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Lucilla Viola

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# Oil Extractivism and the Forgotten Rights of Children

A mixed-method study of the East African  
Crude Oil Pipeline and its impacts on  
children's rights

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European Master's Programme  
in Human Rights and Democratisation

Lucilla Viola

# Oil Extractivism and the Forgotten Rights of Children

A mixed-method study of the East African Crude Oil Pipeline and its impacts on children's rights

# Foreword

The European master's Human Rights and Democratisation (EMA) is a one-year programme established in 1997 as a joint initiative of ten universities which now has participating universities in all EU member states, Switzerland and the United Kingdom, and with support of the European Commission. Based on an action- and policy-oriented approach to learning, it combines legal, political, historical, anthropological and philosophical perspectives on the study of human rights and democracy with targeted skills-building activities. The aim of the EMA programme is to prepare young professionals to respond to the requirements and challenges of work in international organisations, field operations, governmental and non-governmental bodies, and academia. As a measure of its success, EMA has served as a model of inspiration for the establishment of seven other EU-sponsored regional master's programmes in the area of human rights and democratisation all over the world. Today these programmes cooperate closely in the framework of the Global Campus of Human Rights, which has its headquarters in Venice, Italy.

Up to 90 students are admitted to the EMA programme each year. During the first semester in Venice, they learn from leading academics, experts and representatives of international and non-governmental organisations. During the second semester, they are hosted by one of the 43 EMA participating universities to follow additional courses in an area of specialisation of their own choice and to conduct research under the supervision of the the university's EMA Director or their academic colleagues. On successful completion of the requirements of the degree, students are awarded the European master's degree in Human Rights and Democratisation, which is jointly conferred by seven EMA universities who accredit the programme.

- Each year the EMA Council selects five theses, on the basis of:
1. Originality of the research topic, and its relevance and importance (including its contribution to the promotion and implementation of human rights and democratic values);
  2. Innovation with respect to argument, methodology, and theoretical approach, including case studies;
  3. Exceptional knowledge of the academic literature and excellent capacity for critical analysis;
  4. Clarity of structure, language and argumentation of a publishable standard with minimum revisions

The EMA awarded theses of the academic year 2023/2024 are:

- *Brousek, Marie, War as a Human Rights Matter: The European Court of Human Rights' Approach to Armed Conflicts in the Light of the Inter-State Application Ukraine v Russia (X). Supervisor: Christina Binder, University of Vienna.*
- *Díaz-Quirós Diéguez, Adriana, The Hidden International Legal Obligation: The Prevention of Climate Statelessness. Supervisor: Majtényi Balázs, Eötvös Loránd University, Budapest.*
- *Kolen, Elise, A modern Tale of Frankenstein? How to Regulate Non-Consensual Sexually Explicit AI-Generated Deepfakes in the Metaverse. Supervisors: Wolfgang Benedek and Helmut Tichy, University of Graz.*
- *Van den Bergh, Cézanne, Legislation in the Age of Innovation: Regulating AI-Driven Child Sexual Abuse Material in the European Union. Fact or Fiction? Supervisor: Karol Nowak, Lund University.*
- *Viola, Lucilla, Oil Extractivism and the Forgotten Rights of Children: A Mixed-Method Study of the East African Crude Oil Pipeline and Its Impacts on Children's Rights. Supervisor: Christophe Maubernard, Université de Montpellier.*

The selected theses demonstrate the breadth, depth and reach of the EMA Programme and the passion and talent of its students. We are proud of the range of topics as well as the curiosity and research skills demonstrated by this year's cohort. On behalf of the Governing Bodies of the EMA programme, we applaud and congratulate these graduates for their work.

Prof. Manfred Nowak  
*Global Campus Secretary General*

Prof. Thérèse Murphy  
*EMA Chairperson*

Dr Orla Ní Cheallacháin  
*EMA Programme Director*

# Biography

Lucilla Viola holds a five-year Master's degree in Education from the Catholic University of Milan and a Master's degree in Human Rights from the Global Campus of Human Rights.

During her studies at the Global Campus, she was awarded the Global Campus Right Livelihood Fellowship and served as a Research Fellow at the African Institute for Energy Governance, whose staff contributed to this research.

After completing her degree, she worked with NGOs such as Human Rights Watch and BankTrack, focusing on human rights advocacy. In 2022–2023, she served as a Diplomatic Fellow at the Council of Europe in Strasbourg.

Before her career in human rights, Lucilla's academic and professional journey spanned Italy, Brazil, Hungary, and Norway, where she researched Education for Sustainable Development. She also worked as a forest school teacher, integrating environmental and experiential learning into her educational practice.

Her primary research interests include Business and Human Rights, and Children's Rights—particularly at the intersection with climate change.

# Abstract

Oil extractivism driven by transnational corporations exacerbates existing inequalities, undermining children's rights and welfare, thereby revealing a critical gap in international discussions on fossil fuels and children's rights. This thesis explores the disproportionate impact of oil extraction activities on children, highlighting their marginalisation in global discourse despite their heightened vulnerability to climate change effects, as well as the environmental and social disruption caused by oil projects. Employing a mixed-methods approach, the study utilises a comparative methodology to analyse how oil extraction perpetuates neo-colonial power dynamics from the Global North to the Global South. It conducts systematic and empirical analyses of existing literature to gather the qualitative and quantitative data on children affected by the East African Crude Oil Pipeline (EACOP) in Uganda. Additionally, a comparative legal analysis comprehensively examines existing frameworks protecting children in extractive oil projects, proposing enhancements for improved corporate due diligence by oil majors.

The thesis proposes actionable recommendations to enhance children's rights within the context of EACOP. Central to the thesis is the engagement of children as rights-holders and stakeholders in oil projects. This research is the first to focus on the condition of children within the EACOP project, aiming to influence corporate due diligence and raise awareness of child-welfare-based approach that ensures accountability for oil corporations.

**Keywords:** *children's rights; oil extractivism, child-rights mainstreaming, transnational corporations, due diligence, EACOP*

# Acknowledgements

Embarking on this thesis journey has been both a challenging and interesting experience, eased considerably by the support I received along the way.

I am deeply grateful to my family and friends for their patience, love and constant reassurance. Special thanks to my sisters for being a source of motivation and comfort in Montpellier and my E.MA friends.

I am particularly grateful to my thesis supervisor, Professor Christophe Maubernard, for his support and guidance at various stages of the thesis and throughout the semester.

Thank you to AFIEGO, especially Dickens Kamugisha and Amina Acola, for their meticulous feedback and insightful comments during the thesis drafting process. I also appreciate the organisational help and moral support from John Paul, Barbara and Chiara from the Child Rights Department of the Global Campus.

Finally, I thank the children and climate activists in Uganda and around the world who are tirelessly fighting for our future.



# Table of Abbreviations

<b>AAPC</b>	All-African People’s Conferences
<b>ACRWC</b>	African Charter on the Rights and Welfare of the Child
<b>AFIEGO</b>	Africa Institute for Energy Governance
<b>CRED</b>	Civic Response on Environment and Development
<b>CRDD</b>	Children’s Rights Due Diligence
<b>CSDDD</b>	Corporate Sustainability Due Diligence Directive
<b>EACOP</b>	East African Crude Oil Pipeline
<b>ECHR</b>	European Convention on Human Rights
<b>ESIA</b>	Environmental and Social Impact Assessment
<b>EU</b>	European Union
<b>HRDD</b>	Human Rights Due Diligence
<b>HRIA</b>	Human Rights Impact Assessment
<b>HRW</b>	Human Rights Watch
<b>ILO</b>	International Labour Organisation

<b>IMF</b>	International Monetary Fund
<b>IPCC</b>	Intergovernmental Panel on Climate Change
<b>NAPE</b>	National Association of Professional Environmentalists
<b>NAVODA</b>	Navigators of Development Association
<b>NEMA</b>	National Environmental Management Authority
<b>NGOs</b>	Non-Governmental Organisations
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>PAHs</b>	Project Affected Households
<b>PWDs</b>	Persons with Disabilities
<b>SAPs</b>	Structural Adjustment Policies
<b>TNC</b>	Transnational Corporation
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UN</b>	United Nations
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>UNEP</b>	United Nations Environment Programme
<b>UNGPs</b>	United Nations Guiding Principles on Business and Human Rights
<b>VPSHR</b>	Voluntary Principles on Security and Human Rights
<b>WWF</b>	World Wide Fund for Nature

# Table of Contents

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III	Foreword
VI	Biography
VII	Abstract
VIII	Acknowledgements
X	Table of Abbreviations
XII	Table of Contents
XIV	List of Tables and Figures

---

10	<b>1. Neo-colonial roots of oil extractivism and children's rights</b>
11	<b>1.1 From colonialism to neo-colonialism in the globalisation era, TNCS actions</b>
11	1.1.1 Colonialism
12	1.1.2 Liberation struggle, independence and decolonisation
14	1.1.3 Neo-colonialism and neo-liberal economic domination
16	<b>1.2 Oil extractivism</b>
18	<b>1.3 EACOP new horizons of exploitation: the project</b>
22	1.3.1 Rejection from society
23	<b>1.4 Children loss and damaged in extractive oil activities</b>
24	1.4.1 Climate change risks
28	1.4.2 Environmental and human rights violation risks
31	<b>1.5 Conclusion</b>
33	<b>2. A children's rights analysis of the EACOP project</b>
35	<b>2.1 Analysis of NGOs community-based impact assessments</b>
49	2.1.1 Findings on children's rights from NGOs reports'
53	<b>2.2 TotalEnergies due diligence to children's rights</b>
59	<b>2.3 Conclusion</b>

---

61	<b>3. Business and children's rights legal framework</b>
61	<b>3.1 Introduction</b>
62	<b>3.2 Switching paradigm: from states-only to corporate engagement</b>
64	<b>3.3 Legal framework</b>
65	3.3.1 United Nations Convention on the Rights of the Child
66	3.3.2 African Charter on the Rights and Welfare of the Child
68	<b>3.4 EACOP's compliance commitments</b>
68	3.4.1 United Nations Guiding Principles on Business and Human Rights
69	3.4.2 OECD Guidelines for Multinational Enterprises
71	3.4.3 Voluntary Principles on Security and Human Rights
72	<b>3.5 Future compliance opportunities</b>
72	3.5.1 Children's Rights and Business Principle
73	3.5.2 Draft legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises
75	3.5.3 European Union Corporate Sustainability Due Diligence Directive
76	<b>3.6 National compliance duty to total energies: French due diligence law</b>
78	<b>3.7 Conclusion</b>

---

81	<b>4. Children as Right-holders and Stakeholders</b>
84	<b>4.1 Agency and participation in impact assessment</b>
86	<b>4.2 Consultation and due diligence</b>
86	<b>4.3 Monitoring</b>
87	<b>4.4 Remedies</b>
88	<b>4.5 Conclusion</b>

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93	<b>Bibliography</b>
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# List of Tables and Figures

- 18 **Figure 1 - Map of the projected route of EACOP. 2022 Friends of the Earth**
- 28 **Figure 2 - Main ecosystems under threat. Friends of the Earth 2022**
- 50\56 **Figure 3 - Mentions of children in the human rights impact assessment**
- 52 **Figure 4 - Mentions of children (by whom) as a direct concern raised by the community**

# Introduction

Children bear a disproportionate burden of exclusion in the global dialogue on fossil fuel extractivism. This neglect not only infringes upon their fundamental human rights but also exacerbates their vulnerability to the harsh realities of climate change and environmental degradation.

**Natural disasters, pollution and resource depletion caused mainly by fossil fuel extraction and transportation, particularly oil, pose direct threats to children’s well-being and fundamental rights to health, safety and a sustainable environment while also exacerbating inequalities and perpetuating barriers to education, healthcare and essential services.**<sup>1</sup> As the *Intergovernmental Panel on Climate Change (IPCC)* has stated, CO<sub>2</sub> emissions from fossil fuels are the dominant factor influencing current trends in atmospheric CO<sub>2</sub> concentration, heightening climate change effects.<sup>2</sup> As confirmed by the United Nations Environmental Programme (UNEP), the extraction and use of fossil fuels are the primary drivers of climate change.<sup>3</sup> In a context where fossil fuels account for approximately 80% of primary energy consumption, leading scientific bodies emphasise the urgent need for a substantial reduction in their global use. This imperative underscore the

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<sup>1</sup> The terms ‘oil extractivism’ includes many stages in its process, important to be taken into consideration as a whole : exploration, drilling and extraction, to oil transportation, oil refining, and oil consumption.

<sup>2</sup> Intergovernmental Panel on Climate Change, «Special Report on Carbon Dioxide Capture and Storage», 2018, 54. The Intergovernmental Panel on Climate Change is a United Nations body established in 1988 by the World Meteorological Organisation and the United Nations Environment Programme. It is the most authoritative body to assess scientific information related to climate change, its impacts, and potential future risks, as well as to propose adaptation and mitigation strategies. The panel brings together experts from around the world to providing comprehensive reports that reflect the current state of scientific knowledge on climate change. The IPCC’s keeps warning in its periodic reports about the urgency of addressing global warming.

<sup>3</sup> United Nations Environmental Program, «Production Gap Report 2019», 2019, 8.

necessity for the international community to pursue a ‘significant reduction in coal, oil and gas investments’ to align with climate goals.<sup>4</sup>

The severe implications of fossil fuel extraction, particularly oil, are increasingly evident in various projects worldwide. These impacts extend beyond the realm of climate change, encompassing significant socio-economic disruptions. A prominent example is the Niger Delta in Nigeria, where the adverse effects of oil extraction have manifested in environmental degradation, economic instability, profound social challenges and human rights violations.<sup>5</sup> Despite the well-documented dangers of extraction industries, the global reliance on these resources continues unabated, primarily driven by corporations and governments in the Global North, along with the ruling classes in the Global South, regardless of warnings from prominent bodies of scientific experts.<sup>6</sup> Large-scale oil extraction projects are predominantly dominated by shareholders of major Western petroleum corporations, commonly referred to as Transnational Corporations (TNCs), with a recent interest from Chinese actors.<sup>7</sup> As a result, these corporations have long been criticised and denounced for perpetuating the structures of neo-colonial exploitation.<sup>8</sup> The pervasiveness of profit-based investments and the historical course of oil extractiv-

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<sup>4</sup> Intergovernmental Panel on Climate Change, «Sixth Assessment Report: “Climate Change 2022: Mitigation of Climate Change” », 2022, 698.

<sup>5</sup> The Niger Delta has been severely impacted by the activities of the oil major Shell. Since the discovery of oil in the region in the 1950s, Shell’s operations have led to extensive environmental degradation, including oil spills, gas flaring, and pollution of water bodies, soil, and air. These activities have devastated local ecosystems, destroyed livelihoods, and harmed the health of communities living in the area. Additionally, there have been numerous reports of human rights abuses, including the violent suppression of protests by residents who opposed Shell’s practices. The Ogoni community faced brutal repression, and the execution of the environmental activist Ken Saro-Wiwa and other leaders in 1995 drew international condemnation. The situation in the Niger Delta remains a stark example of the negative consequences of unchecked corporate practices in resource extraction industries. The Ogoni people’s fight against Shell in the Niger Delta is emblematic of the broader struggles faced by many indigenous and local communities worldwide against large TNCs. This conflict underscores the urgent need for corporate accountability, environmental justice, and the protection of human rights.

<sup>6</sup> This research takes cases of exploitation of natural resources and communities from the African continent.

<sup>7</sup> Western companies, primarily from the United States, Britain, France, and Germany, continue to dominate African oil resources. Key players include TotalEnergies, Royal Dutch Shell, ExxonMobil, BP, Chevron Corp., and ConocoPhillips.

<sup>8</sup> See for example Maximilian Feldner, ‘Representing the Neocolonial Destruction of the Niger Delta: Helon Habila’s *Oil on Water* (2011)’, *Journal of Postcolonial Writing* 54, no 4 (4 July 2018): 515–27; Nnimmo Bassey, ‘The Guardians of Neocolonialism’. economic and social destruction of the Niger Delta in Helon Habila’s novel *Oil on Water* (2011

ism by oil majors not only contribute to human existential threats caused by climate change but also inflict socio-economic deprivation on local communities.<sup>9</sup>

Amid these reflections, the impetus for this research initiative arises from a collaborative call by the African Institute of Energy Governance (hereinafter AFIEGO). AFIEGO, a non-profit organisation based in Kampala, is deeply involved in Uganda, where a significant oil project is underway, the Eastern African Crude Oil Pipeline (EACOP). The EACOP project entails the construction of the world's longest heated pipeline, spanning 1,442 km, to transport crude oil extracted in Uganda and Tanzania for export to international markets. This project traverses reserves and protected areas, posing a threat to a unique and delicate ecosystem that harbours a multitude of protected species. Moreover, it profoundly impacts the communities situated along the pipeline route.<sup>10</sup> East African Crude Oil Pipeline Limited (EACOP Ltd.), a UK-incorporated company, designs, constructs, and operates the EACOP.<sup>11</sup> However, the major shareholder is the French company TotalEnergies. By July 2024, seven more investors joined the 20 leading global financial institutions that had publicly refused to finance the project due to environmental and human rights concerns. These investors had withdrawn from financing EACOP, stalling the project and leaving its funds unsecured, with development at only 33%.<sup>12</sup> Since then, the project has made significant progress, reaching a 58% completion rate, as of July 2025.<sup>13</sup>

AFIEGO identified a significant gap in the research regarding the experiences of children affected by the EACOP project, as well as a lack of awareness about corporate responsibilities in respecting children's rights. This research, recognising the urgent need to focus more attention on this issue, embraces the challenge of

<sup>9</sup> Goutam Karmakar, «Living with Extraction: Environmental Injustice, Slow Observation and the Decolonial Turn in the Niger Delta, Nigeria», *International Social Science Journal*, 17.

<sup>10</sup> Les Amis de la Terre France and SURVIE, 'EACOP A DISASTER IN THE MAKING - Research into Total's Mega Pipeline Project in Tanzania', 2022.

<sup>11</sup> Felix Horne, "Our Trust Is Broken", Human Rights Watch, 10 July 2023, <<https://www.hrw.org/report/2023/07/10/our-trust-broken/loss-land-and-livelihoods-oil-development-uganda>>; access on 5 May 2024.

<sup>12</sup> 'China Loans Delay Plunges EACOP Partners in Crisis', *The East African*, 15 June 2024 <<https://www.theeastafrican.co.ke/tea/business-tech/china-loans-delay-plunges-eacop-partners-in-crisis-4658878>> access on 23 June 2024.

<sup>13</sup> 'East African Crude Oil Pipeline Project Reaches 58% Completion - Energy in Africa', 7 May 2025, <<https://energyinafrica.com/news/east-african-crude-oil-pipeline-project-reaches-58-completion/>> access on 24 June 2025.

addressing this knowledge gap. While discussing the current situation in the territories affected by EACOP with AFIEGO, we recognised the stark double standard in the business conduct of corporations. Corporations that uphold protections in the Global North consistently weaken them when operating in the Global South, significantly harming children and future generations.

Grounded in the discussion above, Chapter 1 explores oil extractivism as a practice that perpetuates a neo-colonial structure of power from the Global North to the Global South. My assumption is that by analysing TNCs' exploitative practices and human rights misconduct in mega-oil projects within the framework of neo-colonial persistence, on which substantial literature has been produced, it is possible to provide moral grounds for 'non-repetition' of Western corporations' wrongdoing. These moral grounds are based on principles such as justice, and the protection of human rights, particularly concerning vulnerable populations like children. By highlighting the neo-colonial nature of these exploitative practices and the resulting harm, the thesis seeks to establish an ethical basis for advocating against such wrongdoing and for promoting policies that prioritise the welfare of affected children. These reflections should lead to uphold justice for the children affected by the project and to promote a child welfare-based approach to fossil fuel extractivism, a significantly neglected issue. Despite growing scholarly literature and numerous reports from non-governmental organisations (NGOs) addressing the differentiated impacts of the EACOP project on affected communities, most investigations fail to acknowledge the specific conditions of the children impacted by the project. This study is the first one to focus on their conditions within the context of EACOP. Accordingly, Chapter 2 consolidates the fragmented and unstructured information regarding children and EACOP that exists within the current body of literature on the project. To accomplish this, a selection of credible reports and scholarly research papers has been carefully reviewed and analysed. In those, it is investigated how and how many times the terms 'child' or 'children' are used. Although some reports acknowledge children as a vulnerable group within their households and mention children, they do so inconsistently. Therefore, analysing how frequently and in what context children are taken into consideration in the main reports produced on EACOP helps address the knowledge gap about their living conditions amid the oil project. Additionally, the anal-

ysis conducted links and categorises the existing mentions of children according to potential threats to the provisions set out in the United Nations Convention on the Rights of the Child (UNCRC). The underlying assumption is that numerous UNCRC provisions are at risk of being violated due to the project's impacts. Given the thesis's focus on expanding the understanding of corporate obligations in respecting children's rights, it is essential to critically examine the intersection between corporate responsibilities and the protection of the UNCRC's principles. This reflection serves as a foundational framework for the study. In General Comment No. 16 of the UNCRC, the Committee on the Rights of the Child claims that 'duties and responsibilities to respect the rights of children extend in practice beyond the State and State-controlled services and institutions and **apply to private actors and business enterprises**'.<sup>14</sup>

Chapter 3 builds on the previous analysis to provide a legal comparison of the hard and soft laws applicable to the context of children in extractive oil projects. It particularly examines the compliance duties from international, European and African hard and soft laws that corporations have, or should have, regarding children. The normative assumption throughout the thesis is that the framework for protecting children in oil projects can and must be improved. Finally, Chapter 4 offers a new conceptualisation of the relationship between corporate due diligence and children's rights, specifically asserting that if corporations are to respect children's rights principles, they must implement adequate consultation and participatory schemes at various stages of the project and as well effective grievance mechanisms. Building on the analysis in Chapter 4, this work offers recommendations for TotalEnergies and the oil industry in general to fulfil the urgent request proposed by AFIEGO:

The expectation is that the research could help find innovative ways for children to get access to justice; particularly how the organisation can help them, ensuring the fulfilment of their rights and that when children get injustice, they also get justice back.<sup>15</sup>

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<sup>14</sup> United Nations Committee on the Rights of the Child, 'General Comment No 16 (2013) on State Obligations Regarding the Impact of the Business Sector on Children's Rights', 17 April 2013, 4.

<sup>15</sup> This sentence was pronounced by AFIEGO's CEO Dickens Kamugisha at our first meeting to discuss this project.

# Methodology

The study employed a cross-sectional research design and mixed methods approach. In Chapter 1, a comparative methodology is employed to investigate the phenomenon of oil extractivism as a practice that perpetuates a neo-colonial structure of power from the Global North to the Global South. The chapter begins by analysing existing literature on the subject, drawing upon a diverse range of research studies that explore TNCs' exploitative practices and human rights misconduct in mega-oil projects. The chapter identifies common themes, patterns and trends across different contexts and regions where oil extraction occurs. By examining similarities and differences in how these practices manifest and impact local communities, the chapter provides an understanding of the dynamics at play within the framework of neo-colonial persistence. Furthermore, the chapter synthesises the findings from these various sources to establish a foundation for its central argument: addressing the moral implications of Western corporations past wrongdoing in oil extraction projects is crucial for achieving justice for impacted communities, particularly children. By highlighting the systemic injustices perpetuated by these corporations and advocating for improved corporate due diligence regarding children's rights, it is possible to lay the groundwork for discussions on the need to end such projects in order to achieve climate goals. Overall, the comparative methodology utilised in Chapter 1 serves to deepen the analysis of oil extractivism's impacts on neo-colonial power structures and to provide a robust basis for advocating for change in corporate behaviour and project outcomes.

In Chapter 2, a systematic and empirically replicable analysis is conducted to gather qualitative and quantitative data on children impacted by EACOP.<sup>16</sup> The current literature on the EACOP project lacks a comprehensive study of the conditions affecting children. To address this gap for the first time, the chapter employs a methodology that involves analysing selected reports. The reports included in this study were chosen with the assistance of AFIEGO based on their reliability and relevance within the domains of investigative and scientific research. They are sourced from websites or public disclosures of prominent international organisations that have independently conducted various types of assessments, mostly community-based human rights assessments and environmental and social impact assessments. They span from 2017 to 2024 and include 12 of them. Additionally, four documents that TotalEnergies and EACOP have conducted are analysed. The *Human Rights Impact Assessments* (HRIA) and *Human Rights Due Diligence Report*, including a *Human Rights Policy* paper and a *Human Rights Action Plan*. The search tools within the report's PDFs were used to identify the terms 'child' or 'children'. Each instance was counted, and the context in which the term appeared was evaluated. Relevance to the analysis was then assessed, and any usage deemed superfluous was excluded. Instances where the term appeared solely as part of the reference to the United Nations Convention on the Rights of the Child (UNCRC) were also excluded, as they did not provide new information about the condition of children in the project. To categorise the risks for further analysis, the testimonies and concerns expressed in these reports were classified according to the potential UNCRC provisions that could be at risk of violation. The categorisation is coherently presented in charts, followed by an analysis of the findings. This approach allows for the identification and addressing of primary concerns related to EACOP and children's rights within the context of the oil project. In addition, it consolidates data that are otherwise scattered and unstructured in the existing literature. Some reports include direct testimonies from members of communities affected by EACOP; these accounts form the basis of a secondary analysis aimed at highlighting the main risks to which children

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<sup>16</sup> Yussef Al Tamimi, 'Law, Identity, and Emotions : A Sentimentalist Analysis of Human Rights' (Thesis, European University Institute, 2021). This research methodology has been inspired by the work of Al Tamimi which employed a similar approach to analyse the case law of the ECHR looking for the term 'identity'.

are exposed, as reflected in the concerns shared by their parents and other community members. The research acknowledges that this analysis does not fully capture the extent of investigation required to determine the number of children affected, nor does it directly incorporate the voices of children. However, by focusing on the number of mentions and systematically reviewing each report and mention individually, this approach allows to assess the role of children in the reports and draw provisional conclusions about how children are considered, in the context of oil extraction. This methodology ensures a thorough collection and highlighting of the available information, given the time and space constraints of this research. Although it is not exhaustive, it serves as a pragmatic starting point that lays the groundwork for more precise and quantitative research in the future. In Chapter 3, a comparative legal analysis provides a comprehensive examination of the legal frameworks governing the protection of children in extractive oil projects. This analysis encompasses both international, European and African legal texts, including treaties, conventions and regulations relevant to the issue. The primary objective is to identify and assess the legal obligations and responsibilities that corporations have concerning the well-being and rights of children in extractive oil projects. It also explores the effectiveness of these legal instruments in addressing the specific challenges and vulnerabilities faced by children in the context of extractive oil projects, particularly EACOP. Through an examination of existing hard and soft law frameworks, this chapter aims to delineate the specific obligations imposed on corporations regarding children's rights. Furthermore, it identifies legal instruments and provisions that, if adopted or implemented in the future, have the potential to significantly strengthen the protection of children's rights.

