



Republic of Uganda

Ministry of Energy and Mineral Development



"The Peoples Electricity Link"

Rural Electrification Agency

ENERGY FOR RURAL TRANSFORMATION PHASE III (ERT III)

RESETTLEMENT POLICY FRAMEWORK (RPF)

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ABBREVIATIONS AND ACRONYMS

APL- Adaptable Programme Loan

ARAP- Abbreviated Resettlement Action Plan

BoU- Bank of Uganda

CAO- Chief Administrative Officer

CBOs- Community Based Organisations

CDMs- Clean Development Mechanisms

CGV- Chief Government Valuer

CICs- Community Information Centers

CSF- Credit Support Facility

DLB- District Land Boards

DLTs- District Land Tribunals

DPs Displaced Persons

EIA- Environment Impact Assessment

ERT- Electricity for Rural Transformation

ESIA- Environmental and Social Impact Assessments

ESMF- Environment and Social Management Framework

GDP- Gross Domestic Product

GEF- Global Environment Facility

GO- Grievance Officer

GoU- Government of Uganda

GPOBA- Global Partnership on Output-Based Aid

GRC- Grievance Redress Committee

GRM- Grievance Redress Mechanism

HFO- Heavy Fuel Oil

HIV/AIDS- Human Immuno Virus/Acquired Immuno Deficiency Syndrome

ICT- Information and Communication Technology

IDA- International Development Agency

IMU- Independent Monitoring Unit

IREMP- Indicative Rural Electrification Master Plan
LDCs- Licensed Distribution Companies
LDCs- Local District Councils
LGA- Local Government Act
LGIs- Local Government Institutions (LGIs).
LGRC- Local Grievance Redress Committee
LGs- Local Governmnets
MAAIF- Ministry of Agriculture, Animal Industry and Fisheries
MEMD- Ministry of Energy and Mineral Development
MoES- Ministry of Education and Sports
MoFPED- Ministry of Finance, Planning and Economic Development
MoH- Ministry of Health
MoLG- Ministry of Local Government
MoWE- Ministry of Water and Environment
NDP- National Development Plan
NFA – National Forestry Authority
NGOs- Non- Government Organisations
OBA- Output-Based Aid
PAPs- Program Affected Persons
PCDP-Public Consultation and Disclosure Plan
PIM- Project Implementation Manual
PLC- Parish Land Committees
POPs- Internet Points-of Presence
PRG- Partial Risk Guarantee
PSFU- Private Sector Foundation Uganda
PVTMA- PV Targeted Market Approach
RAP- Resettlement Action Plan
REA- Rural Electrification Agency
REB- Rural Electrification Board

REF- Rural Electrification Fund

RESP- Rural Electrification Strategy and Plan for the period

RPF- Resettlement Policy Framework

SHS- Solar Home Systems

SMEs- Small Micro Enterprises

STEI- Science, Technology, Engineering and Innovation

STs- Service Territories

UAREP- Uganda Accelerated Rural Electrification Project

UCC- Uganda Communications Commission

UECCC- Uganda Electricity Credit Capitalisation Company

ULC- Uganda Land Commission

USE- Universal Secondary Education

UWA- Uganda Wildlife Authority

VPCs- Village Peace Committees

DEFINITIONS

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

“**Census**” means a field survey carried out to identify and determine the number of ERT III program Affected Persons (PAP) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement and other measures emanating from consultations with affected communities and the local government institutions (LGIs).

ERT III program Affected Person(s) (PAPs) are persons affected by loss of land and/or other assets as a result of ERT III activities. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they will move to another location.

“**Compensation**” means the payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets thereon as well as other impacts resulting from ERT III program activities.

“**Cut-off date**” is the date of commencement of the census of PAPs or DPs within the ERT III program area boundaries. This is the date on and beyond which any person whose land is occupied for ERT III program ERT III will not be eligible for compensation.

“**Displaced Persons**” mean persons who, for reasons due to involuntary acquisition or voluntary contribution of their land and other assets under the ERT III program, will suffer direct economic and or social adverse impacts, regardless of whether or not the said Displaced Persons are physically relocated. These people may have their: standard of living adversely affected, whether or not the Displaced Person will move to another location ; lose right, title, interest in any houses, 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 Displacement**” means the involuntary acquisition of land resulting indirect or indirect economic and social impacts caused by: Loss of benefits from use of such land; relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the Displaced Persons has moved to another location; or not.

“**Involuntary Land Acquisition**” is the repossession of land by government or other government agencies for compensation, for the purposes of a public ERT III program 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.

“**Land**” refers to agricultural and/or non-agricultural land and any structures there on whether temporary or permanent and which may be required for the ERT III program.

“**Land acquisition**” means the repossession of or alienation of land, buildings or other assets thereon for purposes of the ERT III program.

“**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 ERT III program Affected Persons and Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-ERT III program levels.

“**Resettlement and Compensation Plan**”, also known as a “**Resettlement Action Plan(RAP)**” or “**Resettlement Plan**” - is a resettlement instrument (document) to be prepared when program locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting on the people and their livelihoods. RAPs contain specific and legal binding requirements to resettle and compensate the affected party before implementation of the ERT III program activities.

“**Replacement cost**” means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on **Market rate (commercial rate)** according to Ugandan law for sale of land or property. In terms of land, this may be categorized as follows; (a) “Replacement cost for agricultural land” means the pre-ERT III program 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 costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes;

“**Replacement cost for houses and other structures**” means the prevailing cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs will include: (a) transporting building materials to the construction site; (b) any labor and contractors’ fees; and (c) any registration costs.

“**Resettlement Assistance**” means the measures to ensure that ERT III program Affected Persons and Displaced Persons who may require to be physically relocated are provided with assistance during relocation, such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement.

“**The Resettlement Policy Framework (RPF)**’ has been prepared as an instrument to be used throughout the ERT III Program implementation. The RPF will be disclosed to set out the resettlement and compensation policy, organizational arrangements and design criteria to be

applied to meet the needs of the people who may be affected by the program. The **Resettlement Action Plans (“RAPs”)** for the ERT III Program will be prepared in conformity with the provisions of this RPF.

EXECUTIVE SUMMARY

Background

In early 2000, development of the rural electrification program was based on a Rural Electrification Strategy and Plan for the period 2001 to 2010 – RESP (2001-2010) that aimed at increasing access to electricity in rural areas from 1% in 2001 to 10% by 2010. However, the rural access to electricity at the end of 2012 was estimated at less than 7% and national access at 14%. In view of this low level of rural electricity access, and the corresponding hardships and drawbacks on economic growth, the GoU attempted to increase the level of access to the rural population through a number of bilateral and multilateral funded programs that financed basic infrastructure through the development of 33kV and 11kV distribution lines, transformer stations and 400V reticulation lines. Despite this, connection rates have remained low, often ranging from about 10% to 20% of the targeted consumers. The main reasons have been: (i) the absence of adequate mechanisms within the sector that is directly responsible for increasing access; (ii) disassociations of the investment on rural electrification with the operations and maintenance arrangements and lack of participation in network expansion design by Licensed Distribution Companies (LDCs)¹; (iii) lack of incentives within the current LDCs to increase access particularly amongst the rural poor; (iv) inadequate funding for service connection materials; (v) high cost of service connections (starting from US\$200 per connection); (vi) the need for consumers to pay the cost of the connection upfront; and (vii) the absence of any organized effort at consumer mobilization. At this stage, the GoU seeks to overcome these challenges and to enable the lines constructed and facilities provided to be utilized optimally.

The proposed ERT III Project will be financed by an IDA Credit to GoU for US\$100 million (eq.). Additional funds from the GEF for US\$8.9 million will be made available in support of this third and final phase of the Program. GOU will provide US\$10 million, which is expected to be used for RAP implementation.

Project Components

The Project has three components which are outlined below.

Component 1: Rural Energy Infrastructure

This component financing is at US\$ 94.6m of which, US\$ 81.5m IDA, US\$ 3.1m GEF, US\$ 10.0m GoU) and will finance investments for all REA on-grid and off-grid activities.

¹ Currently, there are six LDCs carrying out distribution services in the country. These are: (i) Umeme; (ii) Ferdult; (iii) KIL; (iv) BECS; (v) PACMECS; and (vi) WENRECO.

Component 2: Energy Development, Cross Sectoral Links and Impacts Monitoring

This component is to be financed to the tune of US\$ 21m of which, US\$ 16.6m is from IDA and US\$ 4.4m from GEF). This component will finance installation of solar PV systems for institutions such as schools, health centers and water pumping stations. The PSFU will continue with their successful investment components under the BUDS-ERT component. UECCC will continue to facilitate local commercial finance by providing credit enhancement products such as partial risk guarantees, and other refinance facilities. Finally, the role of impact monitoring for the ERT III will be implemented by the MOFPED.

Component 3: Renewable Energy Development

The financing of this component is US\$ 3.3m of which, US\$ 1.9m IDA and US\$1.4m GEF). This component will finance development of other renewable energy resources such as geothermal energy, studies for small hydropower development etc., and will be implemented by the MEMD.

Purpose of the RPF

The activities of the ERT III Project may lead to either land acquisition and/or denial of, restriction to, or loss of access to economic assets and resources. and as a result there is need for resettlement planning and implementation. However, precise location of (sub) project activities and the need for land acquisition are not yet known at this stage.

Therefore, this Resettlement Policy Framework (RPF) will guide the management of social issues associated with infrastructure investments financed under ERT III, and guide the preparation of Resettlement Action Plans, whenever the need to take land for the project arises, to ensure that the resettlement aspects of ERT III are adequately understood and addressed. Special attention during the development of the RAPs should be paid to the current national social-economic dynamics, World Bank Policy on Involuntary Resettlement (OP 4.12) and the Uganda legal and institutional framework as applicable to MEMD and specifically under the ERT III project.

This RPF seeks to ensure that any possible adverse impacts of proposed project activities to peoples livelihoods are minimized and addressed through appropriate mitigation measures, in particular, against potential impoverishment risks. These risks can be minimized by:

- Avoiding displacement of people as much as possible;
- In the event that displacement is inevitable, having a well-designed compensation and relocation process in place;
- Minimizing the number of PAPs, to the extent possible;
- Compensating for losses incurred and displaced incomes and livelihoods; and
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs and their well-being and restore livelihoods.

Methodology for ERT III Preparation

A literature review was undertaken to provide background information as well as an overview of the policy, legal and institutional framework for the ERT III project. Documents reviewed included: The Uganda Constitution; Rural Electrification Strategy and Plan for the period 2001 to 2010 – RESP (2001-2010) and RESP2013-2022: The Power Sector Restructuring and Privatization Strategy 1999; The Electricity Act 1999; The Energy Policy 2002; The Renewable Energy Policy 2007; ERT II Resettlement Policy Framework; District Reports and; ERT II sub project RAPs and reports of related projects such as ERT III project Summary January 2014.

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 The Republic of Uganda (1995), The Land Act (1998), The Land Regulations, (2004) The Local Government Act (1992), and The Land Acquisition Act (1965), The Electricity Act (1999), The National Land Policy 2013 and The National Gender Policy, 1997

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 complements 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.

Categories of Projects Affected People

The number of persons who may be affected and displaced during implementation of the ERT III Comprehensive program activities can not yet be accurately estimated. A household is affected if one or more of its members are affected by the ERT III project activities either in the form of loss of property, land or access to services or socio-economic resources.

Potential Impacts

ERTIII projects activities are likely to have two categories of effects. Permanent effects will result in 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 power distribution lines will pass. Temporary 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.

Mitigations

Provisions are made under this RPF to minimize all such impacts including those of socio-economic significance and on environmentally sensitive sites. Provisions are also made in this RPF 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 Resettlement Action Plans have been identified in this RPF. The RPF also gives guidelines to undertake site specific social assessment studies as part of the preparation of each RAP. This RPF establishes the principles for the compensation/ resettlement that applies to the ERT III project, including: (1) institutional arrangements, (2) resettlement/ compensation eligibility criteria, (3) implementation procedures, (4) financial responsibilities, and (5) monitoring and evaluation plan. This RPF will be applied taking into account the need to include the marginalised and vulnerable groups as identified through social assessment.

Eligibility for Compensation

Determination of the eligibility of the PAPs 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, aiming at restoring the lives and livelihoods or making them better than before the project impacts. In case of discrepancy between these various standards, the one most advantageous to the PAPs shall be applied.

As soon as the location of a subproject has been determined, a land survey demarcating the required project land will be undertaken after which the identification of project affected persons (census) will be undertaken. The PAPs shall be classified into three groups namely;

- a) Those who have formal legal rights to the land they occupy;
- b) Those who do not have formal legal rights to land, but have a claim to land that is recognized or recognizable under the national laws including those measures put in place by the draft land policy; or
- c) Those who have no recognizable legal right or claim to the land they occupy.

Compensation at replacement cost for land and buildings and market prices for crops and trees will be paid only to those persons, who prior to the cut-off date:

1. have formal legal rights or a valid claim to the land in case of compensation for land; or
2. Who have property (a house, crops or business enterprise) situated in the area identified for development.

Lessons from ERT II

ERT III being a continuation of ERT II it was important to understand some of the issues/challenges that could have caused the delays. These lessons have therefore been analysed to guide and improve the implementation of ERT III.

Change of the line route by contractors: Sometimes line routes are diverted due to obstacles such as rocks and swamps and difficult terrain like in Western Uganda forcing the of the re-direction of power lines. This has resulted in unfinished compensation. Other causes of line diversions include; aligning power route designs to road reserves; use of preliminary designs as opposed to final ones and wrong interpretation of designs by contractors. When change of route of the powerline occurs due to unforeseen circumstances the PAPs who were previously surveyed if not informed of the diversion will fall under the category of unfinished compensation. However, upon confirmation of the new route these PAPs are informed and given clearance to utilize their land.

During ERT III: REA will use final designs for RAPs, ensure that the valuers work closely with the contractors and it is hoped that the Code of Conduct for REA contractors, which is still in a draft form, is adopted before the commencement of ERT III. Communication about diversions is expected to be improved during ERT III

Notification, Valuation Procedures and Entitlements: Notifications about the project activities were not adequately communicated and valuation procedures and entitlements are not clearly understood by the PAPs leading to complaints of under-valuation.

For ERT III, REA is in the process of procuring way leaves consultants who will be on the ground sensitizing communities about the project activities long before the the contractors start the line constructions. Better information dissemination is expected by communicating to communities about the project activities through written notices and displaying maps of the line routes, brochures in local languages, community and local government leadership meetings and if possible use radios to sensitize communities.

Absentee Land lords: During RAP implementation of ERT II some land lords were absent, and yet the law requires that payments are made to owners of the properties.

During ERT III, REA is going to procure way leaves consultants to be on the ground and will help sort out some of these problems by working with the local council leaders to help in verifying and locating the missing land lords.

Procedures for Delivery of Compensation: During the RAP implementation for ERT II sub-projects Procedures for Delivery of Compensation were not adequately followed as guided by the ERT II RPF. Communities' consulted reported that the process of opening of bank accounts was costly and time consuming. REA followed this up and the banks were asked to go the PAPs to assist in the opening of accounts, they eventually got paid.

For ERT III, compensation of PAPs should be made at replacement cost inclusive of the requirements of processing bank accounts and transport costs. REA is planning to contract a designated Bank to provide services of delivering compensation cash to PAPs at no cost. The initiative and discussion with the selected bank(s) should be started as early as the project is approved.

Grievance Redress Mechanism: During the ERT II RAP implementation the grievance redress mechanism was not adequately handled and the procedure of reporting was not clearly explained to the PAPs.

For ERT III, REA will be required to set up a functional Grievance Redress Mechanism process and use the system as detailed in chapter 14 of this report. The GRM reporting points will be set up in multiple locations in the areas of operation which will include various reporting avenues. The system encourages the PAPs to solve their grievances at LC I level as much as possible and for major issues forward to L C III at the sub-county, where REA will attend to them during the routine monitoring. All grievances and redress/solutions at all levels of the chain of the GRM will be lodged, documented and secured for references. The GRM implementation will be part of the RAP and overall project reporting.

Misunderstanding of the different Electricity Companies: During ERT II, communities sometimes could not differentiate between REA, UETCL, UMEME, and Ferdisult and others that are involved in provision of electricity services. This resulted in communities resisting power projects if any of the above companies had compensation issues.

During ERT III, continuous sensitization and public participation will help in providing the right information to communities. Project launch can also be used as an avenue of clarifying the company implementing RAPs. All the project implementing agencies will develop community engagement plans in which information of all the project including positive and negative impacts as well as planned mitigation measures built in the project will be communicated.

Lack of compensation for double Impacts: Communities reported that contractors destroy their crops/trees and sometimes come back and cut another side but compensation is only done once. This usually occurs where contractors change line route due the circumstances on the ground or in effort to connect the households that are scattered in the project areas. This constituted some of the grievances raised by the PAPs and they resolved, the PAPs whose cases were genuine were paid.

During ERT III, All RAPs will be prepared following a fully finalised design and therefore contractors will only be required to follow a clear route and avoiding double routing of lines from the start. The involuntary resettlement policy calls for all projects to as much as possible “Avoid, Minimize and Mitigate” involuntary resettlement impacts (AMM). This can be achieved, for example, by cutting crops and trees in the place where the poles will be sited, if the crops are short there will be no need of slashing the whole line corridor. Fruit and commercial trees will only be cut (if this can not be avoided) and be compensated just before line construction and/or commissioning.

Gender Issues: The women in the communities complained that they are the owners of the crops/trees but during compensation the money is paid to the men who choose either to give them some money or

not. The women requested that they be present during payments so that they are aware of the amounts paid, or payment for crops should be given to them. The project will actively pursue this approach.

For ERT III, REA is advised to main stream gender in all their RAP implementation activities. REA and other implementing agencies will be integrating a logical gender assessment that pays special attention to identifying potential gender-specific issues, and where applicable that the gender issues are properly addressed. Lessons from other Development Partners such as Norwegian Government on mainstreaming gender in rural electrification will be applied.

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 by the Department of Project Planning and Development headed by a Manager in REA 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. Whenever it has been determined that involuntary land acquisition (whether temporary or permanent) is needed for the project, a RAP shall be prepared.

Preparation of RAPs

Subproject specific Resettlement Action Plans (RAP) will be drafted by a contractor in consultation with REA's Department of Project Planning and Development and other parties responsible for resettlement such the Wayleaves office specifying the procedures it will follow and the actions it will take to properly resettle and compensate affected people and communities. The completed RAP reports will be submitted to REA for review and onward submission to the World Bank for further review and approval prior to their implementation.

Roles and Responsibilities

The implementation activities will be under the overall guidance of the REA with support from line ministries (MEMD and MoFPED) and lead agencies such as the office of the Chief Government Valuer which approves compensation rates.. The respective District Local Governments that provide the compensation rates for crops and trees will also participate in some resettlement activities like relocation and verifying PAPs during the compensation exercise for subprojects together with the ERT III Project Coordination unit at REA.

Capacity of REA to Monitor RAP implementation

REA has a Wayleaves Unit whose main mandate is to acquire wayleaves for the power lines through preparation and implementation of RAPs. The Unit is housed under the Department of Legal and Board Services and comprises of a Wayleaves Officer, and a temporal Wayleaves Assistant. Though staff is few in the unit, they have demonstrated the commitment to compensate the affected people whenever funds are available. There is need therefore to boost the capacity of REA to implement RAPs due given that the projects are spread all over the Country.

Recommendation for ERT III

REA is in the process of recruiting two (2) Wayleaves Officers (Land Economists) and a Social Development Specialist in the next financial year 20014/15 (beginning July 2014) to oversee and monitor the implementation compliance of the the social requirements as per the RPF and the subproject RAPs. The Board has already approved this recruitment and funds budgeted for. In addition, REA is currently using a Community Outreach Officer assisted by a Way leaves Officer and an Environment Specialist to oversee RAP processes but this time engaging them early enough before contractors are on ground to enable instant recording of the PAPs properties and valuation of properties will be instant hence speeding up of the RAP implementation process.

Monitoring Aspects

The monitoring and evaluation will be the main mechanism to alert the ERT III [PCU in Ministry of Energy and Mineral Development] of any delays and problems and these activities will help measure the extent to which the main objectives of the RPF, and any resettlement plans (RAPs) prepared in line with this RPF, have been achieved. To ensure that the preparation of resettlement plans and subsequent implementation of resettlement is executed in line with this RPF, all resettlement activities will be monitored and evaluated internally by a Monitoring and Evaluation team at REA 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 this RRF and subsequent RAPs so as to ensure that all the responsible units follow the schedule and comply with the principles of the applicable resettlement plan (RAP). A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities.

Budget and Funding

At this stage, it is not possible to estimate the likely number of people who may be affected. The budget will be developed for each RAP from the specific social assessment studies and censuses to be undertaken, and mitigation/livelihood restoration measures to be provided, in accordance with this RPF. The budget will cover resettlement activities including compensation cost for affected assets. GoU **has committed USD. 5.3 Million** to cater for the RPF Implementation. REA affirms that the budget for ERT III compensation money has already been submitted to the

Ministry of Finance, Planning and Economic Development. The budget is the main financial instrument usually used by Government and this money has always been provided when the need arises. REA estimated this amount basing on the previous ERT projects including similar RAPs that they have previously handled. Considerations for varainces were also taken into account. This amount will cater for; capacity building for staff, all the RAP preparation processes which includes social economic surveys and census plus RAP implementation (stakeholder consultations and grievance redress mechnism) and RAP monitoring.

Disclosure of RPF

This RPF will be disclosed in compliance with relevant Ugandan regulations and The World Bank Operational Policy 4.12. The documents will be disclosed at the Infoshop of The World Bank and will also be available to any interested persons through the media in Uganda.

1. INTRODUCTION

1.1 Background

Uganda covers an area of 241,038 square kilometers of which about a third is covered by fresh water bodies and wetlands. It is mainly a plateau astride the equator with favorable tropical climate and average temperature ranging from 18 to 28⁰C. It is endowed with numerous natural resources. The country has a relatively young population with about 60 per cent below 18 years of age and a total population estimated at 32 million people (UBOS 2010) of which, an estimated 51 per cent of this are female.

Uganda Vision 2040 provides development paths and strategies to operationalize Uganda's Vision statement which is "A Transformed Ugandan Society from a Peasant to a Modern and Prosperous Country within 30 years" as approved by Cabinet in 2007. It aims at transforming Uganda from a predominantly peasant and low income country to a competitive upper middle income country. However, currently Uganda's development is constrained by a number of factors including low competitiveness i.e. the ability to produce goods and services that can be favorably traded on the global market which positions a country at an advantage towards attracting investments. Low industrialization and value addition; Uganda's Gross Domestic Product (GDP) is still largely dominated by primary products. This has led to unfavorable balance of payment, skills transfer, low levels of employment and high poverty levels.

1.2 Energy sector overview

1.2.1 Energy Sector in Uganda

The Energy Sub-sector's mandate is "to establish, promote the development, strategically manage and safeguard the rational and sustainable exploitation and utilization of energy and mineral resources for social and economic development". The main policy goal in the energy sector which is guided by *The Energy Policy of Uganda (2002)* is "to meet the energy needs of the Ugandan population for social and economic development in an environmentally sustainable manner" and a *Renewable Energy Policy (2007)* whose overall Policy Goal is "to increase the use of renewable energy so that its proportion (excluding biomass) represents up to 7.5 per cent of the total energy consumption by the year 2016".

The Ministry of Energy and mineral Development (MEMD) is the Government lead agency responsible for the management and development of the energy sector through coordinated national policy formulation, implementation and monitoring. The mission of the Ministry is to create conditions for the provision of safe, reliable, efficient, cost effective and environmentally appropriate energy services to all sectors on a sustainable basis and thereby contribute to the economic growth of the country.

1.2.2 Energy Policy objectives

The key energy policy objectives are:

- a. To increase access to affordable and reliable energy services:** The focus is provision of energy services to meet basic needs of the poor, stimulate productivity capacity and to meet energy needs for the community services as schools, clinics and water supply facilities.
- b. To stimulate economic development:** The energy sector is envisaged to provide input in the development process by establishing an efficient energy production, transmission, distribution, and end user system in an environmentally acceptable manner with due regard to gender issues. This also includes facilitating increased availability of energy services, including grid and non-grid electrification to rural areas, apart from electrifying the remaining district headquarters.
- c. To build gender balanced capacity:** The Government aims to build gender- balanced capacity in planning, implementing and monitoring energy sector projects.
- d. To reform the market for energy services.** Appropriate reforms have been undertaken for the petroleum and electricity sub-sectors. Consequently, the Government of Uganda has restructured the power sub-sector and privatized the generation and distribution business for increasing efficiency and attracting private investment in the sector.
- e. To adequately take into account environmental considerations for all energy activities:** The Government will promote access to improved technologies for promotion of energy efficiency and conservation in all sectors and reduction of the negative impacts of energy consumption.
- f. To enhance the development and utilization of indigenous renewable energy sources and technologies:** The Government intends to exploit the indigenous renewable energy sources and technologies for expansion of electrification services to rural areas, in order to reduce deforestation, indoor health hazards, and time spent by rural women in search and collection of firewood.

1.2.3 Rural Electrification in Uganda

According to Uganda Bureau of Statistics (UBOS, 2010), the population growth rate stands 3.2% per annum and the projected 2013 mid-year population stands at 35.2 million or about 6.5 million households. Government has targeted the year 2022 to achieve electricity access in rural areas of 26% i.e. about 1,300,000 grid consumers and 140,000 PV connections. Uganda also has one of the lowest per capita electricity consumption rates (150KWh/year) in the world (South Korea 8,502, Ghana 253, USA 13,000 KWh/year). About 72% of the total grid supplied electricity is consumed by 12% of the domestic population concentrated in the Kampala metropolitan area, and the nearby towns of Entebbe and Jinja. In order to reverse the situation of low access and *per capita* consumption, Government is determined to mobilize resources to develop access infrastructure to address these short comings in its development process.

1.2.4 The Country Electrification Strategy

The National Development Plan (NDP) 2010/11 – 2014/15 notes that limited access and use of energy significantly slows down economic and social transformation. The NDP has set, as one of its priorities, investment in physical infrastructure development mainly in energy, railway, waterways and air transport. Specifically, for the energy sector, the NDP focuses on increasing access and consumption of electricity by investing in least cost power generation, promotion of renewable energy and energy efficiency in addition to the associated transmission and distribution infrastructure.

In order to maintain Uganda's overall objectives of growth and poverty reduction, the Government, the private sector and communities must increase investments in energy sector. Rural electrification is considered to be of long-term national interest for a rapid and balanced socio-economic development. It is also recognized that inappropriate and inefficient energy technologies as well as inefficient combustion leads to health problems and destruction of the environment, both locally and globally.

1.2.5 Implementation of the Rural Electrification Programme

Over the last decade, development of the rural electrification program was based on a Rural Electrification Strategy and Plan for the period 2001 to 2010 – RESP 2001-2010 (later extended to 2012) that aimed at increasing access to electricity in rural areas from 1% in 2001 to 10% by 2010. However, the rural access to electricity at the end of 2012 was estimated at less than 7%. In view of this low level of rural electricity access, and the corresponding hardships and drawbacks on economic growth, the GoU attempted to increase the level of access to the rural population through a number of bilateral and multilateral funded programs that financed basic infrastructure through the development of 33kV and 11kV distribution lines, transformer stations and 240/415V reticulation lines.

