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

His Excellency  
Mr. Heiko Maas  
Minister of Foreign Affairs  
Werderscher Markt 1  
10117 Berlin

17 August 2021

**Re: After 20 years of suffering, injustice and impunity, the Government of Germany must support the evictees due to Neumann Kaffee Gruppe in Uganda**

Your Excellency,

This letter is sent to His Excellency following the previous letter sent to you on 01 August 2019, to highlight once more the suffering, injustice and impunity of those evicted in Mubende district due to Kaweri Coffee Plantation Ltd., a subsidiary of the Hamburg based Neumann Kaffee Gruppe, in 2001. FIAN International, in collaboration with our national sections in Germany and Uganda have been supporting the evictees during the last 19 years to claim their rights and be able to live in dignity. FIAN is an organization with consultative status at the UN Economic and Social Council, promoting the realization of the right to food and nutrition worldwide. FIAN has also the observer status before the African Commission on Human and Peoples' Rights.

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

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



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

The eviction has resulted in human rights violations<sup>2</sup>, namely:

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

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

<sup>2</sup> FIAN Germany/FIAN International 2019,  
[https://www.fian.org/files/files/HR\\_violations\\_in\\_the\\_context\\_of\\_Kaweri\\_Coffee\\_Plantation\\_in\\_Mubende.pdf](https://www.fian.org/files/files/HR_violations_in_the_context_of_Kaweri_Coffee_Plantation_in_Mubende.pdf)



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

Germany is a State Party to the Convention on the Elimination of All Forms of Discrimination against Women<sup>3</sup> (CEDAW) and therefore obliged to comply with State obligations related to the rights enshrined in this convention. Consequently, in its concluding observations to Germany on 09 March 2017, the CEDAW Committee expressed its concern *“about the negative impact of the conduct of transnational companies, in particular ... large scale agricultural corporations, registered or domiciled in [Germany]; inadequate legal framework to hold companies and corporations registered or domiciled in [Germany] accountable...; absence of an effective independent mechanism with powers to investigate complaints alleging violations by such corporations, for instance allegations of forced evictions by German companies based abroad...”*<sup>4</sup> The committee recommended the government of Germany to:

*“(a) Strengthen its legislation governing the conduct of corporations registered or domiciled in the State party in relation to their activities abroad, including by requiring those corporations to conduct human rights and gender impact assessments prior to making investment decisions;*

*(b) Introduce effective mechanisms to investigate complaints filed against those corporations, with a mandate to, inter alia, receive complaints and conduct independent investigations and incorporate a gender perspective into the 2016 NAP;*

*(c) Adopt concrete measures, including a redress mechanism to facilitate access to justice for women victims of human rights violations and ensure that judicial and administrative mechanisms are in place take into account a gender perspective;....”*<sup>5</sup>

<sup>3</sup> CEDAW, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

<sup>4</sup> Concluding Observations, 9 March 2017, §15-16, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/DEU/CO/7-8&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/DEU/CO/7-8&Lang=En)

<sup>5</sup> Idem



Your Excellency, we are confident of the crucial role you can play in carrying out your responsibility to make sure that the State of Germany complies with its international human rights obligations in favor of the evictees of the Kaweri case. ***We appeal to your government to guarantee that the rights of the evictees are restored. Therefore, we request the government of Germany to implement particularly the paragraphs 15-16 (Extraterritorial State obligation) of the CEDAW concluding observations of 9 March 2017 in order for the evictees to seek justice in the German judicial system.***

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

Yours faithfully,

Sofia Monsalve  
Secretary General  
FIAN International