In Chapter 4, building on the analyses and findings of previous chapters, the thesis offers reflections on what it means to recognise children as rights-holders and stakeholders in oil projects. Ensuring both agency and protection constitutes a dual commitment that transnational corporations (TNCs) must comply with. This includes assessing and recommending specific actions related to children's rights for implementation by TotalEnergies within the EACOP project. The recommendations are developed methodologically through consultation with AFIEGO. Through this collaborative approach, the research aims to provide actionable recom-

mendations that align with AFIEGO’s objectives and contribute to advancing children’s rights in the context of extractive oil projects, particularly in the context of EACOP.

# 1. Neo-colonial roots of oil extractivism and children's rights

The end of historical colonialism (the territorial occupation by a foreign country) did not signify the complete cessation of colonial practices. In the early 21st century, these practices have re-appeared in new forms, such as racism, xenophobia, enslaved labour, the trespassing and deportation of immigrants and refugees, land grabbing and the mass expulsion of peasant communities in the name of developing mega projects.

*Boaventura De Sousa Santos, Decolonizzare la storia, oltre capitalismo, colonialismo e patriarcato*<sup>17</sup>

We are at a critical juncture where our planet is experiencing unprecedented environmental crises, as numerous studies have indicated. We have a duty to the children who will inherit a world in distress. This is especially true for children in the Global South, who will face more severe consequences due to climate change and social injustice.<sup>18</sup> As is well-documented, climate change impacts are more pronounced in regions lacking adequate mitigation and adaptation measures, often in countries in the Global South that have experienced colonialism and continue to witness neo-colonial pressures.

Chapter 1 of this thesis examines the neo-colonial roots of natural resource extractivism, with a particular focus on oil in Africa. Given the detrimental impact of extractivism on climate change and the social injustice experienced by communities affected by oil extraction and transportation projects, it becomes evident that a decolonial approach, which prioritises environmental and socio-economic security over profit, is particularly owed to

<sup>17</sup> Our translation.

<sup>18</sup> Bethuel Sibongiseni Ngcamu, 'Climate Change Effects on Vulnerable Populations in the Global South: A Systematic Review', *Natural Hazards* 118, no 2 (1 September 2023): 977–91

children and future generations. Younger demographics will bear the enduring consequences of ongoing oil extraction by TNCs for a longer time. On a climate and environmental level, the risks relate to their ability to live sustainably in those territories. In terms of socio-economic conditions, they suffer rights violations, primarily those enshrined in the UNCRC. Adopting decolonial perspectives to promote a child-welfare-based approach that ensures accountability for oil corporations is imperative, particularly in light of their insufficient adherence to international standards on children's rights.

Hence, analysing neo-colonial persistence in the actions of corporations is the first step in reflecting on the moral basis that should lead to more efficient business diligence and compliance with children's rights principles. The chapter opens with an analysis of the elements that lead to conceiving extractivism as a neo-colonial practice enacted by TNCs, rooted in a power imbalance that has persisted since colonial times. Subsequently, it defines how extractivism is conceived and shows that oil extractivism is not an abstract theory, but a practice that has led, in most cases around the world, to prolonged struggles with severe environmental, social, and human rights abuses, as in the case of the Ogoni people. It proceeds by describing the EACOP project and then moves forward to discuss the risks that this project poses to children and their rights.

## **1.1 From colonialism to neo-colonialism in the globalisation era, TNCs actions**

This discussion examines the broader inequities in treatment between the Global North and the Global South, rooted in enduring colonial power structures. These legacies continue to shape contemporary dynamics of exploitation and marginalisation. The analysis situates neo-colonialism within the African context, providing a foundational framework for exploring the impacts of oil extractivism in East Africa.

### **1.1.1 Colonialism**

The African continent experienced a prolonged, multifaceted and unjust interaction with Europe, starting with the transatlantic slave trade, continuing through missionary activities and cul-

minating in the era of colonialism. The Berlin Conference of 1885 formally ratified the partitioning of the African continent among European powers, disregarding the pre-existing political and cultural boundaries of African societies. Guided by an ideology of ‘oppression, suppression, assimilation and association’, Europeans regarded the colonised peoples as less than human, thereby denying them their humanity and rationality.<sup>19</sup> The renowned post-colonial scholar Boaventura De Sousa Santos has criticised colonialism for embodying the ontological degradation of one human group by another when a particular group arrogates to itself the right to consider others as inherently inferior with impunity.<sup>20</sup>

### 1.1.2 Liberation struggle, independence and decolonisation

In the decade following World War II, two main waves of decolonisation took place. The first phase, from 1945 to 1955, primarily impacted countries in the Near and Middle East, as well as Southeast Asia. The second phase began in 1955, with a primary focus on North Africa and sub-Saharan Africa. In Africa, the 1960s marked a significant period of intense struggles for independence among colonised nations seeking liberation from European powers.<sup>21</sup> The grip of colonial oppression weakened, and nationalist leaders began demanding full independence for their countries.<sup>22</sup> These pivotal years, marked by vigorous anticolonial movements and efforts to dismantle colonial rule, prompted a profound reassessment of the cultural underpinnings of Eurocentrism. The drive for sovereignty and self-determination not only challenged the political dominance of European nations but also questioned and deconstructed the cultural narratives and ideologies that justified colonialism. However, as in the analysis of a pi-

<sup>19</sup> Gene Blocker, ‘African Philosophy’, *African Philosophical Inquiry* 1(2) (1987): 1–12, 23.

<sup>20</sup> Boaventura de Sousa Santos and Maria Meneses, ‘Toward an Aesthetics of the Epistemologies of the South’, in *Knowledges Born in the Struggle: Constructing the Epistemologies of the Global South* (Routledge, 2019); Franz Fanon, *Black Skin, White Masks* (New York: Grove Press, 1967).

<sup>21</sup> On March 6, 1957, Ghana, formerly a British colony, became the first country in sub-Saharan Africa to declare its independence. This milestone set a precedent that soon spread to nearby French colonies, leading to the emergence of around 15 new independent states in 1960: Guinea (1958), Cameroon, Congo-Brazzaville, Ivory Coast, Dahomey, Gabon, Upper Volta, Madagascar, Mali, Mauritania, Niger, Central African Republic, Senegal, Chad, and Togo. Additionally, on June 30, 1960, the former Belgian colony of Central Africa declared its independence and became the Democratic Republic of Congo.

<sup>22</sup> Shafiqur Rahaman, Rawshan Yeazdani, and Rashed Mahmud, ‘The Untold History of Neocolonialism in Africa (1960-2011)’, *History Research* 5, no. 1 (March 2017): 9–16.

oneering voice in the liberation struggles, an advocate of Pan-Africanism and former President of Ghana, Kwame Nkrumah, colonial powers did not grant economic independence to the newly 'independent' states, nor was it ever their intention.<sup>23</sup> Indeed, he vehemently denounced the farce of independence:

Decolonisation is a word much and unctuously used by imperialist spokesmen to describe the transfer of political control from colonialist to African sovereignty. The motive spring of colonialism, however, still controls the sovereignty. The young countries are still the providers of raw materials, the old of manufactured goods. The change in the economic relationship between the new sovereign states and the erstwhile masters is only one of form. Colonialism has achieved a new guise. It has become neo-colonialism, the last stage of imperialism.<sup>24</sup>

Building on the reflection outlined above, the political independence of African countries from colonial oppression has been accompanied by a phenomenon often termed 'new colonialism'. Post-colonial studies, which emerged in the 1960s following the political independence of former colonies, examine the economic, political and cultural consequences of decolonisation, particularly highlighting various forms of economic subjugation, political subordination and cultural marginalisation that persisted after independence from the former colonisers in newly independent African states and other colonies worldwide. Scholars in this field assert that although territorial occupation and foreign rule, conceived as 'historical colonialism', have ended, colonial dynamics have continued in more covert forms.<sup>25</sup> These forms are analysed as influences or pressures exerted by former colonisers on newly independent States to maintain control over natural resources, trade and finances.<sup>26</sup>

<sup>23</sup> Kwame Nkrumah was a pivotal figure in Africa's history. Under his leadership, Ghana became the first African nation to achieve independence from colonial rule, establishing Nkrumah as a symbol of the decolonisation struggle. Serving first as Prime Minister and later as President of Ghana, Nkrumah was a fervent activist for liberation, a proponent of Pan-Africanism, and a founding member of the Organisation of African Unity.

<sup>24</sup> Kwame Nkrumah, *Neo-Colonialism: The Highest Stage of Imperialism* (London: Heinemann, 1965), 34.

<sup>25</sup> Boaventura De Sousa Santos, *Decolonizzare la storia. Oltre capitalismo, colonialismo e patriarcato*.

<sup>26</sup> *ibid*, 18. Our translation.

### 1.1.3 Neo-colonialism and neo-liberal economic domination

The concept of colonialism evolving and continuing in a disguised form, known as neo-colonialism, was prominently recognised in the anti-colonial and Pan-African writings of Kwame Nkrumah in 1965 and has since been extensively analysed by post-colonial studies. However, it was during the All-African People's Conferences (AAPC) that this term first began to be seriously considered. The AAPC was the first effort to establish a Pan-African Conference in the Continent, accomplished in 1958 in the newly independent Ghana. The third and final Conference, held in Cairo in 1961, produced the *1961 Resolution on Neo-colonialism*. This document analysed Africa's situation following political independence and condemned the West's utilitarian, paternalistic, exploitative nature and persistent dominance over formerly colonised nations.<sup>27</sup> In this Resolution, neo-colonialism was described as a deliberate and continued survival of the colonial system in the independent African States by turning these states into victims of political, mental, economic, social, military and technical forms of domination carried out through indirect and subtle means that did not include direct violence.<sup>28</sup>

The practice of enforcing interests and dominance over formerly colonised nations after political independence, with the intention of creating a long-standing 'dependency,' is carried out by various actors.<sup>29</sup> The critique focuses on the economic pressure and dependency shaped by the influence and allure of loans from the International Monetary Fund and the World Bank to what was then referred to as the 'underdeveloped' Third World.<sup>30</sup> These or-

<sup>27</sup> Karmakar, «Living with Extraction», 16.

<sup>28</sup> Tatah Mentan, *Africa in the Colonial Ages of Empire: Slavery, Capitalism, Racism, Colonialism, Decolonization, Independence as Recolonization* (African Books Collective, 2017), 280; All-African Peoples' Conference, «Resolution on Neocolonialism», vol. 1 (All-African Peoples' Conference, Cairo: All-African People's Conference News Bulletin, 1961), 1–2.

<sup>29</sup> Profoundly explored by Samir Amin, Andre Gunder Frank and Walter Rodney. Dependency is a part of development theory emerged within post-colonial studies showing that the historical unequal relationship between former colonisers and newly independent states brings the latter to not having a significant development rate because of the continued influence of the traditional colonial patterns in different ways. Particularly, the maintenance of a 'wealthy and developed' states in trading affairs with 'underdeveloped' peripheral new state creates the conditions for a continuum of dependency. Development and underdevelopment are interdependent structures of one global system'

<sup>30</sup> Walter Rodney, in the renowned 'How Europe Underdeveloped Africa' contends that underdevelopment is not an inherent condition of Africa but rather a result historically generated by capitalist expansion and imperialism.

organisations promoted and promised neo-liberal economic visions as strategies for steady growth and ‘development’. However, the anticipated welfare benefits failed to materialise, resulting in widespread indebtedness and rampant poverty across the Continent. This situation perpetuated neo-colonial agendas and exacerbated dependency and unequal exchange strategies, as extensively analysed by Samir Amin.<sup>31</sup>

Many African economic scholars argue that numerous African countries continue to struggle with substantial colonial debts that persist to this day and may never be fully repaid, thereby perpetuating the cycle of dependency fostered by the neoliberal economy.<sup>32</sup> Nonetheless, the new iron curtain that bound Africa occurred with a change of the actors. States were dismissed to make space for TNCs that ‘have re-created the colonial hierarchy of spaces in new forms with the former imperialist countries on the top and the neo-colonies at the bottom.’<sup>33</sup> This ongoing profit-based neo-liberal economic domination by former colonisers hinders true economic independence, undermining the notion of complete freedom.<sup>34</sup> Based on this literature, the following section attempts to explain how, in this wave of neo-colonialism, private companies are taking over the exploitation of natural resources, perpetuating neo-colonialism indefinitely. As Boaventura claims: ‘The private, often violent and illegal appropriation of common goods - these are natural, human, institutional, cultural resources - seems to continue forever.’<sup>35</sup>

With increased globalisation and the growing influence of TNCs, the narratives of societal development and respect for human rights they promote may conflict with their profit-driven business models, which prioritise economic viability within the neoliberal market. When oil projects around the world show that promises for growth and increased wealth are not fulfilled, and the

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<sup>31</sup> Samir Amin, ‘Underdevelopment and Dependence in Black Africa — Origins and Contemporary Forms’, *The Journal of Modern African Studies* 10, no 4 (December 1972): 503–24.

<sup>32</sup> Rahaman, Yeazdani, and Mahmud, ‘The Untold History of Neocolonialism in Africa (1960-2011)’.

<sup>33</sup> Joseph Nkang Ogar, Leonard Nwoye, and Samuel Akpan Bassey, ‘Archetype of Globalization: Illusory Comfort of Neo-Colonialism in Africa |’, *International Journal of Humanities and Innovation* 2, no 3 (2019): 90–95.

<sup>34</sup> Rahaman, Yeazdani, and Mahmud, ‘The Untold History of Neocolonialism in Africa (1960-2011)’.

<sup>35</sup> Boaventura De Sousa Santos, *Decolonizzare la storia. Oltre capitalismo, colonialismo e patriarcato*, 79. Our translation

socio-economic gap between people from the North and the South augments, it comes naturally to ask whether neoliberal economic practices carried out by TNCs that advocate for the ‘well-being of society’ are only advantageous to specific groups in the Global North with a view to their profit-maximisation.

Llavero-Pasquina et al. claim that oil corporations act as agents of oppression, connecting the societies that benefit from abundant energy with those that endure the consequences of resource extraction.<sup>36</sup> While it is evident that the situation on the African continent regarding the extractivism of natural resources stems from a combination of internal challenges and externally induced neoliberal economic policies, scholars widely argue that the latter is the primary driver of exploitation.

Indeed, injustice and dispossession are continuing to the current day.<sup>37</sup> The acute abuse of natural resources in the African continent, as is the case for oil, impacts the most vulnerable indigenous communities and children while bringing them minimal benefits.<sup>38</sup>

## 1.2 Oil extractivism

AFRICA is a paradox which illustrates and highlights neo-colonialism. Her earth is rich, yet the products that come from above and below her soil continue to enrich, not Africans predominantly, but groups and individuals who operate to Africa’s impoverishment.<sup>39</sup>

The abundance of Africa’s natural resources and the fact that it is home to a large portion of the most valuable ones ensure its enduring attractiveness for the foreseeable future. Extractivism is interpreted as the removal of large quantities of natural resources

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<sup>36</sup> Marcel Llavero-Pasquina et al, ‘The Political Ecology of Oil and Gas Corporations: TotalEnergies and Post-Colonial Exploitation to Concentrate Energy in Industrial Economies’, *Energy Research & Social Science* 109 (1 March 2024): 103434

<sup>37</sup> Dorothy Guerrero, ‘Colonialism, Climate Change and Climate Reparations’, *Global Justice Now* (blog), 4 August 2023, <https://www.globaljustice.org.uk/blog/2023/08/colonialism-climate-change-and-climate-reparations/>.

<sup>38</sup> An in-depth analysis on the relation between social injustice and neoliberalism is made by Paris Yeros and Praveen Jha in the article Late Neo-colonialism: Monopoly Capitalism in Permanent Crisis. Paris Yeros and Praveen Jha, ‘Late Neo-Colonialism: Monopoly Capitalism in Permanent Crisis’, *Journal of Political Economy* 9, no 1 (2020): 78–93.

<sup>39</sup> Kwame Nkrumah, *Neo-Colonialism* (Nelson, 1965), 13.

es from the Global South, where subjugated societies and communities are victims of the extractive process made primarily for export, to the Global North, where the deals are sealed, as Chagnon et al. claim: <sup>40</sup>

We argue that extractivism is based on socio-ecologically destructive processes of subjugation, depletion and non-reciprocal relations, occurring at all levels of practices. It follows that extractivism is diametrically opposed to the concept and practices of sustainability (including ecological, social and economic) if that concept is defined through criteria of stewardship, reciprocity, regeneration, and ensuring life for future generations.<sup>41</sup>

Within this framework, extractivism is understood as a mechanism that perpetuates neo-colonial power structures, fostering environmental injustices and socio-economic marginalisation within affected communities. Given that large-scale extractive initiatives, such as major oil projects like EACOP, are spearheaded by transnational corporations with substantial influence in the global oil industry, it becomes imperative to recognise the significant moral responsibility of entities such as TotalEnergies. These corporations must commit to divesting from projects that contribute to human rights violations and the unregulated exploitation of natural resources. Indeed, the extraction of crude oil has become a primary commodity for export. In contrast, the income and benefits from this extraction rarely reach the communities affected by the project, nor do remedies for the disruption of oil facilities adequately account for the full impact and provide satisfactory compensation mechanisms.<sup>42</sup> The call for accountability must stem from an acknowledgement of the severe challenges confronting local communities, challenges that numerous non-governmental organisations (NGOs) are actively addressing through advocacy and campaigns. However, existing analyses frequently overlook the specific vulnerabilities and experiences of children. Consequently, this research concentrates on examining the impacts of oil extraction projects on children and their rights, with a particular focus on the East African Crude Oil Pipeline.

<sup>40</sup> Llaveró-Pasquina et al, 'The Political Ecology of Oil and Gas Corporations'

<sup>41</sup> Christopher W Chagnon et al, 'From Extractivism to Global Extractivism: The Evolution of an Organizing Concept', *The Journal of Peasant Studies* 49, no 4 (7 June 2022): 760–92, 761.

<sup>42</sup> AFIEGO, 'Research Report on Impacts of Oil Refinery Project on the Affected Persons', 2020, <<https://www.afiego.org/wp-content/uploads/2024/03/AFIEGO-research-report-Impacts-of-oil-refinery-project-on-the-affected-people-1.pdf>> access on 21 May 2024.

### 1.3 EACOP new horizons of exploitation: the project

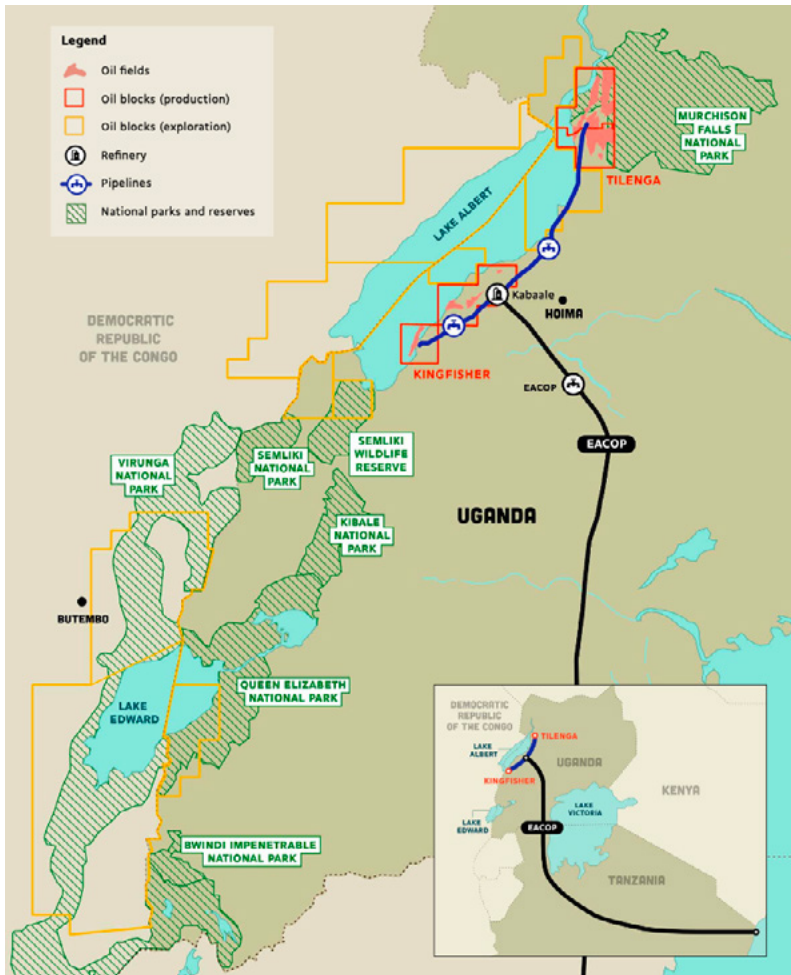


Figure 1 - Map of the projected route of EACOP 2022  
Friends of the Earth

Oil extraction, which has significantly impacted numerous African countries, has also reached Uganda. The East African nation, along with neighbouring Tanzania, underwent dramatic changes when oil reserves were discovered in their subsoil in 2006. Although the discovery of oil is often heralded as a sign of

national prosperity and development, evidence suggests that this wealth frequently becomes concentrated in the hands of a few local shareholders and elites. This ‘modus operandi’ leaves local communities without benefits, worsening their economic conditions and creating uncertainty about their future.<sup>43</sup> This phenomenon defined as a ‘resource curse’, is a situation where a country has an abundance of underground natural resources that paradoxically becomes a source of misfortune for the local population living above those reserves.

Initial oil explorations in Uganda occurred around 1950, with some activities resuming in the 1980s. However, Uganda’s landlocked geography posed challenges for oil transportation, delaying the process of commercial exploration, which did not occur until 2006. The area where oil was found, the Albertine Graben, has since become one of the most explored oil hotspots in the world. Thus, only after years of negotiations and unfulfilled promises, in 2017, the governments of Uganda and Tanzania reached an agreement for the construction of EACOP. The EACOP project involves building the world’s longest heated pipeline to transport crude oil from Lake Albert in Uganda to the port of Tanga in Tanzania for export to international markets.<sup>44</sup> The EACOP is linked to two oil fields, Tilenga and Kingfisher, where crude oil is extracted, and it is accompanied by several ongoing infrastructural developments including Kabaale International Airport, the Kabaale oil refinery, feeder pipelines, and the 210 km Hoima-Buloba pipeline.<sup>45</sup> Despite the extensive infrastructure development needed to facilitate exports to global markets, it is pertinent to note that only a negligible amount of oil will be retained for the benefit of local populations.

EACOP is planned to span 1,442 kilometres, crossing Uganda and Tanzania.<sup>46</sup> It is designed, constructed and if completed, will be operated by the East African Crude Oil Pipeline Limited (EACOP Ltd.), a company incorporated in the United Kingdom.<sup>47</sup> However, the majority shareholder of the project is the French

<sup>43</sup> Llaverro-Pasquina et al., ‘The Political Ecology of Oil and Gas Corporations’, 3.

<sup>44</sup> Total Energy, ‘Tilenga and EACOP, Two TotalEnergies’ Projects’, 2023.

<sup>45</sup> Tom Ogwang and Frank Vanclay, ‘Cut-off and Forgotten? Livelihood Disruption, Social Impacts and Food Insecurity Arising from the East African Crude Oil Pipeline’, *Energy Research & Social Science* 74 (1 April 2021): 101970.

<sup>46</sup> Les Amis de la Terre France and SURVIE, ‘EACOP A DISASTER IN THE MAKING - Research into Total’s Mega Pipeline Project in Tanzania’.

<sup>47</sup> Horne, “Our Trust Is Broken”

oil company TotalEnergies, which holds 62% of the shares. The remaining shares are held by the Uganda National Oil Company (15%), the Tanzania Petroleum Development Corporation (15%) and China's CNOOC Uganda Limited (8%).<sup>48</sup> The final investment decision was scheduled for 2020 and construction of the pipeline was set to begin in March 2021.<sup>49</sup> To facilitate investments in this project, land acquisition, resettlement action plans, and feasibility studies were necessary. TotalEnergies executives stated that, as of the end of April 2024, the physical work completed for the project amounted to 33% of the total construction.<sup>50</sup> Before the construction could continue, a massive financial hole still remained to be covered by the July 1, 2024; with no funding secured the cash crisis would pose a threat to the pipeline development. Three billion dollars must be secured to finish the project. The delays are due to intense pressure on potential financiers from various groups, including affected communities, civil society organisation and the international NGOs. Despite this, as of October 2024, partners constructing the 5 billion dollars pipeline were injecting more cash into the project.<sup>51</sup> The coordinator of the Tanzania Petroleum Development Corporation announced that the project has made significant progress, reaching a 47.1% completion rate.<sup>52</sup> By June 2025, progress had advanced further, with reaching the completion rate rising to 58%.<sup>53</sup>

Many stakeholders have expressed serious concerns about the project's disastrous socio-economic, biodiversity and climate change risks. As a consequence, 40 banks globally have ruled out finance for the pipeline, including 28 European banks.<sup>54</sup> Currently, Standard Bank of South Africa and ICBC of China are the last remaining financial advisers involved in filling the funding gaps.