Despite this, connection rates have remained low, often ranging from about 10% to 20% of the targeted consumers. The main reasons have been: (i) the absence of adequate mechanisms within the sector that is directly responsible for increasing access; (ii) disassociations of the investment on rural electrification with the operations and maintenance arrangements and lack of participation in network expansion design by Licensed Distribution Companies (LDCs)²; (iii) lack of incentives within the current LDCs to increase access particularly amongst the rural poor; (iv) inadequate funding for service connection materials; (v) high cost of service connections (starting from US\$200 per connection); (vi) the need for consumers to pay the cost of the connection upfront; and (vii) the absence of any organized effort at consumer mobilization. At this stage, the GoU seeks to overcome these challenges and to enable the lines constructed and facilities provided to be utilized optimally.

² Currently, there are six LDCs carrying out distribution services in the country. These are: (i) Umeme; (ii) Fersdult; (iii) KIL; (iv) BECS; (v) PACMECS; and (vi) WENRECO.

To address the above issue, a study was initiated in 2010, under the Uganda Accelerated Rural Electrification Project (UAREP). Phase I of this study resulted in the formulation of a new Rural Electrification Strategy and Plan for the period 2013-2022 (RESP 2013-2022) that aims to increase access to electricity in rural areas to 26% by the year 2022. To achieve this target, 1.28 million new grid connections and 140,000 connections from solar home systems (SHS) and mini-grids would be required. The Policy document was finalized by the Ministry of Energy and Mineral Development (MEMD) and approved by Cabinet on 3rd July 2013. The new RESP, takes an area coverage approach, whereby the country is divided into Service Territories (ST) each to be served by a Service Provider (SP)³ who will be responsible for all operational and management activities within the dedicated/assigned service territory. Currently, there are six LDCs that operate as SPs covering eight STs. There are thus five STs that have no operators and until such time that permanent SPs selected through a transparent selection process are appointed, UEDCL has been engaged under a management contract as an interim operator for the 5 STs. The RESP (2013-2022) also proposes an amendment to the Electricity Act 1999 to enable the establishment of REA as an autonomous statutory body of the Government that will operate under the general policy directive of the MEMD.

1.3 Overview of Energy for Rural Transformation

1.3.1 Energy for Rural Transformation Projects-ERT Projects

Government of Uganda has so far implemented ERT I and ERT II projects as follows:

1.3.2 Energy for Rural Transformation Projects I and II

In order to realize the RESP 1 objectives, funding was sought from the World Bank through the Energy for Rural Transformation (ERT) loan. This RESP 1 prescribed a multi-technology approach to extending modern energy services to the rural communities. These technologies included grid extension, independent grids and solar PV, recognizing the sparse nature of settlements and the large task and length of time it would take to extend the grid to many parts of the country. In November 2001, the World Bank approved the ERT Programme as a three phase Adaptable Programme Loan (APL) to support the Government desire to use energy schemes to reduce poverty and cause rural transformation. The purpose of the ERT programme is to develop Uganda's energy and information/communication technologies (ICT) sectors, so that they make a significant contribution to bringing about rural transformation, i.e., these sectors facilitate a significant improvement in the productivity of enterprises as well as the quality of life of households.

The Ten-Year APL was divided into three phases. The objective of the first phase (the ERT I project) was to put in place a functioning, conducive environment and related capacity for commercially-oriented service delivery of rural/renewable energy and ICTs. The second phase

³ In this context, the LDC is also referred to as a Service Provider (SP).

(ERT II project) would accelerate investments and increase regional coverage by shifting from the case-by-case Phase I approach to processing sub-projects through the institutional framework. The third phase will shift the focus to rapid growth in investments so as to reach the Government's long-term targets for rural electrification and renewable energy development. Phase I (i.e. the ERT I project) lasted 6 years and ended in February 2009 and Phase 2 (the ERT II project) was declared effective on November 25, 2009 to run for a period of four years up to June 2013 but has now been extended up to June 2016. Phase III (the ERT III project, to which this RPF pertains) is anticipated to last for 5 years up to June 2019.

1.4 ERT III PROJECT DESCRIPTION

1.4.1 Project Development Objectives

The ERT Program's long-term objective of rural areas transformation is retained in the ERT III project because it is as relevant now as it was when the program was first designed. It is also clear that, some changes are needed in view of the implementation experience, changing conditions in the power and ICT sectors, and changes in the economy. The project objective will be to increase the use of renewable energy and promote energy efficiency.

1.4.2 Project Description

The proposed ERT III project is being designed in line with the recently formulated RESP2013-2013 approved by Cabinet which takes into consideration the lessons learnt during implementation of the RESP 1 (ERT I and II) and reflects better the current country and sector context and requirements. It is anticipated that ERT III will be funded by US\$100 million (eq.) in IDA funds (as a Credit) and US\$8.9 million in GEF funds (as a Grant). The proposed components are given in Table 1 with proposed cost estimates, financing plan and implementation arrangements.

1.5 Project components

The project has three components which are outlined below, the bigger part of this RPF is in relation to Component 1: Rural Energy Infrastructure whose implementation is likely to trigger OP 4.12 on Involuntary Resettlement resulting into land acquisition. However, it should be noted that in the event that implementation of Component 2 or 3 requires land acquisition then this RPF will equally apply.

1.5.1 Component 1: Rural Energy Infrastructure

This component will be implemented by REA. This is component's available financing is US\$ 94.6m (of which, US\$ 81.5m IDA, US\$ 3.1m GEF, US\$ 10.0m GoU). On-grid investments will finance all on-grid activities. In designing the grid projects and in line with the IREMP criteria for project choice, REA will target to connect all social amenities i.e. schools, health centers and

water sources within the project areas. Coordination will be enhanced to ensure that the social amenities planned to receive the grids in the vicinity are not targeted for connection with solar energy packages under the line ministries. Since most of these social institutions do not connect to the grid when it is extended partly due to internal wiring, it is proposed that a provision be made under connections budget to cater for internal wiring for public institutions. Off-grid investments will include installation of fixed solar home systems (SHS). Options are being explored to include financing of mobile solar systems as well on a pilot basis under collaboration with the Lighting Africa Initiative. Technical Assistance will be provided to finance the necessary consultancy service and training. Limited capacity building is being proposed for ERA and the SPs in order to enhance their regulation and connections capacities respectively. In addition, discussions have been held with the Carbon Finance group the World Bank and two PRE-PINs are under preparation so that the programme can receive carbon credits under the CDM mechanism. It is proposed that additional funds received from this arrangement will enhance access to energy services. In this Component 1, activities of on-grid infrastructure development are likely to trigger the World Bank Social Safeguard Policy OP 4.12 on Involuntary Resettlement and hence the need for this RPF to guide the RAP implementation.

1.5.2 Component 2: Energy Development, Cross Sectoral Links and Impacts Monitoring

This component is to be financed by US\$ 21m of which US\$ 16.6m is from IDA and US\$ 4.4m from GEF. This component will finance installation of solar PV systems for institutions such as schools, health centers and water pumping stations – as was done for the ERT II, these installation activities will be implemented by the respective line ministries (i.e., MoH, MoE&S and MWE) but in collaboration with REA to synchronize plans. Special considerations will be made for USE and UPPET schools that have enrolment less than 500 students to receive solar energy packages. It is proposed that the successful ICT activities (ICT services in schools and health centers) under ERT II be continued in ERT III but be implemented by line ministries in collaboration with UCC. The PSFU will continue with their successful investment components such as Power Factor Correction Equipment, Solar Water Heaters and Private Sector Small Hydropower Development and Productive use of energy that they piloted under ERT I. It could also include supporting the Efficient Cooking Stove initiative that is currently under discussion and funded by a Russian Trust Fund. Finally, the UECCC will utilize their portion of funds to facilitate local commercial finance by providing credit enhancement products such as partial risk guarantees, and other refinance facilities. The overarching activity of impact monitoring for the ERT III will be implemented by the MoFPED. Technical assistance provided under this component will finance the necessary consultancy services, capacity building, impact monitoring and operations costs as agreed.

1.5.3 Component 3: Renewable Energy Development

The financing available for this component is US\$ 3.6m (of which, US\$ 2.2m IDA and US\$14m GEF). This component will include development of other renewable energy resources such as geothermal energy, studies for small hydropower development etc., and will be implemented by

the MEMD. Technical assistance provided under this component will finance the necessary consultancy services, capacity building and operations costs as agreed. It is proposed that the MEMD may collaborate with the Ministry of Local Government to promote the project activities and ensure ownership of investments at local government levels.

1.6 Changes in Project Design

The proposed design and allocation of funds responds to the implementation experience of ERT I and ERTII as well as overall changes in Uganda's economy and the power sector as described below. It is also clear that, some changes are needed in view of the implementation experience, changing conditions in the power and ICT sectors, and changes in the economy.

1.6.1 Changes Based on Implementation Experience of ERT I and ERT II

Based on implementation experience of ERT-I and ERT-II, the most significant change in project design is to drop activities under the Information and Communication Technology (ICT) component that have received immense private sector investments. The ICT sector has steadily grown mainly through private sector led investments though, this has started in the urban areas and is expected to expand and gradually cover the rural areas as well. In addition, the World Bank has separate project for ICT sector. It is now proposed that ERT III retains the ICT services for rural health centers and schools. These could be implemented by line ministries in collaboration with UCC. On providing connections to agro-industries, in the course of its rural electrification projects, REA targets, among others, rural enterprise including agro-business farms. In addition, other donors (such as the USAID) have shown interest in financing electricity connections for the agro-industry. This will be supplemented by GoU budgetary support to promote further growth of the industry. Finally, in terms of providing PV systems to schools, the Ministry of Education and Sports (MoES) has demonstrated satisfactory implementation capacity and will carry out these installations. As such, implementation of PV systems for schools by the Ministry of Local Government (MoLG) to be handled by MoES.

1.6.2 Changes Based on Sectoral Development

While the design of ERT I and ERT II was guided by the policy parameters of the RESP-1, the design of the proposed ERT-3 will be guided by the policy directives of the recently approved RESP-2. For each Service Territory, the relevant Service Provider will be accountable for increasing access, both on-grid and off-grid. Agreed targets will form a part of performance indicators and will be included in a Lease Agreement between REA and individual SPs. While capital financing for on-grid electrification shall be provided under a system of long-term leasing and financing contracts to be concluded with the SPs, off-grid electrification services comprised

of other energy service technologies not dependent on grid electricity shall be planned, offered and supplied to eligible consumers in the STs in tandem with on-grid electrification services.

1.6.3 Changes Based on Implementation Arrangements

The recent approval of the RESP-2 will lead to significant changes in implementation arrangements for on-grid connections. Unlike implementation of the RESP-1, where accountability for increasing access was not clearly defined, under the RESP-2, the SPs will be responsible for carrying out connections and increasing access. Given the overall financial weakness of the SPs, REA will procure service connections materials (that will be financed through the proposed ERT III Project) in bulk and have them delivered at the individual stores of the SPs. As a part of common utility practice, the SPs will finance consumer connections through advances paid by the consumers. Through special arrangements as stipulated in the legal agreements between REA and individual SPs, the recipient SPs will pay back REA the cost of materials received in a manner satisfactory to REA and individual SPs. These amounts will be deposited in a dedicated account managed by REA who will then reuse these funds for future procurement and supply of service connection materials. Thus, the recycling of funds (Revolving Funds) will make additional funds available even after the project financing has ceased. Appropriate audit arrangements (non-consultancy services) will be in place to verify the connections made including adherence to technical standards. Based on findings of a study (financed by the World Bank) under the Uganda Accelerated Rural Electrification Project (UAREP), a second Rural Electrification Strategy and Plan (RESP-2) was formulated for the period 2013 through 2025 to address these issues. This Policy document was approved by the Cabinet in July 2013. Under the RESP-2, a new business model has been developed that promotes a centralized planning and management of the RE sector and simplifies program implementation. The RESP-2 takes an area coverage approach, whereby the country is divided into 13 Service Territories (ST) each to be served by a Service Provider (SP) that will be responsible for all management, operational and maintenance activities within its dedicated/assigned Service Territory. Currently, there are six LDCs that operate as SPs covering eight STs. Thus, there are five STs that have no operators and until such time that permanent SPs selected through a transparent selection process are appointed, a proposal for having an interim operator for these five STs is under consideration. GoU is already working on the necessary legal reforms to convert REA into an autonomous entity.

1.6.4 Project Funding

Table 1: Summary of ERT III Financing

Component	IDA	GEF	GoU	Total
Component 1: Rural Energy Infrastructure	81.6	3.1	10.0	94.7

Component 2: Energy Development, Cross Sectoral Links and Impacts Monitoring	16.5	4.4	0.0	20.9
Component 3: Renewable Energy Development	1.9	1.4	0.0	3.3
Total	100.0	8.9	10.0	118.9

(Source: ERT III Project Summary, MEMD 2013)

1.7 ERT III Project Areas

ERT III will be implemented in the areas as summarized in the table 2: below.

Table 1: Proposed Regional Areas for ERT III Extension

N ^o .	Region	Extent (Km)
01.	West Nile	345.8
02.	Eastern	307.00
03.	Central	303.7
04.	Southern	125.00
05.	South Western	80.00
06.	Rwenzori Region	54.00
07.	Central North	214.00
08.	Mid-Western	176.7
09.	North Western	221.5
Total (kms)		1,828

(Source: Draft ERT III Project Summary, REA 2013)

1.7.1 The Need for this Resettlement Policy Framework for ERT III

This RPF has been prepared pursuant to the World Bank's Involuntary Resettlement Policy OP/BP/4.12 which sets out safeguard measures that apply whenever a World Bank assisted project will involve 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 assessed.

This RPF provides the basis for preparing Resettlement Action Plans for individual sub-projects/project activities once their location and scope are known.

The legislation on resettlement of the Government of Uganda and the policy of the World Bank as OP 4.12 will govern any resettlement arising out of the activities of the ERT III program,

provided however that in case of discrepancy between the two sets of standards, the standard most advantageous to the PAPs will be applied.

This RPF is needed because the subprojects to be financed are not fully determined at this stage, and the project activities may lead to some degree of land take or restriction of access to sources of livelihood and resources. This is especially the case for education and water facilities which may lead to some degree of land use restriction as most of these may be located in areas accessible by communities.

Hence, this RPF will be used to screen all interventions for their potential land acquisition impacts and streamline all the necessary procedures to follow in mitigating and minimizing involuntary resettlement associated with the proposed investments. Before implementation of project activities, when required, appropriate resettlement action plans (RAPs) will be developed to address specific impacts, proposed mitigation measures, and compensation issues.

1.8 Objectives of the Resettlement Policy Framework

The specific objectives of the RPF are to provide framework guidance to identifying and managing situations when sub projects may lead to displacement of people, affect their livelihoods (physical or economic displacement / resettlement, denial of rights of access to resources) or interfere with their cultural resources. Any resettlement and/or compensation measures will be implemented in accordance with this RPF, which will guide when and how the site-specific Resettlement Action Plan (RAP) will have to be completed and implemented before any investment activities can begin.(Annex 2 Outline of RAP)

Screening of project activities will be carried out throughout preparation and implementation, and impacts of any potential resettlement will be included in monitoring and evaluation (M&E). Whenever a Resettlement Action Plan is required, it will be prepared in accordance with guidance provided in this RPF, including Detailed Measurement Surveys, a Socio-economic Study and Identification (Census) of PAPs/displaced persons, and Public Consultation and Disclosure (PCDP). This RPF follows the guidance provided in the World Bank's OP4.12, as described in Annex 1.

This RPF seeks to ensure that possible adverse impacts of proposed project activities are addressed through appropriate mitigation measures, in particular, against potential impoverishment risks.

These risks can be minimized by:

- Avoiding displacement of people without a well designed compensation and relocation process;

- Minimizing either land acquisition or the number of PAPs or both, to the extent possible;
- Compensating for losses incurred and displaced incomes and livelihoods; and
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their well-being.

1.9 Scope of RPF

This Resettlement Policy Framework covers the following elements, consistent with the provisions described in OP 4.12, paras. 2 and 4.

- Review the relevant legislation, regulations and local rules governing the use of land and other assets, with specific reference to the following:
 - i. Political economy and governance in Uganda
 - ii. Property and land rights as defined by Ugandan law and customary practice
 - iii. Acquisition and valuation of land and other assets including regulations over the buying and selling of these assets.
 - iv. Entitlement and compensation in particular the accepted norms influencing people's basic rights to livelihood and basic services.
 - v. Dispute resolution and grievance mechanisms. Specifically the legal and institutional arrangements for filing grievances are addressed through formal and informal systems of dispute resolution.
 - vi. Comparison with The World Bank OP 4.12 using equivalence and acceptability standards.
- Consult with REA Officials and other key stakeholders that are engaged in land acquisition processes so as to identify current land acquisition challenges and community vulnerabilities and suggest workable recommendation to be adopted in to the current project; this will involve a review of the current way leaves definition for 33kV power lines and associated low voltage networks and their impact on the way leaves acquisition and valuation.
- Review and update information on responsible institutions for the implementation of this RPF with reference to:
 - ✓ Assess the agencies commitment to address the social safeguard issues (involuntary resettlement policy)
 - ✓ Assessment of the capacity of the implementing agencies (REA and MEMD) and any other stakeholders to implement RPF as well as management and implementation of emerging social issues. In addition identify the capacity strengthening needs for the implementation of the RPF by the project and propose and cost capacity building program including training for key institutions and other stakeholders

- Assess previous performance of the implementation of ERT 2 RPF by REA/MEMD, identify lessons to inform the implementation of ERT III and make necessary recommendations for improvement.
- Review and update RPF management tools, such as screening procedures, checklists, assessment of typical anticipated impacts, draft resettlement actions Plans for typical impact mitigation for inclusion in the RPF in line with the planned ERT III activities.
- Review and update the grievance redress mechanism and RAP guidelines
- Undertake field visit to consult with the affected persons, establish feasible resettlement alternatives, generate information for evidence based impacts and recommendations of the project.

1.10 RPF Methodology and Approach

The methodology was largely qualitative in nature employing a number of data collection methods to generate the required information. In all the approaches, the methods assessed awareness/knowledge of the project, perceptions of inclusion or exclusion of different categories of people. This guided the framework on appropriate recommendations in the preparation of RAPs and other social guidelines. Data was drawn from three broad data sources namely *records, self-reports, stakeholders and observations*.

1.10.1 Desk Review

A literature review was undertaken to provide background information as well as an overview of the policy, legal and institutional framework for the ERT III project. Documents reviewed included: The Uganda Constitution; Rural Electrification Strategy and Plan for the period 2001 to 2010 – RESP (2001-2010) and RESP2013-2022: The Power Sector Restructuring and Privatization Strategy 1999; The Electricity Act 1999; The Energy Policy 2002; The Renewable Energy Policy 2007; ERT II Resettlement Policy Framework; District Reports and; ERT II sub project RAPs and reports of related projects such as ERT III Project Summary October 2013.

1.10.2 Open Group Discussions

Public consultations were conducted with local communities of the selected areas that benefited from the ERT II projects and those where the ERT III project is intended to benefit to establish feasible resettlement alternatives, generate information for evidence based impacts and recommendations. Communities in Seeta Nazigo in Mukono district, Nakalama in Iganga district, Nakiyanga in Masaka Distirct, Agwata in Dokolo district and Difule in Arua distirct were consulted.

1.10.3 Key Stakeholder Interviews (KIs)

Interviews were conducted with key stakeholders of the ERT II projects to obtain in-depth qualitative data with regard to the land acquisition issues for the ERT II projects. In addition interviews were held with officials from; MEMD, REA, MoES, MoH, PSFU, MoWE, UECCC and Iganga, Masaka, Dokolo and Arua District Local Governments where the ERT II projects were implemented and those that ERT III program will be implemented. Other stakeholders include UWA and NFA given the fact that in some areas the grid lines may go through the protected areas.

1.10.4 Observations

Adhoc and unstructured observations were made throughout the data collection exercise during the visits to the project areas. Observations of rural electrification impacts to the communities were made to provide first hand information to prompt additional probing for more information on the implementation of RAPs during the ERT II program.

2. REVIEW OF ERT I & II RPF and RECOMMENDATIONS FOR ERT III

ERT III being a continuation of ERT II it was important to understand some of the positive and negatives experiences. These lessons have therefore been analysed in order to give guidance and improve the implementation of ERT III.

The ERT II program covered six broad areas/components, namely (i) Main grid related power distribution and generation (ii) Developing of independent grid systems (iii) Solar PV systems (iv) Cross sectoral energy packages for health, education, and water services. (v) Capacity building, technical assistance training and M&E (vi) Information Communication Technologies (ICTs). Of the six components, only component 1 & 2 were implemented with the guidance of the RPF II. Under ERT II, nine grid extension projects were implemented; 4 of which are completed and commissioned while 5 are to be completed and commissioned by December 2013. These include:

Completed and commissioned projects

- (i) Ibanda – Kazo – Rushere (131Km)
- (ii) Soroti – Katakwi- Amuria (97Km)
- (iii) Ayer – Kamdini – Bobi(106Km)
- (iv) Opeta – Achokora (53Km)

Other Projects include;

- (v) Ntenjeru (79Km) completed and commissioned;
- (vi) Ruhiira Millenium Village (106Km), partially complete,
- (vii) Gulu – Acholibur (125Km);completed and commissioned,
- (viii) Masindi – Waki – Bulisa (177Km) , completedbut awaiting commissioning;
- (ix) Nkonge – Kashozi (175Km), partially complete.

2.1 Preparation of Resettlement Action Plans

Resettlement Action Plans for all the above nine lines were prepared with the guidance of the RPF II as per the requirement in the The World Bank OP 4.12 policy on Involuntary Resettlement. The recommended screening process was applied and the people who were impacted by the above sub-projects were compensated. Consultations with REA Officials

indicated that payments for the first 4 completed and commissioned projects are complete and the remaining 5 projects are in process of being compensated. In fact PAPs with bank accounts in these 5 projects have already been paid and efforts to have the remaining PAPs who are entitled to payments over 100,000/= (One Hundred Thousand Shillings) to open accounts is in progress as it is a legal requirement by Ministry of Finance, Planning & Economic Development. However, REA encountered several challenges in the implementation of ERT II RAPs leading to unfinished compensations. Some of the impacts of unfinished compensations on the ERT II projects include;

- Uncompleted works where contractors meet resistance due non-payments.
- Inadequate and unfair compensation to the PAPs which is against both the Government of Uganda and World Bank policy regulation.
- The vulnerable groups who may not be able to struggle for their rights are affected most.
- May lead to destruction and theft of the power line property
- May discourage community uptake of the electricity by unsatisfied members
- May lead to cancellation of contract funding in the event that conditions dictate that RAP implementation is completed before line construction kicks off as is the condition with the IDA funding.

Discussions with several stakeholders on the performance of ERT II RAP implementation revealed the causes of these short coming. Subsequently recommendations for the better performances during ERT III are noted. These include engaging communities on responsiveness, policing and safety of the power line infrastructure going beyond compensation. This could be done to extent before handover to private operators.

2.1.1 Change of the line route by contractors

The RAPs are prepared basing on preliminary designs that are bound to change and the contractors may choose to use the designs or change route during the construction depending on the conditions on the ground. Sometimes the contractors encounter unexpected obstacles such as rocks and swamps and difficult terrain like in the Western part of Uganda and hence are forced to divert the power line. This is exacerbated by the contracts that do not provide for variations in case of such challenges.

The contractors also sometimes make mistakes by reading the designs wrongly and upon supervision they are told to correct the mistake, or sometimes the line is on the wrong side of the

road; this involves cutting of more crops/trees and in most cases this happens during the line construction long after the RAP has already been implemented.

Recommendation for ERT III

The REA is in the process of developing the Code of Conduct for REA Contractors which is still in a draft form but it is hoped that it will be adopted before the commencement of ERT III. This code will require contractors to among others: communicate line diversions to REA, take up social safe guard issues seriously and take responsibilities for some of the mistakes they make; destroy crops where the poles will be put but live other short crops intact and trees especially fruit trees and commercial trees to be cut shortly before commissioning of the line so that the community can maximize the benefits.

During ERT III REA is to ensure that RAP studies are done when the detailed design studies are completed and in case of any diversions communication to all stakeholders will be a mandate. The Valuers will also work alongside the contractors so as to capture whatever crops and trees impacted up on.

RAPs to be developed under this RPF will have to contain adequate contingency funding in their budget to cater for unplanned diversions.

2.1.2 Notification, Valuation Procedures and Entitlements

Communities during stakeholder consultations mentioned that in most cases, notifications about the project activities were not adequately communicated and valuation procedures and entitlements are not clearly understood by the PAPs leading to complaints of under-valuation. Some resistance is also at times encountered especially if the communities are not adequately sensitized and if compensations payments are not paid before the line construction starts.

Recommendations for ERT III

Notifications about the project activities will have to be adequately communicated to the affected communities and valuation procedures and entitlements must be clearly explained. Compensations must be paid before the line construction starts.

REA is in the process of procuring way leaves consultants who will be on the ground sensitizing communities about the project activities long before the the contractors start the line constructions. This time round REA is also planning to use all possible means of communicating to communities about the project activities by putting up written notices and displaying maps of the line routes, brochures in local languages, at community and local Government leadership meetings and if possible use radios to sensitize communities about ERT III activities.

This RPF in chapter 9 and 10 clearly gives guidelines to follow during the process of Notification, Valuation Procedures and Entitlements for affected communities. It is therefore expected that the way leaves consultant to be procured by REA should be well versed with social safe guard issues and at most undergone training in Management of Land Acquisition, Resettlement and Rehabilitation course as an advantage.

2.1.3 Absentee Landlords

During RAP implementation some land lords are absents, and yet the law requires that payments are to be made to owners of the properties. This was one of the reasons given for unfinished compensations.

Recommendations for ERT III

The availability of the way leaves consultants on the ground will help sort out some of these problems by working with the local council leaders to help in verifying and locating the missing land lords. This RPF gives guidelines on public participation and disclosures which if followed will reduce on the incidence of absentee land lords.

REA can also open an escrow account that where the approved compensation funds will be held untill the owners are located.

2.1.4 Procedures for Delivery of Compensation

During the RAP implementation for ERT II sub-projects Procedures for Delivery of Compensation were not followed as guided by the ERT II RPF. Communities' consulted reported that the process of opening of bank accounts and the costs involved are high let alone the distance to the banks. Most of them have never opened bank account or moved to urban areas and find the process of opening bank accounts very tedious, especially for the vulnerable groups like elderly persons and child headed households. For example in Isigiro the Banks are very far and a PAP has to cross so many hills to reach the nearest bank to withdraw just 150,000/=. The costs like transport, passport photo, lunch will leave the PAP with very little balance. .

Recommendation for ERT III

Procedures for delivery of compensation funds must be toiled as much as possible to the needs of the affected communities. Compensation of PAPs should be made at replacement cost inclusive of the requirements of processing bank accounts and transport costs. For ERT III, REA is planning to contract a designated Bank to provide services of delivering compensation cash to PAPs at no cost. REA should consider educating the PAPs on productive use of compensation cash before the funds are paid this should be one of the terms of reference (ToR) for the paying

bank. The initiative and discussion with the selected bank(s) should be started as early as the project is approved.

2.1.5 Grievance Redress Mechanism

During the ERT II RAP implementation the grievance redress mechanism was not adequately handled and the procedure of reporting was not clearly explained to the PAPs. During community meetings, it was reported that whereas REA had instituted a grievance redress mechanism in the project areas, the effectiveness of these committees was not felt by the PAPs as they complained of lack of a clear channel to address their complaints.

Recommendation for ERT III

For ERT III REA will be required to set up a functional Grievance Redress Mechanism process and use the system as detailed in chapter 14 of this report. The GRM reporting points will be set up in multiple locations in the areas of operation which will include various reporting avenues. The system encourages the PAPs to solve their grievances at LC I level and for major issues that may not be solved at L C I should be forwarded to L C III at the sub-county and when REA goes for the routine monitoring they as well look into these issues and solve them. All grievances and redress/solutions at all levels of the chain of the GRM will be logged, documented and secured for references. The GRM must be adequately staffed, easily accessible to the affected communities. The GRM implementation will be part of the RAP and overall project reporting.

