

Reference No. 35 of 2020 The Environment Shield Ltd & Turyakira John Robert v. The Attorney General of the Republic of Uganda.

Coming up for Hearing: on the 16th day of March 2026
Reference filed: on the 14th day of October, 2020
Under Articles: **6,7(2),8(1)(a) & (c), 23,27(1)** and 30 of the Treaty for the Establishment of the East African Community
Rules: **25** of the East African Court of Justice Rules of Procedure, 2019.
Subject matter: Issuing of the Certificate of approval of the Environmental and Social Impact Assessment.

Summary:

The Application is made on the ground that the project area neighbors Bugoma Central Forest reserve which was Gazette in 1932, a tropical high forest and home to over 600 chimpanzees; and is part of its ecosystem.

The Applicant further states that sugar cane growing has diverse environmental and climate change impacts including pollution of water bodies, rivers and streams-soiling water quality.

The Respondent, NEMA ignored and did not consider any of this prior to the project approval. Not even consider or take into account a human rights impact assessment prior to the project approval.

Not even the environment costs connected with the actual or potential deterioration of natural assets are taken into account or factored into the land use change project, despite the legal requirements and provisions of the laws.

Applicant further states that the Respondent did not care that the project area with its woodlands, grasslands, and the forested part is a carbon sink. The project approval signals adverse governance, environment and climate implications, contrary to the laws.

Furthermore, environmental Rule of Law and environmental good governance by premising the project approval on an inadequate, illegal and not transparent ESIA bereft of essential detail required by such national and internal.

The Applicant states that all the acts and omissions stipulated in paragraph 1 to 10 above jointly and /or singly constitute breaches or infringements of the principles of the Rule of law, good governance, accountability, democracy and are inconsistent with Articles 6© and (d),7(2) and 8(1) (a) & (c) of the Treaty.

The Applicant prays for the following declarations and Orders that;

the project approval constitutes a threat, breach and an infringement of Articles 6(d),7(2) and 8(1) of the Treaty for the Establishment.

the project approval is illegal, null and void.

the Court make Orders enforcing and directing the immediate compliance with the Treaty by directing the government of Uganda to cancel the certificate of approval of environmental and social impact assessment granted to Hoima Sugar Limited and ensure that prior to any similar project approvals, it conducts climate change impact assessment; human rights impact assessment; and meaningful, effective and transparent public consultations ensuring robust community and broad public participation and also directing the government of Uganda to reinstate the status quo prior to the project approval.

finally, Costs of this Reference to be paid by the Respondent.

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