities. Most of the other violations taking place stem, in some way, from these restrictions.

People affected by the EACOP project in Tanzania are facing exactly the same restrictions on how they use their land as those in Uganda, in all regions affected by the pipeline. These restrictions, effective even before these people receive any compensation, constitute a flagrant violation of the right to property and thus contravene the international norms and standards that Total has pledged to comply with, including the Universal Declaration of Human Rights (UDHR) and IFC Performance Standard 5. What's more, these restrictions are

jeopardising the lives of families affected by the project, mainly farmers who depend upon the land for their livelihoods and as their primary or only means of subsistence.

A. BANS ON GROWING CROPS ON FARMLAND

In all of the regions impacted by the project, the story PAPs tell is the same: at the first meetings with the EACOP teams, in 2018, families were told that they were no longer allowed to grow crops on their farmland at all. According to the people interviewed, it was not until late 2019 that the project teams issued new instructions: PAPs were allowed to grow crops on their land again, but only seasonal crops (crops that reach maturity within several months). They were still, however, discouraged from doing this.

A PAP from the village of Goima in Dodoma Region reported that the EACOP teams told him in 2018 that *“it’s not anymore your land.”* Another PAP said: *“When I signed papers in 2018, they told me to stop using my land, and that I would be paid within six months.”* He told us that he is still afraid to use his land, and thinks that he could be arrested if he does, as the village chiefs and the EACOP team have once again told him that he is not allowed to use his land.

Around 900 kilometres away, in Kagera Region, near the Ugandan border, Michael told us practically the same thing: *“They told us to stop using the land. Later, at end of 2019, they told us to start growing seasonal crops. [...] But I didn’t resume to use the land. The majority [of PAPs] did not start again. Because they have been given a direct order to stop. [...] They are too afraid to start again.”* He added that he has managed to survive thanks to his friends who lent him a small plot of land to grow crops on, and he has also been able to rent other land.

In addition, John, from Chemba District, who was told, as other PAPs were, that he could use his land again for seasonal crops only in February 2020, explained that it was much too late in the year to prepare the land and sow seeds. Then, in late 2020, when he wanted to plough the land in preparation for crops, the village executive officer told him he was no longer allowed. When he complained to the EACOP teams in May 2021, he was told that it was no longer his land. In August 2022, however, he had still not received any compensation.

There were the same restrictions on land use in Priority Areas, the only areas where PAPs had received compensation (received from late 2021 onwards). A couple gave the following account: *“We were stopped to use the land in 2018. At the end of 2019, we just restart a small portion of land, for one year. We didn’t know what we could do. It’s for that we just used a small portion of land. We used just 0.75 acre [on the 2.5 acres]. [...] We used to fight, to find some casual works [on other farms].”³⁰*

In the village of Serya, in Dodoma, Karim told us about a discussion he had with the EACOP teams at a meeting held in March 2021: *“We complained that we were stopped totally [from using our land] but not yet compensated. But EACOP told us it was not their problem, but the problem of the government. EACOP said they did everything but they had some challenges with government protocol.”* As in Uganda, Total blames the government. Yet according to the accounts we heard, it is clearly the EACOP teams, and the French transnational corporation behind the project, that banned the communities from freely using their land and who are therefore responsible for violating the rights of PAPs.

Perennial crops banned, depriving PAPs of their primary means of subsistence

The affected communities are still not allowed to grow *“perennial”* or *“permanent”* crops, i.e., crops that take at least six months until ready to be harvested. The reason for this, according to the company, is that they will receive compensation quickly – theoretically within six months. PAPs would not have time to harvest their crops and would not be compensated for the crops that had been planted after the assessment and not included in the calculation of the compensation amount. *“It was during another meeting [with the project team] that they said to restart cultivating our land, but to plant only seasonal crops. They added that those who could not plant seasonal crops should not use their land,”* explained one PAP.

The restriction on land use, however, runs counter to the right to property. Moreover, it is primarily perennial crops, which are more lucrative than seasonal crops, that farmers and their families depend on for their livelihoods. Vincent, from the village of Kiteme



in Katera Region, said: *"It's an issue because they told us to stop growing permanent crops, as cassava and coffee. My life most depended of those crops. So now, I'm facing food shortage... the food is not enough."*

This is also what Ali, the chief of a village that is home to many PAPs, has witnessed: *"They were stopped to plant Mbazi (peas), which majority people here depend on. So big issues for them often. And all permanent crops, as cassava. Majority PAPs plants now beans and maize. They can't sell them, it's just for eating. If you sell it, you don't have real money."* Issa, a fifty-year-old PAP, explained that they usually grow cotton, cassava and sweet potatoes. *"I continue to do that, even now. But when EACOP team saw that in September [2021], they told me to stop and harvesting to not do that again. They were annoyed."*

Seasonal crops unsuitable for certain regions and seasons

As well as being less lucrative, seasonal crops are not always suitable for certain farming regions. Moses, a PAP from the region of Dodoma, said: *"Majority of crops in this part of the country take nine months minimum. So if you tell people seasonal crops, it's like if you tell them to stop using their land."*

Some crops, like maize, grow at different rates depending on the variety, and they can't all be used in the same way: *"You can find some maize which grows in 120 days, but the one to make Ugali takes around nine months. The one in four months, it's only for roasting. Not possible to make flour for the Ugali."*

one PAP explained. Ugali is one of the main dishes in several regions of Tanzania. *"Concerning the sunflower, there are different types: short term and long term. But the short one is very unpredictable, so it's like betting... specially with the climate change!"* he added. Another PAP told us that *"Cassava is better and safer. For example this year, maize is not good."*

And in some regions, seasonal crops can only be grown during the rainy season. One PAP said: *"Before we used to grow cassava, which was better, specially during dry season. Maize doesn't work during dry season, so it's a loss."*

Compensation date unclear, preventing PAPs from sowing seeds

The EACOP teams have been telling PAPs since 2018 that compensation payments are imminent, and that they would receive these within several weeks or months. They also tell them that they won't have time to harvest their crops, and that they will not receive compensation for these.

"In 2018, they have said six months, but it's four years now. All farmers are afraid of being stopped from farming at any time," said Ramiditani, from the village of Mrama. Daniel from the village of Ilongero, near Sigida, told us the same thing: *"I'm afraid that EACOP team can come anytime, so I'm not focusing too much about this land. I'm too afraid to lose the crops. EACOP told me they will be paid in February 2022. But it's four years they said this months after months. But nothing happened."*

Six months after Daniel told us this, he still hadn't been paid.

Glory, a mother of a family from the village of Kiteme, told us a similar story. She stopped working the land because of what the EACOP teams told her: *"But this year [2022], I stopped everything because they told me the project will start this year. And EACOP team told me we will not have time to harvest and we will not receive any compensation for our crops."*

B. FURTHER VIOLATIONS OF THE RIGHT TO PROPERTY

Other economic activities prohibited

The bans on land use do not only concern farming activities. The EACOP teams have also prohibited other economic activities that require the use of the land. A PAP from Chato District told us that he and his neighbour were prevented from continuing their stone extraction work: *"Before I extracted some stones and rock from my land. But EACOP team told me to stop. They didn't explained why I had to stop. My neighbour was doing the same and had to stop too."*

In Manyara Region, Benson told us that he had a bee-keeping activity on his land, but when his land was assessed, the EACOP teams asked him to stop, deeming it a long-term activity. It has now been more than four years since his land has been used.