2.1.6 Misunderstanding of the different Electricity Companies

Past experience has shown that communities sometimes cannot differentiate between REA, UETCL, UMEME, and Ferdisult and others that are involved in provision of electricity services. This has resulted in communities resisting power projects if any of the above companies had compensation issues. For example, communities around Opuyo Sub-station rejected REA to pass through their land due to unfinished compensation issues they had with UETCL.

Recommendation for ERT III

Continuous sensitization and public participation will help in providing the right information to communities. Project launch can also be used as an avenue of clarifying the company implementing RAPs. All the project implementing agencies will develop community engagement plans in which information of all the project including positive and negative impacts as well as planned mitigation measures built in the project will be communicated.

2.1.7 Capacity of REA to Monitor RAP implementation

REA has a Wayleaves Unit whose main mandate is to acquire wayleaves for the power lines through preparation and implementation of RAPs. The Unit is housed under the Department of Legal and Baord Services and comprises of a Wayleaves Officer, and a temporal Wayleaves Assistant. Though few in the unit they have demonstrated the commitment to compensate the affected people whenever funds are available. There is therefore need to boost the capacity of REA to implement RAPs given that the projects are many and spread all over the Country.

Recommendation for ERT III

REA is in the process of recruiting two (2) Wayleaves Assistants (Land Economists) and a Social Development Specialist in the next financial year (begining July 2014) to oversee and monitor complaine in implementation of the social issues in line with the RPF and RAPs for individual subprojects. The Social Development Specialist will work hand in hand with the Environmental Team (Environmnetal Spacialist and a Community Outreach Officer already in place) to ensure compliance to all sfaguard requirements. In addition, REA will continue to engage Way leaves Consultants, but this time early enough before contractors are on ground to enable instant recording of the PAPs properties and valuation of these properties hence speeding up of the RAP implementation process.

2.1.8 Compensation for public trees

Power lines usually pass through planted forests by NFA and also communities. During consultation with NFA staff it was noted that, Compensation should not only be for the trees destroyed but for the total value of the forest by calculating the total area destroyed including trees, carbon values, non-timber products such as Eco-Tourism, medicinal values, and water catchment values. NFA can also give land in one of their CFRs and REA plants trees.

Recommendation for ERT III

Payment should be made for agro-forestry trees like pine and eucalyptus where the owners have had serious investments. Compensation must be made for trees are cut and the areas are under restricted use. In such cases the owners should be paid for restricted use by looking at the opportunity cost for restriction reseve power.

2.1.9 Lack of compensation for double Impacts

Communities have reported that contractors at times destroy their crops/trees and sometimes come back and cut another side but compensation is only done once. This usually occurs where contractors change line route due the circumstances on the ground or in effort to connect the

households that are scattered in the project areas. This is not commensurate with the requirements in this RPF which states that all property affected should be adequately and fairly compensated for.

Recommendation for ERT III

For ERT III, RAP will be prepared following a fully finalised design and therefore contractors will be required to follow a clear route and avoid double routing of lines from the start. The involuntary resettlement policy calls for all projects to as much as possible to Avoid, Minimize and Mitigate (AMM) resettlements. This can be done by cutting crops and trees in the place where the poles will be sited, if the crops are short there will be no need of slashing the whole line corridor. Fruit and commercial trees will only be cut (if this can not be avoided) and be compensated just before line construction and/or commissioning.

2.1.10 Gender Issues

The women in the communities are usually the owners of the crops/trees but during compensation the money is paid to the men who choose either to give them some money or not. The women requested that they be present during payments so that they are aware of the amounts paid, or payment for crops should be given to them.

Recommendation for ERT III

REA is advised to main stream gender in all their RAP implementation activities. REA and other implementing agencies will be integrating a logical assessment that pays special attention to identifying potential gender-specific issues and where applicable that the gender issues are properly addressed. Lessons from other Development Partners such as Norwegian Government have already guided REA in mainstreaming gender in rural electrification. ERT III should be able benefit from this.

3. SOCIAL-ECONOMIC BASELINE INFORMATION OF THE ERT III PROJECT AREAS

This section presents the socio-economic baseline status of the ERT III project on a regional basis in relation to the benefits and risks related to construction and use of electricity with particular focus on the areas and populations where the rural electrification programme is targeted.

3.1 West Nile Areas

This covers the planned ERT III areas of Pakwach-Rhino Camp-Wandi-Yumbe-Moyo Areas and their baseline information is summarized as follows:

3.1.1 Population

The population of the project areas is summarized in the subsequent Table 3 as follows:

Table 2: Population for ERTA III areas in the West Nile Region

DISTRICT	1991 CENSUS		2002 CENSUS			Populations Projections						PROJECTED		% OF RURAL POPULATION BELOW POVERTY LINE
	Total	Sex Ratio	Male	Female	Total	2011			2012			HOUSEHOLDS		
						Male	Female	Total	Male	Female	Total	2010	2011	
ARUA	368,214	93.1	268,746	290,329	559,075	361,100	390,600	751,700	373,700	403,000	776,700	134,790	139,440	52.6
NEBBI	185,551	92.7	126,832	139,480	266,312	160,300	177,100	337,400	164,700	181,500	346,200	65,890	67,740	54.5
YUMBE	99,794	93.9	126,226	125,558	251,784	259,600	244,900	504,500	282,000	263,500	545,500	78,890	85,390	62.9
ZOMBO	131,315	91.8	81,224	87,824	169,048	102,700	111,500	214,200	105,500	114,300	219,800	45,100	46,350	52.9

(Source: *UBOS 2013 Population Projections*)

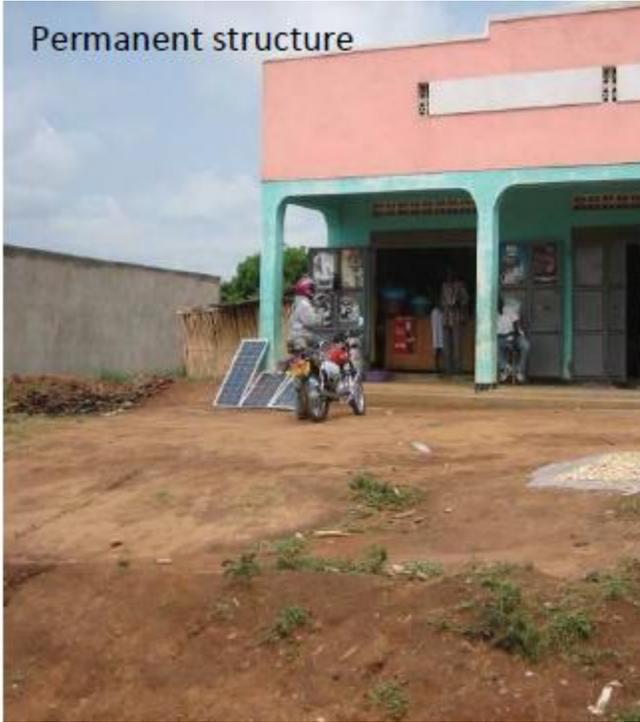
3.1.2 Safe Water Coverage

There are a number of water sources in the four districts including boreholes, protected springs, open wells and piped water especially in urban centers. The safe water coverage of West Nile region is generally above 50% but below the national average of 63% due to drying up of water sources following climate change and decommissioning of some water sources that are non-functional for a long period of time. This leaves a very big percentage of the population in West Nile region without access to clean and safe water. For example, according to the DDP (2011/2012-2015/2016) for Moyo District, it is reported that the district in total had 977 safe water points including household connections and the safe water coverage declined from 61.4% in June 2010 to only 47.0% by March 2011 below the national average of 63.0%.

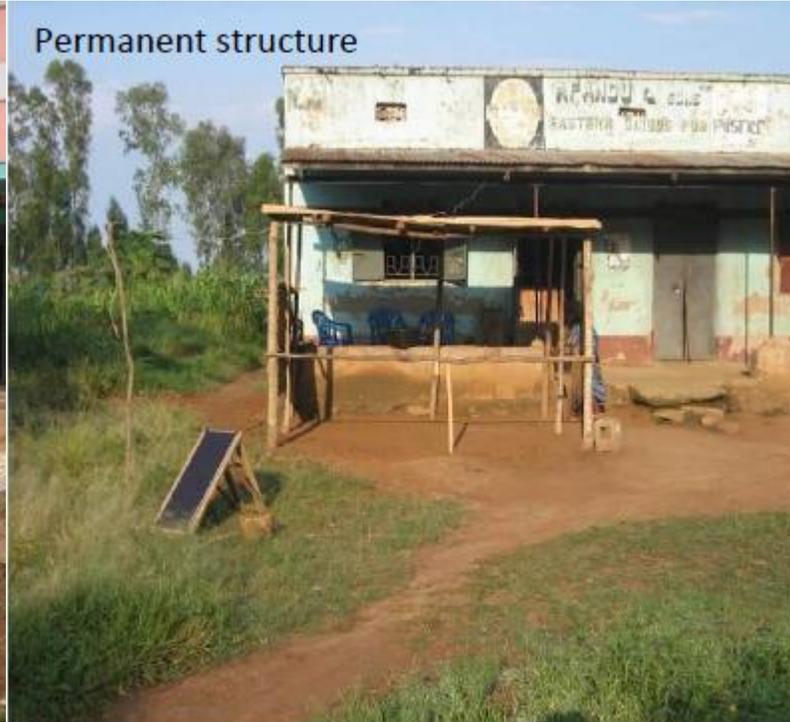
3.1.3 Housing and Settlement Pattern

The Districts have a spatial population, which is unevenly distributed. Settlement in Nebbi, Yumbe, Arua, and Moyo like in other areas is determined by natural resources and availability of infrastructure. The districts have two main patterns of settlements. These include: dispersed rural homesteads and nucleated urban centers. The project area has a mixture of household structures and the quality of buildings differ both in rural and urban centers. The urban areas are dominated by permanent structures and semi-permanent structures in some instances. In rural areas, the dwelling units are dominated by semi-permanent and temporary structures made of mud and wattle with grass thatching (Figure 3).

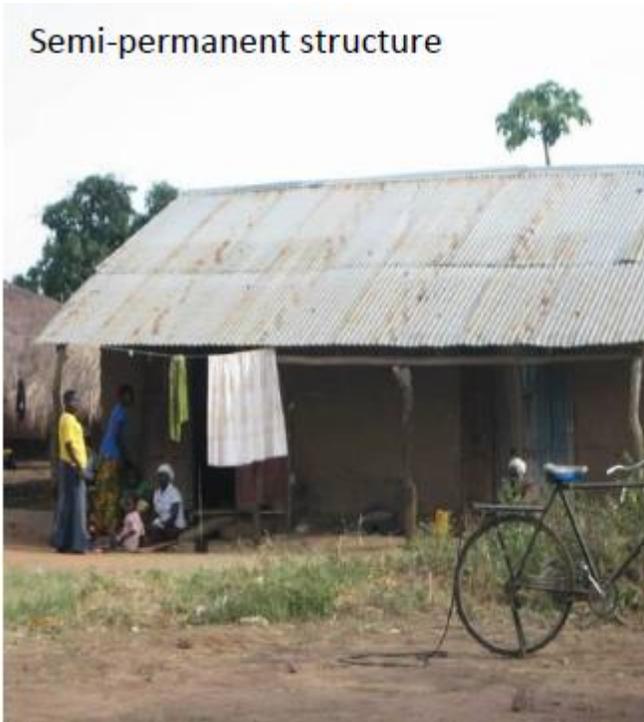
Permanent structure



Permanent structure



Semi-permanent structure



Semi-permanent structure





Figure 1: Typical Housing Structures in the proposed ERT III Areas of Nebbi, Arua and Moyo

3.1.4 Energy Sources

The West Nile region is one of the regions with the lowest electricity consumption levels as most parts of the district lack electricity supply. Only Arua and Nebbi Districts are covered under the West Nile Rural Electrification Programme at the moment. The Moyo district is currently being supplied by a thermal generator that generates about 750KV of electricity for only about six hours a day, which explains why its use is restricted to the urban area and its outskirt. Even then few people within the town have access to electricity in their homes. Only 0.9% of the households had access to electricity by 2013 UBOS Population projections.

The use of electricity is further constrained by high power tariffs and inadequate transmission and distribution network. Moreover, the supply of electricity in West Nile also experiences disruption due to shortage in fuel supply; although this has improved in recent past. This inadequate and unreliable power supply in the district is a big disincentive to investors and hampers value addition to agricultural products. The limited electricity supply also affects the effective teaching and learning in secondary schools and hence poor performances. Districts such as Arua and Moyo have got a number of potential sites for hydro electricity generation but there is a challenge of attracting investors and lobbying from the government through the rural electrification programme to develop the sites for hydro electricity supply. The main power

source for domestic needs in the Project area is firewood for cooking and foundries like brick making. Except in trading centers, charcoal is not a fuel of choice in the project area as it is costly for ordinary people.

Kerosene/paraffin is the main source for lighting for most households that can afford it. Other energy sources for lighting in the project area include; solar torches and battery run torches. The youth in the project area have improvised a home-made torch fitted with energy saving bulbs that can run for as long as 3 months using 4-6 batteries.

3.1.5 Livelihood Analysis

Like in most other Ugandan districts, agriculture forms the backbone of Moyo district economy. Over 90% of the district population is involved in agricultural activities, with 86.6% of the population involved in some form of subsistence production. Most agricultural production is for household consumption. Some of the agricultural produce is sold, particularly maize, cassava and simsim. The main crops grown in the district include: sweet potatoes, sorghum, cassava, simsim, groundnuts, millet, maize, peas, and beans

The Nile River is the main source of fish within the district. Some cattle, goats and chicken are kept, mostly on a subsistence level. Bee keeping, for honey production, is gaining popularity in the district

3.1.6 Gender and Poverty

There are gender and location specific variations in the way the local people define poverty. Women are concerned more with availability of land, water, household food and welfare of children when they view poverty while men look at it largely from availability of money in the household. Despite these, the perceived major causes of poverty in households in the proposed project areas include:

- natural calamities like drought, floods, and hail storms;
- rampant laziness and drunkardness;
- high unemployment levels among the youths;
- poor health among the population caused by high morbidity and mortality;
- extended families and polygamous life with large family sizes; and
- poor conditions of social infrastructure and other amenities like electricity.

3.1.7 HIV and AIDS

According to Uganda Demographic and Health Survey 2011, the West Nile region which includes ERT III areas of Yumbe, Arua, Nebbi and Moyo are reported to have the lowest HIV/AIDS prevalence of 2.3% which is lower than the national figure of 6.5. However, the

prevalence ratio is higher amongst the women than the men. Currently there are voluntary counselling and testing (VCT) sites spread out in the ERT III areas in the region as far back as 2002 by the AIDS Information Centre (AIC). These centres also conduct other HIV/AIDS activities such as awareness creation, Condom distribution, and care for AIDS orphans. Apart from HIV/AIDS services delivered by the Ministry of Health, there are also a number of civil society organizations such as Nyapea Safe Motherhood Child Care Association, Nebbi Women Club, TASO in all the project districts in the region and other Faith Based Organizations which also deliver HIV/AIDS interventions in the areas.

3.2 North Eastern Region

This covers areas of Kumi, Serere and Soroti whose baseline information is summarized as follows:

3.2.1 Population

The population details of the three districts of Serere, Soroti and Kumi where ERT III project activities/subprojects will be implemented in the region are summarized as follows:

Table 3: Population Summaries for Serere, Soroti and Kumi ERT III

DISTRICT	1991 CENSUS		2002 CENSUS									PROJECTED		% OF RURAL POPULATION
						2011			2012			HOUSEHOLDS		BELOW POVERTY LINE
	Total	Sex Ratio	Male	Female	Total	Male	Female	Total	Male	Female	Total	2010	2011	2005
KUMI	102,030	90.7	79,518	85,847	165,365	119,300	125,200	244,500	125,100	130,400	255,500	46,400	48,500	44.6
SERERE	90,386	93.7	85,925	90,554	176,479	137,900	141,200	279,100	145,800	148,300	294,100	49,250	51,910	47.2
SOROTI	113,872	92.6	94,222	99,088	193,310	151,300	154,600	305,900	159,800	162,200	322,000	56,720	59,860	46.5

(Source: UBOS 2013 Population Projections)

3.2.2 Housing situation in the district

The housing situation in the areas is generally poor with most dwelling units constructed of mud and wattle. The most common roofing material is grass that is easily destroyed by fires and rots after a few years. Some inhabitants have iron sheet roofed houses although the floors are of mud and wattle (Figures 5 and 6). The floors of the houses are just rammed earth with no cement making their condition to be unfavorable to human health, bearing in mind that most households sleep on the floor with local materials like mats for bedding. There are very few permanent buildings. They exist mostly in trading centers and rural growth centers that are mushrooming in most parts of the district.



Figure 2: Grass thatched hut in the areas of Soroti. The wall is made of unburnt bricks due to increasing lack of wood and economic status of the communities.



Figure 3: Iron sheet roofed dwelling unit with temporal walling

3.2.3 Gender Dimension

Overall the level of gender mainstreaming in development programmes is low despite the efforts made previously. Therefore, the participation of women in the development process is low. The communities in the district are largely patriarchal in nature. In Serere, Kumi and Soroti areas (like most parts of Uganda), the place of women and men in terms of their roles in the community can be largely categorized into two; reproduction and production respectively. It is a practice that in more than 90% of the households and communities in the district, men hold sway in matters relating to control of resources and access to them. These resources mainly include productive assets like land, capital and finances. The males are by tradition the heads of households under the traditional clan systems.

3.2.4 Energy sources

In these areas, the main source of energy for cooking is wood fuel, used by about 99.9% of households, while 0.02% of households use electricity/gas, 0.03% use paraffin and 0.07% use other services. Paraffin is main service of lighting used by 55.26% of households, 0.16% use electricity/gas, firewood 22.32% and 0.07% of households use other sources for lighting. Natural vegetation resources are getting scarce with communities starting to plant private woodlots to meet their wood needs for fuel and construction. In some areas especially in Kumi areas, there is acute shortage of fuel wood to the extent that, women resort to tree stumps to cut pieces of wood.

3.2.5 Socio-Economic and Aspects of Livelihoods

The people in the proposed project areas are partially traditionally pastoralists who earn their livelihood through livestock rearing and crop production at subsistence level. This was however disrupted in 1990s following insurgency and cattle rustling by the Karimojong with its attendant effects on the communities. The whole of Teso region became impoverished as the economic base was completely depleted. With the gradual return of peace in the early 1990's, the population began to resettle and engage in small-scale production activities. Through individual and some NGO efforts, the economic recovery has begun to take shape with livestock and crop production levels rising. On average about 64% of the population of Teso areas falls below the poverty line (i.e. the population is spending less than US \$ 1 per person per day on basic human requirements such as health, food, shelter (UBOS, 2010).

3.2.6 Gender in production Project areas in Teso

As in most districts in Uganda, crop farming for consumption and sale is the predominant economic activity of both women and men in the communities in the areas of Teso and those of ERT III. Apart from farm-based income, women are also engaged in brewing (beer and spirits), except for a relatively small percentage who are successful traders or owners and managers of service enterprises, such as bars and restaurants. On the other hand, men are engaged in a broader range of income activities most of which are physically demanding activities, such as collection and sale of forest products especially charcoal burning, and higher income gender-prescribed manufacturing activities, such as brick making and carpentry which rely on both physical strength and skills acquired through training or passed down informally. Such training traditionally favors men more than women. Farm labor is also a common form of employment though often practiced periodically according to opportunity and need and is one of the sources of cash and in-kind income for poor and medium-income households. Generally, enterprises or activities falling into the lowest income bracket are performed by both men and women.

3.2.7 Gender Empowerment and Opportunities

In many respects, the circumstances for women in ERT III areas rotate on their empowerment being hinged on farming based income generating activities. However, the importance placed on farm based labour both by men and women implies less concentration on non-farm activities, particularly amongst women who are already the predominant force in own-farm production.

Brewing is the major female source of off-farm income, with the benefit being that the working capital for brewing is only tied up for a short period of time (during the short brewing cycle), and is thus relatively easily available when cash is required for other purposes.

For example, if a household member falls ill, the profits from a small batch of beer can be used to buy medicine, and/or the working capital used for investment in health care or another needed service/commodity (Smith, 2010). Aside from brewing, there is reportedly a relatively small, although potentially influential (unaffiliated) group of women who are progressively engaging in more capital intensive and fairly profitable predominantly service-based enterprises such as restaurants, bars, transport amongst others. The women have seized such opportunities against culturally prescribed norms, and are reportedly working hard to effectively build up such businesses or small enterprises.

3.2.8 Land tenure in the Teso Region

In the 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. Under customary tenure in Teso, the clan elders have the responsibility for administering land, but this includes the right to say who can sell land and to whom. This is because, they have the responsibility to protect the land for all the clan, and to make sure that everyone in the clan is given rights to land. The family head manages the land on behalf of the family as the steward of the land. His rights to manage the land go together with the responsibility to look after the rights of others to use the land, and to make sure that the next generation will also be able to enjoy the land. Other people in the family also have rights over the land. Security of tenure over land always comes with land allocation, on condition only that a household is able to use the land. The family head is responsible for ensuring security of tenure, with clan authorities as the overall guarantor.

The clan on its part has therefore the responsibility for overseeing the administration of all the land. This means making sure that there are heirs appointed at household levels to manage the land and to oversee and authorize any land sales. The clan also owns land which is communally used, such as for hunting and grazing. It is responsible for ensuring proper use of the land and that, there are no trespassers. A son becomes head of household after marriage and is allocated land to hold and to manage for the good of his family. He is the steward of that land and his wives, children and other family members also have rights to that land, but he is the overall ‘manager’.

3.3 Central Region Baseline Information

This covers Gomba and Butambala, Luwero, and Mubende and Masaka areas and their baseline conditions are as follows:

The major crops grown/observed in the project included; bananas, maize, coffee, beans, vegetables, ground-nuts, cassava, yams, sweet potatoes, Irish potatoes.



Figure 4: Characteristic vegetation along roads in Masaka and Mubende areas

3.3.1 Population

UBOS 2013 gave the population project for Dsitricts of Mubende, Gomba, Butambala, Nakaseke, Mukono, Luwero and Masaka as in Table below.

Table 4: Population Summaries for ERT III Areas in the Region

DISTRICT	1991 CENSUS		2002 CENSUS									PROJECTED		% OF RURAL POPULATION BELOW POVERTY LINE
	Total	Sex Ratio	Male	Female	Total	2011			2012			HOUSEHOLDS		
						Male	Female	Total	Male	Female	Total	2010	2011	
BUTAMBALA	74,062	97.9	42,598	44,157	86,755	48,400	49,800	98,200	49,200	50,200	99,400	19,560	19,850	20.7
GOMBA	119,550	101.9	66,852	66,412	133,264	75,900	74,800	150,700	77,100	75,700	152,800	32,220	32,690	26.3
LUWERO	255,390	98.2	167,979	173,338	341,317	211,500	217,500	429,000	217,500	222,700	440,200	93,400	95,890	18.3
LWENGO	212,554	97.1	117,625	124,627	242,252	128,200	136,700	264,900	129,600	137,700	267,300	59,360	60,040	21.5
MUBENDE	277,449	102.8	211,582	211,840	423,422	292,800	295,500	588,300	304,300	306,300	610,600	126,440	131,350	32.6
MUKONO	319,434	100.8	209,461	213,591	423,052	264,800	271,600	536,400	272,500	278,500	551,000	125,760	129,270	15.8
NAKASEKE	93,804	102.1	68,769	68,509	137,278	92,600	92,200	184,800	96,000	95,100	191,100	39,860	41,240	24.8

3.3.2 Education

On a general note, an analysis of the region's access to quality education, which is one of indicators of a better standard of living, paints a mixed picture of the region especially in rural settings. On the one hand, indicators of access education include aspects such as net intake as well as net enrolment, which all indicate quantitative and incremental progress over the years (ACODE 2011). The net intake increased from 86.8% in 2007 to 118.3 in 2009 while net enrolment increased from 122.1 to 148.3 over the same period. Quality enhancement indicators such as pupil-teacher ratio and pupil-classroom ratio, on the other hand, indicate a state of stagnation. For example, the pupil-teacher ratio that had improved to 58 from 49 in 2007 and 2005 respectively had declined to 50 during the 2011. Similarly, the pupil classroom-ratio has oscillated between 64 and 65 over the last five years in areas of Luwero, Masaka and Mubende.

It is also evident that, increase in the demand for primary education in the region has not been matched with adequate investment to cater for the quality needs for the pupils. One of the major challenges is the poor classroom infrastructure in many of the schools in the district. Most classroom blocks are in a deplorable state, characterized by dilapidated and at times incomplete structures. In some areas, classes are conducted in makeshift structures.

3.3.3 Economic Activities

Within central Uganda and south west Uganda, like other parts of the country subsistence farming is the most important economic activity employing the majority (over 80%) of the local population (Figure 9). The economy is basically reliant on crop production and livestock production. Main food crops include finger millet, maize, beans, bananas, sorghum, sweet potatoes, Irish potatoes, cassava and groundnuts. Coffee is the major cash crop in most parts of this region. Fruits and vegetables such as passion fruit, tomatoes, pineapples, onions and cabbage are also grown. Others sources of livelihood are fishing and the upcoming fish farming, agro-forestry, sand excavation, and brick making. This high percentage of the population that is engaged in agriculture implies that people's economic livelihoods are mostly dependent on exploitation of natural resources with all its attendant effects including natural resource pressure and degradation. Families and individuals are also involved in brewing and distilling local drinks as a source of revenue.

Within the trading centers, there are small scale food processing activities, grinding mills, crafts, service provision like communications/mobile phone services, entertainment, hair cutting and dressing, tailoring, produce selling, groceries, drug shops and clinics, animal drugs, educational services, bars and restaurants, discos which individuals pursue in response to various demands of the communities within the vicinity.

3.3.4 Land Tenure System

The basic unit of the *mailo* system is a square mile, hence the derivation of *mailo*, which is also equivalent to 640 acres. The term is used in Uganda to describe a land tenure system that came

into effect when the kingdom of Buganda signed an agreement with the British-administered Uganda Protectorate there in 1900. *Mailo* tenure was introduced as a result of the 1900 Buganda Agreement. Under this Agreement, land was divided between the Kabaka (King) of Buganda, other notables and the Protectorate Government. The basic unit of sub-division was a square mile (hence the name *mailo*). Originally, there were two categories of ownership under the *mailo* system (private and official *mailo*). Official *mailo* land was transformed into public land in 1967. Under this system, land is held in perpetuity and a certificate of title is issued. The principal advantage of this system is that it provides security of tenure, thus allowing long-term investments including those related to conservation. Absentee landlordism and lack of access by regulatory agencies are disadvantages that limit sound environmental management. Absentee landlordism encourages squatters on *mailo* land and the squatters have no incentives for the sustainable management of a land resource they do not own.

3.4 North Western Area

These include Hoima and Kibaale Districts and include areas of Buseruka-Kabaale - Kasio Tonya – Kyenzige.

3.4.1 General Description

The region is largely located within the Albertine Graben. The Albertine Graben is a Cenozoic basin formed and developed on the Precambrian orogenic belts of the African Craton. Rifting was initiated during the late Oligocene or Early Miocene (25- 40 million years ago). The Albertine Graben has a sharp variation in rainfall amounts, mainly due to variations in the landscape (NEMA, 2008). The landscape ranges from the low lying Rift Valley floor to the rift's escarpment, and the raised mountain ranges. The region is characterized by patches of quite extensive crop and livestock farms and pockets of subsistence cultivation.

