



**Republic of Uganda**

**NATIONAL AGRICULTURAL RESEARCH  
ORGANISATION (NARO)**

**RESETTLEMENT POLICY FRAMEWORK  
(RPF)**

**For**

**EAST AND CENTRAL AFRICA AGRICULTURAL  
TRANSFORMATION PROJECT (ECAATP)**

**June 2018**

## **Abbreviations and Acronyms**

|           |   |
|-----------|---|
| ACDP      | Agriculture Cluster Development Project                             |
| AFIEGO    | Africa Institute for Energy Governance                              |
| ARAP      | Abbreviated Resettlement Action Plan                                |
| BugizARDI | Buginynya Zonal Agricultural Research and Development Institute     |
| BuZARDI   | Bulindi Zonal Agricultural Research and Development Institute       |
| CAO       | Chief Administrative Officer  |
| CDO       | Community Development officer                                       |
| CGV       | Chief Government Valuer   |
| DCDO      | District Community Development Officer                              |
| DEO       | District Environment Officer  |
| DLB       | District Land Board   |
| DLT       | District Land Tribunal  |
| DPO       | District Production Officer   |
| EAAPP     | East Africa Agricultural Productivity Project                       |
| ECAAT     | East and Central Africa Agriculture Transformation Project          |
| ESS       | Environmental Social Safeguards                                     |
| FGD       | Focus Group Discussion  |
| GOU       | Government of Uganda  |
| IDA       | International Development Agency                                    |
| KaZARDI   | Kachwekano Zonal Agricultural Research and Development<br>Institute |
| LC        | Local Council   |
| LA        | Land Act  |
| LAA       | Land Acquisition Act  |
| LG        | Local Government  |
| LGA       | Local Government Act  |
| LGRC      | Local Grievance Redress Committee                                   |
| MAAIF     | Ministry of Agriculture, Animal Industries and Fisheries            |
| MFPED     | Ministry of Finance, Planning and Economic Development              |
| MGLSD     | Ministry of Gender, Labour and Social Development                   |
| MLHUD     | Ministry of Lands, Housing and Urban Development                    |
| NaCRRI    | National Crop Resources Research Institute                          |
| NARO      | National Agricultural Research Institute                            |
| NARS      | National Agricultural Research System                               |
| NaSARRI   | National Semi-Arid Resources Research Institute                     |
| NGO       | Non-Governmental Organisation                                       |
| NLP       | National Land Policy  |
| OP        | Operational Policy  |

|       |  |
|-------|--|
| OWC   | Operation Wealth Creation                              |
| PAP   | Project Affected Persons                               |
| PCU   | Project Coordination Unit                              |
| PLC   | Parish Land Committee                                  |
| PWC   | People with Disabilities                               |
| RPLRP | Regional Pastoral Livelihood Resilience Project        |
| RAP   | Resettlement Action Plan                               |
| RPF   | Resettlement Policy Framework                          |
| TIMPs | Technologies, Innovations, and Management Practice     |
| UCA   | Uganda Cooperative Alliance                            |
| ULC   | Uganda Land Commission                                 |
| WB    | World Bank   |
| ZARDI | Zonal Agricultural Research and Development Institutes |

## Glossary

When used in this document following terms are defined as follows:

**Compensation** - Refers to any and all payments made in cash or in kind to replace the value of assets or acquired resources affected by the Project at “full replacement cost”. Compensation will be paid before taking possession of the land and assets in all cases.

**Compensation agreement** - Refers to the concurrence of compensation, under the Law of expropriation before the municipal administration or before the competent court, reached between BoE and expropriated property owner on in-kind compensation, *the amount of cash* benefits, mutual additional payments for differences in the property value, building entrances, passages and access roads on the property, as well as other actions permitted by Law as well as by World Bank Policy on Involuntary Resettlement.

**Cut-off Date** - Date of beginning of the census of persons and inventory of potential assets to be affected by the Project, if any. If (a) person(s) should occupy the project area after the cut-off date, they will not be eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the cut-off date will not be compensated. Before the census, BoE will publish any information about the cut-off date in local newspapers, informing all owners and users of the initiation of the expropriation process. The cut-off date will also be publicly disclosed on notice boards in local communities and relevant municipalities and at consultation meetings, with an accompanying explanation. The public announcement will also be posted, as necessary, on frequently visited locations throughout the affected areas.

**Economic Displacement** - Includes all loss of income sources or means of livelihood as a result of land acquisition or obstructed access to resources (land, water, or forest) as a result of Project implementation, regardless whether affected persons (APs) must move to another location or not.

**Expropriation** - It refers to a dispossession or a limitation of ownership rights on property with compensation pursuant to full replacement cost or market value of the property.

**Expropriation resolution** - The formal decision of the relevant local government, passed in accordance with the Law of Expropriation, that declares expropriation of certain, individual property. The Expropriation resolution includes the designated Beneficiary of Expropriation (BoE), details of property to be expropriated, identification of owner(s), purpose of the expropriation, as well as the number and date of the decision establishing the public interest for

expropriation and the name of the authority that issued this decision, legal remedy and obligations of the BoE.

**Involuntary resettlement** - Includes all cases with direct social and economic impacts resulting by sub project land take in order to advance its Project Development Objective. Land or assets are taken in a legal process without owners' consent or power of choice, resulting in relocation or loss of shelter, loss of assets or access to assets, or loss of income sources or means of livelihood.

**Livelihood restoration** - Includes all efforts to be undertaken to assist PAPs impacted by physical or economical displacement to improve their livelihoods and standards of living, or at least to restore to level before displacement or to level prior to the beginning of project implementation, whichever is higher. Assistance in livelihood restoration will continue in a transition period, based on a reasonable estimate of the time likely needed.

**PAP - Project affected person** - PAP is any person who, as a result of the implementation of the Project suffers loss of assets or access to assets.

**Project implementation** - When used in this RPF includes planning, execution, monitoring and evaluation of the Project.

**RAP - Resettlement Action Plan, ARAP - Abbreviated Resettlement Action Plan and Integrated RAP-Integrated Resettlement Plan.** The document consistent with the principles and objectives of OP/BP 4.12 and with the RPF in which a responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by the Project in a certain area. In accordance with OP/BP 4.12, a ARAP is prepared when less than 200 people are affected by the Project, and resettlement impacts are minor. Integrated RAP may be prepared in accordance with WB decision if there are many sub-projects in the Project, or there are several sub-sections that are prepared for advancement at the same time.

**Resettlement** - Relates to all cases of land acquisition and compensation for loss of assets, whether it involves actual relocation, loss of land, shelter, assets, economic displacement or any other means, and includes all the measures taken to mitigate any and all adverse impacts of the Project on PAPs' property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation. Resettlement impacts include the loss of crops and incomes, in addition to physical relocation.

**Replacement cost** - Refers to a method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs as defined by OP/BP

**RPF - Resettlement Policy Framework** - Refers to this document, which describes the overall resettlement policy structure for the Project.

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

**Transitional allowance** - Describes one-off cash compensation as an additional financial assistance to facilitate PAP adjustment in the area to which they are relocated.

**Vulnerable group** - Refers to people below the poverty line, the landless, older persons, women and children, and those who by virtue of their gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others, or who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

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## **Executive Summary**

### **Introduction**

The National Agricultural Research Organisation (NARO) has prepared this Resettlement Policy Framework (RPF) to be used for East and Central Africa Agricultural Transformation (ECAAT) project, in order to ensure full compliance with the standards set out by the World Bank's operational policy on involuntary resettlement (OP4.12), and the requirements of the Government of Uganda. The project is supported by the World Bank and will be implemented by the National Agricultural Research Organisation (NARO) through an established project co-ordination unit. NARO is the apex body for guidance and coordination of all agricultural research activities in the national agricultural research system (NARS) in Uganda. It is a Public Institution established by an act of Parliament, which was enacted on 21st November 2005.

### **Project Description**

The Project aims at improving the effectiveness of the sector in raising incomes, reducing poverty, improving nutrition outcomes, addressing the challenges of changing climate, fostering regional integration of markets for food commodities and products, and providing better jobs – including skilling the youth and women. The project has the following components.

Component 1: Supports work on Regional Commodity Programs

Component 2: Focuses on Agriculture Education, Skills Development, and Service Delivery

Component 3: Supports Enabling Policies and Agricultural Markets.

Component 4: Emergency Response

Component 4: Supports Regional Coordination and Project Management.

The Project Coordination Unit (PCU) within NARO will undertake project implementation. Other line ministries, departments and agencies will also participate in the implementation where required.

### **Objectives of the Resettlement Policy Framework**

This Resettlement Policy Framework is prepared because the extent and location of all sub-projects to be financed under the ECAAT Project activities cannot be known at appraisal. The key objective of the Resettlement Policy Framework (RPF) is to provide guidelines for preparation of the Resettlement Action Plan (RAP), Abbreviated RAP (ARAP) and Land acquisition process throughout the ECAAT. The policy framework for ECAAT activities establishes

resettlement objectives and principles, organizational arrangements, entitlement matrix and eligibility criteria for any resettlement operation that may be necessary during project implementation.

### **Possible types of resettlement**

Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition. Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that result in displacement. This occurs in cases of: (i) lawful expropriation or restrictions on land use based on eminent domain; and ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail. This resettlement policy framework covers direct economic and social impacts that result from the ECAAT project interventions that may be caused by:

- (a) the involuntary taking of land resulting in:
  - 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 affected persons must move to another location; or
- (b) the involuntary restriction of access to legally designated protected areas and gazetted forests resulting in adverse impacts on the livelihoods of the displaced persons.

For the ECAAT project:

### **The guiding principles of this framework are:**

1. All Project Affected Persons (PAPs) are eligible for compensation for losses resulting from project intervention, irrespective of possession of title to land. However, for compensation for land, a title or some other acceptable proof of ownership will be required.
2. All compensation will be at replacement value.
3. All stakeholders, particularly PAPs, will be consulted and this will be an on-going activity of the project.

## **Methodology for RPF Preparation**

In preparation of the RPF, qualitative methods of data collection were employed to generate the required information. In all the approaches, the methods assessed awareness/knowledge of the current debates in the land sector, the land acquisition processes and current land acquisition challenges, institutional capacities to handle land acquisition, suggestions and recommendations were sought. This guided the framework on appropriate recommendations for the preparation of RAPs and other social guidelines. Data was drawn from three broad data sources, namely: Scientists from NARO institutes; communities engaging with NARO and those that are not, and cultural institutions; and both published and unpublished literature.

Interviews were conducted with NARO management, staff and stakeholders during a review and planning workshop, NARO scientists at Kachwekano ZARDI, National Crop Resources Research Institute (NaCRRI) - Namulonge, Buginyanya Zonal Agricultural Research Institute (BugiZARDI), National Semi-Arid Resources Research Institute (NaSARRI) in Serere, and Bulindi Zonal Agricultural Research Institute (BuZARDI). Consultations were also made with Chief Administrative Officers (CAO), Operation Wealth Creation (OWC) Coordinators, District Production Officers and District Agricultural Officers, District Planners, District and Sub County Community Development Officers (CDO), District Political Leaders including District Chairpersons, Secretaries for Production. Further consultations were made with groups of farmers influenced and not by NARO project activities in the districts of Wakiso, Luwero, Rubanda, Kapchorwa, Kween, Serere, and Hoima. Communities that were once displaced and physically resettled (relocated) by the Oil Refinery Development in Buseruka Sub County, Hoima District to inform the RPF development of the concerns in involuntary resettlement. The Prime Minister of Bunyoro-Kitara Kingdom, and Africa Institute for Energy Governance (AFIEGO)– a non-governmental organisation (NGO) were also consulted.

## **Legal & Policy Framework for Resettlement**

**Ugandan Law and Policy on Land Acquisition:** There is no country-specific resettlement policy in Uganda. A National Land Policy came into force in 2013; of which, its implementation is still a challenge. However, there are a host of other laws such as the 1995 constitution; 1998 Land Act; etc. and have been used in developing this RPF.

**World Bank OP 4.12:** This policy deals with the issues and concerns related to land/assets acquisition, their compensation for all categories of affected persons and affected assets, relocation, resettlement, loss of livelihood, access and related issues. The framework for resettlement and rehabilitation of the affected persons by the project will be adopted in the following approach:

1. Avoiding acquisition to the extent possible
2. Preparing a detailed Resettlement Action Plan and adequately disseminating it
3. Implementation of the RAP
  - a. Notifying acquisition
  - b. Dissemination of claims and payments, and
  - c. Taking possession

### **Eligibility for compensation**

General eligibility is defined as, “people who stand to lose land, houses, structures, trees, crops, businesses, income and other assets as a consequence of the project, as of the formally recognized cut-off date, will be considered as project affected persons (PAPs)”. For purposes of this RPF, the concepts of ‘general eligibility’ for compensation and who is a PAP will be extended to include persons who may be temporarily displaced, but who may be entitled to some compensation through loss of land by the sub-projects.

Although it is unlikely that many PAPs will be entitled to compensation or rehabilitation, on the grounds that they are losing a substantial amount of land under the project, it is as well to set out the full picture on who PAPs could include and what they are entitled to under the project:

- a) All PAPs losing land, with or without title, formal land-use rights, or traditional land use rights;
- b) Owners of buildings, crops, plants, or other objects attached to the land; and
- c) PAPs losing business, income and salaries.

The PAPs in the project are entitled to various types of compensation and resettlement assistance that will assist in the restoration of their livelihoods, at least to the pre-project standards. They are entitled to a mixture of compensation measures and resettlement assistance, depending on the nature of lost assets and scope of the impact, including social and economic vulnerability of the affected persons.

## **Unit Compensation Rates and Budget**

In order to comply with the World Bank's OP. 4.12, rates used to compensate for lost land and assets must be *replacement cost at current market value*, in order to meet the policy objective of "at least" restoring people's livelihoods and ensuring that people affected by a project are not left worse off. According to OP 4.12, "replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs.

In the absence of any conclusion about the estimated land prices, this RPF is prepared to guide on the methods of valuation and development of a Resettlement Action Plan (RAP) that should be prepared for each sub-project that may involve land acquisition, before the beginning of the construction activity in the sub-project. The budget would be part of each RAP that would come forward once the RPF has been accepted and the final identification of PAPs

## **Institutional arrangements.**

The primary institutions that are involved in the land acquisition and resettlement process are the following;

- a) Ministry of Agriculture, Animal Industries and Fisheries (MAAIF)
- b) National Agricultural Research Organization
- c) Project Coordination Unit (PCU)
- d) NARO Research and Development Institutes
- e) District Local Governments
- f) Environment and Social Safeguards Unit

## **Public consultation and Participation**

The formal consultation process in the project will be ongoing and will be managed by the PCUs through village meetings and public consultations with government officials. A series of community meetings will be held, where the census survey of displaced persons will be explained and later carried out. The aims and objectives of the project will be explained as will the necessity for, processes and outcomes of any resettlement or temporary displacement. The PCU/ESS Team will meet with Local Government officials to ensure that they are fully appraised about the project including the formulation and details on the implementation of the RAP. Project specific informative materials will be prepared and distributed to the PAPs to create awareness among the PAPs regarding their entitlements and compensation payment procedures and grievances redress mechanism.

The RPF will be disclosed to the PAPs through village meetings, and informal interaction between the PAPs, and PCU/ESS staff.

### **Monitoring and Evaluation**

Monitoring will comprise of both internal monitoring and external monitoring. Whereas internal monitoring and evaluation of the implementation of RAP will be carried out by NARO/PCU/ESS Team, independent monitoring will be contracted out to a firm or a Non-Governmental Organization (NGO). All monitoring reports will be submitted to NARO, which will in turn submit it to the MAAIF and the World Bank.



# **1. Introduction**

## **1.1 Background**

The National Agricultural Research organisation (NARO) has prepared this Resettlement Policy Framework (RPF) to guide any resettlement activity that may arise during the implementation of the East and Central Africa Agricultural Transformation (ECAAT) project; in order to ensure full compliance World Bank's operational policy on involuntary resettlement (OP4.12), and the requirements of the Government of Uganda. NARO is the apex body for guidance and coordination of all agricultural research activities in the national agricultural research system in Uganda. It is a Public Institution established by an act of Parliament, which was enacted on 21st November 2005.

In accordance with the OP/BP 4.12, preparation of a RPF is required if the extent and location of resettlement are not known at the time of project appraisal. The purpose of the RPF is to establish the resettlement and/or compensation principles, organizational arrangements, and design criteria to be applied to meet the needs of the people who own or use land or resources, which a sub-project may use and cause temporary or permanent loss of access to livelihood in order to achieve the project's objectives. Therefore, the objective of this document is to provide guiding principles for the preparation of specific resettlement instruments including; RAP, ARAP or Integrated RAP, to be developed as appropriate for sub-projects. The instruments will spell out measures to avoid, minimize and adverse impacts during resettlement. This RPF is prepared in accordance with the laws and procedures of the Republic of Uganda, and in conformity with OP/BP 4.12 and best international practice.

## **1.2 Project Description**

Agriculture dominates Uganda's economy and accounts for 80% of export earnings and an estimated 80% of employment nationwide. Approximately 87% of Uganda's estimated 40 million people reside in rural areas, and 85% of who are involved in subsistence agriculture. Because of its vantage status and potential in addressing food insecurity and unemployment especially among the youth and women, several initiatives have been commissioned to revitalize the sector for wider positive impact in society. One of these initiatives was the Eastern Africa Agricultural Productivity Project (EAAPP), funded by the World Bank, and implemented by Uganda, Kenya, Ethiopia and Tanzania from 2010 to 2015. The Government of Uganda (GoU), through a credit from the World Bank

implemented phase one of the EAAPP as an Adaptable Programme Loan (APL) between January 2011 and 2015. The overall goal of EAAPP was to contribute to increased agricultural productivity and growth through establishment of a regional cassava centre of excellence.

Like its predecessor EAAPP-I, ECAAT is also a regional project that will promote regional integration while meeting the eligibility criteria for International Development Assistance (IDA) of the World Bank. ECAAT's development objective is to enhance regional collaboration to improve productivity, resilience, and competitiveness of selected agricultural commodity value chains and increase smallholder farmer access to the regional market for good commodities and products.

### **1.2.1 ECAAT Project Objective and Components**

The Project objective is to improve the effectiveness of the sector in raising incomes, reducing poverty, improving nutrition outcomes, addressing the challenges of changing climate, fostering regional integration of markets for food commodities and products, and providing better jobs – including skilling the youth and women. The ECAAT project has five components, namely: Regional Commodity Program; Agriculture Education, Skills Development, and Service Delivery; Enabling Policies and Agriculture Markets; and, Emergency Response Regional Coordination and Project Management. The objectives of each of these components are as follows:

#### **Component 1: Regional Commodity Programme**

The objective of this component is to enhance regional collaboration in the development of agricultural technologies, innovations and management practices (TIMPs) and product utilization for selected commodities and facilitate exchange and dissemination of the TIMPs across national boundaries. The component will have three sub-components, namely: Establishment and Strengthening of Regional and National Centers of Excellence/Specialization/Leadership; Collaborative Development, Transfer, and Dissemination of TIMP's; and Emergency Response

#### **Component 2: Enabling Policies and Agriculture Markets**

The objectives of this component are the following: (i) to create an enabling policy and regulatory environment for national and regional collaboration in development, transfer, and exchange of technologies; and (ii) to improve

smallholder farmer's access to regional and national markets for food commodities and products; vibrant and efficient seed and breed supply systems and farm equipment supplyEnabling conditions for regional collaboration in research and development and in access to regional markets strengthened

### **Component 3: Agriculture Education, Skills Development, and Service Delivery**

The objective of this component is to provide the current and future labour force with critical knowledge and skills that: (a) promote faster technical change in agriculture, especially in technology development, and innovations to improve access to markets; (b) meet the needs of private sector agribusinesses;(c) make youths to be more employable by the food and agricultural system now and in the future; (d) encourage innovation and entrepreneurship in transforming agricultural value chains while linking primary agriculture with the emerging food system and formal markets, and (e) address the needs of the vulnerable groups and communities for natural resource management.