In Priority Areas, where PAPs received compensation in late 2021, it was banned to cut down trees: *"At the beginning, they told me not to cut anymore my trees. I was stop to cut in 2018. But after compensation in 2021, they said I have to cut them and remove them all. Even if during four years it was forbidden to cut some. People told me it was government property. Life was not good during these four years."*

Other PAPs in this area reported the same bans, which remained in place until they received their compensation, the date on which they were asked to cut down all their trees. This made the reasons for the ban even more incomprehensible, particularly given the disastrous consequences for those affected.

Homes even affected by bans

According to the accounts given, the EACOP teams also prohibited PAPs from building new houses, extending existing houses or even just carrying out reparations.

Consequently, young adults, ready to leave the family home, have not been able to build their own homes. In the village of Katundu, a woman affected by the project told us about the situation of her son, present at the interview: *"During this time, he can only grow seasonal crops. So he has to rent a house to wait the compensation to buy new land."* For four years he has been unable to build his home on the family's land, a common practice in the region, due to bans put in place by the EACOP teams. And as long as he hasn't received compensation, he is unable to buy new land on which to build his own home.

For other families, the EACOP project has meant they are unable to install basic facilities, such as running water. Nigel and Patricia, a couple with several children, including a disabled daughter, had a technician come to their house in early 2018 to install a water pump, as the spring is just under 100 metres from the house. The EACOP teams told them that they would not be able to go through with their plans as the water pipe had to be installed on the land affected by the pipeline. The family has not had running water for four years and has still not received any compensation. They have not been told why a water pipe cannot be installed on the affected land. It would seem that a water pipe could easily be disconnected during the construction phase of the pipeline. As the family doesn't think they will be able to buy a new land once they have received compensation for the affected land, they plan to stay in the same house, but they don't know whether or not they will be able to install the water pump after the construction of the pipeline is finished.

4 ENDLESSLY DELAYED COMPENSATION, WITH DIRE CONSEQUENCES ON COMMUNITIES

Since the "cut-off dates" in 2018, with the restrictions on land use that followed and the unreasonably long delays in compensation payments, there has been a sharp deterioration in the living



conditions of PAPs. Although the first payments were made to those living in “Priority Areas” in late 2021, the vast majority of PAPs, between 50,000 and 60,000 people, have been waiting to receive compensation for over three or even four years. The various restrictions in place have resulted in PAPs’ houses falling into disrepair, some collapsing entirely. Many families have also reported serious food shortages and children having to drop out of school.

Indifference of EACOP teams to collapsing houses

Not only were PAPs banned from building new houses on their land, but they were also told they could not repair their existing houses. For some families the consequences of these bans have been disastrous. Several families that we met saw their houses literally fall apart.

Houses in Tanzanian villages are mainly built out of earth and straw and thus need regular maintenance and reparation work, particularly during and after the raining season. Mariam, who lives with her mother and her four brothers and sisters in Kigoma Region, told us the following: *“Life has become very difficult, because our house has fallen apart in 2019. But we are not supposed to fix it. So now we have to rent a new house. When the EACOP team saw our house collapsing, they just took note of it... Yet, before the house collapsed, we asked if it was possible to repair it, but the EACOP team said no. They said, ‘No, the assessment has already been done.’ So now we have to rent*

a new house... It’s not fair to wait like this... It’s hard.” This family is desperately awaiting compensation in order to buy a plot of land and build a new house.

Another household – a family of eight people – living several kilometres away, said that the EACOP teams refused to let them repair their house even though it would clearly not last another rainy season. The family said that when it collapsed, as predicted, in 2020, the teams simply made a note of it in their notebooks, without making a comment or offering an alternative proposition. Although they had promised them a new house as compensation in 2018, the construction of this house had still not begun more than four years later. The family have thus had to live cramped up in a tiny house for two years.

As Nicholus, another PAP who also complained about the wait and the consequences of the numerous restrictions on his life, said, *“they only ask us to be patient.”*

Severe food shortages

The ban on planting long-term crops, which are more lucrative and offer increased food security, has serious consequences on the livelihoods of farmers and their families. Several PAPs have said that growing seasonal crops, the only kind that EACOP teams have authorised, meant they were unable to feed their family. Kiwanga decried the fact that his family has been experiencing a *“food shortage”* since he had to stop planting cassava.



Dassa, a PAP from the village of Goima, told us that he has used all his savings to survive... He hasn't planted anything because, *"since day one, EACOP says project will start in January, May, July, in few weeks, soon..."* Alfred, another PAP from Kondoa District, reported that *"Last year, government [told us] to plant specific vegetable, like that EACOP team will buy that. But EACOP didn't buy that, so it was even a loss for the farmers who did that."*

Several PAPs told us that after two years of waiting for compensation, and no longer able to meet their food needs, in the end they secretly began planting their main food crops again – cassava, bananas or millet. This seems an understandable reaction in villages where the EACOP teams hadn't been seen for over a year: *"I used to grow millet, because it's my main food. I restarted, even if it's forbidden. I stopped in 2018 and 2019, but because I had no news of the project, I think the project is no longer there, so I restarted. And I had no choice for my family."*

Others told us that it was only thanks to the solidarity of their family and friends that they were able to put food on the table. *"I managed to survive because a friend borrowed a small piece of land to plant."* said Michael. Others, such as Kamely from the village of Goima, told us he was able to rent land: *"I found another friend to help me, he accepted to rent a land to me, and I pay him every year per acre use."* One of his neighbours did the same thing so as to be able to *"plant crops that are prohibited."*

This solution is far from ideal. There are other problematic issues in addition to the cost of renting an

additional plot of land. Several people mentioned that *"it's very difficult to rent a land for more than six months, which impacts on what you can plant."* This means that the most lucrative crops, such as coffee, can't be planted, nor can those that offer the safest bet in terms of food security, such as cassava.

Furthermore, this means polyculture farming, where different plants are grown on the same plot in order to reduce the risk of disease and ward off certain rodents and animals, is either impossible or has to be limited, as long-term crops such as trees can not be planted on short-term leases. Another issue is that landowners primarily rent out the least fertile land, keeping the more productive plots for themselves.

According to the accounts we heard, EACOP teams also banned certain installations on farmland, additions that enable farmers to increase productivity. Kassim, who mainly grows rice, explained that he had begun building a small water retention dam on his land: *"But EACOP team told me it's forbidden, so I stopped the construction. So I can't grow rice during dry season. With a dam, I can grow two seasons of rice per year. But without only one. During dry season, I grow vegetable but that really makes less money than rice."* As he hadn't had any news about the project, he told us that he planned on building the dam this year in spite of the ban.