3.4.2 Demographics

According to the population census of 2002 the total population of the Hoima District was 343,480 persons, comprising of 50.5% males and 49.5% females which was 1.4 percent of the National population. Of this population, Ugandans were found to be 316,945 (92%) and the non Ugandans were 26,535 (8%). The sex ratio was 101.9 males per 100 females, the growth rate (1991-2002) is 4.7 percent which is relatively high compared to the National rate of 3.2 percent for the same period, though comparatively lower than for the neighboring districts of Kibaale with a population 412,785 persons and growth rate of 5.4 percent.

3.4.3 Land Use and Land Tenure System

The two districts cover an estimated total land area of 3,612.17km². Out of this, about 79.1% is under agriculture, settlement and other miscellaneous land uses. The remaining 20.9% are under protected areas form of land use. Protected areas include forest reserves and wild life conservation areas. These districts practice four main types of land uses namely; agriculture,

settlements, forest conservation and wildlife conservation with protected areas occupying a significant proportion of the total land area, i.e. 20.9%, which has important implications on available land for agriculture and other activities. However, oil development could disrupt conservation efforts if not well planned.

3.4.4 Land tenure

The major land tenure systems in the district include customary, freehold, leasehold and public land. All protected forests and wildlife conservation areas are under public land form of tenure, in addition to areas accommodating government institutions and infrastructure. On private land, customary land tenure (both individual and communal) is the most widely practiced system. The lack of a uniform land tenure system, however, presents management challenges particularly with regard to land speculation that has been exacerbated by the discovery of oil in the district. This is threatening to cause land use conflicts and landless households and communities in the district, as land purchases and delineation from previously communally owned land continue to take place. This challenge is further exacerbated by the lack of a comprehensive land use plan.

3.4.5 Agriculture

The areas of Hoima and Kibaale Districts comprises of different physical landscapes, climatic conditions and soils which in turn significantly influence land use systems in the district including agriculture. Because of its location in the rain shadow, the Rift Valley zone is mostly dry and hot and hence the area has serious moisture deficiency problems for agricultural activities especially during critical crop growth periods. Furthermore, soils on the Rift Valley floor are dominantly sandy with excessive drainage characteristics, making the moisture deficiency problem even worse. The largest proportion of the Rift Valley area therefore is of low agricultural potential. This partly explains the current major use of the area as a conservation area. However, the other areas of the district receive moderate to high rainfall, largely due to orographic factors, which increase with altitude. As a result of both moderate to high rainfall and moderately productive soils in these areas, rich agricultural activities take place based on both food and cash crops. Agriculture in the district is both large scale and small scale, but more of small scale. The dominant crops grown on the small scale farms include tobacco, rice, cotton, coffee, maize, beans, and bananas. Tea plantation in Bugambe sub county in Hoima.

3.4.6 Oil and Gas Sector

Commercially viable petroleum resources have been discovered in the Albertine Graben, activities of exploration, appraisal and development are being undertaken more intensively, and an Early Production Scheme to process and produce gas, naphtha, kerosene, diesel and heavy fuel oil. The heavy fuel oil will be used to produce thermal electricity at the Mputa/ Kabaale area in Kaiso-Tonya flats. A fully fledged utilization plan of a refinery and or a pipeline has been earmarked for Kabaale Parish, Buseruka Sub County in the district.

3.4.7 Standard of Living

Wide parts of the project area is sparsely populated, the distribution of the houses and settlements is dispersed. Most frequent are single houses in agricultural land or pasture areas. The houses are typically a combination of temporal and semi-permanent with few scattered permanent structures in the village areas (Figure 13).



Figure 5: A cross-section of house types in the project areas

3.4.8 Water and Sanitation

The presence of diarrhoea disease in the top ten disorders at the peripheral level and amongst admitted cases in the hospital points to serious water and sanitation related problems. The current rural water supply coverage is 74.1%. Therefore it is assumed that the percentage safe water coverage in the district only reaches approximately 74.1%, but with wide disparities between the different sub-counties. Most of the sub counties have insufficient resources, financial and know how, to improve their existing water supply, construct new ones and set up acceptable sanitary facilities. Some areas with nearby unsafe alternative sources need focused sensitisation to abandon unsanitary practices and a lot of awareness is still required to link health improvement with safe water and sanitation.

Ventilated improved pit latrines (VIPs) are out of financial reach of households and although sanitation is not one of the community priorities, increasing the number and improvement of the traditional pit latrines are actually the most cost effective option to achieve safe disposal of excreta. At Lake Albert shore areas, water supply and sanitation are extremely poor. Most villages use the water of the lake as the main drinking water supply. The water is not boiled or treated. There is poor sanitation. Collapsible sandy soils and difficult access are part of the

explanation for this situation. Intensive sensitisation campaigns are required for any improvement to be reasonably expected.

3.4.9 Gender Analysis

Despite several groundbreaking advances, particularly in the political and legal spheres, gender inequality remains a persistent feature of social, economic and political arenas in most parts of the country. Women remain disadvantaged in education and employment and in the ownership of land and although fairly well represented on local councils, they continue to occupy few leadership positions. In Hoima and Kibaale Districts, out of a population of 343,042 in 2002, 49.5% were women, with population growth rate of 4.8% for women as opposed to 4.4% for men. 9.2% of the population is urban and 90.8% is rural.

On the shores of Lake Albert, there are 1.5 men for every woman. Child bearing begins very early; by age 17, 43% of all girls have either given birth or are pregnant with their first child and over 70% have given birth by age 19. Although women want an average ideal family of 5 children, total fertility averages 7 live births per women. Only 15% of married women use contraceptive methods, up from 5% in 1989, and there is a large unmet demand for family planning services. (FAO, 2010)

3.4.10 Gender and the Agricultural Sector

Agriculture accounts for about 70% of GDP and provides employment for about 60% of the population hence the growth of agriculture largely determines the performance of the district economy. Women contribute 60-70% of the labour for agricultural production and they produce 70-80% of the food grown. 72% of all employed women and 90% of all rural women are engaged in agriculture, compared with only 53% for rural men. Women are 51% total adult labour force, 39% of the owner operators, 79% of the unpaid family workers and 44% of the casual labourers in the sector. Slightly less than half (47%) of the children employed in agriculture are girls, mostly as unpaid family labourers. Women do 55% of the land preparation, 85% of the planting, 85% of the weeding and 98% of the processing. Although 78% of the women control the family food stocks and determine the day-to-day outflow of food from storage, decisions to market are usually made by men (70%) or jointly by husband and wife (15%)

3.5 Rwenzori Areas

Under this region, the project areas include Karugutu-Ntoroko including Semiliki Safari Lodge and baseline data is summarized as follows:

3.5.1 Ethnicity and Language

The tribes in Ntoroko District are the Bakonjo, Bamba, Batwa and the Banyabindi and languages spoken are Rukonjo, Rwamba and Runyabindi.

3.5.2 Population

The ERT III will largely cover Ntoroko District and its population is summarized as in Table 6.

Table 5: Ntoroko District Population as of 2013 UBOS Projections

DISTRICT	1991 CENSUS		2002 CENSUS									PROJECTED		% OF RURAL POPULATION
	Total	Sex Ratio	Male	Female	Total	2011			2012			HOUSEHOLDS		BELOW POVERTY LINE
						Male	Female	Total	Male	Female	Total	2010	2011	2005
NTOROKO	24,255	107.1	25,214	25,855	51,069	38,900	41,000	79,900	41,000	43,100	84,100	14,080	14,770	27.7

3.5.3 Socio-economic Characteristics

Agriculture is the main income earner for the District and it is where most of the households obtain their livelihood. Many households rely on crop and livestock sales as their main source of income. Maize, cassava and beans are main items traded in as well as cattle keeping and fishing. Cocoa and palm oil are grown in the highland and lowland zones. A recent District survey under Demographic and Health Survey 2011 indicated that, in Ntoroko men owned 51.8 % of land; women 12.3 % and jointly owned 35.9 %. Only 18% of households had received agricultural extension services in the previous 12 months including Government and non government services.

3.5.4 Literacy Levels

The population and household survey (2002) reported the literacy rate of the population aged 10years and above to be 58% and 29.7% of the population 10 years and above had never been to school, 23.1% of the population above 15 years had completed primary education and only 3.3% above 20 years had completed secondary school.

3.5.5 Food security

Regarding food security, 59.2 % of the people eat less than 3 meals a day and approximately 50% of the respondents attributed food insecurity to crop failure. The survey found out that women take the lead in selling the agricultural produce although men control most of the proceeds from the sales. A low level of labour productivity with market access difficulties and scarce savings characterizes the poor farmers that induce them to implement strategies that tend to maximize their vulnerability. The gender specific activities involved in the cocoa production and processing shows that women are involved in all the activities. Women are overworked and engendered division of labour assigns enormous duties to both women and girls, whereby some girls have to stay at home to perform the household chores at the expense of their education (DDP, 2012).

3.5.6 Settlement and Housing

The settlements vary from semi permanent to permanent houses mostly with corrugated iron sheet roofs and tend to be near the main roads with some being trading centers. However, the lower floodplains areas have mainly temporal dwelling structures which are occupied by pastoral communities. The structures are temporal implying there is a tendency for communities to shift with their livestock in case of floods. The dwellings tend to be nucleated on family basis.

3.6 Central North and North-North West Areas

These comprise ERT III areas of Ngeta-Ayala-Alito-Ogur-Adwari-Patongo, Dokolo-Agwata HCIII, Aceng-Dokolo-Atur, Dokolo-Apapai-Tirir and Otuboi-Orungo-Acuna areas in greater Lango region. Others in greater Gulu are Gulu-Olwiyo-Pakwach with off Gulu-KochGoma, Spur

Agong. The other leg goes to areas of Spur-Wiii-Anoka and Alele-Lira. The baseline information of these areas is summarized as follows

3.6.1 Population

In 2006 and 2007, Lira District experienced a massive return of Internally Displaced Persons. In a period of 14 months, over 310,000 of the estimated 350,000 left camps to return to home villages. The national population census of 2002 estimated the population of the district, as constituted in 2010, at 290,600, with an annual population growth rate of 3%. Given those statistics, it is estimated that the population of Lira District in 2010, was about 368,100.

The projected population of Gulu District as of June 2011 was 353,663 people, compared to 298,527 people in 2002 of which 60 percent live in rural areas. The population density as of 2002 was 86 persons/sq km, compared to 102 persons/sq km in 2008, while the average household size is still 5.1 persons with sex ratio of 97 males per 100 females. The possible reason for this disparity is that more males than females have died during the conflict, besides, other biological sex survival intricacies.

The 2002 national census estimated the population of the district at approximately 62,000. As of June 2009, the district population was estimated at about 77,800. As for Dokolo district areas, the 2002 national census estimated the population of the district at approximately 131,000. The district population is growing at an estimated annual rate of 3%. Given those statistics, it is estimated that the population of the district in 2010 was approximately 166,100. As for Pader, the 2002 national census estimated the population of the district, as configured after July 2010, at approximately 142,320 people.

Table 6: UBOS Population Estimate for ERT III Projects Districts in Central North Districts

DISTRICT	1991 CENSUS		2002 CENSUS			Project Populations						% OF RURAL POPULATION
	Total	Sex Ratio	Male	Female	Total	2011			2012			BELOW POVERTY LINE
						Male	Female	Total	Male	Female	Total	2005
AMOLATAR	68,473	100.0	47,828	48,361	96,189	61,400	62,500	123,900	63,200	64,200	127,400	56.5
AMURU	88,692	97.8	66,919	68,804	135,723	85,500	88,500	174,000	88,000	90,800	178,800	76.5
DOKOLO	84,978	96.4	62,988	66,397	129,385	85,800	91,300	177,100	88,900	94,500	183,400	56.5
GULU	211,788	95.7	146,750	151,777	298,527	190,500	195,100	385,600	196,300	200,200	396,500	70.2
LIRA	191,473	97.7	142,380	148,221	290,601	190,100	200,200	390,300	196,400	206,700	403,100	52.8
OTUKE	43,457	99.3	30,514	31,504	62,018	40,700	42,600	83,300	42,200	43,800	86,000	62.2

(Source: UBOS 2013 Population Summaries)

3.6.2 Land Tenure

The land tenure system in the regions is largely customary with the exception of church missions, hospitals and schools, a number of which hold Freehold land tenure titles. Inheritance of land is usually passed on to a male heir and negotiations affecting land acquisition is always geared to the male head of the household after the clan head has given the go ahead.

3.6.3 Land Use and Settlement

Currently, the Districts in the project area have populations, which are unevenly distributed. Accessibility to socio-economic infrastructures has largely determined population distribution in the districts while natural resource endowments largely determined and greatly influenced the settlement pattern. It is worthwhile to mention that in the past two decades or so the population settlement pattern in the districts has had a departure from natural resource endowment potentials and existence of socio-economic activity determinants to security concerns. People predominantly live in grass thatched houses (Figure 12).

3.6.4 Energy Sector

The most predominant source of energy in the project districts in the region is wood fuel in which, nearly 98% of the households depend on wood fuel as the source of domestic energy. However hydro electricity and fossil fuel are also used. The use of solar energy is progressively being adopted but mainly in health centers and education institutions. According to the DDPs of the districts, there are plans to conduct awareness on adoption of other sources of energy in the district. There are also plans to promote the use of renewable energy and energy efficient technologies in the areas.

After being in Internally Displaced Camps for over 4 years, a lot of deforestation was massively done hence insufficient wood fuel for the rural population. There is need to step up Agro forestry activities as well as training on energy saving stoves including use of farm waste such as straws, rice husk, etc. Rural electrification as well as use of renewable energy such as solar must be encouraged as well as biogas construction.



Figure 6: Some of the typical settings in the project areas. Note the isolated and nucleated settlements that have been influenced by insurgency in northern Uganda.

3.6.5 HIV/AIDS

HIV/AIDS is presently one of the leading causes of death among the adults and children under five in this region. It is estimated that between 25–40 percent of HIV/AIDS positive mothers in

Uganda transmit the virus to their children. HIV/AIDS has also led to the exacerbation of certain diseases like pneumonia, meningitis and tuberculosis, which had hitherto been controlled.

3.6.6 Gender

Women should have the right to equal treatment with men and that right should include equal opportunities in political, economic and social activities. To a good extent this has been achieved in politics as 43% of the councilors are female; unfortunately their impact has been less as their numbers would suggest.

Reasons for this are:

- Most women councilors do not actively participate in council deliberations because they lack the skills and knowledge. Subsequently their influence on decisions is limited, resources are not distributed equally to address women problems in council, and
- Though affirmative action is established to favor the marginalized groups on the basis of gender, age and disability. Training and sensitizing women groups to handle women projects in council shall improve performance.

The role played by women and youth in animal production cannot be overestimated. Up to 80% of the exotic and 30% of the local animals are managed by women. Women have increasingly participated in workshops on production, partly because the department had given enough attention to this aspect. Mobilization by Community department, NGOs and the Department of Production is aimed at consolidating what has been achieved in the area of increased participation of women and youth in workshops and other production activities. Although both men and women participate in animal production, the authority of ownership has in most cases remained with men. In order to reverse this dominance by men, the community needs continuous sensitization.

3.6.7 Economic Situation in the Region

The economy of the districts in the ERT III areas in the region is mainly based on agriculture, with 81% of the population engaged in subsistence farming. Other sectors in economy include agro processing industries (3.1%), commercial activities and banking (15.9%). At independence, cotton was the major cash crop but its production has declined and has lost glory. Crops hitherto were mainly food crops such as millet, simsim, cassava, groundnut, beans, pigeon peas, cowpeas, sorghum, sweet potatoes and other recently introduced crops such as rice, sunflower, soya beans, maize and horticultural crops serve both as food and cash crops. Cattle used to be a big source of wealth as well, but this has totally been eroded by cattle rustling and Lord's Resistance Army (LRA) war from 1987-2006 which virtually depleted the stock of animals from 316,000 in 1987 to about 80,000 in 2002. With improved security situation since 2006, the region is progressively getting out of danger of sporadic cattle thefts. Industrialization in the region is still at very low level with most industries involved in agro-processing such as edible oil production, bakery, maize and rice milling and secretarial services.

3.7 Implication of the socio-economic analysis to the ERT Project

The socio-economic analysis of the ERT III project area is critical in providing the baseline information of the project area before implementation of the ERT III project. This information will be used for the evaluation of impacts of rural electrification in relation to the benefits and risks experienced during construction and use of electricity. For instance, rural electrification is expected to directly influence the quality of life in the rural areas through improvements in health service delivery, quality of education, safety of drinking water, and general improvement of livelihoods of the rural population. Since majority of the rural flock are engaged in subsistence agriculture, rural electrification will be critical in value addition for agricultural produce. Type of settlements may also change over time from being scattered to linear as people will shift to staying near power lines. In addition even the type of structures which are largely temporal and semi-permanent may transform to permanent as a result of rural electrification. Therefore reference to this RPF will be necessary during ERT III project evaluations.

4. LEGAL, POLICY, and INSTITUTIONAL 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);
- The Land Act (1998);
- The Land Acquisition Act (1965);
- Land Regulation Act (2004)
- Land Act (Amendment) (2010)
- Local Government Act (1997)
- The Electricity Act (1999)

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.

4.1.2 The Land Act, Cap 227 (1998)

The 1998 Land Act addresses land holding, management control and dispute processing. The Act creates a series of land administration institutions, namely, the Uganda Land Commission

(ULC), the District Land Boards (DLB), the Parish Land Committees (PLC) and the 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 managed 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.

4.1.3 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 assisted with relocation or that alternative land is 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.

4.1.4 The Land Act 1998

The Land Act principally addresses four issues namely; holding, control, management and land disputes. As regards tenure, the Act repeats, in Section 3, provisions of Article 237 of the Constitution which vests land ownership in the citizens of Uganda, to be held under customary, freehold, mailo or leasehold tenure systems. However, the Land Act provides for acquisition of land or rights to use land for public works.

Regarding control of land use, the Act reaffirms statutory power of compulsory acquisition conferred on the government and local authorities under articles 26 (2) and 237(2) (a) of the Constitution (Section 43). Since the Act does not repeal the Land Acquisition Act No. 14 of 1965, it is assumed that this legislation, meets requirements of Article 26(2) of the Constitution that requires a law to be in place for the payment of compensation and access to the courts. The Act also requires that landowners manage and utilize land in accordance with regulatory land use planning (Sections 44 and 46). Section 77(2) of the revised edition (2000) of the Land Act 1998 provides for a disturbance allowance on top of the computed compensation amount as shown below:

- 30% of compensation amount if quit notice is given within 6 months.
- 15% of compensation amount if quit notice is given after 6 months.

The rights of spouse and children are protected under the Constitution of Uganda and the Land Act (Cap 227). The consent of spouse and children must be acquired prior to any transaction by the head of household on land on which the family ordinarily resides.

Section 40 of the Land Act, 1998 requires that no person shall:

- a) Sell, exchange, transfer, pledge, mortgage or lease any land; or enter into any contract for the sale, exchange, transfer, pledge, mortgage or lease of any land;
- b) Give away any land *inter vivos*, or enter into any transaction in respect of land:
 - In the case of land on which the person ordinarily resides with his or her spouse, and from which they derive their sustenance, except with the prior written consent of the spouse;
 - In the case of land on which the person ordinarily resides with his or her dependent children of majority age, except with the prior written consent of the dependent children of majority age;
 - In the case of land on which the person ordinarily resides with his or her dependent children below the majority age, except with the prior written consent of the Committee⁴;
 - In the case of land on which ordinarily reside orphans below majority age with interest in inheritance of the land, except with prior written consent of the Committee.

4.1.5 The Land Regulations, 2004

Section 24(1) of the Land Regulations, 2004 states that the District Land Board shall, when compiling and maintaining a list of rates of compensation, take into consideration the following:

- a) Compensation shall not be payable in respect of any crop which is illegally grown;
- b) As much time as possible shall be allowed for harvest of seasonal crops;
- c) The current market value of the crop and trees in their locality will form the basis of determining compensation;
- d) For buildings of non-permanent nature, replacement cost less depreciation will form the basis of compensation.

4.1.6 The Land (Amendment) Act 2010

Section 76(1) (a) of the Land (Amendment) Act 2010 states that the jurisdiction of the District Land Tribunal shall be to determine dispute relating to the grant, lease, repossession, transfer or

acquisition of land by individuals, the commission or other authority with responsibility relating to land.

4.1.7 The Electricity Act 1999

The Electricity Act 1999, under PART IV, provides for use of land for energy installations. The Act provides for:

- The power of a licensee (or a project developer) to use land (section 67)
- Procedures for using public land
- Removal or alteration of electric supply lines
- Compensation
- Compulsory acquisition of land (section 71)

Part IV of the Act provides for Rural Electrification under which ERT III will be implemented. Section 64 created the Rural Electrification Fund (REF) and authorized the Minister to make regulations for the management of the Fund by Statutory Instrument. Statutory Instruments 2001 No. 75 established the Rural Electrification Board (REB) to manage REF and also established the Rural Electrification Agency (REA) as the Secretariat of REB with powers to:

- Build and maintain a national rural electrification data base
- Prepare for REB an annual status report on rural electrification programs indicating progress and hindrances to the execution of the rural electrification program and identifying significant obstacles impeding progress as well as options for mitigating those obstacles
- Recommend to REB the most efficient use of the Fund for the promotion of rural electrification
- Generate and provide information relating to rural electrification investments
- Undertake planning and budgeting for rural electrification and
- Process applications for financial support from the REF

The institutions with responsibilities identified in this RPF are the Rural Electrification Agency (REA) which will play a key role, the Ministry of Energy and Mineral Development (MEMD), The Electricity Regulatory Authority (ERA), private energy developers and communities, and implementing institutions (health, water, and education). These entities will liaise with local authorities and comply with their obligations under the RPF.

4.1.8 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)).

4.2 Policy Framework

- The National Land Policy 2013
- The National Gender Policy, 1997
- The National HIV/AIDS Policy, 2004

4.2.1 Rural Electrification Strategy and Plan (RESP) 2013-2022 Program Implementing Policies and Structures

The Government's Rural Electrification Strategy and Plan (RESP) for the ten-year period 2013-2022 programmatic and policy adjustment measures towards increasing connections will include;

1. The Government assuming greater responsibility for planning, financing and overall management of the rural electrification sector by absorbing the major commercial and financial risk for rural electrification development while the private sector plays a complementary role to that of Government.
2. Rural electrification implemented on a model of scaled, multi-technology electricity service territories comprising the entire rural territory of the country.
3. Planning and management for all rural electrification sector programs and investment resources to be centralized in the REA.
4. Rural electrification services and infrastructure will be managed by duly licensed non-governmental concession holders.
5. Off-grid electrification services comprising energy service technologies not dependent on the national grid shall, preferably, be planned, offered and furnished to eligible consumers in the service territories in tandem with on-grid electrification services.
6. Capital financing for infrastructure development for electric distribution-based investment shall be furnished under a system of long-term leasing and financing contracts with the electric distribution licensees.

7. The cost of wholesale power to rural concession licensees may be discounted on a needs-test basis in order to make on-grid rural electricity service more affordable.
8. Investment in small distributed power generation facilities as local sources of supply will be given increased priority and enhanced support

4.2.2 The Uganda National Land Policy 2013

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 4.16 of the Policy (86) 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. 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 4.18 (93) 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

4.2.3 The National Gender Policy, 1997

The government adopted a National Gender Policy of 1997, a tool to guide and direct the planning, resource allocation and implementation of development programs with a gender perspective. The adoption of the gender policy has facilitated Uganda's gender mainstreaming programs in all sectors of the economy (implying, the planned works project should equally integrate gender into the implementation of works. REA as an agency implementing ERT III projects has mainstreamed gender dimensions into its activities, plans and policies.

4.2.4 The National HIV/AIDS Policy, 2004

The policy provides the principles and a framework for a multi-sectoral response to HIV/AIDS in Ugandan's world of work. The policy applies to all current and prospective employees and workers, including applicants for work, within the public and private sectors. It also applies to all aspects of work, both formal and informal. *ERT III has mainstreamed HIV/AIDS interventions into its plan, programmes and activities as detailed in its Draft Project Implementation Manual (PIM).*

4.3 Institutional Framework for the Sector

The Government of Uganda, in recognizing the importance of energy in transforming the quality of life of Ugandans, formulated the National Energy Policy in September 2002. *The Energy Policy Goal is "to meet the energy needs of Uganda's population for social and economic development in an environmentally friendly manner"*. The policy among others covers energy demand issues and proposes strategies and plans for supplying the required energy. One of the strategies highlighted is the implementation of the Rural Electrification Strategy and Plan 2001-2010 (RESP) which was passed by the Cabinet of the Republic of Uganda in February 2001, as dictated by section 63 of the electricity act 1999.

4.3.1 Electricity Regulatory Authority

In conformance with the Electricity Act of 1999, an energy sector regulator, Electricity Regulatory Authority (ERA), was established and has developed regulations by which it discharges its responsibility under the law. The primary duties of this Authority are licensing, tariff setting, development and enforcement of performance and safety standards.

4.3.2 Rural Electrification Fund and the Board

Furthermore, prior to the formulation of the Energy Policy, the Government of Uganda, by, Statutory Instrument No. 75 of 2001 (Establishment and management of the Rural Electrification Fund), had established three inter-related mechanisms for management of Uganda's Rural Electrification program namely, the Rural Electrification Fund (REF), the Rural Electrification Board (REB), and the Rural Electrification Agency (REA) all supervised by the Minister responsible for Energy. REA serves as the Secretariat to the Board whose principal responsibility is to ensure management of the Fund for equitable promotion of electricity access and connectivity.

The REB, which reports to the Minister of Energy and Mineral Development, consists of six non-executive board members, of which majority are non-government representatives, appointed by the Minister with Cabinet approval. REB board members include Permanent Secretaries of the Ministries of: (i) Energy and Mineral Development (Chair), (ii) Finance, Planning and Economic Development, (iii) Local Government, and representatives of (iv) the private sector involved in rural electrification, (v) NGOs, and (vi) the financial sector. The Board is the supreme governing and policy making body of REA, responsible for all major decisions affecting the Agency including providing effective institutional and administrative oversight to the Agency.

In addition, the Minister of Energy, in accordance to the Electricity Act, established a Rural Electrification Fund (REF) with the following sources of funding:

- Significant money appropriated by Parliament;
- Any surplus made from the operations of the Electricity Regulatory Authority;
- A 5% levy on transmission bulk purchases of electricity generation stations;
- Donations, gifts, grants and loans acceptable to the Minister of Energy and Mineral Development and the Minister of Finance, Planning and Economic Development.

4.3.3 The Rural Electrification Agency, REA

REA was established as a semi-autonomous Agency by the Ministry of Energy and Mineral Development through Statutory Instrument 2001 no. 75, to operationalize Government's rural electrification function under a public-private partnership. It functions as the secretariat of the Rural Electrification Board which carries out the Ministry's rural electrification responsibilities, as defined in the Electricity Act of 1999. REA was mandated to facilitate achievement of the RESP goal of a rural electrification rate of at-least 10% by the year 2010 (extended to 2012) from 1% at the beginning of the decade.

4.4 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 who are physically or economically displaced by the project to share in project benefits. Project affected 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.
- Preference should be given to land-for-land compensation.

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

The policy implies that for each ERT III project activity that may result in the involuntary taking of land (or in the restriction of access to legally designated parks and protected areas resulting in adverse impact on livelihoods) a RAP must be prepared by REA and cleared by the World Bank prior to implementing the resettlement activities. The World Bank’s policy also requires that the provision of compensation and other assistance to PAPs, to restore livelihoods when these are affected appreciably, shall be done prior to the displacement of people. In particular, the policy requires that possession of land for project activities may take place only after compensation has been paid. Resettlement sites, new homes and related infrastructure, public services and moving allowances must be provided to the affected persons in accordance with the provisions of the RAP.

