



Republic of Uganda

Ministry of Agriculture, Animal Industry and Fisheries

# **REGIONAL PASTORAL LIVELIHOOD RESILIENCE PROJECT (RPLRP)**

## **RESETTLEMENT POLICY FRAMEWORK**

### **FINAL REPORT**

**October 2013**

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# Acronyms / Abbreviations

ARAP	Abbreviated Resettlement Action Plan
CAO	Chief Administrative Officer
CBO	Community Based Organization
CDO	Community Development Officer
CSO	Community Services Officer
DAO	District Agricultural Officer
DPO	District Production Officer
DSC	District Service Commission
DVO	District Veterinary Officer
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
FGD	Focused Group Discussion
GoU	Government of Uganda
GO	Grievance Officer
GRC	Grievance Redress Committee
IDPs	Internally Displaced Persons
IPs	Indigenous Peoples
LC	Local Council
LG	Local Government
MAAIF	Ministry of Agriculture Animal Industry & Fisheries
M&E	Monitoring and Evaluation
MET	Monitoring and Evaluation Team
MoLHUD	Ministry of Lands, Housing and Urban Development
MoWT	Ministry of Works and Transport
NARO	National Agricultural Research Organization
NEMA	National Environmental Management Agency
NGO	Non Governmental Organization
NPCU	National Project Coordination Unit
OP	Operational Policy
PAP	Project Affected Person
PDO	Project Development Objective
PCU	Project Coordination Unit
PSC	Project Steering Committee
RAP	Resettlement Action Plan.
RPF	Resettlement Policy Framework
RPLRP	Regional Pastoral Livelihood Resilience Project
SA	Social Assessment
SIA	Social Impact Assessment
UGX	Uganda Shillings
VPC	Village Peace Committee
WB	World Bank.

# Glossary of Terms

Unless the context dictates otherwise, the following terms shall have the following meanings:

**Census** — Field survey carried out to identify and determine the number of Project Affected Persons (PAP) or Displaced Persons (DPs). The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures emanating from consultations with affected communities and the local government institutions (LGIs).

**Compensation** — Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.

**Cut-off date** — Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cutoff date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated.

**Displaced Persons** — mean persons who, for reasons due to involuntary acquisition or voluntary contribution of their land and other assets under the project, will suffer direct economic and or social adverse impacts, regardless of whether or not the said Displaced Persons are physically relocated. These people will have their: standard of living adversely affected, whether or not the Displaced Person must move to another location ; lose right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.

**Involuntary Land Acquisition** — means the repossession of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.

**Involuntary resettlement** — Resettlement is involuntary when it occurs without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement.

**Land** — refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.

**Land expropriation** — Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses

**OD 4.30** — The World Bank Group Operational Directive on Involuntary Resettlement, OD 4.30 embodies the basic principles and procedures that underlie IFC's approach to involuntary resettlement associated with its investment projects.

**Project-affected household** — All members of a household, whether related or not, operating as a single economic unit, who are affected by a project.

**Project-affected person** — Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

**Project sponsor** — A corporate entity seeking IFC financing for a project either directly or through a financial intermediary supported by IFC.

**Physical displacement** — Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.

**Rehabilitation Assistance** — means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable Project Affected Persons and Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-Project levels.

**Replacement cost** — the rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs.

**Resettlement Action Plan (RAP)** — The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project.

**Resettlement assistance**—Support provided to people who are physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

**Resettlement policy framework** — A resettlement policy framework is required for projects with subprojects or multiple components that cannot be identified before project approval. This instrument may also be appropriate where there are valid reasons for delaying the implementation of the resettlement, provided that the implementing party provides an appropriate and concrete commitment for its future implementation. The policy framework should be consistent with the principles and objectives of OD 4.30.

**Stakeholders**—Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

**Vulnerable groups**—People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.



# EXECUTIVE SUMMARY

## Introduction

### Background

The Government of Uganda has received technical assistance from technical consortium of the development partners to finance the preparation of the proposed Regional Pastoral Livelihoods Resilience Project (RPLRP) that is to be implemented in Kenya, Uganda and Ethiopia. In Uganda, the project preparation is under the overall responsibility of MAAIF. The Project Development Objective (PDO) is to enhance livelihoods resilience of pastoral and agro-pastoral communities in drought prone areas through regional approaches. The project will be implemented in 12 districts which are Kaabong, Amudat, Kween, Moroto, Nakapiripirit, and Kotido, Abim, Napak, Katakwi, Bukedea, Kumi and Amuria which have cross border activities and trans-boundary stock routes linking pastoral communities on either side of the borders.

### Project Components

***Component 1: Natural Resources Management*** - At the national and sub-regional levels, this component will support the mapping of major natural resources (water resources, rangelands), their full embedment in the policy design/review process and a better planning of interventions related to them. It will rehabilitate natural resources that are crucial for livestock productivity and resilience to droughts, such as major water points and pasture. The activities will empower communities in sustainable natural resources management by introducing collective rangeland management systems. For the purpose of the RFP this component focuses on eight (3) sub components namely; i) water resource development, ii) sustainable land management in pastoral and agro pastoral areas and iii) securing access to natural resources in the ASALs and border countries.

***Component 2: Market Access and Trade*** - This component will support market infrastructure with a focus on those that support regional trade and export. The objectives are both to facilitate intra-regional trade of animals and animal products. It will build the capacity in the national veterinary services, as well as promotion of increased collaboration among countries. It will improve the surveillance and control systems of trans-boundary animal disease that negatively impact trade. The component will finally assist the three countries and IGAD in: (i) harmonizing their animal health and food safety standards as part of Sanitary and Phytosanitary Standards in compliance with international ones (set up by the World Organization for Animal Health and Codex Alimentarius); (ii) strengthening the national and regional market information systems; and (iii) establishing and improving regionally recognized animal identification and traceability systems.

***Component 3: Livelihoods Support; Investments*** - Under this component will address trans-boundary issues related to improved livestock productivity (fodder/feed production, animal health and breed improvement) and diversification (processing, non-livestock products, etc.). This component will disseminate across participating countries existing and tested approaches and/or technologies developed through research for the dry lands (e.g. by NARO in Uganda). The component will be implemented under three key sub component namely; i) Livestock production and Health, ii) Food and Feed Production and productivity, iii) Livelihood diversification.

**Component 4: Pastoral Risk Management** - This component will strengthen existing national Early-Warning and Response Systems in the project districts and link them with a sub regional under the IGAD platform. It is aimed at helping pastoralists build resilience to drought and other climatic shocks. The activities will harmonize the response to disasters in communities and other stakeholders, including public institutions in charge of drought management, at the sub regional level. This could be done by organizing joint sub-regional training and disseminating recognized tools for drought response such as the “Livestock Emergency Guidelines and Standards”. The activities will also support conflict management with particular focus on cross-border issues, as livestock and access to natural resources (water and pasture) which are the major drivers behind conflicts and security in the pastoral areas.

### **Purpose and Scope of RPF**

The purpose of this Resettlement Policy Framework is to establish the resettlement and compensation principles, organizational arrangements, and design criteria to be applied to meet the needs of the people who may be affected by the various sub-projects to be implemented under the RPLRP. The RPF therefore is prepared to guide and govern RPLRP as subprojects are selected for financing and sets out the elements that will be common to all subprojects that will entail involuntary resettlement, which will not be known by the time of project appraisal.

### **Methodology for RPF Preparation**

Documentation of the different Land Tenure Systems, social setups and conflict resolution mechanisms was conducted through interaction with elders, NGOs with working knowledge of the project areas including Uganda Land Alliance and ActionAid Uganda and District Local Governments. The Involuntary Resettlement policy of the World Bank was reviewed in detail to understand the project’s direct economic and social impacts that may be caused by involuntary taking of land. Discussion groups with members of vulnerable groups were constituted by gender dimensions. Particular attention was be paid to the needs of vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, indigenous groups, and vulnerable ethnic minorities.

### **Legal Framework**

There are a number of national and local legal frameworks that regulate land relations in Uganda. These frameworks define land rights, ownership, procedures and requirements of transfer and acquisition of land between individuals and groups. They also provide procedures for the acquisition of land by the state or a public body for public projects. Among the most important legal instruments in this regard are the Constitution of Uganda (1995), the Land Act (1998), the National Land Policy 2011, the Local Government Act (1992), and the Land Acquisition Act (1965).

The World Bank’s safeguard policy on involuntary resettlement, OP 4.12 is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to access to natural resources, may take place as a result of the project. In comparison to Ugandan law that defines rights to land ownership and ownership of property *per se*, the World Bank policy on Involuntary Resettlement goes further to highlight the important relationship between property rights, human settlement and the need to maintain people’s source of livelihood. It compliments existing law in Uganda related to property rights and land ownership by recognizing the socio economic

value this presents to persons affected. The higher of the two standards will be followed in this policy framework, since that procedure also satisfies the requirements of the lesser standard.

## **Status of Resource Ownership and Access Rights**

Herding livestock in a communal setting is rooted in the land tenure system in Karamoja which is largely communal and enables free livestock mobility as well as collective management responsibility through traditional structures. Land which is the most valued resource for production is owned by clans but controlled by communities. In all the 7 districts of Karamoja region, land is customary owned by clans and utilization of the land for grazing, water and pasture is communally shared. Women have little control of land as a resource but they utilize some small pieces of land for growing crops. Large water sources that have no customary access restrictions especially among clans and ethnic groups are controlled by the traditionally instituted structures and the community in general. Individual ownership of small water sources and catchments is predetermined by the private creation of a water source by a family or a clan group. Secondly, ownership is determined by the location of the source; if the water source is found on land owned by a clan or ethnic group, it is then privately owned.

## **Land Acquisition Mechanisms for RPLRP**

Voluntary Land Contribution without Compensation is not recommended, because the experience has shown that opening up this venue either leads to elitism or to forced contribution from the most vulnerable groups or persons. To avoid this elitism, abuses of vulnerable groups, and delays in the RPLRP, it is preferable to compensate all land acquisition for program activities. Where involuntary land acquisition is unavoidable then it will be minimized to the greatest extent possible. The Displaced Persons will participate throughout the various stages of the planning and implementation of the land acquisition, compensation and resettlement plans and processes. Prior to the preparation of the Resettlement Action Plans, the persons to be displaced will be informed of the provisions of this Framework and their entitlements at public meetings.

## **Potential Project Impacts and Mitigations**

### **Categories of Projects Affected People**

The likely numbers of persons who may be affected and displaced during implementation of the RPLRP Comprehensive program activities can not be accurately estimated. A household is affected if one or more of its members are affected by the RPLRP project activities either in the form of loss of property, land or access to services or socio-economic resources. Internal conflicts, drought, floods, historical marginalization, poor infrastructure, and diseases still affect the Karamoja and Teso sub-regions. Under some development projects, especially community projects very similar to RPLRP, there were instances when individual members gave land “voluntarily” because people do not want to be seen as or accused of, holding back community development. Women may depend on husbands, sons, brothers or others for support. The vulnerable people include women, the elderly, orphans, and displaced people or those who have just returned from IDP Camps. Of particular attention are the indigenous groups i.e. the *Benet* in Kween District and the *Ik* in Kaabong District.

## **Potential Impacts**

No significant displacement of persons is expected except for the acquisition of required land for the expansion of existing facilities and construction of new structures. The project interventions are meant to strengthen already existing means of livelihood by the pastoral communities and they are likely to appreciate the services and will likely donate the land required or allow creation of new community access roads through their land or plots willingly where necessary. The subprojects are likely to have two categories of effects. Permanent effects will result into an infinite loss of use of property, vegetation, or land by the affected person as a result of the sub project activities. This is likely to occur where permanent installations such as laboratories and slaughter facilities are established. Temporal effects will result into an interruption in the current use of property or land by the affected person as a result of the sub project activities. This is likely to occur during rehabilitation of existing infrastructure especially cattle crushes, holding grounds, pastureland, water points etc.

## **Mitigations**

Provisions are made under this RFP to minimize all such impacts including those of socio- economic significance and on environmentally sensitive sites. Provisions are also made in this RFP to accommodate all potential situations, including cases that entail actual displacement and livelihood restoration assistance in accordance with the World Bank Policy on Involuntary Resettlement, OP 4.12. The potential social impacts to be addressed within the context of preparing this Resettlement Framework have been identified. It is expected though that site specific social assessment studies will be carried out within specific localities, as and when required. The framework for the compensation/ resettlement will then be applied incorporating specific (1) institutional arrangements, (2) resettlement/ compensation eligibility criteria, (3) implementation procedures, (4) financial responsibilities, and (5) monitoring and evaluation plan.

## **Eligibility for Compensation**

Determination of the eligibility of the bona fide occupants of the properties to be compensated shall be done through a transparent and legal process, taking into consideration all the existing laws of Uganda and policies of the World Bank and local customs. Compensation will be paid only to those persons:

1. Who prior to the commencement of the project, have evidence of ownership or occupancy of the land of at least 30 days within the period of commencement of the project;
2. Who have property (a house, crops or thriving business enterprise) situated in the area identified for development;
3. With household members who derive their livelihood from the advantage of location and proximity to other social economic facilities provided the current settlement.

## **Valuation Methods**

### **Agricultural land**

This will be calculated as the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.

**Land in urban areas**

This will be calculated as the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

**Houses and other structures**

It is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes.

**Loss of Income**

Losses of income for businesses will be estimated from net daily/monthly profit of the business verified by an assessment of visible stocks and activities. In addition to the compensation, disturbance allowances of 10% of total compensation will be considered. The estimation of supplementary assistance for affected commercial structures or business units will generally be based on the estimated income obtained from the use of the business/commercial unit and the estimated period of disruption of business activities.

**Project Screening and Preparation****Subprojects Screening**

Sub-projects might have a social impact on the community. Potential socio-economic impacts that will require mitigation measures, resettlement and compensation will have to be identified. The subprojects will be screened to know whether involuntary resettlement, land acquisition, or loss, denial or restriction of access to land and other economic resources will be caused by the implementation of the sub-project or whether the sub-project result in the permanent or temporary loss of crops, fruits and household infrastructures such as granaries, outside toilets, kitchens, and other structures.

**Preparation of RAPs**

Subproject specific Resettlement Action Plans will drafted by MAAIF in consultation with other parties responsible for resettlement specifying the procedures it will follow and the actions it will take to properly resettle and compensate affected people and communities. The Abbreviated Resettlement Action Plan will be used where less than 200 individuals are displaced or less than 10% of affected land is lost.

**Community Sensitizations**

Communities within the project areas as well as indigenous communities will be sensitized on the project and likely project impacts and the extent of their involvement to ensure project success. Measures instituted to address negative project impacts will be well communicated to the community.

## **Stakeholder Consultation and Participation**

### **Consultation Phases**

The levels of consultation will vary from households to community groups, based on the particular context of the sub-project(s). The RAP team will design the questionnaires but it will be the households, organizations, and institutions that will validate their effectiveness through feedback. Focus group meetings with women, farmers' associations, individuals who own farms, etc., as well as primary and/or secondary schools, health centers, and agricultural cooperative unions are usually good sources for establishing the community baseline situation. During implementation, PAPs will be informed about their rights and options. The grievance mechanism will continue to operate and all grievances will be recorded. The participation of local leaders and PAPs in disseminating information and resolving disputes will be important once RAP implementation starts. PAPs representatives will participate in the sub-project workshops at mid-term and at the end of RAP implementation. To the extent possible, the RAP should include social accountability tools like citizen report cards to assess the quality of RAP implementation, and in some cases, assist the RAP team in tracking expenditures.

### **Notification**

Affected persons will be notified through both formal (in writing) and informal (verbal) manner, for example at community meetings called by District Steering Committee. Public notices in the daily newspapers, radio or television services will be conducted to notify the public of the intention to acquire land earmarked for subprojects. A copy of such notice shall be served to each owner, occupier and person or agent having an interest in the land thereof. The names and addresses of the owners, occupiers and agents shall be readily ascertainable.

### **Documentation**

The names and addresses of affected persons will be compiled and kept in a database including claims and assets. The records are also important especially for future monitoring activities. Documentation will include documents relevant to land transactions (voluntary and involuntary).

## **Procedure for Delivery of Compensation**

Consultation and public participation with the PAPs will initiate the compensation process to ensure that all affected individuals and households are well informed and adequately involved in the entire process. Those who hold title to the land resources will be duly informed and in case there are no clearly identified owners or users of land to be acquired, MAAIF, the respective local government administrations through the lands officers and the traditional leaders of the respective communities where the land is located will be solicited to help identify owners or users in order to sensitize them on the project and its implications.

MAAIF either through an internal team or through a consulting firm will undertake a detailed survey of all losses that will result for each household, enterprise, or community affected by the RPLRP. During inventories of assets, the owners or persons authorized to represent them on their behalf will be required to countersign them to minimize the possibility of subsequent claims or disputes regarding claims. The local government structures i.e. the LGs and the lower councils will be charged with all documentation and verification of data and information related to the acquisition of

land, the compensation and payment processes up to the level of the Accounting Officer of the NPCU. The application of the valuation exercise on ground will be done in the presence of at least two local council leaders with the participation of the affected persons.

Compensation payment will be made either through agreement between MAAIF and the PAPs or by court order on the amount of compensation where this has been the subject of litigation between the MAAIF and the Affected Entity. MAAIF will disburse the funds directly to the beneficiary entity with the relevant records of payments consigned to the RAPs and the records of the appropriate local government authority.

## **RPF Implementation and Monitoring**

### **Setup of RAP Teams**

**Compensation Committee** - The Compensation Committee will be responsible for organizing and ensuring that compensations payable to PAPs are made in line with the provisions and procedures of this RPF.

**Grievance Redress Committee** - The Grievance Redress Committee will be responsible for receiving and logging complaints and resolving disputes. The GRC will resolve each grievance or dispute to ensure that redress actions are implemented by whoever is mandated to undertake such action. If affected persons are not satisfied the GRC, they will be entitled to seek redress through the Courts of Law.

**Monitoring and Evaluation Team** - The Monitoring and Evaluation Team will be responsible for the monitoring of the RAP implementation programme to ensure that stated targets are met and project affected persons are duly compensated in line with the RAP requirements. The sequence of implementation activities and responsibilities are summarized in the table below.

### **Roles and Responsibilities**

The implementation activities will be under the overall guidance of the PCU with support from line ministries and lead agencies. The District Local Governments will be heavily involved in all resettlement, relocation and compensation efforts for subprojects where resettlement is indicated.

<b>No.</b>	<b>Institution</b>	<b>Responsibility</b>
1.0	Ministry Agriculture Animal Industry and Fisheries	<ul style="list-style-type: none"> <li>• Overall supervision of the RPF and Resettlement/Compensation Plan.</li> <li>• To provide funds for compensation payment.</li> <li>• Trigger the process through inventory of affected persons and assets and implement planning close consultation with Consultant.</li> </ul>
2.0	Ministry of Lands Housing and Urban Development	<ul style="list-style-type: none"> <li>• To carryout the valuation and compensation payment process (through Chief Government Valuer) and reporting for the affected persons</li> </ul>
3.0	Ministry of Works and Transport	<ul style="list-style-type: none"> <li>• To liaise with relevant parties for valuation of damages of assets of affected persons</li> </ul>
4.0	Ministry of Gender, Labour and Social Development	<ul style="list-style-type: none"> <li>• To oversee gender related issues to ensure that vulnerable women, former IDPs, the poor and elderly are compensated equally.</li> </ul>
5.0	Ministry of Water and Environment	<ul style="list-style-type: none"> <li>• Document water resources in the area where the affected might be relocated to.</li> </ul>

6.0	National Environmental Management Authority	<ul style="list-style-type: none"> <li>Review and monitor Social &amp; Environmental Impact Assessments.</li> </ul>
7.0	Project Coordination Unit	<ul style="list-style-type: none"> <li>To liaise with district and MAAIF in ensuring peaceful implementation of the process including handling any grievances.</li> </ul>
9.	Chief Government Valuer	<ul style="list-style-type: none"> <li>Review and approve the RAPs especially the valuations.</li> </ul>
8.0	Regional/District Land Valuation Officers	<ul style="list-style-type: none"> <li>Assist in the valuation and compensation payment process and reporting.</li> </ul>
10.0	District Steering Committees and Traditional authorities.	<ul style="list-style-type: none"> <li>To assist the community and support in the inventory of affected persons.</li> </ul>
11.0	Consultants, NGO, CSO	<ul style="list-style-type: none"> <li>Prepare plans and assist with implementation and capacity building. Assist with sensitization and monitoring.</li> </ul>
12.0	Local financial institutions (Banks)	<ul style="list-style-type: none"> <li>Safe disbursement of compensation amounts.</li> </ul>

### **Capacity Needs**

MAAIF has limited institutional capacity to implement this RPF. The ministry currently relies on assistance from other ministries for technical issues including environmental issues. Social Development Specialist should be recruited by MAAIF to fully address all land acquisition and resettlement issues including indigenous and vulnerability issues of the project. The Social Development Specialist will train and guide the CDOs and other development partners including NGOs and CBOs on all social issues and they will be facilitated accordingly by MAAIF to help implement and monitor the project on ground. The Social Development Specialist will be the responsible focal person for all social matters related to the RPLRP and other existing or future projects. Building in-house capacity is the only sustainable solution.

### **Grievance Redress Mechanism**

Village Peace Committees (VPCs) already exist at the village level in Karamoja Sub-region and they could be used to register and mediate grievances at the village level. However, in areas where such committees don't exist, a local grievance redress committee (LGRC) will be initiated at the village level to record grievances and also help in mediation. This committee will comprise the LC I Chairperson, a trusted village elder, a religious representative, an elected PAP representative and specific vulnerable group representatives of relevance to the village i.e. women and the disabled. Disputes will be resolved at the village level as far as possible. At the District Level, the Grievance Redress Committee will be established to deal with any grievances unsettled at the village level. The Grievance Redress Committee at the district will at a minimum comprise the LC3 representative, representatives of vulnerable groups, District Land Officer/Surveyor, District Community Development Officer and a Grievance Officer from PCU who will oversee and coordinate grievance issues at the village level including setting up of LGRCs, provision of Grievance Logbooks and related logistics, training and orientation of LGRCs and VPCs, and providing advice on grievance resolution as well as compiling records of all RPLRP grievances raised and their mediation for the whole district. The grievance mechanism for the implementation process is as follows:

- (a) The LGRC/VPC will interrogate the PAP in the local language and complete a Grievance Form which will be signed by the leader of the LGRC/VPC and the PAP/complainant. This will then be lodged in the Grievance Log provided by the Grievance Officer;



- (b) The PAP should expect a response from the LGRC or VPC within seven days of filing the complaint. If the issue is not resolved, the LGRC/VPC will forward the complaint to the GRC at the District;
- (c) The GRC at the District will be given a fourteen day notice to hold a meeting. Two days after the meeting, the GRC will call the PAP and LGRC/VPC for discussions and resolution. The resolution will be presented to the PAP in written form within the same day of the meeting;
- (d) If there is no resolution to the grievance, the GRC at the district and the PAP shall then refer the matter to the District Land Tribunal.
- (e) Appeal to Court - The Ugandan laws allow any aggrieved person the right to access to Court of law. If the complainant still remains dissatisfied with the District Land Tribunal, the complainant has the option to pursue appropriate recourse via judicial process in Uganda. Courts of law will be a “last resort” option, in view of the above mechanism.

