



RESETTLEMENT ACTION PLAN 5 (RAP 5)

For the proposed
Upgrade of Existing Access Roads



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LIST OF ACRONYMS AND ABBREVIATIONS

AC	Atacama Consulting
ALC	Area Land Committee
CAD	Computer Aided Design
CGV	Chief Government Valuer
CoD	Cut-off-Date
CBO	Community Based Organisation
CFP	Chance Finds Procedure
CHMP	Cultural Heritage Management Plan
CLO	Community Liaison Officer
CPF	Central Processing Facility
CTLO	Community & Tourism Liaison Officer
CUL	CNOOC Uganda Limited
DDP	District Development Plan
DIRCO	District Resettlement Coordination Committee
DLB	District Land Boards
DLO	District Land Office
DLT	District Land Tribunal
EA	Exploration Area
EACOP	East African Crude Oil Pipeline
EIA	Environmental Impact Assessment
ESIA	Environment and Social Impact Assessment
FAQs	Frequently Asked Questions
FEED	Front End Engineering Design
FID	Final Investment Decision
GIS	Geographical Information System
GM	Grievance Mechanism
GoU	Government of Uganda
HSSSE	Health Safety Social Security and Environment
IFC PS	International Finance Corporation Performance Standard
JV Partners	Joint Venture Partners
KPI	Key Performance Indicator
LARF	Land Acquisition Resettlement Framework
LC	Local Council
LCF	Livelihood Coaching Facility

LR	Livelihood Restoration
LRP	Livelihood Restoration Plan
MAVA	Market and Asset Valuation Assessment
MEMD	Ministry of Energy and Mineral Development
M&E	Monitoring and Evaluation
MFNP	Murchison Falls National Park
MK	Muhumuza-Kiiza
MLHUD	Ministry of Lands Housing and Urban Development
MoA	Memorandum of Agreement
MOU	Memorandum of Understanding
NCC	National and Community Content
NDP	National Development Plan
NEMA	National Environment Management Authority
NGO	Non-Governmental Organisation
PAH	Project Affected Household
PAPs	Project Affected Persons
PAU	Petroleum Authority of Uganda
PoA	Powers of Attorney
PSA	Production Sharing Agreements
QA/QC	Quality Assurance and Quality Control
RAC	Resettlement Advisory Committee
RAP	Resettlement Action Plan
RPC	Resettlement Planning Committee
RSES	Responsible & Social Environment on Site
RTK	Real Time Kinematic
SAGE	Social Assistance Grants for Empowerment
SCG	Senior Citizens Grants
SEP	Stakeholder Engagement Plan
TEP Uganda	Total Exploration and Production Uganda B.V.
ULC	Uganda Land Commission
UNGP	United Nations Guiding Principles on Business and Human Rights

1. INTRODUCTION

1.1. Purpose of this document

The Joint Venture Partners (the JV Partners) comprising of Total E&P Uganda B.V. (TEP Uganda) and CNOOC Uganda Limited (CUL), have been granted oil production licences from the Government of Uganda (GoU) and, are currently entering the initial stages of petroleum development of 5 licence areas in the Lake Albert Basin in Uganda (see Figure 1.1).

On behalf of the GoU, TEP Uganda, operator of Contract Area 1 and Licensed Area 2, plans to develop the licensed petroleum fields in Buliisa and Nwoya Districts, within the Albertine Graben of Uganda. As the company transition into their development and production phase of oil and gas, a number of critical infrastructures need to be put in place for the successful development of the Tilenga project.

The need for land acquisition for temporary and permanent occupation will involve the preparation of a number of Resettlement Action Plans (RAPs) for which, Atacama Consulting was contracted by TEP Uganda.

The purpose of the current Resettlement Action Plan 5 (RAP 5) is to identify and outline the actions required to acquire land and relocate people affected by the Tilenga project Upgrade of Existing Roads Components (RAP 5).

More specifically, this RAP was established according to the following standards and principles:

- Land Acquisition & Resettlement Framework (LARF), for upstream oil and gas development in Uganda, which was endorsed in December 2016 by the Ministry of Lands Housing and Urban Development (MLHUD), the Ministry of Energy and Mineral Development (MEMD) as well as, by the three JV Partners.
- IFC Performance Standards January 1, 2012 and in particular:
 - PS 1 – Assessment and management of environmental and social risks and impacts
 - PS 5 – Land Acquisition and Involuntary Resettlement
 - PS 8 – Cultural Heritage

As mentioned above, the current RAP only applies to the project components encompassed under the Upgrade of Existing Roads Components (RAP 5) described in Section 1.2 below, as other components of the Tilenga project, are the subject of different RAPs.

1.2. Project Description & Background

Tilenga is the project name for the development of petroleum production facilities in Contract Area 1 and the northern part of License Area 2 located in Buliisa and Nwoya districts in Uganda.

The Tilenga project will require land for the development of its facilities in Buliisa, Hoima and Kikuube districts. The first Resettlement Action Plan (RAP 1) developed for the Tilenga project covered two facilities i.e. the Industrial Area and N1 Access Road both situated within Kasinyi Village, in Ngwedo Sub-County. At the time of writing the current report, RAP 1 was in the implementation phase which commenced on 15th January 2018.

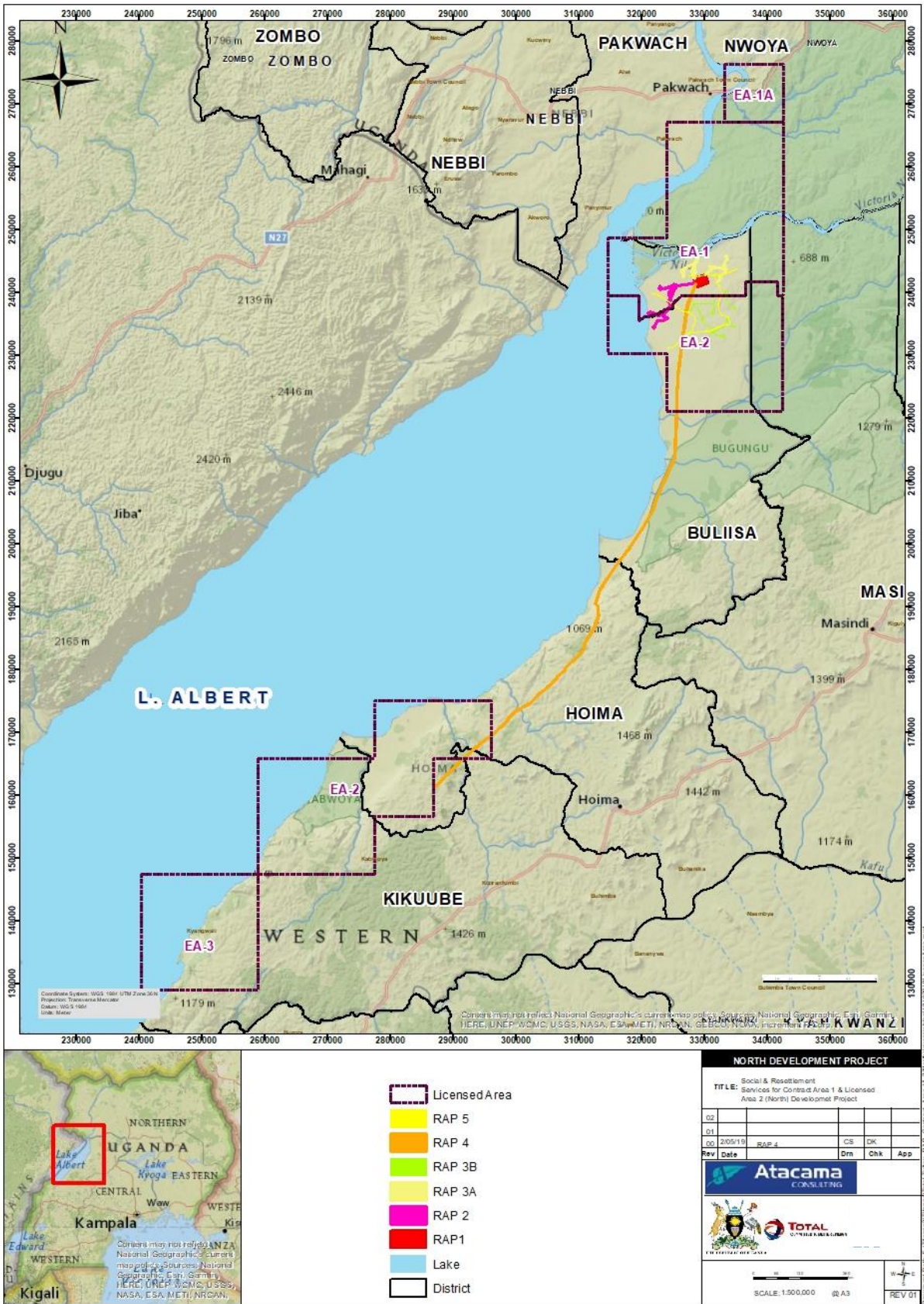


Figure.1.1: Joint Venture Partners Licence Areas

The second Resettlement Action Plan (RAP 2) component comprises of eighteen (18) proposed facilities namely; six (6) well pads, six (6) flow lines, five (5) access roads and one (1) water abstraction station.

The third Resettlement Action Plan (RAP 4), comprises of four (4) proposed facilities including; feeder pipeline mobile camp, feeder pipeline Right of Way (RoW), feeder pipeline heat trace power stations and access roads, in Kabaale in Hoima district.

The fourth Resettlement Action Plan (RAP 5) component the subject of the current report covers nine (09) proposed access road upgrades in Buliisa district (See Table 1.1). The area impacted by RAP 5 is located in the district of Buliisa specifically in the administrative areas indicated in Table 1.1.

Table 1.1: Tilenga RAP 5 Project Details

SUBJECT		DATA		
Project Name		Tilenga Project: RAP 5 (Upgrade of existing access roads)		
General Project Location		District		Buliisa
		Sub-county		Kigwera
		Villages		Kigwera North East, Kigwera South East, Kiyere, Bikongoro
		Sub-county	Buliisa Town Council	Ngwedo
		Villages	Kizikyia & Kitahura	Kasinyi, Uduk I, Uduk II, Kisomere, Avogera, Kibambura, Kamandindi & Ngwedo Centre
#	Proposed RAP5 facilities	Type of facility	Village	Total land take (Acres)
1	A1-1	Access Road	Kasinyi	14.273
2	A1-2	Access Road	Kasinyi, Kamandindi, Kisomere & Avogera	27.297
3	A2-1	Access Road	Kigwera North East, Kigwera South East & Kiyere	16.202
4	A2-2	Access Road	Bikongoro & Kigwera South East	40.096
5	A3-1	Access Road	Kijangi & Kizikyia	43.989
6	A3-2	Access Road	Kijangi, Kijumbya & Uriibo	39.061
7	A4	Access Road	Kisomere, Ngwedo Centre, Uriibo, Uduk I, & Uduk II.	61.492
8	B1 Alt	Access Road	Bikongoro, Kibambura & Kijangi	22.499
9	B2 Alt	Access Road	Kibambura & Kijangi	27.071
Total				291.980

Orphan land				
#	Proposed RAP 5 facilities	Type of facility	Village	Total Orphan Land Take (Acres)
1	A1-2	Access Road	Avogera, Kasinyi, Kisomere	2.633
2	A2-1	Access Road	Kigwera North East, Kigwera South East	0.318
3	A3-1	Access Road	Kijangi	0.462
4	A3-2	Access Road	Kijumbya, Uriibo	1.170
5	A4	Access Road	Kisomere, Ngwedo Centre, Uduk I, Uduk II, & Uriibo	4.306
Total				8.889

The Tilenga project comprises of six oil fields - Jobi-Rii, Ngiri, Gunya, Kasamene-Warindi, Nsoga and Kigogole, which will be developed together via a single Central Processing Facility (CPF) with a production capacity of 200,000 barrels per day of oil together with associated gas, produced water, injection water and associated utilities and camps. A total of about 400 wells will be drilled from over 35 well pads. A network of interfield pipelines will collect the oil produced from each well pad and transport it to the CPF located within the Industrial Area planned in Ngwedo sub-county, Buliisa district. The CPF will also be connected to a water abstraction plant on the shores of Lake Albert.

A 24-inch feeder pipeline will transport the oil from the CPF to the refinery at Kabaale in Buseruka sub-county, Hoima district. From Kabaale, the planned East African Crude Oil Pipeline (EACOP) will export the crude oil via a 24-inch pipeline over about 1,450 kilometres up to Tanga on the Tanzanian coast. The EACOP system will include; associated pumping stations, electrical heating systems and an oil export terminal located at the Chongeleani peninsula near Tanga port in Tanzania.

Currently, the project concluded the Front-End Engineering Design (FEED) phase, where all necessary technical definition and cost and schedule estimates were developed. The JV Partners are currently conducting Call for Tenders (CFTs) to select the EPC Contractor who will come up with a final design informed by proposal from the FEED. The Partners will make use of this to make a recommendation for a Final Investment Decision (FID) expected for the end of 2020 which will lead to the project execution and construction phase for the upstream facilities required to produce Uganda's Oil.

Concurrent with the FEED studies, are other activities within the upstream Project such as the Environmental & Social Impact Assessment (ESIA), which was submitted to NEMA in June 2018, publicly disclosed between October and November 2018 and approved by NEMA on 15th April 2019 and, the development of Resettlement Action Plans (RAPs) to enable land acquisition for the Project facilities.

The pre-development phase requires the planning for land acquisition for temporary and permanent occupation which involves the preparation of a number of RAPs for which, TEP Uganda contracted Atacama Consulting. The resettlement planning process was broken down into a number of phases, each of which contains various project components in Buliisa, Hoima, and Kikuube districts:

- RAP 1: Priority Areas (Industrial Area and N1 Access Road);
- RAP 2: North – Western Components;
- RAP 3a: North – Eastern Components;
- RAP 3B: South – Eastern Components;

- RAP 4: Feeder Pipeline Components, and;
- RAP 5: Upgrade of Existing Access Roads (the subject of the current report)

The Upgrade of Existing Access Roads occupies an area of 365.072 acres¹ and consists of the components listed in Table 1.1.

1.3. RAP 5 Project Area

The RAP 5 project site is in the Buliisa district (Figure 1.2) south of the Victoria Nile River, east of Lake Albert, and west of Murchison Falls National Park (MFNP) and south of the Murchison Falls-Albert Delta Wetland System (Ramsar site no. 1640) (Figure 1.2).

The Upgrade of Existing access Roads (RAP 5) requires the acquisition of **365.072 acres**² (without Orphan Land) with the inclusion of land which has not been valued for compensation, specifically **67.939 acres** of affected land under community infrastructure and public infrastructure; sixteen (16) affected roads comprising of 02 community roads, 08 district roads, 06 national roads managed by UNRA, **4.912 acres** of affected land under RAP 5 intersects with RAP 4, RAP 2, and RAP 1 (Central Processing Facility) and **0.241 acres** in protected areas such as rivers and swamps traversed by the proposed RAP 5 facilities.

Of the total land to be acquired, only **291.980 acres** have been assessed for compensation and will need to be acquired from **599 landowners**³ including **521 individuals**, **72 families**, **01 clan**, **05 communities** and **27** are under disputes and therefore cannot currently be placed under any land ownership category. Therefore, the total land-take under RAP 5 (without orphan land) is **365.072 acres**.

However, there is also an incremental land take for **120 land parcels**, which are partly covered by the RAP 5 Project areas where the retained land cannot sustain the livelihoods of the Project Affected Persons (PAPs). Following consultations, **117** of the **120 landowners** agreed to relinquish their land resulting in an incremental orphan land take of **8.889 acres** thus giving a potential total land take (without orphan land) of **373.961 acres**.

1.4. Impacted PAPs

For this resettlement, Project Affected Persons (PAPs) are defined as, any individual or group of persons (this constitutes a family or clan with shared interest in an asset) who, loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b) ownership of annual and/or perennial crops and trees, (c) homestead property, (d) homestead structures, (e) graves, (f) shrines, and (g) other privately held physical assets located within the development footprint of the RAP 5 Project Area. There are 1846 PAPs who are displaced by the resettlement. This includes:

¹ Please note that this figure does not include land which has not been valued for compensation which includes; 67.931 acres of affected land under community infrastructure and public infrastructure; sixteen (16) affected roads comprising of 02 community roads, 08 district roads, 06 national roads managed by UNRA, 4.912 acres of affected land under RAP 5 intersects with RAP 4, RAP 2, and RAP 1 (Central Processing Facility) and 0.241 acres in protected areas such as rivers and swamps traversed by the proposed RAP5 facilities which would render total land-take under RAP 5 (without orphan land) as 365.072 acres (see Section 5.2 in Chapter 5 of the RAP 5 Approved Valuation Report). In addition, with the incremental (orphan land) take of 8.889 acres, submitted to the CGV as a separate addendum report, the total RAP 5 project land take will be 373.961 acres.

²Tilenga RAP 5 approved Valuation Report

³ Tilenga RAP 5 approved Valuation Report

- 12 physically displaced⁴ (only);
- 1803 economically displaced (only)⁵, and;
- 31 both physically and economically displaced.