+ A TOTALLY INADEQUATE FOOD SUPPORT PROGRAM

In order to avoid situations of famine after families were evicted, Total has said that it set up a food support program for a year. But it would seem that the program is inadequate. Firstly, the provision of dry rations only begins at the same time as the compensation payments. It therefore fails to address food shortages due to the fact that PAPs are not allowed to freely use their land. The vast majority of PAPs (those living in over 200 of the 243 villages affected by the project) have not received any food support for over four years.

A PAP from one of the twelve villages in the “Priority Areas”, who finally received compensation in late 2021, told us the following : *“EACOP team told us they will give food, but started only in November [2021], so really too late. We were stopped [from using our land] in 2018!”*

In addition, interviews from different Priority Areas, where the provision of dry rations has begun, indicate that the amount of food received is completely inadequate for a whole family. A couple, Tatu and Omari, who have to feed a family of eleven, told us

that the food they received from EACOP was gone within a week when it is supposed to be enough for a month. When they complained to the company, they told us that the teams replied sarcastically that *“we can limit ourselves to two kilograms per day..”* For eleven people, however, the quantity received represents 60 grams of food per meal per person, a clearly insufficient calorie intake. In addition, many PAPs mentioned that they received bags of food full of insects, making them largely unfit for consumption. We were even shown some of these bags. When they informed the EACOP teams they were told that the supplier would be notified but failed to replace the infested bags.

Lastly, PAPs mentioned the lack of variety in the food rations. They only receive corn, red kidney beans, rice, salt and oil. When they complained, asking if it would be possible to occasionally receive meat or vegetables, the teams told them that *“it’s not important”*. A PAP reported that he had continued to complain, but representatives of Tanzanian authorities accused him of being a *“troublemaker”* and asked him to *“stop complaining”*.

A high rate of school drop-outs

Total has undertaken to comply with various international standards recognising the right to education, such as the Universal Declaration of Human Rights. The company is also involved in several education support programmes including scholarships in Uganda and Tanzania, which are connected to its EACOP project. Several scholarships don't seem much, however, when one considers the massive rate of school drop-outs in areas affected by the project.

Many families have told us that they are struggling to pay school fees. This is the case for Ibrahim, from Chemba District, who has had to pull his eldest child out of school since he was banned from freely using his land.

Mussa, from the village of Jenjeluse, has two daughters at primary school (free in Tanzania). But the problem for him is *"issues to pay items, shoes, school materials, etc."* that his daughters need. In addition, many Tanzanians prefer to send their children to private schools where there are smaller class sizes and they supposedly get a better education. Many families reported that they would have to forego private schooling, which means less-than-ideal learning conditions, thus jeopardising the future of their children.

Graves moved, showing lack of respect to local customs

The construction of the pipeline will require relocating a number of graves situated along its route (at least 1,051 graves in Tanzania, according to the company's figures³¹), which is worrying and disturbing for the families concerned, regardless of their religion and beliefs. For Habiba, from Kondoha District, *"it's not good to disturb the dead in their grave."* But she is mostly afraid that *"they do not follow the rituals of the clan."* The EACOP teams have indeed said that they would manage the relocation of the bodies, although *"they don't know our rituals and can't do it."*

This modus operandi, which disregards affected families' beliefs or culture, is deeply upsetting for the communities. Relocating graves calls for specific rituals, which are different for each religion, and must be done by certain cultural leaders.

In addition, the graves of several people from one family, currently buried together, will be separated – as the pipeline will affect some graves but not others. This is also greatly upsetting for families and goes against local customs and beliefs.

5 A DETERIORATION IN COMMUNITIES' QUALITY OF LIFE OVER THE LONG TERM

"I don't want to say we don't want this project, but it's not fair, because [of the] delay of the compensation. We can't buy a new land with this amount of money. I didn't want money, but what the land was providing me in food, so same quantity of food. I don't want to sell that land. I heritated that land. I don't want [to say] I don't want [to] give that land, because it's a national project. But I would like just some fairness, to get what that land gave me. It should have been a winning situation for everybody, but it's not, so not fair. And I can't buy a new land, so it's not good, it's not fair..."

Ramaditani, from the village of Mrama.

There has been an impoverishment in the affected communities due to the fact that their land has been taken, under-valued, and, above all, they are unable to use it despite not receiving compensation. On top of this is the issue of inflated land prices and unreasonably long delays in the payment of compensation, resulting in a situation where families are unable to purchase land of an equivalent size and quality. This will inevitably result in a significant deterioration of their living conditions over the long term.

This seems to be already the case in the "Priority Areas", judging from the situation of PAPs who have received compensation. This goes against the various standards that Total claims to comply with: according to IFC Standard 5, referenced in the company's communications and its relocation action plans, any project resulting in the displacement of communities should *"improve, or restore, the livelihoods and standards of living of displaced persons."* Our research, however, reveals quite the opposite to be true.



Most PAPs not given the choice of compensation in kind

International standards on the displacement of populations, such as those of the IFC, state that compensation in kind should be prioritised over monetary compensation, i.e., affected persons should receive land and houses to replace those they have lost. However, outside of the “Priority Areas”, the vast majority of PAPs that we met told us they were only offered monetary compensation. Only certain families whose homes were affected were offered compensation in kind, i.e., the construction of a new house. According to the company’s figures, only 389 replacement houses will be built in Tanzania, even though over 9,500 families are affected.³²

Furthermore, many PAPs who opted for compensation in kind complained that they were unable to choose their new land, due to various conditions cited by the teams. Our research revealed that these conditions were inconsistent: some PAPs told us that they had to choose land in the same village, or in certain predefined villages, while others had a wider choice of location.

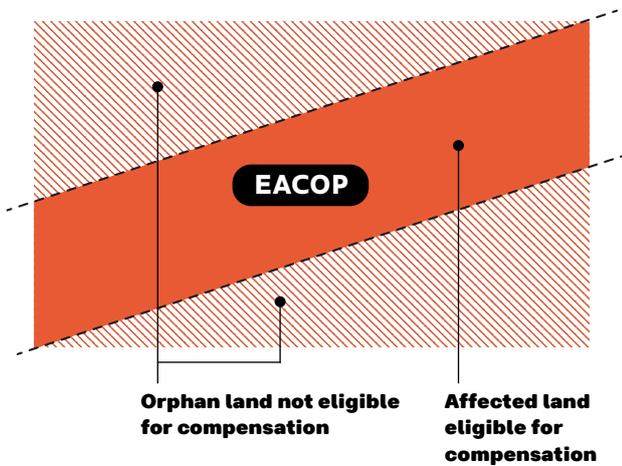
In addition, several PAPs reported that the land they were offered was infertile. According to some families, this is due to the company’s modus operandi. Ramadha, from the village of Serya, located in a Priority Area, told us that “EACOP did an announce to say they want to buy land for those PAPs, so people around tried to sell their land which was not good.” He also complained that he

didn’t have a choice of land for his compensation in kind. Consequently, many PAPs decided against this form of compensation.