### **Component 4: Emergency response**

The objective of this component is to provide a mechanism for emergency response to crisis of a regional nature, affecting at least two participating countries, and with the goal to enhance resilience and improve recovery from the crisis. This will be addressed as the emergency unfolds during the implementation of ECAAT

### **Component 5: Regional Coordination and Project Management**

The objective of this component is to coordinate the project at national level and liaise with the sub-regional organization (SRO) that will oversee the project at regional level. This component will be implemented under three sub-components.

Components 1,2 and 3 are likely to trigger land acquisition. The project will invest in improving, laboratories, establishments of famer field schools, warehousing at community levels, irrigation, mechanization, and engineering for research and training along the value chain.

### **1.3.2 Principles of the Resettlement Policy Framework**

The guiding principles of this framework are three-fold, namely:

1. All PAPs are eligible for compensation for losses resulting from project intervention, irrespective of possession of title to land. However, for compensation for land, a title or some other acceptable evidence would be required.
2. All compensation will be at replacement value.
3. All stakeholders, particularly PAPs, will be consulted and will be an on-going activity of the project.

## **2 Resettlement Policy Framework Methodology**

### **2.1 Preparation Approach**

In preparation of the RPF, a participatory and consultative approach was used. Both primary and secondary data were collected and analysed. A wide range of stakeholders were consulted including farmers/communities engaging and those not engaging with NARO institutes, NARO staff and local government. For both key informants' interviews, and FGDs and community meetings, opinions, perceptions, and experiences were sought on the current land debate in the country particularly in regards to the proposed amendment of Article 26 that relates to compulsory acquisition as a way of stimulating discussions on the future of compulsory land acquisition in the country and what people think should be done. A checklist of issues covered is annexed to the report.

#### **2.1.1 Desk Review**

The RPF preparation started with a desk review of several relevant documents. The review was undertaken to provide: background information; the status of NARO research interventions; and the policy and legal framework for land acquisition (see list of documents reviewed in Appendix 11). Basing on the review, a checklist was developed and used to guide discussions with the different stakeholders (see Appendix 10).

#### **2.1.2 Key Informant Interviews**

Key interviews were held with both District officials and NARO staff. The district informants included: Chief Administrative Officers (CAO), District Agricultural Officers (DAOs), District Environment Officers (DEO), Community Development Officers (DCDO), District Engineers, District Lands Officers and District Physical Planners (DPP), Extension Workers, Cultural Leaders, and Operation Wealth Creation (OWC) Coordinators. The NARO informants included: selected NARO management staff and other research scientists from: NaCRRI in Namulonge; KaZARDI in Rubanda; NaSARRI in Serere, BugiZARDI in Bulambuli; and BuZARDI in Hoima districts. The discussions solicited suggestions and recommendations on how to handle land acquisition issues that may rise during the implementation of the ECAAT project.

### **2.1.3 Focus Group Discussions**

Focus Group Discussions (FGD) were conducted with staff from the research institutes and community members. The NARO staffs were from NACRRI, KaZARDI, NaSARRI, BugiZARDI, and BuZARDI. Community discussions comprised of farmers who engage with NARO and those who do not. Mixed groups of men and women, and women alone were consulted. Up to five (5) FGD and three (3) community meetings with farmers, and five (5) with scientists were conducted. Photographs of these meetings were taken and are appended in the report.

### **3 Land Acquisition and Categories of Affected Persons**

#### **3.1 Critical Issues**

This Resettlement Policy Framework, for the ECAAT 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:

- Utilize available NARO/MAAIF institutional land;
- seek other public land (verify ownership by government) sufficient for the purposes of the ECAAT project
- negotiate acquisition of land suitable for implementation of the ECAAT project activities using agreed compensation plans and only as a last resort and;
- acquire land following the provisions outlined in this RPF
- All of the above processes should be well documented with evidence.

Project activities that may require land include: establishment of irrigation and crop technology demonstrations, warehouses and laboratories, or feeder roads widened to gain access to the facilities within these communities. However, consultations with NARO scientists indicate that most of these establishments will be based within NARO institutes. In cases where communities are willing to donate land, the right procedures for land acquisition through donations will be followed. These include:

- a) Consultations and disclosure,
- b) Survey and disclosure of the extent of impact, and
- c) Signing of consent forms.

The districts that were consulted indicated that they often got land voluntarily from the community for feeder and community roads development. Particular attention will be paid to ascertain that these contributions are indeed voluntary and free from all pressures from society and free from fear of prosecution, marginalization or stigmatization.

It should, however, be noted that although communities across the local governments visited during consultations for the development of this RPF had during consultation agreed to voluntarily provide land for roads and even warehouse construction, voluntary Land Contribution should be

handled with care. Experience has shown that opening this option either leads (i) to elitism or to (ii) forced contribution from the most vulnerable groups or persons. Therefore, proper consultations should be made so that people are aware and voluntarily willing to contribute land for project activities. All persons or groups who willingly agree to land donations will be monitored to ascertain whether there are no forms of coercion at any one time during project implementation.

In case need for land arises during project implementation, or where voluntary land donation is not possible; a RAP or Abbreviated RAP will be developed following the guidelines appended in this document. Where destruction of trees and crops cannot be avoided, appropriate compensation will also be effected as guided in this document. The need for land may result when the project wants to establish farmer field schools or sites for experiments and trials. The farmer may be compensated in addition to getting benefits from the crops and fertilizers used in the process.

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

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

#### **3.2.1 Affected Households**

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

- Any members 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 productive 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.

### **3.2.2 The Vulnerable Households**

One of the objectives in the decentralization policy of Uganda targets empowering women by removing restrictive practices on women's participation in decision-making processes that affect them. Particular attention will be paid to impacts on vulnerable members of these communities such as women, children, people with disability (PWD), female and child headed households, and internally displaced people.

Internal conflicts, droughts, floods, historical marginalization, poor infrastructure, diseases, landslides and a host of other natural disasters affect many parts of Uganda. For instance, landslides in Kween, Bududa districts and parts of Southwestern Uganda; drought, famine, diseases and pestilence in Northeastern Uganda, floods in Teso the Rwenzori districts, marginalization of the indigenous communities such as the *Ik* in Karamoja, *Benet* in Kween, and *Batwa* in Rubanda, Kabale and Kisoro districts with significant impact on their welfare.

To the extent possible, efforts will be made to avoid further aggravating the level of vulnerability that the identified groups are in, by ensuring that sub-projects are designed in such a way that they don't cause displacement of vulnerable groups. Instead efforts will be made to include them in the project activities and design technologies that support their livelihoods. This can be done through provision of improved varieties, training in areas such as soil management, pest control methods and others".

### **3.2.3 Older persons**

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. A number of cases were reported among communities resettled from displacement by land for Oil Refinery in Buseruka Sub County, Hoima District. The definition of household by including dependents avoids this.

#### **3.2.4 Women**

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

#### **3.2.5 Indigenous Peoples**

The *Ik* in Kaabong District, *Benet* in Kween District and the *Batwa* in Kabale, Rubanda and Kisoro districts have been identified as the traditionally marginalized groups in Uganda. First of all the project will avoid physically affecting them and secondly a separate Vulnerable Group and Marginalized Peoples (VGMP) Policy Framework for the ECAAT project has been prepared, which explains their cultural and socio-economic vulnerability and provides particular measures in case of land acquisition. The document includes measures to ensure Free Prior and Informed Consent (FPIC). The table below shows the different impacts and who is eligible for compensation.

**Table 1. Eligibility Criteria for identifying Affected Persons**

| <b>Category of affected persons</b>  | <b>Assets</b>   | <b>Type of compensation</b>  |
|--|---|--|
| 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, | To be provided compensation for land lost and other assistance. Compensation to be granted to communities.   |
| Persons with customary claims of ownership or use of property recognized by community leaders (including the Indigenous People, landless and migrants) | economic trees, farm lands, cultural sites commercial/ business properties,         | To be provided compensation for land lost and other assistance. Users to be provided with alternative lands to use. Groups impacted will also be compensated for assets and livelihood/income losses |
| Persons with no recognizable legal right or claim to land  | tenancy, income earning Opportunities, and social and cultural                      | To be provided resettlement assistance in lieu of compensation for land occupied.  |
| Persons encroaching on land after the cut off date.  |   | Not eligible for compensation or any form of   |

## **4 Legal and Policy Framework for Resettlement**

### **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 individual groups. They also provide procedures for the acquisition of land by the state or a public body for public projects. Among the most important legal instruments in this regard are the following:

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

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

**a) The Uganda Constitution (1995)**

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

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

**b) 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, Uganda Land Commission (ULC), District Land Boards (DLB), Parish Land Committees (PLC) and District Land Tribunals (DLT). Section 78 of the Act gives valuation principles for compensation, i.e. compensation rates to be yearly approved by DLBs. The basis for compensation is depreciated replacement costs for rural properties and market values for urban properties.

Article 75 of the Land Act 1998 and Article 243 of the 1995 Constitution creates District Land Tribunals with jurisdiction to determine disputes relating to the grant, lease, repossession, transfer or acquisition of land by individuals, the ULC or other authority with responsibility relating to land; and the determination of any disputes relating to the amount of compensation to be paid for land acquired. Article 77 (e) of the Land Act 1998 gives power to the

DLTs to determine any other dispute relating to land under this act. Article 88 (1) of the act stipulates that an appeal shall lie from the decision of a DLT to the High Court. Key features of the recognized forms of land tenure in Uganda are:

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

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

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

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

those persons occupying the land at the time of the creation of the *mailo* title and their successors.

**c) Land Acquisition Act (1965)**

This Act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land, dig or bore the subsoil or any other thing necessary for ascertaining whether the land is suitable for a public purpose. The Government of Uganda is supposed to pay compensation to any person who suffers damage as a result of any action. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.

The Land Acquisition Act stops at payment of compensation. It is not a legal requirement to purchase alternative land for the affected people by the project. Once they are promptly and adequately compensated, then the obligations stop there. The Government through the Ministry of Lands, Housing and Urban development will pay the compensation to the affected persons. There is no requirement or provision in the law that people need to be moved or that alternative land 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.

**d) 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:

- a) 30% of compensation amount if quit notice is given within 6 months.
- b) 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 vivo*, 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 Committee;
  - 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.

**e) The Land Regulations, 2004**

Section 24(1) of the Land Regulations, 2004 states that the District Land Board (DLB) shall, when compiling and maintaining a list of rates or 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.

**f) 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.

**g) Land Acquisition Act (1965)**

This Act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land, dig or bore the subsoil or any other thing necessary for ascertaining whether the land is suitable for a public purpose. The Government of Uganda is supposed to pay compensation to any person who suffers damage as a result of any action. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.

The Land Acquisition Act stops at payment of compensation. It is not a legal requirement to purchase alternative land for the affected people by the project. Once they are promptly and adequately compensated, then the obligations stop there. The Government through the Ministry of Lands, Housing and Urban development will pay the compensation to the affected persons. There is no requirement or provision in the law that people need to be moved or that alternative land 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.

**h) The Employment Act**

The employment Act 2007 has provisions for forced labour, discrimination in employment and sexual harassment in employment. It also provides for fair



treatment at the workplace. This will be relevant to the contractors who will be working on the ECAAT projects.

## **The Policies**

### **a) 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. While part 90 of the same section positions government to protect land rights, including rights of citizens in the face of investments with measures for clear procedures and standards for local consultation; mechanisms for appeal and arbitration; and facilitate access to land by vulnerable groups in the face of investments.

**Measures for Protection of Land Rights:** Section 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:
  - a) recognize land tenure rights of minorities in ancestral lands;
  - b) document and protect such defacto occupation rights against illegal evictions or displacements;
  - c) consider land swapping or compensation or resettlement in the event of expropriation of ancestral land of minorities for preservation or conservation purposes;
  - d) detail terms and conditions for displacement of minorities from their ancestral lands in the interest of conservation or natural resources extraction;
- II. Pay compensation to those ethnic minorities that have in the past been driven off their ancestral lands for preservation or conservation purposes;
- III. Deliberate and specify benefit-sharing measures to ensure that minority groups benefit from resources on their ancestral lands rendered to extractive or other industry;
- IV. Recognize the vital role of natural resources and habitats in the livelihood of minority groups in the gazettelement or degazettelement of conservation and protected areas

#### **b) Gender Policy**

The Constitution of the Republic of Uganda provides overall legal frame work for the Uganda Gender Policy (UGP). It recognizes equality between women and men. Specifically, it provides for gender balance and fair representation of marginalized groups. It recognizes the role of women in society; accords equal citizenship rights, freedom from discrimination, and affirmative action in favor of women. Additionally it also articulates specific rights of women including outlawing customs, traditions and practices that undermine the welfare, dignity and interests of women.

The 2007 Gender policy has the objective to: reduce gender inequalities so that all women and men, girls and boys, are able to move out of poverty and to achieve improved and sustainable livelihoods; and investments. All actors (state and non-state) shall take appropriate action to address gender inequalities within their areas of mandate, in line with this policy. This requires women as well as men to play an active role in shaping development directions and choices in all sectors and at all levels.

The relevance of this policy to the resettlement activities will be for the sub-projects to take into consideration all issues pertaining to men and women and to make sure they all participate and share project benefits. The sub-projects of ECAAT should not make one group worse off.

### **c) The National Child labour Policy**

The National Child Labour Policy (2006) and its simplified version (2010) provide the principles and legal framework for collective and sustainable action to combat child labour starting with the worst forms. The policy also forms the basis for the development of guidelines and action to combat child labour in Uganda. The Ministry of Gender Labour and Social Development has developed the National Action Plan on the elimination of Child Labour that is aligned with International and national policies. The Plan is a mainstreaming tool and framework to mobilize the key Government actors and the public at large to intensify the national response on child labour through awareness raising activities at all levels to create deepened understanding of the risks and consequences of child labour. The plan will also provide a basis for resource mobilization, reporting, monitoring and evaluation and measurement of performance and progress of the interventions aimed at combating child labour.

## **4.2 World Bank Policies**

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

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons physically displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programmes

- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

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

- I. relocation or loss of shelter;
- II. loss of assets or access to assets; or
- III. loss of income sources or means of livelihood, whether or not the affected persons must move to another location

Special attention should be paid to vulnerable groups, including those below the poverty line, elderly, women and children, people with disability, ethnic minorities etc.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

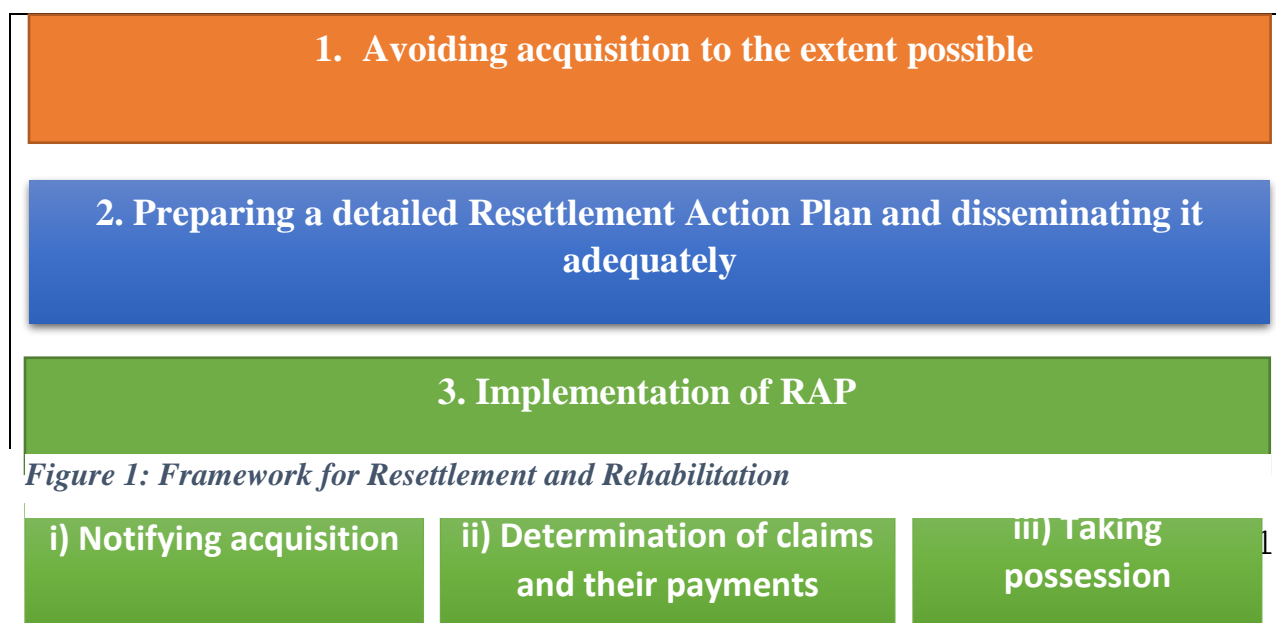
OP/BP 4.12 proclaims the following fundamental rules of actions that are applied during Project caused resettlement:

- I. Displaced persons will be informed about their options and rights referring to resettlement;
- II. Displaced persons will be consulted and offered the choice and provision of technical and economically sustainable alternatives during resettlement;
- III. Displaced persons will be ensured fast and effective compensation at full replacement cost for the property loss as a direct consequence of the Project. Preference should be given to resettlement strategies based on replacement land rather than compensation in cash payment with a particular attention when agricultural cultivated land is affected and to the displaced persons whose livelihood are land based;
- IV. If the impacts include physical resettlement, displaced persons will be provided such assistance as compensation for relocation during the resettlement, residential building or residential location, or, if necessary, agricultural location for which combination of production potential, location benefits and other factors have at least the same benefits as the former location;

- V. Displaced persons will, on top of compensation for the acquired property, achieve all rights for additional assistance;
- VI. Displaced persons will be provided support after relocation for a transitional period of time necessary for renewal of living standards;
- VII. Displaced persons will access to grievance mechanism, accessible and available procedures for settling resettlement and construction related disputes.

These principles are adopted by this RPF, and will be applied during Project implementation, governing all activities where involuntary resettlement occurs. The principles are listed and further detailed in chapter 3.4. Entitlement matrix for sub-projects that require resettlement/land acquisition, the Bank requires preparation of RAPs, which are consistent with this RPF and OP/BP 4.12.