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<sup>48</sup> Total Energy, 'Tilenga and EACOP, Two TotalEnergies' Projects'.

<sup>49</sup> Andrew Bogrand et al, *Empty Promises Down the Line? A Human Rights Impact Assessment of the East African Crude Oil Pipeline* (Oxfam, 2020).

<sup>50</sup> 'China Loans Delay Plunges EACOP Partners in Crisis'.

<sup>51</sup> Wendell Roelf, 'Uganda's \$5 Bln EACOP Pipeline Faces Difficult Debt Talks', *Reuters*, 25 October 2024, sec. Energy, <<https://www.reuters.com/business/energy/ugandas-5-bln-eacop-pipeline-faces-difficult-debt-talks-2024-10-25/>> access on 27 May 2024.

<sup>52</sup> 'East African Crude Oil Pipeline Construction Hits New Milestone | Pipeline Technology Journal'.

<sup>53</sup> 'East African Crude Oil Pipeline Project Reaches 58% Completion - Energy in Africa', 7 May 2025, <<https://energyinafrica.com/news/east-african-crude-oil-pipeline-project-reaches-58-completion/>> access on 24 June 2025.

<sup>54</sup> 'Most of Europe's Largest 50 Banks Have Rejected EACOP Oil Pipeline', BankTrack, 21 November 2024, <[https://www.banktrack.org/article/most\\_of\\_europe\\_s\\_largest\\_50\\_banks\\_have\\_rejected\\_eacop\\_oil\\_pipeline\\_banktrack](https://www.banktrack.org/article/most_of_europe_s_largest_50_banks_have_rejected_eacop_oil_pipeline_banktrack)> access on 29 November 2024.

The commitment of these two banks is met with significant concern from civil society and NGOs, especially since all the other major banks and insurers have withdrawn from the project due to its environmental and social costs, reputational risks, and contradiction to green transition goals.<sup>55</sup> AFIEGO has conducted extensive research demonstrating how the socio-economic conditions of communities and small landowners have deteriorated due to inadequate assessments that fail to ensure the respect of local populations' human rights. When discussing land acquisition, it is crucial to highlight issues such as imposed cut-off dates that prevent land use, inadequate and delayed compensation, and court-aided evictions. These challenges severely disrupted affected individuals' lives, particularly children who often drop out of school and lack essentials such as food and healthcare.<sup>56</sup> This situation highlights how the project is a loss for local communities, whose risks due to climate change, environmental destruction and human rights violations will be explored further.<sup>57</sup> A similar situation has already occurred in Nigeria, in the area of the Niger Delta, where many local communities, including the indigenous Ogoni people, are fighting against Shell for the destruction and death caused by oil extraction. The report "*Our Trust is Broken*", conducted by Human Rights Watch, highlights the concerns of communities affected by EACOP. Many interviewees expressed anxiety about the potential impact of oil spills, ruptured pipelines, and other harms, given their awareness of the impacts of fossil fuel production in other countries.<sup>58</sup> One interviewee said, 'We don't want another Niger Delta'.<sup>59</sup>

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<sup>55</sup> 'StopEACOP Campaign Condemns Standard Bank's Decision to Fund EACOP', BankTrack, 2024, <[https://www.banktrack.org/article/stopeacop\\_campaign\\_condemns\\_standard\\_banks\\_decision\\_to\\_fund\\_eacop](https://www.banktrack.org/article/stopeacop_campaign_condemns_standard_banks_decision_to_fund_eacop)> access 11 July 2024.

<sup>56</sup> African Institute for Energy Governance, 'Research Report on Impacts of Oil Refinery Project on the Affected Persons', October 2020.

<sup>57</sup> African Institute for Energy Governance, 'EACOP Impacted Wetlands in Uganda', July 2023.

<sup>58</sup> An oil spill occurs when liquid petroleum is released into the environment due to human activity, resulting in pollution. The most significant impact is on the health and livelihoods of local communities. Oil is highly toxic and poses a danger when it contaminates water used for drinking and other household purposes. Oil spills are major causes of environmental degradation in Africa. These activities harm the local economy and society, leading to loss of prosperity, price inflation, and a higher risk of sexual exploitation.

<sup>59</sup> Horne, "Our Trust Is Broken"

### 1.3.1 Rejection from society

The project became a worldwide ‘symbol of the anti-oil fight’ as stated by Friends of the Earth. Numerous coalitions have mobilised to oppose it. An international campaign named StopEACOP has emerged, with global stakeholders voicing concerns about the project’s climate impact and its failure to meet human rights standards. This campaign prompted the European Parliament to adopt a resolution against the project in June 2022, citing human rights violations and inviting TotalEnergies to meet with the Subcommittee on Human Rights.<sup>60</sup> This invitation was dismissed through a letter by Patrick Pouyanné, CEO and chairman of TotalEnergies.<sup>61</sup> Nonetheless, thanks to solidarity and cooperation between local complaints and international climate justice movements, in 2019, Friends of the Earth France, in collaboration with Survie and four Ugandan NGOs (AFIEGO, CRED, NAPE/Amis de la Terre Ouganda and NAVODA), filed a lawsuit against TotalEnergies, based on the French duty of vigilance law, citing severe human rights violations and the potential for irreversible environmental damage linked to the Tilenga and EACOP projects.<sup>62</sup> These associations claimed that Total failed to consider the social and environmental impacts of the oil project near Lake Albert in Uganda and the 1,445 km pipeline to the port of Tanga in Tanzania. The project will displace 118,000 people, and a third of the 400 boreholes will be drilled in Murchison Falls National Park, home to many endangered species. The claimants sought an urgent order to prevent the unlawful disturbance resulting from Total’s failure to meet its due diligence obligations or an order to establish, publish, and implement measures to prevent serious human rights violations and environmental damage. They also argued that Total’s vigilance plan inadequately addresses the project’s potential greenhouse gas emissions.<sup>63</sup> A lengthy legal battle led the case to

<sup>60</sup> European Parliament, Resolution on violations of human rights in Uganda and Tanzania linked to investments in fossil fuels projects (15 September 2022).

<sup>61</sup> Patrick Pouyanné, ‘TotalEnergies’ Answer to the European Parliament’, TotalEnergies.com, 7 October 2022, <https://totalenergies.com/media/news/press-releases/totalenergies-answer-european-parliament>.

<sup>62</sup> The French duty of vigilance law established new legal obligations for large French multinational companies to identify and prevent risks of serious human rights violations, threats to health and safety, and environmental harm resulting from their activities, those of their subsidiaries, and their primary suppliers and subcontractors, both domestically and internationally. It imposes to implement a plan of vigilance

<sup>63</sup> ‘Friends of the Earth et al v Total’, *Climate Change Litigation* (blog), <<https://climatecasechart.com/non-us-case/friends-of-the-earth-et-al-v-total/>> access on 27 June 2024.

the French Supreme Court on February 28, 2023, where the Parisian interim judge dismissed the claim brought by the NGOs for procedural reasons. Nonetheless, on July 27, 2023, the five French and Ugandan NGOs, along with 26 civilians, launched a new legal action in France against the oil giant TotalEnergies.<sup>64</sup> The EACOP pipeline is crucial for overcoming oil transportation challenges given Uganda's landlocked geography. Thus, the project is, for TotalEnergies and other shareholders, an indispensable part of the entire extraction project: 'pipelines are the necessary infrastructures to connect the extraction frontiers with the geographies of accumulation and consumption'.<sup>65</sup> Additionally, on November 6, 2020, Natural Justice, the Centre for Strategic Litigation, CEFRO-HT Limited, and AFIEGO filed a case at the East African Court of Justice against Uganda, Tanzania, and the Secretary-General of the East African Community. They contested the construction of the EACOP and sought a temporary injunction to halt it until environmental, social justice and climate concerns were addressed. As of July 2025, the Case is still pending. Community advocacy efforts opposing the project, including petitions and letters to government officials and stakeholders, have been ongoing.<sup>66</sup> Furthermore, protest actions, such as those led by EACOP youth activists and condemnation of TotalEnergies for 'sportswashing' to conceal their detrimental impact on Uganda's land, have also contributed to the broader opposition.<sup>67</sup>

#### 1.4 Children loss and damaged in extractive oil activities

Addressing the moral implications of historical and contemporary neo-colonial transgressions by major oil corporations is essential for advancing justice for affected communities, particularly children. However, developing a comprehensive framework that ensures more effective corporate due diligence and adherence to

<sup>64</sup> AfricaNews, 'Ugandan NGOs Launch New Legal Action against TotalEnergies', Africanews, 27 June 2023, <<https://www.africanews.com/2023/06/27/ugandan-ngos-launch-new-legal-action-against-totalenergies/>> access 2 July 2024.

<sup>65</sup> Llaverro-Pasquina et al, 'The Political Ecology of Oil and Gas Corporations', 7.

<sup>66</sup> AFIEGO, 'Petition to TotalEnergies to Address Emerging Grievances', 2023; AFIEGO, 'Petition to Total and Other EACOP Project Developers to Safeguard People and Nature over the EACOP', 2020.

<sup>67</sup> 'Clean Game, Dirty Money: TotalEnergies' Sportswashing in Africa Called out', Greenpeace Africa, January 2024.

children's rights principles, aimed at regulating ongoing projects, preventing further harm and providing redress for documented human rights violations, requires the incorporation of additional critical considerations.

The following paragraph aims to document the risks and concerns associated with these large-scale oil extraction projects, laying the groundwork for highlighting the conditions and injustices faced by children. The specific impacts on children involved in the EACOP project are analysed in Chapter 2, based on the limited research existing on this issue.

#### 1.4.1 Climate change risks

The links between the actions of TNCs oil extraction companies and climate change are clear. Climate change is a pressing and urgent issue that necessitates regulation and divestment from oil projects worldwide. Sufficient research has been conducted to demonstrate that the climate crisis was not inevitable; yet, one of its leading causes was, and continues to be, the decision to keep burning fossil fuels. As claimed by the UN Secretary-General Antonio Guterres:

We cannot address climate catastrophe without tackling its root cause: fossil fuel dependence. Fossil fuel emissions are already causing climate chaos which is devastating lives and livelihoods, and we're on course for far worse.<sup>68</sup>

The call to reduce fossil fuel extraction is based on extensive scientific knowledge of the links between CO<sub>2</sub> emissions and climate change. Indeed, the IPCC has warned of the need to 'keep fossil fuels in the ground' if we are to limit global temperature rise to 1.5°C by 2050.<sup>69</sup> It is worth noting that, despite substantial warnings and significant dissent from the scientific community and society, all major oil companies continue to invest in extraction projects.

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<sup>68</sup> 'Secretary-General's Message on UNEP Production Gap Report Launch | United Nations Secretary-General', 2023, <<https://www.un.org/sg/en/content/sg/statement/2023-11-08/secretary-generals-message-unesp-production-gap-report-launch#>> access on 3 July 2024.

<sup>69</sup> Les Amis de la Terre France e SURVIE, «EACOP A DISASTER IN THE MAKING - Research into Total's mega pipeline project in Tanzania», 2022, 3.

Every oil project contributes significantly to global emissions at multiple points in time, from exploration, drilling, and extraction to oil transportation, refining and consumption. It is referred to as a ‘carbon bomb’ when an extraction project generates more than one gigatonne of CO<sub>2</sub> over its remaining lifetime. This is the case of EACOP and 16 other TotalEnergies projects around the world. TotalEnergies’ green narrative reached the point of changing the company’s name from Total to TotalEnergies in 2021 ‘to give an image of diversification of renewable energy’. Nonetheless, its energy mix remains over 99% fossil fuel-based, and the company has launched 30 new fossil fuel projects since January 2021.<sup>70</sup> It is important to note that according to TotalEnergies’ report, EACOP is described as ‘a project compatible with TotalEnergies’ climate ambitions.’<sup>71</sup>

However, research commissioned by New York University to the Climate Accountability Institute indicates that the ongoing construction of EACOP undermines TotalEnergies’ commitment to aligning its investments with the goals of the Paris Climate Agreement, making it impossible for the company to achieve net-zero emissions by 2050, a target it claims to pursue.<sup>72</sup> The pipeline is projected to begin operations after 2025 and has an estimated lifespan of 25 years, meaning it will continue to produce emissions at least until 2050 or beyond. As a result, this operation will prevent the company from achieving zero emissions by mid-century. The climate-related impacts are projected to be severe, with total emissions estimated at 379 million tonnes of CO<sub>2</sub> (MtCO<sub>2</sub>)<sup>73</sup>, surpassing France’s national emissions in 2020 (277 MtCO<sub>2</sub>).<sup>74</sup> Reflecting this concern, the Secretary-General of the United Nations, during the COP28 in 2023, made the following statement:

<sup>70</sup> Llaverro-Pasquina et al, ‘The Political Ecology of Oil and Gas Corporations’

<sup>71</sup> Total Energy, ‘Tilenga and EACOP, Two TotalEnergies’ Projects’.

<sup>72</sup> Climate Accountability Institute, ‘EAST AFRICAN CRUDE OIL PIPELINE: A 379 MtCO<sub>2</sub> “Carbon Bomb”. Uganda, Tanzania, and the World’s Climate Are Better off Leaving This Oil in the Ground’, 2022.

<sup>73</sup> As AFIEFO claims in the complaint at the East African Court of Justice the emissions include the carbon emissions from the construction phase (0.24 MtCO<sub>2</sub> -Uganda only), operational emissions (6.55 MtCO<sub>2</sub>e), refining emissions (34.52 MtCO<sub>2</sub>), and product use emissions (330.71 MtCO<sub>2</sub>)<sup>5</sup>.

<sup>74</sup> Climate Accountability Institute, ‘EAST AFRICAN CRUDE OIL PIPELINE: A 379 MtCO<sub>2</sub> “Carbon Bomb”. Uganda, Tanzania, and the World’s Climate Are Better off Leaving This Oil in the Ground’.

To those who opposed a clear reference to a phaseout of fossil fuels in the COP28 text, I want to say that a fossil fuel phase out is inevitable whether they like it or not. Let's hope it doesn't come too late.<sup>75</sup>

Despite being granted access to COP28 with the expectation of supporting the phase-out of fossil fuels, a recent investigation by Global Witness revealed that oil companies used the UN Climate Conference to pursue new oil and gas deals. A Senior Investigator of Global Witness characterised COP28 as a 'fossil fuel festival'.<sup>76</sup> An anonymous diplomat attending COP28 said, 'I hope the younger generations can forgive us'. Current decisions to facilitate fossil fuel extraction will have deleterious consequences for children, primarily through emissions-induced climate change. Children, particularly those who are younger, face distinct and heightened risks due to their unique physical and physiological vulnerabilities.<sup>77</sup> Moreover, children in the Global South are disproportionately affected by the most severe impacts of climate change.<sup>78</sup> As a recent UNICEF report highlights:

The world's children most affected by inequality, discrimination, and marginalization are already experiencing the consequences of climate-induced loss and damage, including death, displacement, loss of education, malnutrition, severe protection risks, and the destruction of traditional ways of life.<sup>79</sup>

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<sup>75</sup> 'UNSDG | COP28 Ends with Call to "Transition Away" from Fossil Fuels; UN Chief Says Phaseout Is Inevitable', accessed 10 June 2024.

<sup>76</sup> Patrick Galey, 'Message of Senior Investigator at Global Witness for the New Investigation of COP28 Fossil Fuels Deals.', 2024.

<sup>77</sup> Frederica P Perera, 'Children Are Likely to Suffer Most from Our Fossil Fuel Addiction', *Environmental Health Perspectives* 116, no 8 (August 2008): 987–90; Frederica Perera and Kari Nadeau, 'Climate Change, Fossil-Fuel Pollution, and Children's Health', ed Caren G Solomon and Renee N Salas, *New England Journal of Medicine* 386, no 24 (16 June 2022): 2303–14.

<sup>78</sup> 'Time to Act: African Children in the Climate Change Spotlight | UNICEF Eastern and Southern Africa', accessed 10 June 2024.

<sup>79</sup> UNICEF, 'Climate Justice: Loss and Damage Finance for Children', 2023, 2.

Addressing climate change as a matter of intergenerational justice is a global duty, as well as a necessity to be compliant with child rights principles as interpreted in the UNCRC.<sup>80</sup> The exploration and facilitation of fossil fuel extraction fail to consider the fundamental principle of the best interest of the child, as enshrined in Article 3 of the UNCRC. As interpreted in General Comment No. 14, Article 3 ‘must be understood in a very broad sense’ and applied to all decisions and actions that directly or indirectly affect children as a group or children in general, even if they are not the direct targets of the measure.<sup>81</sup> Regulating oil projects, particularly given their neo-colonial power structures, is of the utmost importance in responding to the climate justice for which children are advocating both in the streets and increasingly in the courtrooms.<sup>82</sup> The growing climate polycrisis is affecting children’s rights and exacerbating their pre-existing vulnerabilities; therefore, a child-welfare-based approach to fossil fuel extraction is urgent.

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<sup>80</sup> Ann V Sanson and Susie EL Burke, eds, ‘Climate Change and Children: An Issue of Intergenerational Justice’, in *Children and Peace: From Research to Action*, Peace Psychology Book Series (Cham: Springer International Publishing, 2020), 343–62; Elizabeth D. Gibbons, ‘Climate Change, Children’s Rights, and the Pursuit of Intergenerational Climate Justice’, *Health and Human Rights* 16, no 1 (14 June 2014): 19–31. Peace Psychology Book Series (Cham: Springer International Publishing, 2020)

<sup>81</sup> ‘General Comment No 14 (2013) on the Right of the Child to Have His or Her Best Interests Taken as a Primary Consideration (Art 3, Para 1), accessed 10 June 2024, para 19.

<sup>82</sup> André Capretti, ‘Growing Up in a World on Fire. Children Take Centre-Stage in the Strategic Climate Litigation Movement’ (Global Campus Awarded Thesis, 2022).

## 1.4.2 Environmental and human rights violation risks



Figure 2 - Main ecosystems under threat. Friends of the Earth 2022

Extractivist economies of this type cause serious and irreversible damage to the natural environment. Studies of mining or the oil industry around the world have found evidence of the innumerable ways in which Nature is damaged and irreversibly destroyed. The human tragedies are equally uncountable, and the cultural assets of many peoples have been destroyed. Neither is the situation any better in the area of the economy.<sup>83</sup>

<sup>83</sup> Alberto Acosta, 'Extractivism and Neoextractivism: Two Sides of the Same Curse', 60. <[https://www.tni.org/files/download/beyonddevelopment\\_extractivism.pdf](https://www.tni.org/files/download/beyonddevelopment_extractivism.pdf)> access on 23 March 2024.

In addition to the threats posed by extractivism and climate change, we also witness significant local damages at the implementation sites of oil projects. In this paragraph, environmental and human rights, which may initially appear as distinct concerns, are examined through their interconnectedness. It is particularly evident in the context of children's rights, where UNICEF has highlighted the intricate links between the two.<sup>84</sup> Children are uniquely vulnerable to the impacts of climate change and environmental degradation, yet such natural disasters, pollution and resource depletion do not occur in isolation; they exacerbate social inequalities and marginalisation, further infringing upon children's fundamental rights. UNICEF's perspective highlights the importance of addressing environmental issues in safeguarding human rights, particularly for the youngest and most vulnerable populations. These elements cannot be separated, especially in light of recent calls by the United Nations General Assembly to ensure the human right to a healthy, clean and sustainable environment.<sup>85</sup> Indeed, oil extraction activities as demonstrated by the dramatic experience of the Ogoni community in the Niger Delta, also lead to social disruption and displacement of communities that often conduct communal lives deeply intertwined with shared cultural practices and mutual support networks. This disruption not only displaces individuals from their homes but also fragments these essential community bonds. The impact of social displacement on children is particularly severe. Displaced families face significant obstacles in accessing education, resulting in increased school dropouts and interrupted learning. Children are deprived of the stability and continuity necessary for their educational development. Article 37 of Uganda's Constitution emphasises the right to culture and similar rights, which are integral to maintaining communal harmony and support structures within community life. The displacement caused by the EACOP pipeline directly contravenes these constitutional rights by eroding the cultural fabric that sustains these communities. The forced disintegration of communal life strips children of their cultural heritage and the traditional practices that shaped their identities and provided social support. Moreover, in EACOP, TotalEnergies claims

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<sup>84</sup> UNICEF, 'The Climate Crisis Is a Child Rights Crisis: Introducing the Children's Climate Risk Index', 2021.

<sup>85</sup> United Nations General Assembly, 'A/RES/76/300: The Human Right to a Clean, Healthy and Sustainable Environment', 1 August 2022.

that the pipeline is designed to avoid areas of environmental interest.<sup>86</sup> Yet, the proven link between the pipeline and the local environmental disruption is enormous, as seen in the map above. Research conducted by AFIEGO indicates that the EACOP will have direct and indirect impacts on forests, national parks, game reserves, lakes, rivers, wetlands and other natural areas in Uganda and Tanzania. In 2017, the World Wildlife Fund (WWF) reported that the EACOP would affect the biodiversity of 2,000 square kilometres of protected areas, fragmenting habitats for elephants, chimpanzees and other endangered species. Among the protected areas impacted by EACOP are the Bugoma, Wambabya and Taala forests in Uganda.<sup>87</sup> The pipeline poses a threat to Africa's largest freshwater basin, the Lake Victoria Basin, which supports a population of approximately 40 million people.<sup>88</sup> Groundwater in the districts affected by the EACOP is also at risk of contamination in the event of oil spills. In total, this project will require the displacement of 118,000 people along the pipeline's route, primarily farming communities that live off their land and are also affected by the project. Quantitative data on the number of affected children has not yet been produced. Nonetheless, children have their whole lives ahead of them, and any loss or damage suffered at an early age due to climate change, environmental degradation and children's rights violations can result in a lifetime of lost opportunity and can impact future generations. Based on this, there is ground to believe that children have an interest, and potential to become stakeholders in the project, a claim analysed in Chapter 4. Although the EACOP project asserts adherence to international standards, it exhibits significant shortcomings in various areas. On a local scale, environmental degradation is closely linked with human rights risks, disproportionately impacting children, who endure the most significant consequences of the resulting destruction and displacement.<sup>89</sup>

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<sup>86</sup> Total Energy, 'Tilenga and EACOP, Two 'TotalEnergies' Projects'.

<sup>87</sup> African Institute for Energy Governance, 'Research Report on Impacts of Oil Refinery Project on the Affected Persons'.

<sup>88</sup> Les Amis de la Terre France and SURVIE, 'EACOP A DISASTER IN THE MAKING - Research into Total's Mega Pipeline Project in Tanzania'.

<sup>89</sup> Deborah Doane and Alison Holder, 'Why Corporate Social Responsibility Is Failing Children', 2007, 6.

## 1.5 Conclusion

As analysed in the initial subchapters, the neoliberal promise of a global welfare economy often overlooks the injustices inherent in the free market, potentially causing alienation and undermining human dignity, particularly in oil extraction projects in the Global South. The struggle for social, environmental and energy justice is fundamentally a struggle for decolonisation.

Decolonial thinking is pivotal in recognising that the structures of domination over oil affect the lives of millions of children, especially those in the Global South. But decolonisation is not the only concern to end the exploitative capitalistic system of extraction; indeed, the responsibility of TNCs is to be embedded with the policy of a State that lets its oil be exploited and its people harmed. However, as Ruggie says, home states of transnational firms often hesitate to regulate their overseas activities due to unclear extraterritorial legal scopes or fears of losing investment opportunities or headquarters.<sup>90</sup> This reluctance extends beyond transnational corporations, as hosting governments might exempt national firms from regulations to attract investments and boost exports. This profit-driven governance is globally prevalent, but its flaws are becoming increasingly evident. This first chapter demonstrates that the historical dynamics of injustice, subjugation and inequality are perpetuated in the EACOP project, leading to negative impacts on climate change globally and causing environmental and human rights abuses locally. While there is limited research specifically linking decolonisation and children's rights, there is a growing academic focus on the convergence of decolonisation and social and environmental justice. This work attempts to bridge these two struggles, arguing that adopting a decolonial framework is particularly owed to children and future generations. The due diligence required from corporations, discussed in Chapter 3, stems from the fact that children and youth claims can no longer be ignored. There is an exponential growth in cases of strategic climate litigation, indicating that young people are acutely aware of the harsh conditions they will face. However, TNCs appear to be unaware of this risk.

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<sup>90</sup> 'Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, John Ruggie', 2008.

Children worldwide are demanding climate and social justice. They will be disproportionately affected by current decisions as they will live longer on this planet, and their future choices will be restricted by decisions from which they are excluded. Therefore, this thesis argues for a necessary shift in corporate culture regarding children's rights, which is not merely a voluntary change but is an obligation and a duty owed to children and youth. It is a duty to avoid repeating the violations witnessed in other projects around the world and in the historical context of colonial injustice. In a landmark decision on August 20, 2023, Ecuadorian citizens made history by overwhelmingly voting to preserve over 726 million barrels of oil beneath the Yasuní National Park in the northern Amazon Rainforest. This area is renowned for its biodiversity and is home to two of the world's last Indigenous communities living in voluntary isolation. The referendum, held during the presidential election, marks a pivotal moment in global climate politics amid escalating environmental crises. Nearly 60% of the population chose to halt oil drilling, making Ecuador the first country to democratise the decision-making process over resource extraction through a referendum rather than leaving it to politicians and corporations. This decision not only safeguards Indigenous rights and rainforest conservation but also prevents 345 million tons of carbon emissions from entering the atmosphere. It represents a significant decolonial step and underscores the importance of empowering affected communities in environmental governance to prevent future social and environmental injustices.

