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For the Right to Food and Nutrition
Por el Derecho Humano a la Alimentación Adecuada
Pour le droit à l'alimentation et à la nutrition

His Excellency
Mr. Yoweri Kaguta Museveni
President of the Republic of Uganda
State House,
P.O. Box 25497
Kampala, Uganda
E-Mail: info@statehouse.go.ug

17 August 2021

Re: After 20 years of suffering, injustice and impunity, the Government of Uganda must support the evictees due to Kaweri Coffee Plantation Ltd. in Mubende

Your Excellency,

This letter is sent to His Excellency following the previous letter sent to you on 12 December 2019, to highlight once more the suffering, injustice and impunity of those evicted in Mubende district due to Kaweri Coffee Plantation Ltd., a subsidiary of the Hamburg based Neumann Kaffee Gruppe, in 2001. FIAN International, in collaboration with our national sections in Germany and Uganda have been supporting the evictees during the last 19 years to claim their rights and be able to live in dignity. FIAN is an organization with consultative status at the UN Economic and Social Council, promoting the realization of the right to food and nutrition worldwide. FIAN has also the observer status before the African Commission on Human and Peoples' Rights.

Even after 20 years, the evictees have still not been compensated for the damages caused by the brutal eviction and got back their land, nor acquired any alternative land to restart their lives. At the same time, Kaweri Coffee Plantation Ltd. continues to enjoy the profit generated from the land which was acquired brutally and while the case is still pending at the court.

Your Excellency, the genesis of the matter arises as follows: between the 17th to the 21st of August 2001, the Uganda People's Defense Force (UPDF) violently expelled approx. 4,000 inhabitants of four (4) villages namely Kitemba, Luwunga, Kijunga and Kiryamakobe in Mubende district from their land (2524 ha) in order to lease it to Kaweri Coffee Plantation Ltd., a 100% subsidiary of the Neumann Kaffee Gruppe (NKG) based in Hamburg/Germany. During the eviction, some of the inhabitants were beaten up and



injured. In addition, some died after that brutal eviction.¹ In 2002, the evictees sued the Government of Uganda and Kaweri Coffee Plantation Ltd. Until today, the legal battle continues, although in 2019 the judge introduced a mediation process in which some of the evictees are willing to accept the compensation offered by the government of Uganda, while some others are seeking a full trial of the case.

The eviction has resulted in human rights violations², namely:

- Right to adequate food and nutrition: The evictees have lost their land, and this situation has resulted in hunger, malnutrition and poverty until today.
- Right to water: The evictees lost access to clean water because the only clean water source they had and used before is located at Kaweri Coffee Plantation. Although some new seven (7) boreholes have been drilled, the water is not clean and two (2) of the boreholes are non-functional. The water from the taps in Kyengeza (village center) comes sporadically.
- Right to adequate housing: During the eviction, the evictees lost their properties and houses, which have been destroyed by the soldiers.
- Right to health: Following the eviction, there has been an increasing number of illnesses and deaths amongst the evictees, some of which were associated with malnutrition and incapacity to seek health care.
- Right to education: Since the eviction, the former Primary School of the community became the headquarter of Kaweri/NKG Coffee Plantation Ltd. A new school was constructed only one year after the eviction. Evictees have reported that the number of students in secondary school decreased after the eviction because parents could not cover school fees any longer. Even today, many families cannot cover the costs of Primary School for their children (i.e. school material, uniform, school meals, etc.)
- Right to work: The evictees consider the working conditions in the Kaweri/NKG Coffee plantation as exploitative. This means working hard, in bad conditions and be paid so little. Furthermore, they feel intimidated by the management of the plantation when they criticize working conditions.

¹ Deutsche Welle Documentary, The Mubende coffee plantation and the bitter taste of eviction,
<https://www.youtube.com/watch?v=CkiUZghP3vs>

² FIAN Germany/FIAN International 2019,
https://www.fian.org/files/files/HR_violations_in_the_context_of_Kaweri_Coffee_Plantation_in_Mubende.pdf



- Women's rights: Women reported an increase in domestic violence after the eviction. In addition, women highlighted a concerning issue of sexual harassment and rape in the plantation. Accordingly, women reported an increase in early and unwanted pregnancies of their daughters.
- Right to enjoy cultural life: Due to the shortage of shelters, parents had to share beds with their adult children, which is a taboo in the Baganda tradition. Furthermore, the evictees have lost the graveyards and worship places of their ancestors.
- Right to get timely justice and legal remedy: After 20 years, the evictees are still waiting for justice to be compensated for the damages caused by the brutal eviction and get adequate land to be able to continue undertaking their subsistence farming.

Uganda is a State Party to the International Covenant on Economic, Social and Cultural Rights (ICESCR)³ and therefore obliged to comply with State obligations related to the rights enshrined in this covenant. Consequently, in its concluding observations to Uganda on 08 July 2015, the ICESCR Committee expressed its concern *“about the case of Mubende District whose inhabitants were evicted from their homes in 2001 in the context of the Kaweri Coffee plantation and about the fact that so far the legal redress they could obtain did not include restitution of land rights.”* The Committee urged the government of Uganda to *“Take immediate measures to ensure that the rights of the Mubende community are restored [...] - Consider developing a legal framework on forced evictions, which includes provisions on effective and meaningful consultation, adequate legal remedies, and compensation.”*⁴

In December 2018, Uganda voted in favor of the United Nations Declaration of Rights of Peasants and other people working in rural area (UNDROP)⁵. Like the ICESCR, UNDROP protects peasants and other people working in rural areas from evictions and violations of their ESCR, including their rights to land and water. In the case *sub judice*, the Ugandan state shall implement the declaration in good faith and ensure that the evictees get justice as quickly as possible.

Your Excellency, we are confident of the crucial role you can play in carrying out your responsibility to make sure that the State of Uganda complies with its international human rights obligations in favor of the evictees of the Kaweri case. ***We appeal your government to guarantee that the rights of the evictees are restored. The guarantee must***

³ ICESCR, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

⁴ Concluding Observations, 8 July 2015, §30, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fUGA%2fCO%2f1&Lang=en

⁵ UNDROP, https://digitallibrary.un.org/record/1661560/files/A_RES_73_165-EN.pdf



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be within the full implementation of paragraph 30 of the concluding observations provided to the state of Uganda on 08 July 2015.

We thank you for your attention and kindly request you to keep us informed about the actions taken by the Government.

Yours faithfully,

Sofia Monsalve
Secretary General
FIAN International