The objectives of the World Bank's policy can be clearly achieved by following the principles described therein. However, this RPF provides a more detailed framework, which not only justifies the WB policy's objectives but also the inherent spirit of it, which entails a sensitive, transparent and inclusive process of acquisition, displacement and resettlement. The framework for resettlement and rehabilitation of the affected persons by the project will be adopted in the following approach see (figure 1)



*Figure 1: Framework for Resettlement and Rehabilitation*

### **First Step: Avoiding acquisition to the extent possible**

The OP 4.12 is avoidance of land acquisition and resettlement if possible. Land acquisition and resettlement should not be seen as the easy first option; rather it should be seen as a last resort.

A participatory consultative process to allow the affected persons and other stakeholders to deliberate upon the project's benefits, its negative impact, resultant acquisition and displacement issues etc. will be undertaken in the first step with the communities living on and around the alignment of the project. The cut-off date will be determined, after which no one coming into and obtaining land, or a house, in the potential project area will be entitled to any compensation or resettlement benefit. Such a date will have to be determined for each sub-project separately.

### **Second Step: Preparing a detailed Resettlement Action Plan or Abbreviated Resettlement Action Plan and disseminating it adequately**

The next step is to develop a detailed Resettlement Action Plan, guided by the principles established in this framework document. For the peculiarities and constraints described earlier, the RAP will also be developed separately.

Each RAP should include provisions to provide for:

1. Timely information dissemination to all the PAPs about their options and rights pertaining to resettlement and compensation;
2. Ensuring that all the PAPs are advised about the offered choices and provided with technically and economically feasible resettlement alternatives;
3. Disbursement of full replacement cost for loss of assets attributable directly to project-related land acquisition, with the amounts paid promptly to the rightful owners in a transparent manner.

The above provisions require a very judicious estimation of financial and other assistance and needs to be dealt with very carefully. The RAP should also establish clear and transparent processes to provide for just, fair and equitable distribution of assistance, to minimize a discretionary and biased approach in the decision-making processes.

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

The most significant difference between Ugandan legislation and the WB requirements is that under Ugandan legislation, emphasis is put on the definition of formal property rights and on how the acquisition of properties for public purposes is to be implemented and compensated while in the case of WB policy emphasis is put both on the compensation of rightfully owned affected assets and on the general rehabilitation of the livelihood of PAPs. Because of this, WB policy complements the Ugandan legislation/regulation with additional requirements related to (i) compensation of for loss of assets at replacement cost; (ii) the economic rehabilitation of all PAPs (including those who do not have legal/formal rights on assets acquired by a project); (iii) the provision of indemnities for loss of business and income, (iv) and the provision of special allowances covering PAPs expenses during the resettlement process or covering the special needs of severely affected or vulnerable PAPs. Some of WBG requirements are not met by certain aspects of the Ugandan legislation and practice in the field of compensation. However, in case of divergence between the national laws/regulations and the World Bank Operational Policy OP/BP 4.12, the latter will prevail.

**Table 2. Comparison of Ugandan Laws and the World Bank Policies on Resettlement**

| <b>Types of Affected Persons/lost</b> | <b>Ugandan Law</b>  | <b>World Bank OP4.12</b>   | <b>Comparison/Gap</b>  | <b>Mitigation Measure</b>  |
|---------------------------------------|---|--|--|--|
| Land Owners                           | 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. Customary land owners are entitled to compensation based on the open market value of the unimproved land | Land-for-land exchange is the preferred option; compensation is to be based on replacement cost  | The legal right to resettlement is applicable only to those with proprietary interest in the affected land.<br><br>Customary land holds property and ownership. Entitlement for payment of compensation is essentially based on the right of ownership or legal user/occupancy rights. | Land-for-land. If this is not possible, 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 |
| Land Tenants/Squatters                | Ugandan law does not make any specific accommodation for squatters or illegal settlers, and compensation is based on legal occupancy  | 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 | There is no distinction or discrimination made on the basis of gender, age, or ethnic origin between Ugandan law and Bank policy. However,   | Design ACDP to avoid resettlement or minimize displacement of people. Where necessary, dialogue with policy makers will be initiated to provide assistance to illegal  |



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|  | <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. Bonafide occupant” means a person who before the coming into force of the Constitution had</p> | <p>achieve the objectives of the Bank's resettlement policy.</p> <p>For those without formal legal rights to lands or claims to such land that could be recognized under the laws of the country, the government should provide resettlement assistance in lieu of compensation for land, to help improve or at least restore those affected persons' livelihoods</p> | <p>there is no explicit equivalence on the specific requirements for enforcing non-discrimination, including the requirement that particular attention be paid to the needs of vulnerable groups among the displaced.</p> <p>Those without formal legal rights or claims to such lands are not entitled to be resettled or compensated.</p> | <p>tenants to move to a place where they can reside and/or work legally</p> |
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|  | <p>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 land on the basis of a license 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</p> |  |  |  |
|--|--|--|--|--|

|                                   |   |  |   |  |
|-----------------------------------|---|--|---|--|
|                                   | fide occupant for the purposes of this Act.   |  |   |  |
| Land Users/Licensees              | Licensees are granted authority to use land for agricultural production, usually limited to annual crops. They have no legal security of tenure or any propriety right in the land<br>The Land Act, section 29(5) clearly states that for the avoidance of doubt, a licensee shall not take to be a lawful or bonafide occupant | Entitled to compensation for crops, and/or replacement land; and income should be restored to at least pre-project levels  | No equivalence between Bank and Ugandan systems for identifying and addressing impacts resulting from project related activities.   | Design of ECAAT to avoid resettlement or minimize displacement of people<br>The program will have a strategy for enabling the PAPs restore their incomes to at least pre-ECAAT Project levels<br>Relocation assistance should be provided  |
| 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.<br>Owners of non-permanent buildings are   | For those without formal legal rights to lands or claims to such land or assets 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 | 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 | Project will provide compensation based on full replacement value depending on the existing land tenure. This will include the payment of government valuation rates for the type of tenure, market rates for structures and materials, and the payment of a disturbance allowance |

|                                 |   |  |  |   |
|---------------------------------|---|--|--|---|
|                                 | entitled to compensation based on rates set by District Land Boards   |  |  |   |
| 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 does not reflect full replacement cost/value  | Project will provide compensation based on full replacement value. This will include the payment of government valuation rates for the type of tenure, market rates for structures and materials, and 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 | 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 on implementing all relevant resettlement plans before project completion or on providing resettlement entitlements before displacement or restriction of access | Project to pay prompt compensation at replacement value. Compensation and resettlement, where applicable, must take place before civil works commence and before take-over of land  |

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|   | provisions of the Constitution (article 6)  |  |   |  |
| 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 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 | 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 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 | There are no equivalent provisions on relocation assistance, transitional support, or the provision of civic infrastructure. 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) | 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 |
| Relocation and Resettlement               | Both the Constitution, 1995 and The Land Act, 1998 gives the government and local authorities power to  | 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  | Ugandan laws do not appear to make provisions for avoidance or minimizing of involuntary resettlement   | Project will provide compensation based on replacement value. This will include the payment of government valuation rates, taking into   |

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|   | 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.” | of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher  |  | account market values for assets and materials, and payment of a disturbance allowance |
| 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 given to the owner.   | 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 access | The project will conform to WB and best practices during implementation of the RAP     |

|  |  |  |  |   |
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| 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 would need to be aligned with Bank policy to effectively guarantee rights of all affected persons of involuntary resettlement | The project will provide transition allowance. This is normally calculated as 15% if one is given 3 months notice, and 30% of the total compensation if it is 6 months.   |
| 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 PAPs, 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.                         | Consultations with all relevant stakeholders will follow World Bank guidelines of: first identifying all stakeholders through a stakeholder analysis; identifying the methods and means of consultations and consulting them on a continuous basis through out the project. |
| Grievance mechanism and dispute resolution | The Land Act, 1998 states that land tribunals must be established at all   | Establish appropriate and accessible grievance mechanisms.   |  | Grievance committees to be instituted within the procedure but will not   |

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|  | <p>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.</p> |  |  | <p>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.</p> |
|--|--|--|--|---|



## **5 Public Consultation and Participation**

Compensation and livelihood restoration support will be organized by affected people in their groups facilitated by Community Development Offices (CDOs) responsible for the respective sub project with support of the zonal safe guard focal persons locations. The ESS coordinator at the national level will monitor this during the mobilization and construction phase of the sub-projects. The ESS coordinator at the national level will advocate to the respective CDOs to support PAPs on compensation and restoration of their livelihood, where necessary.

### **5.1 Stakeholder Analysis and Guidelines for Consultation**

There is need for stakeholder's analysis and stakeholder consultation guidelines for RAP preparation, cognizant of the requirement that all consultations need to be informed, inclusive of all groups and gender, participative with provision for information sharing and incorporation of comments into relevant project instruments.

Stakeholder analysis will be undertaken to identify all individuals and groups of people who have interests in the project whether positive or negative and their level of influence. From a stakeholder engagement, plans will be developed identifying methods of consulting them.

### **5.2 General Public Consultations**

This section describes the mechanisms for the public consultation process with PAPs, disclosure of the RPF and corresponding RAPs through distribution of informative material to create awareness among the PAPs regarding their entitlements and compensation payment procedures and grievances redress mechanism.

### **5.3 Community Meetings**

A series of community meetings will be held, where the census survey of displaced persons will be carried out explaining the aims and objectives of a project as well as the necessity for processes and outcomes of any resettlement or temporary displacement. The village elders and stakeholders' meetings will be scheduled based on the availability of the participants. The PCUs' safeguards and zonal focal persons will be responsible for conducting village consultations. In the census survey, the project will list the names of the owners/users of assets likely to be acquired, temporarily used, or damaged, for which compensation will be payable and the NARO and/or PCU/ESS Team will prepare a Resettlement Action Plan

(RAP) or Abbreviated RAP for the sub- projects (where needed) that will ensure that all these affected assets are justly compensated. The approved RAP will be presented and explained to all affected households and persons and other interested parties. The census survey will be conducted in the affected land areas.

#### **5.4 Consultations with Government Officials and Other Stakeholders**

The PCU safeguards focal person and zonal focal persons will meet with Local Government officials to ensure that they are fully appraised about the project including the formulation and details on the implementation of the RAP. The PCU will coordinate with land valuation committees. There will be coordination with the District Local Government Authorities that have the jurisdiction over the sub-project areas as well as village leaders. Information about entitlement provisions and compensation packages will be shared with these government officials and other stakeholders.

#### **5.5 Preparation of Project Specific Informative Material**

Project specific informative materials will be prepared and distributed to the PAPs to create awareness among the PAPs regarding their entitlements and compensation payment procedures and grievances redress mechanism. They will cover the following:

- After approval of this RPF by the World Bank, it may be translated into local languages and disclosed to the stakeholders especially affected persons by the NARO through village meetings. RAPs for each sub-project will be made available to the concerned district governments, village leaders, affected households, NARO's Institutes and District Local Government offices as an official public document. This RPF will also be disclosed on the NARO, MAAIF and ASARECA websites.
- A summary of this RPF will be prepared specifically for this purpose and will be translated into local languages and presented to all PAPs in the form of a pamphlet/ brochure, to enable the PAPs and local communities to read it by themselves and be aware of the benefits/compensations to be made available for different PAPs. PCU/ESS Team staff will distribute the brochures through the village meetings and will explain the mechanisms and procedures of the consultation program and how PAPs will be engaged in resettlement activities and the overall process.
- A payment disbursement schedule – or preferably transfer of compensation to PAP's bank accounts, explaining the date, time and venue for disbursement of compensation payments of each PAP will be prepared in

local languages and distributed to all PAPs. This will also be disclosed in the village meetings.

- A package containing following information material will be prepared for each PAP.
  - Inventory of PAP's losses
  - Schedule for compensation payment disbursement explaining the date, time and venue for receiving payment, vacating land and demolition of structures
  - Pamphlet/ brochure in local languages
  - Grievance redress mechanism
  - Any other relevant information for the PAP

## **5.7 Disclosure**

The RPF will be disclosed to the PAPs through village meetings, and informal interactions with the PCU/ESS team after its approved by the World Bank. In the process, the following disclosure plan will be followed:

- Avail copies of the RPF in English and local languages to PCU, NARO institutes, and Local Government offices, PAPs and concerned agencies.
- Disclose the RPF in village meetings
- Avail the RPF all public institutions for the general public to access information
- Post the RPF on NARO and MAAIF websites
- Publicize the RPF through all forms of media
- Provide information packages regarding the RPF to all PAPs

The zonal safeguard focal persons with the PCU will conduct meetings with the local government units and other government agencies as part of the disclosure process to acquaint them of the substance and mechanics of the RPF. They will be responsible to return to the affected villages and communities once this RPF is approved conduct disclosure exercises with PAFs to ensure that affected households are familiar with this plan before the actual implementation commences. RAPs, or Abbreviated RAP, will be publicly disclosed.

## **6 Eligibility Criteria and Categories of Project Affected Persons**

### **6.1 World Bank Criteria for Determining Eligibility for Compensation**

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

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

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

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

who has occupied the project area after the cut-off-date will qualify for resettlement assistance under this RPF.

## **6.2 Consideration under the Project**

Entitlements for compensation shall be based on the eligibility criteria and the various categories of losses identified in the desk studies and field consultations. Unless otherwise indicated, payment of compensation and other entitlements and the extension of assistance will be made to PAP households and individuals as the case may be. In dealing with compensation, preference shall be given to land-based resettlement strategies for Project Affected Persons whose livelihoods are land-based. Where sufficient land is not available at a reasonable price, non-land-based options centered on opportunities for employment or self-re-employment should be provided in addition to cash compensation for land and other assets lost. However, this lack of land shall be documented and justified.

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

## **6.3 Cut-off date**

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

## **6.4 Eligibility Criteria for Compensation**

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

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

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

Table 3. Entitlement Matrixes

| Category of Loss  | Eligible Person       | Compensation Entitlement  |
|---|-----------------------|---|
| Permanent loss of agricultural Land                         | Farmer/Title Holder   | Cash Compensation for affected land equivalent to market value which should be current and able to replace the property or replacement land of same value of land lost and at location acceptable to PAPs where feasible. |
|   | Tenant / Leaseholder  | Not eligible for land compensation; only for other losses such as crops or structures.  |
|   | Squatters             | Not eligible for compensation for land, but will be compensated for any structure or crops affected by the project.   |
| Non-residential structures (barns, irrigation, fences, etc) | Registered owners     | Compensation at full replacement cost for lost structures, in addition of compensation for loss of land.  |
|   | Renter/Leaseholder    | Non-eligible.   |
|   | Non-legalizable users | Eligible for compensation at full replacement cost of all structures built by the non-legalizable user  |
| <b>Loss of income and livelihood</b>                        |                       |   |

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|---|--|--|
| Loss of common property and/or resources                          | Community/P<br>ublic Assets  | Reconstruction of the lost structure or replacement of agricultural lands in consultation with community and restoration of their functions  |
| Crops<br>Standing crops affected or loss of planned crop incomes. | All PAPs regardless of legal status (including registered owners, legalizable, non-legalizable users, and renters) | When possible people will be given enough time to harvest existing crops. Crop compensation in cash at gross market value of actual or expected harvest. Compensation for this item will be provided even in case if the crops were harvested. This compensation is in addition for compensation for permanent acquisition of land if applied. |
| Trees   | All PAPs regardless of legal status (including registered owners, legalizable, non-legalizable users, and renters) | Cash compensation at market rate on the basis of type, age, market price of product, and the productive life of the trees. This compensation is in addition for compensation for permanent acquisition of land or easement fee.  |

## 6.5 Establishing Rates for Land Acquisition & Resettlement

The Law on Land Expropriation (LLE) refers to prompt and adequate compensation but is silent on the details of compensation. In the absence of detailed rules, it will not be in conflict with the LLE for details to be developed in the context of this RPF and applied to the project. Also, in order to comply with the World Bank's OP. 4.12, rates used to compensate for lost land and assets must be replacement cost at current market value, in order to meet the policy objective of "at least" restoring people's livelihoods and ensuring that people affected by a project are not left worse off. According to OP 4.12, "replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs.

In applying this method of valuation, depreciation of structures and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms, attempts will be made to establish access to the equivalent and culturally acceptable resources and earning opportunities. In the absence of any conclusion about the estimated land prices, this RPF is prepared with guidelines on the methods of valuation and a Resettlement Action Plan (RAP) will be prepared for each subproject that may involve land acquisition, before the beginning of the construction activity in the subproject. The budget will be part of each RAP that will be developed once the RPF has been accepted and the final

identification of PAPs has been concluded. Funds will be made available for the resettlement costs, including not only compensation to PAPs, but also other costs to be incurred throughout the process of development and implementation of RAPs.

## **6.6 Valuation of Land**

The location of the land influences the actual price per square meter: the nearer the land to a built-up area (e.g. a village), the higher the valuation and perception of the affected households. Hence, the valuation of the land is pegged on an average, the actual value depending on the nearness to a built-up area. In the valuation of agricultural land, the availability of water is very important to determine the fair value, or market rates. Residential and commercial lands are largely dictated by the existing road alignment for accessibility, rather than crop potential. The Government Valuer determines the land prices. Prices follow the trend that the nearer the land to a population center, the higher the price of the land.

## **6.7 Valuation of Structures**

The classification of structures (temporary, semi-permanent and permanent) refers to the materials used in construction. The valuation of structures into class 1 (mud/brick/wood walls, mud/tin roof), 2 (tiled roof and normal cement floor) and 3 (RCC, single/double story building) will be determined after various consultations with some owners who recently built their houses, local contractors and some engineers in the government.

## **6.8 Valuation of Crops and Trees**

The estimation of valuation of crops is problematic because of a lack of reliable data in terms of yield. However, District Land Boards are mandated under decentralization to establish and review rates from time to time. District rate for crops should be included in the RAP document. The compensation for productive trees is normally based on the gross market value of one year's income for the number of years needed to grow a new tree, with the productive potential of the lost tree. Non-productive trees are to be valued based on the multiple years' investment they have required. The compensation rate for a fruit-bearing tree is the average yield per tree, multiplied by the age of the tree. For the non-fruit bearing trees, the usual propagation method is grafting. Farmers buy saplings ready to be transferred in the fields. On the fourth year for the tree, it starts to produce fruits. Hence, it is on this basis that the valuation of non-bearing fruit



trees can be determined. The compensation for non-productive fruit bearing tree is the cost of the sapling, plus the cost of maintaining the tree up to the time that the tree was cut because of the project.

## **6.9 Livelihood Restoration Support**

The resettlement strategy is to provide compensation for all lost assets at replacement cost in order that PAPs' incomes and livelihoods are not adversely affected and where possible improved. All PAPs whose livelihoods are affected should be supported and their capacities built for livelihood restoration measures. The scenario in the ECAAT, is that losses will be minimal and the number of PAPs will be small. They will also be given first preference for employment opportunities on the project related activities, for example where construction is to be done, PAPs can become suppliers/service providers, supplying food and construction materials, and may also be employed in the actual construction itself, as skilled, semi-skilled, or unskilled labour depending on the requirements.

## **7 Entitlement and Valuation Methods**

### **7.1 Extent of Compensation by Law**

The Land Act provides for extent of compensation as quoted hereafter: "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 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 (UGX) adjusted for inflation. For compensation in kind, items such as land, houses, other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment may be included. Assistance may include moving allowance, transportation and labor.