In a document published in September 2022, the company itself recognised that it had struggled to offer replacement land: “The availability and productivity of land was assessed across the route. Over 80% of Tanzania’s arable land available to households is already utilized. With over two thirds of the Project affected Districts having less than 20% of unutilized arable land available and a number of Districts having less than 5% available. This illustrates the challenge of identifying replacement land along the PPL [pipeline] corridor and how potentially disruptive this could be to local land markets.”³³

Orphan land: land not eligible for compensation despite being unusable

One of the issues that came up repeatedly was that of so-called orphan land. In most situations, the pipeline only affects part of PAPs’ farmland. The remaining land, known as “orphan land” is only compensated if under a certain surface area: if the remaining land is less than 0.5 acres, or if less than 20% of the PAP’s plot of land remains.³⁴ However, there are numerous cases of orphan land that exceed this threshold. Unless you can buy an adjoining plot, which is rarely possible, as this is not often available or for sale, this land can’t be used. And even when neighbouring land is available, the low compensation rate often makes it impossible for PAPs to purchase it.



Consequently, families end up in a lose-lose situation. Either they end up with land that is too small to be used, so they have to write it off, without receiving any compensation for it. Or, when the remaining land is deemed large enough to grow crops on, there are additional problems due to the land being split: there are additional costs due to the distance between plots, and these can be significant. Sometimes building a second house is even required, when there is a great distance between the new and existing land.

Michael, who lives in a Priority Area, told us the following: *“They asked me compensation in kind or in cash, and because I had the opportunity, I chose a land. But they said it was too expensive because too close to the town, so they bought a land very far from the town. So I asked them to buy a larger land if it’s far. But EACOP team said it’s not possible. New land needs 30 to 40 min from my house in boda [motorcycle cab]. For my former land and remaining part, I need 10 min. [...] I have to continue to farm on the remaining part, but it’s near the project of EACOP. [...] I wanted they [them to] take the entire land, not to have two different lands, and to avoid the pollution next to the project. To be in two different places, what for? It’s very challenging and expensive.”*

According to different PAPs, it seems that the EACOP project policy whereby land under 0.5 acres is eligible for compensation is not always honoured. Hussein, from a Priority Area, told us: *“I have been compensated, but there is an orphan land. If it is too small, it is not compensated. I don’t use the small part of the land, because it is too small. It wouldn’t make sense.”* Another PAP from a neighbouring district, has had her land split in two due to the pipeline’s

route, meaning that half the land she owns will be affected. The two remaining plots measure 0.2 and 0.3 acres respectively, *“too small to be used”* but *“not compensated”*.

New land that is smaller and less fertile

“It’s more difficult to find small plot of land than large plot of land. So losing that 1/2 acre seems I will not manage to find it back. [...] Compensation is not fair because with that land I used to grow crops but with the amount I will be compensated, I won’t be able to find a new land. I will just consume the money within few days,” Virginia told us, a mother of eight children from the village of Mapango. According to her, no one in the region is selling land under an acre, so she won’t be able to find land that is the same size as her existing land. Nor will she be able to buy a larger plot of land, because the compensation payment isn’t enough.

Shafiy, who comes from a Priority Area and has already received compensation, said: *“Amount received was very low. The value of land was not fair because we used to cultivate some crops on our land. I had some animals, I sold them to manage to buy a new land for building, and here is the house you can see. I have manage to finish it. But I didn’t find a farm land because the amount was little.”*

Although he received his compensation payment in October 2021, Godric, from another Priority Area, told us: *“I can’t buy a new land. So at present, I’m renting a land. I haven’t decided if I will stay in this village, or if I will move. I would like to buy new land, but in this village it is too difficult to find land.”*

Eliud from the region of Manyara also said: *“I can’t find even half an acre with that amount. [...] Now it’s only if someone has his own problem that someone can sell a land at 700 or 800 000 [shillings].”* In his village, the compensation rate is 300,000 shillings for an acre of land. Several people from the village showed us documents of purchase and sale, with land prices that far exceed the compensation rates despite the fact that the purchases date back several years.

Other PAPs told us that they had managed to buy new land but which was less fertile. This was the case of Gervas, who bought three acres of land with the compensation he received, when he initially only

had two: *"I bought them at 270 000 [shillings], but because they are not fertile at all. For a fertile one, difficult to say a price... but more than 1 million. So I [didn't have the] option to buy that. I don't think I can get more crops with this three acres than before with my two acres."*

The purchase of less fertile land means less crops (and therefore less income) for the affected families. It also involves more work and increased operating costs due to the fact that the surface area to be farmed has to be increased in order to maintain a certain level of production. PAPs from many different regions mentioned similar issues regarding the price difference between fertile and infertile land.

New problems ahead for displaced families

Many PAPs expressed concern for the future. A lot of them expect that their families will have nutrient deficiencies over the coming years. Zacharia, a PAP from Kilindi District explained that *"because the size of my land has been reduced, even the amount of crops will decrease."* Nasra, from Chemba District told us that he alerted the EACOP teams in regards to his situation: *"I told EACOP team that I will face food shortage when they were walking around the farm. But they said compensation will be enough."* Yet this widow and mother of seven children is certain, as are almost all the PAPs that we met, that she will never be able to buy land of a similar size and quality due to the compensation rate.

In addition, many PAPs told us that they would have to stop farming and switch to other kinds of work. Joakim, a PAP from a Priority Area, told us that with the compensation he received, *"it was not possible to buy a land. So I invested in another business, a small shop."* He now sells soft drinks, fruit juice, water, etc. at his shop. *"With my land and cassava, I made two million shillings a year. I will not be able to make that amount with my new business."*

Lastly, many members of the community, whether affected by the project or not, are concerned about the environmental impacts of the pipeline. Several farming families are afraid that oil leaks will affect the fertility of their land or pollute the springs on which their community depend. When PAPs expressed their concerns to the EACOP teams, they replied that *"the pipeline will be thirty metres away,*

so no problem". But this failed to reassure the families, even those whose fields are more than thirty metres from the pipeline.

Although oil leaks and spills were the concern that came up most often – well-founded concerns judging from the opinions of environmental experts (see Section III) – many members of the community are also worried about an increase in human activity, especially during the construction phase. Hassan, a rice farmer said: *"I'm afraid the fertility of my lands will decrease, because the pipeline will be next to my lands...Because those chemicals... Because near my farm land, they build roads, so cars and people will be around, so increase pollution."* His neighbour, on the other hand, is *"afraid that [his] house would collapse, because of the 'vibrations' during construction, because his house is built of 'sand soil.'"*

Fear of environmental damage, which could have an impact on the living conditions of both present and future generations, is not only a concern of PAPs who have lost their land. A much broader section of the population is sensitive to the issue, particularly communities living close to the EACOP pipeline as well as those that live around Lake Victoria and near the Indian Ocean. Many people have not forgotten the images of oil spills, and have seen entire regions, such as those in Nigeria, be destroyed by them. The substantial risk of environmental disasters and violations have, moreover, been widely documented in recent years, as the following section illustrates.