1.5. Rationale for Land Acquisition and Resettlement

1.5.1. Rationale for the Tilenga Project

The rationale for land acquisition for the wider Tilenga project is to secure access to land for the construction of oil production well pads and associated infrastructure. The Government of Uganda has supported the JV partners in their exploration for oil and has granted production licences with the aim of commencing the production and export of oil via a pipeline to Tanzania. Tilenga symbolizes the JV Partners (CUL and TEP Uganda) continued commitment to the development of Uganda’s hydrocarbon resources and social economic transformation of not only their area of operations but also the country at large.

Tilenga is a strategic project because of the anticipated benefits for the country including; improved infrastructure such as roads, business opportunities e.g. supply of agricultural products, employment, among others. As indicated in the results of the Industrial Baseline Survey conducted by the three JV Partners (2013)⁶ (CUL and TEP Uganda), the project will provide businesses with opportunities to supply goods and services to the oil companies and their contractors as well as availability of both skilled and unskilled jobs.

1.5.2. Rationale for the Upgrade of Existing Roads Components

Specific to this RAP, the rationale for land acquisition and resettlement of the RAP 5 project Area is to secure access to land required for the construction and operation of the “Upgrade of Existing Roads Components” (access roads) – See Table 1.1.

The location of the Upgrade of Existing Roads Components has been subject to social screening and efforts to minimise resettlement.

The current locations of the facilities encompassed under RAP 5 were selected through an iterative process, which started with the social screening detailed in the *ARTELIA Social Screening for Buliisa Project Facilities report (2013)*⁷ where the social impacts of sites were compared in detail. The process was then further refined through the ESIA.

Some of the avoidance measures considered include; locate well pads as far as possible from households/densely populated areas, cultural/sacred sites and social infrastructures; relocate well pads within one administrative unit, avoid cattle corridors and gardens whenever possible; apply IFC PS 5 and international best practice or land acquisition and resettlement, consult with the potentially affected population and clan leaders among others.

The current location of the RAP 5 components was subjected to minimisation measures, and the current RAP 5 location is the preferred option. The design of the RAP 5 project components was subject to refinement to minimise the footprint, in particular the well pads. The minimisation process further helped the project to avoid negative impacts that otherwise may have occurred. The minimisation consisted of reducing the footprint for the Upgrade of Existing Access Roads.

The methodology and findings of minimisation efforts are further described in detail in Chapter

⁴ Loss of dwelling or shelter as a result of project related land access which requires the affected person(s) to move to another location. (IFC PS5)

⁵ Loss of assets (including land) or access to assets that leads to loss of income sources or means of livelihood as a result of project-related land acquisition or restriction of access to natural resources. (IFC PS5)

⁶ Joint Venture Partners Industrial Baseline Survey Report – November 2013

⁷ Artelia EAU & Environment Social Screening for Buliisa Project Facilities, 2014

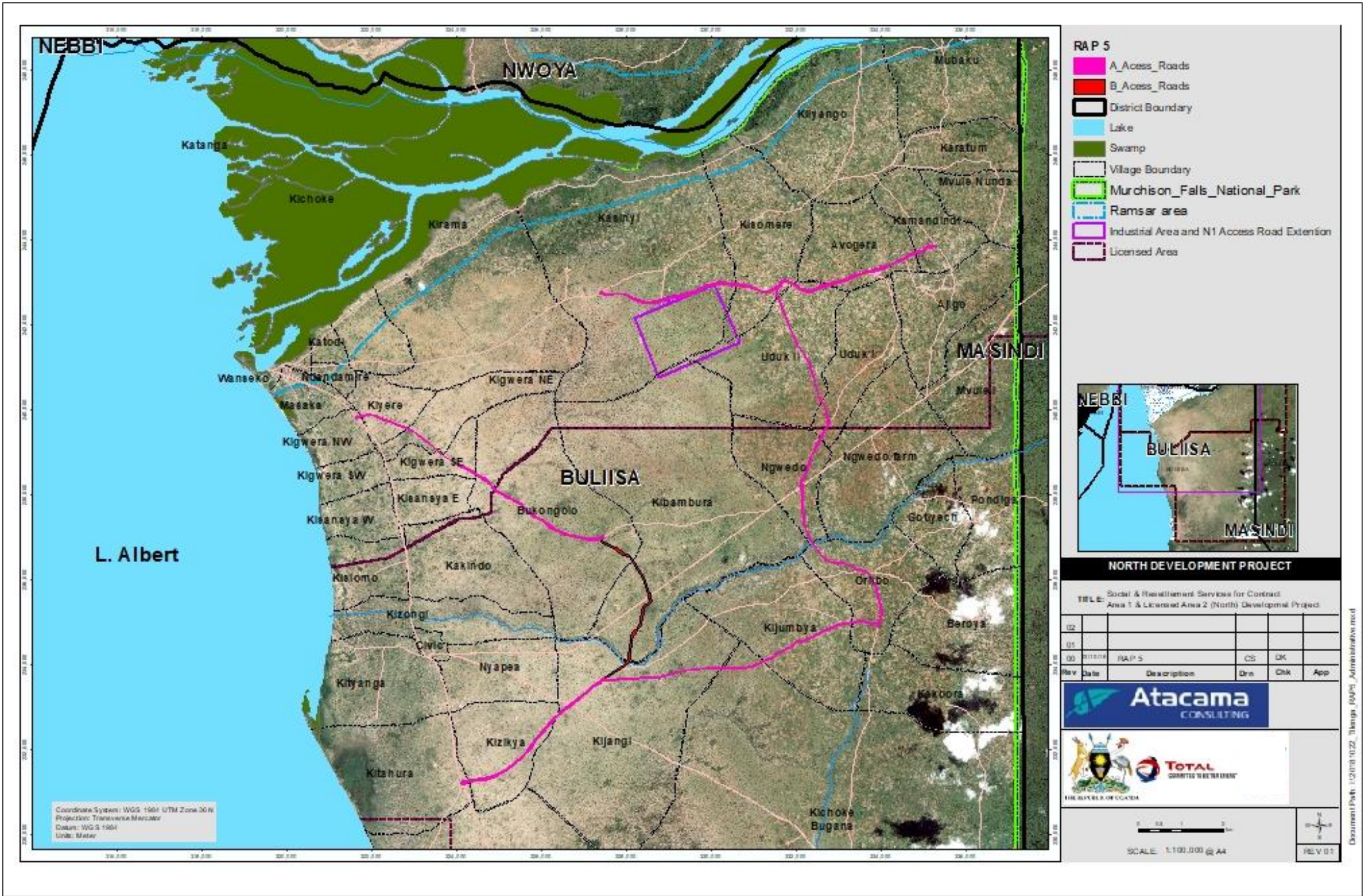


Figure 1.2 : RAP 5 Project Area in Context of Lake Albert and Buliisa district

1.6. Linkages to other Studies

The information contained in this RAP report is based on both primary data collected as part of the cadastral land and asset valuation, legal due diligence and socio-economic surveys prior to, as well as specific to, this resettlement study, and engagement during the resettlement planning. Furthermore, secondary sources have also been used to:

- Understand the context of resettlement;
- Assist with the tailoring of survey tools to capture the most useful data for the area; and
- Assist with the analysis of the findings from the surveys i.e. the other studies offer a contextual background to help understand the results of the surveys as offer a comparison of findings from similar surveys in the area.

Key studies utilised are as detailed below, this list is however not exhaustive.

1.6.1. Social and Health Baseline Study (SHBS)

The Social and Health Baseline Study of Lake Albert Exploration Area 1 and 2 was carried out in 2015 by Artelia EAU & Environment. The report summarises the findings of two sets of fieldwork conducted in February 2015 and April 2015. It offers a comprehensive information resource for this RAP and thus was used for review of resettlement planning.

1.6.2. The Environmental and Social Impact Assessment (ESIA)

The ESIA for the Tilenga project was submitted to NEMA in June 2018, publicly disclosed between October and November 2018 and approved by NEMA on 15th April 2019, therefore, the findings of the ESIA team were considered during RAP Planning.

1.6.3. Industrial Baseline Survey

The industrial baseline survey was conducted by the JV Partners in 2013. The purpose of the survey was to assess the capacity of the local population to provide skills and expertise supplying the oil industry while also describing ways to increase this capacity. This report is relevant for the current RAP specifically for the development of Livelihood Restoration options and implementation planning. The report also provides an additional source of secondary socio-economic data.

1.6.4. Lake Albert Regional Socio – Economic Baseline Assessment

This assessment was carried out in Exploration Area 2 by Worley Parsons Europe who conducted surveys from July to September 2012. The report informs the context of this RAP and is a key secondary source of information for both the socio-economic assessment, and livelihood restoration planning, and was used both to inform the design of survey tools for this RAP and to further inform the overall analysis.

1.6.5. Agricultural Value Chain Analysis in Buliisa District

The value chain analysis consists of a series of studies performed by SNV of various farming activities in the Buliisa district and associated value chain development opportunities. These studies informed the design of the livelihood interview questions, analysis and the design of livelihood options.

1.6.6. Market and Asset Valuation Assessment (MAVA)

The Market and Asset Valuation assessment was carried out by Intersocial Consulting in 2015. Both desk and field research were conducted to identify valuation methods and evaluate the various agencies in Uganda responsible for the formulation of compensation rates. The findings of the research informed the determination of appropriate valuation methods aimed at establishing full replacement costs for resettlement. The report's recommendations guided the development of the scope of work and valuation methodology for the RAP.

1.6.7. Resettlement Impact Scoping

The Resettlement Impact Scoping report was completed in 2016 by Intersocial Consulting. It outlines the potential resettlement impacts of project components, and assessed opportunities to minimise these impacts. The report's overview of potential project impacts guided the development of the scope of work and detailed surveys conducted for the RAP.

1.6.8. Practical Guide to Resettlement Planning and Implementation

Practical Guide to Resettlement Planning and Implementation was prepared in 2016 by Intersocial Consulting. The guide provides recommendations for practical measures to inform the development of the RAP, information is provided regarding the creation of a resettlement consultation strategy, cut-off procedures, RAP surveys, and site selection, among other topics. The document guided the development of the scope of work, stakeholder engagement and survey methodology for the RAP.

1.7. Overview of Methodology for RAP Development

To adequately collect information pertaining to this RAP, both qualitative and quantitative methods were used, including lessons learnt from RAP 1 planning activities. The various methodologies and approaches are summarised below.

1.7.1. Literature Review

The literature review was ongoing throughout the planning phase, but the primary review occurred prior to and during the detailed surveys. This included review of the studies listed in Section 1.6 above as well as national and international legislation, project documents and best practice as described in Chapter 3.

1.7.2. Stakeholder Engagement Planning

A stakeholder mapping exercise was undertaken to identify Interested and Affected Parties by the project and a RAP 5 Stakeholder Engagement Plan (SEP) was created. The exercise identified all the stakeholders in the area including local communities, local administrations, academia, NGOs and private sector entities among other stakeholders. Key elements of the stakeholder mapping were to ascertain the degree of 'impact' as well as 'influence' of the respective stakeholders. The SEP also detailed the methodology for assembling representative resettlement committees to assist with community participation in the project such as the design of replacement land and livelihood options.

Stakeholder Engagement was first initiated in December 2018 for the disclosure of the resettlement planning process and was ongoing throughout the project-planning phase and will continue into the implementation and monitoring phase. Further details on stakeholder engagement can be found in Chapter 6.

1.7.3. Establishment of geodetic markers

The primary objective for the establishment of Geodetic Markers was to densify the existing geodetic control network with new reliable control beacons positioned at shorter baselines within the vicinity of RAP 5 project area. It is however important to note that, the project area had an existing primary network of control points that had been previously established by TEP Uganda, and a secondary network that had been established by the RAP Contractor team when carrying out RAPs 2 and 4 surveys. However, there was need of some additional control points to facilitate the cadastral surveys for the RAP 5 facilities located far away from the controls of the existing primary and secondary network.

Four (4) secondary geodetic control points were therefore successfully established and this activity involved casting concrete survey monuments into the ground at pre-identified locations while following the type 2 marker specifications.

1.7.4. Rapid Aerial survey

The Rapid Aerial Survey (RAS) of the RAP 5 project area was undertaken to identify the location and extent of important types of land use. Additionally, the RAS imagery were used to identify land use categories, the location of common property resources, social services (such as health centres), cultural property (for example, places of ritual significance, graveyards, and monuments), trading centres, road and transportation networks and, other community infrastructure within the project area.

The RAS entailed, obtaining clearance which was secured in a letter REF: LOG/M3/113/01 dated 09th July 2018; from the Office of the Chief of Defence Forces for the Unmanned Aerial Vehicle (UAV)/Drone flight operations. Additional RAS activities included; use of Ground Control Points (GCPs), flight implementation, data processing and data verification.

Rapid aerial flight operations were carried out between 18th and 21st December 2018 without any incident with UAV take-off and radio communications.

Upon successful completion of Aerial survey field activities, quality checks of the captured imagery were undertaken. Raw images and the geo-referenced orthophotos in GeoTiff format, 0.035m / pixel resolution were produced as the final output.

1.7.5. Cadastral Land and Asset Valuation Surveys

The cadastral land and asset valuation surveys included the following activities:

- Demarcating the RAP 5 project area and pegging the boundaries using wooden pegs;
- Identification and registering of all the affected people and affected plots of land with an identification number; recording all land owners and boundaries;
- Creating strip maps of the affected areas, showing the extents of the sites, the affected people in the area and their respective land sizes, the affected gardens, structures, graves and cultural heritage sites;
- Physically inspecting and valuing all affected assets in accordance with the Laws of Uganda and the requirements of MLHUD as well as taking into consideration the requirements of the LARF;
- Market research of land transactions, market prices for crops, construction materials, and labour costs; and
- Recording the location of all assets with a Real Time Kinematic (RTK) machine; and photographing assets.

The cadastral and asset valuation surveys were undertaken between 11th January and 27th February 2019, and orphan land assessment undertaken between 05th and 09th March 2019.

The surveys were conducted in the presence of the landowners, the land users, the spouse (where married), a witness and the local council chairpersons. The cadastral land and asset valuation survey exercise was also witnessed by representatives from MLHUD and MEMD. The team was also accompanied by a RAP team Community Liaison Officer (CLO) and a representative from TEP Uganda.

Information was recorded onsite and signed off by the PAPs. The results were then used for providing supporting information for the derivation of replacement value and the drafting of a valuation report submitted to the Chief Government Valuer (CGV) under separate cover for approval.

Detailed information on the specific methodologies employed during the cadastral land and asset valuation surveys can be found in Chapter 5 and in the Tilenga RAP 5 approved Valuation Report (October, 2019) (Annexure 1).

1.7.6. Legal Due Diligence

Legal Due Diligence of land was carried out to establish true ownership of the affected parcels of land, resolve any ownership and boundary disputes, and establish unclaimed land and absentee land owners. This was done through interviewing the affected PAPs, taking notes and making various document checks such as Personal Identification (to prove the true identity of the PAP), Proof of ownership and land agreements. In addition, the Legal Due Diligence exercise involved the signing of Land Acquisition Forms (containing details of the land and its ownership - confirmed by the LC III Chairperson who signed as a witness), Spousal Consent Form (where the PAP was married and the land was family land), Cut-off Date forms (once the valuation team had completed assessing one's land and assets thereon). Additionally, a Title Deed Search was also conducted.

Legal Due Diligence Field work was conducted between 11th January and 27th February 2019, and orphan Land assessment between 6th and 9th March 2019. Further detail on the Legal Due Diligence Survey methodology can be found in Chapter 5.

1.7.7. Socio-economic Household Survey

A socio-economic household census survey was conducted between 31st January 2019 and 31st March 2019 to gather social information pertaining to:

- Family and relationship structures;
- Livelihood & farming practices;
- Access to and level of education;
- Access to services;
- Access to health facilities and health status of families; and
- Cultural practices.

Trained enumerators visited each household within the RAP 5 affected area using survey forms to ask questions on household members, livelihoods, cultures, education etc. These questionnaires were answered by the household head or a responsible delegate. Community Liaison Officers also briefed the PAPs on the resettlement planning process. Further detail on the methodology employed can be found in Chapter 4 or in the Social Baseline Report (Annexure 2).

1.7.8. Socio-economic Interview Programme

A qualitative socio-economic interview program was carried out in parallel with the household socio-economic survey. The objective of the interview program was to support the household survey by understanding the reasons behind social trends, demographic changes, settlement patterns or changes in the communities that were identified. The interviews also assisted in understanding community perceptions of the project and oil development in the area. A team comprising of resettlement experts, livelihood and agricultural experts, cultural heritage specialists, health and gender specialists conducted the interviews. These enabled interviewers to also focus on ways of supporting communities and mitigating impacts of relocation and understanding preferences regarding relocation land, cultural sites and livelihood options. Interviews were conducted with Local Authorities, NGOs and targeted PAP focus groups (men, women, and youth etc.).

Further detail on the methodology used and a full list of those interviewed can be found in Social Baseline Report (Annexure 2).

1.7.9. Livelihood Restoration Planning

Information regarding the current livelihoods being practiced with the RAP 5 Project area was obtained primarily through the socio-economic household survey and Interview Program, and Institutions & Employment Study and supported by relevant information from the secondary sources

listed in Section 1.6 above. The RAP 5 interview program included questions about possible Livelihood Restoration measures with local authorities and NGOs to capture their local knowledge and understanding of the feasibility of such options, and any suggestions for Livelihood Restoration Options. Further details of the methodology for Livelihood Restoration Planning can be found in Chapter 11.