They have finally listened to our voices as Indigenous peoples! We have lived with the consequences of over half a century of oil exploitation, it hasn't brought any development, it has only destroyed nature, our territories, our cultures. People are now realizing, the crises we face aren't going to be solved by exploiting more oil. It's about respecting Mother Earth and uniting to create a better world for our children, for future generations! Ecuador is showing to other countries that another world is possible!<sup>91</sup>

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<sup>91</sup> Amazon Frontlines, 'Ecuador Becomes the First Country in the World to Halt Oil Drilling Through Direct Climate Democracy', Amazon Frontlines, 21 August 2023, <https://amazonfrontlines.org/chronicles/ecuador-becomes-the-first-country-in-the-world-to-halt-oil-drilling-through-direct-climate-democracy/>.

## 2. A children's rights analysis of the EACOP project

Chapter 2 builds upon the recognition, as articulated in discussions with AFIEGO, that no comprehensive, systematic analysis has yet been published regarding the impacts of TotalEnergies' operations, along with those of its principal shareholders, on children in the context of EACOP.

A human rights-based approach to oil extraction requires conducting community-based human rights and social impact assessments to evaluate activities that may pose human rights threats or social risks to the affected people and the environment. Numerous of these reports have been conducted by prominent NGOs and EACOP itself. While these assessments are quite far-reaching in highlighting the adverse impacts of extracting projects on various communities affected by EACOP, detailed analyses and reflections concerning children's rights are rare or focused only on specific thematic. This chapter aims to collect and analyse the scattered and unstructured information on children in EACOP from the existing literature. The decision to address the knowledge gap regarding children in the context of EACOP stems from the conviction that it is crucial to recognise children as independent agents within the scope of business activities rather than solely as a vulnerable subgroup within their families, as they are frequently portrayed in existing analyses. By reflecting on and shedding light on this issue, this research aims to initiate broader research and promote greater awareness on the topic, in line with UNICEF's Children's Rights and Business Principles, which urge businesses worldwide to respect and support children's rights in all areas of their operations.<sup>92</sup>

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<sup>92</sup> UNICEF, The Global Compact, and Save the Children, 'Children's Rights and Business Principles', 2012,

Since the adoption of the UNCRC in 1989, children have been recognised in international law as holders of civil, political, economic, social and cultural rights. This recognition has shifted the perception of childhood, moving away from the view of children as their parents' 'property'. The Convention has since become the most widely ratified international human rights treaty, leading to profound changes in children's lives. However, as I began the research, I noticed that in the business world, children were not being recognised as independent rights-holders, as conferred by the UNCRC.

Aware of the impact that oil extraction projects have on children in other parts of the world, such as the Niger Delta, the research recognised the need to define a new role for children in oil business activities, particularly in EACOP. This chapter aligns with a 'child rights mainstreaming' perspective, a strategy that aims to integrate children's rights, including their meaningful participation, into every dimension of policy and program design, implementation, monitoring and evaluation. In contexts where oil extraction by TNCs such as TotalEnergies takes place, children face multiple and often unacknowledged crises, including the effects of climate change, natural disasters and violations of their first- and second-generation rights. A stance is urgently needed to place children at the centre of attention. If children and their rights are not made visible, they will never be considered stakeholders in business conduct. The guiding principle stemming from this urgency to mainstream child rights into business practices is grounded in General Comment No. 16 of the UNCRC, where the Committee on the Rights of the Child states that 'duties and responsibilities to respect the rights of children extend in practice beyond the State and State-controlled services and institutions and apply to private actors and business enterprises.'<sup>93</sup> **The duty to respect children's rights is not borne solely by the government; the operators must undertake specific assessments and responsibilities regarding children's fundamental rights.**

In the context of EACOP, some reports and corporate documents recognise children as a vulnerable group within their families, but the mentions are often inconsistent. This chapter aims to

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<sup>93</sup> United Nations Committee on the Rights of the Child, 'General Comment No 16 (2013) on State Obligations Regarding the Impact of the Business Sector on Children's Rights'.

reflect on whether there are alternative ways of representing children, how frequently they are mentioned and in what context. It is essential to close the knowledge gap on the living conditions of children in the midst of the oil project and to give them justice, to give space to a topic that is still little explored in the research, and to unveil new information and contradictions with respect to the view of children in commercial projects.

## 2.1 Analysis of NGOs community-based impact assessments

Article 1 of the UNCRC provides the definitive international definition of who qualifies as a ‘child’:

A child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.<sup>94</sup>

This is also the case in Uganda, where the age of majority is 18 years, as defined in Article 257 of its Constitution.<sup>95</sup> This distinction between the legal definition and the common language is significant because in many NGOs’ reports and corporate documents, the term ‘child’, which carries specific rights under the UNCRC, is often substituted with ‘youth’, ‘girls’, or ‘young people’. These terms lack thematic recognition in international law, leading to potential confusion and failure to recognise distinct demographics with varying (sometimes overlapping) rights. Similarly, although girls are often grouped with women, they should be acknowledged as a distinct group with their rights. This is why this research avoids using the terms mentioned above and focuses only on children.

The first report analysed is one of the newest conducted on EACOP by BankTrack in February 2024, *The East African Crude Oil Pipeline: New risk developments*.<sup>96</sup> In this report, the term ‘child’ is mentioned three times. The first instance in which children are mentioned concerns EACOP’s negative impacts on their right to

<sup>94</sup> United Nations, ‘Convention on the Rights of the Child’, Treaty Series 1577 § 3 (1989).

<sup>95</sup> Republic of Uganda, ‘Constitution of the Republic of Uganda’, 1995.

<sup>96</sup> BankTrack, ‘The East African Crude Oil Pipeline: New Risk Developments’, February 2024.

education.<sup>97</sup> The second context in which the term ‘child’ is used relates to five video stories of individuals affected by EACOP, published by AFIEGO.<sup>98</sup> One of the stories features Christopher, a resident of the Hoima district, who shares his concerns about the lack of compensation and the fears for the safety of his children, who will be living three metres away from the pipeline.<sup>99</sup> The risk is posed in Article 6 of the UNCRC, right to life and development. Furthermore, the term ‘children’ in this context refers to the submission by Human Rights Watch to the Special Rapporteur on the situation of human rights defenders, which highlights critical issues faced by human rights defenders who are children.<sup>100</sup> It is relevant to highlight that there are numerous examples worldwide of children acting as human rights defenders, yet they are not adequately recognised, supported, or protected in this role.<sup>101</sup> According to the United Nations Declaration on Human Rights Defenders, ‘**everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights** and fundamental freedoms at the national and international levels’.<sup>102</sup> This right is also enshrined in Article 13 of the UNCRC, which grants children the right to express themselves in every that affects them. These declarations underscore that children advocating for their human rights are indeed human rights defenders despite societal tendencies to trivialise or undermine their actions. Many student climate activists protesting EACOP have faced arrests and charges for various offences in Kampala since 2021. In October 2022, nine students were arrested and charged after demonstrating in support of the European Parliament resolution on EACOP.<sup>103</sup> On December 9, 2022, another four protesters were arrested while marching to the National Environ-

<sup>97</sup> BankTrack, ‘The East African Crude Oil Pipeline: New Risk Developments’, February 2024, 5.

<sup>98</sup> *ibid*, 7.

<sup>99</sup> The testimonies, published by AFIEGO Source: <https://x.com/AfiegoUg/status/1676854743237263360>

<sup>100</sup> Human Rights Watch, ‘Human Rights Watch Submission to the Special Rapporteur on the Situation of Human Rights Defenders Regarding Child and Youth Human Rights Defenders’, November 2023, <https://www.hrw.org/news/2023/11/13/submission-special-rapporteur-situation-human-rights-defenders>.

<sup>101</sup> ‘Child Human Rights Defenders’, *Child Rights Connect* (blog), accessed 14 June 2024, <https://childrightsconnect.org/children-human-rights-defenders-2/>.

<sup>102</sup> United Nations, ‘Declaration on Human Rights Defenders’, OHCHR, 1998, <<https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/declaration-human-rights-defenders-different-languages>> assess on 21 May 2024.

<sup>103</sup> European Parliament, Resolution on violations of human rights in Uganda and Tanzania linked to investments in fossil fuels projects.

mental Management Authority (NEMA) to demand a re-evaluation of the environmental damage caused by EACOP. On July 11, 2023, five individuals were arrested during a protest against EACOP in downtown Kampala. Most recently, on September 15, 2023, four student protesters were arrested following a joint Fridays for Future and StopEACOP protest at the Ugandan parliament as part of the ‘Global Fight to End Fossil Fuels’, a global mobilisation and day of action.<sup>104</sup> In October 2023, 307 youth from Uganda, Tanzania and other African countries utilised Twitter (X) to demonstrate opposition to the proposed backing of EACOP by Sinosure and China Exim Bank. During the Twitter storm, which reached 6.8 million individuals, these youth urged Chinese financial institutions to prioritise investment in renewable energy instead of supporting EACOP.<sup>105</sup> In several instances, detained protesters were held in a room for eight hours, questioned, and then released. The report does not clarify whether all those arrested were under 18, as it often refers to ‘youth’, falling into the lack of clarity that has been expressed at the beginning of this chapter. However, it highlights significant concerns regarding these actions on children’s rights. It is crucial to understand the role of TotalEnergies in these events and why the demands of youth activists are being ignored. In conclusion, from this report, it emerges that there are three primary rights as urgent concerns potentially threatening the respect of children’s rights embedded in the UNCRC: the right to education (Article 28), the right to development (Article 6), as declared by Christopher<sup>106</sup>, and the right to freedom of expression (Article 13).<sup>107</sup> These elements will be counted in the final categorisation of rights at risk.

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<sup>104</sup> Human Rights Watch, ‘Human Rights Watch Submission to the Special Rapporteur on the Situation of Human Rights Defenders Regarding Child and Youth Human Rights Defenders’, November 2023.

<sup>105</sup> BankTrack, ‘The East African Crude Oil Pipeline: New Risk Developments’, February 2024, 13.

<sup>106</sup> Article 27 of the UNCRC recognizes every child’s right to a standard of living adequate for their physical, mental, spiritual, moral, and social development, including housing.

<sup>107</sup> Article 15 affirms children’s rights to freedom of association and peaceful assembly, with allowable restrictions limited to those necessary for national security, public safety, public order, public health, morals, or the rights and freedoms of others. Article 13 of the UNCRC guarantees children the right to freedom of expression, encompassing the freedom to seek, receive, and impart information and ideas through any media, with safeguards for the rights and reputations of others and national interests.

Indirectly, BankTrack’s report also highlights the legal challenges faced by some families in Uganda’s Bunyoro region. Although the report does not explicitly reference the term ‘children’ and, as a result, it is not included in the final categorisation; this omission warrants attention as it highlights potential risks to children that may be overlooked. On December 8 2023, the High Court in Hoima ordered 42 families to vacate their land before receiving compensation, thereby initiating an eviction process. The compensation will be deposited in court once TotalEnergies has acquired the land. This court decision was made only four days after the landowners were notified and followed a single hearing. Only 18 of the 42 families were represented in court. Some families were unaware of the lawsuit, while others were unable to travel from Buliisa District to Hoima due to short notice and a lack of resources. One poignant testimony comes from a woman who attended the Hoima hearing on December 8 with her child strapped to her back.<sup>108</sup> It is evident that the evictions, which favoured TotalEnergies over the local families, have left the children of these 42 households homeless.

The second report analysed is *Climate of Fear* by Global Witness, published in 2023.<sup>109</sup> This report highlights TotalEnergies’ involvement in the repression of environmental defenders during the land acquisition process for the EACOP project. The term ‘children’ is referenced only once in the report, appearing in the introduction through a quotation from Swalehe Nkungu, a resident affected by land expropriation carried out by TotalEnergies and its partners in 2018. Nkungu recounts that he was denied the opportunity to read the contract for the sale of his land and was coerced into signing it. He further states that the compensation provided was insufficient to purchase new land and establish a sustainable livelihood for himself and his 12 children. He concludes his account with the poignant remark, ‘Now we have nothing’.<sup>110</sup> This action pursued by TotalEnergies constitutes an urgent threat to Article 27 of the UNCRC, which guarantees children the right to an adequate standard of living.

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<sup>108</sup> BankTrack ‘The East African Crude Oil Pipeline: New Risk Developments’, February 2024, 4.

<sup>109</sup> Global Witness, ‘Climate of Fear’, December 2023.

<sup>110</sup> *ibid*, 3.

The third report analysed was conducted by AFIEGO in November 2023, titled *Socio-Economic Impact of EACOP Resettlement Activities on the Project Affected Person*.<sup>111</sup> Within this report, the term ‘children’ is mentioned eight times, though one instance is excluded from this analysis due to its repetitive nature and lack of substantive contribution to the research. Of the remaining references, four instances highlight the barriers to education caused by EACOP’s resettlement activities. Specifically, the inadequate compensation provided to parents for their expropriated land resulted in financial hardship, including an inability to afford school fees, ultimately leading to children dropping out of school.<sup>112</sup>

This study revealed that 68.3% of children in the Project Affected Households (PAHs) were of schoolgoing age. Of these, 39.2% and 29.1% were of primary and secondary school going age. However, the study found that there were low school enrolment levels with 37% children of school-going age being out of school. Of these, 21% were girls while 16% were boys. More girls than boys were out of school. The PAHs<sup>113</sup> that participated in this study indicated a number of challenges led to low school enrollment levels including: lack of scholastic materials, lack of school fees, long distances to the schools, hunger while at school and failure to address the needs of Persons with Disabilities (PWDs). Some of above-mentioned challenges were majorly attributed to the EACOP project’s land use restrictions after the cut-off date and failure to pay prompt, fair and adequate compensation.<sup>114</sup>

The third reference to children relates to the description of the data collection process, which is particularly noteworthy as it represents the first instance where children actively participate in focus group discussions as agents. The report states that ‘a structured questionnaire was administered to PAHs and focus group discussions that were participated in by vulnerable groups of people including women and child-headed family members as well as the elderly’.<sup>115</sup> This indicates that children who head households, often due to circumstances such as the absence or incapacity of their parents, were engaged as active contributors to the discus-

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<sup>111</sup> African Institute for Energy Governance, ‘Socio-Economic Impact of EACOP Resettlement Activities on the Project Affected Person’, November 2023.

<sup>112</sup> African Institute for Energy Governance, vii.

<sup>113</sup> Project-affected households

<sup>114</sup> African Institute for Energy Governance, ‘Socio-Economic Impact of EACOP Resettlement Activities on the Project Affected Person’.

<sup>115</sup> *ibid*, 3.

sions alongside other vulnerable groups, emphasising their role as agents in articulating their experiences and perspectives. This observation underscores a broader reflection: children are generally not regarded as independent agents capable of testifying on their behalf. Indeed, no evidence has been found in prior analyses where children were explicitly considered active agents in articulating their considerations. In this report, however, children were included precisely because they had assumed ‘adult responsibilities’ as heads of households, granting them distinct and credible perspectives that enrich the data collection and analysis process. This recognition underscores an essential principle for the child-mainstreaming aim of the research: children must be acknowledged as independent agents who can provide valuable insights, even in cases where they do not occupy adult-like roles such as household heads. Their active involvement in research and discussions is indispensable for a comprehensive understanding of their experiences, needs and perspectives. This research emphasises the importance of incorporating children’s perspectives in decision-making processes that directly impact them. It advocates specifically for recognising children as a distinct and affected demographic in due diligence assessments within the business sector, with a particular focus on TotalEnergies. The EACOP project has a significant impact on children in numerous ways, yet their voices are often overlooked. According to Article 12 of the UNCRC, children have the right to express their views on all matters affecting them freely, and corporations should give these opinions due consideration. Finally, the report’s recommendations emphasise the need for the government to establish a dedicated fund to support vulnerable groups, particularly children and women, who are adversely affected by oil-related activities. Such a fund would offer essential financial support and resources to those disproportionately affected, ensuring that their specific needs are met and their rights upheld.<sup>116</sup> This proposed measure aligns with UNICEF’s Loss and Damages Project, which emphasises the importance of providing targeted support to children disproportionately impacted by large-scale industrial activities.<sup>117</sup> However, while government intervention is indeed necessary, it is equally

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<sup>116</sup> African Institute for Energy Governance, ‘Socio-Economic Impact of EACOP Resettlement Activities on the Project Affected Person’, 18.

<sup>117</sup> UNICEF, ‘Climate Justice : Loss and Damage Finance for Children’.

imperative for transnational corporations (TNCs) to avoid exacerbating the conditions that necessitate such loss and damage funds. This underscores a broader argument for mainstreaming children's rights into corporate practices. In the context of EACOP, the protection of children cannot rely solely on government initiatives, particularly given that TotalEnergies holds a 62% shareholding. The corporation bears a significant responsibility to ensure its activities do not further harm vulnerable groups, including children. Finally, only seven mentions are deemed urgent concerns. Of these, four pertain to issues related to the right to education as outlined in Article 28 of the UNCRC. Additionally, children are recognised twice as a vulnerable group with specific needs that necessitate targeted attention and support, including the creation of a dedicated fund to assist them. Notably, for the first time, children are actively heard and considered as stakeholders in the data collection process of this research.

The fourth report considered in this analysis, *Working on Oil is Forbidden: Crackdown against Environmental Defenders in Uganda* was published by Human Rights Watch in 2023.<sup>118</sup> This report includes four references to children; however, in three of these instances, the term does not provide specific information regarding children in the EACOP project. Based on interviews conducted with 31 individuals in Uganda between March and September 2023, including 21 anti-EACOP activists, the report features students whose ages are not specified. These individuals assert:

They arrest us because they want to create fear. They don't want others to join us. But we won't stop...Our future is being ruined, the impacts of climate change are all around us and it will get worse. When we protest against EACOP, we are speaking up for our future and for the children of the farmers losing their livelihoods for a pipeline our generation doesn't want. We won't stop.<sup>119</sup>

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<sup>118</sup> Felix Horne, *Working on Oil Is Forbidden: Crackdown against Environmental Defenders in Uganda* (New York, NY: Human Rights Watch, 2023).

<sup>119</sup> *ibid* 21.

After this report, it is possible to link the mention of children to concerns regarding their right to survival and development, as outlined in Article 6 of the UNCRC.<sup>120</sup>

The fifth report considered in this analysis, *Our Trust is Broken*, was conducted by Human Rights Watch (HRW) in July 2023.<sup>121</sup> This is one of the most comprehensive community-based assessments conducted on the project. Children are mentioned twenty-two times, though only fourteen references are relevant to the analysis, with many instances involving mere repetition. Based on over 90 interviews conducted by HRW in early 2023, including with 75 displaced families in five districts in Uganda, the report documents the devastating impacts on the livelihoods of Ugandan families resulting from the land acquisition process. It reveals that affected communities have faced pressure and intimidation, forcing them to accept inadequate compensation for their land, which has been insufficient to purchase replacement plots. As a result, many have become more impoverished and often indebted due to the project. The report highlights TotalEnergies' repeated failure to adhere to relevant international standards. In the first instance where children are mentioned, a woman caring for seven children expresses her frustration and disappointment regarding the broken promises of a better standard of living through the EACOP project. She claims that, instead of prosperity, the oil project has left them landless and among the poorest in the country, raising significant concerns about her ability to sustain her children. This testimony suggests a clear threat to an adequate standard of living for children, as outlined in Article 27 of the UNCRC.

Additionally, families reported experiencing pressure and intimidation from TotalEnergies EP Uganda officials and its sub-contractors, compelling them to accept compensation amounts that were insufficient to acquire replacement land.<sup>122</sup> Despite TotalEnergies' claims of closely respecting the rights of affected communities, delays in payment, lack of replacement land and inadequate compensation have left many families poorer and uncertain about their future. Prior to the project, many residents were

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<sup>120</sup> Article 6 of the UNCRC affirms every child's inherent right to life, survival, and development. It requires states to take all necessary measures to ensure children can develop to their fullest potential, including physical, mental, spiritual, and social aspects.

<sup>121</sup> Horne, "Our Trust Is Broken"

<sup>122</sup> *ibid*, "Our Trust is Broken", 2.

self-sufficient, using crop income to cover school fees and household expenses. However, during the delays, they were barred from accessing their land, resulting in the loss of crucial income, which led to food insecurity, asset sales and high-interest borrowing. As a result, many families were unable to afford school fees, leading to a significant number of children dropping out.<sup>123</sup> This situation has caused considerable hardship for children, who were scarcely considered in any of the assessments conducted by TotalEnergies. The term ‘children’ is frequently used in the testimony of a 79-year-old woman interviewed by HRW in March 2023. She highlights:

Before our land was taken (...) we used to grow cassava, groundnuts, and maize. This is what I grew my 11 children and my 30 grandchildren on. Now that land is all gone. Now I fetch firewood and sell in Waseko on the side of the road [8 kilometers away] and we have to do some fish trading to have a few things to eat. Now our children are not going to school, we have heavy debts... [T]his is development they say? We are now poor.<sup>124</sup>

The term ‘children’ is mentioned twice more in the report, reflecting community members’ testimonies about the destructive effects of land grabbing and failed resettlement plans, which have significantly hindered their ability to pay school fees for their children.<sup>125</sup> It is worth noting that although Uganda offers free primary education, various associated fees still need to be covered. According to the World Bank, the cost of sending a child to school in Uganda ranges from \$168 for government schools to \$420-\$680 for private schools. A Global Findex survey reveals that over 60% of adults in Uganda are concerned about paying school fees, with 40% citing it as their primary financial worry. One 42-year-old woman shared that she had five children excelling in school, but due to a lack of income from coffee, two of them had to drop out in 2021 because their family could not afford the fees.<sup>126</sup> Throughout the report, the recurring issues of providing food for children and ensuring access to education are highlighted. After analysing this report, three primary rights emerge as urgent concerns. Chil-

<sup>123</sup> Horne, “Our Trust is Broken”, 3.

<sup>124</sup> *ibid*, 19.

<sup>125</sup> *ibid*, 23.

<sup>126</sup> *ibid*, 25.

dren are mentioned eleven times as being at risk of having their right to education (Article 28 of the UNCRC) threatened. Additionally, the report identifies threats to the right to an adequate standard of living (Article 24 of the UNCRC) on two occasions. Finally, children are recognised as a vulnerable group in two instances.

The sixth report considered in this analysis, *Fatal Fuels: Why Human Rights Protection Urgently Requires a Full and Equitable Fossil Fuel Phase Out*, was conducted by Amnesty International in 2023. This report highlights, with particular reference to EACOP, the health risks associated with the production of fossil fuels. The term ‘children’ is mentioned only once. The extraction, processing and transportation of fossil fuels contribute to environmental degradation, posing severe health risks to vulnerable populations such as children, pregnant women and the elderly.<sup>127</sup> Based on the findings in this report, it is possible to identify a potential threat to Article 24 of the UNCRC.<sup>128</sup>

The seventh report on EACOP, titled *Advisory Review of the Resubmitted Environmental and Social Impact Assessment for the East Africa Crude Oil Pipeline*, was produced by the Netherlands Commission for Environmental Assessment in October 2020.<sup>129</sup> This report provides an analysis of the Environmental and Social Impact Assessment (ESIA) conducted by EACOP in February 2020. This oversight highlights a gap in the review, as it fails to consider the agency or vulnerability of children as an independent group within the affected communities, despite some references to children in the ESIA conducted by EACOP stakeholders.

The eighth report considered in this analysis, *Could a UN Treaty Make Transnational Corporations Accountable? The Case of Total’s Tilenga and EACOP Oil Projects* was conducted by FIAN International and Les Amis de la Terre France in 2021.<sup>130</sup> This report

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<sup>127</sup> Amnesty International, ‘Fatal Fuels Why Human Rights Protection Urgently Requires a Full and Equitable Fossil Fuel Phase Out’, 2022.

<sup>128</sup> Right to health, the right to health under the UNCRC is primarily covered in Article 24. It recognises the child’s right to the highest attainable standard of health and mandates that states take appropriate measures to reduce child mortality, ensure access to necessary medical assistance and healthcare, combat disease and malnutrition, and provide clean drinking water and nutritious food. It also emphasizes the importance of education on child health and the development of preventive healthcare.

<sup>129</sup> Netherlands Commission for Environmental Assessment, ‘Advisory Review of the Resubmitted Environmental and Social Impact Assessment for the East Africa Crude Oil Pipeline (EACOP)’, October 2020.

<sup>130</sup> FIAN International and Les Amis de la Terre France, ‘Could a UN Treaty Make Transnational Corporations Accountable ? The Case of Total’s Tilenga and EACOP Oil Projects’, October 2021.

mentions children only once, in the context of testimonies from vulnerable communities on the brink of starvation. These communities, deprived of their land and not receiving prompt compensation, could not afford healthcare for their children.<sup>131</sup> From this report, one primary right emerges as an urgent concern: the right to health, as outlined in Article 24 of the UNCRC.

The ninth report, *A Nightmare Named TOTAL: An Alarming Rise in Human Rights Violations in Uganda and Tanzania*, was conducted by Les Amis de la Terre France and Survie in 2020. In this report, the word ‘children’ is mentioned nine times by the community. Seven of these instances raise concerns about children dropping out of school or the inability of families to pay school fees, thereby threatening their right to education. Two mentions concern children about threats to their right to food, which is part of the right to an adequate standard of living, as specified in Article 27 of the UNCRC. These issues arose due to the companies’ failure to pay the promised compensation. The report concludes by highlighting two urgent concerns: the right to education and the right to an adequate standard of living.