### **Monitoring Aspects**

The monitoring and evaluation will be the main mechanism to alert the RPLRP of any delays and problems and these activities will help measure the extent to which the main objectives of the RPF have been achieved. To ensure that the implementation of resettlement is executed in line with this RPF, the activities will be monitored and evaluated internally by a Monitoring and Evaluation team at the PCU at the national level and on ground at the District level. The PCU will undertake the routine internal monitoring and evaluation of the implementation of the resettlement issues so as to ensure that all the responsible units follow the schedule and comply with the principles of the resettlement plan. A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. The MET will submit periodic reports to the NPCU at MAAIF and will cover status of compensation disbursement, nature of complaints, redress actions and follow-ups. Annual evaluations will be made in order to determine whether the PAPs have been paid in full and before implementation of the individual subproject activities, and whether the PAPs enjoy the same or higher standards of living than before.

### **Budget and Funding**

At this stage, it is not possible to confirm the exact number of people who may be affected. This is because the technical designs and details have not yet been developed and the land needs have not yet been fully identified. The budget will be developed from the specific social assessment studies and mitigation/livelihood restoration measures to be developed. The budget will cover resettlement activities including compensation cost for affected assets. MAAIF will prepare the resettlement budget and will finance this budget in accordance with the administrative and financial management rules and manuals of the PIM. The resettlement will be funded by the Government of Uganda through MAAIF. The Ministry (MAAIF) has committed \$ 1 million for purposes of land acquisition and compensation due to displacement based on preliminary estimates of 976 acres of land required for the RPLRP infrastructure and displacement of 602 families.

### **Disclosure**

This RPF will be disclosed in compliance with relevant Ugandan regulations and the World Bank Operational Policy OP 4.12 on Involuntary Resettlement. The documents will be disclosed at the Infoshop of the World Bank and will also be available to any interested persons. MAAIF will also provide copies of the RAPs for disclosure at the World Bank Infoshop for public access. In addition the RAPs should be available throughout the project area and preferably, MAAIF will prepare

summaries of the RAPs in local languages for distribution to accessible points within the project area. A 60-day disclosure period is recommended to allow ample time for all interested and affected parties to submit their comments and concerns about the RAP.

# 1 INTRODUCTION

## 1.1 Background

### 1.1.1 The RPLRP

The Government of Uganda has received technical assistance from technical consortium of the development partners to finance the preparation of the proposed Regional Pastoral Livelihoods Resilience Project that is to be implemented in Kenya, Uganda and Ethiopia. In Uganda, the project preparation is under the overall responsibility of Ministry of Agriculture, Animal Industry and Fisheries. The Project Development Objective of the RPLRP is to enhance livelihoods resilience of pastoral and agro-pastoral communities in drought prone areas through regional approaches. The project aim is to mitigate the impact of droughts at the districts, national and regional levels by introducing regional interventions in complement to existing national initiatives. It will build capacities in the government of Uganda and among pastoral and agro-pastoral communities. It will increase resilience of pastoral communities to address medium- and long-term climate-related vulnerabilities, like droughts, resource conflicts, and food insecurity.

### 1.1.2 Proposed Project Areas

The project will be implemented in 12 districts of Kaabong, Amudat, Kween, Moroto, Nakapiripirit, (bordering Kenya) and Kotido, Abim, Napak, Katakwi, Bukedea, Kumi and Amuria which have cross border activities and trans-boundary stock routes linking pastoral communities on either side of the borders. The selected project districts are more prone to prolonged droughts, water stress for animals, land degradation due to overgrazing, high density of animals and seasonal movement of animals in search for water and pasture. The areas are also characterized by civil conflicts due to sharing of natural resources and they have the highest proportion of households owning cattle as a source of livelihood.

### 1.1.3 Project Components

In order to achieve the project development objective, the proposed project has four key components: The project activities under the different components are:

#### ***Component 1: Natural Resources Management***

At the national and sub-regional levels, this component will support the mapping of major natural resources (water resources, rangelands), their full embedment in the policy design/review process and a better planning of interventions related to them. It will rehabilitate natural resources that are crucial for livestock productivity and resilience to droughts, such as major water points and pasture. The activities will empower communities in sustainable natural resources management by introducing collective rangeland management systems. This component focuses on:

- New water facilities to be constructed in the communities of the project districts
- Water facilities to be rehabilitated in the communities of the project districts
- Water sheds for the existing shared water facilities to be rehabilitate/develop in the communities of the project districts
- Pastoral and Agro-pastoral rangelands/field demonstration schools to established in the communities of the project districts

**Component 2: Market Access and Trade** - This component will support market infrastructure with a focus on those that support regional trade and export. The objectives are both to facilitate intra-regional trade of animals and animal products. It will build the capacity in the national veterinary services, as well as promotion of increased collaboration among countries. It will improve the surveillance and control systems of trans-boundary animal diseases that negatively impact trade. The component will finally assist the three countries and IGAD in: (i) harmonizing their animal health and food safety standards as part of Sanitary and Phytosanitary Standards in compliance with international ones (set up by the World Organization for Animal Health – OIE and Codex Alimentarius); (ii) strengthening the national and regional market information systems; and (iii) establishing and improving regionally recognized animal identification and traceability systems. Key subcomponent activities include:

- Livestock Markets to be rehabilitated/Construction in the communities of the project districts
- Border Check Points to be rehabilitated/Construction in the communities of the project districts
- Laboratories to be rehabilitated/Construction in the communities of the project districts
- Slaughter Facilities to be rehabilitated/Construction in the communities of the project districts
- Holding/Auction Grounds to be rehabilitated/Construction in the communities of the project districts
- Trading routes to be demarcated
- Grazing and strategic livestock feed reserves to be demarcation
- Watering points to be demarcated

**Component 3: Livelihoods Support; Investments** - This component will address trans-boundary issues related to improved livestock productivity (fodder/feed production, animal health and breed improvement) and diversification (processing, non-livestock products, etc.). This component will disseminate across participating countries existing and tested approaches and/or technologies developed through research for the dry lands (e.g. by NARO in Uganda). The component will be implemented under three key sub component namely; i) Livestock production and Health, ii) Food and Feed Production and productivity, iii) Livelihood diversification. The component activities include:

- Communal demonstration permanent crushes (galvanized iron) to be constructed
- Crushes - Construction in selected sites (on average 5 per district) to be constructed
- Pasture improvement (degrade range rehabilitation/ reseeded, pasture seeds scheme)
- Training and demonstration for households in different income generation activities
- Support appropriate alternative income generating enterprises for households
- Field demonstration plots to be established
- Storage Facilities (24) in 12 districts to be constructed

**Component 4: Pastoral Risk Management** - This component will strengthen existing national early-warning and response systems in the project districts and link them with a sub regional under the IGAD platform. It is aimed at helping pastoralists build resilience to drought and other climatic shocks. The activities will harmonize the response to disasters in communities and other stakeholders, including public institutions in charge of drought management, at the sub regional

level. This could be done by organizing joint sub-regional training and disseminating recognized tools for drought response such as the “Livestock Emergency Guidelines and Standards”. The activities will also support conflict management with particular focus on cross-border issues, as livestock and access to natural resources (water and pasture) which are the major drivers behind conflicts and security in the pastoral areas. Key subcomponent activities include:

- Support conflict management with particular focus on cross-border issues, as livestock and access to natural resources (water and pasture) which are the major drivers behind conflicts and security in the pastoral areas.
- Readily avail, timely disseminate, and understood Early warning information
- Harmonized and strengthen Drought Resilience Mechanism policies
- Institutionalized effective responses to early warnings

## **1.2 World Bank Safeguard Policy**

The Involuntary Resettlement policy of the World Bank was reviewed in detail to understand the project’s direct economic and social impacts that may be caused by involuntary taking of land resulting in:

- (i) Relocation or loss of shelter;
- (ii) Loss of assets or access to assets, or
- (iii) Loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

The potential for involuntary restriction of access to legally designated areas and protected areas resulting in adverse impacts on the livelihoods of the displaced persons was also be assessed.

## **1.3 Need for a Resettlement Policy Framework**

The RPF derives from the World Bank’s Involuntary Resettlement Policy OP/BP/4.12 which sets out safeguard measures where a bank assisted project will involve involuntary resettlement of persons to make way for implementation of the project, and where such resettlement may result in loss of assets and create hardships for those being resettled. The RPF provides the basis for preparing Resettlement Action Plans for individual sub-projects once their location and scope are known.

## **1.4 Purpose of the Framework**

The purpose of this Resettlement Policy Framework is to establish the resettlement and compensation principles, organizational arrangements, and design criteria to be applied to meet the needs of the people who may be affected by the various sub-projects to be implemented under the RPLRP. The RPF therefore is prepared to guide and govern RPLRP as sub projects are selected for financing and sets out the elements that will be common to all subprojects that will entail involuntary resettlement, which will not be known by the time of project appraisal. In particular it will be used among others: -

- To avoid, manage, and/or mitigate potential risks arising out of displacement.
- To develop a Resettlement Action Plan and propose an implementation framework for RAP.

## 1.5 Objectives of the RPF

The objectives of the Resettlement Policy Framework (RPF) are to:

- a. Establish the resettlement and compensation principles and implementation arrangements for RPLRP
- b. Describe the legal and institutional framework underlying Ugandan approaches for resettlement, compensation and rehabilitation;
- c. Define the eligibility criteria for identification of Project Affected Persons (PAPs) and entitlements;
- d. Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- e. Provision of procedures for filing grievances and resolving disputes; and
- f. Development of an outline for the development of Resettlement Action Plans

## 1.6 Scope

The resettlement policy framework covers the following elements, consistent with the provisions described in OP 4.12, paras. 2 and 4:

- (a) Description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement plan is required
- (b) Principles and objectives governing resettlement preparation and implementation;
- (c) Description of the process for preparing and approving resettlement plans;
- (d) Estimated population displacement and likely categories of displaced persons, to the extent feasible;
- (e) Eligibility criteria for defining various categories of displaced persons;
- (f) Legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;
- (g) Methods of valuing affected assets;
- (h) Organizational procedures for delivery of entitlements, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;
- (i) Description of the implementation process, linking resettlement implementation to civil works;
- (j) Description of grievance redress mechanisms;
- (k) Description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements;
- (l) Description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- (m) Arrangements for monitoring by the implementing agency and, if required, by independent monitors.

## 1.7 RPF Methodology and Approach

### 1.7.1 Reviews

Different regions of Uganda have different land ownership arrangements. Documentation of the different Land Tenure Systems in the proposed project areas including resettlement issues such as compensation and conflict resolution mechanisms was conducted through interaction with elders and District Local Governments as well as NGOs with working knowledge of the project areas.

Apart from key informant interviews, document review was also conducted on key sectoral and institutional data at the district and sub-county levels by the RPF Team. This was done with the help of a review checklist.

### **1.7.2 Consultations with stakeholders**

Consultations were held with relevant parties within government and with interested parties outside government. Discussions were also held with key institutions of Local Government, Communities, Line Ministries, NGOs including the Uganda Land Alliance and ActionAid Uganda among others and all other stakeholders in order to better articulate the requirements for resettlement.

### **1.7.3 Capture of Gender and Vulnerability Issues**

Discussion groups with members of marginalized and vulnerable groups were constituted by gender dimensions. Particular attention was paid to the needs of vulnerable groups especially those below the poverty line the landless, the elderly, women and children, indigenous groups, ethnic minorities and other historically disadvantaged groups. Within the Framework, it was not possible (outside RPF scope) to determine the household numbers which will be affected by the project. These numbers will be project and area specific underscoring the need to systematically determine the numbers on a project by project basis.

## 2 SOCIAL ECONOMIC ASSESSMENT

The section below presents findings of the socio-economic assessment for the proposed project areas. The information is part of the findings as detailed in the ESMF and the Social Assessment. More details can be found in those respective reports.

### 2.1 Karamoja Region

#### 2.1.1 Ethnicity in Karamoja Region

Karamoja region of northeastern Uganda borders Sudan in the north and Kenya in the east. The region comprises seven districts and nine ethnic groups of the Matheniko and the Tepeth of Moroto district, the Bokora of Napak district, the Pian of Nakapiripirit district, the Jie of Kotido district, the Pokot of Amudat district, the Labwor (sometimes called the AcholiLabwor) of Abim district, the Dodoth, Nyangia (sometimes called the Napore) and Ik (sometimes called the Teuso) of Kaabong district.

#### 2.1.2 Livelihood Challenges in Karamoja

Three livelihood zones exist within the region – the arid pastoral zone, the agro-pastoral zone (most of central Kaabong, most of Kotido, central Moroto, and central Nakapiripirit) and the wet-agricultural zone. Based on the social assessment study as well as findings by Ayoo et al. (2013), the major livelihood activities in Karamoja are agriculture, unskilled wage labour, livestock management and brewing. The women are predominantly overrepresented in subsistence farming, unskilled labour, and brewing. The recent disarmament process also contributed to changes in gender roles with women taking on additional roles of foraging for natural resource products due to restriction on men's mobility by the military. The communities ranked petty trade and agro-pastoralism as the most significant livelihood activities. Other sources of livelihood include casual labour, collecting wild fruits and vegetables, and artisanal mining. The disarmament programme has made livestock rearing a male-dominated economic activity. Because of the centralized protected kraal phenomenon, the livestock are protected by the military with the participation of men. The women used to keep some herds and cows for milk in the *manyattas* or settlements but even this has changed due to disarmament (Ayoo et al. 2013).

The region has suffered from cyclic drought which occurs every two to three years. The increase in poverty and vulnerability in recent decades is attributable to cattle raiding and the accompanying insecurity, proliferation of small arms and light weapons through the porous borders with Sudan and Kenya, lack of essential infrastructure, and climatic changes resulting in droughts and famine.

Despite these challenges over the years, Karamoja has experienced some positive changes in the recent past as a result of relative calm and peace (Ayoo et al. 2013). The most significant positive change in the region is improvement in security. The ongoing disarmament programme in Karamoja has helped to curb road ambushes and large scale raids. The respondents pointed out that improvement in security has resulted in improved road safety, freedom of movement and interaction of people, and influx of traders and job seekers from all over the country to Karamoja, something that never used to happen (Ayoo et al. 2013). A number of programmes have been initiated by Government including Peace, Recovery and Development Plan for Northern Uganda/Northern Uganda Social Action Fund (PRDP/NUSAF under KIDDP), National



Development Programme (NDP), Karamoja Development Agency (KDA), Karamoja Action Plan for Food Security (KAPFS), and National Agricultural Advisory Services (NAADS). These programmes are designed to improve the livelihood options, create necessary conditions for development, and increase economic opportunities in the region (Ayoo et al. 2013). The presence of NGOs in the region has also created employment opportunities for the educated youth who once depended on government employment. Nonetheless, the majorities of the educated youths are boys since most of the girls dropped out of school and with little chance of further education (Ayoo et al. 2013).

### **2.1.3 Land Tenure**

Given that the communities are both agro-pastoralists and transhumant, access by clans and households to land is based on agreements with other clans, permitting the movement of cattle during the year to areas where pasture and water are available. Thus, households do not seek access to a piece of land in a particular community or lineage on which to build shelter and plant crops, but rather access to land harboring range resources. At present, customary tenure has evolved into individualized and communal sub-tenures, each with distinct characters and resource rights embedded therein for the individuals, households and the community at large.

Homesteads are not communal lands and are highly individualized settlements that are either nucleated or scattered. However, the practice of scattered manyattas that was once common is slowly being altered in part because of the collective kraal policy because of heightened insecurity. Access to water is also a contributory factor to this change. Grazing lands are open access areas that are communally held and constitute the stock of land that is continuously being alienated into gardens and settlements. Individuals and communities are users of grazing lands. Grazing lands do not hold definitive borders as they straddle across local government administrative demarcations and communities.

Gardens plots have definitive boundaries marked by a variety of features including trees, anthills, and rocks. However, the most common boundary markers are strips or bands (*ekikoru*) of uncultivated land between garden plots. This type of land is in the realm of family authority and family heads hold conclusive rights over these plots, including the right to even engage in various land transactions. It is thus no surprise, that this is the type of land for which registration into title is taking place across the region in Karamoja. These landholdings are often of small sizes and are considered to be individual property. It can be transmitted to kin either by inheritance or subdivision within families.

### **2.1.4 Water Resources Ownership**

Use and access to the different water sources is governed by both customary rules and practices and statutory provisions. Although, traditionally set rules are non-documented, they are still existent in the minds and hearts of the Karamojong and are effective in regulating water use and management. However, customary rules on use and access vary with seasonality and across clans and ethnic communities. Large water sources that have no customary access restrictions especially among clans and ethnic groups are controlled by the traditionally instituted structures and the community in general. Individual ownership of small water sources and catchments is predetermined by the private creation of a water source by a family or a clan group. Secondly, ownership is determined by the location of the source; if the water source is found on land owned by a clan or ethnic group, it is then privately owned. Therefore, if the water source meets these two conditions, clansmen and ethnic group members are entitled to unlimited access and user rights.

In Loletio parish among the Jie ethnic group, an elder is responsible for identifying a site for the construction of a water pond or a catchment rendering clansmen and ethnic groups to have exclusive customary rights over use, control and management of such water resources. By implication, access to water resources which are individually constructed and owned is subject to acquisition of user rights from clan leaders or community elders. This was particularly observed among the Jie of Panyangara, the Dodoth of Kalapata, and the Matheniko of Rongom. Among these communities, clansmen and ethnic group members have ownership and access rights over water resources constructed privately.

## **2.2 Kween, Bukedea, Katakwi, Amuria and Kumi**

### **2.2.1 Demographics**

Bukedea District has diversity of ethnic groups with the Iteso constituting about 85% of the population and Katakwi District has diversity of ethnic groups and the Iteso constitute approximately 90% of the population (Social Assessment, 2013). In Kween District, there are the Sabinu, Bukusu, Iteso and the Benet/Ndorobo who are located in Benet Subcounty. The vulnerable people in these districts include former IDPs, women, orphans, disabled, widows and the youth (Social Assessment, 2013).

### **2.2.2 Livelihood**

In Nakapiripirit District, pastoralism and small scale farming in crops like sorghum and maize are the most common activities the communities engage in, some sell firewood, thatching grass, charcoal and food items and trade in animals (Social Assessment, 2013). Kween District is divided into three belts and each with its unique features namely; the upper belt is mostly dominated the crop cultivators; the middle part is mainly dominated by agro pastoralism; and the lower part is mainly dominated by the pastoralists (Social Assessment, 2013). The communities in Kween district are mainly engaged in pastoralism 70%, some also practise zero grazing 17%, subsistence farming 10% and bee keeping 3% which was reported to be practiced mainly by communities in the upper belt of Benet Sub-county.

Iteso are an agro-pastoralist community. The Teso sub-regions has suffered from floods, drought and famine, conflicts and cattle raiding. This vulnerability to floods, compounded by unpredictable weather patterns and Karamojong cattle raiding, continues to negatively impact the livelihood security of people at community and household levels in the sub region. While internal displacement has ended in Teso, several factors are undermining sustainable resettlement and recovery. Gaps in social service provision and limited livelihood opportunities continue to hamper the quest for durable solutions.

### **2.2.3 Natural Resource Use and Access**

The existing communal natural resources include; grazing land (pasture), water, and firewood (Social Assessment, 2013). These resources are all shared within the communities without much disturbance from the outside communities save for the dry season when the neighboring communities from Karamoja and Sebei come in search of water and pasture. According to the results of the social assessment in Bukedea District, grazing land is still used communally but due to land scarcity some people have started fencing off their land hence denying communities the right to use their land.

#### 2.2.4 Land Tenure in Teso Region

In Teso region, the most common mode of land ownership is customary system, which is almost the same as customary law in other parts of Northern Uganda. Customary land in Teso region is vested in the respective clans of Teso to hold and manage in trust for the people of Teso. For example, provisions on sale of land in Teso specify that:

- a) Customary land in Teso is not for sale by any individual or head of family entrusted with the management of land for the benefit of members of family and future generation;
- b) Land can only be sold if it is for ‘good reason’ and with the permission of the majority of all the family members, whether present or absent, permission of the clan committee and consent of the wife or wives;
- c) The clan committee must not allow the sale of land for “bad reasons”;
- d) The land where the head of family is an orphaned minor must not be sold without the permission of the parish clan committee;
- e) Consent will be assumed not to have been given if any of the wife or wives with rights to the land refuses to grant consent and if the majority of the adult children refuse to grant consent.
- f) Consent will be assumed not to have been given if the majority of the members attending the parish clan committee meeting vote against the sale of land of an orphaned minor.

### 2.3 Land Conflict and their Resolution Mechanisms

Conflicts over land were reported most, especially with the Karamojong over the land boundaries. Land wrangles between households especially with those who had been in the IDP camps and are now returning and cannot trace their original boundaries (Social Assessment, 2013). Others conflicts over land are between communities/households and Government institutions according to the findings of the social assessment. In Nakapriripirit, there exist conflicts over land between pastoralists and agriculturalist in the wet belt especially during the dry season when the pastoralists move to the wetter belts in search of water and pasture (Social Assessment, 2013). In the process, crops are destroyed by animals yet the owners of the animals are not willing to pay for the cropped eaten.

**Peace committees** – There are peace committees at different levels of the local government structures (Social Assessment, 2013). The anti-violence groups or peace committees were formed with the help of Mercy Corps to help in resolving conflicts within the communities, right to the household level. These groups comprise women, men and youths and the community development officers (CDOs) are also part of the groups (Ayoo et al. 2013). The peace committees arrests the culprits and recover stolen animals, facilitate constant dialogues within the community and are involved in inter-ethnic, intra-ethnic and cross-border conflict resolution efforts. The groups started in June 2012 in Dodoth and those supported by International Rescue Committee in southern Karamoja started as early as 2005. They report the problems beyond their control to the elders (Ayoo et al. 2013).

**LC Systems** – The findings of the social assessment indicate that conflicts are also resolved through area land committees, for those which are land related. These area land committees operate at Local Council III level. Clan leaders resolve both household and land related conflicts. The Local Council I resolve more cases than any other. The police also play a very important role in abetting crime. Other established systems of governance like the courts of law are usually the last resort. According to Ayoo et al. (2013), the LCs system helps in resolving conflicts at the village level. LC courts handle simple problems in the community. The majority of the leadership of the local councils is men, with women often occupying only the mandatory position of women's representative. The civil society is promoting women to be engaged in leadership positions over and above the community groups and the mandatory positions in the LC system.

**The Council of Elders** - The council recovers stolen animals, holds dialogue meetings, apprehends culprits, and investigates complaints (Ayoo et al. 2013). Back in the days, elders were regarded by many and accorded much respect as the wise and their wisdom provided guidance to the errant youths. The most common mechanisms for resolving conflict include meetings mediated by elders. The elders' councils apprehend culprits and return stolen cattle to the rightful owners or ensure they are compensated in cases when the stolen animals can no longer be recovered. The council of elders comprises of both elderly men and women and their decisions are final (Ayoo et al. 2013). They report difficult cases to the police.