## **7.2 Specific Compensation Components**

### **7.2.1 Compensation for Land**

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

### **7.2.2 Determination of Crop Compensation Rates**

Prevailing prices for cash crops will 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.

### **7.2.3 Compensation Rates for Labour**

The value of labor invested in preparing agricultural land will be compensated for at the average wage rate 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.

### **7.2.4 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.

## **7.3 Key Valuation Methods**

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

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

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

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

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

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

Generally, loss of income will be minimal. The farmers will be incorporated into the activities of the project. 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 the Ugandan law does not meet the standard of compensation at full replacement cost, compensation is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in OP 4.12, para. 6. The valuation of the assets will be done with the engagement and participation of the PAPs. After agreement with the respective PAPs, vital compensation information will be disclosed in the presence of leaders and care will be taken to ensure financial confidentiality for PAPs who choose to as well as enable voluntary participation by the PAPs.

## **8 Implementation of the Resettlement**

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

**Grievance Redress Committee (GRC)** - The Grievance Redress Committee will be responsible for receiving and logging complaints and resolving disputes. There will be a Grievance Officer (GO) who will be the focal point person to receive all the complaints. The GRC will work with the PCU to resolve each grievance or dispute. If affected persons are not satisfied with the grievance redress structures, they are entitled to seek redress to the Ugandan Courts of Law. It is important that the GRC be set up as soon as resettlement plan preparation starts. Disputes can arise from census operations and it is therefore important that the mediation mechanisms be available to cater for claim, disputes and grievances at the early stage.

**Monitoring and Evaluation Team** - The Monitoring and Evaluation Team will be responsible for the monitoring of the RAP implementation programme to ensure that stated targets are met and project affected persons are duly compensated in line with the RAP requirements. The Monitoring and Evaluation team will comprise of the following:

- a. An independent entity (Witness NGO or Consultant),
- b. The project team; including the social safeguards officer,
- c. Representative of the local authority, and
- d. Representative of the PAPs themselves.

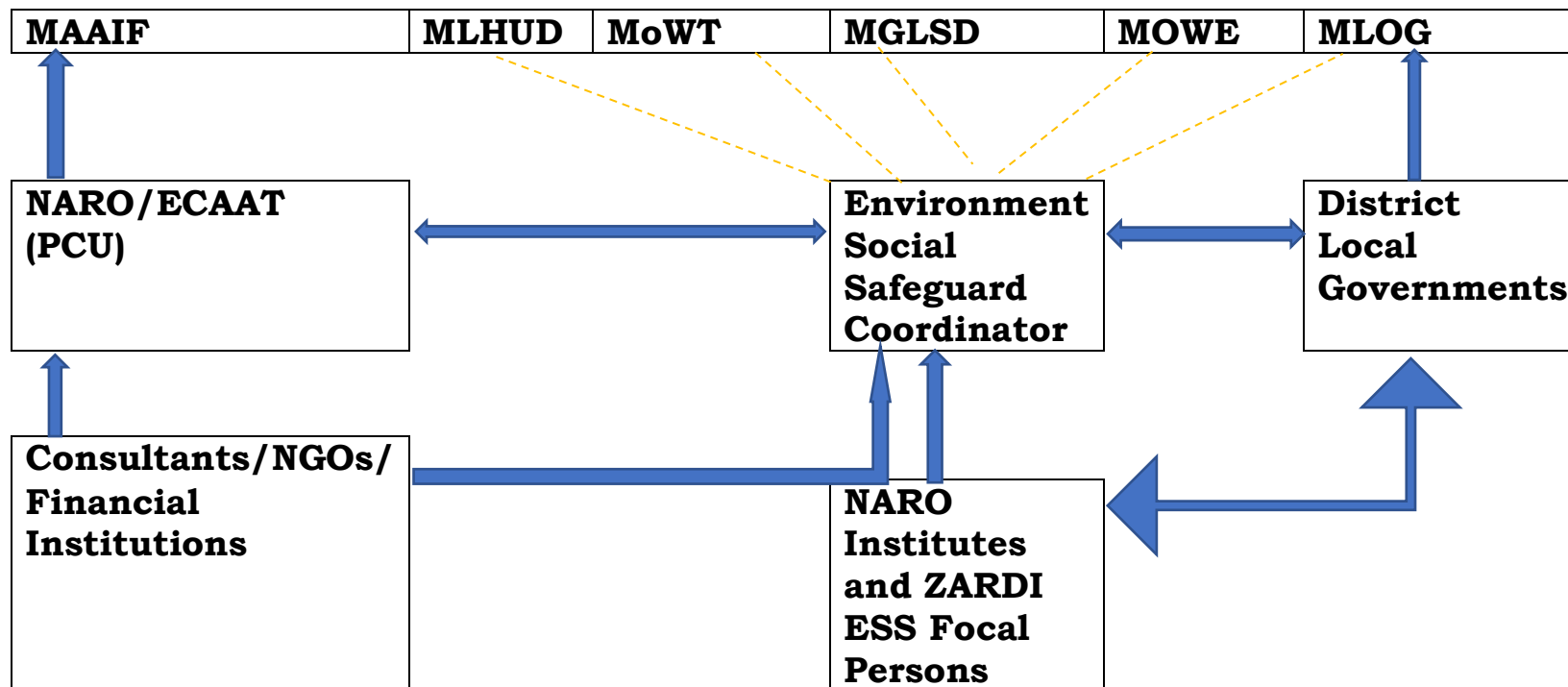
### **8.2 Implementation of the RAP on the Ground**

The implementation activities will be under the overall guidance of the PCU. In addition, District Local Governments (DLG) will be heavily involved in all resettlement, relocation and compensation efforts for subprojects where

resettlement is needed. Each district in Uganda has a five-tier Local Government structure, which operates, from the lowest level known as the Local Council (LC I) through to the Local Council (LC V) at the district HQ. 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 that require resettlement have to closely liaise with the Local Government Administration to ensure equity, acceptability and compliance. The other main institutions to be involved in the implementation of resettlement activities and their respective roles and responsibilities are summarized in the table below:

**Table 4. Institutional framework players for Resettlement**

| No. | Institution                                 | Responsibility  |
|-----|---|---|
| 1   | National Agricultural Research Organization | Overall supervision of the RPF and resettlement/Compensation Plan.<br>To provide funds for compensation payment.<br>Trigger the process through inventory of affected persons |
| 2   | Ministry of Lands Housing and               | To carry out the valuation and compensation payment process (Through Chief Government Valuer) and reporting for   |
| 3   | Ministry of Works and Transport             | To liaise with relevant parties for valuation of damages of assets of   |
| 4   | Ministry of Gender, Labour and Social       | To oversee gender and vulnerability related issues to ensure that vulnerable women, the poor and elderly are compensated  |
| 5   | Ministry of Water and Environment           | Document water resources in the area where the affected might be relocated to and provide technical guidance on matter related  |
| 6   | National Environmental Management Authority | Review and monitor Social & Environmental Impact Assessments.   |
| 7   | Project Coordination Unit                   | To liaise with district and MAAIF in ensuring peaceful implementation of the process including handling any   |
| 9   | Chief Government Valuer                     | Review and approve the RAPs especially the valuations.  |
| 8   | Regional/District Land Valuation Officers   | Assist in the valuation and compensation payment process and reporting.   |
| 10  | District Steering Committees                | To assist the community and support in the inventory of affected persons.   |
| 11  | Consultants, NGO, CSO                       | Prepare plans and assist with implementation and capacity building.   |
| 12  | Local financial Institutions (Banks)        | Safe disbursement of compensation amounts.  |



*Figure 2: Organogram for Implementation of Resettlement.*

### Legends

|       |  |
|-------|--|
| MAAF  | Ministry of Agriculture, Animal Industries and Fisheries |
| MLUD  | Ministry of Lands, Housing and Urban Development         |
| MoWT  | Ministry of Works and Transport                          |
| MGLSD | Ministry of Gender, Labour and Social Development        |

|      |                                   |
|------|-----------------------------------|
| MoWE | Ministry of Water and Environment |
| MLOG | Ministry of Local Government      |
| ESS  | Environmental Social Safeguard    |



## **9 Grievance Redress Mechanism**

### **9.1 Objectives of the Mechanism**

The objectives of the grievance process are three-fold, namely to:

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

### **9.2 Detailed Grievances and Resolution Mechanisms**

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

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

### **9.3 Grievance Redress Committee**

It is proposed in this RPF that Local Grievance Redress Committees (LGRC) be initiated at the village level to record grievances and also help in mediation. This committee will comprise the LC I Chairperson, a trusted village elder, a religious representative, an elected PAP representative and specific vulnerable group representatives of relevance to the village i.e. women and the people with disability. Disputes will be resolved at the village level as far as possible. At the District Level, the Grievance Redress Committee (GRC) will be established to deal with any grievances unsettled at the village level. The Grievance Redress Committee at the district will at a minimum comprise the LC3 representative, representatives of vulnerable groups, District Land Officer/Surveyor, District Community Development Officer and a Grievance Officer from PCU who will oversee and coordinate grievance issues at the village level including setting up of LGRCs, provision of Grievance Logbooks and related logistics, training and orientation of LGRCs and VPCs, and providing advice on grievance resolution as well as compiling records of all ECAAT grievances raised and their mediation for the whole district. The grievance mechanism for the implementation process is as follows:

- i. The LGRC/VPC will interrogate the PAP in the local language and complete a Grievance Form which will be signed by the leader of the LGRC and the PAP/complainant. This will then be lodged in the Grievance Log provided by the Grievance Officer;
- ii. 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 District;
- iii. 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;
- iv. 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;
- v. Appeal to Court - The Ugandan laws allow any aggrieved person the right to access to Court of law. If the complainant still remains dissatisfied with the District Land Tribunal, the complainant has the option to pursue

appropriate recourse via judicial process in Uganda. Courts of law will be a “last resort” option, in view of the above mechanism.

#### **9.4 Legal Counsel for the PAPs**

Access to legal counsel is one important tenet of access to justice in a country governed by rule of law. Many a community member in Uganda cannot afford services of counsel and therefore are bound to suffer injustices owing to this hindrance. Besides, courts in Uganda take very long to resolve legal disputes. This will be very costly for the PAPs. As a measure of ensuring that rights of PAPs are effectively considered during the several processes of involuntary resettlement, an independent lawyer for the communities must be retained for the entire duration of the project from the commencement to conclusion.

The lawyers must have qualifications in human rights or have experience in human rights work on the one hand and must have been involved in involuntary resettlement issues through working with PAPs or through research and publications on issues of involuntary resettlement.

The lawyers should be retained at a professional fee with provisions to allow for effective periodic travel and attendance to PAPs. The lawyers’ role would include;

- a) Advising PAPs on their rights in resettlement process.
- b) Raising the concerns of PAPs as they arise from the various processes with the implementing firm.
- c) Where relevant, conduct awareness raising for PAPs.
- d) Representing PAPs during the complaints handling process.

The lawyers appointed to handle PAPs issues should be required to develop a work plan of engaging with communities to ensure proper and effective engagement with their clients. Where PAPs are unhappy with the lawyers for legitimate reasons, then a proper procedure for appointing others should be put in place.

## **10 Institutional Arrangement**

### **10.1 General**

The resettlement and rehabilitation project described in this RPF involves distinct processes, dynamics and different agencies. This section deals with the roles and responsibilities of different institutions for the successful implementation of the project. The primary institutions that are involved in the land acquisition and resettlement process are the following;

- a) National Agricultural Research organisation (ECAAT-PCU)
- b) NARO Public Agricultural Research Institutes (ZARDIs and NARIs)
- c) District Local Governments

NARO will be involved in planning and implementation through the Project Coordination Unit (PCU). In the field, it will act and implement through PARIs (National and Zonal), with the support of ESS Team at the centre and the respective institutes, who will co- ordinate all activities related to resettlement implementation. All activities will be coordinated with the relevant local government agencies.

### **10.2 Overall Organization**

The NARO will be the executing agencies (EA). The Director General (DG) of NARO will be responsible for the overall policy level decision, planning, implementation and coordination of project activities. The EA will have proper coordination with other departments of the Government of Uganda to resolve the following issues:

1. *Land Records and Ownership.* To resolve issues related to land records and ownership, a land management committee will be formed in the central level and will include members from the MAAIF/NARO, Ministry of Lands, Housing and Urban Development (MLHUD), and District Local Governments.

2. *Assets Valuation.* The District Land Board determines values of land and other assets for compensation and the Government Valuer on the basis of the principles set out in this RPF. The decisions are based on the recommendation of a committee consisting of the following

- a) The landlord or person who uses the land or their representatives,
- b) An official representative of the agency that needs to acquire the land
- c) A representative of the Local Government
- d) A representative of the Ministry of Finance, and

- e) A representative of the Ministry of Justice.

### **10.3 Project Implementation**

#### **10.3.1 National Agricultural Research organisation**

NARO through the project Management unit (PCU), will be responsible for the approval and implementation of a Resettlement Action Plan (RAP), or Abbreviated RAP. Local governments will be responsible for coordinating activities in the field, including the organization of surveys, consultation meetings, and the fixing of specific compensation rates based on the principles set out in the RPF. The provision of the RAP or Abbreviated RAP will be the responsibility of NARO. The physical delivery of compensation to the PAPs, if it is to be provided by the Government, will be assigned to a committee selected by the NARO which will include members as required and representatives from local government, but under the supervision of the PCU.

The Environmental and Social Safeguards Team (ESS), at the national level, will be primarily responsible for the environmental and social safeguard issues, and will be responsible to oversee the implementation of and compliance with the ESMF, RPF and RAP, overseeing all safeguards activities. At District/Zonal level, the Social Safeguards focal person at the ZARDI will support the PCU and provide the link to the ESS Team national team. The PCU/ESS Team will be responsible for the daily field level activities and getting all the necessary clearances required to initiate and implement all resettlement works. It will coordinate with the ESS Officer in the implementation of the project. As necessary, the ESS Officer/PCU will coordinate with MLHUB, NGOs. The PCU will be responsible for ensuring that all stages of the processes of resettlement, determining and paying compensation, and acquiring land are fully documented and that hard and soft copies of the records are kept in a safe and secure environment.

#### **10.3.2 Local Government**

The cooperation and coordination of the local government units (LGUs) are vital in RAP or Abbreviated RAP implementation. These are the district local governments, Sub County Local Governments, and villages. Issues relating from land records and ownership and assets valuation originate from this level and will only be taken to the District Land Boards if these issues are not resolved locally. The District Land Boards, in cases of disputes on valuation of land will constitute a land valuation committee to determine the disputes on rates.

In cases of disputes regarding land ownership, land records go through 3 offices at district level, (1) Area Land Committee, (2) District Land Board and (3) the Magistrates Court. These offices have the jurisdiction on any matters related with land acquisition and verification of land entitlements.

### **10.3.3 Gender**

It is appropriate to draw special attention to gender issues within the context of project implementation. Discussions with women in villages visited as part of the Social Safeguards Requirements consultations confirmed that they have important, although varying, roles in agriculture, which is the main activity which will be encountered during the project in rural areas. Factors such as absence of male family members from the village, ethnicity and local cultural norms all affect women's role in agriculture.

Using established community structures to involve women meaningfully in the projects will be a challenge and will need to be approached with renewed effort and imagination. Female Community Development Officers should be explored as a possible vehicle for increasing women's participation in projects and especially in implementing RAPs. In the project, special attention will be paid to female-headed households, both those with and without land, as they are generally amongst the most vulnerable in communities and risk having their rights ignored. Although women's ownership of land is not widespread, it is important to ensure that their land rights receive equal recognition in the project and in any resettlement activities. Thus, the ESS Team within the PCU will have special responsibility to

- a) Ensure that NARO through Community Development Officers, where required, enhances outreach to women
- b) Revisit incentives in order to attract women to work in RAP and in other capacities at regional level
- c) Ensure PCU offices have female Social Organizers
- d) Total number of families and people must be gender-disaggregated to pinpoint how many women are likely to be affected by the project and establish their pre-project conditions
- e) Special attention will be given to the impact of resettlement on women and other vulnerable groups during monitoring and evaluation of the RAP.

## **11. Monitoring and Evaluation**

### **11.1 General monitoring**

Project activities will undergo both internal and external monitoring. The NARO/PCU/ESS Team will conduct internal monitoring. Third party monitoring will be contracted once the project is approved to provide regular reports.

### **11.2 Internal Monitoring**

Internal monitoring will be carried out routinely by the PCU, through the Environment Social Safeguard team, and results will be communicated to NARO HQ that will then communicate it to the World Bank and the MAAIF through the regular project implementation reports. Indicators for the internal monitoring will be those related to process, immediate outputs and results. This information will be collected directly from the field and reported monthly to the PCU to assess the progress and results of RAP implementation, and to adjust the work program, if necessary. The monthly reports will be consolidated every quarter in standard supervision reports and submitted to the World Bank. Specific monitoring benchmarks will be:

- a) Information campaign and consultation with PAPs;
- b) Status of land acquisition and payments on land compensation;
- c) Compensation for affected structures and other assets;
- d) Temporary displacement of PAPs
- e) Relocation of PAPs;
- f) Payments for loss of income;
- g) Income restoration activities.
- h) Grievance received and status of redress

### **11.3 Independent-Third Party Monitoring**

The third party monitoring is important because it covers safeguards compliance at field level using site specific ESMPs and Abbreviated RAP. Therefore, third party monitoring is also proposed for the ECAAT. The contracted third-party monitor's reports will be informed by field observation visits and discussions with community representatives and various members of the project team. The role of the third-party Monitor is increasingly important as security considerations prevent World Bank staff from visiting most sub projects. Safeguards staff from both Ministries plan to meet regularly with the contracted organizations to review the safeguards findings and recommendations.

The third party will also assess the status of project affected vulnerable groups such as female- headed households, disabled/elderly and poor families. The following will be considered as the basis to develop the indicators for monitoring and evaluation of the project:

- a) Communications and reactions from PAPs on entitlements, compensation, options, alternative developments and relocation timetables etc.
- b) Changes in housing and income levels
- c) Effectiveness of arrangements for temporary displacements
- d) Rehabilitation of squatters (if any)
- e) Valuation of property
- f) Grievance procedures and outcomes
- g) Disbursement of compensation; and
- h) Level of satisfaction of PAPs in the post resettlement period.

The third-party monitoring agent will carry out a post-implementation evaluation of the RAP or Abbreviated RAP about one year after its implementation to find out whether the RAP objectives were attained or not. The socio-economic survey baseline will be used to compare pre and post-project conditions. The third party monitoring will recommend supplemental assistance for the PAPs in case the outcome of the study shows that the objectives of the RAP have not been attained.

#### **11.4 Management Information Systems**

All information concerning resettlement issues related to land acquisition of the acquired land and affected structures, inventory of losses by PAPs, compensation and entitlements, payments and relocation will be collected by the PMUs. This data bank would form the basis of information for RAP implementation, monitoring and reporting purposes and facilitate efficient resettlement management.

#### **11.5 Reporting Requirements**

The PCU will be responsible for supervision and implementation of RAP and prepare monthly progress reports on resettlement activities and submit to the NARO for review. The PCU will also monitor RAP implementation and submit quarterly reports to the World Bank, NARO HQ and MAAIF. The external monitoring agency will submit monthly and quarterly reviews to NARO HQ and then from NARO HQ to the World Bank and determine whether or not resettlement goals have been achieved; more importantly whether livelihoods and living standards restored/enhanced and suggest suitable recommendations for improvement.