OP 4.12 further requires particular attention to be given 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 disadvantaged persons.

4.4.1 Comparison between Land Law in Uganda and World Bank OP 4.12

Although the Ugandan Constitution requires that prompt, fair and adequate compensation be paid prior to displacement, this is not on par with OP 4.12, as there is no requirement that states that the government should provide alternative land or assist with resettlement. Additionally it is unclear how to interpret “prompt, fair and adequate” compensation. OP 4.12 states that displaced persons should be compensated at full replacement cost unlike the Ugandan Land Regulations 2004 section 24 (1. (d) which states that: “for buildings of non-permanent nature, replacement cost less depreciation will form the basis of compensation” .

Ugandan law does not make any specific accommodation for squatters or illegal settlers, and reimbursement is based on legal occupancy. There is also no provision in the law that the state should attempt to minimize involuntary resettlement.

Furthermore, the GoU has recently prepared the final draft of the National Land Policy (March 2011) aimed at consolidating a number of scattered policies, which exist on various aspects of the land question, but are diverse, sectoral and inconclusive in many respects. Uganda has never had a clearly defined and / or consolidated National Land Policy since the advent of colonialism in the nineteenth century. Post-independence and recent attempts to settle the land question by the Land Reform Decree 1975, the 1995 Constitution of Uganda, and the Land Act 1998 failed to deal with the fundamental issues in land tenure due to absence of clear policy principles to inform the enactment of legislation that offers politically and socially acceptable and technically feasible solutions. The key policy issues touch on (1) historical injustices and colonial legacies, (2) contemporary issues, mainly arising from such legacies; and (3) land use and land management issues.

Table 8: Outlines the gaps between Uganda law and World Bank requirements for resettlement and compensation. It is clear in the comparison that the OP 4.12 offers more reasonable and/or fair benefits and recognition to PAPs than Ugandan law; therefore in cases where benefits are greater, OP 4.12 will apply and in all cases, **“the higher of the two standards will be followed in all RAPs prepared for the ERT II project, since the higher standard also satisfies the requirements of the lesser standard. In this case, the World Bank OP4.12 will be followed since it is higher on application of these policies.”**

Table 7: Comparisons of Ugandan Laws and the World Bank Policies on Resettlement and Compensation.

Types of Affected Persons/ Lost Assets	Ugandan Law	World Bank OP4.12	Comparison/Gaps	Applicable standard
Land Owners	<p>The Constitution of Uganda, 1995 vests all land directly in the Citizens of Uganda, and states that every person in Uganda has the right to own property. Ugandan law recognizes four distinct land tenure systems, customary tenure, freehold tenure, leasehold tenure, and mailo tenure.</p> <p>Customary land owners are entitled to compensation based on the open market value of the unimproved land</p>	<p>OP 4.12 eligibility criteria include: (1) those who have formal rights to land, including customary and traditional rights recognized under Ugandan law (2) those who do not have such rights at the time the census begins, but have a recognized claim to such land or assets (3) those who have no recognizable legal right or claim to the land that they occupy.</p> <p>Persons under 1) and 2) are provided compensation for the land that they lose, and relocation assistance such as moving allowances, and development assistance to restore livelihoods. Persons under 3 are provided resettlement assistance. All PAPs are provided compensation for non-land assets that they lose.</p> <p>Land-for-land exchange is the preferred option for people whose livelihoods are land based; compensation is to be based on replacement cost. Whenever replacement land is offered land should be of at least equivalent value in terms of productive value and locational advantage.</p>	<p>The legal right to resettlement under Ugandan law is applicable only to those with proprietary interest in the affected land.</p> <p>Customary land holds property and ownership.</p> <p>Entitlement under Ugandan law for payment of compensation is essentially based on the right of ownership or legal user/occupancy rights.</p> <p>Market value is based on recent transactions and thus if alternative property is purchased within a reasonable period of the payment of compensation, it is likely that market value will reflect replacement value. However, local inflation in price land or construction materials can affect what is determined as replacement cost. If this is not reflected in recent transactions, market value may not reflect replacement value.</p>	OP 4.12 prevails.

Types of Affected Persons/ Lost Assets	Ugandan Law	World Bank OP4.12	Comparison/Gaps	Applicable standard
		Any cash compensation for lost land and other assets (structures, crops, trees) must be at replacement cost (in real terms)		
Land Tenants/Squatters	<p>Ugandan law does not make any specific accommodation for squatters or illegal settlers, and compensation is based on legal occupancy</p> <p>The Land Act treats lawful occupants and bonafide occupants as statutory tenants of the registered owner. Under Section 29 of the Land Act, “lawful occupant” means a person who entered the land with the consent of the registered owner, and includes a purchaser; or a person who had occupied land as a customary tenant but whose tenancy was not disclosed or compensated for by the registered owner at the time of acquiring the leasehold certificate of title. “Bona fide occupant” means a person who before the coming into force of the Constitution had occupied and utilised or developed any land unchallenged by the registered owner or agent of the registered owner for twelve years or more; or had been settled on land by the Government or an agent of the Government, which may include a local authority.</p> <p>For the avoidance of doubt, a person on</p>	<p>See above. The OP 4.12 explicitly states that the affected persons cannot be denied compensation /resettlement assistance based on the lack of legal title. Bank projects, therefore, need to make provisions for helping squatters / encroachers achieve the objectives of the Bank’s resettlement policy.</p> <p>For those without formal legal rights to lands or without claims to such land that could be recognized under the laws of the country, the government should provide resettlement assistance, to help improve or at least restore those affected persons’ livelihoods.</p>	<p>Those without formal legal rights or claims to such lands are not entitled to be resettled or compensated under Ugandan law.</p>	<ul style="list-style-type: none"> • Design ERT III Project activities to avoid resettlement or minimize displacement of people • OP 4.12 prevails

Types of Affected Persons/ Lost Assets	Ugandan Law	World Bank OP4.12	Comparison/Gaps	Applicable standard
	<p>land on the basis of a licence from the registered owner shall not be taken to be a lawful or bona fide occupant under this section. Any person who has purchased or otherwise acquired the interest of the person qualified to be a bona fide occupant under this section shall be taken to be a bona fide occupant for the purposes of this Act.</p>			
Land Users/Licensees	<p>Licensees are granted authority to use land for agricultural production, usually limited to annual crops. They have no legal security of tenure or any proprietary right in the land.</p> <p>The Land Act, section 29(5) clearly states that for the avoidance of doubt, a licensee shall not taken to be a lawful or bonafide occupant</p>	<p>See above. Squatters are provided resettlement assistance and compensation for loss of non-land assets that they lose.</p> <p>People who have valid licenses for temporary use of land or structures are eligible for compensation for the loss– this compensation shall be prorated for the remaining period of validity. These people should also be compensated for loss of crops or other damage incurred. It would be good practice to provide these people with relocation or transition assistance.</p>		<ul style="list-style-type: none"> • Design of ERTIII Project to avoid resettlement or minimize displacement of people • The program will have a strategy for enabling the PAPs restore their incomes to at least pre-ERT III- Project levels • Relocation assistance should be provided. • Op 4.12 prevails

Types of Affected Persons/ Lost Assets	Ugandan Law	World Bank OP4.12	Comparison/Gaps	Applicable standard
Owners of non-permanent buildings	Mailo tenure involves the holding of land in perpetuity. It was established under the Uganda Agreement of 1900. It permits the separation of ownership of land from the ownership of developments on land made by a lawful occupant. Owners of non-permanent buildings are entitled to compensation based on rates set by District Land Boards.	See above. For those without formal legal rights to lands or claims to such land that could be recognized under the laws of the country, Bank policy provides for resettlement assistance in lieu of compensation for land, to help improve or at least restore their livelihoods. Compensation for loss of non-land assets that are lost (for ex. structures, trees, crops)	There appears to be a significant difference between Ugandan laws and Bank policy. Those without formal legal rights or claims to such lands and/or semi-permanent structures are not entitled to resettlement assistance or compensation under Ugandan law.	<ul style="list-style-type: none"> • Project will provide compensation based on replacement value. This will include the payment of government valuation rates and payment of a disturbance allowance • OP 4.12 prevails
Owners of permanent buildings	Valuation of buildings is based on open market value for urban areas and depreciated replacement cost in the rural areas.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement	Values based on depreciated replacement cost do not reflect full replacement cost/value required by OP 4.12	Project will provide compensation based on replacement value as per OP 4.12. This will include the payment of government valuation rates, the payment of a disturbance allowance.
Timing of compensation payments	Once the assessment office takes possession, the land immediately becomes vested in the Land Commission, according to the Land Acquisition Act. However the Land Act Cap 227 (section 42) provides compulsory acquisition must comply with the provisions of the Constitution(article 26)	Taking of land and assets may only take place after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons For projects involving restrictions of access, measures to assist the displaced persons are implemented in accordance with the timetable in the plan of actions.	There is no equivalence on implementing all relevant resettlement plans before project completion or on providing resettlement entitlements before displacement or restriction of access.	Follow OP 4.12.
Calculation of compensation and valuation	According to the Land Act, Cap 227 (section 77), the value of customary land shall be the open market value of the unimproved land. Value of the buildings shall be at open market value	Bank policy requires: (a) prompt compensation at full replacement cost for loss of assets attributable to the project; (b) if there is relocation, assistance during relocation, and	There are no equivalent provisions in Ugandan law on relocation assistance, transitional support, or the provision of civic infrastructure.	Market value is based on recent transactions and thus if alternative property is purchased within a reasonable period of the payment of compensation, it is likely that

Types of Affected Persons/ Lost Assets	Ugandan Law	World Bank OP4.12	Comparison/Gaps	Applicable standard
	for urban areas and depreciated replacement cost for rural areas. The crops and buildings of a non-permanent nature are compensated at rates set by District Land Boards.	residential housing, or housing sites, or agricultural sites of equivalent productive potential, as required; (c) transitional support and development assistance, such as land preparation, credit facilities, training or job opportunities as required, in addition to compensation measures; (d) cash compensation for land when the impact of land acquisition on livelihoods is minor; and (e) provision of civic infrastructure and community services as required.	The basis of compensation assessment is not stated in the Land Acquisition Act (an old law due for review), although the Constitution provides for ‘prompt, fair and adequate’ compensation. (article 26) OP 4.12 requires compensation at full (non depreciated) replacement cost of assets	market value will reflect replacement value. However, local inflation in price land or construction materials can affect what is determined as replacement cost. If this is not reflected in recent transactions, market value may not reflect replacement value. OP 4.12 shall be followed.
Relocation and resettlement	Both The Constitution, 1995 and The Land Act, 1998 gives the government and local authorities power to compulsorily acquire land. The Constitution states that “no person shall be compulsorily deprived of property or any interests in or any right over property of any description except” if the taking of the land necessary “for public use or in the interest of defense, public safety, public order, public morality or public health.”	To avoid or minimize involuntary resettlement and, where this is not feasible, to assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	Ugandan laws do not appear to make provisions for avoidance or minimizing of involuntary resettlement	This gap will be addressed by following OP 4.12
Completion of resettlement and compensation	Privately owned land’s value is negotiated between the owner and the developer. In rural areas, land is valued at open market value, buildings are valued at replacement cost, and a 15% to 30% disturbance allowance must be paid if six months or less notice is	Implement all relevant resettlement plans before project completion and provide resettlement entitlements before displacement or restriction of access. For projects involving restrictions of access, impose the restrictions in accordance with the timetable in the plan of actions.	There is no equivalence between Ugandan law and World Bank policies on implementing relevant resettlement plans before project completion or on providing resettlement entitlements before displacement or restriction of	The project will conform to WB OP 4.12 and best practices during implementation of the RAPs.

Types of Affected Persons/ Lost Assets	Ugandan Law	World Bank OP4.12	Comparison/Gaps	Applicable standard
	given to the owner.		access.	
Livelihood restoration and assistance	There are no explicit provisions under resettlement or relocation for livelihood assistance.	Livelihoods and living standards are to be restored in real terms to pre-displacement levels or better	Ugandan policy and legislation does not consider livelihood restoration	The Bank policy has to be followed here since it is funder of the project
Consultation and disclosure	There are no explicit provisions for consultations and disclosure but there are guidelines issued by separate ministries (e.g. roads and energy). The Land Acquisition Act, however makes provision for an enquiry whereby the affected person can make formal written claim and the assessment officer is obliged to conduct a hearing before making his award.	Consult project-affected persons, host communities and local NGOs, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms.	While the consultation requirement is inherent in the EIA, it contains a number of differences with the requirements of Bank policy, most notably PAPs should be informed of and consulted on the RAPs including on compensation benefits and development assistance, and be informed of grievance mechanisms related to the resettlement Consultation and communication is continuously needed during the entire time the RAP is being implemented.	OP 4.,12 shall be followed
Grievance mechanism and dispute resolution	The Land Act, 1998 states that land tribunals must be established at all districts. The Land Act empowers the Land Tribunals to determine disputes and it provides for appeal to higher ordinary courts. The Land Acquisition Act provides for the aggrieved person to appeal to the High Court.	Establish appropriate and accessible grievance mechanisms.		Grievance committees to be instituted within the procedure but will not replace the existing legal process in Uganda rather it seeks to resolve issues quickly so as to expedite receipt of entitlements and smooth resettlement without resorting to expensive and time-consuming legal action. If the grievance procedure fails to provide a settlement, complainants can still seek legal redress.

5. INSTITUTIONAL CAPACITY ASSESSMENT FOR IMPLEMENTATION OF THE PREPARED RPF AND RAPS

Roles and responsibilities of Key Players

The key stakeholders in the rural electrification program under which the RPF and RAP are to be implemented include the following:-

5.1 Minister of Energy and Mineral Development

This is the principal political head responsible for Electricity policy formulation, planning and development in Uganda. The Ministry prepares the Energy policy and Strategic plans. The Minister also appoints the members of the REB and submits the RE annual Status Report to Parliament. The MEMD is the lead agency for all energy projects in Uganda. ERT III will finance development of renewable energy resources such as geothermal energy, studies for small hydropower developments. It is also anticipated that, MEMD will collaborate with the Ministry of Local Government to promote the project activities and ensure ownership of investments at local government levels. However, the capacity of MEMD to monitor the implementation of the RPF is limited given that they don't have a Social Development Officer/Sociologist. This is made worse by the current general ban on recruitment in all Ministries.

5.1 Rural Electrification Fund and the Board

Statutory Instrument No. 75 of 2001 (establishment and management of the Rural Electrification Fund), established three inter-related mechanisms for management of Uganda's Rural Electrification program namely, the Rural Electrification Fund (REF), the Rural Electrification Board (REB), and the Rural Electrification Agency (REA) all supervised by the Minister responsible for Electricity. REA serves as the Secretariat to the Board whose principal responsibility is to ensure management of the Fund for equitable promotion of electricity access and connectivity. The PS MEMD is the Chairman of the REB.

5.1.1 The Rural Electrification Agency and the Executive Director REA

In line with the RESP 2, ERT III will be coordinated at REA. REA was established to support implementation of the RESP 1. The RESP 1 was initially predicated on a private sector investment response to the policy, regulatory and planning frameworks which had been set in place, replacing the earlier framework of a Government led Rural Electrification (RE) under the aegis of a state owned national utility. However, as the private sector approach to investments in

rural electrification did not succeed, REA's role has changed from a fund manager to an agency responsible for developing rural electrification.

Over time, REA's institutional capacity has been expanded from the original level of mere secretariat to the REB within MEMD to take broader responsibilities including planning, development, monitoring and supervision of construction of RE schemes and operators. REA has gained considerable competence for project implementation. REA has and continues to adapt its internal set-up to more closely align to the changing conditions in its operating environment. In addition, with growing portfolio, and due to inadequate staff especially those to monitor compliance of social safeguards during project implementation, REA has always used consultants to compliment the technical staff to execute projects.

REA is headed by an Executive Director (ED), who is supported by senior managers of: Investment Planning and Promotion, Project Development and management, Energy for Rural Transformation, Legal and Board Services (housing the Way leaves Unit) and Finance and Administration. In addition, there are functions of: Internal Audit headed by Internal Auditor, Procurement and Disposal manned by Head Procurement and Disposal, and public relations. The REA ED, management and entire workforce of 82 members (currently) oversee the rural electrification program in Uganda.

REA has efficient and high quality financial and internal control systems to ensure proper utilization of funds, accountability and safeguard against corruption. All procurements are done in accordance with the Public Procurement and Disposal of Public Assets (PPDA) Act and other donor regulations including the World Bank Procurement Guidelines and procedures. Besides, REA has an independent Contracts Committee (CC) appointed by the Secretary to the Treasury in accordance with the PPDA Act.

Financial reports are prepared in line with the requirements of the Electricity Act (Establishment and Management of the Rural Electrification Fund) Statutory Instrument No.75 of 2001 and the Public Finance and Accountability Act 2003 and its Regulations. The Office of the Auditor General conducts annual audits of the Financial Statements of REA and reports are presented to Parliament. In addition, REA prepares technical reports that are presented to the Board and the Minister. Annual Reports are also prepared and presented to stakeholders.

The Executive Director of REA will be responsible for the ERT III project implementation. The ERT III project will be housed in the Energy for Rural Transformation Department (ERTD) at REA which will be overall Project Coordination Unit (PCU) for ERT III project. It will be responsible for planning, coordination, monitoring and evaluation, and the implementation of all activities of ERT III Project in consultation with the other implementing agencies while closely relating with the Bank. The department currently lacks a Social Development Specialist to screen project activities for involuntary resettlement, guide the preparation of RAPs (including

clearance of TORs, draft RAPs, reporting etc.) and monitor the implementation of RAPs and before the implementation of ERT III. Currently the activities of a Social Development Specialist are being performed by a Community Outreach Officer assisted by a Way leaves Officer and an Environmental Specialist. The recruitment of a Social Development Specialist who will be under the Department of Project planning and Development headed by a Manager will be effected in the next Financial year 2014/15.

The other external players are stated below:-

5.2 Ministry of Finance, Planning & Economic Development

The Ministry of Finance, Planning and Economic Development derives its mandate and functions from the 1995 Constitution of the Republic of Uganda and other related subordinate laws, including; the Budget Act (2001), the Public Finance and Accountability Act (2003) and acts establishing agencies and auxiliary organizations. Accordingly, the Ministry plays a pivotal role in the co-ordination of development planning; mobilization of public resources; and ensuring effective accountability for the use of such resources for the benefit of all Ugandans. MoFPED will play overarching role of impact monitoring of ERT III especially changes in livelihood indicators. Accordingly, the Poverty Monitoring and Analysis Unit in the Ministry undertake regular M&E of Rural Electrification to assess the impact of the initiatives on the quality of life of the people. REA has to coordinate its M&E strategies and operations with the MoFPED.

5.3 Ministry of Local Government

The Ministry of Local Government is involved in sensitization campaigns at the local level and also advocates for local governments and the rural population to benefit from the ERT program. REA works closely with the Ministry to forge strong linkages with Local Authorities in the various Local Governments. The Chairperson of the Uganda Local Authorities Association (ULAA) attends the Annual Meetings of RE Stakeholders. Much as the MoLG will not have a separate component under ERT III, REA will continue collaborating with the Ministry in the implementation of its activities.

5.4 Ministry of Agriculture Animal Industry & Fisheries

The Ministry of Agriculture, Animal Industry & Fisheries (MAAIF) was involved in the ERT I and II to support the agricultural modernization program (PMA and NAADS). MAAIF's involvement is geared towards increasing incomes by raising farm productivity through use of renewable energy. The ERT agricultural support component identified key projects where energy is a major constraint like coffee, tea and fish processing; horticulture production, processing and

marketing; dairy and poultry production. Since in its RE activities, REA targets rural enterprises including agricultural enterprises, this role will be coordinated by REA. REA will ensure effective coordination and harmonization of incentive measures for RE development in the country.

5.5 Ministry of Health

The Ministry of Health is involved in ERT projects targeting improvement of health institutions, diagnostic services/laboratory equipment, cold storage for blood and vaccines, water supply pumping and heating, communication, health education and data management. The strategy is to promote the use of electricity and other renewable sources of energy to improve energy efficiency and management in the health sector. Under the ERT III, MoH will continue to implement solar PV systems for health centers in remote areas in collaboration with REA.

5.6 Ministry of Education & Sports

The mandate of the Ministry of Education and Sports (MoES) is to provide quality Education and sports services in the country, which are constitutional obligations for the Government of Uganda. The Education and Sports sector therefore is one of the country's key social service delivery sectors because it delivers critical government programmes such as Universal Primary Education (UPE), Universal Post Primary Education and Training (UPPET) as well as sports for enhancing citizens; wellness/health, productivity and the country's image. Under the ERT III, MoES will continue to implement solar PV systems for schools in collaboration with REA. Provision of solar panels which is the main mandate of the MoES under the Project may not trigger land acquisition issues but in the event that such expertise is needed the MoES may utilize the staff already recruited to monitor social safeguards issues for other projects running with support from the World Bank.

5.7 Ministry of Water, Lands & Environment

The Ministry of Water, Lands & Environment, Department of Water Development (DWD), aims at improving water supply services through the adaptation of appropriate energy packages to water supply systems in small towns and rural growth centers. REA has to encourage investment in small power projects to support the realization of the vision of “water for all” within the shortest time possible. Under the ERT III, MoWE will continue to implement solar PV systems as well as grid extensions for water pumping stations in collaboration with REA.

5.8 Ministry of Works, Housing & Communications, National Forestry Authority (NFA) and Uganda Wildlife Authority (UWA).

The Ministry of Works, Housing & Communications is responsible for infrastructure policy and development including: roads and communications. REA collaborates with MoWHC especially on utilization of road reserves. In the same way, REA collaborated with NFA and UWA on utilization of way leaves through forest reserves and national parks respectively.

5.9 Electricity Regulatory Authority

The Electricity Regulatory Authority (ERA) was established by the Electricity Act of 1999 as a regulator and licensing authority for electricity projects in the Country. Most electricity activities have to be licensed and the process begins by issue of a feasibility study permit and ends with the issue of a full-blown investment license. ERA works very closely with REA in all stages of licensing and setting of electricity tariffs. ERA also approves the housing wiring Certificates for the technicians (wiremen) who are the only ones recommended to wire houses. ERA has limited capacity to monitor safeguard issues since they are not directly concerned with land acquisition issues in their operation during ERT III implementation.

5.10 Uganda Communication Commission

The UCC was established to implement the provisions of the UCC Act 2013 of the Laws of Uganda with a principal goal of developing a modern communications sub-sector and infrastructure in Uganda, in conformity with the operationalisation of the Telecommunications Policy. During the ERT III, the ICT interventions (computers and internet connections) in schools and health centers will be implemented by the line ministries in collaboration with UCC.

5.11 The Uganda Energy Credit Capitalization Company

The Uganda Energy Credit Capitalization Company (UECCC) is in place to facilitate investments in Uganda's high-potential Renewable Energy Sector. UECCC's mandate is to provide a reliable framework for pooling resources from Government, Investors and Development Partners and to channel the same to viable renewable energy projects. The Company's main objective is to provide financial, technical and other support for renewable energy infrastructure development in Uganda, with particular focus to enabling private sector participation. In this regard, UECCC provides Technical Assistance and new financing options to facilitate private sector led energy projects. UECCC will utilize portions of ERT III resources to facilitate local commercial finance by providing credit enhancement products such as partial risk

guarantees, other refinance facilities. UECCC is under MEMD therefore their capacity to implement social safeguard issues is inadequate.

5.12 Private Sector Foundation Uganda-PSFU

PSFU is Uganda's apex body for the private sector made up of 81 business associations, corporate bodies and the major public sector agencies that support private sector growth. Since its founding in 1995, PSFU has served as a focal point for private sector advocacy as well as capacity building and continues to sustain a positive dialogue with Government on behalf of the private sector. Right from its inception, PSFU has been Government's implementation partner for several projects and programmes aimed at strengthening the private sector as an engine of economic growth. Such programmes include; the implementation of the Business Uganda Development Scheme (BUDS), the BUDS-Energy for Rural Transformation (ERT) programme and advising government on positive policy reforms.

Under ERT III, the PSFU will continue with their successful investment components such as Power Factor Correction Equipment, Solar Water Heaters and Private Sector Small Hydropower Development and Productive use of energy that they piloted under ERT I. No capacity to implement social safeguard issues yet implementation of private sector small hydropower development projects may trigger land acquisition issues.

5.13 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 replacement cost for land and buildings and current market rates for crops and trees approved by the respective districts. Where this is not possible, the Chief Government Valuer (CGV) 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.

5.14 Local Government Administration Structures

District and Local Council Administration in ERT III Districts will be vital in implementation of the project by mobilizing political goodwill and sensitizing communities on the project. The District Local Governments through the District Land Boards are also responsible for determining the compensation rates for crops and trees that are usually impacted during the grid line constructions.

5.14.1 District Community Development Officers

REA works closely with the Local Government Authorities during project implementation. The CAO usually appoints a focal point officer to coordinate REA project activities and in most cases the Assistant Chief Administrative Officers are appointment. However the DCDOs come in handy during the sensitization and site meetings with the PAPs given their expertise in dealing with communities. Therefore DCDOs work closely with the ACAO to assist REA monitor the respective areas of project during implementation to ensure that communities are adequately compensated and the vulnerable categories are given special assistance They will also attend the monthly site inspection meetings for the project and be able to point out issues of concerns. The capacities of the DCDOs needs to be strengthened in terms of training in Management of Land Acquisition Resettlement and Rehabilitation to boost their expertise in monitoring social safeguard issues that may arise during ERT III project implementation.

5.14.2 The Contractors

The Role of the Contractor, which as per the contract will be accountable for the overall implementation of the mitigation measures and this will be monitored and supervised by the REA Social Development Specialist. As such, a RAP will be prepared by REA (Department of Project Planning and Development) for each sub-project. In the schedule of works, the Contractor will include all proposed mitigation measures, and the Supervising Engineers will also ensure that, the schedules and monitoring plans are complied with. This will lend a sense of ownership to the Contractor. The Contractor on his part will also be responsible for planning, implementing and reporting on mitigation measures [to the REA Social Development Specialist during the execution of the project works. It should however be noted that most contractors disregard social issues and therefore have limited or no capacity to handle social safeguard issues. Therefore during the procurement of the contractors, the terms of reference must include having a social development specialist or sociologists as one of the team members that must have undergone training in land acquisition and resettlement since the contractors are core in impacting communities on land acquisition during the execution of their work.

5.14.3 Private Sector

The private sector is supposed to play a major role in the implementation of ERTIII by:-

1. Investing in the construction projects for ERTIII
2. Operating and managing the project
3. Recouping their investment as well as maintenance and operating costs.

5.1 World Bank

The World Bank will be responsible for regular review and timely approval of the RAPs, as well as independently monitoring the project's environmental and social performance in relation to the respective safeguards. World Bank will also be responsible for reviewing regular monitoring reports and officially disclosing the RAPs on its website. Technical guidance may also be provided by World Bank to REA as needed.