**Civil society** - There are a number of peace building CSOs/NGOs such as Mercy Corps, ACORD, and World Vision operating in Karamoja to reduce the likelihood and implications of conflicts through interventions such as facilitating peace meetings, mediation, dialogues, recovering and returning stolen animals, engaging in peace education for elders and the general public and facilitating the creation of peace associations (Ayoo et al. 2013). There are groups formed on gender based violence at the community level and it involves both men and women. Each group is comprised of 35 members each with different roles. These groups are being supported by Mercy Corps with representatives at village levels. CSOs have also trained and equipped Community Resource Persons. The communities interviewed are of the opinion that this is not enough. There is need for more support from other NGOs and Government.

## 3 POTENTIAL RESETTLEMENT IMPACTS AND MITIGATIONS

The project intends to rehabilitate a few dams, construct new ones and a few markets. A part from the new dams, the locations for the markets and dams for rehabilitation are already known (the existing market places). Hence, there are almost no people to be re-located. Only a few people who may be affected due to the enlargement of the markets. This still has to be verified depending on the size of the planned markets.

However discussions with community members showed that involuntary resettlement may be in form of farm land that may be taken off for construction camps, access by contractor's equipment, and areas for storage of silt from the existing dams which activities may involve destruction of crops as well. The contractors will have take note of this and take proper records of the crops/trees that may be affected for subsequent compensation before commencing the construction or rehabilitation works.

### 3.1 Potential Scenarios

From the field observation of resource ownership and rights of access, it appears that as far as land needs and resettlement requirements are concerned, two different situations may be encountered in the course of the implementation of the RPLRP:

- a. The project component has no land need other than already acquired State land (e.g. existing access infrastructure including roads). In such cases, documentation of resolution of previous disputes will be required before these are approved.
- b. The implementation of new project component (e.g. new access roads, cattle markets, water points and dams, Dips, Cattle Crushes, Range lands etc.) that will/may require land acquisition (involuntary land acquisition from individuals with freehold title and involuntary land acquisition from communities).

In situation a) above, the fact that there is no land acquisition involved means that procedures required by the Ugandan law do not need to be triggered. Proposed processes will therefore be consistent with WB requirements only. Situation b) is more complex because it implies that both Ugandan procedures and WB requirements are to be followed, hence the need for an integrated process. In general, the project will mainly involve rural resettlement i.e. displacement of people in rural areas typically results from a project's acquisition of farm land, pasture, or grazing land or the obstruction of access to natural resources on which affected populations rely for livelihoods (for example, forest products, wildlife, and fisheries).

## 3.2 Description of Potential Project Impacts

### 3.2.1 Nature of Impacts

The sub projects are likely to have two categories of effects:

**Permanent effects** - Permanent effects will result into an infinite loss of use of property, vegetation, or land by the affected person as a result of the subproject activities. This is likely to occur where permanent installations such as laboratories and slaughter facilities are established. Such effects are anticipated to affect:

- a) Farmers and pastoralists whose land is found suitable for these installations and this can translate into either loss of land or crop cover or both;
- b) Resettlement can also lead to the loss of access to communal resources:
  - ✓ Loss of land for grazing;
  - ✓ Loss of access to water;
  - ✓ Loss of medicinal plants; and
  - ✓ Loss of trees for charcoal production and firewood.
- c) Increase of infectious diseases like HIV/AIDS due to new interactions of communities that utilize the new facilities

The above impacts can result in further indirect impacts, including the marginalization of the population concerned, degradation of health standards, loss of access to resources for marginalized communities such as pastoralists, disturbance to the way of life of affected population, conflicts with host communities, and potential food shortages.

**Temporal effects** - Temporal effects will result into an interruption in the current use of property or land by the affected person as a result of the sub project activities. This is likely to occur during rehabilitation of existing infrastructure especially cattle crushes, holding grounds, pastureland, water points etc. This is likely to affect:

1. Pastoralists that currently use water points and pasturelands meant for rehabilitation;
2. Business persons who own or operate existing slaughterhouses that will have to be rehabilitated

The mitigation measures to the above temporary impacts is for MAAIF to implement the project in phases i.e. one set of water points and pasturelands is rehabilitated while the others are in use to avoid the need for the communities to search for alternative water points and pasturelands. After the first set is fully rehabilitated and functional, then the second set will then be rehabilitated.

### 3.2.2 Categories of losses and their impacts on displaced persons

**Table 1: Summary of loss categories and impacts**

<b>Loss Category</b>	<b>Impacts</b>
Relocation	Impoverishment, disturbance of production systems, loss of sources of income, loss or weakening of community systems and social networks, loss of access to social amenities such as hospitals and schools, water; dispersion of kin groups, loss of cultural identity and traditional authority, loss or reduction of potential for mutual help, emotional stress.
Loss of land but no relocation	Impoverishment, loss of sources of income and means of livelihood, loss of productive assets or access to assets, increased time to access resources.
Alienation due to neighbors being relocated	Impoverishment, weakening of community systems and social networks, loss of mutual help and community support, loss of traditional authority, loss of identity and cultural survival, emotional stress.
PAPs and host communities	Impoverishment, loss of sources of income, reduced access to resources such as hospitals and schools, water, increased time to access resources, disruption of social fabric, increased crime, increase in diseases such as HIV/AIDS, clash of cultural norms and religious beliefs.

Overall, no significant displacement of persons is expected except for the acquisition of required land for the expansion of existing facilities and construction of new structures. The project interventions are meant to strengthen already existing means of livelihood by the pastoral communities and the communities are likely to appreciate the services and will likely donate the land required or allow creation of new community access roads through their land or plots willingly where necessary. Where land is donated this must be in accordance with the laws of Uganda to ensure that the donation is truly voluntary and free of coercion. The requirements of this RPF will, however, still apply, as this does not depend on the scale or complexity of the resettlement required.

### 3.3 Minimization of Physical Displacement

Major challenges associated with rural resettlement include: requirements for restoring income based on land or resources; and the need to avoid compromising the social and cultural continuity of affected communities, including those host communities to which displaced populations may be resettled. Provisions are made under this RFP to minimize all such impacts including those of socio-economic significance and on environmentally sensitive sites. Provisions are also made in this RFP to accommodate all potential situations, including cases that entail actual displacement and livelihood restoration assistance in accordance with the World Bank Policy on Involuntary Resettlement, OP 4.12. This Resettlement Policy Framework, for the RPLRP activities advocates all measures to eliminate or minimize the impacts of physical and economic displacement of people. Therefore when the acquisition of land is required, the program will:

- Initially endeavor to utilize available freehold or public land;
- Seek voluntarily donated land, sufficient for the purposes of the RPLRP;
- Negotiate acquisition of land suitable for implementation of the RPLRP program activities using agreed compensation plans and only as a last resort;
- Acquire land through involuntary means following the provisions outlined in this RPF.

In line with the World Bank safeguard policy OP 4.12, the RPLRP will minimize displacement through the following design procedures:

- Wherever inhabited dwellings may potentially be affected by a component of a subproject, the subproject shall be redesigned (facility relocation or rerouting) to avoid any impact on such dwellings and to avoid displacement/relocation accordingly;
- Wherever the impact on the land holding of one particular household is such that this household may not be sustainable in the long term, even if there is no need to physically displace this household, the subproject shall be redesigned (facility relocation or rerouting) to avoid any such impact;
- Minimization of land impact will be factored into site and technology selection and design criteria;
- Costs associated with displacement and resettlement will be internalized into activity costs to allow for fair comparison of processes and sites;
- To the extent possible, project facilities will be located on community lands; a participatory approach will be put in place for the communities to confirm where to site these facilities. This participatory approach process will pay particular attention to representation and participation of women community members;
- Infrastructures required by the project will be routed inside existing right-of-ways, easements or reservations wherever possible



# 4 POLICY, LEGAL AND REGULATORY FRAMEWORK

## 4.1 Ugandan Laws

There are a number of national and local legal frameworks that regulate the land relations in Uganda. These frameworks define land rights, ownership, procedures and requirements of transfer and acquisition of land between individuals and groups. They also provide procedures for the acquisition of land by the state or a public body for public projects. Among the most important legal instruments in this regard are the following:

- The Constitution of Uganda (1995);
- National Environmental Management Statute (1995);
- The Land Act (1998);
- The National Land Policy 2011
- The Town and Country Planning Act (1964);
- The Local Government Act (1992);
- The Land Acquisition Act (1965);
- The National Wetlands Policy (1995)

While all matters relating to land acquisition, compensation and resettlement are managed within the provisions of the above legislation, the most decisive document in this regard is the Land Act of 1998, as amended.

### 4.1.1 The Uganda Constitution (1995)

Article 237(1) of the Constitution vests all land of Uganda in the citizens of Uganda. However under Article 237(1) (a), the government or local government can acquire land in the public interest. Such acquisition is subject to the provisions of Article 26 of the Constitution, which gives every person in Uganda a right to own property.

The Constitution also prescribes the tenure regimes in accordance with which rights and interests in which land may be held namely; Customary, Freehold, Mailo and Leasehold. It introduces ‘bonafide occupancy’ as a form of tenure that gives the occupant some rights to the land occupied. According to the Constitution, all land belongs to the people of Uganda and is held in trust by the Government. Government is authorized to acquire land for a public purpose and compensate affected persons in accordance with the law. It provides procedures to follow during the acquisition of land for public interest and provides for the “*prompt payment of fair and adequate compensation*” prior to taking possession of the land. The Constitution however, does not make resettlement a right.

### 4.1.2 The Land Act (1998)

The 1998 Land Act addresses land holding, management control and dispute processing. The Act creates a series of land administration institutions, namely, Uganda Land Commission (ULC), District Land Boards (DLB), Parish Land Committees (PLC) and District Land Tribunals (DLT). Section 78 of the Act gives valuation principles for compensation, i.e. compensation rates to be yearly approved by DLBs. The basis for compensation is depreciated replacement costs for rural properties and market values for urban properties.

Article 75 of the Land Act 1998 and Article 243 of the 1995 Constitution creates District Land Tribunals with jurisdiction to determine disputes relating to the grant, lease, repossession, transfer or acquisition of land by individuals, the ULC or other authority with responsibility relating to land; and the determination of any disputes relating to the amount of compensation to be paid for land acquired. Article 77 (e) of the Land Act 1998 gives power to the DLTs to determine any other dispute relating to land under this act. Article 88 (1) of the act stipulates that an appeal shall lie from the decision of a DLT to the High Court. Key features of the recognized forms of land tenure in Uganda are:

**Customary Tenure** - Is governed by rules generally accepted as binding and authoritative by the class of persons to which it applies. That is customary tenure is not governed by written law. Landowners do not have deeds recognizing their ownership rights and land is run according to rules and practices generally accepted as legitimate and binding by a particular community. Customary laws vary according to regions but most systems are based on the same general principles. Ownership rights are recognized by the community through inheritance, purchase, or by settling on a plot of land which was previously vacant. Under Ugandan customary legal systems, particularly in northern and eastern Uganda, land is usually communally owned by the clan but it can also be owned individually. Rights and responsibilities that derive from communal ownership are shared among various members of the clan according to traditional practices. Usually, the head of the clan or family, the “custodian”, has the responsibility to look after each member’s land rights and to allocate land fairly to all. Under this system, disputes are heard and settled by clan elders.

**Leasehold Tenure** - Is created either by contract or by operation of the law and is a form under which the landlord or lessor grants the tenant or lessee exclusive possession of the land, usually for a period defined and in return for a rent. The tenant has security of tenure and a proprietary interest in the land.

**Freehold Tenure** - Derives its legality from the constitution and its incidents from the written law. Involves the holding of land in perpetuity or a term fixed by a condition and also enables the holder to exercise, subject to the law, full powers of ownership.

**Mailo Tenure** - Has roots in the allotment of land pursuant to the 1900 Uganda Agreement and derives its legality from the constitution and its incidents from written law. It involves the holding of land in perpetuity and permits the separation of ownership of land from the ownership of developments on land made by a lawful or bona fide occupant. The system enables the holder to exercise all powers of ownership, subject to the rights of those persons occupying the land at the time of the creation of the mailo title and their successors.

The ownership of, and rights in, natural water resources are, under the Land Act, 1998, reserved to central and local governments. Section 45 provides that water resources reserved for ecological and tourist purposes shall be vested in the Central Government or a local government. In particular, the following water resources must be owned by the Central Government or a local government:

- Natural lakes;
- Rivers;

- Ground water;
- Natural ponds;
- Natural streams and
- Wetlands.

Grants of freehold, customary, *mailo* or leasehold interests over the above water resources are, therefore, prohibited. The only interests that can be granted under the Land Act, 1998 in respect of the above water resources are limited to concessions, licences and permits.

As indicated above, land ownership and use under the Land Act, 1998 are not unlimited. Section 43 of the Land Act, 1998 gives both the Central Government and the Local Governments sufficient powers to compulsorily acquire land (**subject to compensation**) for public purposes.

Acquisition of land for purposes of RPLRP subprojects especially water points would clearly meet the ‘public purpose’ test. Accordingly, where it is not possible for MAAIF to come to a negotiated settlement or agreement with private land owners or occupiers, or where the compensation demanded is considered excessive, the provisions in the Land Act, 1998 relating to the compulsory acquisition of land by either local governments or the Central Government can be invoked. However, the exercise of this power is subject to payment of compensation and compliance with stringent statutory conditions and procedures set out in the Constitution and the Land Acquisition Act, 1965.

#### 4.1.3 Draft National Land Policy 2011

This new land policy addresses the contemporary land issues and conflicts facing the Country. The vision of the policy is: “Sustainable and optimal use of land and land-based resources for transformation of Ugandan society and the economy” while the goal of the policy is: “to ensure efficient, equitable and sustainable utilization and management of Uganda’s land and land-based resources for poverty reduction, wealth creation and overall socio-economic development”.

**Access to Land for Investment:** Section 3.16 of the Policy (88 – b) states that government shall put in place measures to mitigate the negative impacts of investment on land so as to deliver equitable and sustainable development. While part 90 of the same section positions government to protect land rights, including rights of citizens in the face of investments with measures for clear procedures and standards for local consultation; mechanisms for appeal and arbitration; and facilitate access to land by vulnerable groups in the face of investments.

**Measures for Protection of Land Rights:** Section 3.17 (91) of the Policy recognizes the inability of the majority of Ugandan to afford the cost of formally securing land rights and therefore government will put in place a framework that would ensure that land rights held by all Ugandans are fully and effectively enjoyed.

**Rights for Minorities:** As regards land rights of ethnic minorities, the Policy states that:

- (a) Government shall, in its use and management of natural resources, recognize and protect the right to ancestral lands of ethnic minority groups;
- (b) Government shall pay prompt, adequate and fair compensation to ethnic minority groups that are displaced from their ancestral land by government action.

To redress the rights of ethnic minorities in natural habitats, Government will take measures to:

- (i) establish regulations by Statutory Instrument to:
  - recognize land tenure rights of minorities in ancestral lands;
  - document and protect such de facto occupation rights against illegal evictions or displacements;
  - consider land swapping or compensation or resettlement in the event of expropriation of ancestral land of minorities for preservation or conservation purposes;
  - detail terms and conditions for displacement of minorities from their ancestral lands in the interest of conservation or natural resources extraction;
- (i) pay compensation to those ethnic minorities that have in the past been driven off their ancestral lands for preservation or conservation purposes;
- (ii) deliberate and specify benefit-sharing measures to ensure that minority groups benefit from resources on their ancestral lands rendered to extractive or other industry;
- (iii) recognize the vital role of natural resources and habitats in the livelihood of minority groups in the gazettement or degazettement of conservation and protected areas

In regard to land rights of pastoral communities, Policy Statement is that **“Land rights of pastoral communities will be guaranteed and protected by the State.”** To protect the land rights of pastoralists, government will take measures to:

- (i) ensure that pastoral lands are held, owned and controlled by designated pastoral communities as common property under customary tenure;
- (ii) develop particular projects for adaptation and reclamation of pastoral lands for sustainable productivity and improved livelihood of communities;
- (iii) protect pastoral lands from indiscriminate appropriation by individuals or corporate institutions under the guise of investment;
- (iv) promote the establishment of Communal Land Associations and use of communal land management schemes among pastoral communities;
- (v) establish efficient mechanisms for the speedy resolution of conflict over pastoral resources, and between pastoral communities and sedentary communities

To support pastoral development, Government shall:

- (i) prescribe clear principles for the ownership, control and management of pastoral lands in a policy by the Ministry responsible for Agriculture;
- (ii) prescribe clear principles for voluntary resettlement of pastoral communities with approval of local governments in a resettlement policy;
- (iii) ensure zoning to establish appropriate agro-ecological zones, pastoral resource areas and access, maintaining an equitable balance between the use of land for pasture, agriculture, energy, industry and for wildlife protection;
- (iv) establish mechanisms for flexible and negotiated cross-border access to pastoral resources among clans, lineages and communities for their mutual benefit;
- (v) consider restitution, compensation or resettlement of pastoral communities in their ancestral lands, who have lost land to government over the years

#### **4.1.4 Land Acquisition Act (1965)**

This Act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land, dig or bore the subsoil or any

other thing necessary for ascertaining whether the land is suitable for a public purpose. The Government of Uganda is supposed to pay compensation to any person who suffers damage as a result of any action. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.

The Land Acquisition Act stops at payment of compensation. It is not a legal requirement to purchase alternative land for the affected people by the project. Once they are promptly and adequately compensated, then the obligations stop there. The Government through the Ministry of Lands, Housing and Urban development will pay the compensation to the affected persons. There is no requirement or provision in the law that people need to be moved or that alternative land be made available or bought. Each affected person entitled to be compensated; on receipt of his/her compensation is expected to move and has no further claim.

#### **4.1.5 The Local Government Act (1997)**

The Local Government Act (LGA) was enacted to give effect to the policy of decentralisation and devolution of functions, powers and services; and to provide for decentralisation at all levels of local government to ensure good governance and democratic participation in, and control of decision making by the people. The Local Government Act provides for the system of Local Governments, which is based on the district. Under the district there are lower Local Governments and administrative units. This system provides for elected Councils. The chairman nominates the executive committee of each council. The functions of this committee include:

- Initiating and formulating policy for approval of council;
- Overseeing the implementation of the Government and Councils' policies, and monitor and coordinate activities of Non-Government Organizations in the district; and
- Receiving and solving disputes forwarded to it from lower local governments.

According to the second schedule to the LGA, the Central Government is responsible for water resources and the environment (Part I, Second Schedule of the Local Government Act). The Lower Local Government Councils (sub-county or division) are responsible for the protection and maintenance of local water resources (Part 4). It is the function of the various executive committees, including the parish or village executive committees, to generally monitor projects and other activities undertaken by government, local governments, and non-governmental organisations in their area (Section 50(8)).

#### **4.1.6 The Town and Country Planning Act (1964)**

The Town and Country Planning Act of 1964 gives broad powers to planning authorities at the national and local level to take land, against compensation, for public purposes within an approved planning area. Further, such authorities can determine set back lines "beyond which no building may project" into a roadway including the road reserve area.

#### **4.1.7 The Judicature Act**

Customary law is stipulated under the Act as law applicable in Uganda though it is subordinate to written law. Further the custom in issue should not be repugnant to natural justice or equity. Some customary laws recognize the importance of maintaining clean water sources particularly for drinking water. There are cultural practices that recognize the value of the common good which could be harnessed.

## 4.2 World Bank Policies

World Bank policy requires “screening” of all projects proposed for Bank financing to help ensure that they take social concerns into account with respect to adverse impacts on project affected people (PAP’s) and to appropriately plan for and respond to these impacts, and thus improve decision making about resettlement, options, alternatives, participation of PAP’s and compensation. The World Bank’s safeguard policy on involuntary resettlement, OP 4.12 is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to access to natural resources, may take place as a result of the project. It includes requirements that:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons physically displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

This policy covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by the involuntary taking of land resulting in:

- (i) relocation or loss of shelter;
- (ii) loss of assets or access to assets; or
- (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location

## 4.3 Comparison of Uganda Laws and World Bank OP 4.12 Regarding Compensation

Whereas the law relating to land administration in Uganda is wide and varied, entitlements for payment of compensation are essentially based on the right of ownership. The World Policy on resettlement recognizes the need to mitigate the effects of involuntary resettlement based on an appreciation of the detrimental effects of involuntary resettlement. In comparison to Ugandan law that defines rights to land ownership and ownership of property *per se*, the policy goes further to highlight the important relationship between property rights, human settlement and the need to maintain people’s source of livelihood. It compliments existing law in Uganda related to property rights and land ownership by recognizing the socio economic value this presents to persons affected.

By requiring that compensation and resettlement be planned through a participatory process that is geared towards satisfying affected person(s), the policy adds more value to the National aspirations enshrined in the Constitution in attempting to achieve the realization of the rights and dignity of citizens. The principles of supporting affected persons achieve a livelihood that is either equal to or better than that before resettlement provides a development perspective to land and property rights.

**The higher of the two standards will be followed in this policy framework, since that procedure also satisfies the requirements of the lesser standard.**

Category of PAPs and Type of Lost Assets	Ugandan Law	World Bank OP4.12	Mitigation measures
Land Owners	<ul style="list-style-type: none"> <li>• Cash compensation based upon market value under statute. Land for Land</li> </ul>	<ul style="list-style-type: none"> <li>• Recommends land-for-land compensation. Other compensation is at replacement cost</li> </ul>	<i>Na</i>
Land Tenants PAPS are entitled to some form of compensation whatever the legal/illegal recognition of their occupancy.	<ul style="list-style-type: none"> <li>• Entitled to compensation based on the amount of rights they hold upon land under relevant laws. Illegal tenants are not entitled to compensation</li> </ul>	<ul style="list-style-type: none"> <li>• PAPS are entitled to some form of compensation whatever the legal/illegal recognition of their occupancy.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Design RPLR-Project to avoid resettlement or minimize displacement of people e.g. sitting and routing of Project activities will try to avoid land held by illegal tenants.</i></li> <li>• <i>Dialogue with policy makers will be</i></li> <li>• <i>initiated to explore the possibility of</i></li> <li>• <i>giving compensation to illegal tenants</i></li> </ul>
Land users	<ul style="list-style-type: none"> <li>• In some cases land users have some form of secured tenure extended to them under new laws.</li> <li>• In other cases land users are not entitled to compensation for land.</li> <li>• Entitled to compensation for crops and any other economic assets.</li> <li>• Land for Land</li> </ul>	<ul style="list-style-type: none"> <li>• Entitled to compensation for crops, may be entitled to replacement land and income will be restored to at least pre-RPLR-Project levels</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Design of RPLR- Project to avoid</i></li> <li>• <i>resettlement or minimize displacement of</i></li> <li>• <i>people e.g. sitting and routing of</i></li> <li>• <i>Program activities will try to avoid land held by illegal tenants.</i></li> <li>• <i>The program will have a strategy for</i></li> <li>• <i>enabling the PAPs restore their incomes</i></li> <li>• <i>to at least pre-RPLR- Project levels</i></li> <li>• <i>Dialogue with policy makers will be</i></li> <li>• <i>initiated to explore the possibility of</i></li> <li>• <i>giving compensation to all illegal tenants</i></li> </ul>
Owners of Temporary Buildings	<ul style="list-style-type: none"> <li>• Cash compensation based on market value or entitled to new housing on authorized land under government (state or local) housing programs</li> </ul>	<ul style="list-style-type: none"> <li>• Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Dialogue with policy makers will be initiated to explore the possibility of including labor and relocation expenses prior to displacement</i></li> </ul>
Owners of Permanent	<ul style="list-style-type: none"> <li>• Cash Compensation is based on market</li> </ul>	<ul style="list-style-type: none"> <li>• Entitled to in-kind compensation or cash</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Dialogue with policy makers will be initiated to explore the</i></li> </ul>

buildings	value.	compensation at full replacement cost including labor and relocation expenses, prior to displacement.	<i>possibility of including labor and relocation expenses prior to displacement.</i>
Perennial	<ul style="list-style-type: none"> <li>• Crops Cash compensation based upon rates calculated as an average net agricultural income.</li> </ul>	<ul style="list-style-type: none"> <li>• As per specifications of this RPF, once approved by the Bank and disclosed at the Bank info shop</li> </ul>	NA



## 5 STAKEHOLDER CONSULTATIONS

With respect to consultation, a number of consultations were undertaken with a wide range of stakeholders, including national and local governments, NGOs, among others for the preparation of the RPF. A number of issues discussed are related to the impact of the project such as impact on land, smallholders, pastoralist and gender. A summary of the key issues raised that are relevant to this RPF are summarized below.