## 12 RPF Budget and Funding

### 12.1 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 fully developed and the land needs have not yet been fully identified. Budgets will be developed from the specific social assessment studies and mitigation/livelihood restoration measures. It will cover resettlement activities including compensation cost for affected assets. The cost will be derived from expenditures relating to:

- i. The preparation of the resettlement/compensation action plan;
- ii. Relocation and transfer,
- iii. Income and means of livelihood restoration plan, and
- iv. Administrative costs

### 12.2 Estimates and Funding Sources

Funds for implementing inventory assessments, land acquisition and resettlement action plans will be provided by the Government of Uganda/or project. NARO will engage consultants to prepare RAPs for all sub-projects of the ECAAT.

**Table 5. Resettlement Budget Estimate five (5) year**

| <b>Asset acquisition</b>                | <b>Amount/numb</b> | <b>Estimated cost US\$</b> | <b>Agency</b> |
|---|--------------------|----------------------------|---------------|
| Land                                    | Unknown            | 100,000.00                 | NARO          |
| Structure                               | Unknown            | 50,000.00                  | NARO          |
| Crops and economic trees                | Unknown            | 50,000.00                  | NARO          |
| Community infrastructure                | Unknown            | 150,000.00                 | NARO          |
| <b>Land Acquisition and Preparation</b> |                    | <b>350,000.00</b>          | <b>NARO</b>   |
| Compensation for Household              | Unknown            | 200,000.00                 | NARO          |
| Compensation for Crops                  | Unknown            | 50,000.00                  | NARO          |
| Compensation for Trees, < 4.5 m Tall    | Unknown            | 50,000.00                  | NARO          |
| Compensation for Trees, > 4.5 m Tall    | Unknown            | 50,000.00                  | NARO          |
| Compensation for Community Assets       | Unknown            | 100,000.00                 | NARO          |
| <b>Relocations</b>                      |                    | <b>450,000.00</b>          | <b>NARO</b>   |
| Transfer of possessions                 | Unknown            | 40,000.00                  | NARO          |
| Installation costs                      | Unknown            | 10,000.00                  | NARO          |
| Economic Rehabilitation                 | Unknown            | 100,000.00                 | NARO          |
| Training                                | Unknown            | 40,000.00                  | NARO          |
| Capital Investments                     | Unknown            | 200,000.00                 | NARO          |

|                                    |         |                     |             |
|------------------------------------|---------|---------------------|-------------|
| Technical Assistance/Consultancies | Unknown | 100,000.00          | NARO        |
| Monitoring                         | Unknown | 80,000.00           | NARO        |
| <b>Resettlement</b>                |         | <b>570,000.00</b>   | <b>NARO</b> |
| <b>Total</b>                       |         | <b>1,370,000.00</b> | <b>NARO</b> |
| Contingency                        | 10%     | 137,000.00          | NARO        |
| <b>Grand Total</b>                 |         | <b>1,507,000.00</b> | <b>NARO</b> |

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## **Appendix 1: Guideline for Abbreviated RAP**

### **Institutional responsibilities**

The NRO/PCU/ESS, in co-ordination with the structures at village/district level and project engineer of respective sub-project will be responsible for the planning and implementation of resettlement and addressing social issues. The most important issue will be documentation of these proceedings to avoid any

### **Task 1**

- Selection of subproject, for widening/rehabilitation/ new construction
- Dissemination of subproject information, after selection and prior to finalization of the alignment through Transect Walk;
- Finalization of alignment through community planning involving the local communities and provincial departments during Transect Walk Consultations, a strip plan will be used to make inventory of social features and identify impacted properties;
- Consultation with affected persons, to verify whether concerns of the communities and PAPs have / have not been incorporated into the project design through disclosure of outputs of Transect Walk.
- Integrating Abbreviated RAP in project document where additional land is required, ensuring that the designs for the ECAAT sub-project are sensitive to social issues and have incorporated the social considerations;

### **Task 2**

- Disclosure of process of land requirement and entitlement provisions, to provide information to PAPs.
- If land acquisition has taken place with compensation to PAPs, compensation shall be issued and received by each PAP prior to physical acquisition and start of physical works.
- Serving Advance Notice (not less than 3 months), for removal of encroachments and clearance of assets or standing crops;
- Entering MoUs between CDC/CCDC/GA and Individual/Group Landowners, to be coordinated by PMU, which will submit a copy each to district governor and HQ at Kabul. This will ensure documented record of land donated or transferred to the ministry against compensation. In case of projects where individual PAPs are not significant in terms of numbers and amount of the land/asset loss of each PAP, MoU between PAPs and CDC /CCDC/GA can be signed. In such case, MoU paper shall contain

name and signature of all the persons whose land/asset will be transferred to the road voluntarily.

- › Information Disclosure and Consultations before construction: The community representative/contractor, as the case may be, shall, prior to mobilization of work, provide details of temporary impacts during construction such as disruption on existing pathway, increased pollution levels, possible damages to adjacent land due to movement of machinery and project completion date so that community is well aware of the project issues. Similar provision shall be made for separate consultation with women of the community.

### **ECAAT Format of Abbreviated RAP**

An Abbreviated RAP covers the following minimum elements:

- a) Description of the project components and scope of the ARAP
- b) Analysis of impacts (quantitative and qualitative data)
- a. Mitigation measures (including valuation method, description of all compensation and resettlement/relocation and the Entitlement matrix)
- b. Legal framework
- c. a census survey of displaced persons and valuation of assets;
- d. description of compensation and other resettlement assistance to be provided;
- e. consultations with displaced people about acceptable alternatives;
- f. institutional responsibility for implementation and procedures for grievance redress;
- g. arrangements for monitoring and implementation;
- h. a timetable and budget.

## **Appendix 2: Guidelines for Land Donation and Community Compensation**

No land or asset acquisition may take place outside of these guidelines. These guidelines provide principles and instructions to ensure (1) the truly voluntary nature of any land donation, and (2) no donations effecting a livelihood impact exceeding ten (10) percent be allowed without to the individual/community.

### **Voluntary Donations and Acquisition against Community Compensation:**

- a. Voluntary contributions. In accordance with traditional practices, individuals may elect to voluntarily contribute land or assets without compensation. However, the voluntary nature of any donation has to be clearly and fully documented by the individual PAP and supported by an assessment by the Safeguards Officer of the livelihood impact of the donation. No donation resulting in livelihood impact exceeding 10% is allowed.
- b. Voluntary contribution, or contribution against compensation, should be documented
  - The infrastructure must not be site specific, the impacts must be minor, that is involve no more than 10% of the area of any holding and require no physical location
  - The land required to meet technical project criteria must be identified by the affected community, not by line agencies or project authorities (nonetheless, technical authorities can help ensure that the land is appropriate for project purpose and that the project will produce no health or environmental safety hazards)
  - All land documentation should specify that the land is free of any squatters, encroachers or other claims
  - Verification (for example, notarized or witnessed statements) of the voluntary nature of land donations must be obtained from each person donating land.
  - If any loss of income or physical displacement is envisaged, verification of voluntary acceptance of community-devised migratory measures must be obtained from those expected to be adversely affected.
  - If community services are to be provided under the project, land title must be vested in the community, or appropriate guarantees of public access to services must be given by the private titleholder.

- No physical work can be initiated until agreed compensation has been paid.
- Land transfer should be legally registered.
- Grievance mechanisms must be available

## Appendix 3: Screening Checklist

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**Sub-project name (type here)**

**Location (type here)**

**Estimated cost (type here)**

---

### **TYPE OF PROJECT OR ACTIVITY**

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#### CATEGORY A

- ☐ Policy, legal or strategy document
  - ☐ Dam project greater than 15m in height
  - ☐ Medium-scale water storage structure
  - ☐ Rehabilitation of medium-scale water storage structure
  - ☐ Agro-Forestry concession with the private sector
  - ☐ Construction of roads, bridges
- 

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#### CATEGORY B

- ☐ Farm forestry or agroforestry, small-scale woodlots and tree nurseries
  - ☐ Small-scale irrigation scheme
  - ☐ Small-scale water storage facility
  - ☐ Spring capping or rural water supply scheme
  - ☐ Small-scale dam (less than 15m in height)
  - ☐ Check-dam
  - ☐ Dykes
  - ☐ Riverbank stabilization
  - ☐ Terracing of farmland
  - ☐ Agricultural interventions  
Please give more details: (type here)
  - ☐ Support to income generating initiatives  
Please give more details: (type here)
  - ☐ Other  
Please give more details: (type here)
-



---

### CATEGORY A PROJECTS

For all Category A projects, an Environmental and Social Management Plan (ESMP) will be required

In addition, the following studies may be required:

|   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| Will this Category A project affect VMGs? If yes, a VMGs plan will be required  | <input type="checkbox"/> | <input type="checkbox"/> |
| Will this Category A project require land for its development, and therefore displace individuals, families or businesses from land that is currently occupied, or restrict people access to crops, pasture, fisheries or forest, even, whether on a permanent or temporary basis. If yes, a Resettlement Action Plan will be required. | <input type="checkbox"/> | <input type="checkbox"/> |
| Will this category A project involve the use of pesticides? If yes, a pest management plan will be required.  | <input type="checkbox"/> | <input type="checkbox"/> |

### CATEGORY B PROJECTS

---

Please describe how the project complies [type here] with the most relevant planning document, for example Area Physical Plan or the Sub Project Plan

| <b>Will the project:</b>  | <b>Yes</b>               | <b>No</b>                |
|---|--------------------------|--------------------------|
| Adversely affect natural habitat nearby, including forests, rivers or wetlands?                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Require large volumes of construction materials (e.g. gravel, stones, water, timber, firewood)?                     | <input type="checkbox"/> | <input type="checkbox"/> |
| Use water during and after construction, which will reduce the local availability of groundwater and surface water? | <input type="checkbox"/> | <input type="checkbox"/> |
| Lead to soil degradation, soil erosion or soil salinity in an area?   | <input type="checkbox"/> | <input type="checkbox"/> |
| Create waste that could adversely affect local soil, vegetation, rivers and streams or ground water?                | <input type="checkbox"/> | <input type="checkbox"/> |
| Creates pool of water that provide breeding ground for disease vectors (for example malaria or bilharzia)?          | <input type="checkbox"/> | <input type="checkbox"/> |
| Involves significant excavation, demolition, movement of earth, flooding or other environmental changes?            | <input type="checkbox"/> | <input type="checkbox"/> |
| Affected historically-Important or culturally-Important sites nearby?   | <input type="checkbox"/> | <input type="checkbox"/> |

|   |                          |                          |
|---|--------------------------|--------------------------|
| Require land for development and thereby displaces individuals, families or businesses from land that is currently occupied, or restricts people's access to crops, pasture, fisheries, forests or cultural resources, weather on a permanent or temporary basis? | <input type="checkbox"/> | <input type="checkbox"/> |
| Results in human health or safety risks during construction or later?   | <input type="checkbox"/> | <input type="checkbox"/> |
| Involve inward migration of people from outside the area for employment or other purposes?  | <input type="checkbox"/> | <input type="checkbox"/> |
| Results in conflicts or disputes among the communities?   | <input type="checkbox"/> | <input type="checkbox"/> |
| Affect indigenous people, or be located on areas being occupied by indigenous people?   | <input type="checkbox"/> | <input type="checkbox"/> |
| Involve the construction of a dam or weir, or depend on water supplied from an existing dam?  | <input type="checkbox"/> | <input type="checkbox"/> |
| Result in a significant change/loss in livelihood of individual?  | <input type="checkbox"/> | <input type="checkbox"/> |
| Adversely affect the livelihoods and/or the rights of women?  | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered Yes to any of the above. (type here)

Please describe the measures that the project will take to avoid or mitigate environmental and social impacts (note that appropriate measures may include the preparation of a RAP).

What measures will the project take to ensure (type here) that it is technically and financially sustainable?

## **CONCLUSION**

Category B:

- ☐ There are no environmental or social risks
- ☐ Community to be given full responsibility to mitigate environmental risks
- ☐ MCAs to provide detailed guidance on mitigation of risks to the community
- ☐ Specific advice is required from County governments in the following area(s):

**[type here]**

- ☐ People will be physically or economically displaced, and therefore a RAP is required

Completed by: [type here]

Name: [type here]

Position/Community: [type here]

Date: [type here]

## **SCREENING CHECKLIST REVIEW FORM**

|   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| Has the project proponent selected the correct type and category for this project | <input type="checkbox"/> | <input type="checkbox"/> |

If 'No', please select the correct type of project or activity below:

|                   |   |
|-------------------|---|
| <b>CATEGORY A</b> | <input type="checkbox"/> Policy, legal or strategy document                                     |
|                   | <input type="checkbox"/> Dam project greater than 15m in height                                 |
|                   | <input type="checkbox"/> Medium-scale water storage structure                                   |
|                   | <input type="checkbox"/> Rehabilitation of medium-scale water storage structure                 |
|                   | <input type="checkbox"/> Agro Forestry concession with the private sector                       |
|                   | <input type="checkbox"/> Construction of roads, bridges   |
| <b>CATEGORY B</b> | <input type="checkbox"/> Farm forestry or agroforestry, small-scale woodlots and tree nurseries |
|                   | <input type="checkbox"/> Small-scale irrigation scheme  |
|                   | <input type="checkbox"/> Small-scale water storage facility                                     |
|                   | <input type="checkbox"/> Spring capping or rural water supply scheme                            |
|                   | <input type="checkbox"/> Small-scale dam (less than 15m in height)                              |
|                   | <input type="checkbox"/> Check-dam  |
|                   | <input type="checkbox"/> Dykes  |
|                   | <input type="checkbox"/> Riverbank stabilization  |
|                   | <input type="checkbox"/> Terracing of farmland  |
|                   | <input type="checkbox"/> Agricultural interventions   |
|                   | <input type="checkbox"/> Please give more details: (type here)                                  |
|                   | <input type="checkbox"/> Support to income generating initiatives                               |
|                   | <input type="checkbox"/> Please give more details: (type here)                                  |
|                   | <input type="checkbox"/> Other  |
|                   | <input type="checkbox"/> Please give more details: (type here)                                  |

---

### CATEGORY B PROJECTS

Based on the location and the type of project, please explain whether the Proponent's responses are satisfactory:

|   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| Their description of the compliance of the project with relevant planning documents | <input type="checkbox"/> | <input type="checkbox"/> |
| If 'No', please explain: [type here]  |                          |                          |
| Their responses to the questions on environmental and social impacts                | <input type="checkbox"/> | <input type="checkbox"/> |
| If 'No', please explain: [type here]  |                          |                          |
| Their proposed mitigation   | <input type="checkbox"/> | <input type="checkbox"/> |
| If 'No', please explain: [type here]  |                          |                          |
| Their proposed measures to ensure sustainability                                    | <input type="checkbox"/> | <input type="checkbox"/> |
| If 'No', please explain: [type here]  |                          |                          |

### REVIEWER'S COMMENTS

Which course of action do you recommend?

#### **Category A:**

☐ ESMP;    ☐ VGMP;    ☐ RAP;    ☐ PMP

#### **Category B:**

- ☐ There are no environmental or social risks
- ☐ Community to be given full responsibility to mitigate environmental and social risks, as set out in the screening checklist
- ☐ MCAs to provide detailed guidance on mitigation of risks to the community

Specific advice is required from County Officers in the following area(s):

[type here]

- ☐ People will be physically and economically displaced, and therefore a RAP is required

If this differs from the proponent's recommended course of action, please explain:

[type here]

- ☐ Reject

Review form completed by: [type here]

Name: [type here}

Position / Community: [type here]

Date: [type here]

## **Appendix 4: Annotated Outline for Preparing Resettlement Action Plan**

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, labour, and household organization; and baseline information on livelihoods (including, as

- (i) relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- (ii) Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
- (iii) Information on vulnerable groups or persons, for whom special provisions may have to be made;
- (iv) 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:

- (iii) 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;
- (iv) Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
- (v) Public infrastructure and social services that will be affected; and
- (vi) 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:

- (vii) 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;
- (viii) Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- (ix) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (x) 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 centres, cemeteries); and
- iv. Arrangements on how PAPs can communicate their concerns to project authorities throughout
  - ii. planning and implementation, and measures to ensure that vulnerable groups such as; 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 PAPs;
- III. Conflict resolution involving PAPs and host communities; and
- IV. 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.