2. RESETTLEMENT GOALS AND PRINCIPLES

The resettlement goals and principles of this RAP are guided by the Land Acquisition Resettlement Framework 2016 (LARF) which was endorsed in December 2016 by MLHUD, the MEMD as well as, by the JV Partners.

The LARF is aimed to ensure compliance with best practice and provides a set of resettlement and compensation principles, organisational arrangements and design criteria to guide and govern the upcoming upstream petroleum projects requiring land acquisition and resettlement.

The purpose of the LARF is to:

- Define a framework of terminology, objectives, policies, principles and organizational arrangements that will govern resettlement activities related to the project;
- Assist with the application of and compliance with Uganda legal requirements and IFC standards;
- Provide guidance to project personnel (including JV Partners, contractors and consultants) in the planning and implementation of the overall Project, and;
- Standardize the approach of resettlement and land acquisition for the different project areas.

The principles of the LARF are as follows⁸:

Principle 1 - Resettlement will be avoided and minimised

The project will seek to avoid or minimize displacement (both physical and economic) to the extent practically and affordably possible by exploring alternative Project designs, phasing, and land use and land access arrangements. This principle will also apply to host communities in the selection and construction of resettlement sites.

Principle 2 - Resettlement will be integrated into overall project planning

From the outset, land access, acquisition and resettlement will be integrated into overall project planning with consideration given upfront to the implications of land access and resettlement, in terms of project design and project cost. The overall project planning will be based on a realistic assessment of the schedule and cost for dealing with all land access and resettlement. Project layout, from the earliest stage of development, will be reviewed against land access and resettlement concerns. Well in advance of land access, the project will dedicate adequate staffing, including for the community affairs, and other functions.

Principle 3 - Compliance with laws, standards and policies

The project will adhere to applicable Uganda legislation, regulations and policies, the applicable IFC Performance Standards (in particular Performance, Standard 5), and applicable Partner internal policies.

Principle 4 - Active and informed stakeholder participation

PAPs, including host communities, will be adequately informed and consulted on all matters that affect them and will participate in decision making related to the planning, implementation, monitoring and evaluation phases of the land acquisition and resettlement activities. This will include providing access to appropriate advice to ensure that they understand their rights, responsibilities and options.

⁸ Land Acquisition and Resettlement Framework: Petroleum Development and Production in the Albertine Graben (2016), pp.9-11

Principle 5 - Cultural appropriateness

All land access and resettlement planning and implementation will be undertaken in a culturally appropriate manner.

Principle 6 - A publicly disclosed cut-off date will be used

Eligibility for resettlement assistance will be determined by a publicly disclosed census cut-off date. It will limit eligibility to genuinely affected people and preclude an influx of people into the Licence Area.

Principle 7 - Compensation will be based on full replacement value

PAPs will be eligible for compensation for loss of assets at full replacement value, as well as rehabilitation assistance. Land acquisition and resettlement should be conceived as an opportunity for improving the livelihoods and living standards of PAPs.

Principle 8 - Comprehensive resettlement assistance package

Physical relocation and re-establishment of households will be supported through a comprehensive assistance package tailored to the Project socio-economic environment that:

- Is culturally appropriate;
- Offers PAPs a choice of compensation packages of equal or higher value, equivalent or better characteristics, and advantages of location;
- Is transparent, consistent, fair and equitable, with people who have equivalent assets being treated in the same way;
- Encourages the acceptance of replacement housing for affected households;
- Will include the design of replacement housing that meets all statutory requirements, considers local preferences and is culturally appropriate. Cash compensation may be appropriate in certain circumstances, but must be based on a documented assessment of the ability of the affected person to use the cash to restore and improve their housing standards, and;
- Involves resettled and host communities participating in the selection of resettlement sites. The site selection shall follow a systematic process that also considers proximity to affected areas, accessibility and locational advantage.

Principle 9 - Informal rights will be recognised

Affected persons with no formal legal rights to land will be included as “displaced persons” provided they have established rights to assets in the Licence Area prior to the cut-off date.

Principle 10 - Vulnerable people will be provided with targeted assistance

The project will identify PAPs who are especially vulnerable to displacement impacts and provide them with targeted assistance.

Principle 11 - A grievance mechanism will be established

A grievance mechanism will be established allowing affected people to lodge a complaint or claim without cost and with assurance of a timely consideration and response to the complaint or claim.

Principle 12 - Appropriate Monitoring and Evaluation will be undertaken

Appropriate monitoring and evaluation activities will be undertaken to provide the project and PAPs with timely, concise, indicative and relevant information about whether compensation, resettlement and development initiatives are on track or whether corrective actions are required. The implementation of land acquisition and resettlement will be subject to monitoring and independent external evaluation, and the results will be shared with the people affected by resettlement.

3. LEGAL AND POLICY FRAMEWORK

3.1. Introduction and summary of existing LARF

Key to the process of land acquisition, resettlement implementation and management, is the appropriate legal, policy and institutional framework to cater for land acquisition, compensation, relocation, income restoration and livelihoods restoration programs.

A comprehensive legal and administrative framework has already been described within the LARF⁹ and the methodology and findings are summarised below.

The LARF includes an analysis of corporate policies, national legislation and international standards. These were then subjected to a gap analysis to establish where international standards differed from national legislation or company policy. The gap analysis then formed the basis of this legal and administrative framework for resettlement.

This chapter therefore aims to build on the findings included in the LARF by considering the policy, legal, institutional and administrative frameworks (Figure 3.1:) and discussing how they are relevant for the RAP 5 project.

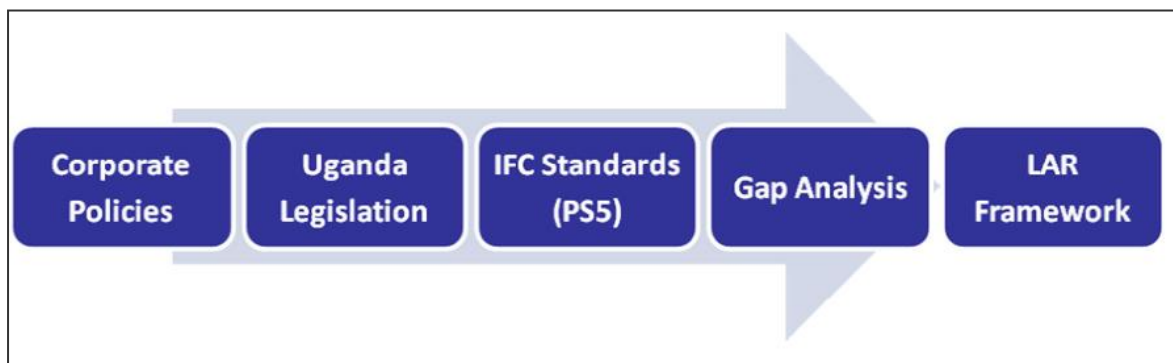


Figure 3.1: Methodology of establishing legal framework in the LARF

3.2. Corporate Policies

The corporate policies of the JV Partners are discussed in Section 5.1 of the LARF document. The LARF describes how the corporate policies of TEP Uganda commit to compliance with applicable Ugandan laws and regulations as well as applying TEP Uganda’s own standards where they are more robust than the Ugandan laws and regulations.

3.2.1. TEP Uganda Corporate Policies

TEP Uganda makes a commitment to comply with international standards, Ugandan laws and regulations in its Health, Safety and Environment Charter and its Group Policies. It commits to apply the international standards where they are more stringent than host country laws. TEP Uganda’s social commitment focuses on achieving harmony with neighbouring communities by placing emphasis on stakeholder engagement and participation of affected communities in the project design, scope, impacts and mitigation measures prior to the commencement of project activities. Company policy commits to the Voluntary Principles on Security and Human Rights as well as to conducting human rights due diligence throughout the project. It also advocates for cultural awareness training of employees and contractors. The TOTAL Ethics charter also commits to contributing to the social and economic development of the country of operation.

⁹ Land Acquisition and Resettlement Framework (LARF), Chapter 5 – Legal and Administrative Framework, Page 27.

3.3. Uganda's Legal Framework

The legal review as part of the LARF identified the following Ugandan Statutes as relevant to resettlement in Uganda:

- The Constitution of the Republic of Uganda, 1995, (as amended);
- The Land Act, 1998, Cap 227, (as amended);
- The Land Acquisition Act, 1965, Cap 226;
- The Registration of Titles Act, 1924, Cap 230;
- The Petroleum (Exploration, Development and Production) Act, No. 3 of 2013;
- The Water Act, 1974, Cap 152;
- The National Forestry and Tree Planting Act, No. 8 of 2003;
- The Physical Planning Act, No. 8 of 2010;
- The Survey Act 1939, Cap 232, (as amended);
- The Roads Act, 1964, Cap 358;
- The Access to Roads Act, 1969, Cap 350;
- The Uganda National Roads Authority Act, No 5, 2006;
- The Local Governments Act, 1997, Cap 243, (as amended);
- The Illiterates Protection Act, 1918, Cap 78;
- The National Environment Act, No 02, 2019;
- The Administrator General's Act, 1933, Cap 157;
- The Succession Act, 1906, Cap 162;
- The Persons with disability Act, 2019;
- The Children Act, 1997, Cap 59; The National Environment (Wetlands, River Bank and Lake Shores Management) Regulations, No. 3 of 2000; The National Policy for Older Persons, 2009;
- The National Oil and Gas Policy for Uganda, 2008;
- The Uganda National Land Policy, 2013;
- The National Policy for Older Persons, 2009;
- National Physical Planning Standards and Guidelines, 2011;
- Environmental Impact Assessment Guidelines for the Energy Sector, 2004;
- Strategic Environmental Assessment of Oil and Gas Activities in the Albertine Graben, 2015;

For this RAP, the Historical and Monuments Act, 1968 Cap 46; is also noted for its significance and is discussed.

The key legislation that applies to this phase of the project is described below:

3.3.1. The Constitution of the Republic of Uganda, 1995 (as amended)

The 1995 Constitution restored all private land tenure regimes (which had previously been abolished under the Land Reform Decree – 1975), divested the state and the Uganda Land Commission (ULC) of radical title to the land that was expropriated in 1975, and vested this directly in the citizens of Uganda. The Constitution prescribes the tenure regimes in accordance with which rights and

interests in land may be held. These are listed as; freehold, *mailo*, leasehold and customary land - the latter on which, the RAP 5 project area is located. It also creates a statutory power of compulsory acquisition of land in the public interest for the government and local authorities, and makes provision; *inter alia*, for the “prompt payment of fair and adequate compensation” prior to the taking of possession of the property.

3.3.2. The Land Act, Cap 227

Section 2 of the Act reiterates the provisions of Article 237(1) of The Constitution which vests all land in Uganda with the citizens of Uganda. In addition, Section 42 of the Act empowers government and local governments to acquire land for public interest whilst Section 77 deals with matters to do with computation of any due compensation. The Land Act also establishes the District Land Board, District Land Office, Land Tribunals and Land Committees.

The Act defines customary tenure as:

“Customary tenure is a form of tenure -

- (a) applicable to a specific area of land and a specific description or class of persons;
- (b) subject to Section 27, governed by rules generally accepted as binding and authoritative by the class of persons to which it applies;
- (c) applicable to any persons acquiring land in that area in accordance with those rules;
- (d) subject to Section 27, characterised by local customary regulation;
- (e) applying local customary regulation and management to individual and household ownership, use and occupation of, and transactions in land;
- (f) providing for communal ownership and use of land;
- (g) in which parcels of land may be recognised as subdivisions belonging to a person, a family or a traditional institution; and
- (h) which is owned in perpetuity.”

Section 27 - Rights of women, children and persons with a disability regarding customary land states:

“Rights of women, children and persons with a disability regarding customary land. Any decision taken in respect of land held under customary tenure, whether in respect of land held individually or communally, shall be in accordance with the customs, traditions and practices of the community concerned, except that a decision which denies women or children or persons with a disability access to ownership, occupation or use of any land or imposes conditions which violate Articles 33, 34 and 35 of the Constitution on any ownership, occupation or use of any land shall be null and void.”

The key considerations from the Land Act for this RAP are:

1. Decisions regarding customary tenure are to be made by traditional institutions or according to local customs. In the case of the RAP 5 project area, the families originate from various clans such as the Babaala, and Bahamba clans. However, it was found through consultations with the PAPs on site that much of the land is owned for usage by individual families. The land may still be presupposed to be for a clan, but it is the individual families who are declaring ownership. Some of these families may be large. This is discussed further in Chapter 10.
2. The rights of women, children and disabled persons to access to land are to be protected, despite local customs which might not consider these groups. This must be through equal participation/representation in Stakeholder Engagement, Interviews and Resettlement

Committees. The compensation negotiation process must also take into consideration these protections.

3. That customary land may be divided up and owned individually rather than just by clans. In this case individuals can own land and obtain certificates of customary ownership, with or without conditions.

3.3.3. The Land Acquisition Act, Cap 226,

The Act makes provision for the compulsory acquisition of land for public purposes and other related matters. It makes provision for the procedures and methods of compulsory acquisition of land for national interest (defence, public safety, public order, public morality, and public health) whether for temporary or permanent use. The Minister responsible for land may authorise 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 because of any action. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.

3.3.4. The Historical and Monuments Act, Cap 46

The existing law relating to archaeological sites in Uganda is the Historical and Monuments Act, 1968, which the Commissioner for Antiquities and Museums has currently placed under review.

The Act provides for the preservation and protection of historical monuments and objects of archaeological, paleontological, ethnographical, and traditional interest. Under this Act, the line minister may cause any of the aforesaid objects to be declared as preserved objects.

The Act prohibits any person from carrying out activities on or in relation to any object declared to be preserved or protected. Section 10 of this Act spells out the procedures and requirements to declare and inspect newly discovered sites that may have archaeological, paleontological, ethnographical, historical and traditional significance for purposes of protection.

3.3.5. The Local Governments Act, Cap 243

The Act provides for the decentralised governance and devolution of Central Government functions, powers and services to Local Governments that have their own political and administrative set-ups.

Under Section 9, the Local Government Councils shall be the highest political authority within their area of jurisdiction of a Local Government and shall have legislative and executive powers to be exercised in accordance with the Constitution and this Act.

The Local Governments are responsible for the protection of the environment at the district level; this therefore implies that local governments shall be consulted on projects located within their jurisdiction and on matters that affect the environment.

The Act also provides for establishment of among other sectors, the district and urban physical planning committees to provide for the making and approval of physical development plans and for the application of development permissions and related matters. Section 11 of the Act establishes the urban planning committee whose functions are to determine development applications relating to industrial location.

3.3.6. The Petroleum (Exploration, Development and Production) Act, No 3 of 2013

The interest in land in a development area belongs to the land owner. The Government of Uganda is, however, vested with the interest in the petroleum in or under any land or water in Uganda. Subject to any law relating to acquisition of land, and Section 135 of the same Act, a holder of a petroleum production licence may obtain a lease of the land or other rights to use it upon such terms as to the rent to be paid for the land, the duration and extent or area of the land to which the lease or other

right of the lease shall relate as may be agreed upon between the holder of a licence and the land owner.

Section 135- Restrictions and rights of others:

The Petroleum Act states in Section 135:

“A licensee shall not exercise any right under a licence:

- a) without the written consent of the relevant authority, upon any land dedicated or set apart for a public purpose or for a place of burial, or upon land over which a mining lease, an exploration licence or a right to cultural site has been granted;”*

This is of relevance to this RAP 5 Project Area where there is land which is used as a place for burial and also has cultural sites within it as described in Chapter 13 – Cultural Heritage and Archaeology

Section 135 (1) goes on to provide that;

“(b) without the written consent of the land owner –

- (i) upon any land which the site is of or which is within **two hundred meters** of any inhabited, occupied or temporarily unoccupied house or building;*
- (ii) within **fifty metres** of any land which has been cleared or ploughed or otherwise bona fide prepared for the growing of agricultural crops or on which agricultural crops are growing;*
- (iii) upon any land from which, during the year immediately preceding, agricultural crops have been reaped; or*
- (iv) upon any land which is the site of or which is within **one hundred metres** of a cattle dip-tank, dam or water used by human beings or cattle¹⁰ [**Our Emphasis**]”*

For this reason, it is necessary to consult with all land owners within the above given distances of petroleum activities to take place within the proposed Upgrade of Existing Roads Components. It is planned that this consultation will occur during the implementation phase.

Section 138- Acquisition of exclusive rights:

(1) Subject to Section 135 and any law relating to land acquisition, a licensee may if he or she requires to acquire the exclusive use of the whole or any part of a block in a development area by obtaining the lease of land or other terms as to the rent to be paid for the land, the duration and extent of the area shall be agreed upon by the licensee and the land owner.

(2) Where the licensee and landowner fail to agree above, the matter will be referred to the Chief Government Valuer for determination.

(3) In assessing rent payable: Account shall be taken of any compensation necessary for termination of any lawful occupancy in accordance with any other written law.

An expert referred to in (2) above shall determine the matter in relation to values applicable at the time of determination of the matter in relation to the licensed area but without taking into account any enhanced value due to the presence of petroleum.