5.2 Capacity Assessment Needs

Though there are a number of key players as elaborated above, the capacity to implement and monitor compliance of this RPF will mainly be left for REA since the land acquisition issues that may arise as a result of the implementation of ERT III are those activities in Component 1: concerning Rural Energy Infrastructure whose target is to connect all social amenities in the rural project areas. The capacity needs assessment established that; currently the activities of a Sociologist are being performed by the Department of Legal and Board Services (that houses a Wayleaves Unit) that is designated among other things to handle wayleaves acquisition including RAP implementation. Wayleave is defined as:

'A wayleave is an easement or right-of-way granted by a land or property owner for development, say for erection and laying of power lines, water mains, sewers, telephone cables or for a foot path'

Therefore much as land take will not be needed in the process of erecting power lines, as REA only uses the land for right of way, the affected land is not permanently taken by REA as is the case with UETCL's high voltage transmission lines. After the erection of the pole the owner of land continues to use the land with caution of not planting high growing crops such as matooke or trees. However REA/or the operating agency remains with the right to maintain and/or clear any vegetation or crops that are likely to cause danger or disruption of the power line. However, it is noted that even when land take is temporary, peoples livelihood may be affected, structures and other assets destroyed etc and so a RAP may still be needed.

The Department is headed by the Manager supported by the Legal Officer, a Wayleaves Officer and a temporal wayleaves Assistant. The department is over stretched given that REA Projects are many and spread all over the country. They are currently supervising the implementation of ERT II RAPs yet there are other donor projects ongoing and have similar requirements. This affects the supervision of wayleaves consultants and may lead to delays and misunderstandings in the valuation processes. For this matter, REA has embarked on the process of recruiting 2 Way leaves Officers and Social Development Specialist. The Board has already approved their recruitment and this has been budgeted for in the next financial year 2014/15. It is therefore

expected that a qualified Sociologist to oversee and monitor compliance with social safeguards and this RPF will be in house before the implementation of the ERT III project commences. One Social Development Specialist will be enough for the time being as he/she will be required to put in place social management and monitoring systems that can be used by other team members. When there are so many projects, REA usually outsources the services of a Sociologist and also sometimes recruits temporary staff or uses University interns.

5.2.1 Institutional Strengthening

As already noted above, REA has already thought for approval from its Board to recruit 2 Wayleaves Officers and a Social Development Specialist in the next financial year 2014/15 (beginning July 2014) before ERT III project implementation starts.. These will go along way to boost the current capacity to manage the social safeguard requirements for the many projects being implemented.

In addition, all the new staff plus all the current project Engineers and some contractor staff will be sensitized and taken through the **Management of Land Acquisition Resettlement & Rehabilitation (MLARR) training initiated by World Bank and co-facilitated in a private Social Economic Empowerment Consortium (SEEC)** . This will help them to appreciate social safeguard issues and will reduce on incidences where power lines have to be stopped or diverted just because the project Engineers and contractors have not handled the situation on the ground well. There are times when line routes are changed by the contractors yet the Wayleaves Unit is not informed the contractors should be able to handle the sensitization on the ground. This has been one of the reason for unfinished compensations. **The World Bank is scheduled to hold another MLARR in June 2014 it is therefore recommended that the above mentioned staff benefit from this program. Where the REA/MEMD/Other Implementing Agencies' including contractors safeguard team may not join the mainstream training, specific tailored course should be arranged. The funds for this trainings have already been budgeted as part of USD. 5.3 Million Dollars earmarked by REA**

6. LAND ASSET CLASSIFICATION, VALUATION AND COMPENSATION

Under Ugandan law, valuation and compensation are based on rates set at district level for crops and non-permanent structures. These rates, which are enacted by District Land Boards, are established and updated at District level but approved by the Chief Government Valuer. It should be noted however that, unlike for crops and semi-permanent structures, land value is not determined by districts. Permanent structures and land are valued based on market value.

Under the 1998 Land Act, the District Land Tribunal shall, in assessing compensation referred to in paragraph (b) of subsection (1) of section 77 take into account the following:

- a) In the case of a customary owner, the value of land shall be the Market Value of the unimproved land;
- b) The value of the buildings, which shall be taken at market value in urban areas and depreciated replacement cost in rural areas;
- c) The value of standing crops on the land, excluding annual crops which could be harvested during the period of notice given to the owner, tenant or licensee.

In addition to compensation assessed under this section, there shall be paid as a Disturbance Allowance of fifteen per cent or if less than six months' notice to give vacant possession is given, and thirty per cent of any sum assessed under subsection (1) of this section. However according to the World Bank OP 4.12 all compensations both in rural and urban areas will be based full replacement cost and this standard will apply to the ERT III project.

6.1 Valuation for State Owned Land

The land asset types identified under Ugandan Law are State Lands and Lands under traditional or customary rights.

State owned land may be allocated for free or sold on a commercial basis to individuals or communities by the Minister responsible for land administration. For cases where the state-owned land is being used by the public (for instance as settlements, for farming, for grazing or any other productive activity,) the individual or the community would be expected to pay compensation. Privately owned property, would have to be compensated for land and other permanent property at the market value. The general guiding principle is that whoever was using the land to be acquired would be provided with alternative land of equal size and quality.

6.2 Valuation for Customary Land

The ERT III activities especially of Component 1 will definitely require land under customary tenure which is the prevailing land tenure system in most of the rural areas in Uganda. In this

case, valuation methods for the affected land and assets should conform to customary laws and land assets would be valued and compensated for according to the following guidelines:

- The communities would be compensated for assets and investments (including labor, crops, buildings, and other improvements) according to the provisions of the resettlement plan,
- Compensation rates would be replacement costs as of the date that the replacement is to be provided.
- The market prices for cash crops would have to be determined and used,
- Calculations for compensation would not be made after the cut-off date, in compliance with this policy,
- For community land held under customary law, the permanent loss of any such land will be covered by compensation in kind to the community.

In general, cash compensations are paid based upon market value of the crops. The affected persons are, in some cases, entitled to new housing on authorized land under government housing programs. Under the customary law, land is given in compensation for land.

6.3 Calculation of Compensation at Replacement Cost

In case of land-based livelihoods, preference shall be given to land-for-land compensation; land shall be in equal value in terms of productive value, and other factors (see OP 4.12).

In determining the amount of cash compensation to be given for any land or any estate therein or the potential profits thereof, the following will be taken into account:

- The value of such lands, estates or interests or profits at the time of the emission of the notice to acquire, and will not take into account any improvements or works made or constructed thereafter on the lands,
- 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 ERT III, and
- 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 taking into consideration the value at replacement cost). For compensation in kind, items such as land, houses, other buildings, building materials, crops trees seedlings, agricultural inputs and financial credits for equipment will be included. Assistance may include moving allowance, transportation and labor.

6.3.1 Compensation for Land

Compensation for land is aimed at providing for loss of land, loss crops, trees and the time and labour used to cultivate these should also be taken into account. Compensation will cover the market price of the land, the cost of the labour invested, as well as the replacement cost of the crops and trees lost.

6.3.2 Determination of Crop Compensation Rates

Market prices for cash crops would have to be determined for each type of crop and tree lost. This rate should incorporate the value for the crop. and the value for the labor to be invested in preparing new land.

6.3.3 Compensation for Cultural Assests including Graves

Several shrines, graveyards and possessed trees may be destroyed during the line construction. Such sites may be highly valued by the communities for reasons such as problem solving, decision making, protection against epidemics and enemies, tourist sites and for prestige (gods). The project should as much as possible avoid to affect such sites. Nevertheless, should land with such sites have to be taken for the ERTIII project, relicsshould be relocated as much as possible or else or compensated for, in close consultation with affected communities, and the customary rituals should be performed beforehand. Related costs should be included in the budget of the relevant RAP. REA/Other implementing Agencies should use the services of a Cultural Resources Specialist to assist in coming up with appropriate measures and compensation rates for these sites.

The contractors also have an option of avoiding to place electric poles directly on these sites. Maximum care should be taken to avoid these sites because relocating them may be undesirable and cumbersome. Furthermore, the designs should be carefully drawn to avoid the placement of poles in graveyards or shrines or other sacred sites and should allow for some adjustments in case they are encoutered.

6.4 Dispute Resolution and Grievance Mechanism

For ERT III the Dispute Resolution and Grievance Mechanism will depend on Local grievance redress committees (LGRC) which will be initiated at the village or Sub County level to record grievances and also help in mediation. These committees will comprise the LC I Chairperson, a trusted village elder, a religious representative, a PAP representative and specific vulnerable group representatives of relevance to the village i.e. women and the disabled who will be elected by the PAPs save for the LC I who is known and may not necessarily be a PAP. Disputes will be resolved at the village level as far as possible. At the District Level, the Grievance Redress Committee will be established [as an appeal mechanism] to deal with any grievances unsettled at the village level. The Grievance Redress Committee at the district level 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 REA (may appoint temporary field officers, use interns or out source grievance officers depending on the need)

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 providing advice on grievance resolution as well as compiling records of all ERT III grievances raised and their mediation for the whole district. Before the implementation of ERT III REA will have recruited one Social Development Specialist who will be charged with developing a social and management monitoring system which will be used by the rest of the team members.

7. LAND ADMINISTRATION AND CATEGORIES OF AFFECTED PERSONS

7.1 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 which is the date the census starts and the date PAPs sign a form detailing the affected properties
- All land conflicts will be resolved in a transparent (open) 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 had to State legal institutions on land ownership in Uganda.

7.1.1 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 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 proven 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 use/ownership is not subject to any 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 intend it for family.

7.2 Land Acquisition Mechanism for ERT III

7.2.1 Critical Issues

This Resettlement Policy Framework, for the ERT III project 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 ERT III program; and still have to compensated for.
- negotiate acquisition of land suitable for implementation of the ERT III project activities using agreed compensation plans that comply with the RAP prepared pursuant to this RPF and the standards set by OP 4.12 and;
- acquire land through involuntary means following the provisions outlined in this RPF

7.2.2 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 ERT III project-related activities, in return for negotiated compensation. Where this approach is taken, the entire process must first be described in the relevant RAP, which is subject to prior World Bank approval. Any such process should, as a minimum, be fully documented, and consent agreements should be banked by the District Land Board as well as the lower level local governments.

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 the ERT III Project, it is preferable to compensate all land acquisition for program activities.

7.2.3 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 be enabled to 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 and communities likely to be displaced will be informed at public meetings of their rights and the provisions of this Framework.

7.3 Categories of Project Affected People (PAPs)

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

7.3.1 Affected Households

A household will be affected if one or more of its members are affected by the ERT III project activities. This will be either in the form of loss of property or use of land loss of other assets, or access to services or socio-economic resources. Affected household members may 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.

7.3.2 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 communities such as women, children, the disabled, female and child headed households, and internally displaced

people. Internal conflicts, historical marginalization, poor infrastructure, and diseases still affect the region, with significant impacts on human welfare and quality of life.

7.3.3 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.

7.3.4 Voluntary Land Contributors

Under some development projects, especially community projects very similar to ERT III, 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. Where this approach is taken, the entire process should fully comply with the relevant RAP, as approved by the World Bank, and be documented; in any event consent agreements should be banked by the District Land Board as well as the lower level local governments

7.3.5 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 by involving them in the decision making processes regarding compensation. 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, literacy and other skills, or work experience compared to men.

7.3.6 Children and Child-headed Households

Children and adolescents (especially girls) are important elements in addressing vulnerability. Intergenerational ties link experiences between one generation and the next to the extent that fateful intergenerational experiences get transferred from one generation to the next. This means experiences related with social, symbolic and economic capital (especially high birth and illiteracy rates, and rigid social norms) make children and young girls more vulnerable than others. In many households, due to drop in income and living standards, children may never return to school, instead getting drafted into the labor market or into prostitution.

The situation even gets worse when children suddenly find themselves in situations where they are the sole bread earners for their younger siblings. This is even truer now in the HIV/AIDS pandemic where many families have had older (parents) bread winners wiped out. To cope with the sudden social change, older siblings become ‘foster’ parents to their young siblings without any experience family making.

Among the affected households, the child headed households are clearly the most vulnerable and consequently they will need special attention in terms of possible loss of livelihood and shelter, development and relocation assistance and management of compensation funds.

7.3.7 Customary Land Users without a Formal Title

These are the local people and are usually peasant farmers or pastoralists who may have customary rights to the land and other resources (crops and trees) taken away due to the ERT III project. 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. REA will have to consider the affected people in this category and work out and further describe in the Rap any compensation and resettlement package for them if the project affects them with respect to physical and economical land relocation and/or involuntary obstruction of entry to legally designated parks and protected areas.

8. SUB-PROJECT SCREENING, LAND ACQUISITION AND RESETTLEMENT

8.1 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, trees, fruits and household or business infrastructures such as houses, granaries, outside toilets, kitchens, market boots, and other structures; will the sub-project result in loss of community structures (such as churches, wells, schools, sacred sites) etc.?

8.2 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). Each RAP that will be drafted for an ERT III (sub-) project activity will have to specify the procedures it will follow and the actions it will take to properly resettle and compensate affected people and communities. Each 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 by REA on the basis of the objectives of the program.

Step 2: REA and implementing contractors 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 which will be initiated/managed by a Social Development Specialist in REA 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 and
- Whether [a RAP needs to be prepared

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 by REA .

Step 6: Where resettlement or loss of assets cannot be avoided, REA will determine and decide that the provisions of the World Bank’s OP 4.12 will be applied and a RAP prepared for each sub project /investment.

8.2.1 Resettlement Action Plan

In the event that resettlement cannot be avoided, a comprehensive Resettlement Action Plan will be prepared by REA for the respective subproject. The RAP shall, among others:

- Establish method for determining a cut-off date for compensation. In accordance with OP 4.12 and for each sub-project activities under the ERT III, 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 is the date the census is completed [should be the date of notification to owners/occupiers as provided under the Lands (land act) Act, 1995, where acquisition of land is involved.
- 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, and in any event will have to be consistent with OP 4.12.
- Elaborate on amount of losses, ownership status, tenancy status, and any other relevant information.

- Identify who and how impacted persons will be impacted, who will determine eligibility, and how the compensation 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 who will judge eligibility in difficult cases, for example by the use of neighborhood or village committees, or outside experts, and how such processes will work.
- Define categories of people eligible under national law, and, separately, any others who must be compensated because of the requirements of World Bank policy.
- 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). Describe the budget available for implementing the RAP (plus contingencies)

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 (census and socio-economic studies).
3. Uphold the principle of full replacement cost for lost assets, as well as improvement of livelihoods in compensating and assisting affected persons.
4. Contain deliberate activities and mechanisms to enhance capacity to efficiently manage the resettlement process. This must include strengthening existing capacity of REA as well as the 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 and a social economic survey shall be carried out to identify PAPs and the prevailing baseline conditions of the project area,
- 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 (including Displaced Persons) shall be informed of the method of valuation employed to assess their assets' albeit that compensation shall be no less than full replacement cost, in accordance with OP 4.12. All payments of Compensation, Resettlement Assistance and Rehabilitation Assistance, as the case may be, shall be made by the REA in the presence of the PAP(s) in question and a witness, and local officials. REA will be responsible for preparing the RAP, carrying out a census of PAPs and the affected properties, and implementing the resettlement process and compensation. The District Local Governments will monitor this process and give advisory services as required.

The project must keep documentation and provide reports that detail what actions were taken in these areas. Vulnerable people will be identified at census stage. Each RAP developed under ERT III will make precise provisions with respect to assistance to vulnerable groups, for example amongst assistance possibilities listed above.

8.2.2 Physical Cultural Resources Management Plan

The ERT III also triggers the World Bank's policy on physical cultural resources, OP 4.11, and it is important that the respective Resettlement Action Plans also identify the process for addressing impacts on cultural property (for ex, sacred sites). The Department of Monuments and Museums in the Ministry of Tourism, Wildlife and Heritage acknowledges that physical cultural heritage in Uganda has not been surveyed adequately and that potential monuments and other cultural resources may exist which are not known to it, implying that this is an area requiring further consideration in the ERT III subproject screening process to assist in recognizing potential resources.

9. STAKEHOLDER CONSULTATION AND DISCLOSURE PLAN

Consultations in relation to the RAP should occur at all stages, starting with inception and planning when the potential lands and alternative sites are being considered. A participatory approach is adopted as an on-going strategy throughout the entire project cycle starting with the RAP preparation. In this section the key issues arising from the consultations included: concerns about land ownership, access, and compensation. Due to limited experience with land acquisition in most of the localities [where the project will be active], skills to implement grievance mechanisms and compensation were deemed critical at both district and sub-county levels.

Public participation and consultations take place through individual, group, or community meetings. Additionally, radio programs and other media forms such as telephone messages may be used to further disseminate information. PAPs are consulted in the survey process; public notices where explanations of the sub-project are made; RAP implementation of activities; and during the monitoring and evaluation process. Selection of ways to consult, and expand participation by PAPs and other stakeholders, will take into consideration literacy levels prevalent in affected communities; gender, ethnicity and cultural aspects; and practical conditions (like distance). Refer to Annex 4 for a sample table of contents for consultation reports.

The role of traditional political and cultural leaders, including the community elders, in the participation strategy will be important. Each RAP team should ensure that these leaders and local representatives of PAPs are fully involved in designing the public consultation procedures. Two steps of information and consultation are proposed to be implemented in the course of the preparation of RAPs:

- 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, in an manner and form that is accessible to them, and can be easily understood
 - ✓ The engagement of the PAPs will take the form of one or more public meetings at project areas
- Consultation on draft RAPs: once these are available in draft form, they should be discussed with the affected communities, whose comments will be incorporated into final documents.

9.1 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

9.2 Consultation Phases

9.2.1 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 from REA will design the questionnaires but it will be the households, organizations, and institutions that will validate the effectiveness [of the questionnaire 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 and will be used.

9.2.2 Implementation phase

During implementation, PAPs will be informed about the project activities proposed in their area, their rights and options, as well as grievance redress mechanisms. 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.

9.2.3 Community involvement and sensitization

The affected persons should be engaged in active consultations as soon as it is anticipated that land may have to be taken for a project activity and they should have access to the Resettlement Action Planning and be encouraged to provide input. Consultations should happen in local language where possible; and 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. Communities within the project areas 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

9.2.4 Monitoring and evaluation phase

PAPs representatives will be invited to participate in the sub-project workshops at mid-term and at the end of RAP implementation. To the extent possible, each 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[s] 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 completing implementation of aRAP, PAPs will be invited to participate in a feedback survey as part of that RAP's independent impact evaluation exercise.

9.2.5 Notification Procedure

Affected persons will be notified in both a formal (in writing) and an 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. 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 REA 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.

9.2.6 Documentation

The names and addresses of affected persons will be compiled and kept in a database including records of claims and assets. REA 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).

9.2.7 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.

10. ELIGIBILITY CRITERIA AND DISPLACEMENT PROCEDURES

10.1 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 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 valid 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 valid 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, compensation for non land-assets (crops, structures) 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 of 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 be part of the census at the cut-off date.] None who has occupied the project area after the cut-off date will qualify for resettlement assistance under this RPF.

10.2 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 (census and socio-economic studies). 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, special attention shall be paid to ensure that the women in the household are present when compensation is paid. Women landholders whether or not they are heads of households, shall be compensated directly.

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, other vulnerable groups .

10.3 Cut-off date

In accordance with OP 4.12 and for each sub-project activity under the ERT III, **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 that the census starts because is when the PAPs are identified and hence notification to owners/occupiers as provided under the Lands (land act) Act, 1995, where acquisition of land starts on that date.

Once the relevant local authority has approved the sub-project, the Project Implementation Team from REA, and Compensation Committee will meet to discuss and agree on a program

of implementation. They will also choose tentative **cut-off dates**. The dates would then be communicated to the community through their respective representative in the District and Municipal Compensation Committees.

The entitlement cut-off date refers to the time when the the census begins i.e. assessment of persons and their property in the sub-project area is carried out, once the sub-project area has been identified. At around the same time, the site-specific socio-economic study is taking place. After the cut-off date, no new cases of affected people will be considered. The establishment of **a cut-off date** is required to prevent opportunistic invasions/rush migration into the chosen land areas thereby posing a major risk to the sub-project. In accordance with OP 4.12 and for each sub-project activity under the ERT III project, a cut-off date will be determined, taking into account the likely implementation schedule of the activities. (More emphasis and the importance of the cut off date is on page 92 under the eligibility of criteria)

Where there are clearly no identified owners or users of land or assets, the respective Regional Lands Board and Land Use Administration will notify the community leaders and representatives to help to identify and locate the land users. These leaders and representatives will also be charged with the responsibility to notify their members about the established cut-off date and its significance. The user(s) will be informed through both formal notification in writing and by verbal notification delivered in the in the presence of the community leaders or their representatives.

10.4 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, albeit that in case of inconsistency between these standards, the one most advantageous to the PAPs shall apply.

Compensation at replacement cost for land and buildings and market prices for crops and trees will be paid only to those persons, who prior to the cut-off date:

1. Have formal legal rights or a valid claim to the land in case of compensation for land;
or
2. Who have property (for ex. a house, crops, trees, or business) situated in the area identified for development.

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 8: Eligibility criteria

Category of affected persons	Assets include:	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 commercial/ business properties, tenancy, income earning opportunities, and social and cultural networks and activities	To be provided compensation for land lost with preference given to “land-for-land” replacement (of equal value in terms of productive potential and location) or, if not possible, cash compensation taking into account market values/replacement cost. Compensation for loss of non-land assets. Relocation and other assistance. Compensation to be granted to communities for community assets.
Persons with customary claims of ownership or use of property recognized by community leaders (including the landless and migrants)		To be provided compensation for land and other assets lost taking into account market values at replacement cost. Users to be provided with alternative lands (of equal value in terms of productive potential and location) to use. Relocation and other assistance.
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. Compensation for loss of non-land assets at replacement cost.
Persons encroaching on land after the notification		Not eligible for compensation or any form of resettlement assistance

Table 9: Entitlement and Compensation Matrix (Replacement cost)

Asset acquired	Type of Impact	Entitled Person	Compensation Entitlement
Agricultural land	No Displacement: - Cash compensation for affected land equivalent to market value, provided that the remaining land remains economically viable	Farmer /Title holder	Cash Compensation for affected land equivalent to market value
		Farmer/titleholder	Cash compensation for the harvest of affected land equivalent to the average market value/replacement cost 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.
		Tenant /Leaseholder	
		Squatter	Cash compensation for the harvest of affected land equivalent to the average market value/replacement cost 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.

	Displacement: - If more than 20% of the land holding is lost or less than 20% 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. 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/replacement cost 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) At replacement cost.
		Squatter	Cash compensation equivalent to the average market value/replacement cost 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. Resettlement assistance.
		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	No Displacement: - Land used for business partially affected	Title Holder / Business owner	Cash compensation for affected land, 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.
	Displacement: - 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. 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. PAPS allowed to salvage materials without deduction from compensation.
		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/lease alternative land, property for a maximum of six months to re-establish business. PAPS allowed to salvage materials without deduction from compensation.
Residential land	No Displacement: - 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
	Displacement: - Premise used for residence severely affected remaining area not sufficient for continued use or becomes smaller than minimally acceptable under the Town and country planning Act	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 whichever is larger in 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. In addition relocation assistance to be paid ((costs of shifting + allowance)
Building and Structures	No Displacement: - Structure partially affected, but remaining structure remains viable for continued use	Land Owner	Cash compensation for affected building and other fixed assets at full replacement cost Cash assistance to cover costs of restoration of remaining structure Right to salvage materials without deduction from compensation
		Rental / Lease Holder/ squatter/informal dwellers	Cash compensation at full replacement cost for affected assets (verifiable improvements to the land or leased property by the PAP -e.g. fence, buildings) Right to salvage materials without deduction from compensation. Disturbance compensation to the tenant equivalent to two month's rental costs
	Displacement: - Entire structure affected or partially affected but remaining structure not	Land Owner	Cash compensation at full replacement cost for entire structure and other fixed assets without depreciation or alternative structure of equal or better size and quality in an available location

	suitable for continued use		<p>which is acceptable to PAP. Right to salvage materials without deduction from compensation.</p> <p>In addition relocation assistance to be paid ((costs of shifting + allowance) + Rehabilitation assistance if required</p>
		Rental Holder /Lease	<p>Cash compensation at full replacement cost for affected assets (verifiable improvements to the property by the tenant -e.g. fence) - right to salvage materials of said improvements without deduction from compensation</p> <p>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</p>
		Squatter dwellers /Informal	<p>Cash compensation at full replacement cost for affected structure without depreciation + Right to salvage materials without deduction from compensation.</p> <p>In addition relocation assistance to be paid ((costs of shifting + allowance) + Rehabilitation assistance if required</p> <p>Alternatively assisted to find accommodation in rental Housing or in a squatter settlement scheme if available.</p> <p>Assistance with Job placement/skills training</p>
Community owned structures	Structures affected graveyards, schools, religious houses & meeting places	Entire community	Land for land replacement where feasible or compensation in cash for the entire land holding according to PAPs (communities) 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 community)
Standing Crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant or squatter)	When arrangements cannot be made to harvest, cash compensation equivalent to average of at least three years market value for the mature and harvested crops.
Trees	Trees lost	tree owner	Cash compensation based on number type age and productive value of affected trees + 10% premium Government Agencies like NFA may provide land for REA to plant trees as a form of compensation
Temporary Acquisition of land affecting other assets	Temporary acquisition (land needed by the contractor e.g. for storage of materials while on duty but can be reverted to owner after construction	PAP (whether owner, tenant or squatter)	Cash Compensation for any assets affected at full replacement cost e.g. boundary wall demolished, trees removed.

activities are over)		
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10.5 Women, Children and other Vulnerable Groups

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. Considered to majorly comprise vulnerable people Assistance to these 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.

10.6 Displacement of People

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

- (a) The entitlement cut-off date shall be the date the census starts and agreed compensation rates upon 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 in consultation with PAPs;
- (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. This 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.
- (e) Timely completion of compensation should be encouraged to avoid unnecessary complaints due to undervaluation; compensation must be paid before the land is taken and cleared.

11. ENTITLEMENTS AND VALUATION METHODS

11.1 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 at full replacement cost. 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.

11.2 Specific Compensation Components

The extent of land acquisition impact could not be established since the technical designs and details have not yet been developed and the land needs have not yet been fully identified. These impacts will be determined when the RAPs for the specific sub-projects are finalized. However, it is worth noting that REA only compensates for Crops and Trees which fall in the required wayleaves of the power line unless the if the plot is small and the pole support strings occupy all of it then the owner is compensated for that land.

Compensation for Land

Compensation for land is aimed at also 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 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.

Compensation for Public Trees managed by National Forestry Authority

Powerlines usually pass through planted forests by NFA. Compensation should not only be for the trees destroyed but for the total value of the forest by calculating the total area destroyed

including trees, carbon values, non-timber products such as Eco-Tourism, medicinal values, and water catchment values. NFA can also give land in one of their CFRs and REA plants trees.

11.3 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 and the market values. The World Bank policy of compensation at full Replacement Cost shall be adopted instead..

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 at market value for the affected owners.

Houses and other structures - it is the full 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 is expected to be minimal. The farmers will be incorporated into the activities of the project. It is the intention of ERT III 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 full replacement cost standard op OP 4.12. Such additional measures are distinct from resettlement assistance to be provided under other clauses in OP 4.12, paragraph. 6. The valuation of the assets will be done with the engagement and participation of the PAPs. 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 receive compensation commensurate with their losses as well as the opportunity to improve their livelihoods.

12. PROCEDURE FOR DELIVERY OF COMPENSATION

12.1 Consultation and Public Participation

Consultation and public participation with the PAPs will be needed as part of the preparation of the RAPs and throughout RAP implementation. This consultation and public participation will be on-going process that will be expected to continue in all stages. This will ensure that all affected individuals and households are well informed and adequately involved in the entire compensation and resettlement process.

12.2 Notification of Land Resource Holders

All PAPs identified in the census will be informed through the consultation process above. Consultation and information should not be limited to clearly identified owners or users of land to be acquired, REA, and the respective local government administrations through the lands officers and the local council 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.