III. RISKS OF IRREVERSIBLE HARM TO THE ENVIRONMENT AND THE CLIMATE

1 MAJOR RISKS OVERLOOKED, JEOPARDISING UNIQUE BIODIVERSITY SITES

The numerous environmental risks associated with the oil megaproject have already been mentioned in our previous reports.³⁵ The EACOP pipeline will cut through regions rich in biodiversity, as well as protected areas and wildlife corridors, and will have disastrous environmental impacts on fauna and flora. In Tanzania, it will run through 35 lakes and rivers, and over 400 kilometres of the pipeline will traverse Lake Victoria Basin, one of the chief reservoirs of the Nile and the second-largest freshwater lake in the world, supporting nearly 40 million people. It also poses a threat to many wetlands protected by the international Ramsar Convention. According to several reports, the EACOP will destroy, disturb, fragment and/or degrade roughly 2,000 square km of protected wildlife habitat.³⁶

In Tanzania, the EACOP will run through the protected Burigi-Biharamulo Game Reserve. Spanning 350,000 hectares and recognised as a Category IV site by the International Union for Conservation of Nature (IUCN), the reserve is located in the Lake Victoria Basin, near the Ugandan border. It is home to over 400 different species, including lions, buffalo, elands, lesser kudu, impalas, hippos, giraffes, zebras, roan antelopes, sitatungas, sables, aardvarks and the red colobus monkey. The pipeline also poses a threat to 160,000 hectares of the Wembere Steppe. This is an important wildlife corridor for seasonal birds as well

as the eastern chimpanzee and the African elephant. The EACOP also poses risks to forest reserves, such as Minziro Forest Reserve and Swaga Swaga Game Reserve.

Over the last two years, reports and studies from several consulting firms and organisations, as well as a number of scientific articles, have documented the specific ways in which the megaproject carries numerous environmental risks.

Important wildlife under serious threat

In 2020, the renowned American ecologist Bill McKibben wrote an article about the EACOP in *The New Yorker*: “The proposed route looks almost as if it were drawn to endanger as many animals as possible: the drilling pads are in the Murchison Falls National Park, in Uganda, and the pipeline runs through the Taala Forest Reserve and encroaches on the Bugoma Forest (home to large groups of chimpanzees) before crossing into Tanzania and the Biharamulo Game Reserve, home to lions, buffalo, elands, lesser kudu, impalas, hippos, giraffes, zebras, roan antelopes, sitatungas, sables, aardvarks, and the red colobus monkey. The pipeline also manages to traverse the Wembere steppe, a seasonal paradise for birds, and hundreds of square kilometres of elephant habitat. [...] And, once the pipeline gets to Tanzania, tankers the length of three football fields will try to transport the oil out through mangrove swamps and over coral reefs, in waters teeming with dugongs and sea turtles.”³⁷



EACOP PROJECT: MAIN ECOSYSTEMS UNDER THREAT

LEGEND

National borders

Water bodies

EACOP pipeline

Ramsar wetlands

Protected areas

Conservation areas at risk

Key biodiversity areas

Water bodies at risk

Source : SEI/IGSD, East African Crude Oil Pipeline Risks, 2020.

The EACOP project endangers a number of different species, including the chimpanzee, sea turtles and dugongs.³⁸ In addition, cutting through habitats and protected areas also carries the risk of negatively impacting *“critical wildlife corridors and migration routes used by African elephants, zebras, wildebeest, gazelles, among other species in the region”*³⁹

An elevated risk of oil spills and leakage

A review of Total’s Environmental and Social Impact Assessment (hereinafter “ESIA”) by E-Tech consultants, specialised in the environmental impacts of extractive industries, explains that *“oil spills will occur over the lifetime of the project”*.⁴⁰ E-Tech also points out that these spills will be *“uncontrollable”* as they occur even in countries where regulations and legislation are even more stringent than in Tanzania and Uganda, and where ecosystems are not as fragile. In addition to the high likelihood of oil spills and seepage into the Lake Victoria Basin, a report by Friends of the Earth US also calls attention to the fact that cleaning the pipeline generates hazardous waste containing benzene.⁴¹

According to its impact assessment,⁴² Total deems the risk of an oil spill to be *“low”*. Yet, Oxfam has pointed out that oil spills have already occurred in Uganda in the oil region. In April 2020, a headline in Uganda’s main newspaper read: *“Oil spill scare causing panic in Hoima District”*. Some of the residents said that *“one of the holes that were being drilled exploded, letting out a waxy mixture containing crude oil which smelt like gasoline”*.⁴³

High seismic activity increasing the risk of oil spills and leakage

There is a heightened risk of oils spills and leakage due to the fact that the EACOP will cross the Rift Valley, one of the world’s most seismically active regions. Over the past twenty years, more than 300 earthquakes over magnitude 4.5 on the Richter scale have been recorded.⁴⁴ In September 2016, a magnitude 5.9 earthquake, whose epicentre was about 50 km from the pipeline route, near the border with Uganda, killed at least 19 people. In February 2017, a magnitude 4.5 earthquake was recorded, its epicentre approximately 17 km from Tanga, the town where the future oil terminal will be located. In March 2019, another earthquake measuring 4.7 on

the Richter scale rocked the region of Shinyanga, which the pipeline will cross. Then came another magnitude 6 earthquake in 2020, which caused significant damage to Dar Es-Salaam, Tanzania’s economic capital...

The Environmental and Social Impact Assessment of the EACOP project in Tanzania clearly mentions the risk of earthquakes. It states that, although the pipeline has been engineered to withstand earthquakes, landslides could occur that may affect the pipeline and consequently cause spills and leaks. According to the assessment, *“should a high magnitude seismic event occur, it could potentially cause damage to the pipeline and aboveground installation, resulting in the release of oil in amounts that would cause impacts that would be significant.”*⁴⁵ However, no oil spill contingency plan, detailing prevention measures and responses in the event of a disaster, seems to have been drawn up. In any case, none has been made public since.

Completely inadequate or non-existent preventive measures

It is stated on the official EACOP website that *“the viscous and waxy nature of the oil means that if there is a leak, the oil rapidly solidifies rather than dispersing into the environment.”*⁴⁶ However, the impact assessment carried out in Tanzania by the company itself seems to contradict this statement: *“The modelling predicted that, without intervention, a failure of the pipeline could cause dissolved oil components impacts on surface waterbodies by groundwater transport within a radius of 130 m to 1.8 km beyond the extent of the oil spill area. [...] The modelling predicted that, without intervention, a failure of the pipeline could cause dissolved oil components to impact groundwater quality, based on drinking water use, within a radius of 200 m to 1.1 km (depending on local conditions, including soil type) beyond the extent of the oil spill area.”*⁴⁷ Yet 400 km of the pipeline will cross many tributaries of the Lake Victoria Basin. There is therefore a real risk that the water in Lake Victoria will be polluted in the event of a pipeline breach, impacting the health and economic activities of 40 million people, who depend on this water to survive.