The tenth report, *Empty Promises Down the Line?* conducted by Oxfam in 2020, examines the risks associated with the EACOP project for communities located along the proposed pipeline corridor in Uganda and Tanzania.<sup>132</sup> In this report, the terms ‘child’ or ‘children’ are mentioned 24 times, with 19 of these references being relevant to the scope of the analysis. The research for this report, conducted between 2018 and 2020, involved comprehensive engagement with communities along the pipeline route in Uganda and Tanzania. This included focus groups, interviews and long-term interactions. In Uganda, the assessment team engaged with 691 community members, including 11 children, from 21 villages across five districts. This report represents a notable instance where children were considered as independent agents, distinct from their families, and given a platform to express their perspectives. In contrast, previous reports had primarily relied on the voices of families to describe children’s experiences. This report highlights a crucial element of intersectional vulnerability that has not been addressed in any other report to date. Alice, a farmer and

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<sup>131</sup> FIAN International and Les Amis de la Terre France, ‘Could a UN Treaty Make Transnational Corporations Accountable? The Case of Total’s Tilenga and EACOP Oil Projects’, October 2021, 10.

<sup>132</sup> Bogrand et al, *Empty Promises Down the Line?*

women's rights activist in Hoima District, Uganda, states: 'When the oil project came, our husbands got compensation money and they left us with the children. We remained in these homes, suffering.'<sup>133</sup>

This situation underscores a problem that could endanger the well-being of both children and women, illustrating how compensation dynamics can exacerbate their hardship and vulnerability. This exacerbation promotes discrimination, which Article 2 of the UNCRC is meant to protect children from. The report identifies key human rights violations associated with TotalEnergies' operations, including forced labour, child labour, discrimination and unsafe working conditions, all of which directly engage Article 32 of the UNCRC, which aims to protect children from exploitation.<sup>134</sup> The term 'children' is further employed three times within the context of testimonies from community members who express disillusionment with the company's false promises regarding the improvement of children's education. Instead, many children were forced to drop out of school due to the adverse impacts of the project.<sup>135</sup> Additionally, the report underscores the detrimental effects of the EACOP project on traditional herbal medicines used to treat malaria, aid childbirth, promote hygiene and address childhood illnesses such as colds and measles. This direct impact on traditional healthcare practices further endangers children's right to health. Moreover, the report mentions children within the Resettlement Policy Framework by EACOP, where they are categorised as one of four vulnerable groups, alongside women-headed households, the elderly and disadvantaged communities.

However, a discrepancy emerges: while children are recognised as vulnerable, they face significant threats that remain largely unaddressed. Community members have noted that children who are not attending school have been overlooked during project meetings despite their heightened vulnerability during the construction phase. These children are at increased risk from trucks and machinery as they play near the construction site.<sup>136</sup> This situation underscores the issue highlighted at the beginning of this chapter: children are rarely considered stakeholders by corporations. To foster greater due diligence toward children, companies

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<sup>133</sup> Bogrand et al, *Empty Promises Down the Line?*, 7.

<sup>134</sup> *ibid*, 28.

<sup>135</sup> *ibid*, 42.

<sup>136</sup> *ibid*, 55.

must begin addressing the ‘right to be heard on matters that affect them’, an area in which the corporate sector has been notably lacking.

Some women in the community have raised concerns about access to water, healthcare and schools for their children. Additionally, they reported difficulties accessing health facilities, particularly during childbirth. Other testimonies have highlighted the growing risks children face, including the emergence of ‘street children’, inadequate healthcare services, school dropout rates, especially for young girls in resettlement camps, and the increase in child labour. A woman said:

As a woman, I fear most about my girl child who walks every day from home to school, mostly that she passes through a camp site. Will she be safe from rape, early pregnancies and other sexual transmitted diseases? How will I protect her because the camp is built where the road to her school is?<sup>137</sup>

In this report, it is noteworthy that children have been included in the interviews and recognised as independent agents, which marks a positive step towards acknowledging their voices in the assessment of the project’s impact. However, this analysis also underscores numerous threats to their safety and well-being. The risk of exposure to discrimination is evident, aligning with concerns addressed in Article 2 of the UNCRC, which ensures that children are protected from discrimination. Many testimonies further indicate potential violations of the right to education, as enshrined in Article 28, as children face barriers to accessing education due to the adverse effects of the project, including school dropout rates and inadequate resources for schooling. In addition to these concerns, the report raises significant issues related to the right to health, as protected under Article 24. The erosion of access to healthcare, particularly during childbirth, and the undermining of traditional medicine, which is crucial for treating childhood ailments, threatens children’s health and well-being. Furthermore, the report highlights the potential for exploitation and risks to physical integrity, particularly in contexts of forced labour and unsafe working conditions, all of which are safeguarded by Article 6 of the UNCRC. This comprehensive analysis reveals the

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<sup>137</sup> Bogrand et al, *Empty Promises Down the Line?*, 77.

multifaceted nature of the threats posed to children's rights, emphasising the need for children's rights due diligence and stronger safeguards to prevent harm in the context of large-scale development projects, such as EACOP.

**In the eleventh report, *New Oil, Same Business? At a Crossroads to Avert Catastrophe in Uganda* conducted by the Foundation for Human Rights Initiative (FIDH) in 2022, the term 'child' is mentioned 23 times**, although six of these instances involve acronyms or repetitions. In the second and third instances, particular emphasis is placed on the need for special attention to children's education and childcare facilities when land is expropriated.<sup>138</sup> The testimonies from the affected communities highlight the fact that the concern for children's education is often neglected, resulting in a disregard for children's rights as guaranteed under Article 28 of the UNCRC, which ensures children's right to education. Additionally, the portrayal of children as victims is reinforced in the section on land grabbing, where communities emphasise the adverse effects of land displacement. This analysis reveals a significant threat to children's right to life and physical integrity, as protected under Article 6 of the UNCRC. The displacement, compounded by inadequate attention to educational and childcare needs, exacerbates children's vulnerability, reinforcing the critical need for comprehensive safeguards to ensure their rights are upheld in the context of land acquisition and large-scale development projects like EACOP:

People were tear-gassed and shot at and children disappeared during the eviction. Houses were broken down and burnt to ashes, clothes set on fire and property destroyed. Gardens were slashed to the ground while food and animals were looted and whatever was left was set on fire.<sup>139</sup>

Another concern raised in the report involves the insufficient protection and recognition of children's land rights within both legal and customary frameworks, which is compounded by cultural dynamics and the prioritisation of individual over communal approaches. These factors contribute to discrimination against

<sup>138</sup> As according to the United Nations, 'Basic Principles and Guidelines on Development-Based Evictions and Displacement'.

<sup>139</sup> Foundation for Human Rights Initiative, 'New Oil, Same Business? At a Crossroads to Avert Catastrophe in Uganda', September 2020.

children.<sup>140</sup> One resident from the Buliisa District recounts that project's impacts forced her children to sleep on the floor, resulting in inadequate living conditions. This situation is a clear violation of the rights guaranteed under Article 27 of the UNCRC, which ensures that children have the right to an adequate standard of living.

The final report considered is *Safeguarding people & nature in the East Africa Crude Oil Pipeline project: A preliminary environmental and socio-economic threat analysis conducted by WWF and the Civil Society Coalition on Oil and Gas in Uganda in 2017*. This preliminary environmental and socio-economic analysis mentions children three times; however, these references do not directly relate to EACOP, as they provide an example from another extractive project. As such, this mention does not directly pertain to the group of children under consideration in the current analysis and has, therefore, been excluded from the count.

### 2.1.1 Findings on children's rights from NGOs reports'

Overall, the terms 'child' or 'children' were used 96 times over the 12 reports considered. However, for this methodology, 23 instances were excluded as they were either part of an acronym or repetitions that did not contribute substantively to the research. As a result, 24% of the cases found in the reports were deemed invalid for this assessment. Additionally, two reports contained no references to children, an oversight that fails to account for the distinct agency and vulnerability of children within the community. The following analysis and data are based solely on the 73 valid instances in which the terms 'child' or 'children' provide meaningful insight into the experiences of children in the context of EACOP. In this analysis, each occurrence of the term 'child' was carefully selected and categorised. These 73 cases are divided into seven primary risks related to the violation of provisions under the UNCRC, particularly:

- Article 28 - Right to education
- Article 24 - Right to health and health services
- Article 27 - Right to an adequate standard of living

<sup>140</sup> Foundation for Human Rights Initiative, 68.

- Article 2 - Protection from discrimination
- Article 32 - Protection from exploitation
- Article 13 - Freedom of expression
- Article 6 - Right to life, survival and development

The following chart illustrates the findings of the research as to the risks that have shown to be the most urgent:

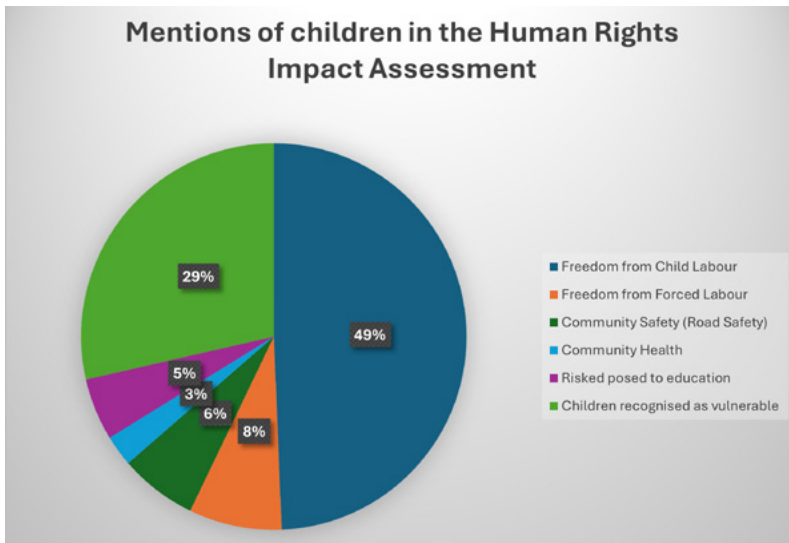
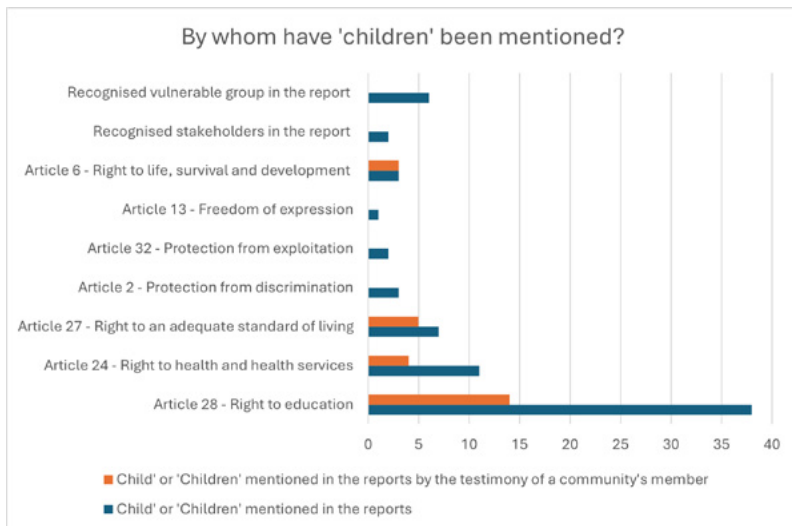


Figure 3 - Mentions of children in the human rights impact assessment

As illustrated in the chart, the most significant concern related to children in the context of the EACOP project, based on the research conducted thus far, is the risk to the right to education as guaranteed by Article 28 of the UNCRC. Out of the 73 mentions of the term ‘child,’ 38 instances (52%) were linked to infringements on the right to education. These violations stem from a variety of factors, including an inability to pay school fees, resettlement housing located far from schools and other issues previously discussed. The second major threat identified in the literature pertains to the right to health and access to healthcare services, accounting for 15% of the concerns raised. Following this,

the right to an adequate standard of living constitutes 10% of the concerns. In some cases, the term ‘child’ was used to describe instances of discrimination, which represents 4% of the total mentions. For instance, it was noted that girls are disproportionately affected by school dropouts, as well as other challenges identified in previous analyses. Additionally, two instances (3%) highlighted concerns regarding protection from exploitation, specifically regarding the risks of increased child labour linked to the EACOP project. The right to life, survival and development, as outlined in Article 6 of the UNCRC, was raised in three cases, accounting for 4% of the overall mentions. Moreover, one mention related to child human rights defenders highlights the threat to children’s right to express themselves as they faced arrests and detentions. Two significant pieces of data illustrate the lack of consideration for children as stakeholders in this context. Only three out of the twelve reports are children recognised as vulnerable members of society, and in just two instances are they explicitly included in the research scope. These instances represent positive examples where children’s voices were heard and acknowledged as a distinct group with unique perspectives. However, these cases are exceedingly rare, making them almost invisible in the broader body of research.

Therefore, this analysis underscores the need for more consistent and inclusive engagement of children in community-based and human rights impact assessments. Their participation is crucial in allowing children to express their concerns and be viewed not only as vulnerable subjects or victims, but also as active agents with valuable perspectives. Based on the data collected and presented in the preceding chart, the following analysis aims to identify which rights, as reported directly by community members, represent actual risks to children, rather than potential risks inferred from the literature.



*Figure 4 - Mentions of children (by whom) as a direct concern raised by the community*

This chart highlights genuine, real-life threats to children's rights under Articles 6, 24, 27 and 28 of the UNCRC, as explicitly voiced by the community. These concerns are not speculative but are actual risks that community members have directly reported. The community has expressed the most significant concern for the right to education, which was mentioned 14 times. The second most pressing risk identified is the right to an adequate standard of living, followed by threats to the rights to health and life, survival, and development.

This analysis is crucial because it underlines the fact that these risks are not hypothetical or theoretical but real concerns voiced by community members themselves, particularly parents. Unfortunately, there are only two cases in the literature where children spoke for themselves. Overall, the study shows that children are indeed facing immediate and tangible threats to their rights. This comprehensive analysis underscores the urgent need to address these risks to protect the rights and well-being of children in the context of the EACOP project.

## 2.2 TotalEnergies due diligence to children's rights

There is a pressing need to compare the findings above with the human rights commitments made by EACOP/TotalEnergies. This comparison is essential to determine whether the potential risks to children's rights, as identified by various NGOs, civil society organisations and activists, are adequately acknowledged and addressed by the corporation in its official documentation and actions. A comprehensive evaluation of EACOP/TotalEnergies' human rights due diligence, impact assessments and associated policies is necessary to ascertain the extent to which children's rights, as outlined in international frameworks such as the UNCRC, are integrated into the corporation's operations and decision-making processes.

A preliminary examination of the project's due diligence, impact and commitments from a children's rights perspective indicates that the corporation has not conducted a comprehensive assessment of the impact on children's rights. In response, using the same methodology, the following paragraph evaluates the references to children made by Total in the *Human Rights Impact Assessments* (HRIA), commitments in *Human Rights Due Diligence* (HRDD), in the *Human Rights Action Plan*, and the *Human Rights Policy Paper*.

The first document analysed is the *Human Rights Impact Assessment* commissioned by RSK Environment Ltd. on behalf of Total East Africa Midstream B.V. and its EACOP project partners in 2018. In this report, the term 'child' is mentioned 127 times. However, mentions that are irrelevant, such as those referring to conventions where the term 'child' appears in the title, mentions of Tanzania, or references that do not provide relevant information about children, have been excluded, reducing the total to 50 mentions. The report states that during the scoping phase of the HRIA, potential human rights impacts were identified, with children being mentioned in the context of freedom from labour, specifically referencing Articles 25(2) and 26(1) of the Universal Declaration of Human Rights (UDHR).<sup>141</sup> A notable observation is that while the scope of human rights issues explicitly references the UDHR and the ILO Declaration on Fundamental Principles and Rights at

<sup>141</sup> Lloyd Lipsett et al, 'PROVISIONAL HRIA REPORT', *LKL International Consulting Inc.*, September 2018.

Work, the UNCRC is not mentioned. This omission suggests that children's rights, as outlined in the UNCRC, are not being fully integrated into the human rights considerations relevant to EACOP. In the section addressing salient human rights risks, children are specifically highlighted as being particularly vulnerable to road safety issues and disruptions caused by the project.<sup>142</sup> The primary recommendation to address this risk is the implementation of 'road safety campaigns' specifically targeting children, involving both the community and teachers. This initiative, although important, represents the only significant action involving children within the broader framework and will be implemented as part of the HRDD.

Community awareness programmes will be developed and implemented in project affected communities to explain: road safety risks and how to increase the safety of pedestrians particularly children.<sup>143</sup>

The second significant human rights risk for children, according to the principal shareholders of the project, appears to be child labour, which is mentioned eighty-three times overall. Despite this, the report asserts that there is little likelihood that EACOP will directly engage in or facilitate child or forced labour.<sup>144</sup> Additionally, children are identified as a vulnerable group during land acquisition activities and resettlement plans.<sup>145</sup> There is also the claim that:

National-level stakeholders stress that women, children, people with disabilities or HIV/AIDS and ethnic minorities are vulnerable groups that must be addressed specifically.<sup>146</sup>

Regarding risks associated with land acquisition and resettlement, children are depicted twice as victims. For example, one instance notes, 'This then leaves the woman and her children without land to grow crops, nor money to establish the family somewhere else.' Another highlights that 'In every situation where a family's access to land is lost, women will be more vulnerable than

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<sup>142</sup> The UNGPs and accompanying guidelines for companies emphasize the importance of prioritizing the most 'salient' human rights issues for continuous due diligence.

<sup>143</sup> *ibid*, 95.

<sup>144</sup> Lipsett et al, 'PROVISIONAL HRIA REPORT', 21.

<sup>145</sup> *ibid*, 12.

<sup>146</sup> *ibid*, 12.

men because of their dependence on the land for growing crops, their obligations towards the children and their lack of alternative access to income.<sup>147</sup>

In terms of risks to community health, the HRIA references international standards that require states to safeguard the healthy development of children, improve industrial and environmental hygiene and ensure universal access to medical services. However, despite identifying these standards, the report fails to propose any concrete mitigation strategies to prevent harm to children's health. Communities affected by the project, including both men and women, expressed concerns about the potential disruption of family structures, referencing previous projects where project workers abandoned vulnerable women and children.<sup>148</sup> Although the HRIA recommends developing a plan to monitor the project's impact on the social fabric, particularly regarding vulnerable groups such as women and young children, it does not elaborate on how this plan will be implemented. Furthermore, no mention of such strategies is included in the subsequent Action Plan, which will be discussed later. The HRIA briefly mentions the right to education in two instances but does not detail specific measures or actions to prevent adverse outcomes for children. Additionally, the report acknowledges serious issues of violence and discrimination against marginalised groups, including women, persons with disabilities and LGBTI individuals in Uganda. Despite these acknowledgements, children remain absent from the proposed mitigation measures, even though child abuse, including rape, is recognised as a critical issue in Uganda, one that the EACOP project has the potential to exacerbate, as mentioned by the affected communities.

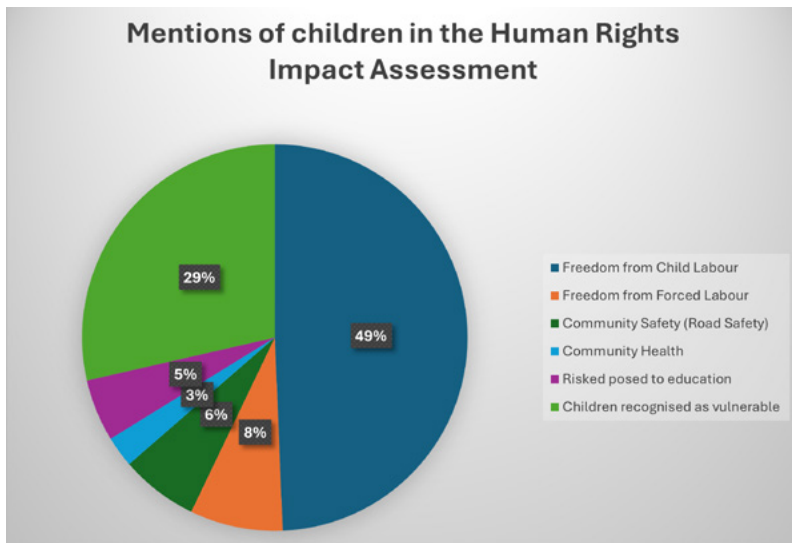
In conclusion, while the HRIA focuses extensively on the potential human rights impacts related to child labour, it demonstrates a lack of comprehensive analysis and action regarding the broader spectrum of child rights issues identified in earlier reports. The meticulous attention given to assessing and mitigating child labour risks reflects a diligent approach, but this same rigour is notably absent in addressing other critical risks faced

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<sup>147</sup> Lipsett et al, 'PROVISIONAL HRIA REPORT', 169.

<sup>148</sup> *ibid*, 102.

by children, such as threats to education, health and protection from violence. The following chart visually summarises the findings discussed in this analysis:



*Figure 3 - Mentions of children in the human rights impact assessment*

The findings of the HRIA prompt several critical reflections regarding its treatment of children's rights and their inclusion as stakeholders. A significant shortcoming of the HRIA is the absence of specific references to the UNCRC, which signals a lack of acknowledgement that children represent a distinct and particularly vulnerable group within the scope of the EACOP project. This oversight is particularly concerning given that the UNCRC establishes a comprehensive framework for the protection and promotion of children's rights, which should have informed the HRIA's approach.

Children are primarily addressed regarding child labour and road safety hazard; however the assessment lacks targeted actions to mitigate risks associated with land acquisition and resettlement processes. For example, inadequate compensation to families is highlighted as a factor that has led to violations of children's rights, particularly the right to education, as enshrined in Article

28 of the UNCRC. Such gaps indicate that the HRIA does not fully consider the broader implications of resettlement and land loss on children's well-being and access to fundamental rights.

The HRIA's stakeholder engagement processes also fail to include children or account for their specific needs and vulnerabilities. This omission suggests a lack of comprehensive understanding of how the EACOP project directly and indirectly impacts children. Despite community concerns raised in earlier reports about children being disproportionately affected by resettlement and project-related disruptions, these insights are not reflected in the HRIA's approach or recommendations.

While the HRIA does demonstrate a meticulous focus on addressing child labour and forced labour risks, with these concerns accounting for 49% of all mentions of children in the document, this level of scrutiny is not extended to other critical areas of risk. Specifically, the HRIA neglects to address issues such as freedom of association, health risk mitigation and access to remedies in relation to children. This lack of attention persists despite significant evidence, as highlighted in prior analyses, that children face considerable vulnerabilities in these areas due to the EACOP project.

The second report produced by EACOP, the *Human Rights Due Diligence Framework*, includes a *Human Rights Policy* and a *Human Rights Action Plan*, both of which were published in 2022. These documents, prepared by LKL International Consulting Inc. on behalf of EACOP, are intended to support the Human Rights Due Diligence procedure. This analysis considers all three documents collectively. The HRDD Report focuses on the management of significant human rights issues during the construction phase of the pipeline and associated infrastructure.

Within the *Human Rights Policy*, children are explicitly mentioned in the context of the prohibition of child labour. Similarly, the *Human Rights Action Plan* aligns with earlier findings, demonstrating minimal consideration for children while prioritising women as stakeholders through targeted meetings, consultations and workshops. Unlike women, children are not similarly engaged as stakeholders. However, the report includes an intriguing proposal indicating that the EACOP Security Manager will have access to training materials under the Voluntary Principles on Security and Human Rights (VPSHR), which address interactions with women, children and Human Rights Defenders. Nonethe-

less, the only concrete training initiative explicitly involving children relates to road safety campaigns, previously identified in the HRIA. Additionally, the report claims that the management team exhibits ‘awareness and sensitivity to specific risks affecting children’, although these risks are not detailed. A forthcoming *Gender and Inclusion Impact Assessment* is anticipated to provide additional insights into the engagement of children, but no substantive information on this is currently available.

The corporate assessments demonstrate a sophisticated understanding of child labour, guided by international standards such as the ILO Conventions. While commendable, this thesis argues that there is significant potential for corporate practices to evolve by integrating the principles of the United Nations Convention on the Rights of the Child. Such integration would strengthen and broaden the existing business and human rights framework to address children’s rights more comprehensively. Achieving this evolution requires extensive research and engagement to extend the corporate responsibilities articulated in the UN Guiding Principles on Business and Human Rights (UNGPs) to explicitly include children. This thesis aims to contribute to initiating this critical process.

Children are often categorised under ‘vulnerable groups’ yet this approach fails to provide the nuanced and specific attention they require. Beyond being seen as victims, children must be acknowledged as a distinct group necessitating proactive care and protection in all phases of project planning and implementation. Furthermore, they should be recognised as independent stakeholders who can contribute meaningfully to addressing salient issues regarding them within projects and serve as direct beneficiaries of remedies and grievance mechanisms. The omission of such recognition across the analysed reports, particularly corporate documents, raises significant concerns about the adequacy of existing approaches in addressing children’s rights within business activities. In conclusion, the evident lack of substantive engagement with children’s rights highlights the urgent need for a paradigm shift. This shift is essential for ensuring that business activities respect the full spectrum of children’s rights, as enshrined in the UNCRC and recommended in General Comment N.16 to the UNCRC.