**Appendix 5: 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   |   |  |   |  |
| <b>INFORMATION ABOUT GRIEVANCE</b>   |   |  |   |  |
| Define the Grievance   |   |  |   |  |
| <b>INFORMATION ABOUT THE COMPLAINANT</b>   |   | <b>Forms of Receive</b>  |   |  |
| Name-Surname   |   | <input type="checkbox"/> Phone Line<br><input type="checkbox"/> Community/<br>Information Meetings<br><input type="checkbox"/> Mail<br><input type="checkbox"/> Informal<br><input type="checkbox"/> Other   |   |  |
| Telephone Number   |   |  |   |  |
| Address  |   |  |   |  |
| District/Town  |   |  |   |  |
| Region   |   |  |   |  |
| Signature of Complainant   |   |  |   |  |
| <b>DETAILS OF GRIEVANCE</b>  |   |  |   |  |
| <b>1. Access to Land and Resources</b><br>a) Fishing grounds b) Lands<br>c) Pasturelands d) House<br>e) Commercial site f) Other | <b>2. Damage to</b><br>a) House<br>b) Land<br>c) Livestock<br>d) Means of livelihood e) Other | <b>3. Damage to Infrastructure or Community Assets</b> a)<br>Road/Railway<br>b) Bridge/ Passageways<br>c) Power/Telephone Lines d) Water sources, canals and water infrastructure for irrigation and animals | <b>4. Decrease or Loss of Livelihood</b><br>a) Agriculture<br>b) Animal husbandry<br>c) Beekeeping<br>d) Small scale trade e) Other                                     | <b>5. Traffic Accident</b> a)<br>Injury<br>b) Damage to property c) Damage to livestock d) |
| <b>6. Incidents Regarding Expropriation and Compensation (Specify)</b>   | <b>7. Resettlement Process (Specify)</b>  | <b>8. Employment and Recruitment (Specify)</b>   | <b>9. Construction Camp and Community Relations</b><br><br>a) Nuisance from dust b) Nuisance from noise c) Vibrations due to explosions<br>d) Misconduct of the project | <b>10. Other (Specify)</b>   |

Appendix 6: Grievance Closeout 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          |

## **Appendix 7: 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 Stakeholder

### **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 Summary**

| Location and Communities | Meeting Dates | Attendees | Discussion Summary |
|--------------------------|---------------|-----------|--------------------|
| Example:                 |               |           |                    |

## Appendix 8: 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   | Constitution 1995, Article 237 |
| All land is vested in the citizens of Uganda.   | Land Act 1998                  |
| Customary tenure: <ul style="list-style-type: none"> <li>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.</li> <li>Is owned in perpetuity</li> <li>Customary occupants are occupants of former public land, and occupy the land by virtue of their customary rights; they have propriety interest in the land and are entitled to certificates of customary ownership</li> <li>Certificates for customary ownership may be acquired, through</li> </ul> | Land Act 1998                  |
| Freehold tenure: <ul style="list-style-type: none"> <li>Derives its legality from the Constitution and its incidents from the written law</li> <li>Involves the holding of land in perpetuity or of a period less than perpetuity fixed by a condition</li> </ul>   | Land Act 1998                  |
| Mailo tenure: <ul style="list-style-type: none"> <li>Has roots in the allotment of land pursuant to the 1900 Uganda Agreement</li> <li>Derives its legality from the Constitutions and its incidents from the written law</li> <li>Involves the holding of land in perpetuity</li> <li>Permits the separation of ownership of land from the ownership of developments on land made by a lawful or bona fide occupant</li> <li>Enables the holder to exercise all the powers of ownership, subject to</li> </ul>   | Land Act 1998                  |
| Leasehold tenure: <ul style="list-style-type: none"> <li>Is created either by contract or by operation of the law</li> <li>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.</li> </ul>   | Land Act 1998                  |
| “Licence” or “Share Cropper” <ul style="list-style-type: none"> <li>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</li> </ul>  | Land Act 1998                  |
| Every person in Uganda has the right to own property.   | Constitution (1995)            |



| Land Acquisition  | Law / Regulation  |
|---|---|
| The government and local authorities have statutory power to compulsorily acquire land.   | Constitution: Article 26(2) and Article 237(2)<br>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  | 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'   | 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  | None cited  |
| It defines a road reserve as that area bounded by imaginary lines parallel to and not more than   | 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  | 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   | Town and Country Planning Act 1964                                |
| Each District Land Board adopts its own compensation rates. As a result, variation exists   | None cited  |
| 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.<br><ul style="list-style-type: none"> <li>□ 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</li> <li>□ The compulsory taking of possession or acquisition of property is made under a law which makes provision for: <ul style="list-style-type: none"> <li>o Prompt payment of fair and adequate compensation, prior to the taking or acquisition of the property, and</li> </ul> </li> </ul> | Constitution (1995), Article 26(2)                                |
| "Where the assessment officer takes possession of land, the land shall immediately by the   | Land Acquisition Act  |
| "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</i>   | Land Act (2004) Section 49 as amended specifically under          |
| The Government or Local Government may acquire land in public interest.   | Article 237(1)  |

| <b>Compensation</b>   | <b>Law / Regulation</b>     |
|---|-----------------------------|
| Prompt payment of fair and adequate compensation prior to the taking possession or acquisition of the property.   | Constitution 1995           |
| 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 | Land Acquisition Act (1965) |
| The basis for compensation is depreciated replacement costs for rural properties and market   | Land Act (1998) Section 78  |
| 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                  |

| <b>Dispute Resolution and Grievance Mechanisms</b>   | <b>Law / Regulation</b>     |
|--|-----------------------------|
| 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. | Land Act (1998), Article 75 |
| Traditional authority mediators retain their jurisdiction over land disputes.  | Land Act (1998), Article 89 |

| <b>Gender and Child Care issues</b>   | <b>Law / Regulation</b>   |
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| Gender, Gender policy has the objective to: reduce gender inequalities so that all women and men, girls and boys, are able to move out of poverty and to achieve improved and sustainable | The Gender Policy 2007  |
| Gender Based Violence   | National gender based violence policy 2016  |
| The Labor laws in Uganda aim at protecting the welfare of workers.  | <ul style="list-style-type: none"> <li>the Minimum Wages <b>Act</b> 2000,</li> <li>the <b>Employment Act</b> 2006,</li> <li>the <b>Labor Union Arbitration and Settlement Act 2006</b> and the</li> </ul> |
| Child labor   | Convention No. 138, (1973), on the minimum age of employment; and the ILO   |
| Child abuse   | The Children Act Amendment 2016   |

## **Appendix 9: Scope of the Resettlement Policy Framework**

- 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.
- Review relevant Ugandan laws and procedures regarding land taking and compensation;
- Study the RPF Template for Uganda and use it for the preparation of the required RPF specifically relating it to the rationale of ECAAT project. The template will be provided by IDA on selection of consultant;
- Consult with relevant Local Government and other key stakeholders such as key government parietals 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;
- Undertake field visit to generate information on the institutional capacities in selected Districts that would inform the current Resettlement Policy Framework implementation. The RPF should be an operational document providing detailed background information. Reference to OP 4.12
- Involuntary Resettlement was used in the preparation of this document.

## **Appendix 10: Tool for Community Consultation**

### **Tool for Data Collection for Developing a Resettlement Policy Framework (RPF) for the ECAAT Project**

#### **Preliminary**

- a) Self-introduction by focus group members present/key informant
- b) Brief about the project
- c) Reason for data collection
- d) Assurance of confidentiality/no attribution
- e) Consent to proceed

#### **Focus Group Discussion Interview Guide**

1. What are the latest debates regarding land in your community/country today?
2. What concerns/fears do you have regarding the issues raised in the debates particularly about the Article 26 on compulsory land acquisition?
3. Assuming the amendment is successful or not successful but government has to acquire land for public projects, what are the key things that you would consider as important to you as a person who may be affected by the project and why would you consider those?
4. Based on your experience or what you have heard about land acquisition that have taken place in this country, what are your views regarding **compensation** and **resettlement** in terms of what should be done so as not to be negatively impacted on by the land acquisition
5. What do you say about vulnerable people including women, older persons, people with disability, children, youth and people who are sickly in displacement and involuntary resettlement?

6. In particular, what would you say about the following as a person affected or will be affected by land acquisition by government

- a) Process of land acquisition
- b) Socio-economic survey and what should be covered
- c) Valuation of property and valuation appeal
- d) Options for cash or physical resettlement
- e) Payments mode and timing for those affected`
- f) Livelihoods restoration for affected people
- g) Legal representation for people affected by the project
- h) Infrastructure development for physical resettlement
- i) Human rights protection in involuntary resettlement
- j) Environmental protection
- k) Negotiations with those effected by the project
- l) Outreach and sensitization of people affected by the project
- m) Available options in resettlement
- n) Cultural property protection/management
- o) Cash compensation
- p) Transparency and accountability in land acquisition and resettlement process
- q) Monitoring and evaluation of the process
- r) Eligibility and timeframes for executing resettlement process
- s) Presence of Independent Witness
- t) Complaints mechanism and grievance redress plan

What specific recommendations do you want to make that should be included in the RPF

**Thank you very much for your time**

## **Appendix 11: List of Documents Reviewed**

1. The Uganda Constitution
2. The Uganda Land Policy, 2013
3. Land Use Policy, 2006
4. The Land Act 1998
5. Vision 2040 and the National Development Plan 2010/2015;
6. Plan for Modernization of Agriculture, 2004;
7. World Bank Safeguard Policy on Involuntary Resettlement
8. Agricultural Sector Development Strategy and Investment Plan 2010/11-2014/15;
9. Agricultural Sector Strategic Plan 2015/2016 – 2019/2020
10. Draft ECAAT Project Preparation Document 2017;
11. Cassava Development Policy, 2007;
12. Regional Pastoral Livelihoods Resilience Project (ECAAT)
13. Agricultural Cluster Development Project RPF 2014
14. Balancing Development and Community Livelihoods: A Framework for Land Acquisition and Resettlement in Uganda, ACODE Policy Research Series No. 75, 2016
15. Draft Uganda Organic Agriculture Policy, 2009
16. Economic Policy Research Centre/EPRC 2010 Public Expenditure Tracking on Road Infrastructure in Uganda

## Appendix 12: Details of the Discussions and Key Issues Raised during stakeholder Consultations

| Key aspects that came out during the consultations                                       | Organisation, Community, stakeholders consulted   | Concerns and Proposals  |
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| Awareness on current debate on land, and land acquisition for resettlement by government | Farmer groups around National Crop Resources Research Institute (NaCRRI), Namulonge, Busiika Village, Wakiso District | <ul style="list-style-type: none"> <li>• Farmers are aware of the current debates in parliament on the proposal to amend Article 26 on compulsory land acquisition. They noted that it is a government ploy to grab people's land.</li> <li>• They noted that Government had a very bad record when it comes to compensation. Concerns were noted on undervaluation, delayed payments, delay in physical resettlement, and use of violence against those who resists</li> <li>• They proposed that land acquisition for development is unstoppable but they would like transparency, proper valuation based on market value, and prompt compensation/resettlement</li> <li>• Concern was also raised about research scientists who acquire land from farmers temporarily for their trials/experiments/tests without a formal MOU. They noted that they were usually promised "white envelope" which they are not given. They noted that this does not only deny farmers use of their land but sometimes diseases cross from the trial fields to the neighbouring gardens and farmers' fields in the neighbourhood and the farmers are left to fight the disease without any form of compensation.</li> <li>• They were also concerned that scientists were not giving all the necessary information regarding their trials, experiments and tests perhaps out of fear that if they were told they would refuse the scientists access to land</li> <li>• They proposed that they want a more transparent and accountable process where scientists enter into formal</li> </ul> |

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|  |  | <p>agreements and the period during which their land is used is fully compensated at the going market rates. And that scientists should be held accountable for any diseases that may cross from the rail fields to the neighbouring gardens.</p>  |
|  | Scientists of NaCRRI at Namulonge  | <ul style="list-style-type: none"> <li>• Scientists agreed that although they usually go for gentleman's agreement, the procedure from land acquisition from the community is clear and is done out in a formal manner. They were also concerned about the alarm raised by the farmers regarding disease transfer which they contested. Their counter claim is that it's often the farmers crops that are sick</li> <li>• It was proposed that scientists use formal processes for land acquisition, meet all their obligations including providing detailed information of the trials, experiments and tests including the likely effects, compensate farmers for the time they are using the land, and provide feedback to farmers on the outcome of their experiments, trails and tests</li> </ul>                                    |
|  | Scientists of Kachwekano Zonal Agricultural Development and Research Institute | <ul style="list-style-type: none"> <li>• The institute has over 1000 acres of land scattered all over the region including Kanungu, Kisoro, and Rubanda. 50 acres of land has been deliberately left for tracking the Batwa (pygmies) while 200 acres were given to one Musinguzi Garuga for growing tea. The concern is that the tea growing has nothing to do with the research being done at the institute and this may raise resettlement issues if the institute decides to bet its land back. Likewise, the land informally left for tracking the Batwa will raise resettlement issues</li> <li>• It was proposed that the two pieces of land should be documented and a formal understanding be entered into between the Batwa and Musinguzi Garuga to avoid future misunderstanding and compensation by the institute</li> </ul> |



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|  | Farmer group in Ikumba Sub County, Rubanda District                 | <ul style="list-style-type: none"> <li>• Farmers are aware of the current land debate in parliament. Their major concern is land fragmentation and land related conflicts in the community due to high population. They noted that land acquisition by government would possess them of their livelihoods</li> <li>• Like in Busukuma Sub County, they expressed apprehension against government process of acquisition of land especially when it comes to compensation. They noted that since they have very limited land, any land acquisition should be carried out in a very transparent manner and that they should be negotiated with individually, fully compensated and compensated in time</li> <li>• However, they were willing to give land for community access roads with or without being compensated to facilitate development.</li> </ul> |
|  | Batwa Community in around Murubini Primary School, Rubanda District | <ul style="list-style-type: none"> <li>• The Batwa are concerned that they do not own land but a few of them benefitted from the land that was given by Christian organisations. However, they were not sure whether they owned the land or not because it was not documented.</li> <li>• While they are interested in being resettled by government, they also lack inputs like seeds and social services like roads and health facilities. They proposed that they should be considered</li> <li>• The school is also in a very miserable condition and needs uplift in order to benefit the community. It has a population of 76 pupils and the majority of the pupils are Batwa while the rest are of Bakiga ethnicity.</li> </ul>   |
|  | District technical staff in Rubanda District                        | <ul style="list-style-type: none"> <li>• Land is highly fragmented in Rubanda and there is high level of conflict. The Batwa are very marginalized by the Bakiga and the Batwa need affirmative action on land in Rubanda and al all other areas where they live in Uganda.</li> </ul>   |

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|  |   | <ul style="list-style-type: none"> <li>• The district is willing to participate in the ECAAT and provide the necessary support if the project is to acquire land. However, the project should be implemented in such a way that it shouldn't put the district in a difficult situation.</li> <li>• Funds should be set aside by the project to pay off those whose land will be acquired for purposes of the project to minimize suspicion that there is against government as this will encourage more people to willingly give land for sub projects. Proper valuation, prompt payment, negotiation with individuals, and immediate resettlement will bring trust in government</li> </ul>   |
| Awareness on current debate on land, and land acquisition for resettlement by government | Meeting with scientists of BugiZARDI in Bulambuli | <p>There are several cooperative stores in almost all sub counties in the district that ECAAT can take advantage of some of which are idle. A number of old sub counties also have land that can be utilised</p> <p>Currently farmers who own land allow scientists carry out their experiments but take the proceeds from the experiments. They are not paid for the time their land is under experiments. They use unwritten memoranda of understanding.</p> <p>There are people with large chunks of land among the Benet people however, a reasonable number of Benet are landless and are living in camps. There are also elements of land fragmentation because they have very limited amounts of land that was degazetted from the Elgon National Park. Those who don't have land are known as Ndorobo Tariat. These were driven way from the forest by government and have no land. They will need to be resettled</p> <p>The institute has the main institute and two satellite stations in Bulegeni in Bulambuli and Nawanyago in Busoga. However,</p> |

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|  |   | <p>there are struggles between two communities over the Bulegeni satellite station</p> <p>BugiZARDI is planning to construct five small irrigations schemes including at Busano in Mbale, Nalondo Manafa, Sisiyi in Bulambuli, Nabweya in Bududa, and Nawanyago in Kamuli districts.</p> <p>While the community are willing to provide land for road construction, land fragmentation especially in Bugisu sub region is likely to make them demand for some form of compensation when it comes to stores and other infrastructure and these tend to benefit a few as opposed to a road. However, there is good will among the community.</p>  |
|  | <p>Meeting with District Production Officer (DPO) and Community Development Officer (CDO) of Kapchorwa District</p> | <p>There is a lot of pressure on land due to land fragmentation. There are also people in the district that need to be resettled, those who were displaced by Karimojong cattle rustling who had never been resettled by government. These are mainly the Benet Tariat people who have been given freedom to cultivate for food but are not allowed to put any development on the land.</p> <p>The district does not have capacity to implement ECAAT RPF and RAPs except for carrying out community mobilisation. They will require training in RPF/RAP implementation because they have never been involved in such interventions.</p> <p>Due to land fragmentation, land has become very expensive. Therefore, infrastructure development like stores should target former primary societies that can be rehabilitated. There are also private associations that have stores that ECAAT can partner with. There are also stores that were built by World Food Programme for storage of maize that have now become</p> |

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|  |   | <p>idle because maize is no longer a crop for the majority because of land fragmentation. Average landholding by 2014 was 1.5 acres per household. The majority of the people have resorted to production of Irish potatoes and vegetables that do not require large pieces of land, unfortunately it is not among the commodity crops being targeted by ECAAT.</p>   |
|  | <p>Meeting with<br/>Kapchorwa Seed<br/>Producers<br/>Association,<br/>Kapchorwa Green<br/>Change Farmers<br/>Association, and<br/>Chebukat<br/>Development<br/>Association at<br/>Muturo Village,<br/>Kapchorwa Municipal<br/>Council, Kapchorwa<br/>District on<br/>28/01/2018</p> | <p>The constitution says land belongs to the people. As long as land acquisition does not dispossess anybody of land permanently without compensation it's not a problem for government to acquire land.</p> <p>The community needs to be sensitized well if land is to be acquired. There was a gravity flow scheme built in the area and people accepted. So, for irrigation, people will accept land acquisition even without payment.</p> <p>Currently land acquisition for experiments is based on gentleman's understanding but there have been cases of disease crossover but since there was not documentation, it became difficult to hold the scientists accountable. However, the desire now is that there should be a formal agreement between scientists and farmers so that each one can hold the other accountable</p> <p>Land is a very highly priced commodity now. So, compensation should be done on a commercial basis, but preferably alternative land should be provided and physical resettlement done instead of cash compensation as government rates are very low and inadequate. Besides, government also delays to pay people.</p> <p>Government has acquired land in the low lands bordering Karamoja where they want to resettle the Tariets.</p> |

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| <p>Awareness on current debate on land, and land acquisition for resettlement by government</p> | <p>Meeting with the District Administration and Political Leaders of Kween District on 01/02/2018</p> | <p>The district has people who have been displaced by programmes of government and haven't been resettled. These were people displaced from the Mount Elgon Conservation Area. They have been living in camps.</p> <p>While the district welcomes the project and is willing to participate, it does not have capacity to resettle people because of these people who were displaced from Munt Elgon Conservation areas by Uganda Wildlife Authority.</p> <p>The district is a serious agricultural district and contributes to the food basket of Uganda. The district also suffered from the invasion of cattle keepers from Ankole. The project needs to be very careful in implementing activities that may lead to displacement because of the limited landholding, especially in the upper belt where average landholding is 0.5-2 acres of land.</p> <p>The district has three belts. The lower belt, the middle belt and the upper belt. The upper belt is occupied by the Benet and they grow a lot of Irish potatoes which is being exported up to South Sudan. It's the most productive area of Kween District. They also grow Wheat and Barley.</p> <p>Kween has a number of projects that are likely to transform the district. There is irrigation in Ngenge Sub County (lower belt) and International Fertilizer Development Company (IFDC) is also looking at infrastructural development. There is also the resilience project which is providing infrastructure.</p> <p>However, land holding is very small in the settled part mainly in the upper belt. But People can avail land when it is for</p> |
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|  |  | <p>development even when land holding is very small especially in the upper belt.</p> <p>Rivers are running dry because everybody has they own irrigation equipment for production of Irish potatoes especially during the dry season. There is need for building tanks that can be used by farmers during the dry season in the upper belt. In the lower belt, they are using channels under JICA and African Development Bank.</p> <p>The District has 8 stores that are not functioning under the ownership of primary societies because they were meant for maize production but since people have moved towards production of Irish potatoes rendering the stores redundant. ECAAT could take advantage of these stores</p> <p>Kween also has a district farm institute that has been lying idle. The land there can be used by the project.</p> <p>There is need for roads and sub counties are opening access roads and communities are willing. So, land acquisition for access roads should not be a problem as long as it is explained to people, people are willing to provide the land. Government has provided road units for road construction and the project can use the equipment by just fuelling it. The district has saved over 2billion shillings in the last two years by constructing arch bridges that don't need a lot of money.</p> <p>However, there is serious need for watershed management in the upper part of the district. The rivers that supply most part of the districts come from the mountains so any activities that need irrigation need to have an MOU with UWA.</p> |
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|  |   | <p>The district also has dairy animals but the major constraint in dairy value chain is feeds. Besides there is not a single mild cooler in the district. ECAAT should prioritise production of feeds (hay) and provision of milk coolers to boost the dairy industry in the district. Stores can also be provided for wheat and barley but the majority of people area into Irish potatoes production in the upper belt</p>   |
|  | <p>Meeting with the Benet Community at Benet Sub County Headquarters<br/>01/02/2018</p> | <p>Benet is a Sabiny word meaning indigenous people who depend entirely on nature – fresh air, honey, bush meat, wild vegetables and fruits and make products from forest materials. They have conserved nature for a very long time and like bee keeping and cattle keeping and have done this for a very long time. While they lived without government for a very long time, they realised that they were marginalised when they went to school in the low land and saw social services that they did not have</p> <p>Land was owned communally. They were farming but were later refused to farm because government had taken over their land for wildlife conservation. When they asked for land where they can plough and plant maize, in 1983 government gave them 6000 hectares of land but in 13 the land that they had been given by the previous government was taken away.</p> <p>Currently there are no clear boundaries between where they have settled and the wildlife conservation area and have often run into conflict with the UWA. Some of the schools that were earmarked in the area had stalled because of boundary issues with the national park.</p> <p>ECAAT should avoid areas where there is conflict with the UWA should need for infrastructural development be identified. All</p> |