Section 139- Compensation for disturbance of rights:

(1) A Licensee shall pay a land owner fair and reasonable compensation for disturbance or damage done to the surface of land, and shall also pay for any crops, trees, buildings or works damaged during the course of petroleum activities but;

¹⁰ The Ugandan Petroleum Act (Exploration, Development & Production) 2013. Page 98-99.

a) Payment for rent or compensation to a landowner for termination of his lawful occupancy shall be deemed adequate compensation.

b) In assessing compensation, account shall be taken of any improvements effected by the licensee or his predecessors in title, the benefit of which has to accrue to the landowner.

c) The basis of the compensation shall be the extent of the market value of land for which its purpose shall be deemed sealable upon which damage occurred has been reduced but without taking into account any enhanced value due to the presence of petroleum.

(2) Where the licensee fails to pay compensation or the landowner is dissatisfied with compensation offered, the dispute shall be determined by the Chief Government Valuer.

(3) A claim for compensation in section 1 above shall be made within 4 years from the date of the claim, failure by the landowner to make this claim notwithstanding any written law; the claim will not be enforceable.

(4) The licensee shall in addition to compensation restore the land as near as possible to its original state in accordance with the National Environment Act (NEA), Cap 153¹¹.”

3.3.7. The National Environment Act, 2019

The 24-year old National Environment Act (Cap. 153) (the “NEA”) was repealed and replaced with the National Environment Act 2019 (the “NEA 2019”) partly due to the massive infrastructure projects in the energy sector, increasing urbanization and the consequent pressures on land, and climate change.

The NEA, 2019 addresses emerging environmental issues such as; climate change, management of hazardous chemicals, environmental concerns arising out of petroleum activities and the management of plastics. It also establishes a specialised unit (the Environmental Protection Force) to handle enforcement, creates new offences and, greatly enhances the penalties both in monetary fines and custodial sentences.

The NEA, 2019 provides for consultation between lead agencies and NEMA to ensure that environmental considerations are an integral part of land use plans and also requires that Strategic Environmental Assessments be carried out for activities in landscapes/areas that will host large investments or where cumulative impacts are likely to have significant impacts on human health and/or the environment.

3.3.8. The Administrator General Act, 1933, Cap 157

The Act relates to the administration by the Administrator General of estates of deceased persons. Therein the Act, jurisdiction is conferred on magistrates’ courts to grant probate or letters of administration in respect of small estates of deceased persons.

Additionally, , Section 16 of the Act gives the Administrator General the power to dispose of property of an estate under his or her administration either wholly or in part and either by public auction or private treaty as he or she in his or her discretion may deem to be in the best interests of the estate.

3.3.9. The Succession Act, Cap 162

The Succession Act, 1906 provides for the succession to a deceased person’s immovable and movable property, distribution of an intestate’s property and execution of wills.

Under Sections 29 and 30, the estate of a person dying intestate, except for his principal residential holding, shall be divided equally between those relatives in the nearest degree of kinship to the intestate and if no person takes any proportion of the property of the intestate, the entire estates

¹¹ This Act was repealed and is now replaced with the NEA (7th March 2019)

shall belong to the customary heir. Where there is no customary heir, the customary heir's share shall belong to the legal heir.

3.3.10. The Persons with Disability Act, 2019

This Act provides for the respect and promotion of fundamental and other human rights and freedoms of persons with Disabilities. Among others, the Act provides for the:

- *Respect and promotion of rights and freedoms of persons with disabilities.* A person with a disability shall enjoy the fundamental and other human rights and freedoms enshrined in the Constitution.
- *Prohibition of inhuman and degrading treatment for persons with disabilities.* A person with a disability shall not be subjected to any form of torture or cruel or degrading treatment.

3.3.11. The Children Act, Cap 59

The Children Act, CAP 59 of 1997 (as amended in 2019) spells out the welfare of the child principle to be the paramount consideration in determining any question in respect of the administration of a child's property or application of any income from that property.

The Act provides for the inheritance of property; protection of children from harmful cultural practices (like child marriage); protection from harmful employment in close connection with the Employment Act, 2006 among others.

3.3.12. The Environmental Impact Assessment (EIA) Guidelines for the Energy Sector, 2004

The National Environment Management Authority (NEMA) developed EIA Guidelines (2004) specifically for energy development projects and for the energy sector in general.

The guidelines include sections on compensation for loss of assets, as well resettlement. With regard to the latter, the guidelines state that it is Government's policy goal to improve living standards and earning capacities of displaced persons. It further recognizes the importance of ensuring that displaced people benefit from the displacing project; that resettlement takes place according to a timetable that makes sufficient time allowances for the development of resettlement infrastructure; lost incomes are restored, and that sufficient financial resources are made available in order to afford resettlement.

With regard to compensation (with reference to cash payments for affected assets), it should be sufficient to purchase replacement assets so that displaced persons are not worse off, economically and socially, than before displacement.

It acknowledges the constraints of monetary compensation and recognizes the rights of secondary affected persons (e.g. tenants, 'squatters') to compensation and thus provides for the development of a comprehensive baseline to identify all affected persons.

Asset recording must take cognizance of all affected privately-owned, community and public assets. While reference is made to a cut-off period, no further details are provided about its procedure. With regard to a census, this must precede the compensation and relocation process, and should identify all affected persons and their means of livelihood, as well as vulnerable categories. The guidelines include a basic framework for a Compensation or Resettlement Plan including the provision for consultations with displaced persons, a grievance mechanism and resettlement monitoring and evaluation.

3.3.13. The National Guidelines on Valuation Assessment (2017)

The Government of Uganda through the lead ministry of Lands Housing and Urban development has developed Valuation guidelines that are called 'guidelines for compensation assessment under Land acquisition (GCALA, June 2017)' that operationalise the LARF as signed in December 2016. The

guidelines are yet to be gazetted (have no legal basis because there is no Act of Parliament operationalizing them currently) but were designed to reinforce valuation practice in Uganda, and ensure that valuations achieve the intention of the Constitution of Uganda in as far as fair and adequate compensation is concerned.

3.3.14. The National Physical Planning Standards & Guidelines (2011)

The Physical Planning Guidelines and Standards are intended to guide the preparation and implementation of physical development plans, with the basic aim of ensuring orderly, coordinated and efficient development. This Guideline consolidates existing standards relating to social, economic and physical infrastructure provision from various sectors into one document for ease of implementation and enforcement and includes provisions for specific development processes and the application of the standards. It includes standards and guidelines for residential, commercial and industrial developments and associated infrastructure requirements. The guidelines define permanent materials as durable wall and roof materials that can maintain stability for more than 3 years. Temporary structures are defined as dwelling units built with non-durable wall and roof materials that cannot maintain stability for more than 3 years and require regular replacement.

3.4. Uganda's Institutional Framework

There are many institutions with vested interests in the proposed project by virtue of the activities that will be associated with the project. The institutions entail entities at various levels of Government including Central and Local Governments, and some Non-Government actors, among others. The key institutions are discussed below.

3.4.1. The Ministry of Energy and Mineral Development (including the Directorate of Petroleum)

The Ministry of Energy and Mineral Development (MEMD) is responsible for establishing policies, regulations and strategies to promote the rational and sustainable exploitation and utilisation of energy and mineral resources for social and economic development. The key roles and functions of MEMD in the development of the Tilenga project are:

- To acquire, process and interpret technical data to establish the energy resource potential of the country;
- To create an enabling environment to attract investment in the development, provision and provide policy guidance in the development and exploitation of the Energy, Mineral, Oil and Gas resources.
- To provide policy guidance in the development and exploitation of the Energy, Mineral, Oil and Gas resources.
- To inspect, regulate, monitor and evaluate activities of private companies in energy and mineral sectors so that the resources are developed, exploited and used on a rational and sustainable basis.

3.4.2. Ministry of Lands, Housing and Urban Development (MLHUD)

The Chief Government Valuer (CGV) in the Valuation Division of the MLHUD in conjunction with the Buliisa District Land Board provides approved updated compensation rates used for calculations of compensations. The office of the CGV is also responsible for approving all valuations for government projects. The CGV's office is also involved in resolving public complaints and disputes that arise from valuation for land acquisition and compensation payments. Additionally, the Department of Lands under the Directorate of Lands, shall liaise with the District Land Boards (DLB)¹² in the registration

¹² The local Land Boards have been experiencing resource constraints - the prospect of development in the area has resulted in the future of land use being uncertain. This has led to stalling the process of issuing land titles.

and transfers of land. The Department of Lands has also set up the Ministerial Zonal Office (MZO) in Masindi.

3.4.3. Ministry of Gender, Labour and Social Development (MGLSD)

The Ministry of Gender, Labour and Social Development is responsible for the social and economic welfare of the population including cultural affairs, youth, labour and disadvantaged groups. The proposed project will be expected to be in compliance with the respective legal and regulatory provisions prescribed by the Ministry.

3.4.4. Ministry of Justice and Constitutional Affairs (MoJCA)

This Ministry is responsible for legal matters within Uganda and thus participates in oil and gas policy formulation; petroleum licensing; the negotiation and administration of Production Sharing Agreements (PSAs); and guides the formulation of petroleum legislation and the law on management of petroleum revenues.

The Ministry is also responsible for carrying out legal advisory services to government through drafting, perusal and completion of contracts and statutory instruments as well as administering estates of deceased, unsound and missing persons (absentee PAPs) among others.

3.4.5. Ministry of Finance, Planning and Economic Development

Within the Ministry of Finance, the Auditor General's office conducts audits and investigations to assess the efficiency, effectiveness and accountability of public sector agencies and their programs. In doing so, it sets an example and upholds a culture of accountability in Uganda. The Auditor General has communicated its intention to audit the compensation process.

3.4.6. National Environment Management Authority (NEMA)

The National Environment Management Authority (NEMA) has issued Environment Impact Assessment (EIA) regulations for the energy sector including the petroleum industry. NEMA will therefore have an interest in the project's social impact assessment and social management plans including the RAP 5 project.

NEMA will have the responsibility of assessing and monitoring compliance of the proposed project with the environmental and social requirements attributed to the project including those prescribed in the Resettlement Action Plan. Assessment and compliance monitoring may be done through the District Environment Officer or directly through NEMA's Environmental Inspectors.

The regulation No. 3 of 2000 stipulates the application and principles of Management of Wetlands and Wetland Resources. The Principles include, but not limited to:

- Environmental impact assessment as required under the statute is mandatory for all activities in wetlands likely to have an adverse impact on the wetland, and;
- Special measures are essential for the protection of wetlands of international, national and local importance as ecological systems and habitat for fauna and flora species, and for cultural and aesthetic purposes, as well as for their hydrological functions.

3.4.7. Petroleum Authority of Uganda

The Petroleum Authority of Uganda is charged with monitoring and regulating the exploration, development and production of petroleum in Uganda. It also oversees the refining, gas conversion, transportation and storage of the country's petroleum. Additionally, the key roles and functions of PAU in the development of the Tilenga project are:

- Ensuring that the project is compliant with Uganda's legislation in all of its activities;

- Approval of both project technical and financial planning. Since some of the activities carried out by the project are cost-recoverable, PAU's approval of planned and executed work is required.¹³

3.4.8. Uganda Land Commission (ULC)

Land that is acquired by the GoU is held and managed by the Ugandan Land Commission (ULC). When the land is acquired for the RAP 5 project area, it will be transferred to and held by the ULC. The ULC also grants leases on public land.

3.4.9. Office of the Prime Minister

The Ministry of State for Disaster Preparedness, under the Office of the Prime Minister is responsible for re-settlement of refugees and persons displaced by disasters. Although the project will not affect any refugee camps as none have been identified so far, it may encounter persons that have migrated into the impacted area to take refuge and in such cases the Project may seek guidance from the Ministry of State for Disaster Preparedness within the Office of the Prime Minister.

3.4.10. Buliisa District Local Government

The Land Act, states that land tribunals must be established at district level. It also empowers the District Land Tribunals to address disputes relating to the amount of compensation to be paid for land acquired on a compulsory basis.

Local Councils are responsible for local policy matters, economic development, resolving local conflicts and providing orderly leadership.

In the project-affected area, LC Is, and LC IIIs interact directly with the affected population. These councils are able to assist during the identification of rightful property owners, and resolving compensation grievances. District Local Government includes the District Land Office, District Land Board and Area Land Committees (see Sections 3.4.10.1 to 3.4.10.4 that follow).

3.4.10.1. Buliisa District Land Office

The District Land Office (DLO) should include a District Physical Planner, a District Land Officer, a District Valuer, a District Surveyor, a District Registrar of Titles and a District Cartographer. The DLO should provide technical services to the District Land Board through its own staff or arranges for external consultants to facilitate the Board in the performance of its functions. Currently the Buliisa DLO is not staffed with officers and so as such, the DLO is not functioning.

3.4.10.2. Buliisa District Land Board

The District Land Board (DLB) facilitate the registration and transfer of land ownership. In addition, the DLB compiles and maintains a list of compensation rates payable in respect of crops, buildings of a non-permanent nature and any other thing that may be prescribed. Furthermore, the DLB reviews the lists of compensation rates annually. In this regard, the DLB will oversee the appropriation of public land; facilitating registration, and transfer of interests in land.

3.4.10.3. Buliisa Area Land Committees

Area Land Committees (ALCs) determine, verify and mark the boundaries of all interests in land that are subject to an application for certificate of customary ownership or in grant of freehold title. The ALC assists the DLB in an advisory capacity on matters relating to land, including ascertaining rights in land boundaries and disputes.

¹³ Land Acquisition and Resettlement Framework (LARF), 2017, Chapter 5 – Legal and Administrative Framework.

3.4.10.4. Buliisa District Land Tribunal

The District Land Tribunal (DLT) should decide on disputes regarding compensation paid for land acquired. It is also charged with solving disputes relating to the grant, lease, repossession, transfer or acquisition of land by individuals and organisations. This would have been utilised in resolving matters that cannot be solved at village level, however these tribunals have not been set up. Disputes, were therefore resolved by the project legal team in consultation with the Village leaders (LC Is).

3.5. International Standards and Project Requirements

International standards make provisions regarding people who are displaced or suffer other loss as a result of various projects and how they should be treated. They advocate for minimal displacement and where displacement is unavoidable, for full compensation for affected persons at replacement value. The core principle of resettlement is that no one defined as project-affected, should be worse off after resettlement. Further, international best practice stipulates that affected persons are entitled to some form of compensation whether or not they have legal title and providing they occupy the land by a cut-off date. Compensation for loss applies to all components of the programme, all associated activities, and to all economically and/or physically affected persons, regardless of the number of people affected, the severity of impact and the legality of land holding. International best practice further requires attention to be given to the needs of vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, indigenous groups, ethnic minorities, orphans, and other disadvantaged persons.

In line with international standards, the project will be guided by Good International Industry Practices (GIIPs) that the JV Partners subscribe and are committed to for land acquisition.

3.5.1. IFC Performance Standards

The IFC is the private funding arm of the World Bank and their benchmarks for international best practice are the most extensive guides for resettlement purposes. PS 7 refers to indigenous persons, and given that during the ESIA process, no such groups were identified or affected, thus was not applicable to this project.

There are three IFC Performance Standards that are particularly relevant to this RAP:

- Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts;
- Performance Standard 5: Land Acquisition and Involuntary Resettlement; and
- Performance Standard 8: Cultural Heritage.

3.5.1.1. Performance Standard 1 - Assessment and Management of Environmental and Social Risks and Impacts

This Standard recognises that the need for managing environmental and social performance and mitigating associated risks is essential for all projects. It contains various key pieces of guidance that are relevant to this project particularly around stakeholder engagement and grievance management.

3.5.1.2. Performance Standard 5: Land Acquisition and Involuntary Resettlement

IFC PS5 states that:

“Unless properly managed, involuntary resettlement may result in long-term hardship and impoverishment for the Affected Communities and Persons, as well as environmental damage and adverse socio-economic impacts in areas to which they have been displaced. For these reasons, involuntary resettlement should be avoided. However, where involuntary resettlement is unavoidable, it should be minimized and appropriate measures to mitigate adverse impacts on displaced persons and host communities should be carefully planned and

implemented. The government often plays a central role in the land acquisition and resettlement process, including the determination of compensation, and is therefore an important third party in many situations. Experience demonstrates that the direct involvement of the client in resettlement activities can result in more cost-effective, efficient, and timely implementation of those activities, as well as in the introduction of innovative approaches to improving the livelihoods of those affected by resettlement.”

This is a critical policy document for this RAP because the IFC Performance Standards are seen as the global benchmark for effectively managing resettlement projects.

IFC PS5 further states that the basic principles in terms of resettlement are to:

- “Avoid, and when avoidance is not possible, minimise displacement by exploring alternative project designs;
- Avoid forced eviction;
- Anticipate and avoid, or where avoidance is not possible, minimise adverse social and economic impacts from land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- Improve, or restore, the livelihoods and standards of living of displaced persons; and
- Improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.”

IFC PS5 requires that a RAP be prepared and accepted by the relevant authorities prior to implementing resettlement activities. The IFC also requires that the provision of compensation and proper planning for the provision of restoration of livelihoods of those affected be ensured prior to any actual resettlement.

The Standard requires that possession of land for project activities may take place only after compensation has been paid, or alternatively, if adequate guarantees of compensation have been made to the PAPs’ satisfaction. If the latter is chosen, compensation payments must not be delayed and resettlement sites, new homes and related infrastructure, public services and moving allowances must be provided to the affected persons prior to resettlement in accordance with the provisions of the RAP.

The Standard further requires attention be given to the needs of vulnerable groups. These are generally defined as; those below the poverty line, the landless, the elderly, children, indigenous groups, ethnic minorities, orphans, and other disadvantaged persons.