Lastly, Total states that in the event of a leak, it will be possible to isolate and close sections of the pipe using *“block valves”*.⁴⁸ But according to



E-Tech's review, in order to ensure best international practices, as Total prides itself on doing, and reduce the risk of environmental harm in the event of a leak, it would be necessary to double the number of block valves used in Tanzania.

In addition, the Impact Assessment states that sixty mainline valves will be installed over 1,147 km of the Tanzanian section of the EACOP. Yet, best practice "is to install block valves on either side of perennial rivers and streams, not just on either side of rivers greater than 30 m wide."⁴⁹ In regards to rivers less than 30m wide, the EACOP Impact Assessment states that valves will only be installed if water bodies meet certain criteria, for example if sensitive areas, such as dwellings, are located downstream.⁵⁰

But the author of the E-Tech review points out that "a spill into a perennial river or stream less than 30 m in width will have major environmental consequences regardless of what is downstream of the point of the spill."⁵¹ The review thus advises that "block valves [...] be installed on both sides of the seventeen major waterbody crossings identified [...], the four year-round flow river crossings and the thirteen seasonal water-course crossings with annual average flow greater than 0.5 m³/s, in addition to the block valves already included in the project design."

Project's water needs prioritised over those of the local population

As explained above, the EACOP project poses high pollution risks and potential degradation of fresh-

water sources, particularly the Lake Victoria Basin. But the pipeline, which will be used for the Tilenga development project in Uganda, will also require significant amounts of water, both during the construction and testing phases, as well as over the life cycle of the project. A total of more than 160 million cubic meters of water⁵² will be used in a region already prone to drought, and which has gotten worse due to climate change.

The Tanzania ESIA acknowledges that the pipeline will cross several regions where rain is scarce and which are already experiencing water stress. It is stated that "groundwater bodies in the area of influence range from moderate to very high vulnerability".⁵³ Yet, as a collective of East African organisations point out, the company's impact assessments do not include measures addressing management of water resources, particularly in the event of a conflict between the project's needs and those of the local populations and wildlife.⁵⁴

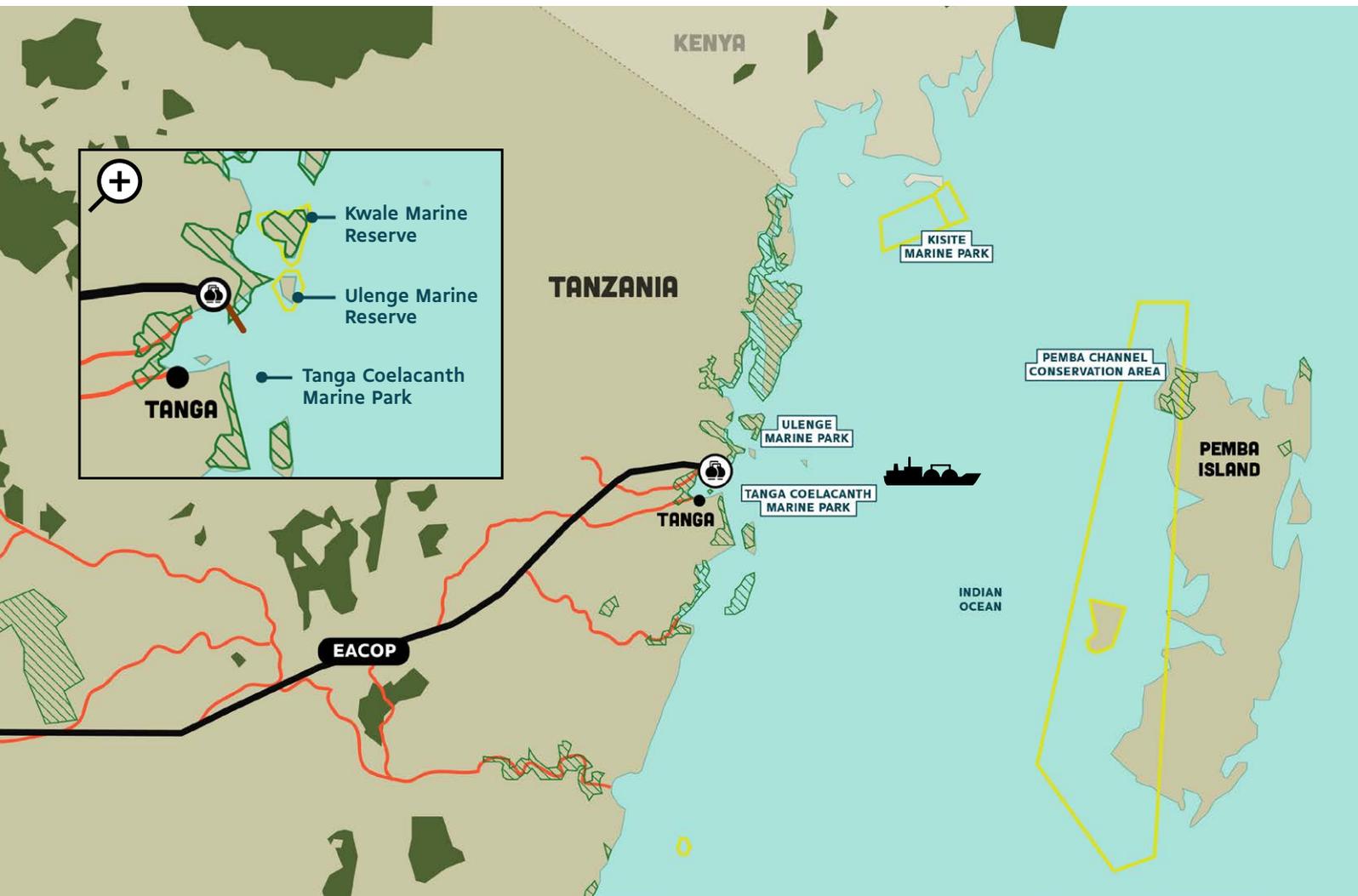
2 AN OIL TERMINAL ENCROACHING ON PROTECTED MARINE RESERVES

A marine storage terminal, which will be used to export oil transported by the EACOP, will be built on the Chongoleani Peninsula, in Tanga District on the Tanzanian coast. It will be located approximately five kilometres northeast of Tanga Port. Spanning roughly 72 hectares, the terminal will have a storage capacity of two million barrels. The oil will

be kept in four 1000 x 460 m tanks, heated to at least 63°C. The oil will then be transported to oil tankers via a load-out facility. A trestle will connect the marine storage terminal to the loading platform and the crude oil stored in the floating tanks will be transferred to the oil tankers via a pipe network. According to Total’s Environmental and Social Impact Assessment, the loading platform will be built on an offshore site, out at sea. The marine terminal will be able to load tankers with up to a million tonnes of oil in 24 hours.⁵⁵

Protected marine reserves and fragile ecosystems

This infrastructure will be located near ecologically or biologically significant marine areas which host several extremely fragile protected marine reserves. These include Tanga Coelacanth Marine Park, the Pemba-Shimoni-Kisite Reserve and Pemba Island, which forms part of Tanzania’s Zanzibar Archipelago.