## 2.3 Conclusion

The findings of this chapter underline the significant need to mainstream children's rights into corporate conduct. While applying the principles of the UNCRC to corporate activities may initially seem ambitious, this proposal is grounded in General Comment No. 16 of the UNCRC. Adopted by the Committee on the Rights of the Child in 2013, this General Comment delineates States' obligations concerning the impact of business enterprises on children's rights and highlights the responsibilities of businesses themselves. It emphasises that businesses must implement child-sensitive due diligence processes, referred to as Children's Rights Due Diligence (CRDD), to identify, prevent, and address adverse impacts on children's rights. Moreover, businesses are required to provide effective remediation for any harm caused or contributed to by their operations.

The analysis reveals a significant discrepancy between the concerns expressed by communities in NGO reports and the corporate diligence efforts undertaken by EACOP. Many critical issues identified in the NGO reports—such as violations of the right to an adequate standard of living (Article 27), freedom of expression (Article 13), the right to life, survival and development (Article 6) and protection from discrimination (Article 2)—are absent from EACOP's Human Rights Impact Assessment (HRIA). Additionally, crucial rights such as education (Article 28) and health (Article 24) are marginally represented in EACOP's HRIA, accounting for only 5% and 3% of the mentions of children, respectively. This lack of attention underscores the corporation's inadequate consideration of these fundamental issues, which are essential for children's development and well-being.

By highlighting the inconsistencies and inadequacies in EACOP's due diligence process, this chapter emphasises the urgent need for enhanced corporate attention and action to address children's rights and welfare in the context of the pipeline project. Addressing these gaps requires a shift in corporate attitude toward 'decolonial thinking', where corporations move beyond profit-based solutions to engage with and respect the voices of local communities genuinely. This approach demands that Western corporations, including TotalEnergies, which stands to gain the largest share of profits from EACOP, not merely replicate governmental decisions but actively listen to the affected populations.

Exceeding the profit-centric logic of prior extractive projects, such as those in the Niger Delta, is essential for fostering a more equitable and sustainable development model. The failure to adequately respect children's rights in business activities not only endangers the lives and living conditions of children in EACOP-affected areas but also overlooks the agency and influence of children as powerful advocates for social and climate justice. The exponential rise in strategic social and climate litigation emphasises the reality that young people are increasingly aware of the precarious conditions they face and are prepared to challenge these injustices, both in the streets and in courtrooms.<sup>149</sup>

Addressing the gaps in corporate consideration of children's rights is, therefore, not only a moral and legal imperative but also a strategic necessity for businesses seeking to navigate the evolving landscape of social and environmental accountability.

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<sup>149</sup> Capretti, 'Growing Up in a World on Fire. Children Take Centre-Stage in the Strategic Climate Litigation Movement', 2021.

## 3. Business and children's rights legal framework

### 3.1 Introduction

As analysed so far, corporations leading oil projects exert a multifaceted impact on children, yet only a subset of these effects is examined in depth, as evidenced in the case of EACOP. Some of these impacts are localised, directly affecting communities within the project area, while others, such as those stemming from the contribution of oil projects to climate change through CO2 emissions, extend globally. These broader impacts disproportionately affect vulnerable populations, with children bearing the brunt of these consequences due to their heightened susceptibility to environmental and social disruptions.<sup>150</sup> Local and global impacts requires an extension of our focus from project-specific effects to the global implications of corporate emissions, presenting complex and interlinked challenges to address.

The root cause of the business and human rights predicament today lies in the governance gaps created by globalization - between the scope and impact of economic forces and actors and the capacity of societies to manage their adverse consequences. These governance gaps provide the permissive environment for wrongful acts by companies of all kinds without adequate sanctioning or reparation.<sup>151</sup>

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<sup>150</sup> 'The New EU Supply Chain Act Protects Child Rights, 31 May 2024.

<sup>151</sup> 'Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, John Ruggie'.

These have been the words of Ruggie, the pioneer of the business and human rights discourse in the global arena.<sup>152</sup> Building on this foundation, as well as the extensive analysis presented in Chapter 1 and the findings detailed in Chapter 2, this chapter aims to examine the legal context governing oil extraction activities in relation to children's rights. Its objective is to provide a broader legal framework that identifies opportunities for enhancement within the EACOP project, offering a model that could inform transnational corporations operating in other regions. This analysis advocates for the development of a dedicated framework to protect children's rights in business operations. Such a framework would position children as key stakeholders in projects affecting them and would ensure their access to effective remedies. It is crucial to recognise that children comprise approximately one-third of the global population, yet existing mechanisms, primarily designed with adults in mind, often fail to address the unique and pressing issues faced by this demographic. Unlike adults, children are in a dynamic state of psychological, social and physical development, which makes them a unique demographic. Their heightened vulnerability underscores the necessity of creating child-specific standards and policies that not only recognise their developmental requirements but also provide tailored protections. Addressing these gaps is essential to ensuring that children's rights are meaningfully integrated into corporate frameworks and upheld in practice.<sup>153</sup>

### 3.2 Switching paradigm: from states-only to corporate engagement

From the moment initiatives such as the United Nations Global Compact and the UN Guiding Principles on Business and Human Rights (UNGPs) were developed, and more prominently

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<sup>152</sup> John Ruggie was an influential international relations scholar and policymaker, known for his development of the 'Guiding Principles on Business and Human Rights' under the United Nations. These principles, often called the 'Ruggie Principles', set a global standard for addressing human rights impacts linked to business activities. As the UN Special Representative for Business and Human Rights, Ruggie played a crucial role in integrating human rights considerations into corporate practices, leaving a lasting impact on both academic and practical approaches to human rights and corporate governance.

<sup>153</sup> UNICEF, 'An EU Corporate Sustainability Due Diligence Directive That Works for Children UNICEF Comments on the European Commission Proposal', 2022.

in recent years, a debate has been sparked on the view that human rights are not solely a matter for States.<sup>154</sup> With the increasing influence and pivotal role of the private sector in the global economy, as extensively analysed in Chapter 1, there has been a growing interest in the responsibilities of transnational corporations (TNCs) to respect, protect and fulfil human rights. The obligation to respect legally binding human rights norms and avoid their violation is often regarded as a matter of compliance. However, the proactive responsibility to protect, promote and fulfil these norms, supporting the realisation of human rights, has traditionally been excluded from the scope of private actors' obligations. This work challenges the conventional, state-centric interpretation of international law, which persists in much mainstream legal scholarship. It aligns with an emerging body of academic thought that recognises this traditional view as outdated because it no longer accurately reflects the current distribution of power in the international arena.<sup>155</sup> While corporations operate within the framework of national legislation, it is evident that they are also bound by standards enshrined in international human rights law. Whether national legislation is advanced or deficient, corporations are not absolved of their responsibilities under these international frameworks. This research rejects the notion that the protection of human rights, originally conceived as a state responsibility, provides corporations with an excuse to defer accountability for their actions to states.

This chapter undertakes a child-sensitive analysis of the most relevant hard and soft laws governing business conduct, identifying legal texts that, if implemented, could enhance corporate accountability in this regard. It is relevant to highlight that the combination of environmental destruction, social and economic hardship and health risks renders oil extraction particularly harmful

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<sup>154</sup> The Global Compact, adopted in 2000, is a United Nations initiative encouraging businesses worldwide to adopt sustainable and socially responsible policies, and to report on their implementation. The UNGPs, adopted in 2011, provide a global standard for preventing and addressing the risk of adverse human rights impacts linked to business activity. The main difference is that the Global Compact focuses broadly on sustainability and corporate responsibility across various areas, while the UNGPs specifically address human rights issues in the context of business operations. It is relevant to show that none of the ten principles of the Global Compact refer to children's rights.

<sup>155</sup> Gamze Erdem Türkelli, ed, 'Children's Rights Obligations and Business', in *Children's Rights and Business: Governing Obligations and Responsibility* (Cambridge: Cambridge University Press, 2020), 3–126.

compared to other commercial activities. However, existing legal frameworks often fail to distinguish between extractive industries and other forms of business activity.

The focus of this analysis is not on Uganda's national legislation; instead, it seeks to critique corporate commitments to children's rights and explore potential improvements in this area, avoiding a detailed examination of national child protection laws. To contextualise TotalEnergies' role in the East African Crude Oil Pipeline (EACOP), the French Due Diligence Law will be examined to assess its capacity to integrate child rights considerations into corporate operations. This analysis will exclude the framework addressing child labour, specifically International Labour Organization (ILO) Conventions 138 and 182, as prior findings indicate a notable level of awareness and control over this issue within Total/EACOP operations. As shown in Chapter 2, 49% of the forecasts related to children focus on child labour, which is recognised as one of the most emphasised issues in the discourse on business and children's rights.<sup>156</sup> This focus does not imply that all challenges in this area have been resolved. Rather, the objective of this research is to demonstrate that many other child rights concerns, highlighted in NGO reports, are absent from the EACOP Human Rights Impact Assessment (HRIA), Human Rights Due Diligence (HRDD) plan and broader legal frameworks addressing business and children's rights.

### 3.3 Legal framework

Several regulatory frameworks guide the commitment of TNCs in the field of human rights, outlining the principles and requirements for respecting human rights and ensuring the well-being of the people involved in the project. As the findings of Chapter 2 say, children are not described as the target of a specific 'salient issue', as is the case with the issue of women's rights, for example. However:

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<sup>156</sup> Gamze Erdem Türkelli, ed, 'Children's Rights Obligations and Business', in *Children's Rights and Business: Governing Obligations and Responsibility* (Cambridge: Cambridge University Press, 2020), 86

The significance of due diligence for children's rights was recognised by the Committee on the Rights of the Child as far back as 2013 when it asserted that States should require businesses to undertake 'child-rights due diligence' as part of upholding their obligations under UNCRC.<sup>157</sup>

### 3.3.1 United Nations Convention on the Rights of the Child

The **United Nations Convention on the Rights of the Child (UNCRC)**, adopted in 1989, represents the most comprehensive and binding international legal framework on children's rights. While it does not explicitly address the specific circumstances of children affected by extractive projects or corporate activities, the UNCRC sets universal standards for children's rights that are essential for interpreting corporate responsibilities. It provides a critical benchmark against which the actions of corporations can be evaluated, particularly as elaborated in **General Comment No. 16**. This document highlights the obligation of businesses to respect children's rights and to provide remedies for any violations, positioning the UNCRC as a cornerstone of international expectations for corporate behaviour. The findings presented in Chapter 2 underscore the inadequacy of references to the UNCRC in the EACOP Human Rights Impact Assessment (HRIA). This omission suggests a fundamental lack of recognition that children represent a distinct and vulnerable stakeholder group within the project's scope. To ensure the robust protection of children's rights, the UNCRC must be regarded as a foundational convention alongside the **Universal Declaration of Human Rights (UDHR)** and **International Labour Organization (ILO)** Conventions. The perception that the UNCRC pertains exclusively to State obligations can be contested. The treaty delineates the parameters of children's interactions with parents, family and the extended society, this is also why it has been so transformative in the conceptualisation of childhood. Its specificity does not render it peripheral but, rather, essential for identifying unique risks, preventing harm and ensuring adequate remedies for children.

Critiques asserting that the UNCRC is too narrow to be considered as one of the main conventions to be applied and respected by corporations and that children are inherently included with-

<sup>157</sup> UNICEF, 'An EU Corporate Sustainability Due Diligence Directive That Works for Children UNICEF Comments on the European Commission Proposal', 1.

in the broader spectrum of internationally recognised human rights instruments such as the UDHR fail to appreciate the distinct vulnerabilities of children and the targeted protections the treaty offers. Such an approach prevents corporations from addressing the full spectrum of risks and impacts their operations may have on children.<sup>158</sup>

As demonstrated in Chapter 2, these risks extend beyond exploitation and child labour, which dominate corporate narratives, to encompass broader rights under the UNCRC, such as Articles 2, 6, 13, 24, 27, 29 and 32. These provisions, identified as at risk by communities affected by EACOP, require immediate and specific attention. Addressing them necessitates the implementation of a **children’s impact assessment**, which would actively involve children in accordance with the principle of ‘**nothing about us without us**’.<sup>159</sup>

### 3.3.2 African Charter on the Rights and Welfare of the Child

As mentioned in the non-legally binding *Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights*, security measures implemented by TNCs must comply with the laws of the host country and region where they operate.<sup>160</sup> This principle underscores the significance of region-specific legal instruments, such as the African Charter on the Rights and Welfare of the Child (ACRWC).<sup>161</sup> Adopted by the African Union (formerly the Organisation of African Unity) and entering into force in 1999, the ACRWC is the only regional legal framework globally that specifically addresses children’s rights. It is tailored to address the unique challenges and contexts within African nations, ensuring children on the continent receive comprehensive and culturally relevant protections, complementing the protections afforded by the UNCRC. The ACRWC incorporates several provisions relevant to corporate conduct, particularly in the context of large-scale projects such as EACOP.

<sup>158</sup> Erdem Türkelli, ‘Children’s Rights Obligations and Business’.

<sup>159</sup> Swace Digital, ‘Nothing About Us, Without Us’, Save the Children’s Resource Centre, accessed 27 June 2024.

<sup>160</sup> United Nations, ‘Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights’, 2003, Paragraph 4.

<sup>161</sup> African Union, ‘African Charter on the Rights and Welfare of the Child’, 1999, <https://au.int/en/treaties/african-charter-rights-and-welfare-child>.

Article 4(1) emphasises that the best interests of the child must be a primary consideration. For TotalEnergies, this implies prioritising children's welfare when assessing and mitigating the negative impacts of its activities, such as displacement, environmental degradation, or community disruption. Articles 5(1) and 5(2) stress the rights to survival and development, obligating corporations to ensure that children's basic needs, such as access to clean air, water and a safe environment, are not compromised. Proactively preventing environmental pollution and degradation is a crucial part of fulfilling this obligation. The Charter also focuses on the participatory rights of children. **Article 7**, which guarantees the right to freedom of expression, requires TotalEnergies to establish mechanisms that enable children and their families to voice concerns about the project, integrating their perspectives into the planning and implementation processes. The ACRWC also addresses fundamental socioeconomic rights. **Article 11**, which safeguards the right to education, stipulates that corporate activities must not interfere with children's access to schooling. This includes avoiding actions that could lead to school closures or unsafe conditions for students. **Article 14**, concerning health and health care, places an obligation on TotalEnergies to ensure that its operations do not harm children's physical or mental health, whether through pollution, hazardous working conditions, or other detrimental factors. The corporation should also consider investing in local healthcare infrastructure to mitigate potential harm and support affected communities.

In conclusion, TotalEnergies' adherence to the ACRWC is not merely a matter of ethical responsibility but also a strategic imperative for maintaining its **social license to operate** and fostering sustainable development in the region. Compliance with the Charter would signal a commitment to upholding regional and international human rights standards, addressing the unique vulnerabilities of children and mitigating potential social and environmental risks associated with its operations. This approach not only fulfils legal and moral obligations but also strengthens community trust and promotes long-term developmental benefits in host regions.

### 3.4 EACOP's compliance commitments

The UNGPs, along with the United Nations Global Compact Principles, the OECD Guidelines for Multinational Enterprises, the eight ILO Conventions and the Voluntary Principles on Security and Human Rights, are the provisions declared to be implemented by TotalEnergies in the Human Rights policy paper. The following paragraph will focus on interpreting these texts from a child-rights perspective to determine their compatibility with or ability to fulfil a child-sensitive approach in the EACOP project. This analysis will also address the broader issue of integrating child rights as an independent concern. As previously mentioned, the ILO conventions and the Global Compact are excluded from this analysis, as the Global Compact omit principles specifically addressing children's rights.

#### 3.4.1 United Nations Guiding Principles on Business and Human Rights

The United Nations Guiding Principles on Business and Human Rights (UNGPs), drafted by J. Ruggie and a special working group endorsed by the UN Human Rights Council in 2011, set a global standard for preventing and addressing human rights abuses linked to business activities. The framework is based on three pillars: the state duty to protect human rights, the corporate responsibility to respect human rights and access to remedy for victims of business-related abuses. The first pillar requires states to protect against human rights abuses by enforcing laws and policies that ensure businesses respect human rights. The second pillar requires businesses to avoid infringing on human rights and address any adverse impacts. This includes having a policy commitment, conducting human rights due diligence and providing or cooperating in remediation processes. The third pillar emphasises the need for effective judicial and non-judicial mechanisms to ensure that those affected by business-related human rights abuses can seek and obtain remedies. Continuous assessment, adaptation of practices and collaboration among states, businesses and civil society are crucial for implementing the UNGPs effectively. While the UNGPs see states as duty bearers, a specific duty is envisioned for businesses to adhere to all relevant international laws and meet societal expectations by not violating the human rights of others, along with the necessity of providing effective

remedies for any breaches of these obligations.<sup>162</sup> This responsibility is based on the requirement to ‘do no harm’. To do so, the corporation should implement appropriate policies and processes (Principle 13), conduct human rights due diligence throughout all levels of their supply chain (Principle 15), perform human rights impact assessments (Principles 16 and 17), monitor performance (Principle 18) and offer remediation (Principle 20). This document barely mentions children’s rights. The UNGPs emphasise that businesses have an increased responsibility in their policies and actions towards ‘individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalised’, which implicitly includes children.<sup>163</sup> It is acknowledged that these individuals may need special consideration in the implementation of the UNGPs, necessitating the adoption of additional standards. Potentially, some provisions could include children, but the instrument does not specifically provide a distinct analysis for this demographic compared to others.

The omission of any UNCRC mention from the UNGPs may be the cause of the shortcoming in citing this convention in the EACOP’s HRIA, as previously said, and in being taken into account in business conduct more broadly. This confirms that when the focus of corporate due diligence is mainly on adults, child rights issues are very likely to be overlooked.<sup>164</sup> In these provisions, children should be seen as different stakeholders in the project. This is not only the guiding idea behind this research, but UNICEF has worked for many years to implement a framework that regards children exclusively in business activities, known as the Children’s Rights Business Principles, which will be analysed later.

### 3.4.2 OECD Guidelines for Multinational Enterprises

The OECD Guidelines for Multinational Enterprises, adopted in 1976 and revised in 2011 and 2023, are recommendations from governments to businesses, promoting responsible conduct in human rights, labour, environment, anti-corruption, and consumer protection. The OECD Guidelines include several provisions that explicitly mention children, focusing primarily on the prohibition of child labour. Chapter II on General Policies, Par-

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<sup>162</sup> United Nations, ‘Guiding Principles on Business and Human Rights’, 2011.

<sup>163</sup> *ibid.*, 1.

<sup>164</sup> UNICEF, ‘The New EU Supply Chain Act Protects Child Rights’, 2024.

agraph A(2) emphasises that enterprises should respect internationally recognised human rights; however, the UNCRC is not explicitly mentioned. Chapter IV, which addresses Human Rights, underscores the necessity for enterprises to consider vulnerable groups, such as children, in their human rights due diligence processes and claims that ‘enterprises can have an impact on virtually the entire spectrum of internationally recognised human rights’ and that ‘some human rights may be at greater risk than others in particular industries or contexts and therefore will be the focus of heightened attention’.<sup>165</sup> Additionally, Chapter V on Employment and Industrial Relations, particularly Paragraph 1(c) and the commentary on this paragraph, clearly state that enterprises should contribute to the effective abolition of child labour. Furthermore, in Chapter VIII on consumer interests, children are acknowledged to be an increasingly relevant demographic in the market as consumers, thereby becoming ‘forces in the market’.<sup>166</sup> This claim is not relevant for the scoping of the EACOP project. However, it is significant that if the guidelines recognise children as forces in the market, they should also consider them stakeholders, meaning attributing to them a special procedure for assessing compliance with their rights, through due diligence, and remedies allocations. Another important element is that Chapter IX of the Guidelines conceives children as ‘independent agents in the digital world’, to whom specific due diligence and protection should be reserved, with their best interests taken as a primary consideration. This provision, which recognises children as stakeholders, could serve as a foundational element to be expanded to other situations where child rights mainstreaming is still lacking. These Guidelines collectively highlight the importance of safeguarding children’s rights in various aspects of TNCs’ operations, ensuring that children are not exposed to exploitation or harmful practices and claim that businesses need to consider supplementary standards when children’s rights are at stake. This suggests that an adequate consideration of these non-binding principles, as declared by Total, would entail conducting specific assessments on children, which are currently lacking in the EACOP’s human rights protection framework. It is relevant to highlight that OECD has re-

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<sup>165</sup> OECD, *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct* (Paris: Organization for Economic Co-operation and Development, 2023); Erdem Türkelli, ‘Children’s Rights Obligations and Business’.

<sup>166</sup> *ibid.*, 44.

cently developed various annexes to the Guidelines: one is particularly relevant for EACOP, namely the *OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector*.<sup>167</sup> These recommendations provide an assessment framework for evaluating stakeholder engagement and offer targeted advice for groups such as indigenous peoples, women, workers, and small-scale miners. It recommends integrating stakeholder engagement due diligence into project planning and operations by sharing decision-making power, ensuring ongoing stakeholder-driven consultation and prioritising engagement with the most severely affected stakeholders. Children are absent from this framework and are not recognised as stakeholders. This could be addressed through implementation. Overall, while the Guidelines demonstrate a commitment to children's rights, they do not comprehensively address all potential impacts or fully acknowledge the barriers businesses may pose to rights such as education and adequate standards of living. Like other instruments, they do not explicitly reference the UNCRC as a foundational framework. Nevertheless, these principles show a consistent interest in children's rights that extends beyond addressing child labour alone.

### 3.4.3 Voluntary Principles on Security and Human Rights

The Voluntary Principles on Security and Human Rights are a set of guidelines developed in 2000, by governments, multinational corporations and NGOs. They aim to ensure that security forces employed by companies respect human rights in their operations, particularly in regions prone to conflict or instability. However, these principles do not specifically mention children as a distinct demographic within their framework. While this chapter aims to emphasise that compliance with children's rights should not be seen purely as a voluntary endeavour, it also underlines the importance of soft law and voluntary mechanisms that recognise children's rights. These mechanisms play a crucial role in mainstreaming child rights and fostering a child-welfare-based approach in business projects.

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<sup>167</sup> OECD, 'Recommendation of the Council on the Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector', 2024.

### 3.5 Future compliance opportunities

The following section outlines specific hard and soft laws and instruments that corporations can adopt to implement a child rights diligence approach. So far, the instruments that Total committed to in their statements have been examined. However, these instruments have not been fully complied with when it comes to children's rights. The following are additional instruments that TotalEnergies has not taken into consideration, which, if integrated into business practices, could make them more sensitive to children's rights. Regarding the *Draft legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises*, Total could not yet legally commit to it because it is still in the drafting process and it sets standards for States; nonetheless, there are provisions that corporations could adopt.

Instead, regarding the *Corporate Sustainability Due Diligence Directive*, Total will have to comply with it once this legislation is transposed in the French legal framework. Nonetheless, France has been a pioneer in the field; it was the first State in the world, in 2017, to adopt the 'Law on the Duty of Vigilance of Parent and Instructing Companies', which will be analysed from a child-rights perspective at the end of this chapter.<sup>168</sup>

#### 3.5.1 Children's Rights and Business Principle

The Children's Rights and Business Principles (CRBPs), launched in March 2012 by UNICEF, the UN Global Compact and Save the Children, provide a framework for businesses to respect and support children's rights in their operations, supply chains and communities.<sup>169</sup> These principles were developed with input from children's rights advocates, NGOs, experts and directly from children themselves. More than 400 children were involved in the development of the instrument through consultations ensured by the Child Participation Strategy. These ten principles cover various aspects of business activity, addressing the impact of business on children in different areas. Relevant elements for the EA-COP project include eliminating child labour and ensuring busi-

<sup>168</sup> « Loi relative au devoir de vigilance des sociétés mères et des entreprises donneuses d'ordre ».

<sup>169</sup> UNICEF, The Global Compact, and Save the Children, 'Children's Rights and Business Principles', 2012.

ness operations do not contribute to the exploitation of children (Principle 2). This principle is crucial for preventing child labour and protecting children's well-being. Additionally, the principles emphasise the incorporation of child rights into business policies and management processes (Principle 1). This integration ensures that child rights are considered at the core of business operations, promoting ethical practices. Environmental and land use policies must also consider children's rights and impacts (Principle 5), highlighting the importance of safeguarding children's interests in environmental and land acquisition activities. Children affected by business operations must have access to child-friendly grievance mechanisms and remediation (Principle 8). This provision ensures that children can express their concerns and receive suitable support when their rights are compromised. The CRBPs encourage businesses to integrate children's rights considerations into their policies and practices, aiming to create positive impacts on children's well-being and development. They particularly align with the legal interpretation that inform this research, namely the idea that corporations must also observe the duty to protect, respect, and fulfil. However, one of the drawbacks of these principles is that the obligations rely on voluntary actions, as other instruments analysed before. While this is a step forward, the protection of children's rights should encompass policy commitments, due diligence and remediations as an obligatory compliance matter. Nevertheless, this document serves as a cornerstone within the voluntary framework that Total should adopt in its human rights policy.