<p>Henry Kizito, Principal Engineer - <b>Ministry of Water and Environment</b></p>	<ul style="list-style-type: none"> <li>• Land for dam construction used to be given out freely by communities to government without compensation once they identified the right location for the construction. However after the parliamentary directive in 2010, the issue of compensation of land for dam construction started. The directive compels government to compensate the land owners for the land acquired, either cash for land or land for land. Typically for MWE, once government identifies a piece for land for dam construction, the concerned community is approached and negotiations are initiated.</li> <li>• Each district determines its own property rates which are reviewed periodically usually annually. The Chief Government Valuer approves annually the property rates determined by each District Land Board.</li> </ul>
<p><b>Uganda Land Alliance</b> Achola Lillian- Legal Office Kotido Office</p>	<ul style="list-style-type: none"> <li>• In pastoralist area most of the land tenure is customary land</li> <li>• Land is acquired through community land association;</li> <li>• In Karamoja, there are village land committee which handle land disputes on a weekly basis and usually resolve land wrangles amicably;</li> <li>• Uganda Land Alliance offers free legal services to the vulnerable groups in the project area and they selected Karamoja region because there are more vulnerable groups there. Their services can be extended elsewhere within the country upon request</li> <li>• Mediation process is also one way of resolving conflicts, because court procedures to settle issues take long to conclude. However, the courts also prefer issues to be settled outside Courts of Law.</li> <li>• The communities need to be empowered to know their rights, ULA carries out monthly sensitization about land rights, women rights, compensation (fair and adequate).</li> </ul>
<p>Kween District Local Government</p>	<ul style="list-style-type: none"> <li>• Cattle markets exist but without proper structures, not clearly fenced and no proper documentation to ascertain ownership</li> </ul>
<p>Chelimo Bosco Programme Officer  <b>Benet Lobby Group</b></p>	<ul style="list-style-type: none"> <li>• Any land acquired for project development should be compensated for</li> </ul>

# 6 LAND ADMINISTRATION AND CATEGORIES OF AFFECTED PERSONS

## 6.1 Jurisdiction of the Framework

The following will apply in the implementation of this framework:

- all land acquisition, including voluntary land contribution will be compensated,
- compensation will be limited to valuations made after the cut-off date
- compensation for existing infrastructure will be limited to new land acquired for extensions and rehabilitation of these infrastructures and related services,
- All land conflicts will be resolved in a transparent manner and in a manner that is not coercive. Attempts will be made to resolve conflicts at the village, traditional authority or district level. Where this is not possible, recourse can be heard at State legal institutions on land ownership in Uganda

## 6.2 Land Acquisitions, Title, Transfer and Term of Ownership

Land acquisition in Uganda may be achieved through:

- occupancy by individual persons and by local communities, in accordance with customary norms and practices, which do not contradict the Constitution;
- uninterrupted occupancy by individual nationals who have been using the land in good faith for at least twelve years before 1995 and;
- authorization on the basis of an application submitted by an individual or corporate person in the manner established by the Land Law

The Land Law stipulates that a land title will be issued by the Lands Department. However, the absence of a title will not prejudice the right of land use and benefit the acquired through occupancy. The application for a land title will include a statement by the local administrative authorities, preceded by consultation with the respective communities, for the purpose of confirming that the area is free and has no occupants. Title to local community land will be issued in a name decided upon by the community and individual men and women who are members of the local community may request individual titles after partitioning community land.

The right of land use and benefit can be proved by presentation of the respective title; testimonial proof presented by members, men and women of local communities and by expert evidence and other means permitted by law.

Among other modes of land transfer, the Land Law permits the transfer of land by inheritance, without distinction by gender. The right of land is not subject to time limit for the following cases: (i) Where the right was acquired by local communities through occupancy; (ii) Where it is intended for personal residential purposes and; (iii) Where individual nationals reserve it for family.

## **6.3 Land Acquisition Mechanism for RPLRP**

### **6.3.1 Critical Issues**

This Resettlement Policy Framework, for the RPLRP program activities advocates all measures to eliminate or minimize the impacts of physical and economic displacement of people. Therefore when the acquisition of land is required, the program will:

- initially endeavor to utilize available freehold or public land;
- seek voluntarily donated land, sufficient for the purposes of the RPLRP program;
- negotiate acquisition of land suitable for implementation of the RPLRP program activities using agreed compensation plans and only as a last resort and;
- acquire land through involuntary means following the provisions outlined in this RPF
- All of the above processes should be well documented with evidence.

### **6.3.2 Voluntary Land Contribution with Compensation**

Voluntary Land Contribution with Compensation will refer to cases where individuals or community land owners will agree to provide land for RPLRP program-related activities, in return for negotiated compensation.

Note: Voluntary Land Contribution without Compensation is not recommended, because the experience has shown that opening up this venue either leads (i) to elitism or to (ii) forced contribution from the most vulnerable groups or persons. To avoid this elitism, abuses of vulnerable groups, and delays in RPLRP Program, it is preferable to compensate all land acquisition for program activities. The compensation should be based on current district property rates.

### **6.3.3 Involuntary Acquisition of Land**

Involuntary acquisition of land and assets thereon, including resettlement of people, unless absolutely necessary, will be avoided. Where involuntary land acquisition is unavoidable then it will be minimized to the greatest extent possible. The Displaced Persons will participate throughout the various stages of the planning and implementation of the land acquisition, compensation and resettlement plans and processes. Prior to the preparation of the Resettlement Action Plans, the persons to be displaced will be informed of the provisions of this Framework and their entitlements at public meetings.

## **6.4 Categories of Project Affected People (PAPs)**

The likely numbers of persons who may be affected and displaced during implementation of the RPLRP program activities cannot be accurately estimated. However, the RPLRP Project Affected Persons (PAPs) or the persons likely to be displaced economically or physically can generally be categorized into the following main groups.

### **6.4.1 Affected Households**

A household will be affected if one or more of its members are affected by the RPLRP project activities. This will be either in the form of loss of property, land or access to services or socio-economic resources. Affected household members will include:

- Any member of the household whether men, women, children, dependent relatives, friends and tenants,

- Vulnerable individuals who may be too old or ill to farm or perform any duties with the others,
- Members of the household who are not residents because of cultural rules, but depend on one another for their livelihood,
- Members of the household who may not eat together but provide housekeeping or reproductive services, critical to the family's maintenance,
- Other vulnerable people who cannot participate, for physical or cultural reasons; in production, consumption, or co-residence.
- Disabled people who may be attached to a particular service center.

#### **6.4.2 Vulnerable Households**

One of the objectives in the decentralization policy of Uganda targets empowering women by removing restrictive practices on women's participation in decision-making processes that affect them. Particular attention will be paid to impacts on vulnerable members of these communities such as women, children, the disabled, female and child headed households, and internally displaced people. Internal conflicts, drought, floods, historical marginalization, poor infrastructure, and diseases still affect the Karamoja region, with significant impacts on human welfare and quality of life. The sub-region has the lowest human development indices in the country. Nearly 80% of the population experiences some degree of food insecurity, mainly due to unreliable rainfall. The seven districts of Kaabong, Abim, Kotido, Nakapiripirit, Amudat, Napak and Moroto, are all located within a "red" food security zone, according to a recent government assessment. WFP, working with the government's Karamoja Productive Assets Programme to increase household incomes and create assets, provided targeted relief food to the 140,000 extremely vulnerable persons in 2011.

The Teso sub-regions has suffered from floods, drought and famine, conflicts and cattle raiding. This vulnerability to floods, compounded by unpredictable weather patterns and Karamojong cattle raiding, continues to negatively impact the livelihood security of people at community and household levels in the sub region. While internal displacement has ended in Teso, several factors are undermining sustainable resettlement and recovery. Gaps in social service provision and limited livelihood opportunities continue to hamper the quest for durable solutions.

#### **6.4.3 Internally displaced Persons**

These are people who had to flee their homes as a result of rebel atrocities committed against their communities and are now virtually refugees in their own country and have not returned. Five years after the signing of the Cessation of Hostilities Agreement between GoU and the Lord's Resistance Army (LRA), the majority of IDPs have left the camps. More than 98% of the 1.8 million IDPs who lived in camps at the height of the conflict have returned to their areas of origin or have resettled in new locations. They may however be still dependent on the NGO community and others for support.

Particular efforts are to be made not to negatively impact these people where possible, but when unavoidable, efforts will be concentrated on post-compensatory measures such as opportunities to participate in the RPLRP program activities to enhance their livelihoods. The last survey on IDP figures by the UNHCR sub-office in Gulu reported that there were still 29,776 IDPs in four sub-regions of Uganda as of December 2011 out of which 720 IDPs were reported in Katakwi and Amuria districts in Teso sub-region. IDP estimates do not take into account new patterns of displacement caused by land disputes which often arise after attempts to return. Latest figures for

2013 are not available at the moment. Sporadic cattle-raids in Karamoja are reported but there are no estimates of the number of people recently displaced in the region.

#### **6.4.4 Elderly**

The elderly people farm or engage in other productive activities as long as they are physically able to. Their economic viability does not depend on how much land they farm or how much they produce because, by producing even small amounts of food to “exchange” with others, they can subsist on cooked food and generous return gifts of cereal from people such as their kith and kin and neighbors. Losing land will not necessarily affect their economic viability. They will have cash or in-kind replacements to exchange. For future production they need access to only a small parcel of land. What would damage their economic viability is resettlement that separates them from the person or household on whom they depend for their support. The definition of household by including dependents avoids this.

#### **6.4.5 Voluntary Land Contributors**

Under some development projects, especially community projects very similar to RPLRP, there were instances when individual members gave land voluntarily. Particular attention will be paid to ascertain that these contributions were indeed voluntary and free from all pressures from society and free from fear of prosecution, marginalization or stigmatization. All persons or groups affected by this will be monitored even where contributions are voluntary to ascertain whether they have not been or likely to be affected such that they are left poorer or livelihoods affected without course for compensation. Sometimes land is given “voluntarily” because people do not want to be seen as or accused of, holding back community development. Therefore, due to the attached implications, this should be avoided where possible.

#### **6.4.6 Women**

Women may depend on husbands, sons, brothers or others for support. In many cases too, women are the main breadwinners in their households, yet in some communities in Uganda, women cannot own land. Also, as mothers and wives, they need access to health service facilities. Women are central to the stability of the household. They will not be resettled in a way that separates them from their households as the survival of their households depends on them. Furthermore, the decentralization policy of Uganda recognizes the plight of women and seeks to encourage employment and the involvement of women in decision-making. Their compensation will take into account all these factors. The needs and problems of the women are likely to be different both in character and magnitude from those of men, particularly in terms of social support, services, employment and means of survival. Female heads of households are eligible for the same benefits as their male counterparts but they would need special attention if they lack resources, educational qualifications, skills, or work experience compared to men. In addition, where there is compensation, both husband and wife should be involved and assisted to benefit.

#### **6.4.7 Indigenous Peoples**

The *Ik* in Kaabong District and *Benet* in Kween District have been identified as the indigenous people in the project area. A separate Social Assessment and Indigenous Peoples Planning Framework have been prepared which explains their cultural and socio-economic vulnerability. Both documents include measures for consultation, participation in, and benefit-sharing in the project. However, where there are issues of land acquisition affecting them, the guidelines in this framework will be applied.

## **6.5 Customary Land Users without a Formal Title**

These are the local or/and indigenous groups and are usually peasant farmers or pastoralists who may have customary rights to the land and other resources taken away due to the RPLRP. These people usually have ancestral customary rights to regulate collective common property and have open access to common grazing land, fishing areas, forest and grassland resources for subsistence and cash incomes. The World Bank Policy (OP 4.10) has been triggered for RPLRP because it will cover areas inhabited by legally recognized indigenous peoples' communities of Ik in Kaabong District and Benet in Kween District. MAAIF will have to consider the affected people in this category and work out a compensation and resettlement package for them if the project affects them with respect to physical and economical land dislocations or/ and involuntary abstraction to a legally designated parks and protected areas.

### ***The Land Owner (s)***

These will lose agriculture land, living quarters plot, structures, valuable crops and income generating activities.

### ***The Affected with Business Enterprises***

Another category of people is that of owners of commercial plots, structures used in commercial and industrial activity. It also includes business persons and artisans occupying or renting commercial premises.

### ***Squatters and Encroachers***

There may be some cases of squatters (on unused urban or rural land) and encroachers on forest and farmland. Most squatters are likely to be former IDPs who returned home and found no land to settle on. The program will allocate some resources to rehabilitate the squatters and the encroachers.

### ***The Very Poor***

The poorest people in a community e.g. those with very small land holdings may lose their viability after land acquisition and require full income restoration. The challenge for the very poor may be to identify sustainable living and income-generating options that are acceptable and workable for them. A social preparation phase can help to build the capacity of the very poor over a period of time to help them to identify problems, constraints and possible solutions.

### ***The Host Population***

There could be adverse impact on the host population due to development of resettlement sites.

### ***Individuals***

These fall under the above mentioned categories but affected individually. Others are the tenants who may lose contract on farming or leasing and share of crops. There will also be those who will lose homes occupied with the permission of the owner or those who are illegal. The categories given above may not cover all types of affected persons. In addition, the categories are not mutually exclusive. It is important therefore that the RPLRP activities should have well prepared and comprehensive resettlement action plans that are be specific and comprehensive enough to benefit all the categories of affected persons, through the following and other actions as may be appropriate.

# 7 SUBPROJECT SCREENING, LAND ACQUISITION AND RESETTLEMENT

## 7.1 Project Screening

The Involuntary Resettlement Policy requires that all Bank-financed operations are screened for potential impacts, and that the required compensation work is carried out on the basis of the screening results before implementation or civil works for each subproject begins. Sub-projects might also have a social impact on the community. Potential socio-economic impacts that will require mitigation measures, resettlement and compensation will have to be identified. The subprojects will be screened to answer the critical questions below:

- i. Will involuntary resettlement, land acquisition, or loss, denial or restriction of access to land and other economic resources be caused by the implementation of the sub-project?
- ii. Will the sub-project result in the permanent or temporary loss of crops, fruits and household infrastructures such as granaries, outside toilets, kitchens, and other structures, etc.?

## 7.2 Preparation of Resettlement Action Plans

The screening process is a very important component of several activities that contribute to the preparation of the Resettlement Action Plans (RAPs). The RAP which will be drafted by MAAIF will specify the procedures it will follow and the actions it will take to properly resettle and compensate affected people and communities. The RAP will have to identify the full range of people affected by the project and justify their displacement after consideration of alternatives that would minimize or avoid displacement. Preparation and submission of the Resettlement Action Plan to the relevant local government authorities and World Bank comprises the following steps:

**Step 1:** The program investment activities to be undertaken and the locations of the investments will undergo preliminary evaluation on the basis of the objectives of the program.

**Step 2:** The developer, MAAIF, and implementing institutions will approach the communities impacted through the local government authorities with the view to arriving at a consensus on possible sites for the type of facility to be adopted.

**Step 3:** The Local Communities authorities (village councils, parish/sub-county county and district development committees) will undertake their inter-communal consultations in order to review the siting of the facility.

**Step 4:** The environmental and social screening process is in conformity with the provisions of the ESMF and the RPF screening process. The process will determine:

- whether any resettlement will be required at the chosen site and if so
- whether alternative sites are available,
- whether any loss of land, assets or access to economic resources will occur or

- Whether any of the World Bank operational policies will be triggered.

**Step 5:** On the basis of analysis of the matrix emanating from the two screening processes a final selection of the optimum site presenting the least negative environmental and social impacts including resettlement /loss of assets can be made.

**Step 6:** Where resettlement or loss of assets will occur, the provisions of the World Bank’s OP 4.12 will be applied and a RAP prepared for each sub project /investment.

In the event that resettlement will be triggered, a comprehensive Resettlement Action Plan will be prepared for the respective subproject. The RAP shall, among others:

- Establish method for determining a cut-off date for compensation.
- Provide description of different categories of impacted people determined by degree of impact and assets lost.
- Define criteria to be used in identifying who is eligible for compensation for each category of population impacted. These criteria may include, for example, whether losses are partial or total, whether people have their own land or also rent land, and what happens when buildings are occupied by more than one business tenant or household.
- Elaborate on amount of losses, ownership status, tenancy status, and any other relevant information.
- Identify who the affected persons, what impacts, eligibility, and how the process will work.
- Set out the different categories of people that may be affected by subproject, and show the types of losses such people may suffer, whether to land, income, rights of access, housing, water sources, proximity to work, and others, and including combinations (house and land, for example).
- Make the eligibility criteria user-friendly, so that those applying the principles to subprojects “on the ground” will be able to quickly identify whether people affected are eligible for compensation, and how.
- Describe the grievance redress mechanism
- Define categories of people eligible under national law and any others who must be compensated based on the requirements of World Bank OP 4.12.
- Define the unit of compensation – individuals, families, collectives (or all three, because some losses may be sustained by individuals, others by the community as a whole or by associations within it such as religious or farmers’ groups).

As a general guide the RAP must:

1. Sufficiently justify resettlement as unavoidable.
2. Be based on the baseline study reports and inventory of assets.
3. Uphold the principle of fairness in compensating affected persons.
4. Contain deliberate activities and mechanisms to enhance capacity to efficiently manage the resettlement process. This must include strengthening existing capacity of Water authorities and local Councils to handle the process where necessary.

The process of preparing the resettlement action plans, in line with the requirements of above, will involve the following:



- A census shall be carried out to identify PAPs
- The census will generate information about the Displaced Persons, their entitlements regarding compensation, resettlement and rehabilitation assistance as required,
- Disturbances, especially those affecting income-earning activities and impact on assets should be properly recorded with the view to compensation or replacement in case of resettlement,
- Based on the census and inventory of losses, and in consultation with the displaced Persons, a time-phased action plan with a budget for provision of compensation, resettlement, and other assistance as required, shall be prepared.

To ensure transparency of procedures, PAPs and displaced Persons shall be informed of the method of valuation employed to assess their assets. The NPCU shall contract a firm of consultants which will be responsible for implementing the resettlement process, carrying out a census of PAPs and the affected properties, RAP preparation and compensation. The firm of consultants will issue or deliver all payments of compensation or resettlement assistance, as the case may be, in the presence of the PAP(s) in question and a witness, and local officials.

### **7.3 Abbreviated Resettlement Action Plan (ARAP)**

The Abbreviated Resettlement Action Plan will be used where less than 200 individuals are displaced or less than 10% of affected land is lost. The outline of an ARAP is appended to this report. The project must keep documentation and provide reports that detail what actions were taken in these areas. All ARAPs need World Bank approval prior to commencing resettlement activities. Vulnerable people will be identified at census stage. Each RAP or ARP developed under RPLRP will make precise provisions with respect to assistance to vulnerable groups, for example amongst assistance possibilities listed above.

# 8 STAKEHOLDER CONSULTATION AND PARTICIPATION

## 8.1 Overview

The Consultants have carried out appropriate consultations with stakeholders during the preparation of this RPF. Stakeholders consulted include relevant Government agencies, local government authorities, non-governmental organizations, and civil society groups identified during the consultative period. Two steps of information and consultation are proposed to be implemented in the course of the preparation of RAPs and ARAPs:

- Initial information:
  - ✓ this step should coincide with the cut-off date (information should not be delivered in advance of the cut-off date to avoid encroachment by new arrivals),
  - ✓ Basic information will be provided to potentially affected people on the Project, and resettlement and compensation principles as they are outlined in this RPF,
  - ✓ The engagement of the PAPs will take the form of a public meeting at project areas
- Consultation on draft RAP/ARAP: once these are available in draft form, they should be discussed with the affected communities, whose comments will be incorporated into final documents.

## 8.2 Key Issues

The objective of consultations will be to secure the participation of all people affected by the project in their own resettlement planning and implementation, particularly in the following areas:

- alternative project design;
- assessment of project impacts;
- resettlement strategy;
- compensation rates and eligibility for entitlements;
- choice of resettlement site and timing of relocation;
- development opportunities and initiatives;
- development of procedures for redressing grievances and resolving disputes; and
- mechanisms for monitoring and evaluation and for implementing corrective actions

## 8.3 Consultation Phases

### 8.3.1 Data collecting phase

Consultations during preparation, in particular, the collection of background information, and the social survey or social assessment, are critical for successful data collection. The levels of consultation will vary from households to community groups, based on the particular context of the sub-project(s). The RAP team will design the questionnaires but it will be the households, organizations, and institutions that will validate their effectiveness through feedback. Focus group meetings with them, farmers' associations, individuals who own farms, etc., as well as primary

and/or secondary schools, health centers, and agricultural cooperative unions are usually good sources for establishing the community baseline situation.

### **8.3.2 Implementation phase**

During implementation, PAPs will be informed about their rights and options. The grievance mechanism will continue to operate and all grievances will be recorded. The participation of local leaders and PAPs in disseminating information and resolving disputes will be important once RAP implementation starts. A dynamic participatory approach involves PAPs in decision making about livelihood and community development programs.

### **8.3.3 Monitoring and evaluation phase**

PAPs representatives will participate in the sub-project workshops at mid-term and at the end of RAP implementation. To the extent possible, the RAP should include social accountability tools like citizen report cards to assess the quality of RAP implementation, and in some cases, assist the RAP team in tracking expenditures. The latter would be significant in helping PAPs with money management and restoring their livelihoods. PAPs will be able to suggest corrective measures, as needed, to improve RAP implementation in the sub-project(s). Prior to closing the RAP, PAPs will participate in a feedback survey as part of the RAP's independent impact evaluation exercise. Implementation of the RAP will form part of the periodical project reporting to the World Bank.