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|  |   | <p>activities that border the conservation area should only be carried out in consultation with UWA</p> <p>Irrigation is already ongoing in the area but on a very small scale using gravity flow scheme. However, irrigation development will need an MOU with the UWA but also need for construction of water tanks. The community is willing to provide land for tanks and for piping the water without compensation. However, the sources of the rivers need to be managed in conjunction with UWA. Rivers include Atari, Siiti, Ngenge, Yemtyon and Chepyakariet</p> <p>Due to poor topography of the area, mechanisation on large scale is impossible however mechanisation can be done in terms of value addition.</p> <p>The area has very poor accessibility yet a very productive area. Improvement on road access is most welcome and the community is willing to provide land to facilitate accessibility.</p> |
|  | <p>Meeting with Deputy CAO, District Fisheries Officer, Senior Probation Officer, and Senior Community Development Officer of Serere District in 02/02/2018</p> | <p>The district welcomes the project but has no capacity to implement RPF and subsequent RAPs, except for community mobilisation. However, the district has a number of stores that are being operated by many communities but below capacity. The Project can take advantage of this and organise the farming community to fully utilise the stores.</p> <p>There is plenty of land at sub county level and can be used for any government project that is mean to benefit the community. The district also benefitted from the stores construction by the UCA that are now being used by farming groups. There are also other government pieces of land where parish chiefs used to live but these have since become idle and this can be donated to the project for infrastructure development.</p>   |



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|  |   | <p>The district is also constructing new roads and the roads are passing through people's land. Land acquisition for development especially for roads is not a problem because people need access roads where they are. The district can mobilise the community to provide this land without asking for compensation. MAAIF is planning to pilot an irrigation scheme in Bugondo Sub County.</p> <p>The project should consider use of government land for stores and work with the local government to mobilise the community for construction of access roads. Preferably road construction should be labour based to boost the economy of the areas where roads will pass.</p>   |
|  | Meeting with Teso Agro-technology Propagation Association on 02/02/2028 | <p>There are a number of government owned land in Teso where irrigation can be developed. In Serere there is Labori Irrigation Scheme that has very wide land and Odina Irrigation scheme. Both of these pieces of land are available and can be revamped for irrigation in the surrounding areas. Other pieces of land that can be used without causing displacement include Teso Cooperative Union land.</p> <p>There may be a problem in acquisition of individual land, however, the biggest problem in land acquisition is the approach used. Most people are willing to provide land for development project without asking for compensation but they need to be approached and talked to. There are several pieces of land where Parish Chief used to live that can be used for infrastructure development and people still have respect for such areas. Other land that can be used that is government but within the community include PWD land.</p> |

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|  |  | <p>The process of land acquisition should start with dialogue with the leaders so that they can approach the community because the community have trust in their leaders. There is need to carry out compensation before land is taken from the people. Many people are discouraged with the current bill in parliament on compulsory and acquisition. What is most important is to provide alternative pieces of land and should be within an area that the PAP is familiar with. There is need to consider resettling people where there are social services like roads, health facilities, schools and water.</p> <p>Valuation should be done for everything a person owns including trees whether planted or not because they are all resources and all must be compensated.</p> <p>In case of cash compensation, government should ensure that the money given is used to replace the property. In that case there should be a condition attached to the cash and government structures at grassroots level should be able to monitor and report. There is need to involve the clans in the supervision of the use of such resources</p> |
|  | Meeting with Scientists in BuZARDI on 07/02/2018 | <p>There is land conflict between the Kingdom of Bunyoro-Kitara and the institute. Over 1735 acres of land belonging to the institute is being claimed by the kingdom. Another piece of land worth 270 acres has been parcelled out by the Local Government of Kakumiro. That leaves the institute with only 110 hectares. Its recommended that no ECAAT activities be carried out on land which is being contested</p> <p>Scientists carry out field trials on people's gardens based on gentleman's agreement. This has been the practice for a long period of time. It is important that all activities like farmer field</p>  |

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|  |  | <p>schools under ECAAT be established with formal agreement clearly stating terms and conditions and responsibilities of parties.</p> <p>The community is willing to give the land but the problem is that Hoima is an oil area where land is a very highly priced commodity. Besides, the residents have learnt about the challenges that those who were affected by the land acquisition for Oil Refinery, Hoima to Kaiso-Tonya road, and land eviction for oil waste management at Rwamutonga have gone through and are still going through.</p> <p>All land acquisition must conform to the highest standard that protects the interest of those affected</p>  |
|  | <p>Meeting with District production Office, Hoima District on 07/02/2018</p> | <p>Resettlement is a big issue in Hoima especially when it comes to compensation. More displacements are coming including that which will be caused by the pipeline. If a pipeline passes through an experimental field or infrastructure site this may disrupt ECAAT implementation. It's important that all ECAAT infrastructure development should take into account the physical plans of the area. There is a master plan for the Albertine Graben that needs to be studied.</p> <p>Cash compensation and physical resettlement have both been abuse. Cash has been misused and livelihoods have been changed. People being given new homes some have not gone to the homes which are now complete, while some of them want to rent out. This has led to cases of domestic violence in the process of living in rented homes. A middle ground needs to be found that does not lead to abuse and misuse of compensation resources.</p> |

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|  |  | <p>Local Government only have capacity for mobilisation. Often community mobilisation campaigns taken directly to the community without consulting with the office of the CDO has backfired and land acquisition has become a security issue. For smooth implementation of the RPF and RAP, there is need to work very closely with the local governments both at district and Sub County levels.</p> <p>Every Sub County has a CDO and extension workers, however, challenges are around resources like transport, allowances to support the team and this is where ECAAT should come in.</p> <p>Irrigation is new in the district and the district local government does not have an agricultural engineer. If such an infrastructure is being planned, there may be need to bring an agricultural engineer on board. This is also an area where ECAAT can be useful.</p> <p>There is a gap in compensation. The district has rates but the areas have not been captured. There is need to update the rates. ECAAT project can support the rates review and development, not only in Hoima but also in other districts, especially the new ones where there is nit capacity.</p> <p>There are already some farmer field schools being supported under the private sector. Local government has also put some valley tanks for communities or households. Nevertheless, communities are willing to provide land for roads without compensation because they know roads are a public h=good that needs to be supported. Local government has always been working with communities cordially and taking land for road construction without much problems.</p> |
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|  |  | <p>Warehouses are very much needed in the district to cope with the level of production in the district. However, there is need to organise farmers for storage so that they are not exploited by middlemen including traders from South Sudan and Kenya. The spirit to put up warehouses is strong and land acquisition for warehousing can be supported. Most local sub county local governments still have lots of land both at headquarters and within the community that can be used.</p> <p>The farmer cooperatives are still functional and others have grown into SACCOs. There are storage facilities in Bunyoro Sub Region under Public Private partnership. The majority of the farmers are still in their farmer groups. Provision of store is one way of mobilising the community for production. When farmers are organised in groups and they turn into associations and cooperatives, this will be one way of streamlining marketing. For example, a community in Kyangwali and another in Kiziranfumbi were given stores and they have now turned into cooperatives. Warehouse receipting has also been piloted in Kyangwali and government is planning to introduce the e-voucher system.</p> |
|  | <p>Meeting with the resettled community in Kyakaboga Village, Nakabugo Parish, Buseruka Sub County, Hoima District on 08/02/2028</p> | <p>In Kabaale before displacement things were okay. Social services including schools, clean and safe water sources, and stable livelihoods were guaranteed. People kept livestock within their homesteads and had their farms around their homes. People also had businesses they were running.</p> <p>However, resettlement took six years after displacement. During displacement before resettlement, people lost all their livelihoods, children dropped out of school because they had no school to go to. Children who were above three years at the time of displacement lost their year of Universal Primary Education (UPE) entry and a number of them had been rejected</p>  |

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|  |  | <p>from joining UPE classes because they are considered overaged.</p> <p>When the displaced who chose physical resettlement were taken to their resettlement village, things had changed. There was no homestead anymore but lines of houses just two meters apart from one house to the other. No body keeps livestock anymore because there is no space for keeping them. There is one borehole with hard water that cannot even boil beans so people have to travel three kilometres away to river Rwamutonga to collect water and this have been extremely difficult for older persons, people with disabilities, and people who are sickly. It has put women, girls and children at risk as they have to travel all the distance to collect water. The farms are in a block across the valley which also makes it difficult for the older persons, people with disabilities and sickly. The land is base with no tree cover, there are challenges with firewood. It also looks less fertile.</p> <p>Those who had small businesses cannot carry them out now because they are far from the centre of the population. From over 70 people who had been planned for physical resettlement, just abo 37 have come for resettlement others have opted to sell, rent or not enter as they see it as not a place they can lead desirable life.</p> <p>The school has never opened seven years down the road. While the buildings stand, furnishing is not yet completed. It may take another year for the school to be completed and the children start studying.</p> <p>Where there it is inevitable to displace some people and need for physical resettlement, ECAAT should consider plan the</p> |
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|  |  | <p>displacement and resettlement in advance and put in place all the necessary resources to ensure that every aspect of the displacement and resettlement process is done in a timely manner.</p> <p>Secondly it should ensure that resettlement is carried out in such a way that it mimics the original settlement of the affected persons or even better. This will ensure sustainable livelihoods for a majority of the PAPs.</p> <p>Effort should be made to ensure that vulnerability minimised and special attention is paid to those that are likely to be rendered more vulnerable such as children, girls, women, older persons, people with disability and people who are sickly</p>  |
|  | <p>Meeting with the Prime Minister of Bunyoro Kitara Kingdom on 08/02/2018</p> | <p>The Kingdom welcomes the project and willing to support and partner with the project. It has land it can give for the project however, some of the pieces of land has been settled on. Where the kingdom cannot provide land, it is willing to talk to the subjects to provide land for the project.</p> <p>However, the kingdom is in a reform period and is developing a 5-year strategic plan that may encompass some of the ECAAT project sub components especially in the area of marketing, community mobilisation for development, but will also include issues of how to address issue of immigrants to minimise marginalisation but also to foster integration.</p> <p>The kingdom presents an opportunity that NARO should study and determine how best a partnership can be developed between the kingdom and the project.</p> |

## Appendix 13 Consultations Participants' Attendance List

ATTENDANCE LIST FOR GENDER ASSESSMENT FOR ECAT PROJECT - UGANDA

③

DATE: 20/3/01/2018 LOCATION: KACHUKA DISTRICT LOCAL GOVT

| NO | NAMES             | AGE            |                   | GROUP NAME /<br>COOPERATIVE / VILLAGE          | POSITION /<br>DESIGNATION | PHONE NUMBER | SIGNATURE   |
|----|-------------------|----------------|-------------------|--|---------------------------|--------------|---|
|    |                   | Below<br>years | Above<br>30 years |  |                           |              |   |
| 1  | KUSINDO JOHN M    | ✓              |                   | KACHUKA DISTRICT<br>CUMMIE FARMERS ASSOCIATION | Farmer                    | 03449446     |  |
| 2  | MURRAY BOB M      | ✓              |                   | "  | "                         | 03395007     |   |
| 3  | ROBERT PATE M     | ✓              |                   | "  | "                         | 0772516092   |    |
| 4  | SULLIVAN M        | ✓              |                   | "  | "                         | 0752090245   |    |
| 5  | JUAFT NURU F      | ✓              |                   | KASPA  |                           | 078736260    |    |
| 6  | CHIRIWE CHIRIWE F | ✓              |                   | WOMEN SEED<br>PRODUCED ASSOCIATION<br>(KASPA)  |                           | 070242771    |    |
| 7  | CHIRIWE LINA F    | ✓              |                   | "  |                           |              |    |
| 8  | CHIRIWE FRED M    | ✓              |                   | "  | "                         | 0792002215   |    |



7/1/2018

ECAAT ENVIRONMENTAL AND SOCIAL FRAMEWORK CONSULTATION MEETING  
 BUNDA 27851 SCIENTISTS  
 REGISTRATION FORM

| NAME                | DESIGNATION          | CONTACT     | SIGNATURE   |
|---------------------|----------------------|-------------|-------------|
| INDUTUNG EATUKE     | SECURITY GUARD       | 0784232328  | [Signature] |
| BYEULUWA G'S        | PRO-Animal Prod.     | 0772244121  | [Signature] |
| John Munkwa         | LO - Aquaculture     | 078522211   | [Signature] |
| Paline Bougna       | Tourist manager      | 0714 840296 | [Signature] |
| Keliso Edson Biskwa | husband Auditor      | 079650911   | [Signature] |
| MBABAZI BUSIYAGE    | ANIMAL PRO TECH      | 0786262663  | [Signature] |
| KUMBO KHEKETU       | PRO - Agricultural   | 0782854844  | [Signature] |
| BRUNDA PRULIKE      | R/D (Food Scientist) | 0772672082  | [Signature] |
| MUSSE BATWABA       | PRO-ENVIRONMENTALIST | 0781155139  | [Signature] |
| TUSINE RUTHI        | NAGARI               | 0782605168  | [Signature] |
|                     |                      |             |             |
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24/02/18




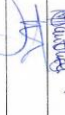
ECAT ENVIRONMENTAL AND SOCIAL FRAMEWORK CONSULTATION MEETING  
 BUKINA FASO SCENARIOS  
 REGISTRATION FORM

| NAME             | DESIGNATION     | CONTACT    | SIGNATURE   |
|------------------|-----------------|------------|---|
| WOUTOUF ELOUE    | SECURITE CIVILE | 079443333  |  |
| BYGUELE G.S      | PROJETS R&D     | 0772469121 |  |
| ABO HENRI        | LO-HABITAT      | 077340011  |  |
| YVINE FAYOU      | TECHNICOLOGIE   | 079490296  |  |
| KALIA ELOUE      | PROJETS R&D     | 079490291  |  |
| MBIRAH21 DUBIAGE | PROJETS R&D     | 079490293  |  |
| KALIA ELOUE      | PROJETS R&D     | 079490294  |  |
| BOUMEL ROLAND    | PROJETS R&D     | 079490292  |   |
| MBIRAH21 DUBIAGE | PROJETS R&D     | 079490291  |   |
| YVINE FAYOU      | TECHNICOLOGIE   | 079490296  |    |
|                  |                 |            |   |
|                  |                 |            |   |
|                  |                 |            |   |
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|                  |                 |            |   |

ECAAT ENVIRONMENTAL AND SOCIAL FRAMEWORK CONSULTATION MEETING

HOME DISTRICT OFFICIALS  
REGISTRATION FORM

7/12/18

| NAME               | DESIGNATION          | CONTACT     | SIGNATURE   |
|--------------------|----------------------|-------------|---|
| Mr. James Julius   | Research officer AF  | 0772391281  |  |
| Mulabwire Louis    | Technician           | 0975 061575 |  |
| Mr. Legius Charles | DPMO                 | 0772640507  |  |
| Mr. Azaai Evariste | Luviron Tech partner | 0786262603  |  |
| ADELINE MATEEMBA   | Gender Consultant    | 0778447029  |  |
| Lucins RUTH        | Socioeconomist       | 076603168   |  |
| Mr. Desera Stant   | AF                   | 0772394492  |  |
|                    |                      |             |   |
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|                    |                      |             |   |

8th/12/18

EGAT ENVIRONMENTAL AND SOCIAL FRAMEWORK CONSULTATION MEETING

REGISTRATION FORM *Disputa Franca Group*

| NAME             | DESIGNATION  | CONTACT    | SIGNATURE      |
|------------------|--------------|------------|----------------|
| Businika Jim     | Businika     | 0738470219 | <i>Jim</i>     |
| Vatin Stephen    | Kayem, Utho  | 0735108293 | <i>VT</i>      |
| Mulyandi William | Businika     | -          |                |
| Mucyila Simon    | Businika     | 0786162792 | <i>MS</i>      |
| Businika Wilson  | Businika     | 0773896312 |                |
| Thine Steven     | Businika T/C | 072456311  | <i>Thine</i>   |
| Businika         | Philly P     | 073294160  | <i>Philly</i>  |
| Kavonko          | Chakisiwenda | 0774432143 | <i>Kavonko</i> |
| Choro Hinnu      | Businika     | 0784413660 | <i>Choro</i>   |
|                  |              |            |                |
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|                  |              |            |                |
|                  |              |            |                |
|                  |              |            |                |

8/2/18

REGISTRATION FORM

[illegible]



ACTIVITY: ECAAP GENDER AND ENVIRONMENTAL SOCIAL SAFEGUARDS FRAMEWORK MEETING

DATE: VENUE: Buénanyanya Station Kibeen barotia local Govt

| NO | NAME              | DESIGNATION | TEL/EMAIL                          | SIGNATURE |
|----|-------------------|-------------|------------------------------------|-----------|
| 10 | MURRAY MOSES      | DFS         | Malinda murad<br>yvesa km 10833470 |           |
| 1  | KEEL SHILO        | DFS         | Degeto 1612@gmail.com              |           |
| 12 | CHRISTOPHER JORGE | MSK ADP     | Chamistryjorge@adp.com             |           |
|    |                   |             |                                    |           |
|    |                   |             |                                    |           |
|    |                   |             |                                    |           |
|    |                   |             |                                    |           |
|    |                   |             |                                    |           |
|    |                   |             |                                    |           |



# ACTIVITY: ECATP GENDER AND ENVIRONMENTAL SOCIAL SAFEGUARDS FRAMEWORK MEETING

DATE: 31/01/2018 VENUE: BUGENYONYO STATION KIRURURU LOCAL GOVT

| NO | NAME               | DESIGNATION    | TEL/E-MAIL                         | SIGNATURE |
|----|--------------------|----------------|------------------------------------|-----------|
| 1  | CHENWUO DAVID M    | P.O            | 0792322895<br>mudemurid@gmail.com  |           |
| 2  | MURUGA CHARLES     |                | charlesmuruga149@gmail.com         |           |
| 3  | MURUGA KENETH      | Coop Secretary | 0731638392<br>murugaketh@gmail.com |           |
| 4  | YEKO JUSTINE JAMES | DCO            | 0782519466<br>jamesye@outlook.com  |           |
|    |                    |                |                                    |           |
|    |                    |                |                                    |           |
|    |                    |                |                                    |           |
|    |                    |                |                                    |           |