### **3.5.2 Draft legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises**

In September 2013, at the 24th Session of the United Nations Human Rights Council, the Government of Ecuador proposed an internationally binding instrument on business and human rights. It was approved at the 26th session of the Human Rights Council in 2014. A special Working Group was established to draft the so-called Zero Draft in 2018, with two revised versions in 2019 and 2023. Another Draft was released in April 2024. The purpose of this instrument would be to 'clarify and facilitate effective implementation of the obligation of States to respect, protect, fulfil and promote human rights in the context of business activities,

particularly those of transnational character'. It would be the first global, legally binding instrument applicable to TNCs, mandating obligatory human rights responsibilities and ensuring that victims have effective access to justice and remedies.<sup>170</sup> A child-sensitive reading of the document must acknowledge that in the Preamble, there is a clear recognition that business activities must take the 'best interest of the child as a primary consideration', one of the four fundamental principles of the UNCRC enshrined in Article 3, as well as comply to 'child-sensitive' procedures at all levels. Additionally, it must be respected when seeking remedies for violations of children's rights. Moreover, this instrument explicitly recognises a 'distinctive and disproportionate' impact of business-related human rights abuses on children. It claims the need for 'a business and human rights perspective that considers specific circumstances and vulnerabilities of different rights-holders and the structural obstacles for obtaining remedies for these persons'.<sup>171</sup> Article 2(d) recognises the need to guarantee that victims of human rights abuse stemming from business activities have access to child-sensitive and victim-centred justice, as well as to provide effective, adequate and timely remedies. Article 4 establishes the rights of victims, including children. Specifically, Article 4(f) ensures that victims of human rights abuses shall be guaranteed access to information in relevant languages and accessible formats for both adults and children, including those with disabilities. This provision is crucial for respecting children's human rights. As emphasised in Chapter 2, information must be delivered to children in a child-friendly manner.

Children have often been overlooked in HRIA and HRDD processes by TotalEnergies, except in the context of child labour, and have not been guaranteed the right to participate in consultations. Therefore, a legally binding instrument that mandates access to information, as outlined in Article 13 of the UNCRC, is essential for advancing the mainstreaming of child rights. Another relevant provision guarantees victims adequate, timely and effective access to remedies with 'accessible formats to adults and children alike'. Additionally, the instruments provide that States Parties shall establish an International Fund for Victims, taking into account the

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<sup>170</sup> 'Draft Legally Binding Instrument to Regulate, in International Human Rights Law, the Activities of Transnational Corporations and Other Business Enterprises', 2023,

<sup>171</sup> *ibid*, 14.

additional barriers faced by children.<sup>172</sup> Overall, this instrument demonstrates a relatively strong interest in children’s rights and highlights elements, such as the right to child-friendly information and remedies, that have not been emphasised by any other document considered so far, except the UNCRC. In summary, the draft legally binding instrument provides a comprehensive framework for integrating children’s rights considerations into the core practices of TNCs.

### 3.5.3 European Union Corporate Sustainability Due Diligence Directive

The European Union Corporate Sustainability Due Diligence Directive (CSDDD), adopted by the European Parliament on 24 April 2024 and the European Council in May 2024, introduces obligations for large companies in the EU concerning human rights and environmental standards across their operations.<sup>173</sup> These obligations extend to companies’ subsidiaries and partners throughout their supply chains<sup>174</sup>. EU Member States are required to transpose the Directive into national law within two years. This Directive is a crucial legislative tool for corporate transition to a sustainable economy while integrating risk-based human rights and environmental due diligence.

The purpose of the Directive is to establish and maintain notification mechanisms and complaint procedures, to monitor the effectiveness of due diligence policies and measures and to communicate due diligence efforts publicly. Combatting climate change is also a strong focus of the Directive through the adoption and implementation of climate mitigation transition plans aimed at aligning with the goals of the Paris Agreement, which seeks to limit global warming to 1.5°C. Particularly relevant to the

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<sup>172</sup> The urgent need for a child-centred Loss and Damage Fund, March 13, 2024 <<https://www.unicef.org/blog/urgent-need-child-centred-loss-and-damage-fund>> access on 27 June 2025

<sup>173</sup> The directive will apply depending on the size of the companies following this timeline:

- 3 years from the entry into force of the directive for companies with more than 5000 employees and €1500 million turnover;
- 4 years from the entry into force for companies with more than 3000 employees and €900 million turnover;
- 5 years from the entry into force of the directive for companies with more than 1000 employees and €450 million turnover.

<sup>174</sup> As of July 2025, with the introduction of the Omnibus I proposal, the scope of the CSDDD may be limited to direct subsidiaries, rather than covering the entire supply chain.

extractive sector and EACOP is the explicit comment made on exposure to coal, oil, and gas activities, which are recalled as having targets reducing greenhouse gas emissions by 2030.<sup>175</sup> The final text of the CSDDD explicitly references the UNCRC. It underscores corporate duty towards various child rights, emphasising the prohibition of child labour, the best interests of the child, the right to health, access to education, adequate living conditions and protection from economic exploitation, sexual abuse, abduction and trafficking. The Directive acknowledges that the working conditions of parents, including discussions on living wages and fair working conditions, have a direct impact on children's lives and development.<sup>176</sup> Nonetheless, it is not as comprehensive as UNICEF requires in the demands it has put forward and advocated for over the years. Indeed, even if the CSDDD does not explicitly recognise children as independent and separate rights holders and stakeholders to avoid the continued disregard of adverse child rights impacts in business due diligence processes, some steps forward have been taken. To ensure that children can access legal remedies in case of abuses, the Directive sets certain standards; however, it does not specifically address the right to be informed and to have access to child-friendly material, nor does it outline the duty to establish child-friendly grievance mechanisms, as was the case for with the Draft Legally Binding Instrument.<sup>177</sup>

### 3.6 National compliance duty to total energies: French due diligence law

France's pioneering Law No. 2017–399 of March 27, 2017, on the corporate duty of vigilance for parent and instructing companies has closely inspired the CSDDD and the Draft International Legally Binding instrument. The French Due Diligence Law, also known as the 'Loi de Vigilance', requires that companies established in France with at least 5,000 employees domestically or 10,000 employees worldwide to establish and implement a vigi-

<sup>175</sup> 'Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on Corporate Sustainability Due Diligence and Amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859 Text with EEA Relevance.' (2024), <<http://data.europa.eu/eli/dir/2024/1760/oj/eng>> access on 5 July 2024

<sup>176</sup> 'The New EU Supply Chain Act Protects Child Rights.'

<sup>177</sup> UNICEF, 'An EU Corporate Sustainability Due Diligence Directive That Works for Children UNICEF Comments on the European Commission Proposal'.

lance plan. This plan includes measures to identify and prevent serious harm to human rights, individual health and safety and the environment resulting from the activities of the parent company, its subsidiaries, subcontractors and suppliers with established commercial relationships. The plan should be developed in consultation with relevant stakeholders and made public. It must include risk assessments, continuous evaluation of supply chain relations, risk mitigation measures, alert mechanisms for emerging risks and follow-up systems to assess effectiveness. Failure to comply with these obligations results in sanctions.

A child-sensitive reading of this Law appears to be challenging; indeed, while the French Law is beneficial to the upholding of human rights, it does not foresee the protection of children specifically, and it does not explicitly mention ‘children’ in the text. This Law has been the one that enabled Friends of the Earth France, in collaboration with Survie and four Ugandan NGOs (AFIEGO, CRED, NAPE/Amis de la Terre Ouganda and NAVODA), to file a lawsuit against TotalEnergies in 2019, and a second one in July 2023. Additionally, fourteen local authorities and NGOs, including Notre Affaire à Tous, Sherpa, France Nature Environnement, Eco Maires and ZEA, are suing TotalEnergies in France to compel the company to reduce its greenhouse gas emissions drastically. The city of New York and Amnesty International joined the legal action on September 21st, 2022. This marks the first lawsuit in France aimed at pressuring a multinational oil company to increase its climate ambitions. In October 2018, the same group of applicants challenged TotalEnergies for omitting references to climate change in its first vigilance plan, as envisioned under the French Law on the Duty of Vigilance. On June 18 2024, the Paris Court of Appeal declared the case admissible, paving the way for a debate on the measures TotalEnergies must adopt to reduce its greenhouse gas emissions. The importance of this Law in keeping corporations accountable is evident. However, from a children rights perspective, no specific provisions are envisioned. The fact that children are still omitted from being cited in substantive law highlights the need to grow the consensus on mainstreaming children’s rights.

### 3.7 Conclusion

In conclusion, as the former High Commissioner for Human Rights, Michelle Bachelet, said in her opening statement to the 50th session of the Human Rights Council, ‘We cannot fix what we cannot see’, in the same way, we cannot protect children’s rights if we do not discuss them.<sup>178</sup> This analysis aimed to explore the most far-reaching instruments available to enhance child protection and engagement by TNCs. The result is that, if adopted, the Draft Legally Binding Instrument, even if not perfect, would be the most complete instrument to envision children as rights-holders and stakeholders. When translated into national legislation, the CSDDD serves as an additional guarantee of children’s rights protection, albeit not particularly far-reaching in terms of promoting children’s participation and engagement. Regarding the soft law analysed, the OECD Guidelines and the Children’s Rights Business Principles are comprehensive tools that TotalEnergies should fully comply with. To ensure comprehensive protection, it is essential to strengthen both hard law (binding legal obligations) and soft law (non-binding guidelines) with specific child-sensitive procedures. This approach must extend beyond mere commitments to eliminating child labour, although this remains a high priority. Currently, international and national child advocacy groups, along with NGOs, are urging an end to projects that harm children, both for their immediate protection and in the context of the ongoing climate crisis. Embracing a multi-step, child-sensitive process should be a priority. To achieve this, it has been necessary to analyse both the strengths and weaknesses of the existing legal framework. The following chapter will provide recommendations and suggestions for embedding a child-sensitive approach in business conduct. While aligning corporate practices with respect, protect and fulfil principles may seem disadvantageous to profit-driven interests, we are at a pivotal moment where the duty to avoid repeating past wrongdoings is fundamental. It is necessary to reduce oil and gas investments and implement a de-colonial approach to ongoing projects. As a minimum, companies must adhere to international legal frameworks, conduct due diligence for all vulnerable groups and provide compensation.

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<sup>178</sup> ‘Oral Update on Global Human Rights Developments and the Activities of the UN Human Rights Office’, OHCHR, 2022.

In Chapter 1, the analysis explored how the neoliberal promise of a global welfare economy often overlooks the inherent injustices of the free market, particularly in contexts like oil extraction projects in the Global South. This oversight can lead to alienation and undermine human dignity, highlighting a critical need for decolonial thinking. Understanding the structures of domination over resources such as oil becomes pivotal in recognising their disproportionate impact on millions of children, especially in vulnerable regions. This chapter argues for a transformative change in corporate behaviour, emphasising that child rights principles should be integrated as an essential obligation rather than an optional decision.

Chapter 2 continued this discourse by stressing the importance of integrating children's rights into corporate practices. Moreover, the systematic examination in Chapter 2 provided empirical evidence of inadequate consideration given to children in discussions and decision-making processes related to such oil projects. This evidence reinforces the argument for a more rigorous and comprehensive approach to safeguarding children's rights within business operations, echoing international legal standards and ethical imperatives. Building upon these insights, Chapter 3 addressed the limitations of current voluntary measures in protecting children's rights by TNCs and advocated for the strengthening of both binding legal frameworks and non-binding guidelines, accompanied by robust, child-sensitive procedures. The chapter highlighted the escalating trend of social and climate litigation concerning children's rights, underscoring the pressing need for corporations to adopt more rigorous child due diligence processes. This holistic approach is crucial, particularly in sectors like oil extraction, where children bear disproportionate environmental and social burdens. Collectively, these chapters highlight the need for a transformative shift in corporate culture toward greater accountability and proactive protection of children's rights, which is essential for mitigating harm and fostering sustainable development globally.

Chapter 4 introduces a novel conceptualisation of the relationship between corporations and children's rights, proposing that respecting children's rights principles requires implementing preventive, participatory schemes, as well as monitoring and due diligence mechanisms tailored to children. In conclusion, the thesis offers methodological recommendations to address AFIE-

GO's request, aiming to innovate ways to enhance children's access to justice and ensure the fulfilment of their rights, particularly in contexts where they face injustice, such as the EACOP.

The thesis not only stresses the integration of children's rights into business due diligence but also aims to demonstrate the increasing benefits for corporations that adopt mandatory frameworks, including the incorporation of children's rights assessments. Globally, rising litigation against corporations signals significant financial and reputational risks, exemplified by the suspension of the EACOP project due to global pressure. Such scenarios underscore the urgency for corporations to engage responsibly to mitigate risks effectively. Grounding on ongoing injustices and violations of children's social and environmental rights, like those seen in EACOP, it remains a compelling imperative to halt such practices, especially for the sake of children. Children are disproportionately affected yet remain underrepresented in international dialogues concerning fossil fuels. They are actively advocating for climate and social justice in global arenas, from the streets to courtrooms. Consequently, this thesis is a call for greater righteousness and vigilance towards current and future generations of children. Decisions made today will have a profound impact on future generations who lack political representation in decision-making processes. Therefore, adopting a child-rights approach to such decisions is both justified and necessary, framing corporate culture not as a voluntary change but as a legal and moral obligation owed to children and youth to prevent the recurrence of violations.

## 4. Children as Right-holders and Stakeholders

This study has found that oil projects expose children to multiple risks, many of which threaten or undermine their fundamental rights. As emphasised by the African Committee of Experts on the Rights and Welfare of the Child, the oil sector poses distinct risks that demand targeted measures.<sup>179</sup> In the case of the EACOP project, it is evident that various direct and indirect risks inherent to the oil sector disproportionately affect children's rights and welfare, unlike other business sectors. Particularly, oil extraction and transportation can lead to significant environmental pollution, including oil spills as well as air and water pollution.<sup>180</sup> This contamination can result in serious health problems for children, such as respiratory issues, skin diseases and other long-term health impacts.<sup>181</sup> Children living near oil operations are exposed to harmful chemicals and pollutants that can lead to acute and chronic health issues, including developmental disorders and increased mortality rates.<sup>182</sup> Economic pressures and environmental degradation caused by the oil industry can force chil-

<sup>179</sup> African Committee of Experts on the Rights and Welfare of the Child, 'Study on Children's Rights and Business', 2023.

<sup>180</sup> Frederica P Perera, 'Multiple Threats to Child Health from Fossil Fuel Combustion: Impacts of Air Pollution and Climate Change', *Environmental Health Perspectives* 125, no 2 (February 2017): 141–48.

<sup>181</sup> Best Ordinioha and Seiyefa Brisibe, 'The Human Health Implications of Crude Oil Spills in the Niger Delta, Nigeria : An Interpretation of Published Studies', *Nigerian Medical Journal : Journal of the Nigeria Medical Association* 54, no 1 (2013) : 10–16; Jill E Johnston, Esther Lim, and Hannah Roh, 'Impact of Upstream Oil Extraction and Environmental Public Health: A Review of the Evidence', *The Science of the Total Environment* 657 (20 March 2019): 187–99. The Science of the Total Environment} 657 (20 March 2019)

<sup>182</sup> Cassandra J Clark et al, 'Unconventional Oil and Gas Development Exposure and Risk of Childhood Acute Lymphoblastic Leukemia: A Case–Control Study in Pennsylvania, 2009–2017', *Environmental Health Perspectives* 130, no 8 (August 2022): 087001.

dren out of school to work or due to displacement.<sup>183</sup> Additionally, the presence of oil operations can lead to reduced investment in local infrastructure, including schools. The oil sector, as seen for TotalEnergies in the Land Acquisition Process and the Resettlement Plan, can lead to the displacement of communities, forcing families to leave their homes and disrupting social structures, children’s lives, education and access to healthcare and other essential services.<sup>184</sup> Areas rich in oil resources can become hotspots for conflict and violence. Children in these areas may be at risk of physical harm and various forms of exploitation, including sexual exploitation.<sup>185</sup> The oil sector can negatively impact traditional livelihoods, such as farming and fishing, due to land degradation and water pollution, which can push families into poverty and affect children’s nutrition, health and overall welfare.<sup>186</sup> These issues arose in Chapter 2 and formed a chain of risks exacerbated by inadequate regulations addressing children’s vulnerabilities. Chapter 3’s framework outlines existing and future legal measures to enhance the protection of children’s rights and their involvement as stakeholders in oil projects. Recommendations will be made to implement a child-welfare-based approach to the EA-COP. Children are generally considered to be independent rights holders in their own rights, including in business activities.<sup>187</sup> There are legally binding instruments to guarantee their rights, as well as soft law, which were presented in Chapter 3. Nonetheless, as trade and investment propel the African economy forward, the informal sector, predominantly inhabited by women and children, unfortunately, witnesses significant children’s rights abuses perpetrated by corporate entities.<sup>188</sup> For this reason, the following reflection aims to provide recommendations to corporations on what it means to ‘possess rights’. According to Türkelli’s work, holding rights means:

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<sup>183</sup> Augusta C Nkem et al, ‘The Impact of Oil Industry-Related Social Exclusion on Community Wellbeing and Health in African Countries’, *Frontiers in Public Health* 10 (19 October 2022). [Frontiers in Public Health](#) 10 (19 October 2022)

<sup>184</sup> CNOOC Uganda Ltd, Total E&P Uganda B.V., and Tullow Uganda Operations Pty Limited, ‘Land Acquisition and Resettlement Framework Petroleum Development and Production in the Albertine Graben’, 2016.

<sup>185</sup> UNICEF, ‘Oil and Gas Scoping Study: UNICEF Extractive Pilot’, 2015.

<sup>186</sup> Simone Datzberger et al, ‘How Do Climate Change and Environmental Degradation Contribute to Violence against Children?’ (OSF, 7 July 2023).

<sup>187</sup> Roberta Bosisio and Paola Ronfani, ‘Children as Rights Holders’, *Revue Des Sciences Sociales*, no 63 (15 June 2020): 28–35.

<sup>188</sup> African Committee of Experts on the Rights and Welfare of the Child, ‘Study on Children’s Rights and Business’, 2023, 4.

The possibility to exercise agency and the entitlement to protection of one's interests. (...) For choice theory, the capacity to exercise rights is a sine qua non of possessing them, for interest theory the lack of capacity warrants the protection of one's interests.<sup>189</sup>

Firstly, theory emphasises that possessing rights is fundamentally about the ability to exercise them autonomously. Children, despite their developmental stage, possess inherent rights that should be recognised and respected. Denying children the status of rights-holders based on perceived immaturity contradicts the principle that rights derive from human dignity rather than age-based criteria. Furthermore, research indicates that children are capable of meaningful participation in decision-making processes when provided with appropriate support and opportunities, challenging stereotypes of their incapacity. The notion that children lack the cognitive or emotional maturity to contribute meaningfully to decision-making is increasingly challenged by empirical evidence. Studies show that involving children in decisions that affect them promotes their sense of agency, self-esteem and civic engagement.<sup>190</sup> Furthermore, excluding children from public debates deprives society of diverse perspectives and insights that children can offer, particularly on issues directly affecting their lives and futures. Interest theory also supports the inclusion of children as rights-holders by emphasising the protection of their interests. Even if children may not fully exercise their rights independently, their interests in areas such as education, healthcare and family relationships must be safeguarded. Excluding children from decision-making processes based on assumptions of immaturity undermines their well-being and fails to consider their perspectives and needs. Moreover, denying children a voice perpetuates unjust restrictions and reinforces paternalistic attitudes that undermine their rights and autonomy. Recognising children as rights-holders and including them in decision-making processes not only respects their dignity but also promotes a more inclusive and just society. It acknowledges their evolving capacities and fosters their development into active and responsible citizens. For these reasons, children have interests and rights that

<sup>189</sup> Erdem Türkelli, 'Children's Rights Obligations and Business', 10.

<sup>190</sup> *ibid*, 24.

need to be protected and, therefore, they are independent stakeholders, as declared in the Children's Rights and Business Principles. This Chapter suggests four strategies through which children can be granted stakeholder status and provides some recommendations on how to achieve this.

#### 4.1 Agency and participation in impact assessment

When individuals hold rights, they gain the agency to participate in decisions that affect them.<sup>191</sup> Participation ensures that voices are heard and considered in the decision-making process, making it a cornerstone of stakeholder engagement, as declared in the *OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector*. Under Article 12 of the UN-CRC, children have the right to be heard in legal or administrative proceedings, either directly or through a representative or an appropriate body. Similarly, Article 7 of the African Charter on the Rights and Welfare of the Child acknowledges children's right to freely express their opinions on all matters affecting them, taking into account their age and maturity. These provisions emphasise the importance of recognising children as active participants in decisions that affect their lives, promoting their agency and ensuring the respect of their perspectives according to their developmental stage. In the Children's Rights and Business Principles, these principles are articulated in Principle 3, which points out businesses' responsibility to respect and support children's right to express their views and ensure their voices are heard and considered in decision-making processes. The inclusion of a stronger emphasis on child participation approaches to companies' due diligence and actions to prevent, mitigate and bring negative impacts to an end.<sup>192</sup> Based on the analysis conducted on the EACOP project, several critical reflections emerged regarding the treatment of children's rights and their recognition as stakeholders. These reflections inform the following recommendations directed at corporations:

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<sup>191</sup> Save the Children, 'The Nine Basic Requirements for Meaningful and Ethical Children's Participation', 2021

<sup>192</sup> UNICEF, 'An EU Corporate Sustainability Due Diligence Directive That Works for Children UNICEF Comments on the European Commission Proposal'.

- Incorporate the UNCRC with other human rights instruments in the Human Rights Impact Assessment (HRIA) and policies, demonstrating commitment to children's rights
- Adopt the Children's Rights and Business Principles, ensure their full integration into business operations, and report regularly on implementation efforts
- Comply with regional instruments such as the African Charter on the Rights and Welfare of the Child
- Conduct specific Child Rights Impact Assessments, to prioritise children's health and well-being
- Expand the HRIA to include specific actions protecting children from risks like land acquisition and resettlement, ensuring their rights to education, health, living standards and protection from exploitation, as drafted in the Draft Legally Binding Instrument
- Ensure mentions of children and consideration of their rights in all relevant HRIA sections, such as freedom of association, health risk mitigation and the right to remedy
- Extend the comprehensive approach used for assessing risks of child labour and forced labour to all risks affecting children, ensuring a holistic protection framework
- Implement comprehensive training for senior management and other stakeholders on children's rights and business principles
- Address community concerns to comprehensively mitigate socio-economic impacts on children.
- Collaborate with government and other actors to implement initiatives that support education, health and other basic services for children in project-affected communities.

## 4.2 Consultation and due diligence

- Conduct Child Rights Due Diligence through four steps and report on each of them:
  - 01 — Identify potential risks to children's rights within operations, supply chains and business relationships, including environmental hazards and adverse product or service impacts.
  - 02 — Take measures to prevent adverse impacts on children's rights by implementing health and safety standards or designing safe products and services.
  - 03 — Mitigate potential impacts on children where risks cannot be eliminated by providing training and resources to suppliers or improving parents' working conditions.
  - 04 — Continuously monitor and report on the effectiveness of due diligence processes, ensure transparent data collection and report on the causes and effects of activities on children's rights and welfare.
  
- Consult with human rights experts, civil society organisations and affected communities on how to best engage with children and seek input from these groups to understand the full impact of their operations on children to develop effective strategies for respecting children's rights
  
- Involve children as stakeholders in the project by letting them address their specific needs in child-sensitive language and dialect of their community
  
- Include business risks to children in value chain assessments and sustainability reports

## 4.3 Monitoring

- Ensure living wages for parents and maternity leave for women, guarantee that their input shapes the project's monitoring, making it responsive to community needs and concerns, particularly for children

- Implement programs that educate children and their families on their rights and the potential impacts of the project to enable communities to advocate for rights and meaningfully engage with the project developers
- Conduct courses for the communities and child-friendly ones for children, on how to access justice to tackle and overcome the difficulty of exercising their rights
- Establish an independent and transparent monitoring body that oversees and reports on the project's adherence to national and international child rights standards through regular audits and evaluations.

#### 4.4 Remedies

When businesses cause or contribute to adverse impacts on children's rights, they have a responsibility to provide or cooperate in providing appropriate remediation. Remediation processes should be accessible, timely and effective in addressing the harm done to children. Key aspects of remediation include:

- Ensure adequate remedies, including compensation, are provided to those affected by business activities, maintaining ongoing engagement with impacted communities
- Set up internal non-judicial child-friendly grievance mechanisms within the company
- Acknowledge harm when business actions negatively impact children's rights by initiating effective remediation and rebuilding trust
- Implement remedial actions such as compensating affected children and families, providing medical or psychological support, and improving living and working conditions to prevent future harm.

- Collaborate with families, authorities and child rights organisations to ensure effective remediation aligned with children’s best interests
- Support efforts to provide legal assistance by the Government
- Commit to continuous improvement by learning from incidents to enhance due diligence processes and prevent future violations of children’s rights

By implementing robust due diligence and remediation processes, businesses can play a crucial role in safeguarding children’s rights and contributing to their overall well-being. This proactive approach not only helps protect children but also builds a positive reputation for businesses and fosters sustainable, ethical practices.

#### 4.5 Conclusion

Children are disproportionately affected by fossil fuel impacts, yet they remain marginalised in global discussions. Vulnerable to climate change and environmental and social degradation, they face compounded inequalities that disrupt their rights and well-being. Their plight highlights a critical gap in international discourse, where discussions on fossil fuels often overlook the unique vulnerabilities of young populations. In Chapter 1, the analysis explored how the neoliberal promise of a global welfare economy often overlooks the inherent injustices of the free market, particularly in contexts like oil extraction projects in the Global South. This oversight can lead to alienation and undermine human dignity, highlighting a critical need for decolonial thinking. Understanding the structures of domination over resources such as oil becomes pivotal in recognising their disproportionate impact on millions of children, especially in vulnerable regions. Embracing a decolonial perspective means recognising that the responsibility to uphold children’s rights extends beyond governments to include primary corporate stakeholders, who must conduct thorough assessments and take concrete actions, accordingly, as suggested in the final recommendations. Chapter 2 argues for a transformative change in corporate behav-

our, emphasising that integrating child rights principles should be considered an essential obligation rather than an optional decision. It exposes disparities between the concerns expressed by the communities and NGOs, and those expressed by EACOP and its stakeholders. The analysis highlights deficiencies in preventive measures and access to justice for children affected by EACOP, where grievance mechanisms and remedies are lacking. Moreover, the systematic examination provides empirical evidence of inadequate consideration given to children in discussions and decision-making processes related to such projects. This evidence reinforces the argument for a more rigorous and comprehensive approach to safeguarding children's rights within business operations, echoing international legal standards and ethical imperatives. Indeed, comprehensive children's rights encompass not only their protection but also their right to express their views.