3.5.1.3. Performance Standard 8: Cultural Heritage

Land acquisition and involuntary resettlement also impact on communities’ cultural heritage – both tangible and intangible. There is a separate IFC performance standard regarding cultural heritage – IFC PS8 – that provides the performance standard for this component of a project.

“Performance Standard 8 recognizes the importance of cultural heritage for current and future generations. Consistent with the Convention Concerning the Protection of the World Cultural and Natural Heritage, this Performance Standard aims to ensure that clients protect cultural heritage in the course of their project activities”

There are two central objectives to IFC PS8, but it is the first, as per below, that applies so far in this project:

“To protect cultural heritage from the adverse impacts of project activities and support its preservation.

PS 8 defines cultural heritage as follows:

“cultural heritage refers to

(i) tangible forms of cultural heritage, such as tangible moveable or immovable objects, property, sites, structures, or groups of structures, having archaeological (prehistoric), paleontological, historical, cultural, artistic, and religious values;

(ii) unique natural features or tangible objects that embody cultural values, such as sacred groves, rocks, lakes, and waterfalls; and

iii) certain instances of intangible forms of culture that are proposed to be used for commercial purposes, such as cultural knowledge, innovations, and practices of communities embodying traditional lifestyles.”

In the area which is the focus of RAP 5, it is primarily tangible cultural heritage that is the focus of the RAP. There is no proposed use for commercial purpose of any intangible elements of cultural heritage.”

Please note that, IFC PS 7 which refers to indigenous persons¹⁴, is not applicable to RAP 5 of the Tilenga project given that, no such groups were identified.

3.6. Gap Analysis of National Laws & IFC Standards¹⁵

A Gap Analysis between National Laws and IFC Standards has already been conducted as part of the LARF. Table 3.1 contains the results of this gap analysis along with project specific mechanisms for addressing gaps.

¹⁴ A distinct social and cultural group possessing the following characteristics in varying degrees: Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; Customary cultural, economic, social, or political institutions that are separate from those of the dominant society or culture; An indigenous language, often different from the official language of the country or region.

¹⁵ Adapted from the LARF (2016)

Table 3.1: Gap Analysis of National Laws & IFC Standards

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
Alternative project designs	Feasible alternative Project designs should be considered to avoid or at least limit physical or economic displacement.	Activities must be exercised in a manner that minimally affects land owners ¹⁶	IFC Standards explicitly require that resettlement be minimised by considering alternative project design.	The JV Partners commit to avoiding or minimising impacts by considering alternative project designs.	The RAP 5 Project Area has been subject to minimization efforts described in Chapter 5
Planning Instruments	In the case of physical displacement, a Resettlement Action Plan will be developed. In the case of economic displacement only, a Livelihood Restoration Plan will be developed. Where both physical and economic displacement is caused, livelihood restoration will be incorporated in the Resettlement Action Plan.	Displacement resulting from development project activities is not defined in Ugandan laws. However, EIA Guidelines for the Energy Sector refer to compensation and resettlements consequences of displacement. It also makes provision for the development of a Compensation Plan or a Resettlement Plan ¹⁷ .	Resettlement plans are not required by Uganda laws, but are prescribed in the EIA Guidelines for the Energy Sector.	The JV Partners commit to developing Resettlement Action Plans and Livelihood Restoration Plans once impacts of proposed land acquisition and resettlement activities have been identified.	The RAP 5 Project Area causes both Physical and Economic Displacement. The RAP 5 Project Area is therefore subject to this RAP document which includes an integrated Livelihood Restoration chapter (Chapter 11).
Consultation and Information Disclosure	Resettlement activities must be planned and implemented with appropriate disclosure of information, consultation and the informed participation of those affected including host communities in decision-making. The perspectives of women, minority groups and other categories with special	A Licensee is not permitted to exercise any right upon land without prior written consent from the land owner ¹⁸ . Disclosure and consultation are also required as soon as the need for resettlement has been identified. For compulsory land acquisition, the Minister of Lands, Housing and Urban Development must declare the location, approximate area and plan of the land	Despite references to consultation and disclosure, community participation does not drive the land acquisition and resettlement process. According to the Petroleum (Exploration, Development and Production) Act, accounting for the “[...] interests of the community” is done after having obtained consent from affected persons.	The JV Partners commit to informing project affected persons (including host communities) and having them participate in resettlement planning. Furthermore, they commit to timely disclosure of information within affected communities.	Project Affected People have been consulted on the resettlement. The consultation approach is detailed in Chapter 6 – Stakeholder Engagement Participation in resettlement planning has occurred via the resettlement committees, namely the RAC, DIRCO and RPC(s).

¹⁶ Section 10.1 of the EIA Guidelines for the Energy Sector, 2004.

¹⁷ Section 10.7 of EIA Guideline for the Energy Sector, 2004.

¹⁸ Section 138 (1) Petroleum (Exploration, Development and Production) Act, No. 3 of 2013.

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
	requirements must be obtained and their interests factored into resettlement planning and implementation.	required ¹⁹ . All land owners and occupiers must receive a copy of this declaration and must be informed on when and where they can inspect the plan of the land.	There is no mention of how host communities or women shall be engaged during resettlement activities.		
Eligibility	<p>Eligibility criteria should recognize the rights of the affected people:</p> <p>Who have formal legal rights to the land or assets they occupy or use;</p> <p>Who do not have formal legal rights to land or assets, but have a claim to land that is recognized or recognizable under national law;</p> <p>Who have no recognizable legal right or claim to the land or assets they occupy or use; and</p> <p>The census will establish the status of the displaced persons.</p>	Uganda laws recognize land occupancy under four regimes of land tenure, namely freehold, leasehold, mailo and customary. Under these different types of land ownership, occupants and land owners are eligible for compensation for land, improvements to land, crops and structures.	Uganda laws and the IFC PS 5 are consistent in the recognition of the rights of occupants and land owners under the different land tenure regimes.	The JV Partners will recognise the rights of all affected people including those with formal legal rights; those without formal legal rights and those who have no recognisable legal right to land or assets used or occupied by them. The census to be undertaken prior to land acquisition and resettlement activities will establish the status of the displaced persons.	<p>This RAP recognizes the rights of all affected people including those without legal rights.</p> <p>The status of all displaced people has been established through the cadastral land and asset valuation survey, the legal due diligence survey and the socio-economic survey.</p>
Cut-Off Date	In the absence of government procedures, the client will establish a cut-off date for eligibility which will be well documented and disseminated throughout the project area.	There is no legal provision for the establishment of a cut-off date, but the EIA Guidelines for the Energy Sector make reference to the cut-off date for the determination of eligibility, but	The Uganda regulations are unclear on how a cut-off date is to be enforced.	Cut off dates for eligibility will be well documented and disseminated throughout the project area, including relevant national ministries and local government.	A final cut-off date for RAP 5 Project Area was declared on 18 th the February 2019 in the villages of Kamandindi, Avogera, Kisomere, Kasinyi, Ngwedo Centre, Kibambura, Kizikyia, and

¹⁹ Section 3 (1) Land Acquisition Act, Cap. 226.

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		<p>does not provide any procedural guidance²⁰.</p> <p>With regard to compulsory land acquisition, the intention to acquire land must be published in several notices; exhibited at “convenient places on or near the land” and should state who should be compensated²¹.</p>			<p>Kitahura, Kijangi, Uriibo, Kijumbya, Uduk I, Uduk I, Uduk II, Kigwera NE, Kigwera SE, Kiyere, Bikongoro</p> <p>Notification for the cut-off date is explained in Chapter 6 – Section 6.5.2.</p>
Census	Where involuntary resettlement is unavoidable, a census will be carried out to collect appropriate socio-economic baseline data to identify the persons who will be displaced by the project, determine who will be eligible for compensation and assistance.	Uganda laws do not require that a census be taken of the persons who will be displaced by the project. However, the EIA Guidelines for the Energy Sector refer to the census as the means to identify all affected persons and their means of livelihood. It also refers to a baseline study to identify all interests in affected assets, including the rights of tenants ²² .	The Guidelines require that a census be conducted in the event of compensation and resettlement.	The JV Partners commit to identifying all persons who will be displaced as a result of their development activities. This will be done in the form of a census prior to resettlement to determine who will be eligible for compensation and assistance.	A detailed Socio-Economic Census Survey was carried out to inform this RAP. PAPs were however registered with unique IDs as part of the cadastral land and asset valuation survey which the socio-economic survey followed.
Physical Displacement and Relocation	Physically displaced persons will be offered a choice of replacement property of equal or higher value, security of tenure, equivalent or better characteristics, and advantages of location or cash compensation where appropriate.	Ugandan laws do not require that physically displaced persons be offered a choice of resettlement housing (out of the options available) and relocation assistance. However, the EIA Guidelines for the Energy Sector refers to the preference to provide suitable materials for	There is no specific requirement for the resettlement of persons who are physically displaced by a development project in Ugandan laws, other than making replacement building materials available.	The JV Partners’ policy is to provide physically displaced persons the right to choose from a number of resettlement options, and resettlement sites must offer improved living conditions. They must also provide suitable relocation assistance. No forced evictions (except those that are in	This RAP commits to provide physically displaced persons losing a primary residence with a number of resettlement options including resettlement sites with improved living conditions. Other persons losing a secondary dwelling will

²⁰ Section 10 of EIA Guidelines for the Energy Sector, 2004.

²¹ Section 5 (1) Land Acquisition Act, Cap. 226.

²² Section 10.4 of EIA Guidelines for the Energy Sector, 2004.

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		<p>resettlers to build their own housing.²³</p> <p>The Physical Planning Standards specify plot sizes and materials to be used for the establishment of new residential infrastructure²⁴.</p>		accordance with the law) are to be carried out.	<p>receive cash compensation.</p> <p>As per the Entitlement Framework in Chapter 8</p>
Economic Displacement (loss of land)	Economically displaced persons will be compensated for the loss of economic assets at full replacement cost (IFC PS5, §27) and with replacement land of at least the same productive potential and location advantage (IFC PS5, §28).	Displacement resulting from development project activities is not defined in Ugandan laws. The EIA Guidelines for the Energy Sector consider compensation for the loss of land ²⁵ . The type of compensation packages that should be awarded to project affected persons is not described.	<p>The Ugandan laws do not categorise project affected persons according to the impact that proposed land acquisition and resettlement activities have on them.</p> <p>There is no specific requirement to provide replacement land to project affected persons, but it is an option available for consideration.</p>	<p>The JV Partners will commit to compensating economically displaced persons:</p> <p>With replacement land of at least the same productive potential and location advantage, or</p> <p>For the loss of economic assets at full replacement cost.</p>	<p>This RAP commits to compensating economically displaced persons:</p> <p>With replacement land of equal value at full replacement cost.</p> <p>For the loss of economic assets at full replacement cost.</p> <p>As per the Entitlement Framework in Chapter 8</p>
Economic displacement (businesses)	Economically displaced persons will also be provided with (i) assistance to re-establish commercial activities (businesses), (ii) replacement property of equal or greater value, and will be provided with transitional support as necessary to restore their income-earning capacity and standards of living (IFC PS5, §29).	Unlike economically displaced persons who own land, commercially displaced persons only have legal claims to land by virtue of occupancy. The Ugandan laws recognize this ownership as a formal land right and such occupants must be considered under Section 139, Subsection 1b of the Petroleum (Exploration, Development and Production) Act which provides that “account shall be taken of	The local laws are inconsistent with what is stipulated in the IFC guidelines when it comes to assistance in the re-establishment of commercial activities and provision of replacement property with transitional support as necessary to restore the affected person’s income earning capacity.	<p>The JV Partners are committed to the provision of support to commercially displaced persons, who will receive:</p> <p>Assistance to re-establish commercial activities;</p> <p>replacement property of equal or greater value; and</p>	<p>There are 58 (Fifty eight) being displaced businesses in the RAP 5 Project Area. These were mainly retail shops dealing consumable and some house hold items and had no clear documentation in terms of registration and payment of trading licences.</p>

²³ Section 10.7 of EIA Guidelines for the Energy Sector, 2004

²⁴ Chapter 2 (see also Table 1, p. 8) of National Physical Planning Standards and Guidelines, 2011.

²⁵ Section 10 of EIA Guidelines for the Energy Sector, 2004.

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		any improvements effected [...] the benefit of which has or will accrue to the land owner”.		Transitional support to restore their income earning capacity and standards of living.	
Full Replacement Cost	<p>Mitigation measures to remedy adverse impacts should include compensation at full replacement cost for loss of assets and other assistance to help them improve or restore their standards of living and livelihoods.</p> <p>Where livelihoods of displaced persons are land-based, or where land is collectively owned, affected persons will be offered land-based compensation where feasible.</p> <p>Land will be taken into possession only after compensation has been made available and resettlement sites and moving allowances have been provided to affected persons (IFC PS5, §2, 9).</p>	<p>The District Land Boards assess compensation based on open market value of the unimproved land; and buildings on the land are compensated at open market value (in urban areas) and depreciated replacement cost for the rural areas²⁶. Standing crops which can be harvested during the period of notice shall not be compensated. The list of compensation rates compiled by the District Land Boards is to be used in determining the rates of compensation.</p> <p>The EIA Guidelines for the Energy Sector refer to “acceptable compensation rates” which are to be established after consultation with representatives of the affected communities²⁷.</p>	Computation of compensation as outlined in the Land Act does not offer full replacement cost prescribed by the IFC. However, there appears to be room for reaching acceptable rates through consultation.	The JV Partners commit to mitigating the adverse impacts associated with land acquisition and resettlement by compensating affected persons at full replacement cost of the affected assets.	This RAP commits to awarding compensation at Full Replacement Cost as per the Entitlement Framework in Chapter 8
Form of Compensation	Compensation in kind should be considered in preference over cash.	Article 26 of the 1995 Constitution of Uganda protects Ugandans from deprivation of property. Land can only be accessed once “prompt payment of fair and adequate compensation prior to	The JV Partners are not required by Uganda laws to consider compensation in kind although the EIA Guidelines for the Energy Sector refer to the	The JV Partners commit to compensating affected persons for loss of right over land or property in kind in preference over cash.	In kind compensation is recommended where feasible in this RAP, namely for primary residences and crop land as per the

²⁶ Section 24 of Land Regulations, 2004.

²⁷ Section 10.5 of EIA Guidelines for the Energy Sector, 2004.

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		the taking of possession of the property” has been undertaken.	“constraints to monetary compensation”.		Entitlement Framework in Chapter 8
Vulnerable Groups	In resettlement planning, particular attention should be given to the poor and vulnerable, and compensation in kind should be offered to facilitate permanent relocation and establishment at an alternative location.	The 1995 Uganda Constitution stipulates that, “the State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason [...] for the purpose of redressing imbalances which exist against them. “ This regulation is not fully described in the context of resettlement and land acquisition. The EIA Guidelines for the Energy Sector require that vulnerability is established during the census ²⁸ .	The Ugandan laws offer protection of vulnerable groups from exploitation. However, this does not provide the procedure for this category of project affected persons to be consulted, engaged or further protected.	The JV Partners commit to planning with particular focus given to vulnerable project affected persons. Resettlement packages should give preference to compensation in kind with special facilitation of permanent relocation.	Vulnerable project affected persons are given a particular focus as detailed in Chapter 12– Vulnerable Households.
Grievances	Affected persons will have access to an independent grievance mechanism to lodge concerns and complaints about compensation and relocation without impeding access to any judicial or administrative remedies (IFC PS5, §11).	Disputes regarding compensation will be determined by Government (in practice the Chief Government Valuer). In addition, any person who has an interest or right over property being acquired compulsorily has a right of access to a court of law ²⁹ .	Ugandan laws do not explicitly require that development project implementers develop independent grievance redress mechanisms that are accessible to affected communities and individuals. However, the EIA Guidelines for the Energy Sector make provision for a grievance committee “at the lowest level of activity” ³⁰ .	The JV Partners commit to making an independent grievance mechanism accessible to project affected persons, including free access to judicial and administrative remedies.	An independent Grievance Mechanism has been set up for the RAP 5 Project Area. Further detail is provided in Chapter 7 – Concerns and Grievance Mechanism
Monitoring and Evaluation	A procedure to monitor and evaluate the implementation will be established; affected	An evaluation procedure is prescribed in the EIA Guidelines for the Energy Sector, including a	Uganda laws do not require development project implementers to develop a	The JV Partners commit to developing a Monitoring and Evaluation Procedure that will	This RAP contains a detailed framework for

²⁸ Section 10.4 of EIA Guidelines for the Energy Sector, 2004.

²⁹ Section 2 and other related sections of Land Acquisition Act, Cap 226.

³⁰ Section 10.11 of EIA Guidelines for the Energy Sector, 2004.

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
	persons will be consulted during the monitoring process. (IFC PS5, §14).	team of experts to provide technical advice during monitoring. Monitoring is based on the Resettlement Plan ³¹ .	monitoring and evaluation procedure for the land acquisition and resettlement process contrary to what is required by the IFC. However, the EIA Guidelines for the Energy Sector provide recommendations about monitoring and evaluation of resettlement plans.	assess the implementation of land acquisition and resettlement activities. Affected persons will be consulted during the M&E activities.	Monitoring and Evaluation framework in Chapter 14.

³¹ Section 10.11 of EIA Guidelines for the Energy Sector, 2004.

