

## BUVUMA

By Henry Nsubuga

Over 400 residents from the sub-counties of Nairambi, Buwooya and Busamuzi in Buvuma district have protested eviction from land that was procured by the Government for growing palm oil trees.

The residents accused the officials of Vegetable Oil Development Project Phase II (VODP2) of paying them less money in compensation for the land.

In a case filed at the Mukono High Court, the residents accused VODP2 officials of paying a lot of money to ghost beneficiaries, whereas the real owners of the land receive peanuts.

The plaintiffs are Godfrey Yiga, Aggrey Wakasi, Isiko Baguma, George William Keleba and Nayigaga, whereas the defendants are the manager of VODP2, Kalangala Oil Palm Growers Trust (KOPGT), Oil Palm Uganda Limited (OPUL), BIDCO Uganda Limited (BUL) and the Attorney General. It is alleged that the land in contest measures about 13sqkm.

The plaintiffs are represented by Mukasa Lugalambi and the defendants are represented by Oburu Odoi and Phoebe Tumwebaze.

They appeared before Mukono High Court registrar Flavia Nabakooza on Monday where the plaintiffs were seeking an injunction stopping their eviction, until the main suit is concluded. The courtroom was filled by some of the affected residents from Buvuma, officials of VODP2 and local leaders from Buvuma district, among others.

In their suit, the plaintiffs said the defendants approached many of them who were using the land in 1998. They said their land was valued and surveyed. However, the plaintiffs soon realised that

# Residents accuse oil project of compensating 'ghosts'



Some of the residents of Buvuma listening to the proceedings in the courtroom in Mukono district last week. Photos by Henry Nsubuga

the process was arbitrary, with massive undervaluation. They said there were also incidents where the surveyors recorded a different acreage of land from that which the plaintiffs actually possessed and that they also created ghost beneficiaries on the plaintiffs' land.

"What shocked them was the fact that the ghost beneficiaries received a lot of money, compared to what the real owners of the land got. Unfortunately, the pay for the residents was delayed as the ghost beneficiaries received

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their payments on time," Lugalambi said.

Therefore, Lugalambi seeks

a permanent injunction restraining the defendants, their agents and assignees from



Plaintiffs' lawyer, Lugalambi, said the compensation was not fair

further trespass, use and occupation of the plaintiffs' land, until they are fully compensated as provided for under the law.

He also wants the court to declare that the plaintiffs' land rightfully belongs to them as customary occupants and that they are entitled to stay on the land and utilise it.

"I pray that court declares that the actions of the defendants in using or occupying the land without prior fair compensation of the plaintiffs' rights and interests in the same land is unconstitutional," Lugalambi

said.

He also wanted an order for the cancellation of the titles that were procured by the defendants in respect of the suit land and any other subsequent titles that may have been obtained by the defendants.

Lugalambi asked for general damages for inconveniences caused, causing a public fracas, anguish and illegal actions by the defendants and costs of the suit.

However, defence lawyer Oburu said there was no need to call for the injunction when the Government legally purchased the suit land and that the plaintiffs were not protesting the land acquisition, but unfair compensation, which could easily be addressed.

Oburu also refuted the allegations of the ghost beneficiaries, saying the compensation was carried out by a number of government agencies as stated in the affidavit of Connie Magomu, the co-ordinator of VODP2.

"The village chairpersons were included in the process of verifying the rightful residency of any person before he or she received the payments that were authorised by the government auditor. And this is already government land, which it rightfully purchased. Therefore, barring the Government from utilising it is an infringement on the laws protecting rights of ownership," he said.

Oburu presented to court documents, which he said showed the residents acknowledging the sale of their land and receipts of the money, which they got from the Government.

The documents showed that plaintiff Yiga was compensated sh59m, Isiko Baguma sh12.3m and Wakasi sh22.2m.

He, therefore, asked the court to dismiss the case because it was baseless.

Nabakooza adjourned the case, until June 18.