# ACTIVITY: CAPT GENDER AND ENVIRONMENTAL SOCIAL SAFEGUARDS FRAMEWORK MEETING

DATE: 31/08/2018 VENEZUGUNYANA STATION (Meeting with brother Buzibanyoro)

| NO | NAME             | DESIGNATION                 | TEL/EMAIL                              | SIGNATURE |
|----|------------------|-----------------------------|--|-----------|
| 1  | Adeline Mubvumba | Gender Specialist           | 07241024<br>ademubvumba@gmail.com      | Mubvumba. |
| 2  | B. Thelma Mungo  | ESS/ Gender MBO Coordinator | 07241024<br>thelmafungo@gmail.com      | Mungo.    |
| 3  | Mari A. Angwa    | RPF Consultant              | 072317483<br>angwa.mari@gmail.com      | Angwa.    |
| 4  | Lorraine Queve   |                             | 0772836847<br>lorraine.queve@gmail.com | Queve.    |
| 4  | Lorraine Queve   | Director                    | lorraine.queve@gmail.com               | Queve.    |
| 5  | Thelma Mungo     | ESS Consultant              | 072317483<br>thelmafungo@gmail.com     | Mungo.    |
| 6  | Dr Mugis Tsh     | WCF Consultant              | 07241024<br>tsh.mugis@gmail.com        | Tsh.      |
| 7  | Adeline Mubvumba | RPF Consultant              | 072317483<br>ademubvumba@gmail.com     | Mubvumba. |





# ACTIVITY/ECAATP GENDER AND ENVIRONMENTAL SOCIAL SAFEGUARDS FRAMEWORK MEETING

DATE: 31/01/2018  
 VENUE: ~~SAFARI CAMP~~ <sup>MUYORU</sup> VILLAGE FORMER GROUP

| NO | NAME                 | DESIGNATION  | TEL/E-MAIL               | SIGNATURE |
|----|----------------------|--|--------------------------|-----------|
| 1  | MUKUNDEZA MARK ALONI | Farmer   | 0753672202<br>0794802231 |           |
| 2  | Kusabo John          | "  | 075549646                |           |
| 3  | SUKU Peter           | "  | 075590245                |           |
| 4  | Guswe Pauline        | "  | 0773916092               |           |
| 5  | JUNATH MUKUNDEZA     | "  | 075316360                |           |
| 6  | CHRISTINE CHERMUTO   | NATIONALA SCOS<br>PARTIAL KNOWLEDGE<br>BASICATION (VAFB) | 070244777                |           |
| 7  | CHRISTINE LILINDA    | "  | -                        |           |
| 8  | CHESOGA FELI         | "  | 0772602215               |           |



# ACTIVITY: ECAATP GENDER AND ENVIRONMENTAL SOCIAL SAFEGUARDS FRAMEWORK MEETING

DATE: 01 Feb 2018 VENUE: BUNGUWANA STATION, KIOSEN DISTRICT LOCAL GOVT

| NO | NAME                      | DESIGNATION     | TEL/E-MAIL  | SIGNATURE |
|----|---------------------------|-----------------|-------------|-----------|
| 1  | Mrs. Ursula Kung'u        | MOE COORDINATOR | 0778-490910 |           |
| 2  | Mwetei Wanjie             | CEO             | 072442989   |           |
| 3  | Dr. Yeshu Nelson          | DMUB            | 076524799   |           |
| 4  | KATUNG IRENE              | ASARO           | 077256134   |           |
| 5  | Paul K. MURUNJICA         | LC VCIP         | 088-803720  |           |
| 6  | Manager Shm Boro          | ASIS            | 0772961785  |           |
| 7  | Mw. GUSHO ROBERT          | DMUB            | 0772521991  |           |
| 8  | ASSISTANT CHIEF OF POLICE | ASIS            | 0774609333  |           |
| 9  | CHEMUTU DANIEL            | DMUB KIOSEN DLO | 072459166   |           |



ACTIVITY: ECAATP GENDER AND ENVIRONMENTAL SOCIAL SAFEGUARDS FRAMEWORK MEETING

DATE: 31 Jan 2018 VENUE: BUGINYANYA STATION (Consultations with Scientists and Technicians)

| NO | NAME                       | DESIGNATION                 | TEL/E-MAIL                                       | SIGNATURE |
|----|----------------------------|-----------------------------|--|-----------|
|    | Brian Ouyegire             | hiv/aids scientist          | 0772 345 830<br>brianouyegire@gmail.com          |           |
|    | Arthur Wacwire             | Pathologist / RO            | 0782 429 527<br>arthurwacwire@gmail.com          |           |
|    | Andhoro Constantine Chikaf | Aquaculture Scientist       | 0782 225 8987<br>acconstantine88@gmail.com       |           |
|    | OKELLO JASPER              | AGROFORESTRY SCIENTIST / RO | 0772 / 0752 996181<br>jasperokello2016@gmail.com |           |
|    | Pande James                | Crop Technician             | 0772 842 233<br>pandejames62@gmail.com           |           |
|    | BUYI I. KERR               | LIVESTOCK TECHNOLOGIST      | 0752-341069<br>buyi.kerr@yahoo.co.uk             |           |
|    | Kalimba Kenneth            | Crop Technician             | 0775 569 3872<br>kalimbakenneth@yahoo.com        |           |
|    | Quingo Richard             | hiv/aids SA                 | 0788 197007<br>richardquingo@yahoo.com           |           |
|    | Dr. Mupisa John            | VNAC Consultant             | 0772 412386<br>mupisajohn@yahoo.com              |           |



ACTIVITY: ECAATP GENDER AND ENVIRONMENTAL SOCIAL SAFEGUARDS FRAMEWORK MEETING

DATE:

VENUE: BUGINYANYA STATION BENET SUBCOUNTY FARMER GROUP

| NO | NAME               | DESIGNATION | TEL/E-MAIL | SIGNATURE   |
|----|--------------------|-------------|------------|-------------|
|    | MWANGA MOSES       | Farmer      | —          | NGIN        |
|    | CHEROP SOPHY       | Farmer      | 0787249038 | [Signature] |
|    | CHEKNOTI JULIET    | Farmer      | 0771923987 | [Signature] |
|    | Malingi Dominick   | Farmer      | 0784949454 | [Signature] |
|    | Chemos alfred      | Farmer      | 0777704356 | [Signature] |
|    | Chelangat Fredrick | Farmer      | 0778147291 | [Signature] |
|    | Cheset Martha      | 11          | 0785081692 | [Signature] |
|    | Kokop Isaac        | Farmer      | —          | [Signature] |
|    | Chelanga Juliet    | Farmer      | —          | [Signature] |



ECAAT ENVIRONMENTAL SOCIAL SAFEGUARD FARMER GROUP CONSULTATION  
REGISTRATION FORM

09/01/2018

| NO | NAME               | ORGANISATION | DESIGNATION      | SIGNATURE |
|----|--------------------|--------------|------------------|-----------|
| 01 | BARISIYOY Jemimah  | Farmer       | Community leader | Jemimah   |
| 02 | MARY KABOYA        | "            | Farmer           | Kaboya    |
| 03 | Irene Twinemugisha | "            | "                | Irene     |
| 04 | BATUNSA JUSTINE    | "            | "                | Batunsa   |
| 05 | Makalema SPENCER   | "            | "                | Makalema  |
| 06 | SENKINDU John      | "            | "                | John      |
| 07 | TUMWESIGYE HERBERT | "            | Farmer           | Herbert   |
| 08 | Lamba Michael      | "            | Farmer           | Michael   |
| 09 | KASOZI Robert      | "            | "                | Robert    |
| 10 | NAGAWA Florence    |              |                  | Florence  |
|    |                    |              |                  |           |
|    |                    |              |                  |           |
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0780813489  
0773649687  
0780157241  
0782094017  
0772450894





ECAAT ENVIRONMENTAL SOCIAL SAFEGUARD FARMER GROUP CONSULTATION  
REGISTRATION FORM

09/01/18

| NO | NAME              | ORGANISATION              | DESIGNATION   | SIGNATURE |
|----|-------------------|---------------------------|---|-----------|
| 01 | Abidraboo Phillip | NACRI                     | R-n   |           |
| 02 | Ecume Williams    | NACRI                     | Scientist   |           |
| 03 | Kaweki Robert     | NACRI                     | PRO   |           |
| 04 | Ephraim Nwamanga  | NACRI                     | R-Scientist   |           |
| 05 | V HENRY WAKWA     | NACRI                     | R Scientist   |           |
| 07 | NEWTON ISAAC      | NACRI                     | Field Technician  |           |
| 08 | Ambrose Michael   | NACRI                     | R Assistant   |           |
| 09 | Nuriam Nuhki      | IBN consultants + Planner | Environmental Protection<br>Coordinator, Customs<br>Regional Centre |           |
| 10 | Omongo Chris      | NACRI                     | OT Evaluator  |           |
|    |                   |                           |   |           |
|    |                   |                           |   |           |
|    |                   |                           |   |           |
|    |                   |                           |   |           |
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|    |                   |                           |   |           |



09/01/2018

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1. Schenkb.

ATTENDANCE LIST  
ATAAS END OF QTR 2 (OCT-DEC) 2017 REVIEW AND QTR 3 (JAN-MARCH) 2018 PLANNING WORKSHOP  
15<sup>TH</sup> TO 20<sup>TH</sup> JANUARY, 2018 - COLLINE HOTEL, MUKONO

DAY THREE

| NO. | NAME                          | DESIGNATION                         | ORGANISATION / INSTITUTE |
|-----|-------------------------------|-------------------------------------|--------------------------|
|     | CHARLES<br>BYARUITANGA        | SPO                                 | Nasim ZARDI              |
|     | Muhumura John Bosco           | Nbo                                 | MBARAROT                 |
|     | Godwin Kwekwa                 | SHRO                                | NAROSSEC                 |
|     | OCIRGAN GUWETAP, Pascal Masob | SECURITY PERSONNEL<br>SRT/PL - CURA | NAROSSEC<br>NARO/NACOR   |
|     | Ilefa Ahlumi                  | DCO                                 | NAROSSEC                 |
|     | OBONG INVENTINO               | AG-DIRECTOR                         | NARO/NGETTAARD           |
|     | MAJ PETER M RWEGO             | OWC Liaison offr                    | NAROSSEC                 |
|     | Qikura SSai                   | security officer                    | NAROSSEC                 |
|     | Muganga Laurence              | PL                                  | NACOR                    |



| DAY THREE |                      |               |                          |
|-----------|----------------------|---------------|--------------------------|
| NO.       | NAME                 | DESIGNATION   | ORGANISATION / INSTITUTE |
|           | Ina Beguma           | DDge          | NACORC                   |
|           | Fredrick Kabi        | SRO - NALIRRI | NALIRRI                  |
|           | Saidik Karami        | DOR           | NALIRRI                  |
|           | Nanna Nkalubo        | RO/PL         | NALIRRI                  |
|           | Beatrice Z. Nakutege | SFO           | NALIRRI                  |
|           | Otan Jato mu         | PO - NACORC   | NACORC                   |
|           | Luzina R. Francis    | SAD           | NALIRRI                  |
|           | W.W. Wagoni          | DOR           | NACORC                   |
|           | Muriel Gna Mueli     | RW            | MURARO                   |
|           | Florence Kijimba     | SRD           | NALIRRI                  |
|           | Nasse Kasozi         | RIO           | NALIRRI                  |

ATTENDANCE LIST FOR GENDER ASSESSMENT FOR ECAAT PROJECT - UGANDA

DATE: 2/2/2018 LOCATION: Severe - NASSARI LOCAL COMMUNITY

| NO | NAMES               | F/M | 30               | Above       | GROUP NAME /<br>COOPERATIVE / VILLAGE                   | POSITION /<br>DESIGNATION | PHONE NUMBER | SIGNATURE   |
|----|---------------------|-----|------------------|-------------|---|---------------------------|--------------|---|
|    |                     |     | years &<br>Below | 30<br>years |   |                           |              |   |
| 1  | Twelwa Mwangi C     |     |                  | ✓           |   | Member                    | 072482084    |  |
| 2  | OPLOT SUNDU PISCHAL | M   |                  | ✓           | TECHNICAL PAPER<br>ACTION ASSOCIATE CLINICAL<br>(TAPPA) | Member +<br>Coordinator   | 07410339348  |  |
| 3  | OPLOT SUNDU JIMES   | M   |                  | ✓           | SEC TAPPA   | SEC                       | 075640355    |  |
| 4  | OPLOT PACHAL M      | M   |                  | ✓           | Member  | Member                    | -            |  |
| 5  | OPLOT JIMES M       | M   |                  | ✓           | Member  | Member                    | 072482084    |   |
| 6  | Paul Ochi           | M   |                  | ✓           | Member (Technical)                                      | Member                    | 072482084    |    |
| 7  | MURRAY JAMES M      |     |                  | ✓           |   | Member                    | 072482084    |    |
| 8  | Adeline MURRAY      |     |                  | ✓           |   | Consultant                | 072482084    |    |

DATE 8<sup>th</sup> Feb 2018 LOCATION Bisweta City - Livestock Market only G

LOCATION: bioreactor 5 city - livestock house only on

[illegible]

ATTENDANCE LIST FOR GENDER ASSESSMENT FOR ECAAT PROJECT - UGANDA





DATE 7<sup>th</sup> Feb 2018 LOCATION: Bulindi ZARDI Res. Institute

| NO | NAMES               | F/M | 30 years & Below | Above 30 years | ORGANIZATION / DEPARTMENT / PROJECT | POSITION / DESIGNATION | PHONE / E-MAIL                             | SIGNATURE   |
|----|---------------------|-----|------------------|----------------|-------------------------------------|------------------------|--|---|
| 19 | Kwambi Nulba        | M   |                  | ✓              | Bulindi ZARDI                       | Research officer       | 0744 618105<br>kwambi@res-institute.co.uk  |    |
| 20 | Abitebezi Jusi M    | M   |                  | ✓              | Bulindi ZARDI                       | Team Manager           | 0772 845919<br>jusi@res-institute.co.uk    |    |
| 21 | Mulabuke Lucy       | M   |                  | ✓              | Bulindi ZARDI                       | Tech                   | 0750 618115<br>lucy@res-institute.co.uk    |   |
| 22 | Busega Kinyana M    |     | ✓                |                | Bulindi ZARDI                       | Accounts Assistant     | 0783 971330<br>busega@res-institute.co.uk  |  |
| 23 | Orung Gethy         |     |                  | ✓              | Bu ZARDI                            | Technician             | 0784 971658                                |  |
| 24 | MUGASI Dorcas       | F   |                  | ✓              | BUZARDI                             | HR Technician          | 0732 300413<br>mugasi@res-institute.co.uk  |  |
| 25 | Buringi D. Dandan M |     |                  | ✓              | "                                   | HR/HR                  | 0712 333591<br>buringi@res-institute.co.uk |  |
| 26 | Odenigo William M   |     |                  | ✓              | BUZARDI                             | Sen. Tech              | 0753 373383<br>william@res-institute.co.uk |  |
|    | Auma Lucy F         |     |                  | ✓              | Bu ZARDI                            | Technician             | lucy@res-institute.co.uk                   |  |

ATTENDANCE LIST FOR GENDER ASSESSMENT FOR ECAT PROJECT - UGANDA

③

DATE 30/3/2018 LOCATION: KATCHIKWA DISTRICT LOCAL GOVT

| NO | NAMES         | F/M | 30               | Above       | GROUP NAME /<br>COOPERATIVE / VILLAGE           | POSITION /<br>DESIGNATION | PHONE NUMBER | SIGNATURE   |
|----|---------------|-----|------------------|-------------|---|---------------------------|--------------|---|
|    |               |     | years &<br>Below | 30<br>years |   |                           |              |   |
| 1. | KUSUDO JOHN   | M   |                  | ✓           | KACHESOMBE GREEN<br>CUMMIE FARMERS HS           | Farmer                    | 07649446     |  |
| 2. | MUSEKWA ROSE  | M   |                  | ✓           | "   | "                         | 075935007    |  |
| 3. | GROSE PATRICE | M   |                  | ✓           | "   | "                         | 0773516092   |  |
| 4. | SULE POLO     | M   |                  | ✓           | "   | "                         | 0752090245   |  |
| 5. | JUSIT NUNGBA  | F   |                  | ✓           | KASPA   |                           | 078316260    |   |
| 6. | CHUSINE CHEWU | F   |                  | ✓           | UACHOMA SEED<br>PRODUCES ASSOCIATION<br>(KASPA) |                           | 0704248771   |    |
| 7. | CHEMUNAT LINA | F   |                  | ✓           | "   |                           |              |    |
| 8. | CHELOOAT FRED | M   |                  | ✓           | "   | "                         | 079200215    |    |

ATTENDANCE LIST FOR GENDER ASSESSMENT FOR ECAAT PROJECT - UGANDA

DATE 30 31 01 2018 LOCATION: KARCHORWA DISTRICT LO

| NO | NAMES                   | F/M | 30<br>years &<br>Below | Above<br>30<br>years | GROUP NAME /<br>COOPERATIVE / VILLAGE                       | POSITION /<br>DESIGNATION | PHONENUMBER |
|----|-------------------------|-----|------------------------|----------------------|---|---------------------------|-------------|
| 1. | KUSARO JOHN             | M   |                        | ✓                    | KARCHORWA GREEN<br>CUMMAGE FARMERS ASS.                     | Farmer                    | 0756494646  |
| 2. | MURERA <del>ABDUL</del> | M   |                        | ✓                    | "   | "                         | 0758903007  |
| 3. | GUSEI PATRICE           | M   |                        | ✓                    | "   | "                         | 0777516092  |
| 4  | SULU Peter              | M   |                        | ✓                    | "   | "                         | 0755090245  |
| 5  | JUNIA NUNGBA            | F   |                        | ✓                    | KASPA<br>KARCHORWA SEED<br>PRODUCERS ASSOCIATION<br>(KASPA) |                           | 0787316260  |
| 6  | CHAGI SILE CHENUSTA     | F   |                        | ✓                    | "   |                           | 0704248777  |
| 7  | CHAMUKA LINA            | F   |                        | ✓                    | "   |                           | -           |
| 8  | CHIDOGA FELIX           | M   |                        | ✓                    | "   | "                         | 0792602215  |



## **Appendix 14: Pictures as Evidence of Consultations for RPF Development**



Batwa women singing for the Consultants



Consultants pose with the Batwa Community at Murubindi Primary School





Batwa community in community consultations with the consultants at Murubindi Primary School



With scientists from Buginyanya ZARDI



Consultation with resettled community in Buseruka Sub County, Hoima District



Resettlement school in Buseruka Sub County, Hoima District





Resettlement houses for those displaced by the Oil Refinery at Kabaale, Buseruka Sub County



Consultations with the Benet Community at Benet Sub County, Kween District



Photograph with Benet Community after consultations





Benet Sub County Headquarters, Kween District





Consultation with Chief Administrative Officer and his team, Serere District



Resettlement housing in Buseruka, Hoima District



Construction of Community Seed Bank on former PWD premises in Bulindi, Hoima District



Modern Potato Seed Storage facility in Benet Sub County, Kween District





Landscape in Benet Sub County, Kween District



Consultations with farmers at Bufundi Parish, Rubanda District



Consultations with farmers in Namulonge





Traditional basket maker from the Benet People of Kween District





Small scale system in Benet Sub County, Kween District



Consultations with Scientists of BuZARDI, Bulindi, Hoima District