4. SOCIO-ECONOMIC BASELINE

4.1. Introduction

Following the requirements set out by the LARF and IFC PS5, a socio-economic census survey and baseline studies were carried out to gather quantitative and qualitative socio-economic data on affected households including: (1) household demographics, (2) education and skills, (3) livelihoods, (4) health and nutrition, (5) basic services and community facilities, as well as, (6) culture and heritage.

The data collected forms the basis of a better understanding of the structure and make-up of project-affected households, their livelihood practices adopted to secure household food needs and income, as well as a baseline against which to evaluate the success of livelihood restoration support.

This Chapter provides a summary of the detailed Social Baseline Report included as Annexure 2 of this RAP and summarises the key findings and data collected during the various socio-economic studies.

4.2. Defining PAPs and Households

For this resettlement, Project Affected Persons (PAPs) are defined as any individual or group of persons (this constitutes a family or clan with a shared interest in an asset) who loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b) ownership of annual and/or perennial crops and trees, (c) homestead property, (d) homestead structures, (e) graves, (f) shrines, and (g) other privately-held physical assets located within the development footprint of the RAP 5 project area. There are 1846 PAPs who are affected by this definition.

The majority of this RAP, particularly sections pertaining to compensation or resettlement provisions, focuses on PAPs as recorded in the Asset Survey. It should be noted, however, that the focus of the social baseline survey and report is the household – defined as one person or a group of persons who share a dwelling unit and for a group, share at least one meal a day. This single residential entity, typically a family, may or may not be directly resident in the proposed upgrade of existing access roads components (RAP 5) footprint, but may have one or more assets in the area. Generally, this means that the total number of affected households is equal to or less than the number of PAPs defined in the Asset Survey.

The RAP 5 Project will cause the displacement (physical and economic) of 1846 PAPs holding 2293 assets as per the RAP 5 approved Valuation Report.

Some households have multiple assets that could belong to different members of the household and therefore have been defined as PAPs multiple times in the Asset Survey. Where such multiple asset holdings by a single household have been noted, the socio-economic survey only interviewed the household once to avoid duplication of socio-economic data. It is important, therefore, to distinguish PAPs and households in this document.

Of the total number of 1846 PAPs, 1746 PAPs belonging to 1599 households were interviewed in the RAP 5 socio-economic HH survey.

- Of the 1599 households surveyed, 1426 hosted one PAP each, 156 hosted two (2) PAPs each, fourteen (14) households hosted three (3) PAPs each, and three (3) household hosted four (4) PAPs. Generally, this means that the total number of households surveyed (1599) is less than the PAPs in those households (1749) defined by the Asset Survey.

- Of the 1,746 PAPs interviewed on RAP 5:
 - 1,475 PAPs belonging to 1,348 households were affected by RAP 5 only;
 - 149 belonging to 137 households were affected by both RAP 5 and RAP 3a; and
 - 122 belonging to 114 households were affected by both RAP 5 and RAP 3b.

However, nine (9) PAPs affected by RAP 5 hail from households interviewed in RAPs 2, 3a and 3b as indicated below (see Figure 4.1 and Table 4.1):

- Two (2) PAPs belonging to two (2) households were interviewed on RAP 2;
- Four (4) PAPs belonging to four (4) households were interviewed in RAP 3a; and
- Three (3) PAPs belonging to three (3) households were interviewed in RAP 3b.

The total number of PAPs interviewed on RAP 5 is, therefore, 1755 (1746 +9) belonging to 1608 (1599+9) households.

Therefore, based on the above 91 (1846 – (1,746 +9)) PAPs are yet to be interviewed on RAP 5, resulting in a percentage socio-economic census survey coverage for RAP5 of 95% of the maximum possible percentage socio-economic census survey coverage of 100%. Furthermore, based on this coverage (95%), there are 1608 households impacted by RAP5, of a maximum possible impacted household number (assuming each of the 91 PAPs hail from a single household) of 1699 households.

It is important to note that the data presented in this report pertains to 1746 PAPs belonging to 1599 households, and whose household heads (HHs) were interviewed in the RAP 5 Socio-Economic Household Survey. The data for the 9 PAHs affected by other RAPs has not been included in the RAP 5 socio-economic baseline nor their data analysed in this report, but rather in the report of RAP 2, RAP 3a, and RAP 3b as mentioned above.

The project plans to survey the remaining 91 households with in the first six months of RAP 5 implementation. The survey will include but will not be limited to:

- Messaging to explain the purpose of the study (baseline data for livelihood restoration programming);
- Posting enumerators at all signing events/venues;
- Surveying households during the development of the Household specific Livelihood Plans, and;
- Offering an opt-out form for households that decline to be participate in the socio-economic household survey. Opting out of being surveyed should not preclude a PAP from receiving compensation or participating in some livelihood restoration activity. However, without baseline data, households' livelihood restoration cannot be gauged/assessed.

Table 4.1: Summary of RAP 5 PAH composition across the Tilenga RAPs (excluding RAP 1)

DESCRIPTION	RAP 5 + RAP 2		RAP 5 only		RAP 5 + RAP 3a		RAP 5 + RAP 3b	
	PAPs	HH	PAPs	HH	PAPs	HH	PAPs	HH
Total No of PAPs on RAP 5			1475		149		122	
No of PAPs interviewed for RAP 5 in total			1,755					
No of PAPs interviewed in this specific RAP			1755					
No of PAPs interviewed affected by this specific RAP only			1475					

DESCRIPTION	RAP 5 + RAP 2		RAP 5 only		RAP 5 + RAP 3a		RAP 5 + RAP 3b	
	PAPs	HH	PAPs	HH	PAPs	HH	PAPs	HH
No of PAPs affected by this RAP but interviewed on RAP 2	2							
No of PAPs affected by this RAP but interviewed on RAP 3a					4			
No of PAPs affected by this RAP but interviewed on RAP 3b							3	
No of HHs interviewed in this specific RAP				1608				
No of HHs interviewed affected by this specific RAP only				1,348				
No of HHs interviewed on this RAP that are affected by RAP 2								
No of HHs interviewed on this RAP that are affected by RAP 3a						137		
No of HHs interviewed on this RAP that are affected by RAP 3b								114
No of HHs affected by this RAP but interviewed on RAP 2		2						
No of HHs affected by this RAP but interviewed on RAP 3a						4		
No of HHs affected by this RAP but interviewed on RAP 3b								3
PAPs yet to be interviewed			91					
% coverage (interviewed) - as a function of total number of PAPs			95					
% coverage possible maximum to be achieved - as a function of specific RAP interviews			100					
% coverage (interviewed) - as a function of specific RAP interviews only to date			95					

4.3. Method

The Social Baseline Report and this Chapter are an amalgamation of several studies that have adopted a range of study methods as summarised below, and discussed in detail in Section 1.2 of Annexure 2.

- Household Socio-economic Survey:** A Household Socio-economic Survey was undertaken between 31st January 2019 and 31st March 2019. The survey comprised of a questionnaire covering a range of topics. The questionnaire was administered to 95 percent of the affected households identified by the Asset Survey (see Section 1.2.1 of Annexure 2 for further details).
- Interview Programme:** A qualitative socio-economic interview program was also carried out in parallel with the household survey. Various interviews were held with a range of individuals (Key Informant Interviews, through a systematic sample) and small groups of people (Focus Group Discussions). The objective of the interview program was to support the household survey by understanding the reasons behind identified social trends (see Section 1.2.1 of Annexure 2 for further details).

- Specialist Support:** Separate specialist fieldwork and input concerning public health, gender, cultural heritage, and archaeology was included as part of the social baseline methodology (see Section 1.2.1 of Annexure 2 and chapter 13 for further details). The fieldwork-comprised field transects to identify physical assets, as well as interviews with local cultural leaders, public health officials, and focus group discussions with local communities (including women).

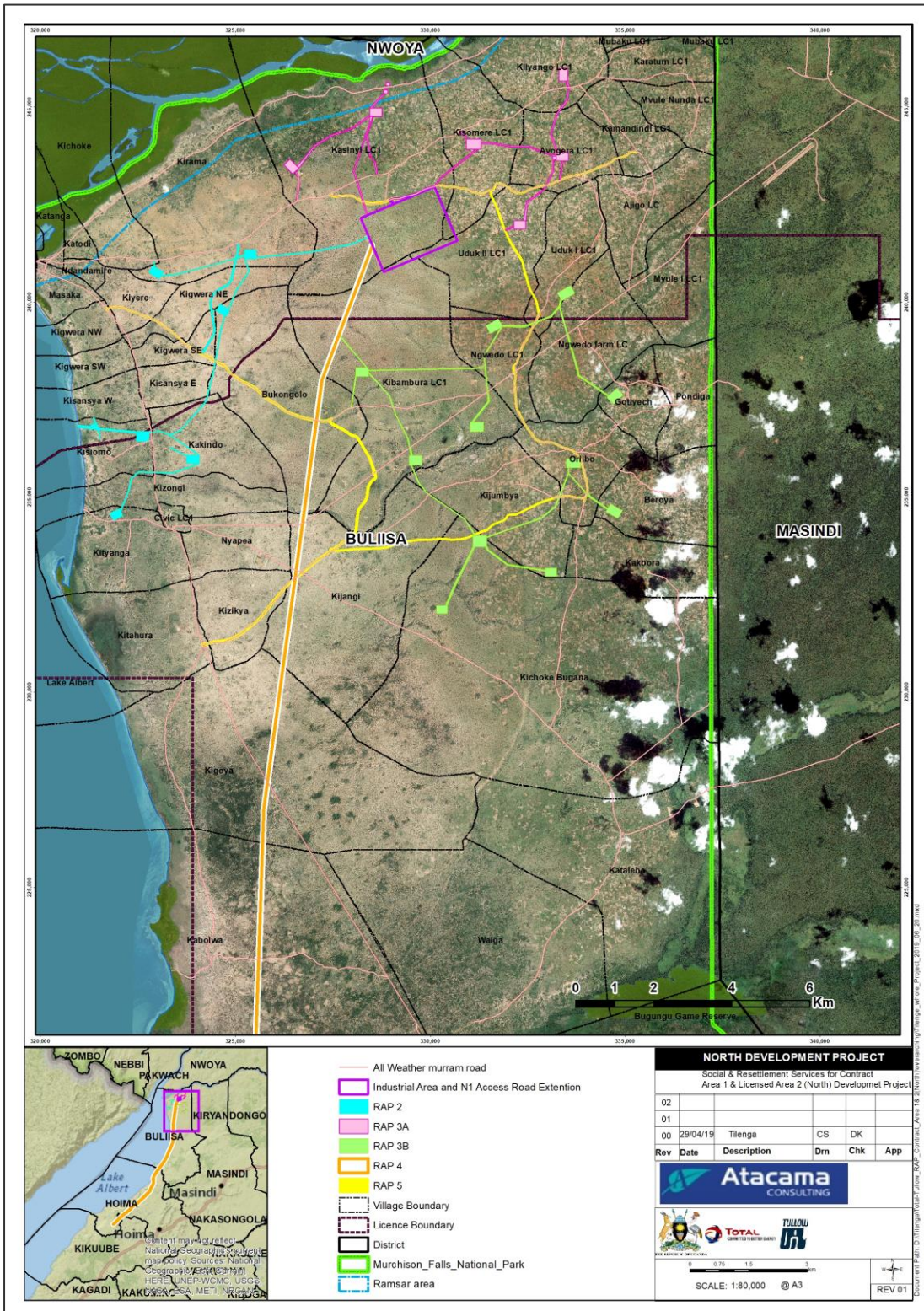


Figure 4.1: Overlap in the Tilenga RAPs 1, 2, 3a, 3b, & 5

4.4. Demographics of Resettlement of Surveyed Households

The total number of RAP 5 surveyed households is 1599, and the place of origin of these surveyed households varies (see Table 4.2 and Figure 4.2). These can be divided into two groups – **residents** of the RAP 5 affected villages (but not necessarily the proposed RAP 5 project footprint) and **non-residents**, i.e., those residing outside the RAP 5 project affected villages.

The majority (92%) of the surveyed population classify themselves as permanently resident in their village (see Annexure 2), which indicates that there is no significant temporary movement of people from their homes³².

RAP 5 will affect households from 58 villages (see Table 4.2 and Figure 4.1) however, the affected assets (land, structures, crops, etc.) are **located in only 16 villages**, with the majority (24% of the PAHs) holding assets in Avogera village (see Table 4.2) which houses 20.6% of the total surveyed households.

In this regard, 81.2% of the total surveyed households are **resident** in the 16 villages affected by the RAP 5 project components, and the remainder (18.8%) of the PAHs, who are largely **claimants of land or other assets** (as either an individual or clan members) located within the proposed RAP 5 project area, are resident in 41 villages outside the RAP 5 project area villages i.e., they are **not resident** in the RAP 5 affected villages.

Table 4.2: Percentage of Affected Households and Population by Place of Residence

Parish	RAP 5 affected Village	Total HHs	PAPs	Resident Village	Total RV	Village %	Total %
Mvule	Avogera	385	429	Ajiigo	1	0.3	0.1
				Avogera	329	85.5	20.6
				Beroya	1	0.3	0.1
				Bujumbura East	1	0.3	0.1
				Kabolwa	1	0.3	0.1
				Kaiso	1	0.3	0.1
				Kamandindi	7	1.8	0.4
				Kapapi I	1	0.3	0.1
				Karatum	1	0.3	0.1
				Kasinyi	5	1.3	0.3
				Katanga	1	0.3	0.1
				Katodio	2	0.5	0.1
				Katoke	1	0.3	0.1
				Kichoke	1	0.3	0.1
				Kigwera North East	3	0.8	0.2
				Kigwera North West	1	0.3	0.1
Kigwera South East	2	0.5	0.1				

³² This does not include persons whom have emigrated and established their own separate households, and therefore no longer form part of the surveyed population.

Parish	RAP 5 affected Village	Total HHs	PAPs	Resident Village	Total RV	Village %	Total %
				Kigwera South West	1	0.3	0.1
				Kijogo	1	0.3	0.1
				Kijumba	1	0.3	0.1
				Kijumbya	1	0.3	0.1
				Kilyango	1	0.3	0.1
				Kirama	10	2.6	0.6
				Kisansya East	1	0.3	0.1
				Kisomere	2	0.5	0.1
				Kitahura	1	0.3	0.1
				Kizikya	1	0.3	0.1
				Muvule I	1	0.3	0.1
				Muvulenunda	1	0.3	0.1
				Ndandamire	2	0.5	0.1
				Ngwedo Farm	1	0.3	0.1
Uduk II	1	0.3	0.1				
Kisansya	Bikongoro	37	47	Akolo	1	2.7	0.1
				Bikongoro	29	78.4	1.8
				Kakindo	3	8.1	0.2
				Katodio	1	2.7	0.1
				Kibambura	2	5.4	0.1
				Kigwera South East	1	2.7	0.1
Nile	Kamandindi	61	70	Avogera	4	6.6	0.3
				Kamandindi	49	80.3	3.1
				Kibambura	1	1.6	0.1
				Kigwera North West	1	1.6	0.1
				Kirama	1	1.6	0.1
				Kisimo	2	3.3	0.1
				Muvule I	1	1.6	0.1
				Ndandamire	1	1.6	0.1
				Uduk II	1	1.6	0.1
Nile	Kasinyi	236	271	Avogera	1	0.4	0.1
				Kabolwa	1	0.4	0.1
				Kamandindi	3	1.3	0.2
				Kasinyi-Lyato	6	2.5	0.4
				Kasinyi	185	78.4	11.6
				Katodio	2	0.8	0.1

Parish	RAP 5 affected Village	Total HHs	PAPs	Resident Village	Total RV	Village %	Total %
				Kibambura	2	0.8	0.1
				Kichoke	5	2.1	0.3
				Kijangi	1	0.4	0.1
				Kijumbya	1	0.4	0.1
				Kilyango	1	0.4	0.1
				Kirama	10	4.2	0.6
				Kisansya West	1	0.4	0.1
				Kisomere	3	1.3	0.2
				Kiyere	1	0.4	0.1
				Masaka	5	2.1	0.3
				Muvule I	1	0.4	0.1
				Ndandamire	1	0.4	0.1
				Ngwedo T.C	1	0.4	0.1
				Uduk II	2	0.8	0.1
				Wanseko T.C	3	1.3	0.2
Ngwedo	Kibambura	21	27	Kapapi I	1	4.8	0.1
				Kibambura	19	90.5	1.2
				Ngwedo T.C	1	4.8	0.1
Kigwera	Kigwera North East	50	54	Katodio	1	2.0	0.1
				Kigoya	1	2.0	0.1
				Kigwera North East	41	82.0	2.6
				Kigwera North West	1	2.0	0.1
				Kigwera South East	2	4.0	0.1
				Kijangi	1	2.0	0.1
				Kirama	2	4.0	0.1
				Kisansya East	1	2.0	0.1
Kigwera	Kigwera South East	10	12	Kigwera South East	10	100.0	0.6
Kigoya	Kijangi	62	78	Buliisa T.C	1	1.6	0.1
				Bunina	1	1.6	0.1
				Kigorobya I	1	1.6	0.1
				Kigoya	1	1.6	0.1
				Kijangi	51	82.3	3.2
				Kirama	3	4.8	0.2
				Ngwedo T.C	1	1.6	0.1
				Uduk II	1	1.6	0.1