## **8.4 Community involvement and sensitization**

The affected persons should be engaged in active consultations at the beginning of the project and they should have access to the draft Resettlement Action Plan and be encouraged to provide input. Consultations should happen in local language where possible; women should be consulted separately if that is more appropriate. The consultation process should ensure sizeable participation of women, youth, migrants, and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is accessible to community members, etc. Communities within the project areas as well as indigenous communities will be sensitized on the project and likely project impacts and the extent of their involvement to ensure project success. Measures instituted to address negative project impacts will be well communicated to the community. The Ugandan law requirements on consultation and information, as well as those related with grievance management fall short of meeting WB requirements. The application of these will require:

- Meaningful information and consultation to take place before the process leading to displacement is launched in each particular location concerned by a subproject,
- A specific grievance registration and processing mechanism to be put in place

## **8.5 Notification Procedure**

Affected persons will be notified through both formal and informal manner as appropriate, for example at community meetings called by District Steering Committee. Public notices in the daily newspapers, radio or television services will be conducted to notify the public of the intention to acquire land earmarked for subprojects. A copy of such notice shall be served to each owner, occupier and person or agent having an interest in the land thereof. The names and addresses of the owners, occupiers and agents shall be readily ascertainable. The notice shall state:

- The Project's proposal to acquire the land;
- The public purpose for which the land is wanted;
- That the proposal or plan may be inspected at the NPCU or the CAO's office

- That any person affected may, by written notice, object to the transaction giving reasons for doing so, to the entities cited above within a period to be specified at the time of publication of the Notice;
- List the cut off date detailing that in-migration after this date will not receive compensation.

## **8.6 Documentation**

The names and addresses of affected persons will be compiled and kept in a database including claims and assets. The DSC will maintain records of these persons as well as the CAO. The records are also important especially for future monitoring activities. Documentation will include documents relevant to land transactions (voluntary and involuntary).

## **8.7 Contract Agreement**

A contract listing of all property and land/ farms being surrendered and the types of compensation (both cash and kind) will be prepared. The contracts will be presented at community meetings/ durbars prior to signing. The handing over of property and compensation payments will be made in the presence of the affected persons and the Compensation Committee, and in public.

# 9 ELIGIBILITY CRITERIA AND DISPLACEMENT PROCEDURES

## 9.1 World Bank Criteria for Determining Eligibility for Compensation

According to OP 4.12 of the World Bank, the criteria for determining eligibility for compensation, resettlement and rehabilitation assistance measures for persons to be displaced, are based on the following:

- a. Persons that have formal legal rights to land, including customary and traditional; and religious rights recognized under the laws of Uganda. This class of people includes those holding leasehold land, freehold land and land held within the family or passed on through generations.
- b. Persons who do not have formal legal rights to land or assets at the time the census begins; but have a recognized claim of use to such land or ownership of assets through the national and traditional laws of Uganda. This class of people includes those that come from outside the country and have been given land by the local dignitaries to settle, and/or to occupy.
- c. Persons who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from. This class of people includes encroachers and illegal occupants/squatters.

Persons covered under (a) and (b) above are provided compensation for loss of land and assets and other assistance as needed. Persons covered under (c) above are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, if they occupy the project area prior to the cut-off date. In practice, this means that people usually considered in Uganda as “squatters” will be entitled to Project assistance as long as they are present on site at the cut-off date.

In other words the absence of a legal title to land or other assets is not, in itself a bar to compensation for lost assets or to other resettlement assistance. This is also in line with the Land Act (Uganda) which recognises such rights such as sharecroppers and squatters provided they have been in place for twelve years prior to the promulgation of the Land Act. Under the OP 4.12, squatters are also entitled to resettlement assistance provided they occupied the land before the established cut off date. These PAPs under the third category, to be able to qualify for resettlement assistance, however must comply with the cut off date as established by the management committees in close consultation with stakeholders following a socio economic study of the project area. None who has occupied the project area after the cut off date will qualify for resettlement assistance under this RPF.

## 9.2 Consideration under the Project

Entitlements for compensation shall be based on the eligibility criteria and the various categories of losses identified in the desk studies and field consultations. Unless otherwise indicated, payment of compensation and other entitlements and the extension of assistance will be made to PAP households and individuals as the case may be.

In dealing with compensation, preference shall be given to land based resettlement strategies for Project Affected Persons whose livelihoods are land-based. Where sufficient land is not available at a reasonable price, non-land based options centered on opportunities for employment or self re-employment should be provided in addition to cash compensation for land and other assets lost. However this lack of land shall be documented and justified.

In addition to these entitlements, households who are found in difficult situations and are at greater risk of impoverishment (i.e. widowed household heads, households without employment, single parent households etc.) as identified by the census will be provided with appropriate assistance by the project. Assistance may be in form of food, temporary accommodation, medical subsidy, employment referrals or priority employment in project activities. The assistance is meant to help them cope with the displacement caused by the project. It is not possible to provide an exhaustive list of such persons at this project preparatory stage. However, based on an understanding of the social structure of the rural community and the nature of the projects, it is possible to suggest that the most likely affected persons will comprise both individuals and communities as a whole including women, vulnerable groups and Indigenous communities.

### **9.3 Cut-off date**

In accordance with OP 4.12 and for each sub-project activities under the RPLRP, a cut-off date will be determined, taking into account the likely implementation schedule of the activities. To ensure consistency between Ugandan legal requirements and WB policies, this cut-off date should be the date of notification to owners/occupiers as provided under the Lands (land act) Act, 1995, where acquisition of land is involved.

### **9.4 Eligibility Criteria for Compensation**

Determination of the eligibility of the bona fide occupants of the properties to be compensated shall be done through a transparent and legal process, taking into consideration all the existing laws of Uganda and policies of the World Bank and local customs. Compensation will be paid only to those persons:

4. Who prior to the commencement of the project, have evidence of ownership or occupancy of the land of at least 30 days within the period of commencement of the project;
5. Who have property (a house, crops or thriving business enterprise) situated in the area identified for development;
6. With household members who derive their livelihood from the advantage of location and proximity to other social economic facilities provided the current settlement.

The Entitlement Matrix below shows will show the types and number of affected people, the types and quantity of losses, and the forms and amounts of compensatory actions that will be taken for each type.

**Table 2: Eligibility criteria**

Category of affected persons	Assets	Type of compensation
Persons with formal legal rights to land including customary leaders who hold land in trust for community members.	Physical and non-physical assets such as residential structures, productive lands, economic trees, farm lands, cultural sites	To be provided compensation for land lost and other assistance. Compensation to be granted to communities.
Persons with customary claims of ownership or use of property recognized by community leaders (including the landless and migrants)	commercial/business properties, tenancy, income earning opportunities, and social and cultural networks and activities	To be provided compensation for land lost and other assistance. Users to be provided with alternative lands to use.
Persons with no recognizable legal right or claim to land they are occupying, e.g. squatters		To be provided resettlement assistance in lieu of compensation for land occupied.
Persons encroaching on land after the notification		Not eligible for compensation or any form of resettlement assistance

**Table 3: Entitlement and Compensation Matrix**

Asset acquired	Type of Impact	Entitled Person	Compensation Entitlement
Agricultural land	<b>No Displacement:</b> - Cash compensation for affected land equivalent to market value. The remaining land remains economically viable	Farmer /Title holder	Cash Compensation for affected land equivalent to market value
		Tenant /Leaseholder	Cash compensation for the harvest of affected land equivalent to the average market value over three years or the compensation rates as established by the District Land Boards in collaboration with the Chief Government Valuer whichever is the higher.
		Squatter	Cash compensation for the harvest of affected land equivalent to the average market value over three years or the compensation rates as established by the District Land Boards in collaboration with the Chief Government Valuer whichever is the higher.
	<b>Displacement:</b> - If more than 50% of the land holding is lost or less than 50% of the land lost but remaining land not economically viable.	Farmer /Title holder	Land for land replacement where feasible or compensation in cash for the entire land holding according to PAPs choice. Land for land replacement will be in terms a new parcel of land of equivalent size and productivity with a secure tenure status without encumbrances at an available location which is acceptable by the PAP. Cash compensation for land will take into account market values for the land.  In addition relocation assistance to be paid ((costs of shifting + assistance in re-establishing perennial crops including economic trees up to a maximum of 12 months while short term crops mature)
	Tenant /Leaseholder	Cash compensation equivalent to the average market value over three years for the mature and harvested crops at the compensation rates as established by the District Land Boards in collaboration with the Chief Government Valuer whichever is the higher, Or market value for the remaining period of the tenancy /lease agreement..	

			In addition relocation assistance to be paid ((costs of shifting + Allowance)
		Squatter	Cash compensation equivalent to the average market value over three years for the mature and harvested crops at the compensation rates as established by the District Land Boards in collaboration with the Chief Government Valuer whichever is the higher, Or market value for the remaining period of the tenancy /lease agreement.
		Agricultural worker	Cash compensation equivalent to the local average of 6 months' salary + relocation assistance to be paid ((costs of shifting + Allowance) +Assistance in getting alternative employment
Commercial Land	<b>No Displacement:</b> - Land used for business partially affected	Title Holder / Business owner	Cash compensation for affected land taking into account market values, and opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year or equivalent business or suitable estimates in absence of records.
		Business owner is lease Holder	Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year or equivalent business or suitable estimates in absence of records.
	<b>Displacement:</b> - Premise used for business severely affected remaining area not sufficient for continued use	Title Holder / Business owner	Land for land replacement where feasible or compensation in cash for the entire land holding according to PAPs choice. Land for land replacement will be in terms a new parcel of land of equivalent size and market potential with a secure tenure status without encumbrances at an available location which is acceptable by the PAP. Cash compensation for land will take into account market values for the land.  In addition relocation assistance to be paid ((costs of shifting + Allowance ) Opportunity cost compensation equivalent to two months net income based on tax records for previous year or equivalent business or suitable estimates in absence of records.
		Business owner is lease Holder	Opportunity cost compensation equivalent to two months net income based on tax records for previous year or equivalent business or suitable estimates in absence of records.  Relocation assistance in rental/leas alternative land, property for a maximum of six months to re-establish business
Residential land	<b>No Displacement:</b> - Land used for residence partially affected, limited loss and remaining land remains viable for present use	Title Holder	Cash Compensation for affected land
		Rental / Lease holder	Cash compensation equivalent to 10% of lease / rental fee for the remaining period of rental lease agreement
	<b>Displacement:</b> - Premise used for residence severely affected remaining area not sufficient for continued use or becomes smaller than minimally acceptable under the	Title Holder	Land for land replacement where feasible or compensation in cash for the entire land holding according to PAPs choice. Land for land replacement will be of minimum plot of acceptable size under the Town And Country Planning Act which ever is larger in either the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as a secure tenure status without encumbrances at an available location which is acceptable by the PAP. Cash compensation for land will



	Town and country planning Act		take into account market values for the land.  In addition relocation assistance to be paid ((costs of shifting + allowance)
Building and Structures	<b>No Displacement:</b> - Structure partially affected, but remaining structure remains viable for continued use	Owner	Cash compensation for affected building and other fixed assets, taking into account market values for structures and materials  Cash assistance to cover costs of restoration of remaining structure
		Rental / Lease Holder	Cash compensation for affected assets (verifiable improvements to the property by the tenant -e.g. fence) taking into account market values for structures, and materials.  Disturbance compensation to the tenant equivalent to two month's rental costs
	<b>Displacement:</b> - Entire structure affected or partially affected but remaining structure not suitable for continued use	Owner	Cash compensation for entire structure and other fixed assets without depreciation and taking into account market values for structures and materials, or alternative structure of equal or better size and quality in an available location which is acceptable to PAP. Right to salvage materials without deduction from compensation.  In addition relocation assistance to be paid ((costs of shifting + allowance) + Rehabilitation assistance if required
		Rental /Lease Holder	Cash compensation for affected assets (verifiable improvements to the property by the tenant -e.g. fence), taking into account market values for structures and materials  In addition relocation assistance to be paid ((costs of shifting + allowance equivalent to four months rental costs) + Assistance to help find alternative rental arrangements + Rehabilitation assistance if required
		Squatter /Informal dwellers	Cash compensation for affected structure without depreciation, taking into account market values for structures and materials + Right to salvage materials without deduction from compensation.  In addition relocation assistance to be paid ((costs of shifting + allowance) + Rehabilitation assistance if required Alternatively assisted to find accommodation in rental Housing or in a squatter settlement scheme if available. Assistance with Job placement/skills training
	Standing Crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant or squatter)
Trees	Trees lost	Title Holder	Cash compensation based on type age and productive value of affected trees + 10% premium
Temporary Acquisition	Temporary acquisition	PAP (whether owner, tenant or squatter)	Cash Compensation for any assets affected e.g. boundary wall demolished, trees removed.

## 9.5 Indigenous Peoples, Women, and other Vulnerable Groups

Indigenous and vulnerable groups will be at risk of becoming more vulnerable due to displacement, compensation, and resettlement process. Vulnerable groups include households headed by women, households victimized by HIV/AIDS that are headed by children, households made up of the aged or handicapped, households whose members are impoverished, or households whose members are socially stigmatized (as a result of traditional or cultural bias) and economically marginalized. The initial field assessment has identified 2 indigenous groups i.e. the *Benet* in Kween District and the *Ik* in Kaabong District in addition to Karamoja region considered to majorly comprise vulnerable people Assistance to these indigenous and vulnerable groups of people may include:

- Assistance in financial literacy training especially for women and assistance in compensation payment procedures (e.g., going to the bank with then person to cash the compensation cheque);
- Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery;
- Assistance in moving: providing vehicle, driver and assistance at the moving stage;
- Assistance in the locating and growing of fodder banks for the Pastoralists for cattle grazing;
- Ensuring migrant and settler farmers are included in the consultations regarding the RPF/RAP and compensation and have their share of the compensation and assist in finding alternative sites for farming and also be incorporated into the out-grower and small holder schemes of the project;
- Assistance in building i.e. providing materials, workforce, or building houses;
- Health care if required at critical periods i.e. moving and transition period.

Women comprise a disproportionately large number of the poor in the project areas due to gender discrimination which limits women's access to resources and opportunities necessary to improve the standard of living for themselves and their families. As a result, women are often the first to suffer when resettlement is planned or executed badly. Women with children also have less physical mobility to travel to find ways of earning a livelihood. One of the immediate and practical initiatives to be considered is ensuring that land titles and compensation entitlements for a particular household are issued in the name of both spouses.

## 9.6 Displacement of People

Where displacement of people is unavoidable, the following conditions shall be followed:

- (a) The entitlement cut-off date shall be determined and agreed upon in consultation with the lower and higher local governments and all the stakeholders particularly the affected persons;
- (b) An assessment of the time likely to be needed to restore their living standards, income earning capacity and production levels shall be made;
- (c) The assessment shall ensure that the condition of the displaced persons shall be improved or at least maintained at least the levels prior to project implementation;
- (d) The displaced persons shall be provided with development assistance, in addition to compensation measures described above. These shall include assistance for land preparation, credit facilities, training for job opportunities, residential housing, or as required, agricultural sites for which a combination of productive potential, location advantages and other factors shall be at least equivalent to those of the old site.

# 10 ENTITLEMENTS AND VALUATION METHODS

## 10.1 Extent of Compensation by Law

The Land Act provides for extent of compensation as quoted here forth: “Where any land has been acquired under this Act, compensation shall only be payable in addition to the value of any improvement or works constructed on such lands: - for the loss of usufructuary rights over such lands in the case of land under customary tenure, and - for the market value of such lands in the case of freehold land.”

In estimating the compensation to be given for any land or any estate therein or the potential profits thereof, the following shall be taken into account:

- a) The value of such lands, estates or interests or profits at the time of the emission of the notice to acquire, and shall not take into account any improvements or works made or constructed thereafter on the lands,
- b) That part only of the lands belonging to any entity /person acquired under this Act without consideration for the enhancement of the value of the residue of the lands by reason of the proximity of any improvements or works to be made or constructed by the Project, and
- c) The value of the lands acquired for public purposes but also to the damage, if any, to be sustained by the owner by reason of the injurious effects of severance of such lands from other lands belonging to such owner or occupier.

For cash payments, compensation will be calculated in Ugandan currency adjusted for inflation. For compensation in kind, items such as land, houses, other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment may be included. Assistance may include moving allowance, transportation and labor.

## 10.2 Specific Compensation Components

### Compensation for Land

Compensation for land is aimed at providing for loss of crops and the labour used to cultivate the crop. Compensation relating to land will cover the market price of the land, the cost of the labour invested, as well as the replacement cost of the crop lost.

### Determination of Crop Compensation Rates

Prevailing prices for cash crops would have to be determined. Each type of crop is to be compensated for, using the same rate. This rate should incorporate the value for the crop and the value for the labor to be invested in preparing new land.

### Compensation Rates for Labour

The value of labor invested in preparing agricultural land will be compensated for at the average wage in the community for the same period of time. The labor cost for preparing replacement land is calculated on what it would cost a farmer to create a replacement of the farmland.

### **Compensation for Buildings and Structures**

Compensation for buildings and other structures will be paid by replacement costs for labor and construction materials of these structures including fences, water and sanitation facilities, etc., will be used to calculate the values. Where part of the compensation is to be paid in cash the applicable replacement costs for construction materials will be used to calculate the values. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure. The project will survey and update construction material prices on an on-going basis.

### **Compensation for Vegetable Gardens**

Vegetables are planted and harvested for daily use. Until a replacement garden can be harvested, the family displaced (economically or physically) as a result of the project will thereafter have to be compensated at the purchase prices of these items on the market.

### **Compensation for Horticultural, Floricultural and Fruit trees**

Given their significance to the local subsistence economy, fruit trees will be compensated on a combined replacement value. Fruit trees commonly used for commercial purposes in Uganda will be compensated at replacement value based on historical production statistics.

## **10.3 Key Valuation Methods**

In Uganda, values for compensation of assets are determined by the Chief Government Valuer. The process, however, normally takes consideration of depreciation. The World Bank policy of compensation at Replacement Cost may be adopted where it provides a more appealing and adoptable position for handling compensation. It should however be consistent with the established policies, regulations and laws of Uganda.

**Agricultural land** - it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.

**Land in urban areas** - it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. This is to ensure that the values obtained are adequate to secure in-kind alternative land or cash compensation for the affected owners.

**Houses and other structures** - it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

**Loss of Income** - Losses of income for businesses will be estimated from net daily/monthly profit of the business verified by an assessment of visible stocks and activities. In addition to the compensation, disturbance allowances of 10% of total compensation will be considered. The

estimation of supplementary assistance for affected commercial structures or business units will generally be based on the following factors:

- Estimated income obtained from the use of the business/commercial unit; and
- Estimated period of disruption of business activities.

Generally, loss of income will be minimal. The farmers will be incorporated into the activities of the project. It is the intention of RPLRP to develop new pastures in rangelands surrounding the project area. These areas will be used by Pastoralists as grazing areas for their livestock. The Enumeration Approach will be adopted for the crops affected by the project. The Enumeration Approach involves taking census of the affected crops and applying flat realistic rate approved by the Land Valuation Division.

Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in OP 4.12, para. 6. The valuation of the assets will be done with the engagement and participation of the PAPs. The PAPs have the opportunity to do their own valuation if they have doubts or misgivings through the facilitation of the project for further negotiations between them (PAPs) and the PCU of RPLRP. All negotiations will be done in collaboration and in the presence of Grievance Redress Committee to ensure that the PAPs who do not have good negotiating skills are not left behind, and that they also get benefits commensurate with their losses in most cases.

# 11 PROCEDURE FOR DELIVERY OF COMPENSATION

## 11.1 Consultation and Public Participation

Consultation and public participation with the PAPs will initiate the compensation process. This consultation and public participation will have been part of an on-going process that will be expected to continue in all stages. This trend will ensure that all affected individuals and households are well informed and adequately involved in the entire process.

## 11.2 Notification of Land Resource Holders

Those who hold title to the land resources will be informed through the consultation process above. In case there are no clearly identified owners or users of land to be acquired, MAAIF, the respective local government administrations through the lands officers and the traditional leaders of the respective communities where the land is located will be solicited to help identify owners or users in order to sensitize them on the project and its implications.

## 11.3 Documentation of Holdings and Assets

MAAIF either through an internal team or through a consulting firm will undertake a detailed survey of all losses that will result for each household, enterprise, or community affected by the RPLRP. The survey will have to account for land acquisition and loss of physical assets as well as loss of income temporary or permanent resulting from displacement of household members from employment or income-generating resources. Assets held collectively, such as water sources, livestock grazing areas, irrigation systems, and community structures will be recorded separately.

The local government structures i.e. the LGs and the lower councils (LCs 1-3) will be charged with all documentation and verification of data and information related to the acquisition of land, the compensation and payment processes up to the level of the Accounting Officer of the NPCU.

Therefore, the Community workers of the Sub-counties/Town Councils in collaboration with the village councils, the District Steering Committee will compile and record data/information. The Community Worker in collaboration with the parish chief and the Executive of the Parish Council will compile parish data and submit to the Sub-county Chief/Town Clerk for on ward submission to the District Chief Administrative Officer/Municipal Town Clerk. Likewise, the CAO together with the Town Clerk will compile data/information and submit to the Permanent Secretaries of the Ministry of Local Government and MAAIF. These will serve as data for resettlement monitoring and evaluation.

**Note:** During inventories of assets, the owners or persons authorized to represent them on their behalf will be required to countersign them to minimize the possibility of subsequent claims or disputes regarding claims.

## **11.4 Procedures for Payment of Compensation**

Compensation payment will be made in the following ways:

(a) By agreement between the MAAIF and the PAPs or entities (individuals /households /communities):

- The MAAIF will offer such sums deemed adequate as compensation to the entity who may accept that amount as compensation payable to him or her and;
- Such sums will be disbursed directly to the beneficiary entity with the relevant records of payments consigned to the RAPs and the records of the appropriate local government authority (District Land Boards).

(b) By court order on the amount of compensation where this has been the subject of litigation between the MAAIF and the Affected Entity.

## **11.5 Role of Office of Chief Government Valuer**

The application of the valuation exercise on ground will be done in the presence of at least two local council leaders with the participation of the affected persons. Values assigned to assets must be based on the local market/property rates determined by the respective districts. Where this is not possible, a Government Valuer will be engaged to do this. In the event that a Government Valuer handles this process, the depreciation cost will not be imputed and the consent of the affected person on the outcome of the process must be sought in order to arrive at agreements on the total profile of losses and compensation.