EACOP: AN OIL TERMINAL IN PROTECTED MARINE RESERVES

LEGEND

- Conservation areas at risk
- Protected areas
- Water bodies at risk
- EACOP
- Mangroves and forest reserves
- +
○ Marine storage terminal
- Load-out facility

The Tanga Coelacanth Marine Park is a protected marine reserve that spans roughly 55,000 hectares. Rich in marine biodiversity, the Park is home to, among others, the coelacanth, one of the rarest fish species in the world.⁵⁶

The Pemba-Shimoni-Kisite Reserve, north of Tanga, is another protected marine reserve which hosts 50% of Tanzania's coral reefs and is located on the Kenyan border. In addition to coral reefs, it is also home to mangrove forests and seagrass beds, as well as a high diversity of marine life, including turtles, dolphins and dugongs. The reserve also encompasses the Kisite Marine Park, an important biodiversity protection area, as well as the Mpunguti Marine Reserve, the smallest in Kenya.⁵⁷

In addition, the coral reef on Pemba Island, part of Tanzania's Zanzibar Archipelago, is considered one of the most beautiful in the world.

General manager of TotalEnergies E&P Uganda, Philippe Groueix, himself acknowledged on 9 December 2021 that *"a single operation mistake can lead to catastrophe."*⁵⁸ The risks of an oil spill or leak in this fragile protected marine reserve are particularly high: a leak could occur in the pipeline, between the load-out facility and the oil tankers, or there is the risk of a spill in the event of a collision between tankers, or between the tankers and the load-out facility.

A coastal region prone to tsunamis and cyclones

The threat to marine ecosystems along the coast of Tanga is all the more serious as the region is prone to tsunamis,⁵⁹ which will become more severe with climate change, as UN Secretary-General António Guterres recalled on World Tsunami Awareness Day in November 2021.⁶⁰

Furthermore, an article from 2020, written by thirteen scientists, noted: *"No studies have been made to quantify the recurrence of tsunamis along the coastlines of the western Indian Ocean, leading to an underestimation of the tsunami risk in East Africa."*⁶¹ The study raises the question of Tanzania's supposed "low" tsunami risk. The researchers said: *"Our findings provide evidence that teletsunamis⁶² represent a serious threat to coastal societies along the*

western Indian Ocean, with implications for future tsunami hazard and risk assessments in East Africa." Yet Total doesn't seem to have taken these risks into account, the word "tsunami" not appearing once in the 6,400 pages of the ESIA.⁶³

Unfortunately, the consequences of a tsunami in areas with fragile ecosystems and marine oil export infrastructure are well known. In January 2022, huge waves triggered by a tsunami in Tonga which reached the coast of Peru, on the other side of the Pacific Ocean, rocked a supertanker unloading crude through the underwater pipelines of La Pampilla refinery in Lima.⁶⁴ A total of 11,900 barrels of oil – nearly two million litres of crude oil – were spilled into an area roughly the size of Paris, causing a major ecological disaster that impacted two protected natural areas. According to marine biologist Yuri Hooker, *"the oil's environmental impact on the ocean is very grave since – because it does not mix with water – it quickly spreads over the surface, initially damaging all the organisms on the surface and the shores of the ocean."*⁶⁵ It affects not only marine birds, aquatic animals, fish and plankton, but also animals and birds that live on the beach and the ocean floor.

The risk of a tropical cyclone (known as hurricanes in the Atlantic and typhoons in the Pacific) over the Indian Ocean and the pipeline area is also very real. In April 2019, Cyclone Kenneth destroyed or damaged more than 35,000 homes and killed several dozen people, mainly in Tanzania, Mozambique and the Comoros. Although uncommon, it is not the first tropical cyclone to make landfall in Tanzania, as pointed out by three researchers in an article entitled, *"Tanzania's 'forgotten' cyclones and concerns for the future"*⁶⁶, published in May 2021. They also explain that with *"the warming of sea surface temperatures, especially the rapidly warming Indian Ocean, intense cyclones are expected to become more prevalent."* They add: *"With rising sea levels, storm surges (resulting from the strong winds of cyclones) will cause more wide spread damage. Once-a-century extreme sea-level events, which can result from these storm surges, could strike the East African coastline every year by 2050."*

In April 2021, Cyclone Jobo hit the Zanzibar Archipelago, located just a few dozen kilometers from the Tanga oil terminal. In its last report,



Tanzania's Center for Strategic Litigation stated that *"It is reasonable to conclude that the risks of serious oil spillage associated with coastal storms will increase significantly during the lifetime of the pipeline"*.⁶⁷ Like the word *"tsunami"*, the words *"cyclone"*, *"hurricane"* and *"typhoon"* do not appear once in Total's EACOP Environmental and Social Impact Assessment.⁶⁸

3 A CLIMATE BOMB DOWNPLAYED BY TOTAL

In its public communication, Total has tried to minimise the greenhouse gas emissions that the EACOP pipeline project, which encompasses the Tilenga and Kingfisher oil development projects, will produce, both directly and indirectly. Total states that the Tilenga and EACOP projects will produce *"an estimated plateau production of 0.8 million tonnes of CO₂ per year. Over twenty years, the emissions generated by the Tilenga and EACOP projects (Scope 1 and 2) are estimated at 13.5 million tonnes, not 33 million tonnes"*.⁶⁹

Total states in its ESIA that the EACOP alone will produce 6.79 million tonnes of CO₂, a figure which takes into account the construction of the pipeline and the project's life cycle.

Richard Heede, from the Climate Accountability Institute, has calculated the lifetime emissions from the construction of the EACOP in Uganda as well as from its operations, crude oil shipping, refining, and end use.⁷⁰ Heede explains that Total's ESIA contains no information on the greenhouse