Parish	RAP 5 affected Village	Total HHs	PAPs	Resident Village	Total RV	Village %	Total %
				Uriibo	2	3.2	0.1
Kakoora	Kijumbya	126	159	Kakoora	4	3.2	0.3
				Kibambura	1	0.8	0.1
				Kigoya	2	1.6	0.1
				Kijangi	6	4.8	0.4
				Kijumba	3	2.4	0.2
				Kijumbya	102	81.0	6.4
				Kilyango	1	0.8	0.1
				Kisimo	1	0.8	0.1
				Kizongi	1	0.8	0.1
				Ngwedo T.C	1	0.8	0.1
				Uduk II	2	1.6	0.1
				Uriibo	1	0.8	0.1
Waiga	1	0.8	0.1				
Nile	Kisomere	101	116	Avogera	2	2.0	0.1
				Kakindo	1	1.0	0.1
				Kasinyi	5	5.0	0.3
				Katodio	2	2.0	0.1
				Kichoke	5	5.0	0.3
				Kigwera South West	1	1.0	0.1
				Kirama	2	2.0	0.1
				Kisomere	79	78.2	4.9
				Kityanga	1	1.0	0.1
				Masaka	1	1.0	0.1
				Ngwedo T.C	1	1.0	0.1
				Wanseko T.C	1	1.0	0.1
Kisansya	Kiyere	35	42	Kigwera North West	1	2.9	0.1
				Kiyere	34	97.1	2.1
Eastern	Kizikya	13	17	Kizikya	13	100.0	0.8
Ngwedo	Ngwedo T.C	103	130	Avogera	1	1.0	0.1
				Buliisa T.C	1	1.0	0.1
				Kakindo	1	1.0	0.1
				Katanga	1	1.0	0.1
				Kayera	1	1.0	0.1
				Kibambura	2	1.9	0.1
				Kichoke	1	1.0	0.1

Parish	RAP 5 affected Village	Total HHs	PAPs	Resident Village	Total RV	Village %	Total %
				Kijangi	1	1.0	0.1
				Kilyango	2	1.9	0.1
				Kiryawanga	1	1.0	0.1
				Kityanga	1	1.0	0.1
				Kiyere	1	1.0	0.1
				Muvule I	2	1.9	0.1
				Ndandamire	2	1.9	0.1
				Ngwedo Farm	8	7.8	0.5
				Ngwedo T.C	76	73.8	4.8
				Uduk I	1	1.0	0.1
Ngwedo	Uduk I	9	10	Avogera	1	11.1	0.1
				Uduk I	4	44.4	0.3
				Uduk II	4	44.4	0.3
Ngwedo	Uduk II	189	209	Buliisa T.C	1	0.5	0.1
				Kamandindi	1	0.5	0.1
				Kasinyi	2	1.1	0.1
				Katodio	1	0.5	0.1
				Kichoke	2	1.1	0.1
				Kigwera North East	1	0.5	0.1
				Kijumbya	1	0.5	0.1
				Kirama	6	3.2	0.4
				Kisomere	1	0.5	0.1
				Kitahura	1	0.5	0.1
				Kityanga	1	0.5	0.1
				Kiyere	2	1.1	0.1
				Masaka	2	1.1	0.1
				Ngwedo Farm	2	1.1	0.1
				Ngwedo T.C	2	1.1	0.1
				Uduk I	17	9.0	1.1
				Uduk II	142	75.1	8.9
				Uriibo	1	0.5	0.1
Wanseko T.C	3	1.6	0.2				
Nyamitete	Uriibo	161	174	Ajiigo	1	0.6	0.1
				Avogera	1	0.6	0.1
				Kakindo	1	0.6	0.1
				Kibambura	3	1.9	0.2

Parish	RAP 5 affected Village	Total HHs	PAPs	Resident Village	Total RV	Village %	Total %
				Kigwera North East	2	1.2	0.1
				Kigwera South East	2	1.2	0.1
				Kijangi	2	1.2	0.1
				Kijumbya	9	5.6	0.6
				Kirama	1	0.6	0.1
				Kiyera	1	0.6	0.1
				Kizikya	1	0.6	0.1
				Sonsio	1	0.6	0.1
				Uriibo	136	84.5	8.5
Southern Ward	Kitahura	0	1	Kitahura	0	0	0
	Grand Total	1,599	1846		1,599		

Source: RAP 5 Social Economic Household Survey (January-March, 2019)

The 1599 surveyed households comprise of 1755 PAPs with a total household population of 12,909, with males and females constituting 49.69% and 50.31% of this population respectively, and an average persons per household of 8.1.

The average persons per household is higher than the figures of 7.0 persons/household (ARTELIA Eau et Environnement, 2015) and 5.3 persons/households for the Buliisa district as presented in the Buliisa District Development Plan (Buliisa District, 2015). The 2014 National Population and Housing census places the average household size of Buliisa District at five (5) persons, and the average household size of the RAP 5 affected sub-counties of Buliisa, Buliisa town council, Kigwera and Ngwedo sub-counties at 5.5, 4.8, 5.3 and 5.3 persons respectively.

The population in the surveyed households is predominantly young (see Figure 4.3 and Table 4.3). Children (persons aged below 18 years) account for 64%, while youths (18-35 years) comprise 21.8% of the total surveyed population. Middle-aged people (Adults) (36-70 years) comprise 13.3%, while the elderly (70+ years) comprise only 0.9%. The age group of 0-4 years is relatively evenly distributed between males and females (7.7% and 7.9% of the total surveyed population), which is typical in any population. However, there is a greater percentage of children aged between 5 and 9 years (19.3%) compared to children below the age of 5 years (15.5%), which is not expected in a typical community. There is also a greater proportion of males versus females in the 11 to 25 age group; however, in the age group 26 to 30, females have slightly more numbers compared to males. This trend is often attributed to the outward migration of young males to seek labour opportunities or ongoing education.

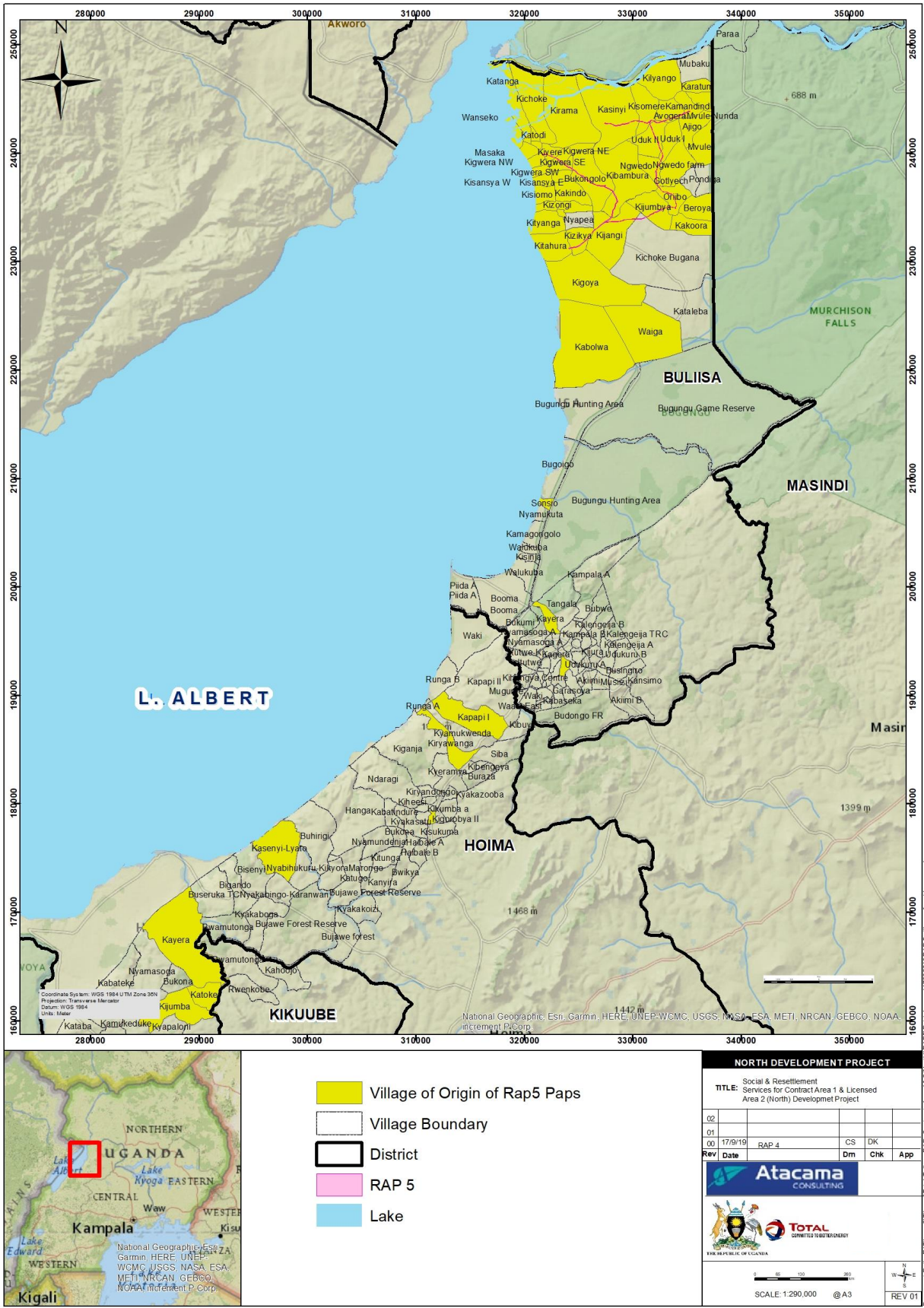


Figure 4.2: Village of Residence of RAP 5 Project Affected Households

Table 4.3: Population composition by Age Groups

No	Age Group	%Female	%Male	Total %
1	18 and below	31.1%	32.9%	64.0%
2	19-35	11.6%	10.2%	21.8%
3	36-50	4.8%	3.9%	8.7%
4	51-70	2.3%	2.2%	4.6%
5	Above 70	0.5%	0.4%	0.9%
	Grand Total	50.31%	49.69%	

Source: RAP 5 Social Economic Household Survey (January - March, 2019)

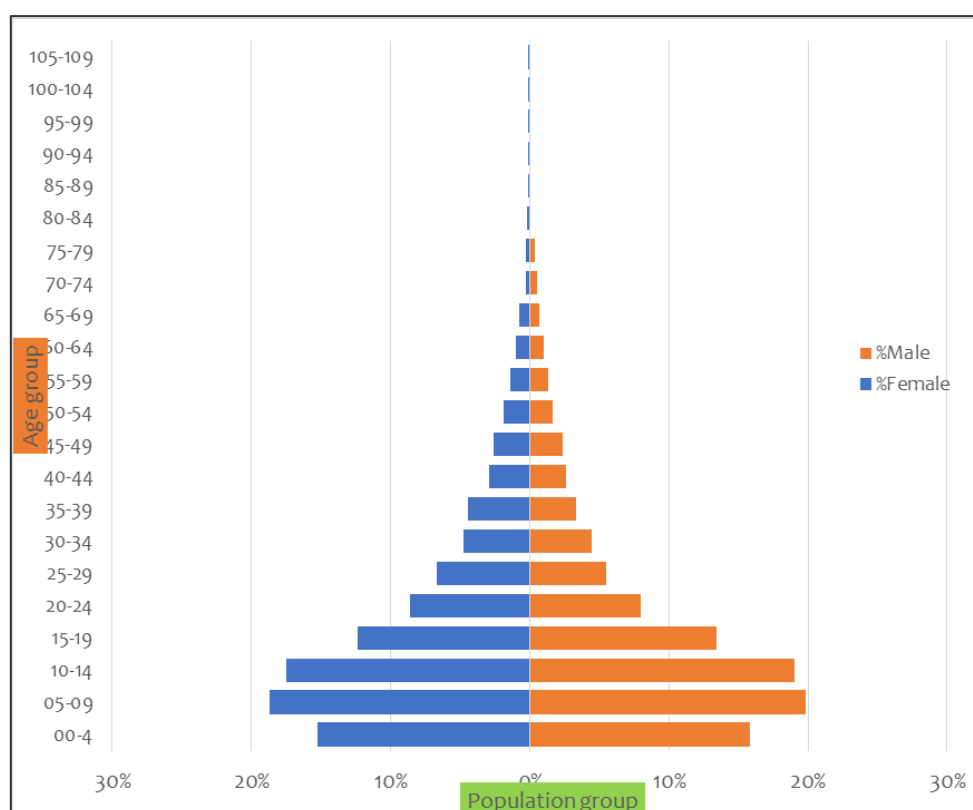


Figure 4.3: Population Pyramid

Surveyed households are predominately arranged as either a single-family residing in a compound arrangement (72.4%) or a single homestead (17.5%) (See Table 4.4). The single families residing in a single homestead generally have smaller than the average number of household members – mostly comprised of a father, mother, and children, with an average household size of 6.2 persons. Single families in compound homesteads, however, tend to support an above-average number of members – comprising of grandfathers, grandmothers, fathers, mothers, children, and other extended family members (average 8.36 persons).

Table 4.4: Household Living Arrangement and Average household size

Living Arrangement	Households	% Household	Average Members
Single Family Living in a Compound	1,157	72.36%	8.36
Single Family Living in a Single House	280	17.51%	6.20
Polygamous Family with a Single House	11	0.69%	7.63

Polygamous Family Living in a Compound	81	5.07%	11.03
Other	1	0.06%	11.00
Other (Extended Family)	1	0.06%	5.00
No family	1	0.06%	1.00
N/A	3	0.19%	4.67
Borrowing / Caretaking / Renting Household	5	0.31%	5.40
(blank)	59	3.69%	7.94
Grand Total	1,599		8.07

Source: RAP 5 Social Economic Household Survey (January - March, 2019)

Surveyed households are typically based on a patriarchal kinship system, with the male heads constituting 71.2% (1,138/1,599) of all Household Heads (see Table 4.5). Female-headed households still account for a significant portion (28.8%) of surveyed households (see Table 4.5). Of the female-headed households, 37.7% are headed by widows, while 23.7% are headed by women who have either divorced or separated from their male spouse.

Children of the household head constitute the largest proportion (62.2%) of the total affected population (see Table 4.5). It should be noted that the category “Son/Daughter of the Household Head” is not exclusively limited to persons under the age of 18, but also comprises of adult (18+) children residing at the same homestead as their parents or deliberately registered in this survey. Further analysis indicates that of the 62.2% and 7.2% household members classified as “son/daughter of Household Head” and “Grandchild of HH head” respectively, 81.1% are legally “children,” i.e., below 18 years, while 18.89% of the individuals in these two sub-groups are adults (18 years and above) (see Annexure 2).

Extended family members outside of the typical nuclear family are not prominent in the RAP 5 project surveyed households. While the category “grandchild of Household Head” (7.2% of the surveyed population), “brother or sister of the household head” (2% of the surveyed population) and “nephew/niece of Household Head” (2.0%) of the surveyed population) are relatively notable, the other relations outside the typical nuclear family constitute only 4.8% of the total surveyed household population.

Table 4.5: Household Relations

No	Relationship	Female %	Male %	Total %
1.	Household Head (HH)	28.8	71.2	12.4%
2.	Spouse of HH	89.9	10.1	10.1%
3.	Son/Daughter of HH	48.0	52.0	62.2%
4.	Son/Daughter-in-law of HH	59.3	40.7	0.9%
5.	Grandchild of HH	49.9	50.1	7.2%
6.	Parent of HH	85.4	14.6	0.7%
7.	Grandparent of HH	64.0	36.0	0.2%
8.	Brother/Sister of HH	44.5	55.5	2.0%
9.	Parent-in-law of HH	66.7	33.3	0.0%
10.	Brother/sister-in-law of HH	51.9	48.1	0.4%
11.	Nephew/Niece of HH	48.2	51.8	2.0%
12.	Cousin of HH	39.0	61.0	0.5%

No	Relationship	Female %	Male %	Total %
13.	Adopted/Foster/Step Child	48.1	51.9	0.6%
14.	Other Relative	40.3	59.7	0.5%
15.	Friend of HH	100.0	0.0	0.0%
16.	Not Related but Dependent	29.4	70.6	0.1%
17.	Renter / Tenant	66.7	33.3	0.07%
	Total Grand Total	50.3	49.7	

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Marital Status

Of the surveyed population, 72.8% are single or unmarried (See Table 4.6), which is expected given that (64%) of the population is comprised of children (or persons under the age of 18). However, 43 (1.8%) children were identified as married.

Considering the adult population exclusively (36% of the total population), 53% are married via traditional or official ceremonies or co-habiting (1%). 77.6% of the population is single, separated, divorced, or widowed, with males forming the majority in this group; however, it is the females falling into this group who are potentially vulnerable, as discussed in Chapter 12. The marital status of household-heads indicates that 68.9% are married, 1.4% are cohabiting, while 8.4% of household heads define themselves as single/unmarried (see Table 4.6).