# 12 MANAGEMENT AND MONITORING OF RPF IMPLEMENTATION

## 12.1 Setup of Resettlement Management Teams

The Resettlement Management Teams will be setup to implement the RAPs and will consist of three smaller teams namely:

**Compensation Committee** - The committee will comprise representatives of the affected persons (2 to 3), District Steering Committee members, Land Valuation Board, and Traditional authorities. The committee will be chaired by the representative of the District Steering Committee or otherwise selected by MAAIF. The Compensation Committee will be responsible for organizing and ensuring that compensations payable to PAPs are made in line with the provisions and procedures of this RPF.

**Grievance Redress Committee (GRC)** - The Grievance Redress Committee will be responsible for receiving and logging complaints and resolving disputes. The GRC will work with the PCU to resolve each grievance or dispute to ensure that redress actions are implemented. If affected persons are not satisfied the grievance redress structures, they will be entitled to seek redress through the District Land Tribunals or Ugandan Courts of Law. It is important that the GRC be set up as soon as compensation report or resettlement plan preparation starts. Disputes can arise from census operations and it is therefore important that the mediation mechanisms be available to cater for claim, disputes and grievances at the early stage.

**Monitoring and Evaluation Team** - The Monitoring and Evaluation Team will be responsible for the monitoring of the RAP implementation programme to ensure that stated targets are met and project affected persons are duly compensated in line with the RAP requirements. The sequence of implementation activities and responsibilities are summarized in the table below.

## 12.2 Implementation of the RAP on the Ground

The implementation activities will be under the overall guidance of the NPCU. In addition the District Local Governments will be heavily involved in all resettlement, relocation and compensation efforts for subprojects where resettlement is indicated. Each district in Uganda has a five tier Local Government structure which operates from the lowest level known as the Local Council I through to the Local Council V at the District Headquarters. This structure is a political set up whose office bearers are elected into their positions. There is a parallel administrative structure at each Local Government level composed of technical public officers whose appointments are based on the required qualifications and experience for the respective technical offices. These are headed by the CAO who is also the accounting Officer of the district. All projects which require resettlement have to closely liaise with the Local Government Administration to ensure equity, acceptability and compliance. The other main institutions to be involved in the implementation of resettlement activities and their respective roles and responsibilities are summarized in the Table below:



**Table 4: Institutional framework Players for Resettlement**

No.	Institution	Responsibility
1.0	Ministry Agriculture Animal Industry and Fisheries	<ul style="list-style-type: none"> <li>• Overall supervision of the RPF and Resettlement/Compensation Plan.</li> <li>• To provide funds for compensation payment.</li> <li>• Trigger the process through inventory of affected persons and assets and implement planning close consultation with Consultant.</li> </ul>
2.0	Ministry of Lands Housing and Urban Development	<ul style="list-style-type: none"> <li>• To carryout the valuation and compensation payment process (through Chief Government Valuer) and reporting for the affected persons</li> </ul>
3.0	Ministry of Works and Transport	<ul style="list-style-type: none"> <li>• To liaise with relevant parties for valuation of damages of assets of affected persons</li> </ul>
4.0	Ministry of Gender, Labour and Social Development	<ul style="list-style-type: none"> <li>• To oversee gender related issues to ensure that vulnerable women, former IDPs, the poor and elderly are compensated equally.</li> </ul>
5.0	Ministry of Water and Environment	<ul style="list-style-type: none"> <li>• Document water resources in the area where the affected might be relocated to.</li> </ul>
6.0	National Environmental Management Authority	<ul style="list-style-type: none"> <li>• Review and monitor Social &amp; Environmental Impact Assessments.</li> </ul>
7.0	Project Coordination Unit	<ul style="list-style-type: none"> <li>• To liaise with district and MAAIF in ensuring peaceful implementation of the process including handling any grievances.</li> </ul>
9.	Chief Government Valuer	<ul style="list-style-type: none"> <li>• Review and approve the RAPs especially the valuations.</li> </ul>
8.0	Regional/District Land Valuation Officers	<ul style="list-style-type: none"> <li>• Assist in the valuation and compensation payment process and reporting.</li> </ul>
10.0	District Steering Committees and Traditional authorities.	<ul style="list-style-type: none"> <li>• To assist the community and support in the inventory of affected persons.</li> </ul>
11.0	Consultants, NGO, CSO	<ul style="list-style-type: none"> <li>• Prepare plans and assist with implementation and capacity building. Assist with sensitization and monitoring.</li> </ul>
12.0	Local financial institutions (Banks)	<ul style="list-style-type: none"> <li>• Safe disbursement of compensation amounts.</li> </ul>

### 12.3 Sequence of implementation tasks and institutions

The sequence of the activities from project screening through RAP preparation to compensation and actual relocation will be as below:

**Table 5: Summary of Sequence of Tasks**

No.	Task	Institutions
1.	Sitting and routing of project components	Supervising Engineer under NPCU
2.	Subproject screening	Supervising Engineer under NPCU together with Resettlement Consultants
3.	Assessment of the need for re-routing /re-sitting certain Activity components in case they affect inhabited dwellings	Supervising Engineer under NPCU
4.	Preparation of designs for stages of the project	NPCU and Resettlement Consultants
5.	Preliminary assessment of resettlement issues	Resettlement Consultants in collaboration with District Local Governments.
6.	Confirm need for resettlement/compensation actions	NPCU and Resettlement Consultants

7.	Assess the options for land acquisition	NPCU, Traditional Authorities and District Land Valuation Board
8.	Assess the number of affected persons	PCU, District Steering Committee, Resettlement Consultants
9.	If number of affected persons is less than 200, prepare abbreviated resettlement action plan (ARAP) for country level approval.	Resettlement Consultants
10.	If number of affected persons is more than 200, prepare a RAP for World Bank approval.	Resettlement Consultants
11.	Use RAP to comply with the process required to under take land acquisition and compensation payment	PCU, District Land Valuation Board and District Steering Committee
12.	Review Plans	NPCU, PCU plus District Steering Committee
13.	Budgeting of costs	NPCU together with District Steering Committees
14.	Confirm arrangements for managing funds	NPCU
15.	Determine arrangements for channeling compensation funds	NPCU with relevant authorities in the central Government and Local Banks
16.	Implement RAPs and ARAPs	NPCU, PCU, and District Steering Committees

## 12.4 Grievance Mechanism

### 12.4.1 Objectives

The objectives of the grievance process are to:

- Provide affected people with avenues for making a complaint or resolving any dispute that may arise during the course of project implementation and determination of entitlements of compensation and implementation of the project;
- Ensure that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoid the need to resort to judicial proceedings.

### 12.4.2 Detailed Grievances and Resolution Mechanisms

PAPs may raise a grievance at all times to MAAIF about any issues covered in this Framework and its application during project design and implementation. The communities will be informed about this possibility and contact information of the respective PCU at the relevant levels i.e. village, district and community levels will be made available. Based on experience of projects similar to RPLRP, most grievances will be related to property valuation. These are likely to arise when households consider compensation values for their assets insufficient, especially when PAPs doubt if valuation values do indeed provide replacement value or if PAPs misunderstood the compensation process and believe they are entitled to additional compensation. The grievance procedure will be simple, administered as far as possible at the local level to facilitate access, flexible and open to various proofs taking into cognizance the fact most people are illiterate and poor requiring a speedy, just and fair resolution of their grievances. The general steps of the grievance process comprise:

- Receipt of complaints;
- Determining and implementing the redress action;
- Verifying the redress action;
- Amicable mediation and settlement; and
- Dissatisfaction and alternative actions.

Village Peace Committees (VPCs) already exist at the village level in Karamoja Sub-region and they could be used to register and mediate grievances at the village level. However, in areas where such committees don't exist, a local grievance redress committee (LGRC) will be initiated at the village level to record grievances and also help in mediation. This committee will comprise the LC I Chairperson, a trusted village elder, a religious representative, an elected PAP representative and specific vulnerable group representatives of relevance to the village i.e. women and the disabled. Disputes will be resolved at the village level as far as possible. At the District Level, the Grievance Redress Committee will be established to deal with any grievances unsettled at the village level. The Grievance Redress Committee at the district will at a minimum comprise the LC3 representative, representatives of vulnerable groups, District Land Officer/Surveyor, District Community Development Officer and a Grievance Officer from PCU who will oversee and coordinate grievance issues at the village level including setting up of LGRCs, provision of Grievance Logbooks and related logistics, training and orientation of LGRCs and VPCs, and providing advice on grievance resolution as well as compiling records of all RPLRP grievances raised and their mediation for the whole district. The grievance mechanism for the implementation process is as follows:

- (a) The LGRC/VPC will interrogate the PAP in the local language and complete a Grievance Form which will be signed by the leader of the LGRC/VPC and the PAP/complainant. This will then be lodged in the Grievance Log provided by the Grievance Officer;
- (b) The PAP should expect a response from the LGRC or VPC within seven days of filing the complaint. If the issue is not resolved, the LGRC/VPC will forward the complaint to the GRC at the District;
- (c) The GRC at the District will be given a fourteen day notice to hold a meeting. Two days after the meeting, the GRC will call the PAP and LGRC/VPC for discussions and resolution. The resolution will be presented to the PAP in written form within the same day of the meeting;
- (d) If there is no resolution to the grievance, the GRC at the district and the PAP shall then refer the matter to the District Land Tribunal;
- (e) Appeal to Court - The Ugandan laws allow any aggrieved person the right to access to Court of law. If the complainant still remains dissatisfied with the District Land Tribunal, the complainant has the option to pursue appropriate recourse via judicial process in Uganda. Courts of law will be a "last resort" option, in view of the above mechanism.

## **12.5 Monitoring of RPF**

### **12.5.1 Purpose**

The monitoring and evaluation will be the main mechanism to alert the RPLRP of any delays and problems and these activities will help measure the extent to which the main objectives of the RPF have been achieved. Monitoring aims at correcting implementation methods during the course of the Project, as required, while evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a

longer term perspective. Monitoring will be internal and evaluation external. The purpose of the internal monitoring and evaluation will be to verify that:

- All affected persons are involved in all the preparatory processes of the Resettlement action plan and that all affected properties and assets are captured in the Entitlement matrix and inventories and given appropriate budgets.
- Compensation is done on schedule and in accordance with the RPF
- All funds are spent on the line items for which they are budgeted for and affected persons are satisfied with the resettlement process.
- All grievances and complaints are channelled correctly and appropriately attended to.

### **12.5.2 Objectives and Scope**

Evaluation and monitoring are key components of the Resettlement Policy Framework. The monitoring plan will indicate parameters to be monitored, institute monitoring guidelines and provide resources including responsible persons or institutions, necessary to carry out the monitoring activities. Objectives include:

- Monitoring of specific situations or difficulties arising from the implementation and of the compliance of the implementation with objectives and methods as set out in this Resettlement Policy Framework;
- Evaluation of the mid- and long-term impacts of the Resettlement and Relocation Action Plan on affected households' livelihood, environment, local capacities, on economic development and settlement.

Through the monitoring and evaluation, RPLRP will establish a reporting system for the project RAP that will:

- (i) Provide timely information to the project about all resettlement and compensation issues arising as a result of resettlement related activities;
- (ii) Identify any grievances, especially those that have not yet been resolved at the local level and which may require resolution at the higher levels;
- (iii) Document completion of project resettlement and compensation that are still pending, including for all permanent and temporary losses; and
- (iv) Evaluate whether all PAPs have been compensated in accordance with the requirements of this RAP and that PAPs have better living conditions and livelihoods.

### **12.5.3 Overall Mechanism**

To ensure that the implementation of resettlement is executed in line with this RPF, the activities will be monitored and evaluated internally by a Monitoring and Evaluation team at the PCU at the national level and on ground at the District level. The PCU will undertake the routine internal monitoring and evaluation of the implementation of the resettlement issues so as to ensure that all the responsible units follow the schedule and comply with the principles of the resettlement plan. An evaluation programme will be implemented periodically to also check on compliance with action plan and provide lessons to amend strategies, especially in the longer term. Progress will be reported against a schedule of required actions. The arrangements for monitoring the resettlement and compensation activities will also fall under the overall responsibility of LGs. The LGs will institute an administrative reporting system that:

- a) alerts project authorities to the necessity for land acquisition in the project activities design and technical specifications;
- b) provides timely information about the assets valuation and negotiation process;
- c) reports any grievances that require resolution, and
- d) documents timely completion of project resettlement obligations (i.e. payment of the agreed-upon);
- e) Updates the database with respect to changes that occur on the ground as resettlement and compensations activities are being implemented.

Annual evaluations will be made in order to determine whether the PAPs have been paid in full and before implementation of the individual sub project activities; and whether the PAPs enjoy the same or higher standards of living than before. A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs and DPs, to determine and guide improvement in their social well-being. Therefore, monitoring indicators to be used for different RAPs or ARAPs will have to be developed to respond to specific site conditions. Independent monitoring as for example by NGOs can be arranged from time to time to validate the programme implementation. NGOs will also help with monitoring and validation of the implementation of the safeguards instruments as well as help in monitoring of payments to communities and extent to which:

- (i) Use of resources are determined in a participatory and inclusive manner and
- (ii) Payments are used for community purposes.

They will also help in action plans and some sensitization and education and capacity building activities.

#### **12.5.4 Required Information**

The census carried out during the RAP preparation will provide MAAIF with the quantitative data that will enable NPCU to track the delivery of resources and services to the affected population, and to correct problems in the delivery of resources and services throughout implementation of the RAP. In addition, information gathered during the census will yield important baseline data at the household and community levels, which will be used to establish indicators not only for resettlement implementation, but also for monitoring and evaluation of income restoration and sustainable development initiatives associated with a RAP. The Resettlement team will maintain basic information on all physical or economic displacement arising from the project which will include the following:

- (i) Number of households and individuals physically or economically displaced by the project;
- (ii) Length of time from sub-project identification to payment of compensation to PAPs;
- (iii) Timing of compensation in relation to commencement of physical works;
- (iv) Amount of compensation paid to each PAP household and communities (if in cash), or the nature of compensation (if in kind);
- (v) Decision-making process for use of funds paid to communities.
- (vi) Number of people raising grievances in relation to the project
- (vii) Number of grievances or complaints;
- (viii) Time spent to resolve the complaint; and
- (ix) Number of resolved and unresolved grievances.

### **12.5.5 Internal Monitoring and Evaluation**

The objectives of internal monitoring and supervision will be:

- (i) to verify that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements, has been carried out in accordance with the resettlement policies provided by World Bank Policies and guidelines;
- (ii) to oversee that the RAPs are implemented as designed and approved;
- (iii) to verify that funds for implementation of the RAP are provided for by MAAIF or GoU in a timely manner and in amounts sufficient for their purposes, and that such funds are utilized in accordance with the provisions of the RAP

The main internal indicators that will be monitored regularly include:

- (a) that entitlements are in accordance with this RPF and that the assessment of compensation is carried out in accordance with agreed procedures;
- (b) payment of compensation to the PAPs under the various categories is made in accordance with the level of compensation described in the RPF and RAPs;
- (c) public information and public consultation and grievance procedures are followed as described in the RPF and RAPs;
- (d) relocation and payment of subsistence and shifting allowances are made in a timely manner; and
- (e) restoration of affected public facilities and infrastructure are completed prior to construction

### **12.5.6 External Monitoring and Evaluation**

MAAIF will engage an independent monitoring unit (IMU) if necessary for purposes of external monitoring and evaluating implementation of compensation and resettlement activities. In establishing the unit, effort will be made to draw on personnel with resettlement and social development experience in Uganda. The IMU shall be appointed to monitor the resettlement and compensation process and implementation of requirements to verify that compensation, resettlement and rehabilitation have been implemented in accordance with this RPF and the agreed subproject RAPs. The IMU will also be involved in the complaints and grievance procedures to ensure concerns raised by PAPs are addressed. Alternatively, external monitoring of RAP will be provided by the World Bank who will monitor the entire process through regular reports and supervision missions.

### **12.5.7 Monitoring and Evaluation Indicators**

The evaluation will be based on current WB procedures and also national provisions on resettlement/compensation. The main indicators will include:

- (i) income levels before-and-after the RAP;
- (ii) access to livelihoods and employment;
- (iii) changes in standards of housing and living conditions;
- (iv) number of grievances and their status, time and quality of resolution;
- (v) number of individuals and families to re-establish their pre-resettlement activities, in terms of other alternative incomes;
- (vi) number of demolitions after giving notice, and
- (vii) number of PAPs paid in a given period in comparison with what was planned

### **12.5.8 Monitoring Tools**

- (i) Questionnaires with data stored in a database for comparative analysis (before-after and with-without);
- (ii) Documentation and recording of PAPs situation, including subsequent uses of assets/improvements;
- (iii) Relocation/resettlement and Compensation Reports, including status of land impacts; percentage of individuals selecting cash or a combination of cash and in-kind compensation; proposed use of payments;

### **12.5.9 Audit**

The audit will verify results of monitoring of RAP implementation indicators, and assess whether the project achieved the resettlement objectives. A specific measure of whether livelihood and living standards have been restored or enhanced will be completed. The audit will also assess the efficiency, effectiveness, impact, and sustainability of RAP sub-project activities. The aim is to learn lessons for application to future sub-projects or other projects in the sector and in the country. Finally, the audit will ascertain whether the resettlement entitlements were appropriate, as defined in the RPF guidelines. The audit report will include:

- i) a summary of RAP performance of each subproject;
- ii) a compliance review of RAP implementation process; and
- iii) a progress report on the quality of RAP implementation in terms of application of guidelines provided in this RPF

### **12.5.10 Reporting**

The monitoring unit will submit periodic (preferably bimonthly) reports to the PCU and copied to the MAAIF. The report will at least cover status of compensation disbursement, nature of complaints, redress actions and follow-ups.

## **12.6 Capacity Needs**

MAAIF has a limited institutional capacity to implement this RPF and currently relies on assistance from other ministries for technical issues including environmental issues. A Social Development Specialist should be recruited by MAAIF to fully address all land acquisition and resettlement issues including indigenous and vulnerability issues of the project. The Social Development Specialist will train and guide the CDOs and other development partners including NGOs and CBOs on all social issues and they will then be facilitated by MAAIF to help implement and monitor the project on ground especially in terms of mobilizing the communities. The Social Development Specialist will be the responsible focal person for all social matters related to the RPLRP and other existing or future projects. Building in-house capacity is the only sustainable solution.

# 13 DISCLOSURE AND BUDGET

## 13.1 Budget to Implement RPF

At this stage, it is not possible to estimate the likely number of people who may be affected. This is because the technical designs and details have not yet been developed and the land needs have not yet been fully identified. The budget will be developed from the specific social assessment studies and mitigation/livelihood restoration measures to be developed. It will cover resettlement activities including compensation cost for affected assets. The cost will be derived from expenditures relating to:

- (1) the preparation of the resettlement/compensation action plan;
- (2) Relocation and transfer,
- (3) Income and means of livelihood restoration plan, and
- (4) administrative costs

Funds for implementing inventory assessments as well as land acquisition and resettlement action plans will be provided by Government of Uganda through MAAIF. The Ministry (MAAIF) has committed \$ 1 million for purposes of land acquisition and compensation due to displacement based on preliminary estimates of 976 acres of land required for the RPLRP infrastructure and displacement of 602 families as detailed below:

Component	Numbers	Unit Acreage	Unit Cost (UGX)	Total Cost
Markets	7	10	500,000	35,000,000
Slabs	6	2	500,000	6,000,000
Labs	4	1	500,000	2,000,000
Holding grounds	7	100	500,000	350,000,000
Border check points	2	15	500,000	15,000,000
Valley tanks	8	20	500,000	80,000,000
				488,000,000
<b>Compensations for displacement</b>		<b>No. of Families</b>	<b>Unit Cost (UGX)</b>	<b>Total Cost</b>
Approximate Number to be displaced		602	3,500,000	2,107,000,000
<b>TOTAL (UGX)</b>				<b>2,595,000,000</b>
<b>TOTAL (USD)</b>				<b>\$998,076.92</b>

(Source: MAAIF)

## 13.2 Disclosure

This RPF will be disclosed in compliance with relevant Ugandan regulations and the World Bank Operational Policy OP 4.12 on Involuntary Resettlement. The documents will be disclosed at the Infoshop of the World Bank and will also be available to any interested persons. MAAIF will also provide copies of the RAPs for disclosure at the World Bank Infoshop for public access. In addition, the RAPs should be available throughout the project area and preferably, MAAIF will prepare summaries of the RAPs in local languages for distribution to accessible points within the project area. A 60-day disclosure period is recommended to allow ample time for all interested and affected parties to submit their comments and concerns about the RAP.



# 14 REFERENCES

Ayoo Sandra, Robert Opio, and Oliver T. Kakisa, 2013: **Karamoja Situational Analysis**. CARE International in Uganda.

Chapman Chris and Alexander Kagaha 2009: **Resolving conflicts using traditional mechanisms in the Karamoja and Teso regions of Uganda**. Minority Rights Group International, published August 2009, ISBN 978-1-904584-89-6

Government of Uganda: **Land Acquisition and Compensation Act 1991**.

Government of Uganda 2011: **Uganda National Land Policy 2011**

International Finance Corporation (IFC): **Handbook for Preparing a Resettlement Action Plan**.

Government of Uganda (GoU) 2012: **Uganda Humanitarian Profile – 2012**.

Government of Uganda (GoU) 2005: **National Internally Displaced Persons Return, Resettlement and Re-Integration: Strategic Plan for Lango and Teso Sub Regions**.

World Bank O.P. 4.12 on Resettlement.

# 15 ANNEXES

## Annex 1: Compensation Claim Form

### Affected Person Information:

Name of claimant: ..... Sex: ..... Age:

.....

Name of Representative/Contact Person:

.....

Region: ..... Town: ..... Suburb:

.....

Affected property:

.....

.....

<i>Total Compensation Due: Affected property value (UHc)</i>	<i>Disturbance (UHc)</i>	<i>Livelihood support (UHc)</i>	<b>Total compensation (UHc)</b>

### Compensation Payment Proposal:

Name of recipient:

.....

Payment Date: .....

Signature or Thumb print of claimant /recipient:

.....

Administered by (MAAIF/RPLRP/PCU Rep):

.....

Name of Witness

.....

(Witness could be Councilor or Member of Parliament)

Signature of Witness

.....

**Remarks:**.....

.....

.....

## Annex 2: Compensation Receipt for Claimant

### REGIONAL PASTORAL LIVELIHOOD RESILIENCE PROJECT COMPENSATION RECEIPT

Received from **MINISTRY OF AGRICULTURE ANIMAL INDUSTRY & FISHERIES.**

the sum

of.....

Uganda Shs being compensation on payable for affected properties.

Uhc ..... Cheque

No.....

Date: .....

.....

MAAIF Officer/Project Rep (Name) ..... (Signature).

.....

## Annex 3: Grievance Log and Resolution Form

**Name (Filer of Complaint):**

.....

**ID Number** (PAPs ID number):

.....

**Contact Information** (house number/ mobile phone)

.....

**Nature of Grievance or Complaint:**

.....

**Date Individuals Contacted Summary of Discussion**

.....

Signature..... Date:

.....

Signed (Filer of Complaint):

.....

Name of Person Filing Complaint (if different from Filer):

.....

Position or Relationship to Filer:

.....

**Review/Resolution**

Date of Conciliation Session:

.....