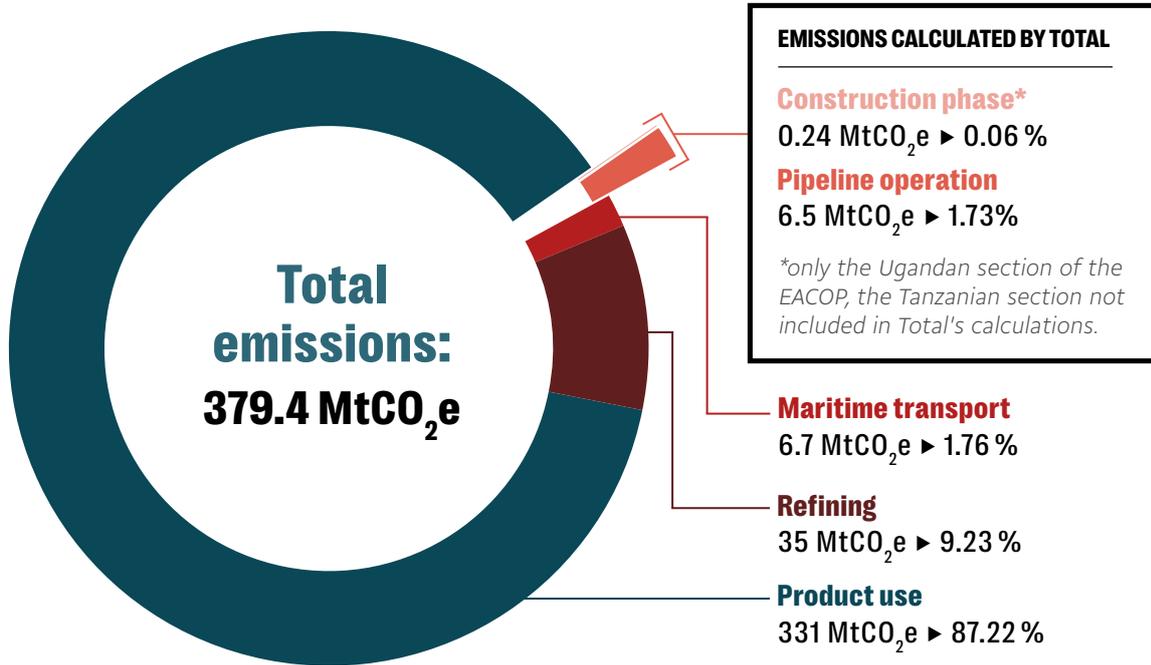
gas emissions produced during the construction phase of the EACOP in Tanzania, nor those linked to the Tilenga project (construction phase and operations). Heede did not therefore include these emissions in his calculations. Yet emissions still stand at 30.7 million tonnes of CO₂ per year at *"plateau production"*, and 379 million tonnes of CO₂ over the project's lifetime. The Stockholm Environment Institute, which includes emissions from the Tilenga project in its calculations, projects that the mega pipeline will generate 33 million tonnes of CO₂ per year at *"plateau production"*.⁷¹ And lastly, the ELAW network, an alliance of lawyers and environmental scientists, estimates that the oil megaproject will generate *"approximately 34 million tonnes of CO₂"*⁷² at *"plateau production"*.

The difference between Total's figures and those of the various consultancy agencies can be explained by the fact that the French major doesn't include the majority of operation phases in its calculations, and excludes emissions generated by crude oil shipping, refining and, most importantly, end use.



A climate impact totally downplayed by Total

Estimated emissions from the EACOP project (in million tonnes of CO₂ equivalent - MtCO₂e), from the pipeline's construction to the end use of oil during the project's lifetime (25 years)



Sources: Total's EACOP Environmental and Social Impact Assessments and the Climate Accountability Institute's report, July 2022.

This amount of greenhouse gas emissions is completely incompatible with the objectives of the Paris Agreement as well as with conclusions published by the Intergovernmental Panel on Climate Change (IPCC) in April 2022.⁷³ In order to limit global warming to 1.5°C, the IPCC expert panel highlights that there must be no new fossil fuel projects. There

is no ambiguity in the International Energy Agency's last report either: in order to achieve net zero by 2050, no new oil and gas fields must be explored or developed. The Agency also states that any project whose final investment decision was made before late 2021 should not be developed, which is the case for both the Tilenga and EACOP projects.⁷⁴

CONCLUSION

It has now been three years since Friends of the Earth France, Survie and four Ugandan organisations – AFIEGO, CRED, NAPE/Friends of the Earth Uganda and NAVODA – filed a lawsuit against Total in France, in view of the number of serious human rights violations and risks of harm to the environment and the climate caused by its Tilenga and EACOP projects. Over the last three years, the international campaign #StopEACOP has given rise to a growing citizen movement, both in Uganda and Tanzania, as well as further afield – in East Africa, Europe and the rest of the world. Over the last three years, new studies by environmental and climate experts have been carried out, highlighting not only the risk of irreversible damage to unique ecosystems and to the climate, but also the inadequate – if not non-existent – measures being implemented by the company to mitigate these risks. Over the last three years, members of local organisations or communities who have spoken out against these projects and have stood up for their rights have been subjected to increasing harassment, pressure and scare tactics.

Total and its partners are, however, forging ahead with the colossal project. A “pro-EACOP” campaign has been launched on social media in an attempt to convince the public of the supposed advantages of the project and badmouth its opponents. Total is making a futile attempt to give itself a “transparency” makeover, as evident from new pages added on its website in early 2021, and from its press trips to Uganda in 2022.⁷⁵

But the situation in Tanzania is so riddled with restrictions and risks that no journalist has managed to expose the reality of the giant pipeline. Although the bulk of field research and reports have been focussed on Uganda, this report is based on new field research in Tanzania. Unfortunately, the same human rights violations that are taking place in Uganda are also taking place in Tanzania, some even worse in certain respects. There is even less freedom of expression for local populations, and civil society organisations are unable to freely do their work. To an even greater extent than Uganda, also under an authoritarian regime, Tanzania is the very example

of a country where transnational corporations like Total should not pursue their large-scale projects because they are inevitably going to give rise to numerous human rights violations.

Furthermore, research into the Tanzanian section of the EACOP highlights the risks posed to the environment, particularly the Tanga port area, where the pipeline ends. Total is planning to build oil export infrastructure on the coast to transport the oil onto oil tankers. As the Indian Ocean is an area that is highly prone to tsunamis and cyclones, which will only increase with global warming, there is an extremely high risk of a major oil spill, which would have an irreversible impact on the extremely rich biodiversity of the protected marine reserves in this zone. The oil spill in Peru in early 2022, which was triggered by a tsunami on the other side of the Pacific Ocean, has given us a glimpse of the devastating consequences.

It is difficult for us to come to any other conclusion than that of our previous report on Uganda in 2020, because the equation is the same: the costs of Total’s mega project on human beings, on the climate and on the environment are quite simply unacceptable. It is our view that the project should be abandoned immediately and that the affected communities obtain reparation.

NOTES

- 1** For more information on this groundbreaking law, see [“Devoir de vigilance : une loi pionnière contre l’impunité des multinationales”](#) on the website of Friends of the Earth France.
- 2** For a breakdown of the legal process, see: totalincourt.org.
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EACOP

A DISASTER IN THE MAKING

Research into Total's mega pipeline project in Tanzania

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Friends of the Earth France is a non-profit environmental and human rights network, independent from any religious or political influence. Created in 1970, Friends of the Earth France helped to build the French ecological movement and was one of the founding organisations of Friends of the Earth International, with groups in 75 countries and over two million supporters around the world.

In France, Friends of the Earth forms a local network composed of 30 autonomous local groups that act according to their own priorities and support the national and international campaigns with a shared vision for social and environmental justice.

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Created in 1984, the NGO Survie analyses the French African news and stands up against "Françafrique", the special name given to French imperialism in Africa, that the NGO has brought to light. It denounces all types of French neo-colonial interventionism in Africa, and works to change French politics in Africa and to bring together all citizens who want to inform themselves and take action.

With about 1,300 members and local groups in twenty French cities, the NGO regularly publishes analysis in leaflets and books as well as undertaking advocacy work and legal action.

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