Upholding human dignity and fundamental rights involves two distinct perspectives: a 'passive' one, where children are protected from others and sometimes from themselves, and an 'active' one, where children actively participate and stand up for their rights. These perspectives are enshrined in the African Charter on the Rights and Welfare of the Child, in the United Nations Convention on the Rights of the Child and Article 24 of the EU Charter of Fundamental Rights.

Adopting such measures is not only essential for compliance with global standards but also pivotal for protecting the well-being and future of children impacted by projects like EACOP, as well as ensuring the project's sustainability without incurring strategic litigation cases, as most of the TNCs are exposed to. Indeed, globally, rising litigation against corporations signals significant financial and reputational risks, exemplified by the suspension of the EACOP project due to global pressure. Such scenarios underscore the urgency for corporations to engage responsibly to mitigate risks effectively. Building upon these insights, Chapter 3 addressed the limitations of the current legal framework for TNCs to comply with children's rights standards. It advocated for the strengthening of both binding legal frameworks and non-binding guidelines accompanied by robust, child-sensitive procedures. The chapter highlighted the escalating trend of social and climate litigation concerning children's rights, underscoring the pressing need for corporations to adopt more rigorous due diligence processes. This holistic approach is crucial, particularly in sectors like

oil extraction, where children bear disproportionate environmental and social burdens. Chapter 4 introduces a novel conceptualisation of the relationship between corporations and children's rights, proposing that respecting children's rights principles requires implementing preventive, participatory schemes, monitoring, and due diligence mechanisms tailored to the needs of children. The thesis provides methodological recommendations to address AFIEGO's request, aiming to innovate ways to enhance children's access to justice and advocate for the inclusion of children's perspectives in decisions that concern them, particularly those made by corporations like TotalEnergies. The collaboration with AFIEGO provided actionable recommendations aligned with AFIEGO's goals, advancing children's rights within EACOP.

Based on ongoing injustices, such as those seen in EACOP and globally, there remains a compelling imperative to call for greater righteousness and vigilance towards current and future generations to achieve social justice for affected communities and mitigate the impacts of climate change globally. Children are disproportionately affected yet remain underrepresented in international dialogues concerning fossil fuels. They are advocating for climate and social justice in global arenas, from the streets to courtrooms. Consequently, a radical shift in corporate culture, not merely as a voluntary change but as a moral obligation owed to children and youth, is imperative to prevent recurrence. The decision to address the knowledge gap on children in EACOP arises from the belief that it is essential to recognise children as active participants whose voices and concerns merit direct consideration in decision-making processes. This perspective aims to enhance the business world's diligence towards all the most pressing issues highlighted in Chapter 2, particularly the right to education, health and health services, and an adequate standard of living.

In conclusion, this research is the first one to focus specifically on the state of children in the EACOP and seeks to advocate for the inclusion of these standards in corporate's actions in Uganda, as well as initiate a broader discourse and promote greater awareness of the importance of considering children's rights in oil extraction activities





# Bibliography

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## Books and articles

- Al Tamimi Y, 'Law, Identity, and Emotions : A Sentimentalist Analysis of Human Rights'. European University Institute, 2021. <<https://doi.org/10.2870/868131>>.
- All-African Peoples' Conference, 'Resolution on Neocolonialism', 1:1–2. Cairo: : All-African People's Conference News Bulletin, 1961.
- Amin S, 'Underdevelopment and Dependence in Black Africa — Origins and Contemporary Forms'. *The Journal of Modern African Studies* 10, no. 4 (December 1972): 503–24. <https://doi.org/10.1017/S0022278X00022801>.
- Bassey N, 'The Guardians of Neocolonialism'. Presented at the Transnational Corporations, the World Bank and the Global Trade Architecture: Guardians of neocolonialism?, 16 September 2020.
- Boaventura de Sousa S, Meneses M. "Toward an Aesthetics of the Epistemologies of the South". In *Knowledges Born in the Struggle: Constructing the Epistemologies of the Global South*. Routledge, 2019.
- Boaventura De Sousa S, *Decolonizzare la storia. Oltre capitalismo, colonialismo e patriarcato*, 2023.
- Blocker G, 'African Philosophy'. *African Philosophical Inquiry* 1(2) (1987): 1–12.
- Bosisio R, and Ronfani P, 'Children as Rights Holders'. *Revue Des Sciences Sociales*, no. 63 (15 June 2020): 28–35. <https://doi.org/10.4000/revss.4767>.
- Capretti A, 'Growing Up in a World on Fire. Children Take Centre-Stage in the Strategic Climate Litigation Movement'. Global Campus Awarded Thesis, 2022.
- Chagnon C W, Durante F, Gills B K, Hagolani-Albov S E, Hokkanen S, Kangasluoma S M J, Konttinen H, et al. 'From Extractivism to Global Extractivism: The Evolution of an Organizing Concept'. *The Journal of Peasant Studies* 49, no. 4 (7 June 2022): 760–92. <https://doi.org/10.1080/03066150.2022.2069015>.
- Clark C J, Johnson N P, Soriano M, Warren J L, Sorrentino K M, Kadan-Lottick N S, Saiers J E, Ma X, and Deziel N C, 'Unconventional Oil and Gas Development Exposure and Risk of Childhood Acute Lymphoblastic Leukemia: A Case–Control Study in Pennsylvania, 2009–2017'. *Environmental Health Perspectives* 130, no. 8 (August 2022): 087001. <https://doi.org/10.1289/EHP11092>.
- Datzberger S, Howard-Merrill L, Kator Iorfa S, and Parkes J, 'How Do Climate Change and Environmental Degradation Contribute to Violence against Children?' OSF, 7 July 2023. <https://doi.org/10.31235/osf.io/zpxc8>.
- Doane D, and Holder A, 'Why Corporate Social Responsibility Is Failing Children', 2007.
- Erdem Türkelli, 'Children's Rights Obligations and Business'. In *Children's Rights and Business: Governing Obligations and Responsibility*, 3–126. Cambridge: Cambridge University Press, 2020. <https://doi.org/10.1017/9781108681841.001>.
- Fanon F, *Black Skin, White Masks*. New York: Grove Press, 1967.

- Feldner M, 'Representing the Neocolonial Destruction of the Niger Delta: Helon Habila's Oil on Water (2011)'. *Journal of Postcolonial Writing* 54, no. 4 (4 July 2018): 515–27. <https://doi.org/10.1080/17449855.2018.1451358>.
- Gibbons E D, 'Climate Change, Children's Rights, and the Pursuit of Intergenerational Climate Justice'. *Health and Human Rights* 16, no. 1 (14 June 2014): 19–31.
- Guerrero D, 'Colonialism, Climate Change and Climate Reparations'. *Global Justice Now*, 4 August 2023.
- Johnston J E, Lim E, and Roh H, 'Impact of Upstream Oil Extraction and Environmental Public Health: A Review of the Evidence'. *The Science of the Total Environment* 657 (20 March 2019): 187–99. <https://doi.org/10.1016/j.scitotenv.2018.11.483>.
- Karmakar G, 'Living with Extraction: Environmental Injustice, Slow Observation and the Decolonial Turn in the Niger Delta, Nigeria'. *International Social Science Journal* n/a, no. n/a (n.d.): 1–22. <https://doi.org/10.1111/issj.12480>.
- Llavero-Pasquina M, Navas G, Cantoni R, and Martínez-Alier J, 'The Political Ecology of Oil and Gas Corporations: TotalEnergies and Post-Colonial Exploitation to Concentrate Energy in Industrial Economies'. *Energy Research & Social Science* 109 (1 March 2024): 103434. <https://doi.org/10.1016/j.erss.2024.103434>.
- Mentan T, *Africa in the Colonial Ages of Empire: Slavery, Capitalism, Racism, Colonialism, Decolonization, Independence as Recolonization*. African Books Collective, 2017.
- Ngcamu B S, 'Climate Change Effects on Vulnerable Populations in the Global South: A Systematic Review'. *Natural Hazards* 118, no. 2 (1 September 2023): 977–91. <https://doi.org/10.1007/s11069-023-06070-2>.
- Nkem A C, Topp S M, Devine S, Wen L W, and Ogaji D S, 'The Impact of Oil Industry-Related Social Exclusion on Community Wellbeing and Health in African Countries'. *Frontiers in Public Health* 10 (19 October 2022). <https://doi.org/10.3389/fpubh.2022.858512>.
- Nkrumah K, *Neo-Colonialism: The Highest Stage of Imperialism*. London: Heinemann, 1965.
- Ogar J N, Nwoye L, and Akpan Bassey S, 'Archetype of Globalization: Illusory Comfort of Neo-Colonialism in Africa'. *International Journal of Humanities and Innovation* 2, no. 3 (2019): 90–95.
- Ogwang T, and Vanclay F, 'Cut-off and Forgotten?: Livelihood Disruption, Social Impacts and Food Insecurity Arising from the East African Crude Oil Pipeline'. *Energy Research & Social Science* 74 (1 April 2021): 101970. <https://doi.org/10.1016/j.erss.2021.101970>.
- Ordinioha B, and Brisibe S, 'The Human Health Implications of Crude Oil Spills in the Niger Delta, Nigeria: An Interpretation of Published Studies'. *Nigerian Medical Journal : Journal of the Nigerian Medical Association* 54, no. 1 (2013): 10–16. <https://doi.org/10.4103/0300-1652.108887>.
- Perera F P, 'Multiple Threats to Child Health from Fossil Fuel Combustion: Impacts of Air Pollution and Climate Change'. *Environmental Health Perspectives* 125, no. 2 (February 2017): 141–48. <https://doi.org/10.1289/EHP299>.
- Perera F, and Nadeau K, 'Climate Change, Fossil-Fuel Pollution, and Children's Health'. Edited by Caren G. Solomon and Renee N. Salas. *New England Journal of Medicine* 386, no. 24 (16 June 2022): 2303–14. <https://doi.org/10.1056/NEJMra2117706>.
- Perera F P, 'Children Are Likely to Suffer Most from Our Fossil Fuel Addiction'. *Environmental Health Perspectives* 116, no. 8 (August 2008): 987–90. <https://doi.org/10.1289/ehp.111173>.
- Rahaman S, Yeazdani R, and Mahmud R. 'The Untold History of Neocolonialism in Africa (1960-2011)'. *History Research* 5, no. 1 (March 2017): 9–16. <https://doi.org/10.11648/j.history.20170501.12>.
- Sanson A V, and El Burke S, eds. 'Climate Change and Children: An Issue of Intergenerational Justice'. In *Children and Peace: From Research to Action*, 343–62. Peace Psychology Book Series. Cham: Springer International Publishing, 2020. <https://doi.org/10.1007/978-3-030-22176-8>.
- Yeros P, and Jha P, 'Late Neo-Colonialism: Monopoly Capitalism in Permanent Crisis'. *Journal of Political Economy* 9, no. 1 (2020): 78–93. <https://doi.org/10.1177/2277976020917238>.

AFIEGO, 'Petition to Total and Other EACOP Project Developers to Safeguard People and Nature over the EACOP', 2020. <<https://www.afiego.org/downloads/petition-to-total-and-other-eacop-project-developers-to-safeguard-people-and-nature-over-the-eacop-09-november-2020>> accessed 19 March 2024.

AFIEGO, 'Petition to TotalEnergies to Address Emerging Grievances', 2023. <<https://www.afiego.org/downloads/eacop-company-eacop-paps-petition-to-totalenergies-to-address-emerging-grievances>> accessed 19 March 2024.

AFIEGO, 'Research Report on Impacts of Oil Refinery Project on the Affected Persons', 2020. <<https://www.afiego.org/wp-content/uploads/2024/03/AFIEGO-research-report-Impacts-of-oil-refinery-project-on-the-affected-people-1.pdf>> accessed 25 March 2025.

African Committee of Experts on the Rights and Welfare of the Child. 'Study on Children's Rights and Business', 2023.

AFIEGO, 'EACOP Impacted Wetlands in Uganda', July 2023.

AFIEGO, 'Research Report on Impacts of Oil Refinery Project on the Affected Persons', October 2020.

AFIEGO, 'Socio-Economic Impact of EACOP Resettlement Activities on the Project Affected Person', November 2023.

Amnesty International, 'Fatal Fuels Why Human Rights Protection Urgently Requires A Full And Equitable Fossil Fuel Phase Out', 2022.

BankTrack, 'The East African Crude Oil Pipeline: New Risk Developments', February 2024.

Bogrand, A, Brodeur C, Mbenna D, Akoli Atine J, Ayebare C, Twesigye B, and Sellwood S A, *Empty Promises Down the Line? A Human Rights Impact Assessment of the East African Crude Oil Pipeline*. Oxfam, 2020. <https://doi.org/10.21201/2020.6423>.

Child Rights Connect, 'Child Human Rights Defenders' <<https://childrightsconnect.org/children-human-rights-defenders-2/>> accessed 14 June 2024.

Climate Accountability Institute, 'EAST AFRICAN CRUDE OIL PIPELINE: A 379 MtCO2 "Carbon Bomb". Uganda, Tanzania, and the World's Climate Are Better off Leaving This Oil in the Ground', 2022. <<https://climateaccountability.org/wp-content/uploads/2022/10/EACOP-PR-27Oct22.pdf>> accessed 25 June 2024

Climate Change Litigation, 'Friends of the Earth et al. v. Total' <<https://climatecasechart.com/non-us-case/friends-of-the-earth-et-al-v-total/>> accessed 27 June 2024.

CNOOC Uganda Ltd, Total E&P Uganda B.V., and Tullow Uganda Operations Pty Limited, 'Land Acquisition and Resettlement Framework Petroleum Development and Production in the Albertine Graben', 2016.

'East African Crude Oil Pipeline Construction Hits New Milestone | Pipeline Technology Journal'. <<https://www.pipeline-journal.net/news/east-african-crude-oil-pipeline-construction-hits-new-milestone>> accessed 2 December 2024

'East African Crude Oil Pipeline Project Reaches 58% Completion - Energy in Africa', 7 May 2025. <<https://energyinfrica.com/news/east-african-crude-oil-pipeline-project-reaches-58-completion/>> accessed 26 June 2025.

European Parliament. Resolution on violations of human rights in Uganda and Tanzania linked to investments in fossil fuels projects (15 September 2022). <[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=oj:JOC\\_2023\\_125\\_R\\_0007](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=oj:JOC_2023_125_R_0007)> accessed 27 June 2025.

FIAN International, and Les Amis de la Terre France, 'Could a UN Treaty Make Transnational Corporations Accountable? The Case of Total's Tilenga and EACOP Oil Projects', October 2021.

Foundation for Human Rights Initiative. 'New Oil, Same Business? At a Crossroads to Avert Catastrophe in Uganda', September 2020.

Global Witness, 'Climate of Fear', December 2023. <<https://en/campaigns/environmental-activists/eacop/>> .

Human Rights Watch, “Our Trust Is Broken”. *Human Rights Watch*, 10 July 2023. <https://www.hrw.org/report/2023/07/10/our-trust-broken/loss-land-and-livelihoods-oil-development-uganda>.

Human Rights Watch, ‘Working on Oil Is Forbidden’: Crackdown against Environmental Defenders in Uganda. New York, N.Y.: Human Rights Watch, 2023.

Human Rights Watch, ‘Human Rights Watch Submission to the Special Rapporteur on the Situation of Human Rights Defenders Regarding Child and Youth Human Rights Defenders’, November 2023. <https://www.hrw.org/news/2023/11/13/submission-special-rapporteur-situation-human-rights-defenders>.

Intergovernmental Panel on Climate Change, ‘Sixth Assessment Report: “Climate Change 2022: Mitigation of Climate Change”’, 2022. <https://www.ipcc.ch/report/ar6/wg3/chapter/chapter-6/>.

Intergovernmental Panel on Climate Change, ‘Special Report on Carbon Dioxide Capture and Storage’, 2018.

Les Amis de la Terre France, and SURVIE, ‘EACOP A DISASTER IN THE MAKING - Research into Total’s Mega Pipeline Project in Tanzania’, 2022.

Lipsett L., Zandvliet L., Charles F., Church J., Gilles I., Kwesiga A., Laz K., Majenga A., and Reyes D., ‘PROVISIONAL HRIA REPORT’. *LKL International Consulting Inc.*, September 2018.

Netherlands Commission for Environmental Assessment, ‘Advisory Review of the Resubmitted Environmental and Social Impact Assessment for the East Africa Crude Oil Pipeline (EACOP)’, October 2020.

OHCHR, ‘Draft Legally Binding Instrument to Regulate, in International Human Rights Law, the Activities of Transnational Corporations and Other Business Enterprises’, 2023.

OECD, *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct*. Paris: Organisation for Economic Co-operation and Development, 2023. [https://www.oecd-ilibrary.org/finance-and-investment/oecd-guidelines-for-multinational-enterprises-on-responsible-business-conduct\\_81f92357-en](https://www.oecd-ilibrary.org/finance-and-investment/oecd-guidelines-for-multinational-enterprises-on-responsible-business-conduct_81f92357-en).

OECD ‘Recommendation of the Council on the Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector’, 2024. <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0427>.

Ruggie J, ‘Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, John Ruggie’, 2008. <<https://digitallibrary.un.org/record/705860?ln=en&v=pdf>> accessed 27 March 2024.

Save the Children, ‘The Nine Basic Requirements for Meaningful and Ethical Children’s Participation’, 2021. [https://resource-centre.savethechildren.net/pdf/basic\\_requirements-english-final.pdf](https://resource-centre.savethechildren.net/pdf/basic_requirements-english-final.pdf).

Save the Children, ‘Nothing About Us, Without Us’. Save the Children’s Resource Centre. <<https://resource-centre.savethechildren.net/document/nothing-about-us-without-us/>> accessed 27 June 2024

Total Energy, ‘Tilenga and EACOP, Two TotalEnergies’ Projects’, 2023. [https://totalenergies.com/system/files/documents/2022-12/Tilenga\\_EACOP\\_TotalEnergies\\_projects.pdf](https://totalenergies.com/system/files/documents/2022-12/Tilenga_EACOP_TotalEnergies_projects.pdf).

UNICEF, 'An EU Corporate Sustainability Due Diligence Directive That Works for Children UNICEF Comments on the European Commission Proposal', 2022.

UNICEF. 'Climate Justice: Loss and Damage Finance for Children', 2023.

UNICEF. 'Oil And Gas Scoping Study: UNICEF Extractive Pilot', 2015.

UNICEF. 'The Climate Crisis Is a Child Rights Crisis: Introducing the Children's Climate Risk Index', 2021.

UNICEF, The Global Compact, and Save the Children. 'Children's Rights and Business Principles', 2012. [https://d306pr3pise04h.cloudfront.net/docs/issues\\_doc%2Fhuman%2FCRBP%2FChildrens\\_Rights\\_and\\_Business\\_Principles.pdf](https://d306pr3pise04h.cloudfront.net/docs/issues_doc%2Fhuman%2FCRBP%2FChildrens_Rights_and_Business_Principles.pdf).

UNICEF, 'Time to Act: African Children in the Climate Change Spotlight | UNICEF Eastern and Southern Africa', <<https://www.unicef.org/esa/documents/time-to-act>> accessed 10 June 2024.

United Nations, 'Basic Principles and Guidelines on Development-Based Evictions and Displacement', n.d. [https://www.ohchr.org/Documents/Issues/Housing/Guidelines\\_en.pdf](https://www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf),.

United Nations, 'Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights', 2003. <http://hrlibrary.umn.edu/links/norms-Aug2003.html#>.

United Nations Environmental Program, 'Production Gap Report 2019', 15 June 2019. <http://www.unep.org/resources/report/production-gap-report-2019>.

United Nations General Assembly, 'A/RES/76/300: The Human Right to a Clean, Healthy and Sustainable Environment', 1 August 2022. <https://digitallibrary.un.org/record/3983329>.

---

## Legislation

African Union, 'African Charter on the Rights and Welfare of the Child', 1999.

Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859Text with EEA relevance. (2024).

'General Comment No. 14 (2013) on the Right of the Child to Have His or Her Best Interests Taken as a Primary Consideration (Art. 3, Para. 1) | Refworld'.

Republic of Uganda. 'Constitution of the Republic of Uganda', 1995.

United Nations, Convention on the Rights of the Child, Treaty Series 1577 § 3 (1989).

United Nations, 'Declaration on Human Rights Defenders'. OHCHR, 1998.

United Nations, 'Guiding Principles on Business and Human Rights', 2011.

United Nations Committee on the Rights of the Child. 'General Comment No. 16 (2013) on State Obligations Regarding the Impact of the Business Sector on Children's Rights', 2013.

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## Other Sources

Acosta A, 'Extractivism and Neextractivism: Two Sides of the Same Curse', <[https://www.tni.org/files/download/beyonddevelopment\\_extractivism.pdf](https://www.tni.org/files/download/beyonddevelopment_extractivism.pdf)> accessed 23 March 2024.

AfricaNews, 'Ugandan NGOs Launch New Legal Action against TotalEnergies'. AfricaNews, 27 June 2023. <<https://www.africanews.com/2023/06/27/ugandan-ngos-launch-new-legal-action-against-totalenergies/>> accessed 2 July 2024.

Amazon Frontlines. 'Ecuador Becomes the First Country in the World to Halt Oil Drilling Through Direct Climate Democracy'. Amazon Frontlines, 21 August 2023. <<https://amazon-frontlines.org/chronicles/ecuador-becomes-the-first-country-in-the-world-to-halt-oil-drilling-through-direct-climate-democracy/>> accessed 25 May 2025

BankTrack, 'Most of Europe's Largest 50 Banks Have Rejected EACOP Oil Pipeline', 21 November 2024. <[https://www.banktrack.org/article/most\\_of\\_europe\\_s\\_largest\\_50\\_banks\\_have\\_rejected\\_eacop\\_oil\\_pipeline\\_bank-track](https://www.banktrack.org/article/most_of_europe_s_largest_50_banks_have_rejected_eacop_oil_pipeline_bank-track)> accessed 29 November 2024.

BankTrack, 'StopEACOP Campaign Condemns Standard Bank's Decision to Fund EACOP', 2024. <[https://www.banktrack.org/article/stopeacop\\_campaign\\_condemns\\_standard\\_banks\\_decision\\_to\\_fund\\_eacop](https://www.banktrack.org/article/stopeacop_campaign_condemns_standard_banks_decision_to_fund_eacop)> accessed 11 July 2024.

Galey P, 'Message of Senior Investigator at Global Witness for the New Investigation of COP28 Fossil Fuels Deals.', 2024. <[https://en/press-releases/new-investigation-reveals-how-cop28-president-used-role-pursue-oil-and-gas-deals/](https://en.press-releases/new-investigation-reveals-how-cop28-president-used-role-pursue-oil-and-gas-deals/)> accessed 20 May 2024.

Greenpeace Africa. 'Clean Game, Dirty Money: TotalEnergies' Sportswashing in Africa Called out', January 2024. <<https://www.greenpeace.org/africa/en/blog/54718/clean-game-dirty-money-totalenergies-sportswashing-in-africa-called-out/>> accessed 24 May 2024.

OHCHR. 'Oral Update on Global Human Rights Developments and the Activities of the UN Human Rights Office', 2022. <<https://www.ohchr.org/en/statements/2022/06/oral-update-global-human-rights-developments-and-activities-un-human-rights>> accessed 17 June 2024.

Pouyanné P, 'TotalEnergies' Answer to the European Parliament'. TotalEnergies.com, 7 October 2022. <<https://totalenergies.com/media/news/press-releases/totalenergies-answer-european-parliament>> accessed 23 May 2024.

Roelf W, 'Uganda's \$5 Bln EACOP Pipeline Faces Difficult Debt Talks'. Reuters, 25 October 2024, sec. <Energy. <https://www.reuters.com/business/energy/ugandas-5-bln-eacop-pipeline-faces-difficult-debt-talks-2024-10-25/>> accessed 25 June 2025

The East African. 'China Loans Delay Plunges Eacop Partners in Crisis', 15 June 2024. <<https://www.theeastafrican.co.ke/tea/business/china-loans-delay-plunges-eacop-partners-in-crisis--4658878>> accessed 27 June 2025

'The New EU Supply Chain Act Protects Child Rights | Unicef.Ch', 31 May 2024. <<https://www.unicef.ch/en/current/news/2024-05-31/new-eu-supply-chain-act-protects-child-rights>> accessed 29 May 2024.

'UNSDG | COP28 Ends with Call to "Transition Away" from Fossil Fuels; UN Chief Says Phaseout Is Inevitable' <<https://unsdg.un.org/latest/stories/cop28-ends-call-transition-away-fossil-fuels-un-chief-says-phaseout-inevitable>> accessed 10 June 2024

United Nations, 'Secretary-General's Message on UNEP Production Gap Report Launch | United Nations Secretary-General', 2023. <<https://www.un.org/sg/en/content/sg/statement/2023-11-08/secretary-generals-message-unep-production-gap-report-launch#>> accessed 26 May 2025.





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## The present thesis - *Oil Extractivism and the Forgotten Rights of Children: A Mixed-Method Study of the East African Crude Oil Pipeline and Its Impacts on Children's Rights*

written by **Lucilla Viola** and supervised by Christophe Maubernard, Université de Montpellier - was submitted in partial fulfillment of the requirements for the European Master's Programme in Human Rights and Democratisation (EMA), coordinated by Global Campus Europe.