Was Filer Present? Yes No

Was field verification of complaint conducted? Yes No

Findings of field investigation: .....

**Summary of Conciliation Session**

**Discussion**.....

Issues.....

...

Was agreement reached on the issues? Yes No

If agreement was reached, detail the agreement below:

If agreement was not reached, specify the points of disagreement below:

.....

.....

Signed (Conciliator): ..... Signed (Filer).....

Signed: .....

(Independent Observer)

Date: .....

## Annex 4: Framework for the Census of Affected Assets and Affected People

### AFFECTED PLOT OR LAND SHEET

Reference: .....  
 Location: Region: District: Village: .....  
 GPS Coordinates: .....  
 Surface: .....  
 Description of soil.....

**Crops**

<b>Perennial Crops:</b>	<b>1</b>	<b>Owner</b>
	<b>2</b>	<b>Owner</b>
<b>Annual Crops:</b>	<b>1</b>	<b>Owner</b>
	<b>2</b>	<b>Owner</b>
<b>Trees:</b>	<b>1</b>	<b>Owner</b>
	<b>2</b>	<b>Owner</b>

Structures: Channels: Owner:  
 Anti-erosive structures: Owner:  
 Buildings: Owner:

Users:  
 User 1: Surface used: Regime of tenure:  
 User 2: Surface used: Regime of tenure:  
 User 3: Surface used: Regime of tenure:  
 User 4: Surface used: Regime of tenure:  
 Valuation proposal (details of calculation on attached sheet):  
 Crops:  
 Structures:

Proposed distribution of compensation:  
 User 1:  
 User 2:  
 User 3:  
 User 4:  
 Date: Prepared By:

## AFFECTED BUILDING SHEET

Reference: .....

Location: Region: District: Village: .....

GPS Coordinates: Photograph number: .....

Owner: Address: .....

Description: .....

Permanent Non permanent .....

Surface: Number of rooms: .....

Walls: Material Condition .....

Roof: Material Condition .....

Floor: Material Condition .....

Annexes outside: Latrine: Bathroom: Kitchen: Others: .....

Additional features: .....

Permanently Inhabited: By: Regime of occupation: .....

Periodically Inhabited: By: Regime of occupation: .....

Valuation proposal (details of calculation on attached sheet): .....

Proposed distribution of compensation: .....

User 1:

User 2:

User 3:

User 4:

Date: Prepared By: .....

## **AFFECTED HOUSEHOLD SHEET**

Household Reference: .....

Location: Region: District: Village: .....

Reference of Affected Asset: .....

Type: Structure Plot Crop .....

Reference of Affected Asset Sheet: .....

Location: Zone: Region: .....

Household Information: .....

Head of Household: Name: Age: Sex: .....

Identity Document: Type: Number: .....

Composition of Household: .....

Socio-Economic Information: .....

Occupations: .....

Head of Household: .....

Other members of Household: .....

Number: Occupation: .....

Number: Occupation: .....

Total Estimated Household Cash Income: .....

....

Education level of Household Members: .....

Number	Name	Relationship with Household Head	Sex	Age

Project Impact:

Assessment of the Impact of the Loss of the Affected Asset on Household's Livelihood:

Proposed Compensation or Resettlement Package

Household's Wishes.....

Proposed Package .....

Proposed Livelihood Restoration Package:

Household's Wishes .....

Proposed Package.....

<b>Number</b>	<b>Level;</b>
<b>Number</b>	<b>Level;</b>

Date: ..... Prepared By: .....



## **Annex 5: Main Contents of the Resettlement Action Plan**

- Description of the project
- Potential impacts
- Objectives
- Socio-economic studies
- Legal framework
- Institutional framework
- Eligibility
- Valuation and compensation for losses
- Resettlement measures
- Site selection, site preparation and relocation
- Housing infrastructure and social services
- Environmental protection and management
- Community participation
- Integration with host population
- Grievance procedures
- Organizational responsibilities
- Implementation schedule
- Cost and budget
- Monitoring and evaluation

## **Annex 6: ARP Outline**

### **OUTLINE OF AN ABBREVIATED RESETTLEMENT ACTION PLAN**

Depending on the magnitude of the displacement, an Abbreviated Resettlement Action Plan (ARAP) should be between 10 and 25 pages.

- Census of displaced persons and valuation of assets.
- Description of compensation and other resettlement assistance to be provided.
- Consultations with displaced people about acceptable alternatives
- Institutional responsibility for implementation and procedures for grievance redress.
- Arrangements for monitoring and implementation and,
- A timetable and budget

## Annex 7: Template for the preparation of budgets to prepare and implement RAPs

#	ITEM	USD
<b>1.0</b>	<b>PREPARATORY PHASE COST</b>	
1.1	Inventory of affected persons, assets and livelihoods	
1.2	Valuation fees	
1.3	Preparation of resettlement plans or compensation reports	
<b>1.4</b>	<b><i>Subtotal 1 (Preparatory phase cost)</i></b>	
<b>2.0</b>	<b>COMPENSATION COST</b>	
2.1	Compensation for permanent acquisition of land	
2.2	Compensation for temporary occupation of land	
2.3	Compensation for destruction of standing crops	
2.4	Compensation for destruction of permanent immovable structures	
2.5	Compensation for temporary displacement of moveable structures	
<b>2.6</b>	<b><i>Subtotal 2 (Compensation cost)</i></b>	
<b>3.0</b>	<b>LIVELIHOOD RESTORATION /MITIGATION MEASURES COST</b>	
3.1	Compensation for farmers ' loss of income	
3.2	Compensation for business persons ' loss of income	
3.3	Cost of special assistance to vulnerable persons	
<b>3.4</b>	<b><i>Subtotal 3 (Livelihood restoration/mitigation cost)</i></b>	
<b>4.0</b>	<b>CAPACITY BUILDING &amp; IMPLEMENTATION COST</b>	
4.1	Capacity building for key stakeholders –local consultant	
4.2	Overhead cost for compensation disbursement/grievance redress/monitoring & evaluation	
4.3	Legal fees (in case of court dispute)	
4.4	Development of RAP/ARP	
<b>4.5</b>	<b><i>Subtotal 4 (Capacity building &amp; implementation cost)</i></b>	
<b>5.0</b>	<b>TOTAL COST (addition of all subtotals)</b>	
<b>6.0</b>	<b>CONTINGENCY (5%-10% OF TOTAL COST)</b>	
<b>7.0</b>	<b>GRAND TOTAL COST (Total Cost + Contingency)</b>	

# Annex 8: Content of a RAP Consultation Report

## 1.0 Introduction.

- 1.1 Project Description
- 1.2 Applicable Laws, Regulations, and Policies to Public Engagement
- 1.3 Project Lenders

## 2.0 Stakeholder Analysis

- 2.1 Areas of Influence/Stakeholders
- 2.2 Description of Stakeholders

## 3.0 Stakeholder Engagement

- 3.1 Previous Consultation Activities
- 3.2 Implemented Community Engagement Activities
- 3.3 Project Sponsor’s Community Engagement Plan
  - 3.3.1 Phase 1 – Initial Stakeholder Consultation
  - 3.3.2 Phase 2 – Release of the RAP Terms of Reference and Draft RAP
  - 3.3.3 Phase 3 – Release of RAP Consultation Summary Report

## 4.0 Summary of Key Issues

## 5.0 Future Consultation Events

- 5.1 Phase 4 – Release of the RAP Report and Action Plans
- 5.2 Phase 5 – Planning of more Consultations
- 5.3 Phase 6 - Ongoing Project Communication

## 6.0 Disclosure Plan

### Tables

- Table 1: Consultation Activity Summary
- Table 2: Initial Government Agency Consultations
- Table 3: Summary of NGO Meetings
- Table 4: Summary of Local Government Discussions
- Table 5: Summary of Community Discussions
- Table 6: Local Community Comments
- Table 7: Summary of Key Issues and Responses
- Table 8: Summary of Future Consultation Activities per Stakeholder Group

### TEMPLATE Table on Consultation Activity Summary

Location and Communities Represented	Meeting Dates	Attendees	Discussion Summary

## Annex 9: Details of Stakeholder Consultation Meetings

### Meeting with Ministry of Water and Environment (MWE) - Department of Water for Production Official

**Venue:** MoWE Headquarters

**Date:** 4/9/2013

**Participants:**

1. Henry Kizito, Principal Engineer
2. Moses Basoma
3. Mugenyi
4. Ms Grace Baalikowa



Consultations with the Principal Engineer MWE (Photo by M Basoma 2013)

### ISSUES

#### Water sources (Dams) in the project area

- ✓ In all the 12 districts of the project area, there are a number of old dams which need to be rehabilitated and in some instances, reconstructed because they are beyond repair. For instance in Amuru district alone, there are about 60 dams which have been earmarked for rehabilitation while in Katakwi district, there are 40 - 50 dams which require rehabilitation.
- ✓ The Ministry (Department of Water for Production) is currently rehabilitating some dams in the project area but is constrained financially. Hence the coverage is still low;
- ✓ An attempt has been made to address the issue of siltation of the dams as a result of the catchment activities. However, the people's perceptions on watershed management are still low in the project area. People still need more sensitization on tree planting and other restoration activities;
- ✓ Teso region dam rehabilitation funded through the Office of the Prime Minister, (Teso Affairs);

#### Land Acquisition

It was noted that land for dam construction used to be given out freely by communities to government without compensation once they identified the right location for the construction. However after the parliamentary directive in 2010, the issue of compensation of land for dam construction started. The directive compels government to compensate the land owners for the land acquired either cash for land or land for land. Once Government has identified a piece for land for dam construction, the concerned community is approached and negotiations are initiated. The Government Valuer is used to determine the rates to be used but now every District has its own property rates which are reviewed periodically.

#### Water source management

- ✓ Water user committees are elected by the community and these work directly with the project implementer right from the inception of the project throughout its operation. They manage the day to day running of the dam, set by laws and enforce them. They report to the district water office which later on transmits their reports to the ministry
- ✓ The Ministry has taken charge of maintenance costs of dams considering the high costs involved.

- ✓ To ensure quick responses to emergencies on dams, the Ministry has entered into framework contracts with contractors and suppliers who supply materials or carry out any repair on the affected dams whenever called upon. This has helped the ministry to respond to emergencies in time without going through the normal procurement cycle which is long and bureaucratic.

### **Conflicts over water usage**

- ✓ Conflicts have arisen especially during the dry season between those who want to use the water for their animals and those who want it for human consumption. However, where they have arisen, water user committees have been in position to solve such amicably;

### **Capacity building needs**

- ✓ Communities lack the basic skill to handle the simplest repairs;
- ✓ Some districts have not attracted the required key personnel to date;
- ✓ Generally the country does not have enough trained personnel in dam construction and maintenance.

### **Recommendations**

- ✓ Sensitize the communities about the benefit of the projects. For instance, planting of trees is still a challenge in Karamoja region, the Karamojong don't value trees much;
- ✓ More dams should be constructed to meet the current demand, the ministry's budget cannot meet the current demand for water for production in the project area;
- ✓ Fill up the current staffing gaps with right personnel;
- ✓ More interventions should be initiated in the catchment areas so as to minimize dam siltation

### **Meeting with Uganda Land Alliance**

**Venue:** Uganda Land Alliance  
Headquarters -Kampala

**Date:** 4/9/2013

#### **Participants:**

1. Achola Lillian- Legal Office Kotido
2. Moses Basoma
3. Mugenyi
4. Ms Grace Baalikowa



Consultations with ULA (Photo by Francis Mugenyi, 2013)

## **Issues that came up during Consultations**

- ✓ The Karamojong have started to feel the effects of climate change and are now turning away from typical pastoralist to agro-pastoralist.
- ✓ Pressure on land is increasing because of the mineral deposits and its fertility in some areas, for instance mining companies have grabbed land from local communities for mining without even compensation. They claim they have explicit permission from Kampala, Ministry Energy and Mineral Development;
- ✓ In pastoralist area most of the land tenure is customary land
- ✓ Fertile land 22sq/km was gazetted thus Nabowale village for agriculture
- ✓ Administration structures are yet to be established, district don't have facilities to handle.
- ✓ In Karamoja 80% are vulnerable
- ✓ To access water sources situated within the protected area thus under the national forest authority or the Uganda Wildlife Authority, permission has to sought, as such dam citing for the RPLRP should as much as possible avoid these protected area;
- ✓ Land is acquired through community land association;
- ✓ In Karamoja, there are village land committee which handle land disputes on a weekly basis and usually resolve land wrangles amicably;
- ✓ Uganda Land Alliance offers free legal services to the vulnerable groups in the project area, though; they have concentrated more in the Karamoja region because there are more vulnerable groups there. Nonetheless, their services can be extended elsewhere within the country upon request

## **Way forward**

The communities need to be empowered to know their rights, ULA carries out monthly sensitization about land rights, women rights, compensation (fair and adequate).

## **Meetings with Kween District Officials**

**Venue:** Kween District Headquarters

**Date:** 22/8/2013

### **Participants:**

1. Chemisto Samuel (Ag DNRO)
2. Dr Yeshe Nelson (DVO)
3. Mungasho Robert (District Planner)
4. Moses Basoma

## **Issues that came up during the consultative meeting**

- ✓ Water for production is majorly from the several streams and rivers that cross the district. However, most of them dry up in the dry season;
- ✓ No watershed management interventions in place save for River Atara under the Atara riverbank management project. However, this project only handles a small portion of the river bank for demonstration purposes only;

- ✓ Boreholes are used as sources of water for the animals during the dry season;
- ✓ Conflicts do exist between usage for production and water for human consumption;
- ✓ Cattle get emaciated because of walking for long distances and therefore fetch low prices on market;
- ✓ Soil erosion is enormous in the district;
- ✓ Cattle markets exist but without proper structures, not clearly fenced and no proper documentation to ascertain ownership;
- ✓ Four (4) slaughter slabs exist in the district;
- ✓ There are no veterinary demonstrations schools in the district but a non-functional district farm institute exist which can be turned into a demonstration school;
- ✓ Low staffing levels of the district veterinary office;
- ✓ The cattle markets house so many people from different parts of the country and from the Kenya, however, no HIV/AIDS interventions exist in these cattle markets;
- ✓ Because of the low staffing levels of the district veterinary office, disease control and management is problematic.

### **Recommendations & Suggestions:**

- Need to institute water shed management interventions for all major rivers;
- Existing cattle markets need to be refurbished;
- Institute soil management interventions in the district;
- Provision of water for production in the district is very crucial (dams, gravity flow schemes);
- Institute HIV/AIDS interventions in the markets
- Staffing of the district veterinary office should be enhanced, to have at least a Veterinary officer at each sub county.

### **Meetings with Nakapiripirit District Officials**

**Venue:** Nakapiripirit District Headquarters

**Date:** 23/8/13

#### **Participants:**

- |                               |            |
|-------------------------------|------------|
| 1. Tengei Mario Lokut         | (A DAO)    |
| 2. Dr Kathiya Dominic Lokeris | (DVO)      |
| 3. Odeng Emmanuel             | (Ag. DEO)  |
| 4. Moses Basoma               | Consultant |

#### **Issues that came up during the consultative meeting**

- ✓ Cattle water draw water mainly from the swamps in the dry season and from the streams and rivers during the wet season;
- ✓ The catchment for these rivers and streams has been greatly encroached on for cultivation;
- ✓ There are valley dams though these have been silted over time without major rehabilitations. Most of these dams are located on the western side of the district bordering Teso region;
- ✓ Generally, the watersheds are highly degraded;
- ✓ Surface run off in the district is high due to the topography of the district;
- ✓ The dry spell lasts for as long as six months;

- ✓ Boreholes dry up in the dry season and this usually triggers a conflict between water for production and water for human consumption;
- ✓ The road network in the district is very poor and some sub counties are inaccessible during the wet season;
- ✓ Pastoral field schools exist under KALIP;
- ✓ The district veterinary office is understaffed and most veterinary related work and Disease control and management is handled by community animal health workers and the animal cross border committees;
- ✓ The HIV/AIDs prevalence rate for Nakapiripiti is at 2.5% compared to 5.3% for the entire Karamoja region. However, there is no major HIV/AIDs intervention in the cattle markets;
- ✓ A laboratory has been constructed at the district headquarters but has not yet been equipped

### **Recommendations & Suggestions:**

- ✓ Existing dams should be rehabilitated and more new ones constructed;
- ✓ Institute watershed management interventions;
- ✓ Institute soil and water conservation interventions;
- ✓ Enhance staffing level of the district veterinary office;
- ✓ Community animal health workers should be given some formal trainings;

### **Meetings with Moroto District Officials**

**Venue:** Moroto District Headquarters

**Date:** 26/8/2013

#### **Participants:**

1. Achula O (DPO)
2. Dr Orongo T T W (DVO)
3. Moses Basoma

#### **Issues that came up during the consultative meeting**

- Several earth dams, ponds and streams exist and are used for watering animals;
- Most of these dams are silted;
- The pastoral communities live away from these water sources;
- The water sheds are highly degraded, they have been encroached on to give way for activities like cultivation, establishment of settlements, charcoal burning, and firewood collection;
- A laboratory is under construction by the Karamoja Livelihood Improvement Project (KALIP) which will also equip it.

#### **Recommendations and Suggestions:**

The most important issues that should be considered so as to improve pastoral livelihood resilience in Moroto district include the following:

- Provision of adequate and constant water supply to the animals'
- Improvement of the range land and the pasture in there;
- Controlling and management of livestock diseases'
- Management of wild fires;
- Elimination /management of resources conflicts.



## **Meetings with Katakwi District Officials**

**Venue:** Katakwi District Headquarters

**Date:** 26/8/13

### **Participants:**

1. Okwakol Lawrence (ACAO)
2. Dr Elungat J I (DVO)
3. Denis Mudoola Interviewer

### **Issues that came up during the consultative meeting**

- Major source of water for productions are the earth dams. However, they are highly silted. There are 9 sub counties in the district and at least each sub county has one functional dam. Water is drawn directly from these dams and no management regime is in place. The Agricultural Livelihood Recovery Project (ALREP) is currently rehabilitating 3 other dams;
- The Local revenue is not insufficient enough to cater for the rehabilitation of these dams;
- The other sources of water for production are the, boreholes, swamps. However, the swamps have been highly encroached on for farming especially rice cultivation;
- There are five major cattle markets in the district. Ochorimongin is the largest of these. The markets operate on every Friday of the week. It attracts traders from as far as south Sudan and Kenya. On a single market day, over 2,000 animals (cattle, Sheep goats) are traded.
- Meat inspection is on a daily basis in the town council of Katakwi while it's only on the markets days in other sub counties;
- There are only two staff in the district Veterinary office; thus; one Veterinary officer and one Livestock Hide Improvement officer. As such, disease control and management is still a challenge. These are assisted by the Animal Service Providers under the NAADS arrangement;
- Most cattle dips are non-functional and hand spray pumps are commonly used. Drug shops are located in trading centers, other are mobile outlets as found in the cattle markets;

### **Recommendations and Suggestions:**

- Communities should be encouraged to harvest rain water so as to reduce the pressure on the existing water sources;
- Other dams not considered for rehabilitation under the Agricultural Livelihood Recovery Project (ALREP) should targeted for rehabilitation under this project;
- Cattle markets should be improved to provide the basic facilities for cattle markets, thus; holding grounds, waste disposal facilities, etc.
- There is need for improvement on tick control and management, rehabilitate cattle dips and crushes or construct new ones in the target project sub counties; Formulate and implement a pest and pesticide management plan for the project area

## **Meeting with Amuria District Officials**

**Venue:** Amuria District Headquarters

**Date:** 27/8/13

### **Participants:**

1. Otim Charles (DNRO)
2. Dr Opolot John (DVO)
3. Moses Basoma (Consultant)

### **Issues Raised**

- The major sources for water production are swamps, dams and valley tanks. There 59 dams in the district 6 valley tanks. However, over 80% of these are silted and only temporally used during the rainy season when there is enough water;
- A wetland management plan for Omunyal Wetland has been developed and is being implemented, other wetlands continues to be utilized haphazardly;
- 80% of the households in the district have at least some livestock. However, they are not of very good quality. Farmers have not yet adopted improved breeds for fear of the labour associated with these animals
- There are no proper slaughter facilities in the whole district; the town council has a designated place where animal are slaughtered but without the basic structures. The waste at this place is poorly handled, and the skinning is done on the ground;
- The district veterinary office is under staffed with only 1 senior veterinary officer and 4 Assistant Animal Husbandry Officer. Hence there is inadequate meat inspections, disease control and surveillance;
- The district is not connected to the national grid as yet and therefore storage of vaccines is still problematic (No cold chain);
- The livestock feed exclusively on natural grass.
- There are 12 functional cattle crashes in the district and no functional cattle dip due to their high maintenance costs. Usually, cattle are sprayed using hand spray pumps to control ticks;
- Acaricides are acquired by farmers themselves from drug shops in trading centers and cattle markets. The handling, disposal of the acaricides is poor

### **Recommendations and Suggestions:**

- All the dams and valley tanks need immediate rehabilitation to provide adequate water for the livestock throughout the year;
- Develop and implement Wetland management plans for all other major wetlands so as to enhance their sustainable utilization;
- Provide a better slaughter facility especially in Kapelbyong and Amuria town council, the land for such facilities has already been identified and allocated;
- Farmers and the community animal health workers who administer the acaricides and other drugs need to be trained in basic Health, Safety and Environment techniques;
- There is need to revive preventive measures for disease control for example; cattle dips, isolation units

## **Meeting with Amudat District Officials**

**Venue:** Amudat District Headquarters

**Date:** 23/8/13

### **Participants:**

1. Cheptilak Lonah (District Councilor)
2. Alungat Joyce (District Councilor)
3. Dr Kaziro Micheal (DVO)
4. Ms Deborah Alinga (DNRO)
5. Lomwai Shadrack NAADS Coordinator
6. Moses Basoma

### **Issues Raised**

- ✓ The major sources for water production are the seasonal rivers and streams, water ponds. The Kanyangaring river system and the Greek rivers are the major rivers where water is drawn;
- ✓ Generally, the watersheds and rangelands are degraded, cultivation, brick making, settlements, and charcoal burning are the major activities there in;
- ✓ Generally the district has enormous challenges and needs that require interventions from central government and development partners. We have very long periods of drought, hence making crop farming almost impossible. Our farmers still use the hand held hoes, and farming is not yet commercialized;
- ✓ If the project can also provide water for irrigation, it will be a welcome idea since our people are beginning to settle and want to grow crops on top of rearing animals;
- ✓ Farmers need sensitization on modern farming practices to enable them grow fast growing food crops and cash crops;
- ✓ The World Food Programme has always intervened in situations of drought with food aid. However, the communities should be further empowered to produce more of their own food;
- ✓ The Pokot in particular lack sustainable livelihood options mainly due to scarce natural resources and recurrent inter-tribal conflicts;
- ✓ There are three prominent cattle markets in the district which operate once in a week. These designated open grounds without basic facility for a cattle market. The markets attract traders from both Kenya and Uganda and both Kenya and Uganda currencies are used in these markets;
- ✓ However, no HIV/AIDS interventions are undertaken in these markets;
- ✓ There are no slaughter facilities (abattoirs) in the whole district
- ✓ The district has only one veterinary officer who is assisted by 3 animal health workers;
- ✓ The cross border animal health committees to a little extent help in disease surveillance but are more pre occupied in issuing cattle movement permits, which are issued at a fee.