12.3 Documentation of Holdings and Assets

REA either through an internal team or through a consulting firm will undertake a detailed social economic survey and a census of all losses that will result for each household, enterprise, or community affected by the ERT III. 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, cultural resources, sacred sites 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 REA.

Therefore, the Community workers of the Districts and Town Council 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 REA. 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.

12.4 **Procedures for Payment of Compensation**

In case of cash compensation, payment will be made in the following ways:

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

- The REA will offer compensation in cash or kind complying with the entitlement matrix at full replacement cost 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).
- For ERT III REA is considering to contract a bank to provide compensation services to PAPs and all the bank costs will be paid by REA.

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

(C) Compensation to women landholders shall be paid to them directly & where male head of household is paid cash compensation, women of the family shall be enabled to witness]

12.5 **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 full replacement costs at local market rates. 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.

13. MANAGEMENT AND MONITORING OF RPF IMPLEMENTATION

13.1 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 REA. 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 and the relevant RAP prepared hereunder.

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 REA 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 program 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.

13.2 Implementation of the RAP on the Ground

The implementation activities will be under the overall guidance of the REA. 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.

14. GRIEVANCE MECHANISM

14.1 Grievance Prevention

There are many ways to proactively solve issues before they even become grievances. Implementers should be aware and accept that grievances do occur, that dealing with them is part of the work, and that they should be considered in a work plan. Implementers should do the following:

14.1.1 Provide sufficient and timely information to communities.

Many grievances arise because of misunderstandings; lack of information; or delayed, inconsistent, or insufficient information. Accurate and adequate information about a project and its activities, impacts, remedial measures and an approximate implementation schedule, should be communicated to the communities, especially PAPs, regularly. Appropriate communication channels and means of communication should be used.

14.1.2 Conduct meaningful community consultations.

REA should continue the process of consultation and dialogue throughout the implementation of the project. Sharing information, reporting on project progress, providing community members with an opportunity to express their concerns, clarifying and responding to their issues, eliciting communities views, and receiving feedback on interventions will benefit the communities and the project management.

Community Expectations When Grievances Arise

When local people present a grievance, they generally expect to receive one or more of the following:

- Acknowledgment of their problem
- An honest response to questions about project activities
- An apology
- Compensation
- Modification of the conduct that caused the grievance
- Some other fair remedy.

In voicing their concerns, they also expect to be heard and taken seriously. Therefore, REA must convince people that they can voice grievances and the project will work to resolve them without retaliation.

Procedures and Time Frames

There is no ideal model or one-size-fits-all approach to grievance resolution. The best solutions to conflicts are generally achieved through localized mechanisms that take account of the specific issues, cultural context, local systems, and project conditions and scale. In its simplest form, a grievance mechanism can be broken down into the following primary components:

- Receive and register a complaint.
- Screen and validate the complaint.
- Formulate a response.
- Select a resolution approach, based on consultation with affected person/group.
- Implement the approach.
- Settle the issues.
- Track and evaluate results.
- Learn from the experience and communicate back to all parties involved.

14.1.3 Build capacity for project staff, particularly community facilitators and other field-level staff or Contractors.

The field-level staff of REA or Contractors should be provided with adequate information on the project such as project design, activities, implementing schedules, and institutional arrangements as well as enhanced skills in effective communication, understanding community dynamics and processes, negotiation and conflict resolution, and empathizing with communities and their needs. Building trust and maintaining good rapport with the communities by providing relevant information on the project and responding effectively to the needs and concerns of the community members will help solve issues before they even become grievances. It is also important that field-level staff and Contractors provide regular feedback on their interactions with the communities to REA.

14.2 Mechanism under ERT III

Local grievance redress committees (LGRC) will be initiated at the village or Sub County 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 including 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 REA 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 providing advice on grievance resolution as well as compiling records of all ERT III grievances raised and their mediation for the whole district. The grievance mechanism for the implementation process is as follows:

- a. The LGRC will interrogate the PAP in the local language and complete a Grievance Form which will be signed by the leader of the LGRC and the PAP/complainant. This will then be lodged in the Grievance Log/Register provided by the Grievance Officer;
- b. The PAP should expect a response from the LGRC within seven days of filing the complaint. If the issue is not resolved, the LGRC will forward the complaint to the GRC at the Sub-county level, which is more accessible to local Communities. At this level the Assistant CDOs will be

the focal point persons, and members would be the LC III Chairperson, Sub-county Cheif, Coucilor of the Parish where the PAP comes from. If the grivance is still not resolved at this level then it is forwarded to 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 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 for land-related issues and to REA head office for all other grievances;
- 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 or REA top management in Kampala, 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

14.3 **Steps of the grievance process are described below.**

14.3.1 Step 1: Receipt of complaint

A verbal or in written complaint from a PAP will be received by an assigned Grievance Officer (refer to Table: 10 and recorded in a grievance log (electronically if possible) which will be held in each Sub-county/District.

Table 10: Role of a Grievance Officer

A Grievance Officer (GO), who is a member of the Project Implementation Team, will lead the grievance mechanism. Principal responsibilities of the GO will include:

- Recording the grievances, both written and oral, of the affected people, categorizing and prioritizing them and providing solutions within a specified time period.
- Discussing grievances on a regular basis with the Working Group and coming up with decision/actions for issues that can be resolved at that level.
- Informing the Steering Committee of serious cases within an appropriate time frame.
- Reporting to the aggrieved parties about developments regarding their grievances and decisions of the Steering Committee.
- Providing inputs into the monitoring and evaluation process

There will be need for the grievance team to hold meetings at sub-county headquarters where grievances are received by a contact person such as the Sub-county chief who would then hand over received complaints to the Sub-county/District GO, for entering into the grievance log using the grievance form. The log would indicate grievances, date lodged, actions taken to address or reasons the grievance was not acted on (i.e. the grievance was not related to the resettlement process); information provided to complainant and date the grievance was closed.

Grievances can be lodged at any time, either directly to the Sub-county/District Office or via the grievance committee member. The process for lodging a complaint is outlined below:

- a) The GO will receive a complaint from the complainant.
- b) The GO will ask the claimant questions in their local language, write the answers in English and enter them in English onto the Grievance Form (refer to sample form in Annex 7).
- c) A representative of an independent local organization) witnesses translation of the grievance into English.
- d) The GO reads the complaint in English and translates it into the complainant`s local language on the Grievance Form.

- e) The local leader and the complainant both sign the Grievance Form after they both confirm the accuracy of the grievance.
- f) The GO lodges the complaint in the Grievance Log.

It will be important that all PAPs have access to the grievance process.

14.3.2 Step 2: Determination of corrective action

If in their judgment, the grievance can be solved at this stage and the GO and a representative of an independent organization will determine a corrective action in consultation with the aggrieved person. A description of the action; the time frame in which the action is to take place; and the party responsible for implementing the action will be recorded in the grievance database.

Grievances will be resolved and status reported back to complainants within 30 days. If more time is required this will be communicated clearly and in advance to the aggrieved person. For cases that are not resolved within the stipulated time, detailed investigations will be undertaken and results discussed in the monthly meetings with affected persons. In some instances, it may be appropriate to appoint independent third parties to undertake the investigations.

14.3.3 Step 3: Meeting with the complainant

The proposed corrective action and the timeframe in which it is to be implemented will be discussed with the complainant within 30 days of receipt of the grievance. Written agreement to proceed with the corrective action will be sought from the complainant (e.g. by use of an appropriate consent form). If no agreement is reached, Step 2 will be re-visited.

14.3.4 Step 4: Implementation of corrective action

Agreed corrective actions will be undertaken by the Project or its contractors within the agreed timeframe. The date of the completed action will be recorded in the grievance database.

14.3.5 Step 5: Verification of corrective action

To verify satisfaction, the aggrieved person will be approached by the Grievance Officer to verify that the corrective action has been implemented. A signature of the complainant will be obtained and recorded in the log and/or on the consent form (see Step 3). If the complainant is not satisfied with the outcome of the corrective action additional steps may be undertaken to reach agreement between the parties. If additional corrective action is not possible alternative avenues may be pursued.

14.3.6 Step 6: Action by local leaders and project contractors

If the GO and independent observer cannot solve the grievance, it will be referred to relevant parties such as local leaders, District Officers, Construction Contractor, Valuer and MEMD, for consultation and relevant feedback provided.

14.3.7 Step 7: Action by Grievance Committee

If the complainant remains dissatisfied and a satisfactory resolution cannot be reached, the complaint will be handled by the Grievance Committee. A dedicated Grievance Committee will be established to assess grievances that arise from disputes. This will include the following members:

- a) District Land Officer Surveyor;
- b) Representative of the Valuer; and
- c) Grievance Officer.

This committee must have a quorum of at least three persons. Decisions will be reached by simple majority. The Grievance Committee should be constituted for as long as no more grievances are lodged.

Once the Grievance Committee has determined its approach to the lodged grievance, this will be communicated to the GO, who will communicate this to the complainant. If satisfied, the complainant signs to acknowledge that the issue has been resolved satisfactorily. If the complainant is not satisfied however, the complainant notes the outstanding issues, which may be re-lodged with the Grievance Committee or the complainant may proceed with judicial proceedings.

The effectiveness of the GRM will be evaluated during the periodical performance reporting and as part of the post RPF/RAP evaluations.

Grievance issues by type and how they were resolved: Total received, total justified, Total resolved at various levels including the type of agreement reached, Total referred to legal system/courts of law, including clarification on who initiated (local leaders, PAP or REA) the referral and subject matter

Number of complaints:

- Total received; total justified; total non-justified, including the subject matter for all complaints; an explanation for non-justified complaints;
- Total resolved at various levels including the type of agreement reached;

- Total referred to the legal system/courts of Law, including a clarification on who initiated (local leaders, PAP or UETCL) the referral and the subject matter

15. MONITORING of The RPF

15.1 Purpose

The monitoring and evaluation will be the main mechanism to alert the ERT III 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 channeled correctly and appropriately attended to.

15.2 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, [REA will establish a reporting system for this RPF and each 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.

15.3 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 REA at the national level and on ground at the District level. The REA/other Agencies 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 program 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 program 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.

15.4 Required Information

The census carried out during the RAP preparation will provide REA with the quantitative data that will enable them 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.

15.5 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 MEMD 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

15.6 External Monitoring and Evaluation

REA 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.

15.7 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

15.8 Indicators

A number of Objectively Verifiable Indicators (OVIs) 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, to determine and guide improvement in their social wellbeing. Therefore, monitoring indicators to be used for the RAP will have to be developed to respond to specific site conditions. As a general guide, Table 12 provides a set of indicators that can be used.

Table 11: Types of Verifiable Indicators

Monitoring	Evaluation
Outstanding compensation or resettlement contracts not completed before next agricultural season.	Outstanding individual compensation or resettlement contracts.
Communities unable to set village-level compensation after two years.	Outstanding village compensation contracts.
Grievances recognized as legitimate out of all complaints lodged.	All legitimate grievances rectified
The existence (or not) of people/entities not considered for compensation	Inclusion of all affected parties in the compensation process
Pre-project production and income (year before land used) versus present production and income of resettlers, off-farm-income trainees, and users of improved mining or agricultural techniques.	Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.
Pre- project production versus present production (crop for crop, land for land).	Equal or improved production per household.

15.8.1 Indicators to determine status of affected people

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, standard of house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc). Therefore, the resettlement and compensation plans will set two major socio-economic goals by which to evaluate its success:

- Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it; and
- The local communities remain supportive of the project.

15.8.2 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;

15.8.3 RAP Implementation Evaluation and 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. This evaluation takes place at the end of the RAP implementation and the implementing agencies are responsible for undertaking this evaluation and a budget to this effect should be available. The evaluation 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

15.8.4 Reporting

The monitoring unit will submit periodic (preferably bimonthly) reports to the REA and copied to the MEMD. The report will at least cover status of compensation disbursement, nature of complaints, redress actions and follow-ups. The implementation of the RPF and subsequent RAPs will form part of bi-annual reports to funding agency (IDA).

15.8.5 Annual Reviews

The annual audit/evaluation of RPF implementation, and as applicable RAP implementation in sub-project(s), includes: (i) a summary of RAP performance of each sub-project; (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 similar to the process outlined in the ESMF.

The audit/evaluation 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. Annual reports will be submitted to the implementing agencies, MEMD and the World Bank for review.

15.8.6 Disclosure

This RPF will be disclosed in compliance with relevant Ugandan regulations and The World Bank Operational Policy 4.12. After The World Bank's review and approval of the RPF as part of the overall proposed project for funding, the implementing agencies coordinated by MEMD shall share the final RPF with all other relevant Ministries, Local Governments and Institutions; it will also be disclosed in-country in the known public media like newspapers and relevant ministry website for all interested person to read and know the details and at the World bank's Infoshop. Subsequent RAPs developed will also be cleared by the World Bank and disclosed in-country as detailed above.

16. RPF BUDGET AND FUNDING

16.1 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 (census and socio-economic surveys) and mitigation/livelihood restoration measures to be developed. Each RAP will include a budget that will cover resettlement activities including compensation cost for affected assets, and assistance, and provide for contingencies. The cost will be derived from expenditures relating to:

- (1) The preparation of the resettlement/compensation action plan, include cost of consultation and outreach;
- (2) Relocation and transfer,
- (3) Income and means of livelihood restoration plan, and
- (4) Administrative costs
- (5) Estimated contingency needs

16.2 Estimates and Funding Sources

Funds for implementing inventory assessments as well as land acquisition and resettlement action plans will be provided by the Government of Uganda through the Ministry of Finance, Planning and Economic Development MoFPED. REA will engage consultants to prepare RAPs. Government of Uganda has committed **USD 5.3 Million Dollars** for implementation of the RAPs to be prepared for ERT III. This money has already been budgeted for and it is expected that the money will be provided as it has always been the case. REA estimated this amount basing on the previous ERT projects including similar RAPs that they have previously handled. Considerations for variances were also taken into account. This amount will cater for; capacity building for staff, all the RAP preparation processes which includes social economic surveys and census plus RAP implementation (stakeholder consultations and grievance redress mechanism) and RAP monitoring.

Table 12: Example of a Resettlement Budget

Asset acquisition	Amount or number	Total estimated cost	Agency responsible
Land			
Structure			

Crops and economic tress			
Community infrastructure			
Land Acquisition and Preparation			
Compensation for Household Structures			
Compensation for Crops			
Compensation for Trees, Less than 4.5 m Tall			
Compensation for Trees, More than 4.5 m Tall			
Compensation for Community Assets			
Relocations			
Transfer of possessions			
Installation costs			
Economic Rehabilitation			
Training			
Capital Investments			
Technical Assistance			
Monitoring			
Contingency			

17. CONCLUSION AND RECOMMENDATION

17.1 Summary and Conclusions

For Uganda to shift from a peasantry to an industrialized and largely urban society which is consistent with the country's overarching Vision 2040, electricity as a form of modern energy has to be its engine to propel it forward. The ERT III project will support interventions designed to increase access to modern energy, information and communication technologies in Uganda. The project is expected to have positive overall environmental impact through promoting renewable energy generation and energy efficiency. Some project activities especially the mini-hydro and geothermal, however, may have localized adverse social impacts, e.g. land uptake, PAPs relocations to different places, through construction and operation of small hydropower, roads construction (rehabilitation and new construction). Based on the preliminary assessments as the specific locations of the subprojects are unknown at this point, overall, the impacts of the ERT III will be of small scale, localized and of short-term nature which can be effectively mitigated through the mitigation measures proposed and by strictly following the requirements and guidance in this RPF. Access to common assets/resources and improved livelihoods of project affected persons, due to potential land acquisition for infrastructure development if any, will be addressed in an inclusive manner.

This RPF provides a step-by-step guidance on how to identify potential adverse social impacts from project activities, and how to plan, implement and monitor measures to mitigate them. This Resettlement Policy Framework (RPF), sets out the guidelines for the resettlement action plans (RAPs) to be prepared for any subproject that triggers the Involuntary Resettlement.

17.2 Key Issues and Recommendations

1. There is a lot of misinformation in the communities on the proposed project which is mixed with far-fetched expectations on compensation, provision of free electricity to the communities and associated benefits. This state of information can be a potential risk to the smooth implementation of the project. To counter this, there shall be a robust sensitization and awareness Project on ERT III to prepare the target communities on the project before its implementation;
2. During the public consultations, stakeholders observed the need for Government to ensure that, the grid extension and intensification lines should to the extent possible, be restricted to the road reserve to avoid anxiety and undue expectations from the local population with regards to compensation. However, where distribution lines cross sections of wood lots especially at road sides, under such instances, the concerned landlords or institutions should be compensated for the loss and damage to the sections of the woodlots affected by the project;

3. More often than not, attention on environmental aspects of ERT projects has tended to focus on environmental and social aspects of grid extension and intensification components without corresponding attention given to PV components yet these equally have a potential to cause serious environmental and social impacts. It is suggested that, right from the procurement of PV equipment, environmental and social compliance measures should be integrated especially their waste management and disposal.
4. **The MEMD will in future be compelled to review the Electricity Act of 1999 which does not quote REA anywhere.** Currently REA has no clear policy on land acquisition; the review should look at how similar players like UETCL, UNRA, Telecommunication Companies acquire land. To reduce on impacting the same people more than once given the fact that these infrastructure is usually along the road it would be better if one organization such UNRA acquires enough road reserve to be used by others. The review of the Electricity Act should also look at the contentious issues such as; compensation for where the pole is placed, UEB used to pay pole rentals which was a one-off payment for instance 50,000/=. This will encourage the communities to take care of the poles.
5. **Review of the operations of the District Focal Persons** who act on behalf of REA are usually appointed by the CAO and in most cases they are usually the ACAOs these are expected to represent RAE as much as possible and forward issues to REA for solving. REA also works closely with the Community Development Officers who are usually present during site meetings. However, sometimes they are reluctant to follow up in the absence of REA on the ground to coordinate issues that may arise during line construction. This has led to delays in responding to grievances because the REA offices are only in Kampala. The district focal person should be facilitated with some fuel, lunch and airtime. This should be on a temporal basis and after commissioning of the project the benefits can be withdrawn. For ERT III this relationship should be strengthened, and revived incase REA needs to monitor the resettlement impacts and grienvances to ensure that livelihoods are restored.
6. In cases where the line routes encounter cultural sites, very old traditional trees and some environmental sensitive areas, avoiding these areas should be the only option.
7. The communities also wondered why payments for the low voltages lines are not compensated. Communities also wished for pole area compensation, they reported that in the days of UEB money was paid for area taken up the pole. REA should clarify on this as the RPF guidelines indicate all affected property including denial of access to resources should be compensated.

SECTION 3: LIST OF ANNEXES

ANNEX 1: World Bank Resettlement Policy Framework (RPF)

[Excerpt from the World Bank OP4.12 Involuntary Resettlement, Revised April 2004]

These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject. OP 4.12 (Revised April 2004) applies only to projects that are governed by OP / BP 6.00, Bank Financing - that is, those in countries with approved country financing parameters. Other operational policy statements governing Bank financing that have been amended to reflect OP/BP 6.00 also apply to these projects. Projects in countries without approved country financing parameters continue to be subject to other operational policy statements governing Bank financing.

Resettlement Policy Framework

For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy (see Annex A, paragraphs 23-25). The framework also estimates, to the extent feasible, the total population to be displaced, and the overall resettlement costs.

For financial intermediary operations that may involve involuntary resettlement, the Bank requires that the financial intermediary (FI) screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see Annex A, paragraphs 23-25). In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for subproject financing. When, in the assessment of the Bank, no resettlement is envisaged in the subprojects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential sub-borrowers a resettlement plan consistent with this policy if a subproject gives rise to resettlement. For all subprojects involving resettlement, the resettlement plan is provided to the Bank for approval before the subproject is accepted for Bank financing.

For other Bank-assisted project with multiple subprojects²⁶ that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be

submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or subprojects (a) the zone of impact of subprojects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal (see Annex A, paragraphs 23- 25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.

For each subproject included in a project described in paragraphs 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financ

For projects described in paragraphs 26-28 above, the Bank may agree, in writing that sub-project resettlement plans may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to comply with Bank policy, is provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by the Bank.

ANNEX 2: ANNOTATED OUTLINE FOR PREPARING A RESETTLEMENT ACTION PLAN (RAP)

This template is extracted from the OP 4.12: Annex A.

The scope and level of detail of the RAP will vary depending on the magnitude and complexity of resettlement or displacement. The RAP is prepared based on the most recent and accurate information on the: (i) proposed resettlement and its impacts on displaced persons and other adversely affected groups; and (ii) legal issues affecting resettlement. The RAP covers elements that are specific to the project context.

A broad outline of the RAP, as applied to sub-projects covered under a RPF includes, but is not limited to, the following:

Description of the sub-project: General description of the sub-project and identification of sub-project area or areas.

Potential Impacts: Identification of the: (i) the sub-project components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.

Objectives: The main objectives of the resettlement program as these apply to the sub-projects.

Socio-economic studies: The findings of socio-economic studies to be conducted in the early stages of project preparation, and with the involvement of potentially affected people will be needed. These generally include the results of a census of the affected populations covering:

- (i) Current occupants of the affected area as a basis for design of the RAP and to clearly set a cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- (ii) Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- (iii) Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
- (iv) Information on vulnerable groups or persons, for whom special provisions may have to

be made;

- (v) Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

There may be other studies that the RAP can draw upon, such as those describing the following:

- (i) Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;
- (ii) Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
- (iii) Public infrastructure and social services that will be affected; and
- (iv) Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework: The analysis of the legal and institutional framework should cover the following:

- (i) Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc;
- (ii) Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RAP for the sub-project;
- (iii) Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc related to displacement and resettlement, and environmental laws and social welfare legislation;
- (iv) Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- (v) Gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and
- (vi) Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to

land, including claims that derive from customary and traditional usage, etc and which are specific to the sub-projects.

The institutional framework governing RAP implementation generally covers:

- (i) Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
- (ii) Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and
- (iii) Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

Eligibility: Definition of displaced persons or PAPS and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

Valuation of and compensation for losses: The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).

Resettlement Measures: A description of the compensation and other resettlement measures that will assist each category of eligible PAPS to achieve the objectives of OP 4.12. Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation: Alternative relocation sites should be described and cover the following:

- (i) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, location advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (ii) Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- (iii) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (iv) Legal arrangements for recognizing (or regularizing) tenure and transferring titles to those being resettled.

Housing, infrastructure, and social services: Plans to provide (or to finance provision of) housing, infrastructure (e.g. water supply, feeder roads), and social services to host populations; and any other necessary site development, engineering, and architectural designs for these

facilities should be described.

Environmental protection and management: A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

Community Participation: Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPs and host communities, should include:

- (i) Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;
- (ii) Summary of the consultations and how PAPs' views were taken into account in preparing the resettlement plan; and
- (iii) Review of resettlement alternatives presented and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
- (iv) Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including indigenous peoples, ethnic minorities, landless, children and youth, and women) are adequately represented.

The consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

- (i) Consultations with host communities and local governments;
- (ii) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to
- (iii) PAPs;
- (iv) Conflict resolution involving PAPs and host communities; and
- (v) Additional services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

Grievance procedures: The RAP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms.

RAP implementation responsibilities: The RAP should be clear about the implementation

responsibilities of various agencies, offices, and local representatives. These responsibilities should cover (i) delivery of RAP compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in RAP implementation; and (iii) measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g. community-based livelihood restoration; participatory monitoring; etc).

Implementation Schedule: An implementation schedule covering all RAP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to the resettled population and the hosts, as well as clearly defining a closing date. The schedule should indicate how the RAP activities are linked to the implementation of the overall project.

Costs and budget: The RAP for the specific sub-projects should provide detailed (itemized) cost estimates for all RAP activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

Monitoring and evaluation: Arrangements for monitoring of RAP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs' livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPS in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation, and using the results of RAP impact monitoring to guide subsequent implementation.

ANNEX 3: SAMPLE GRIEVANCE AND RESOLUTION FORM

GRIEVANCE RECORD				
Grievance Number		Copies to forward to:		
Name of the Recorder		(Original)-Receiver Party		
District/Sub-county/Town		(Copy)-Responsible Party		
Date				
INFORMATION ABOUT GRIEVANCE				
Define The Grievance				
INFORMATION ABOUT THE COMPLAINANT			Forms of Receive	
Name-Surname			<input type="checkbox"/> Phone Line	
Telephone Number			<input type="checkbox"/> Community/ Information Meetings	
Address			<input type="checkbox"/> Mail	
District/Town			<input type="checkbox"/> Informal	
Region			<input type="checkbox"/> Other	
Signature of Complainant				
DETAILS OF GRIEVANCE				
1. Access to Land and Resources a) Fishing grounds b) Lands c) Pasturelands d) House e) Commercial site f) Other	2. Damage to a) House b) Land c) Livestock d) Means of livelihood e) Other	3. Damage to Infrastructure or Community Assets a) Road/Railway b) Bridge/ Passageways c) Power/Telephone Lines d) Water sources, canals and water infrastructure for irrigation and animals e) Drinking water f) Sewerage System	4. Decrease or Loss of Livelihood a) Agriculture b) Animal husbandry c) Beekeeping d) Small scale trade e) Other	5. Traffic Accident a) Injury b) Damage to property c) Damage to livestock d) Other

		g) Other		
6. Incidents Regarding Expropriation and Compensation (Specify)	7. Resettlement Process (Specify)	8. Employment and Recruitment (Specify)	9. Construction Camp and Community Relations a) Nuisance from dust b) Nuisance from noise c) Vibrations due to explosions d) Misconduct of the project personal/worker e) Complaint follow up f) Other	10. Other (Specify)

ANNEX 4 GRIEVANCE CLOSE OUT FORM

GRIEVANCE CLOSE OUT FORM		
Grievance closeout number		
Define long term action required (if necessary)		
Compensation required: Y N		
Verification of Corrective Action and Sign off		
	Corrective Action Steps:	Due date:
1		
2		
3		
4		
5		
Responsible Party		
COMPENSATION ACTION AND SIGN OFF		
This part will be filled in and signed by the complainant when he/she receives the compensation or the file is closed out.		
Notes:		
Date: >.....		
Complainant		Representative of
Responsible Party		
Name and Signature		Name and Signature
>.....		
>.....		

ANNEX 5: SAMPLE TABLE OF CONTENTS FOR CONSULTATION REPORTS

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 Stakehol

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 SESA Terms of Reference and Draft Public Consultation and Disclosure Plan (PCDP)
 - 3.3.3 Phase 3 – Release of SESA Consultation Summary Report

4.0 Summary of Key Issues

5.0 Future Consultation Events

- 5.1 Phase 4 – Release of the SESA Report and Action Plans
- 5.2 Phase 5 – PCDP Planning Consultation
- 5.3 Phase 6 - Ongoing Project Communication

6.0 Disclosure Plan

Tables

Table 2.1: Consultation Activity Summary

Table 3.1: Initial Government Agency Consultations

Table 3.2: Summary of NGO Meetings

Table 3.3: Sub-County Committee Composition

Table 3.4: Summary of Community Discussions

Table 3.5: Local Community Comments

Table 4.1: Summary of Key Issues and Responses

Table 5.1: Summary of Future Consultation Activities per Stakeholder Group

TEMPLATE Table on Consultation Activity Summar

Location and Communities Represented	Meeting Dates	Attendees	Discussion Summary
Example:			

ANNEX 6: RELEVANT LOCAL LEGISLATION AND GUIDELINES

Property Rights and Land Rights	Law / Regulation
There are four land tenure systems in Uganda, as recognized by Ugandan law. Mailo, Freehold, Customary, and Leasehold.	Land Act 1998
The Constitution (1995) restored all private tenure regimes, divested the state and the Uganda Land Commission of radical title to all land and vested this directly in the citizens of Uganda.	Constitution 1995, Article 237
All land is vested in the citizens of Uganda.	Land Act 1998
<p>Customary tenure:</p> <ul style="list-style-type: none"> • Is governed by rules generally accepted as binding and authoritative by the class of persons to which it applies, in other words, “customary regime” is not governed by written law. • Is owned in perpetuity • Customary occupants are occupants of former public land, and occupy the land by virtue of their customary rights; they have proprietary interest in the land and are entitled to certificates of customary ownership • Certificates for customary ownership may be acquired, through application to the Parish Land Committee and eventual issuance by the District Land Board 	Land Act 1998
<p>Freehold tenure:</p> <ul style="list-style-type: none"> • Derives its legality from the Constitution and its incidents from the written law • Involves the holding of land in perpetuity or of a period less than perpetuity fixed by a condition • Enables the holder to exercise, subject to the law, full powers of ownership. 	Land Act 1998
<p>Mailo tenure:</p> <ul style="list-style-type: none"> • Has roots in the allotment of land pursuant to the 1900 Uganda Agreement • Derives its legality from the Constitutions and its incidents from the written law • Involves the holding of land in perpetuity • Permits the separation of ownership of land from the ownership of developments on land made by a lawful or bona fide occupant • Enables the holder to exercise all the powers of ownership, subject to the rights of those people occupying the land at the time of the creation of the mailo title and their successors. 	Land Act 1998
<p>Leasehold tenure:</p> <ul style="list-style-type: none"> • Is created either by contract or by operation of the law • Is a form under which the landlord or lessor grants the tenant or leasee 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 	Land Act 1998

<p>“Licence” or “Share Cropper”</p> <ul style="list-style-type: none"> Although only these later forms of tenure are legally defined under the Land Act, the context of common law also recognizes the statute of “licensee” or “sharecroppers”, these terms having similar meanings in practice. Licensees are persons granted authority to use land within for agricultural production. Traditionally, such production would be limited to annual crops. Licensees have no legal security of tenure of any propriety right in the land. Their tenure is purely contractual. 	Land Act 1998
Every person in Uganda has the right to own property.	Constitution (1995) Article 26
Land Acquisition	Law / Regulation
The government and local authorities have statutory power to compulsorily acquire land.	Constitution: Article 26(2) and Article 237(2) Land Act (1998)
The minister responsible for land may authorize any person to enter upon 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.	Land Acquisition Act (1965)
Fixing the value for land in Uganda depends on whether it is public (Government owned) or privately owned according to land tenure types indicated in the section of land acquisition. If it is public land, the Chief Government Valuer’s office fixes the rates of compensation. However, if it is owned privately, the developer will negotiate with the owner and agree on the amount to pay for the land to be acquired.	Land Act of 1998 as amended in 2004
Value for customary land is open market value, buildings on land is taken to be on replacement costs in rural areas, 15% and 30% (of total sum assessed) disturbance allowance is to be paid if less than six months or six months notice respectively is given up to vacant possession.	Land Act of 1998 as amended in 2004
It is the responsibility of the developer to engage a professional Valuer to carry out an assessment of all structures and assets in the affected area. However, rates for structures/buildings in urban areas are fixed by the Chief Government Valuer’s Office	None cited
It defines a road reserve as that area bounded by imaginary lines parallel to and not more than fifty feet distant from the centerline of any road, and declared to be a road reserve.	Roads Act (1964)
No person shall erect any building or plant, trees or permanent crops within a road reserve.	Roads Act (1964)
The road authorities are permitted to dig and take materials from the road reserve for the construction and maintenance of roads.	Roads 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.	Town and Country Planning Act 1964
Each District Land Board adopts its own compensation rates. As a result, variation exists among the different districts. The rates are reviewed each year.	None cited

<p>Article 26(2) of the Constitution provides that: “No person shall be compulsorily deprived of property or any interests in or any right over property of any description except where the following conditions are satisfied.</p> <ul style="list-style-type: none"> • The taking of possession or acquisition is necessary for public use or in the interest of defence, public safety, public order, public morality or public health and • The compulsory taking of possession or acquisition of property is made under a law which makes provision for: <ul style="list-style-type: none"> ○ Prompt payment of fair and adequate compensation, prior to the taking or acquisition of the property, and ○ A right of access to a court of law by any person who has an interest or right over the property. 	<p>Constitution (1995), Article 26(2)</p>
<p>“Where the assessment officer takes possession of land, the land shall immediately by the operation of this act be vested in the land commission free from all encumbrances”</p>	<p>Land Acquisition Act 7(2)</p>
<p>“the <i>Uganda Land Commission shall hold and manage any land in Uganda which is vested in or acquired by the government in accordance with the constitution and perform such other functions as may be prescribed by or under this Act or any other enactment.</i>”</p>	<p>Land Act (2004) Section 49 as amended specifically under subsections (a) and (d)</p>
<p>The Government or Local Government may acquire land in public interest.</p>	<p>Article 237(1)</p>
<p>Compensation</p>	<p>Law / Regulation</p>
<p>Prompt payment of fair and adequate compensation prior to the taking possession or acquisition of the property.</p>	<p>Constitution 1995</p>
<p>Prompt payment of fair and adequate compensation to all interested parties on the land.</p>	<p>Electricity Act (1999), Part VIII</p>
<p>Compensation for affected people should be determined according to the Land Act (1998) and the Land Acquisition Act (1965).</p>	<p>Electricity Act (1999)</p>
<p>Electricity Regulatory Authority has the power to handle claims for compensation for land acquired.</p>	<p>Electricity Act (1999)</p>
<p>The Government is supposed to pay compensation (cash) to any person who suffers damage as a result of any action. Any dispute as to the compensation payable is to be referred by the Attorney General to court for decision.</p>	<p>Land Acquisition Act (1965)</p>
<p>The basis for compensation is depreciated replacement costs for rural properties and market values for urban properties.</p>	<p>Land Act (1998) Section 78</p>
<p>Each District Land Board adopts its own compensation rates. As a result, variation exists among the different districts. The rates are reviewed each year.</p>	<p>None cited</p>
<p>Dispute Resolution and Grievance Mechanisms</p>	<p>Law / Regulation</p>
<p>Land Tribunals must be established at all local governments and all land disputes must first be processed through them before any resort can be made to ordinary courts.</p>	<p>Land Act (1998), Article 75</p>
<p>Traditional authority mediators retain their jurisdiction over land disputes.</p>	<p>Land Act (1998), Article 89</p>

Annex 7: Details of the Discussions and Key Issues Raised during stakeholder Consultations

Purpose of consultations		To obtain stakeholder inputs for the RPF for Electricity for Rural Transformation III
Present		<i>Facilitators: Elizabeth Aisu and Grace Baalikowa</i>
Meeting with: Meeting held on December 3, 2013 at REA Headquarters (Wayleave Unit)		
Name & Designation	Discussions	
1. Mr. James G. Litta (Wayleave Officer)	<ul style="list-style-type: none"> ▪ A RAP is developed after the scope is done ▪ Sensitization of the communities is done about the line route and consent obtained using a consent forms. 	
2. Patricia P Anabo (Legal Officer)	<ul style="list-style-type: none"> ▪ Absenteeism of the land owners during the demarcation of the land, they come later and start to claim the land which needs to do a supplementary RAP before work is done which takes times since it's the Government value to do it. 	
3. Carolyn Nabweteme (Wayleave Assistant)	<ul style="list-style-type: none"> ▪ Response to the quires/ complaints is hard because people who can attend to such issues/cases are not facilitated for instance District focal persons ▪ Transport to field for way leave unit is not readily available, which makes it hard to monitor and even consult and interact with the communities where the project is implemented ▪ Staffing a problem, have only 2 way leaves for all the 5 territories to do all the work. For instance Transmission has many staff to do all the work effectively. ▪ Trainings are recommended only for the senior staff and not the temporary staff though they carry out the work. ▪ Change of the lines as a result of Valleys, swamps, rocky terrain and absenteeism of land owners puts back the work. ▪ Refuse to grant the way leaves because of failure to compensate the communities by other government agencies e.g. Opuyo communities ▪ UNRA doesn't allow placing lines in their land area demarcation which leads to double compensation. ▪ Contractors misreading the TORs which causes the cutting of tress without community consent and as a result causes conflicts and delays implementation ▪ Involve Commercial banks with mobile banking facilities for payment of compensation 	

	<p>in rural areas</p> <ul style="list-style-type: none"> ▪ REA to take up the banking services themselves ▪ Increase the minimal threshold money to 300,000Ush ▪ A separate list sheet for vulnerable groups- elderly, widow, children have been made for compensation, to be paid cash instead of banking system. ▪ Drafted code of contact for contractors which will be adopted before ERT III comes on board <p>Output-Based Aid (OBA) Scheme- connection of power from poll to house then just pay for wiring, then other benefits could be through Health Centers, schools etc. OBA is a pro-poor approach that helps low income households access basic services including electricity.</p>
<p>Meeting with: Meeting held on December 4, 2013 at Private Sector Foundation Uganda</p>	
<p>Name and Designation: Ssebuggwawo Geoffrey</p>	<p>Discussions</p> <ul style="list-style-type: none"> • Land take for the construction of way leaves lines should be compensated and establish the extent of compensation and resettlements. • Consultants hired to develop RPFs, RAPs, SIA, EMPF etc. their TORs should be at the IFC and World Bank standard and the frameworks should be at an international standard • Reports should include field/ community consulted information not only secondary data. • Compensation should be done on time for the effective project implementation. • Don't have capacity to implement the projects but do hire experienced consultants carry out the work since there are no directly involved in the implementation of the ERT projects.
<p>Meeting with: Meeting held on December 4, 2013 at Ministry of Education and sports</p>	
<p>Name and Designation: Eng. Ssenozi Robert (Project coordinator ERT)</p>	<p>Discussions</p> <p>Positive Impacts</p> <ul style="list-style-type: none"> • Though the information is not documented, based on interaction with area leaders, teachers, students and ever observations, there are positive impacts for instance use of computers, retention of students and teachers in schools, retention of nurses in Health centers, improve performance because, students are able attend preps, social time for communities, where big Television screens are place in trading centers and they watch news, sports etc. It has also cleared the myth, that solar cant not work

- Communities have been able to open up stationary and printing services business which improves on their standard of living.
- Schools can now type and print their own course works/ tests, examinations and other documents like letters
- Internet access
- Increased enrollment in schools

Challenges

- There are no documentations in regard to the work done for the project because there is no budget allocation for documentation or impact assessment.
- Procurement process take long which lags the implementation behinds
- The needs assessment done is not implementation as suggested because of political influence, the area politicians choose the schools for installation which are even able to sustain themselves and leave the rural poor schools
- Some communities are not well-behaved, children vandalize the facilities for instance they still the bulbs etc., so other schools have opted to remove bulbs for fear of stealing or destroying them.
- There are also social issues for instance girl child drop of school because of long distance to schools where is power, men especially boda boda take advantage of this situation and make them leave schools.
- There is a challenge of change of teachers and most cases those trained to handle system management are transferred, which becomes hard for the remaining group to operate and maintain the system.
- There is also no proper handle over of the of people or staff for the trained person is transferred

Recommendations/ intervention.

- Schools which enroll less than 500 should also be connected to solar
- Government have to partner with private sector schools to implement the program, though there private schools abut they are education Ugandan nationalities.
- Include primary schools on the program because of education challenge of poor performance, schools can be enable to start boarding schools for instance ERT III can include 500 primary schools, include boarding sections and computers
- There is need to involve the Board members and community members of the

	<p>school or health centers in training programs and take full responsibilities to operation and maintain the solar systems, because these are permanent residents of the communities and hard to transfer or relocate to another place.</p> <ul style="list-style-type: none"> • Contractors should maintain the facilities for 5 years and then after handles over to the management or school health center committees. • There is need to hire a consultant firm for supervision of installation and maintenance than hiring individuals. <p>Capacity</p> <p>Most of the work is done by hired consultants working together within the 2 available staff.</p> <p>Available – Project Coordinator and the Administrator</p> <p>Gap- Sociologist person or Social Development specialist</p> <p>Training Needs</p> <p>Refresher courses in costing and Budgeting, Planning, supervision of installation, monitoring to be uplifted in these areas</p>
<p>Meeting with: Meeting held on December 6, 2013 at Ministry of Water and Environment</p>	
<p>Name and Designation: Eng. Richard Matua (Project coordinator ERT)</p>	<p>Discussions</p> <p>The department focuses on supply of solar to irrigation schemes. It has supplied solar to 33 schemes, these include West Nile- 12 schemes, Acholi- 11 schemes, Lango 4 schemes, Teso- 4 shemes and Karamoja 2 schemes, and the target in the 5 lots and all done and functioning.</p> <p>Impact</p> <ul style="list-style-type: none"> • Community access to safe water increased • Water supply at a low cost • Money, time spent on pumping water reduce because, they used to spend a lot of money on fuel to pump water
<p>Meeting with: National Forestry Authority held on December 6, 2013 at NFA offices</p>	
<p>Name and Designation: Mr. Tom Rukundo EIA Specialist</p>	<ul style="list-style-type: none"> • There is lack of coordination between EIA and Surveyor • Engineers should study the power line area before the EIA is prepared • Electricity lines require more space for in the forest rather than the 15 meters

	<ul style="list-style-type: none"> • Calculate the cost of the total value of the forest destroyed • Value the non-timber products also like carbon trading • NFA can give REA another area to plant the trees as a form of compensation.
Meeting with: Meeting held on December 10th, 2013 at Ministry of Energy and Mineral Development	
Name and Designation: Biringuriza Emmanuel (Coordination Manager MEMD-ERT)	Discussion <ul style="list-style-type: none"> • Expand the CGV office by recruiting more staff to approve the rates this causes a lot of delays in project implementation as it a legal requirement that all public payments must be approved by the CGV before they are made. • Government should guarantees money for compensation and solar equipment maintenance and during training of maintenance staff all should be trained including the district officials and members of the management in case of schools because a gap is created when trained staffs are transferred. • Issues of compensation should be promptly handled without Government diverting funds • Communities should be thoroughly and continuously sensitized about the benefits of electricity so that they stop looking at compensation as a benefit.

Meeting with: Meeting held on December 5, 2013 at Seeta- Nazigo Health Centre III, Mukono		
Name and Designation: Seeta- Nazigo and Kirwanyi Communities	Key issues <ul style="list-style-type: none"> ▪ The process of compensation and value for destroyed properties are not understood. At the start the survey comes and survey the plot plus the valuer who counts the plants but don't tell the owner the amount of the plants, before the plants are cut ▪ Thereafter, the valuer comes with price list of the plants. However, the calculations are not done well and even not well explained to us to understand how the prices are allocated to the crops or tresses ▪ The phase II people whose crops were cut twice were not paid but the three phase are paid ▪ Land is not compensated for, it's only the 	Response <ul style="list-style-type: none"> ▪ Communities should utilize their sub-counties and local leaders to get information and how to handle issues. ▪ The Grievance committee was to be initiated to hand complaints. You also use the sub-county leaders to handle issues because most in cases there are aware of the project and able to handle resolve the issues raised

	<p>crops, but it can't be used again after the grid lines go through</p> <ul style="list-style-type: none"> ▪ We are not given work, just come with their workers ▪ Put in place measures to compensate project affected person to avoid unnecessary grumbling and politicking. ▪ How will compensation issues be handled because people's land and property is bound to be affected and in phase II people issues were not handle well and not yet compensated ▪ The electricity should reach the people and not end in the trading centers ▪ People should be consulted and sensitized before their gardens are destroyed ▪ Communities should utilize their sub-counties and local leaders to get information and how to handle issues. ▪ There was no Grievance Officer or committees where we could report our complaints, or to handle our issues. We are told to write letters and take them to Head Office in Kamokya, where some of us don't know and we have not ever reach Mukono town either can we read and write. ▪ If the tree is in my compound, am I paid or not? ▪ When should we start connect power to our houses and how can we do it and whom to consult? ▪ REA should also request Banks not to charge us account opening, photos for account opening. ▪ Usually these distribution line involve destruction of vegetation especially trees of a certain height. Will such losses be compensated for and at what rates? 	<ul style="list-style-type: none"> ▪ It's in the law the individuals should be paid through filling a payment form. It's the district which determines the crops price rates then send it to the Chief Government valuer to verify the rates. All phases should also be paid. ▪ For connection to the house, Government is in process to start the connection of power to house through a scheme called Output-Based Aid- OBA ▪ Connection of power to houses should wait for commission of the line and also use qualified firms/ companies to do the wiring to avoid fire breakage after some time. ▪ Destroyed property outside the road reserve will be compensated
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	<ul style="list-style-type: none"> ▪ Our experience here is that crops were destroyed during construction without prior notification of the farmers and the grass thatched houses in the Right of Way damaged without any form of compensation. 	
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Eastern		
Meeting with: Nakalama Residents, Iganga district		
Purpose of meeting To obtain stakeholder input into the Environmental and Social Management Framework (ESMF) for ERT III		
Date held & place 2 nd December 2013 at Nakalama Trading Centre		
Present		Facilitators: Moses Basoma, Francis Mugenyi and Grace Balikoowa
Name & designation	Issues Raised(quoted verbatim)	Responses to issues raised by consultant
Mr. Bekweke John (Fisheries Officer-Iganga District)	<ul style="list-style-type: none"> • People have built in the road reserves especially here in the trading center. How will they be handled for their properties to be affected? • Some of these programs take forever to be implemented, in some areas poles are dropped and no electricity is connected, how different is this program form such? • Will electricity be extended to the landing sites as well? • What measures are there to ensure local people will be able to afford electricity? • What measures are there to ensure girls are not lured to sex by the project workers? 	<ul style="list-style-type: none"> • Where people have to be displaced, there will likely be some compensation to be paid to project affected persons. • By the time the project rolls out to implementation, all requirements are set in place and works will go to completion. • Will work with local leaders to sensitize girls and the communities about dangers of early sex relations. • Contractors will sensitize their workers on the need to have good working conditions with communities.
Mr. Nyende Muzamil (Area Councilor Namutumba)	<ul style="list-style-type: none"> • When will the project begin? • Roadside vegetation is usually lost without any compensation what measures are in place to ensure affected persons are compensated? • What criteria are used in selecting areas of the projects? Isn't it political? • Our experience is, poles will be dropped and the works don't start till 	<ul style="list-style-type: none"> • ERT III has time line when works are to start, • Roadside vegetation and developments needs to be valued and costs assessed and paid out to the beneficiaries, • On selection of beneficiaries that is done on Government priorities and plans.

	<p>near times of elections than they begin which was the case in the areas of Luuka where poles. What is the plan like with this phase?</p> <ul style="list-style-type: none"> • We have some water falls in one of the rivers; why not develop such than extend the grid to the areas? • But why do we just have power lines go through our areas yet we have benefits that people get since they will not be able to afford electricity? • What measures will be put in place to guard against transformer vandalism which is now rampant. People steal transformer oil. 	<ul style="list-style-type: none"> • The small waterfalls potentials have to evaluate to see if they are economically viable. • The local people are to protect the project facilities in their areas.
<p>Mr. Balenzi baani Boaz (Resident)</p>	<p>This information is very good and everyone here should go and disseminate it to all that are not here.</p> <p>What I want to inquire if you will compensate anyone if their children die through electrocution from power lines?</p>	<p>The community will be sensitized on the dangers and precautionary measures regarding electricity related accidents that shall be instituted.</p>
<p>Ms Eunice Babirye</p>	<ul style="list-style-type: none"> ❖ I'm suggesting that the local people are educated on precautionary measures before the power is extended to the area. ❖ We should be provided with written brochures in both English and our local language. 	<ul style="list-style-type: none"> ❖ The community leaders should be able to take a lead in sensitizing local communities on issues of electricity extension to their areas as well as attendant risks associated with power lines.
<p>Mr. Abuya Gawayya</p>	<p>I heard about this power project long time ago but it good that I have listened to you this time. I'm requesting that you use our local <i>lusoga</i> radio stations so that the message can reach many people.</p> <p>My fear is, such long term projects bring their workers from far, usually from the north, and they don't consider our people saying that they are weak. I would like to assure you that our people here seriously need those jobs especially manual work. As you may have noticed, many young men are idle on the verandahs.</p> <p>If the project decided to bring skilled people from Kampala and other places, those people should respect us and they should be warned against bringing their city behaviors to our place, they should be reminded about the dangers of HIV/AIDs all the time.</p>	<ul style="list-style-type: none"> ❖ We shall recommend that local people be given priority in terms of employment on the project. ❖ I also urge the LC Chairperson to table community demands early when the contractors come to his office. Demands like the contacts of the foremen and their bosses and payment. ❖ Project staff will be cautioned against elicit sexual behaviors

Meeting with: Namutumba District Officials		
Purpose of meeting		
To obtain stakeholder input into the Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) for ERT III		
Date held & place		
2 nd December 2013 at Namutumba District Headquarters		
Present		<i>Facilitators: Moses Basoma, Francis Mugenyi and Grace Balikoowa</i>
Name & designation	Issues Raised(quoted verbatim)	Responses to issues raised by consultant
1. Mr. Musiita Apollo (District Fisheries officer)	<ul style="list-style-type: none"> • What criterion was used to arrive at these areas? Some places which we feel deserve power have been left out despite promises made during elections. • I think REA should give the district an opportunity to revisit some of the selected areas where the lines will be constructed so that our planned developments are catered for. • The ongoing debate on the fate of Umeme is a source of concern on the tariff plan. What assurance is there that, once communities are connected, power supply will be cut off by a new service provider 	<ul style="list-style-type: none"> • The concerns were noted and will be brought to the attention of the Client.
2. Dr. Kirya James (DHO)	<ul style="list-style-type: none"> • Usually these distribution line involve destruction of vegetation especially trees of a certain height. Will such losses be compensated for and at what rates? 	<ul style="list-style-type: none"> • Destroyed property outside the road reserve will be compensated
3 Mr. Ziraba Moses (Chief Internal Auditor)	<ul style="list-style-type: none"> • Is there any contribution towards the project that will be needed from the community? 	<ul style="list-style-type: none"> • REA has different projects some are community ones and such will require part pay from the community and details of the projects will be clarified once the project is approved. • No. but maximum cooperation is required from community members for the success of project implementation.
4. Mr Dauda Ikaaba	<ul style="list-style-type: none"> • We are grateful for the information that the greatly needed power will actually come to other areas of our district. We shall all give our support and shall always resolve any problems as they 	<ul style="list-style-type: none"> • Normally, where there is land up take, compensation is done for the affected houses and crops. The contractors will definitely work closely with the district staff. The

	<p>arise, provided REA decides to work with the district staff. On many occasions, contractors are sent by REA to districts without any information on the need to work closely with district staff.</p> <ul style="list-style-type: none"> • Contractors at times do not even know whether an EIA was conducted or not. • Our experience here is that crops are usually destroyed during construction without prior notification of the farmers and the grass thatched houses in the Right of Way damaged without any form of compensation. • REA should ensure that the contractors prepare contractor's environment management plans (CEMP) and have them approved by REA before commencement of the construction works. Such plans should be shared with the District Environment Office. 	<p>practice is that NEMA sends a copy of the certificate of approval to the District Environment Officer to enable him/her monitor compliance; REA will ensure that the contractor adopts and implements the suggested Environment and Social Monitoring Plan (ESMP).</p>
Mr. Basalilwa James District NAADS Coordinator	<ul style="list-style-type: none"> • Rural electrification is intended to avert poverty and also enhance environment management or conservation by reducing the usage of fuel wood. However, it turns out to be very expensive, for the rural people its intended for and in that case, will government subsidize it for the rural poor. 	<ul style="list-style-type: none"> • Tariffs will be determined by ERA
Mr Baluzarile DFO – Jinja	<ul style="list-style-type: none"> • Owners of forests and woodlots traversed by the distribution lines should always be established and compensated for any damage caused before construction commences. • REA should always be clear on the extent of the lines because they always say such lines are to be within the road reserve but due to unavoidable circumstances such as terrain sometimes this is not possible. • Effort should be made to compensate trees lost in incidences where the lines divert from the planned road reserves to private land. 	

Minutes of the meeting with Communities of Nakiyanga in Masaka areas held on 28th November, 2013

Issues raised	Discussion
Is the project really going to be implemented	<ul style="list-style-type: none"> • The members wanted assurance if the project was going to take place or just deceiving them in preparation for 2016 elections after which, there would be nothing forthcoming. • The need to be updated through the LCs on the progress of planning of the project others,

or just a way of preparing for votes comes 2016?	they feared they are being deceived the project was not taking place.
The project is timely and very welcome	<ul style="list-style-type: none"> The project will bring about developments in their areas as it would attract developments and engage youth who are largely idle and now prone to crime. There will be a variety of leisure and recreation activities such as video shows in their trading centers.
Employment	<ul style="list-style-type: none"> The community said that they will be able to get employment during construction. When asked what kind of jobs they will be able to work mainly as unskilled labor and their wives would prepare food for sale to the workers.
Compensation for trees	<ul style="list-style-type: none"> There were regarding compensation for crops and developments along the way leaves.
Electricity affordability by the communities	<ul style="list-style-type: none"> People were eager to know if power would be affordable by them knowing the communities were poor. Is Government supporting by paying part costs?
Closing Remark	
The consultant thanked the meeting for their time and hoped the project becomes a reality for the betterment of their areas.	
Minutes of the meeting with Dokolo Agwata communities held on 19th November, 2013	
Issues raised	Discussions on the issues Raised
Commencement	<ul style="list-style-type: none"> The community wanted to know when the electricity project would be implemented. They have waited for years and have not seen commitment to the extension of electricity by Government to their area.
Employment	<ul style="list-style-type: none"> The community said that they will be able to get employment during project construction. When asked what kind of jobs they will be able to do, they said that they could work as drivers, way leave clearers, storekeepers, and casual laborers. The women said that they will cook food and tea for the contractors
Promiscuity	<ul style="list-style-type: none"> People who will be engaged in the implementation of the project who will be having money may sexually exploit young girls and married women leading to HIV infection and other sexually diseases. Early pregnancies among school girls with eventual school dropout and family break ups.
Accidents	<ul style="list-style-type: none"> People were worried about accidents during project construction since some power lines will be close to the existing roads. The project will work with traffic police to guide traffic on such sections where works will be ongoing.
Noise	<ul style="list-style-type: none"> The members especially those living along the proposed project were worried about the noise from construction equipment. Construction works will be restricted to day time to avoid interrupting sleep.
Land take and	<ul style="list-style-type: none"> People were concerned about the possible loss of their land and property to the electricity project.

property loss	<ul style="list-style-type: none"> • They were assured there would be compensation for any such property uptake by the project.
Improvement in security in health centers	<ul style="list-style-type: none"> • The project will avail power to health centers thereby making services to be better delivered to the communities. • However, there is need to have communities own up the facilities to avoid vandalism and abuse of such interventions.
Increase business opportunities	<ul style="list-style-type: none"> • Due to power availability, the community felt that, a number of agro-processing facilities would be established such as milk coolers, maize mills and communication facilities e.g. internet cafes would be established.
Development of the areas	<ul style="list-style-type: none"> • People living along the roads along which the power lines will be passing felt that, extension of electricity to their areas will attract developments and general development of the areas and subsequent appreciation of properties.
Fears regarding electrocution	<ul style="list-style-type: none"> • They also pointed out, there have been instances of electrocution of children arising out of broken power lines. • In addition, some thieves have died in their attempt to steal transformer oils. • This is to be controlled through sensitization and awareness creation in the public regarding dangers of electricity.
<p>Closing Remark The consultant assured community of compensation and any resettlement before any construction takes place. They were also assured that the contractor will take care to ensure that no damage is caused to properties unnecessarily and where it is unavoidable, the contractor has a responsibility to compensate for any damage caused by construction activities.</p>	

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