### **Recommendations & Suggestions:**

- ✓ Develop and implement watershed management plans for all major rivers and streams so as to enhance their sustainable utilization;
- ✓ Communities be sensitized, provided with improved planting materials and empowered to engage in crop farming on top of cattle rearing;
- ✓ Irrigation should be emphasized in the district;
- ✓ Provide a better slaughter facility especially in Amudat town council, the land for such facilities has already been identified and allocated by the town council.

## **Meetings with Bukedea District Officials**

**Venue:** Bukedea District Headquarters

**Date:** 4<sup>th</sup> Sept, 2013

### **Participants:**

- Dr Ongelech Francis (DVO)
- Ongaba Steven (District Planner)
- Oluka Micheal (Senior Entomologist)
- Okul Micheal (AAHO)

### **Issues that came up during the consultative meeting**

- ✓ The population of both humans and livestock in the district is increasing at an alarming rate and therefore the pressure on the rangelands is high;
- ✓ The poverty levels of the community is generally very high;
- ✓ communities in the district practice both crop and animal husbandry, though crop production is more prominent;
- ✓ Some farmers especially in Kachumbala and Bukedea Sub Counties have begun rearing improved breeds of cattle. This is being encouraged by the HEIFER project and the response is good so far;
- ✓ Water sources in the district include dams, valley tanks, swamps and streams. There are three dams in the district, all of which are non-functional at the moment. All the valley tanks and dams have been silted over the years.;
- ✓ The district does not have enough funds , let alone the expertise in dam rehabilitation;
- ✓ The swamps and some rangeland have been encroached on for cultivation, rice cultivation is the most prominent in the swamps;
- ✓ Most herds of cattle have been shifted to the sub counties near the lake where they are assured of water supply throughout the year. The owners of the cattle may not specifically reside in the sub counties;
- ✓ There are cattle markets located in almost all sub counties of the district. The most prominent ones are; Bukedea and Kachumbara markets. These are open gazetted places. There no structure within the markets and they are not fenced off;
- ✓ Pesticides, acaricides and other animal drugs are sold in these markets;
- ✓ The district had constructed wooden cattle crushes some time back , but these have since broken down;
- ✓ Farmers who are far away from the district are assisted by the NAADS animal service providers to administer drugs to their livestock;
- ✓ There is one senior veterinary officer, 3 veterinary officers and 3 animal husbandry officers in the district;
- ✓ No HIV/AIDS intervention within the markets nor under the entire production department;
- ✓ There are no veterinary demonstration schools and non-have been planned for by the district;
- ✓ The PRDLP is constructing a laboratory for the district at the district headquarters;

### **Recommendations & Suggestions:**

- ✓ Range lands should be planned for and managed sustainably by the user communities;
- ✓ Farmers should be encouraged to use improved seeds for crop production and improved breeds of livestock;
- ✓ Existing water sources (dams ) should be rehabilitated and even new ones constructed;
- ✓ Cattle markets should be improved/upgraded;
- ✓ Metallic cattle crushes should be constructed, these will last longer;

- ✓ Some HIV/AIDS interventions should be initiated in the production department targeting the cattle markets. A lot of money exchanges hands and there is a lot of alcohol sold within these markets. The two are good catalysts for HIV/AIDS transmission.

## **Meetings with Kumi District Officials**

**Venue:** Kumi cattle Market

**Date:** 6<sup>th</sup> Sept, 2013

### **Participants:**

1. Ms Apolot Jane Francis            AVO
2. Dr Onyaiti Alfred Opiede        DVO

### **Issues that came up during the consultative meeting**

- ✓ Common water sources in the district are springs, wetlands and dams. Kodukul dam in Ongino Sub County is the major source for most livestock in the district. The dam is currently being silted and requires desilting. It had broken down completely in 2004 but was later on renovated in 2008 with assistance from the Irish Aid;
- ✓ The largest population of cattle in the district is in Ongino sub county which is near lake Bisina
- ✓ Animal move from all the other sub counties to this dam or to the shore of lake Bisina during the dry season in search for water and pasture;
- ✓ The rangelands have open access, thus no restrictions on who enters and how long they stay or consume, this poses a management problem (Common good);
- ✓ Currently, the dam provides water for both [production and domestic usage
- ✓ The wetland streams dry up shortly after the rains and most of them have been encroached for cultivation. Rice cultivation is the predominant crop in the wetlands. The district has not made any interventions in watershed management;
- ✓ Farming practices are still rudimentary and soil erosion is rampant;
- ✓ There are four major cattle markets in the district, thus; Ongino, Kumi, Mukongoro and Kanyuma, They are all open places, not fenced and without structures;
- ✓ Like elsewhere, the males dominate the market activities in these markets. Females are majorly engaged in the sale of food stuffs, clothes, and alcohol, while the males completely dominate the sale of livestock
- ✓ Livestock disease monitoring and surveillance is still poor in the whole district, farmers their cell phones to communicate outbreaks of diseases;
- ✓ The response to the farmers' call is not very good since the department is under staffed. There is only one veterinary officer, assisted by four animal husbandry officers. The NAADS staff is not supportive here. There are community health workers but these still have not been trained; and
- ✓ The department regularly receives students from Arapai agricultural college.

### **Recommendations & Suggestions:**

- ✓ Construct more dams in other sub counties since the whole district has communities engaged in livestock rearing;
- ✓ Piped water system be constructed to draw water from lake Bisina, this water could be for domestic consumption so that the dam are relieved of some pressure.
- ✓ Management plans for the rangeland should be formulated, these should also provide for formulation of some by-laws to guide their usage.

## Meeting with Ik Community in Lokinene Village, Timu Parish in Kaabong District

Date: 24<sup>th</sup> August 2013



The IK community in Timu sub county, Kaabong District with the consultants (2013)

### Issues

- We have been helped by other agencies
- The roads in our community are so impassable, so how will the machines to construct the dams reach here?
- We are harassed by other tribes especially the Dodoth who have guns; won't they attack us more if you give us water?
- We like the project but we are afraid of owning what will bring our community more trouble.

## **Meeting with Benet Lobby Group**

**Venue:** Mengya village,

**Date:** 22/08/2013

### **Participants:**

1. Chelimo Bosco            Programme officer (BLG)
2. Moses Basoma
3. Francis Mugenyi

### **Issues Raised**

- The Benet is the location where the Ndorobo live. The indigenous people are called Ndorobo they now live in Benet, Kigwoi, and Kwosir sub counties in Kween district, upper belt. Their population is estimated to be 20,000 people. The formerly lived in the protected areas on Mount Elgon and have been evicted and resettled in the above sub counties.
- The Benet Lobby group was formed to advocate for the rights of the Ndorobo who were believed to be land less then.
- Other civil society organizations in the area include; Action Aid, and Food for the Hungry (schools and health centers).
- There are two cattle markets in the area, Binyinyi and Bright, and these are without the necessary structures; (holding ground, slaughter facility, sanitary facilities etc)
- They are agro-pastoralists and also hunters and gatherers.
- They still practice female genital mutilation. However, with the Benet Lobby Group in place, a lot has been achieved and the practice is slowly dying out.
- They are culturally organized in clans, headed by clan leaders who are used as advisors and also resolve conflicts within the clans. There are 15 clans for example; Kapros, Kaprotosis, Kapkoremge, Kapkwei, Kapbul. Conflicts involving other clans or tribe are referred the police and the Local council systems.
- For the bent to fully participate in the project, they need to be mobilized and sensitized, by their lobby group.

### **Recommendations and Suggestions:**

- ✓ The project should work very closely with Benet Lobby Group which has been in the project area for the last 37 years;
- ✓ There is need for mobilization and sensitization of the people for the project to succeed;
- ✓ Any land acquired for project development should be compensated for

## Annex 10: List of Consulted Persons

Sr No.	NAME	M/F	DESIGNATION	DISTRICT
1	Okwakol Lawrence	M	ACAO	Katakwi
2	Otim Charles	M	DNRO	Amuria
3	Dr Opolot John	M	DVO	Amuria
4	Apolot Jane Francis	F	AVO	Kumi
5	Dr Onyaiti Alfred Opiede	M	DVO	Kumi
6	Ongaba Stephen	M	District Planner	Bukedea
7	Dr Ongelech Francis	M	DVO	Bukedea
8	Chemisto Samuel	M	Ag DNRO	Kween
9	Dr Yesho Nelson	M	DVO	Kween
10	Tengei Mario Lokut	M	A DAO	Nakapiripirit
11	Dr kathiya Dominic Lokeris	M	DVO	Nakapiripirit
12	Iditemany Victor	M	ADWO	Nakapiripirit
13	Lonyee John	M	Sec. Works and tech. Services	Nakapiripirit
14	Iditemany Victor	M	ADWO	Nakapiripirit
15	Odeng Emmanuel	M	Ag DEO	Nakapiripirit
16	Lomwai Shadrack	M	Ag DPO	Amudat
17	Ariong Deborah Alinga	F	DNRO	Amudat
18	Dr Kaziro Micheal	M	DVO	Amudat
19	Achula O	F	DPO	Moroto
20	Dr Orongo T T W	M	Ag DVO	Moroto
21	Dr Elungat J I	M	DVO	Katakwi
22	Okul Michael	M	AAHO	Bukedea
23	Oluka Michael	M	Senior Entomologist	Bukedea
24	Ongom B. Silver	M	District Production Officer	Katakwi
25	Dr. Elungat. J	M	District Veterinary Officer	Katakwi



26	LOKAKWA GEOFFREY L.	M	PARISH CHIEF	MOROTO
27	NAKIRU SUSAN	F	NATIVE	MOROTO
28	DR. ONYAIT. A	M	DVO/AGDPC	KUMI
29	OKALANG EMMANUEL	M	DNRO	KUMI
30	OKIRICU ALEX	M	DCDO	KUMI
31	MUBANI ARAPKISSA	M	Ag.DAO	KWEEN
32	CHEPKURUI ISAAC	M	DISTRICT NAADS COORDINATOR	KWEEN
33	Dr. YESHO NELSON	M	DVO/Ag.DPO	KWEEN
34	CHEBET ROSE	F	DCDO	KWEEN
35	OKWAKOL JOSEPH	M	RDC	KWEEN
36	MALINGA MARTIN	M	FARMER	KWEEN
37	CHELIMO STEPHEN	M	FARMER	KWEEN
38	CHEROTIN PATRICK	M	SNC NGENGE S/C	KWEEN
39	MULAKI ANTHONY	M	CHAIRMAN S/C FARMERS' FORA	KWEEN
40	CHEPSIKOR D. JUMA	M	S/C CHIEF NGENGE	KWEEN
41	KENYATIA K. ALFRED	M	FARMER	KWEEN
42	KITIYO MOSES	M	FARMER	KWEEN
43	LABU HABIBU	M	FARMER	KWEEN
44	SANYA LABU	M	COUNCILLOR LC.III	KWEEN
45	CHABANG JAMES	M	COUNCILLOR LC.III	KWEEN
46	MANDE JEREMIAH	M	FARMER	KWEEN
47	KASSAJA TAKWENYI	M	FARMER	KWEEN
48	CHEPTAI ALEX	M	FARMER	KWEEN
49	AMWENYUN DUNCAN	M	FARMER	KWEEN
50	ATEBENI SOLOMON	M	FARMER	KWEEN
51	MUTULEI STEPHEN	M	CHAIRMAN LC.I SOSHO	KWEEN
52	ACHOCHORO BECKY	F	COUNCILLOR LC.V	AMUDAT

53	SAGAL HENRY	M	D/DISO	KOTIDO
54	OGWANG CONSTANTINE	M	SAHO	KOTIDO
55	UMA CHARLES	M	DEPUTY CAO	KABONG
56	AJOK JANET	F	AHO	KOTIDO
57	NATYANG CECILIA	F	CAO	KOTIDO
58	SAGAL HENRY	M	D/DISO	KOTIDO
59	LOKWEE JOHN JUJAN	M	ACAO	KABONG
60	BAATOM BEN KORYANG	M	DCDO	KABONG
61	LOTINYANG FRANCIS FRANK	M	DISTRICT VICE C/PERSON	KABONG
62	NAKIRU LILLY GRACE	F	COUNCILLOR LC.V	KABONG
63	OGWANG JINO	M	Ag.DPO	ABIM
64	Dr. OLUGE PETER	M	DVO	ABIM
65	OJOK ANJELO KENNETH	M	Ag. DAO	ABIM
66	LAMMY OYOLLO	M	SCDO	ABIM
67	ODONG ORYONO ROBBIN	M	DYC	ABIM
68	KAZIBA MOSES NANDHALA	M	CAO	ABIM
69	OKONG PAUL MWANGA	M	DYC	ABIM
70	OCHEN SIMON PETER	M	FARMER	KABONG
71	LEMUKOL PAUL	M	FARMER	KABONG
72	LOCHUL INYASIO	M	FARMER	KABONG
73	ASIYO ANTHONY	M	FARMER	KABONG
74	SAMALITA THOMAS	M	FARMER	KABONG
75	NAMONGIN JULIANA	F	FARMER	KABONG
76	MACHU CECILIA	F	FARMER	KABONG
77	BENGA TITUS	M	DNC	NAPAK
78	LOCHUNGOKOL JOHN	M		NAPAK
79	KORYANG TICOCHY	M	ACAO	NAPAK
80	RIISA JOSHUA JEFFERSON	M	SUB COUNTY CHIEF	NAPAK
81	Dr. OPOLOT JOHN	M	DVO	AMURIA
82	Dr. CHELI PETER	M	DVC	AMURIA
83	OLOIT MICHAEL	M	DCDO	AMURIA
84	EPAJU PIUS	M	CAO	AMURIA
85	OBONG ALFRED	M	NAADS COORDINATOR	AMUDAT
86	LOGIEL ANTHONY ABBOT	M	CDO	AMUDAT
87	ASIO ANGELLA	F	AASP	AMUDAT
88	LOSEKORI JOSEPH	M	COUNCILLOR OF PWDs LC.V	AMUDAT

89	CHEPTILAK LONAH	F	CHAIRPERSON FINANCE COMMITTEE, DISTRICT COUNCL	AMUDAT
90	LOCHUL EMMANUEL	F	MALE YOUTH COUNCILLOR LC.V	AMUDAT
91	NANGIRO ROBERT	M	NAADS COORDINATOR, AMUDAT TOWN COUNCIL	AMUDAT
92	LOKONIOLO SAMSON	M	FARMER	AMUDAT
93	LONWAI SHADRACK	M	AAG. DPO	AMUDAT
94	LOKIRU PAUL	M	FARMER	AMUDAT
95	YARAKORI LOKONG	M	FARMER	AMUDAT
96	AMASILE AMOS	M	FARMER	AMUDAT
97	LOGWE GABRIEL	M	FARMER	KOTIDO
98	ACHAU PETER	M	FARMER	KOTIDO
99	ABOL LOKOYA	M	FARMER	KOTIDO
100	KEEM MATEO	M	FARMER	KOTIDO
101	ACHAU ENIWA	F	FARMER	KOTIDO
102	LONGOROK APAI	M	FARMER	KOTIDO
103	LOKOL TODOO	M	FARMER	KOTIDO
104	DEDENG PETER	M	FARMER	KOTIDO
105	IMADI GWARAKORI	F	FARMER	KOTIDO
106	ODEKE ROBERT	M	FARMER	KOTIDO
107	LOMURIA KETE	F	FARMER	KOTIDO
108	ADUPA DENIS	M	FARMER	KABONG
109	LOKOL ALEX	M	FARMER	KABONG
110	LONIPE MARK	M	FARMER	KABONG

111	LOKONG SIMON	M	FARMER	KABONG
112	LOKIDING PAUL	M	FARMER	KABONG
113	LONGOLI SAMSON	M	FARMER	KABONG
114	KALI CLEMENT	M	FARMER	KABONG
115	MODING CHRISTINE	F	FARMER	KABONG
116	ILUKAL MARIA	F	FARMER	KABONG
117	LUKUYANA	F	FARMER	KABONG
118	EKURE PHILIP	M	FARMER	KABONG
119	NAYAON PHILIP NERI	M	FARMER	KABONG
120	LOKORU PETER	M	FARMER	KABONG
121	LEMU ROBERT	M	FARMER	KABONG
122	LOJORE INYASIO	M	FARMER	KABONG
123	CHILLA CHARLES	M	FARMER	KABONG
124	ILUKAL THOMAS	M	FARMER	KABONG
125	LONGOLI PETER	M	FARMER	KABONG
126	LOCHOM JAMES	M	FARMER	KABONG
127	ILUKAL MOSES	M	FARMER	KABONG
128	LOCHUL JACOB	M	FARMER	KABONG
129	NAMUYA N. FRANCESCA	F	ACDO	AMUDAT
130	CHENANGAT PENINAH	F	FARMER	AMUDAT
131	LOROT SYLVIA	F	FARMER	AMUDAT
132	APEYO LOKWAMUDANG	M	Jie Elder, Kotido	Kotido I
133	NALII ANNA	F	FARMER	KOTIDO
134	LOMUSE LUCIA	F	FARMER	KOTIDO
135	NGURA MARIA	F	FARMER	KOTIDO
136	AMIN DADA	F	FARMER	KOTIDO
137	ANGOLERE BEYE	M	Elder	Kotido
138	RIPLANGET MICHAEL	M	FARMER	KWEEN

	FRED			
139	MASAU RASHID	M	FARMER	KWEEN
140	MAMA ESTHER	F	FARMER	KWEEN
141	KITIYO MARTIN	M	FARMER	KWEEN
142	CHEKWEMBOI DIANA	F	FARMER	KWEEN
143	CHEBOJUMA CAROLINE	F	FARMER	KWEEN
144	KAPSOL TOM CHEROP	M	FARMER	KWEEN
145	LEMU ALICE	F	FARMER	KABONG
146	ARIKO MATAN	F	FARMER	KABONG
147	LOKWANG MARK	M	FARMER	KABONG
148	LOKOL JOSEPH	M	FARMER	KABONG
149				
150	LOTEE ZADORY TWALA	F	ACDO	MOROTO
151	EJAJAWAI GODFREY JULIUS	M	AASP	MOROTO
152	OPOLOT JONATHAN	M	AASP	MOROTO
153	AKOL Y. LILLY	F	OA	MOROTO
154	ONYANGA RONALD	M	SNC	MOROTO
155	ALANY FAUSTINO	M	LC I CHAIRMAN	MOROTO
156	LOPEYOK PETER	M	ELDER	MOROTO
157	ODONG ALICE	F	HOUSE WIFE	MOROTO
158	NACHUGE VERONICA	F	HOUSE WIFE	MOROTO
159	LOCHORO MARIO	M	LC II CHAIRPERSON	KOTIDO
160	ADOME LOLERE	M	FARMER	KOTIDO
161	MUNYES JOSEPH	M	FARMER	KOTIDO
162	LOKWI APAKAKEB	M	FARMER	KOTIDO
163	AWOT SIMON P.	M	FARMER	KOTIDO
164	AKULLO SOPHIA	F	FARMER	KOTIDO
165	KIYONGA MARTINA	F	FARMER	KOTIDO
166	KORIAN NGIT	F	FARMER	KOTIDO
167	ACHEN ROSE	F	FARMER	KOTIDO
168	ABONYO AGNES	F	Youth, community Member	Kotido District
169	ACHAYO GLORIA	F	Youth, community Member	Kaabong District
170	AGUMA BETTY	F	Youth, community Member	Kotido District
171	AKELLO IRENE	F	Youth, community Member	Kotido District
172	AKOL ANNA GRACE	F	Youth, community Member	Napak



**Nelson & Associates**

Hot Springs Restaurant Building  
Plot 27 Clement Hill Road  
P. O. Box 4066, Kampala - Uganda  
Tel : +256-41-4382924  
Mob: +256-77-2458903  
E-mail: nelsonomaqor@gmail.com

**ATTENDANCE LIST**

Location MOROTO DISTRICT - KATIKAKILE Date: 26/09/2013

PROJECT REGIONAL PASTORAL LIVELIHOOD RESILIENCE PROJECT

Name	Designation	Contact	Signature
1. <u>Lote Zadony Twale</u>	<u>A CD</u>	<u>0772903157</u>	
2. <u>ETAJUKIHI GODFREY JULIUS</u>	<u>AASP</u>	<u>0752223177</u>	
3. <u>OPOLOT JONATHAN</u>	<u>AASP</u>	<u>0785442258</u>	
4. <u>AKOL Lily</u>	<u>OA</u>		
5. <u>Onyango Ronald</u>	<u>SNC</u>	<u>0774563578</u>	



**Nelson & Associates**

Hot Springs Restaurant Building  
Plot 27 Clement Hill Road  
P. O. Box 4066, Kampala - Uganda  
Tel: +256-41-4382924  
Mob: +256-77-2458903  
E-mail: nelsonomaqor@gmail.com

ATTENDANCE LIST

Location KABONGA DISTRICT Date: 23/08/13

PROJECT RPLRP

Sl. No.	Name	Designation	Contact No.	Signature
1.	UMA Charles	Deputy CAO	0756546184	
2.	LOKWE JOHN JUAN	ACAO	0777303467	
3.	Baatom Ben Konyang	DCDO	0772472607 / 75514972 lojokotau@gmail.com	
4.	LOTINYANG FRANCIS FRANK	DISTRICT-VICE-CHAIRMAN	0744821641	
	NALIRO LILLI GRACE	DIST. COUNCILLOR KAMION	0755-415444	



**Nelson & Associates**

Hot Springs Restaurant Building  
Plot 27 Clement Hill Road  
P. O. Box 4066, Kampala - Uganda  
Tel : +256-41-4382924  
Mob: +256-77-2458903  
E-mail:nelsonomaqor@gmail.com

**ATTENDANCE LIST**

Location KWEEN DISTRICT Date: 22<sup>nd</sup> / 08 / 2013

PROJECT REGIONAL PASTORAL LIVELIHOOD RESILIENCE PROJECT

Name	Designation	Contact	Signature
MUBAWI ABRAKISSA	AG. DAO	0772571676	
CHEPKURUI ISAAC	DISTRICT NAADS Coordinator	0782507479	
Dr. Yeshe Nelson	DVO / Ag DPO	0776524799	
CHEBEST ROSE	DCDO	0782660242	
OKWAKOL JOSEPH	RDC	0772340364	
MAHIGA MARTIN	Farmer	0754561134 0772878095	
CHALINO STEPHEN	Farmer	0782310134 0756310134	
CHEROIINI PAIRICK	SNC Ngenge SIC	0788262502	
MULAKI ANTHONY	CHAIRMAN sub-coor NY FARMERS FORA	0787976214 0777459611	
CHEPSIKOR D. JUMA	SAs / SDC chief Ngenge	0782374105	