Table 4.6: Marital Status Profile by Gender

Marital Status	Household Heads			General Population		
	% Femalely	% Male	% Total population	Female %	Male %	Total population %
Divorced	2.88%	0.56%	3.44%	0.79%	0.19%	0.98%
Married	7.07%	61.85%	68.92%	10.70%	9.75%	20.44%
N/A	0.00%	0.00%	0.00%	0.73%	0.81%	1.53%
Cohabitant	0.56%	0.88%	1.44%	0.25%	0.17%	0.42%
Separated	3.94%	1.81%	5.75%	1.13%	0.44%	1.57%
Single/Unmarried	3.50%	4.88%	8.38%	34.70%	38.04%	72.75%
Widowed	10.88%	1.19%	12.07%	2.01%	0.28%	2.29%
Blank	0.00%	0.00%	0.00%	0.01%	0.01%	0.02%
Total	28.83%	71.17%	100.00%	50.32%	49.69%	100.00%

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Formal Education Attainment

Children of school-going age

Of the total population of children of school-going age (5-18 years of age) (49.3%), approximately 94.9% are cited as being actively in school. Reasons given for not attending school by the rest of the children (4.7%) include; children are needed to stay at home to work for the homestead (1.8%), school is too far (2.5%) and, school is too expensive (8.5%). However, according to the surveyed population, 74.6% of the children were not attending school because it was perceived by the respondents that even though in the 5-18 year old age group, these children are not of school-going age.

Education, however, is largely limited to primary school education (79.1%) (See Table 4.7), which is expected given the prioritisation of primary school education and the range of schools available in the district (see Annexure 2 for the profile of schools attended). With respect to gender, the data indicates a fairly similar level of access to primary education by female (38.1%) and male (40.92%) children - this is, however, limited to primary school education only. Despite the fact that there is limited access to secondary and tertiary education for both genders (reflected in the very low attendance rates), the number of males accessing secondary and tertiary education (5.6%) is much higher than that of girls (4.71%) (See Table 4.7).

The PAPs' children mainly attend primary school at Avogera PS, Kisomere PS, Ngwedo PS, Ndandamire PS, and Kirama PS (see Annexure 2 for the profile of schools attended).

Table 4.7: Education Profile of Children of School Going Age (aged between 5 and 18 years)

Maximum Level of Education Level	Percentage of child Population		
	% Female	%Male	%Total
None	2.64%	2.11%	4.75%
Pre-Primary School	2.62%	2.93%	5.55%
Primary (P1-P4)	24.62%	25.49%	50.11%
Primary (P5-P7)	13.54%	15.43%	28.97%
Secondary (S1-S4)	4.35%	5.15%	9.50%
Secondary I (S5-S6)	0.26%	0.37%	0.62%
Tertiary Education	0.10%	0.06%	0.16%
N/A	0.21%	0.13%	
Grand Total	48.34%	51.66%	

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Adults

The majority (57.4%) of the adults, constituting 36% of the total population have attained primary level education, and 23.6% have attained secondary school education. There is a significant difference in access to education between males and females. More males (44.3%) than females (41.8%) have attained any level of education. Of the 13.4% of the surveyed population who were illiterate, only 2.5% were males, while 10.8% were females (Table 4.8). This is most likely attributed to the historical prioritisation of males over women in terms of accessing education.

Table 4.8: Education Profile of Adults

Maximum Education Level	Percentage of Adult Population		
	% Female	%Male	%Total
None	10.81%	2.54%	13.35%
Pre-Primary School	0.34%	0.28%	0.61%
Primary (P1-P4)	14.60%	8.41%	23.01%
Primary (P5-P7)	16.62%	17.77%	34.40%
Secondary (S1-S4)	7.97%	11.78%	19.76%
Secondary I (S5-S6)	0.83%	3.02%	3.85%
Tertiary Education	1.47%	3.02%	4.48%

Maximum Education Level	Percentage of Adult Population		
	% Female	%Male	%Total
(blank)	0.30%	0.24%	0.54%
Grand Total	52.95%	47.05%	

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Occupation Profile

Occupations, in the context of the socio-economic household survey, covered a person's *primary* day-to-day activity and was not solely limited to what is usually understood to be a person's main form of employment. Given that 64% of the surveyed population is aged below 18 years, it is expected that the largest daily occupation would be either as a pre-school child or a student/scholar. However, school enrolment rates are low notably after primary school (25.1%), suggesting that teenagers who should be in secondary school are either still enrolled in primary school or drop-out after primary school.

Crop farming is the primary occupation of 40.4% of the surveyed population (see Table 4.9), and is by far the dominant form of livelihood adopted by affected households (see Section 4.5 that follows). In comparison, livestock rearing, fishing, and casual labour are the primary daily occupation of 2.9% of the surveyed population. This indicates that most household resources and effort are directed to crop farming, while other forms of livelihoods are undertaken as either a secondary option, supplementary livelihood activity, or by only a few members of the affected household. Retirees defining themselves as no longer economically active (with or without a pension income) are not prominent and account for only 0.2% of the total surveyed population, while persons over the age of 70 years comprise only 0.9% of the total population. Among the communities, aged persons are likely to continue to provide support to their household in terms of crop farming or home-care and therefore are unlikely to define themselves as strictly retired.

Table 4.9: Daily Occupations Profile

Occupation	Percent of Population by Gender		
	% Females	% Males	Total Population %
Scholar/Student	21.9	28.3	25.1
Crop Farmer	48.7	32.2	40.4
Livestock Farmer	1.4	1.0	1.2
Fishermen/women	0.3	2.0	1.1
House-Worker / Care-giver	0.2	0.1	0.2
Employed – Private Company	0.5	0.9	0.7
Employed – Government	0.2	1.1	0.7
Contract Worker – Private Company	0.2	0.8	0.5
Contract Worker – Government	0.0	0.1	0.1
Casual Labourer	0.3	0.9	0.6
Own Business / Trade	2.3	3.0	2.6
Retired (with pension)	0.0	0.1	0.1
Retired (without pension)	0.4	0.1	0.2
Disabled and Not-Employed	0.6	0.5	0.6
Other	0.9	0.7	0.8

Source: RAP 5 Socio-economic Household Survey (January - March 2019)

Skills

The range of skills is limited, with only 16.8% of the total surveyed population claiming to have a specific skill. However, 26.6% of these have a qualification to accompany the said skill (see Table 4.10). The range of claimed skills is related to common livelihoods adopted by the affected households, notably farming and fishing. While some claim to be ‘commercial’ farmers or fishers, this is likely to suggest that crop and fish are traded, and they are not true ‘commercial’ operators.

The greater proportion of claimed skills are related to small-scale service provision in the villages, including shops, taxi services, teaching, hairdressing, and administration. Such small-scale services are likely to be undertaken by one or two members of the households, and this typically functions as a secondary livelihood strategy.

Medium to high-end skills are limited to 6.1% of the surveyed population (Table 4.) with claimed formal qualification in; administration engineering, computer skills, nursing, business management, accounting, electrician, teaching, and construction.

Table 4.10: Claimed Skills Profile

Skill/Qualification	Members claimed to have skills	Formal Qualification	Average years of Experience
Commercial Farmer	186	7	20.0
Hairdressing	76	12	7.1
Tailoring	64	19	9.9
Teacher	62	55	9.7
Construction	60	5	12.5
Business Management	48	7	13.8
Shop Keeper / Trader	39	2	9.2
Administration	35	29	8.5
Carpenter	34	5	10.0
Artisanal Goods Maker	32	3	14.9
Baking and Cooking	31	4	7.4
Taxi Service / Driver	30	22	7.3
Security	20	12	7.3
Mechanic	20	2	12.6
Commercial Fishing	18		15.2
Nurse	18	15	8.7
Bicycle Repair	17	1	12.5
Computer Skills	12	12	7.3
Tourism / Hospitality	9		
Fish Nets Repair	8	0	14.0
Accounting	7	6	8.4
Engineering	7	2	
Papyrus Making	7	1	14.2
Electrician	6	2	
Veterinary	2	2	

Skill/Qualification	Members claimed to have skills	Formal Qualification	Average years of Experience
Chef	1	1	3.0
Total	849	226	

Source: RAP 5 Social Economic Household Survey (January-March, 2019)

4.5. Livelihoods of RAP 5 Project Affected Households

The livelihoods base within which the RAP 5 project area is located is entirely rural, and generally, community livelihoods are based on low-input, low-output crop farming, harvesting of natural resources, livestock rearing, and fishing activities with petty trading and small businesses (see Table 4.11). Households adopt a variety of livelihood activities rather than relying on a single strategy, in so doing, reducing a household's vulnerability to externally induced shocks (for example, droughts or diseases), which may undermine a specific livelihood. As such, households tend to engage in crop farming, livestock rearing, natural resource harvesting, fishing, and trade in basic goods all at the same time (see Table 4.11). In addition, the division of labour of each member of the household is often determined by specific gender and age roles in each of the livelihood activities adopted by that household.

Table 4.11 indicates the livelihood profiles of the RAP 5 project affected households. Please note that Table 4.11 applies to the overall livelihoods of RAP 5 project affected households, some of whom are located outside of the RAP 5 project area/villages (18.8%), and not those solely located in the proposed RAP5 project area/villages (81.2%). In addition, profiled in Table 4.11, is the relative importance of each type of livelihood to the surveyed households. This rank of importance was directly assigned by each interviewed household that participated in the household socio-economic survey.

Crop farming is undertaken by nearly all households (99.4%) and was ranked as being of high importance in sustaining the livelihood of the household by 91.9% of the surveyed households. In addition to crop farming, the other major livelihoods that were being undertaken by the RAP 5 surveyed households included; collecting materials from the bush (97.1%), the use of trees and tree planting (95.9%), and livestock rearing (89.3%).

Table 4.11: Livelihoods Profile

Livelihoods	% Households	Level of Importance		
		% High	%Moderate	%Low
Annual Crop Farming	99.4%	91.9%	3.4%	0.4%
Use of Trees and Tree Farming	95.9%	46.0%	34.0%	6.8%
Livestock Rearing	89.3%	56.5%	28.6%	4.3%
Fishing	33.9%	57.4%	27.9%	5.2%
Collecting Materials from the Bush	97.1%	37.4%	35.8%	10.9%
Small Businesses and Trading	50.7%	59.9%	29.1%	7.4%
Employment	19.8%	59.5%	19.6%	15.5%

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.5.1. Livelihoods - Crop Farming

Crop farming is the main livelihood source in the project area undertaken by 99.4% of the PAP households, with 92% ranking it high as a livelihood source (see Table 4.11).

There is restricted diversity in terms of the crops recorded as cultivated by surveyed households. This is partially attributed to the dry climate (bi-modal rainfall pattern that appears to be altering due to climate change) in the proposed RAP 5 project area. The majority of the PAHs (60% of the households) claimed to have cultivated farmland on less than 1 to 3 acres of land in 2018, and only (4.3%) of the PAHs claimed to have farmed 10 acres of land or more in 2018. This indicates that the majority of the households undertake small-scale farming, mainly for subsistence.

Crop farming focuses on cassava as the primary crop (72.6% of farm plots and on 76.5% of all the claimed farm plots as a primary or secondary crop), followed by maize (57.7% of claimed farm plots) and sweet potatoes (13.1% of claimed farm plots) as summarised in Table 4.12.

Table 4.12: Crop Profile

Crop Type	Percentage of Claimed Farm Plots by HH		Percentage of HH by use		
	Primary Fields (%)	Secondary Field (%)	HH Food (%)	Trade (%)	Food and Trade (%)
Cassava	72.6	4.6	10.4	1.7	82.6
Maize	8.3	58.9	9.6	2.9	84.3
Sweet Potatoes	6.4	7.9	10.3	2.6	72.7
Cotton	3.7	2.8	0.0	100	0.0
Matooke	1.7	3.2	9.4	11.1	76.9
Ground Nuts	1.4	3.9	6.4	4.0	72.8
Beans	1.1	3.4	5.8	25.0	61.7
Sim-Sim	0.9	1.7	11.5	4.9	77.0
Potatoes	0.7	1.5	7.7	1.9	82.7
Sorghum	0.7	1.4	4.0	2.0	50.0
Cow-Peas	0.5	4.8	6.7	0.0	76.5
Water Melon	0.5	0.5	4.3	13.0	69.6
Pumpkin	0.4	2.5	7.6	0.0	81.8
Tobacco	0.3	0.2	0.0	100	0.0
Tomatoes	0.2	0.1	0.0	0.0	100.0
Mangoes	0.1	0.1	20.0	40.0	40.0
Pineapple	0.1	0.3	0.0	33.3	66.7
Carrots	0.1	0.0	50.0	50.0	0.0
Lettuce	0.1	0.5	14.3	7.1	78.6
Oranges	0.1	0.0	0.0	0.0	66.7
Rice	0.1	0.1	20.0	0.0	60.0

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Cassava (82.7%) and maize (84.3%) are the most important staple foods and are used by households to secure household food needs as well as trade. A relatively small proportion of households solely sell cassava (1.7%) or maize (2.9%), indicating that households will secure household food first and then sell any surplus crops to generate income.

With respect to the preparation of farmland, 98.8% of the claimed farmland is prepared using hand hoes, while only 2.6% of households rent private tractors to prepare the land. Hand-hoeing requires

significant time and effort and is one of the more labour intensive areas for a household. The adult men and females (mainly women, in the case of Bagungu communities) of the household undertake the bulk of land preparation. However, households (which can afford) also rely on hiring local labour.

Surveyed households are almost entirely dependent on rain-fed irrigation, with only 1.5% of fields being irrigated with water from either a borehole or local streams (see Annexure 2).

In terms of soil fertility management, most household (89.6%) stated they do not add any manure or fertilizers to the soils, 6.5% apply organic manure while 4.6% apply industrial fertilisers.

Surveyed households are predominantly dependant on buying seeds (78.8%), or utilising saved seeds (35.66%) and offcuts from the previous season's crop (15.4%).

The storage of agricultural goods is a critical challenge for local households, and often produce is damaged by rot or pests. Most (82.6%) of the surveyed households store their produce in grass baskets inside their home, while 14.6% of households pile their produce inside of the house with no attempt at covered or secured storage, and 0.4% store their produce outside the house in unprotected piles.

Most surveyed households undertake a range of produce processing techniques (Table 4.13) relevant to crop type which mainly, include sun drying (94.7%), shelling (48.5%), fermenting (40.5%), and chopping (22.7%). Post-harvest produce-handling methods are low technology, and the only mechanised form of processing used by farmers are the milling or grinding machines used for making flour.

Table 4.13: Profile of Crop Processing

Processing of Crops	Percent of Households
Sun Drying	94.7
Shelling	48.5
Fermenting	40.5
Milling	23.0
Cutting/Graters/Chopping	22.7
Roasting/Cooking	15.7
Pressing/Grinding	5.3
Beating/threshing	0.7
Sorting	0.4
Juicing	0.4
Pounding	0.1

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Gender division of labour exists in the preparation, sowing, weeding, harvesting, and sale of crops. There is a greater dependence on female labour for all the stages of the farming cycle, including land clearing, sowing, weeding, harvesting, and sale of crops (see Table 4.14).

Children of the surveyed households provide additional labour input into land clearing (33.1%), sowing (37.5%), weeding (38.7%), and harvesting (39.5%) of crops, which is lower than both adult males and females (see Table 4.14). Children in this context may include teenage children (13 – 18 years of age), which is indicative that households still rely on support from children.

Another key source of labour used by the surveyed households is casual labourers (male and female) hired from within the village (see Table 4.14) and paid in cash or in kind. Hired male and

female labour are used by surveyed households for more labour-intensive land clearing and weeding.

Table 4.14: Labour Breakdown for Crop Farming

Labour Type	Percent of Households by source of Labour				
	Clearing land	Sowing crops	Weeding	Harvesting	Selling
Male	75.3	76.3	71.4	70.1	58.9
Female	70.0	80.4	79.7	83.1	72.5
Children	33.1	37.5	38.7	39.5	14.2
Other family members	6.6	7.6	7.4	7.8	2.4
Hired Local Labour Male	47.5	31.2	43.8	28.2	2.0
Hired Local Labour Female	24.5	21.1	27.0	28.0	1.1
Community Members	1.8	1.5	1.7	1.5	0.0

Source: RAP 5 Social Economic Household Survey (January - March 2019)

The sale of crops and vegetables is the commonest income source for 83.5% of the RAP 5 households (see Section 4.9.1) Intra-village trade is common and undertaken by 59.4% of households, while 58.5% of households also trade in neighbouring villages (see Table 4.15).

Table 4.15: Crop Trade and Market Profile

Market Location	Percent of Households	Average Number of Visits per month
Markets in the same village	38.4	5.2
Households in the same village	21.0	5.2
Markets in the neighbouring villages	50.1	4.2
Households in the neighbouring villages	8.4	5.4
Local (Buliisa)	9.4	3.2
Local (Hoima)	1.2	4.4
Else Buliisa	24.2	4.5
Else Hoima	0.5	6.4
Else Bunyoro	2.1	2.7
Kampala city /Else Where	6.5	3.3

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.5.2. Livelihoods - Trees

The majority (95.9%) of the affected HHs derive a livelihood from trees, and 46% of the surveyed households ranked trees and their products as being of high importance to their households' livelihoods (see Table 4.11).

The Asset Inventory established the type and number of privately-owned trees located within the proposed RAP 5 project area (see Annexure 1). The production of fruit is seasonal and is used to secure household food needs but is also traded to generate an income.

Households utilise a range of tree products primarily for fruit, firewood, poles traditional building materials (see Table 4.16). Firewood is the most commonly used tree product (84.3%), followed by fruit (82.2%). While firewood, traditional building materials, and medicinal plants are principally sourced from communal land, fruit, seeds, and wood poles are sourced from household owned trees. However, most of the fruit trees, mangoes, and orange are planted.

Table 4.16: Household Utilisation of Tree Resources

Tree Products	% Households	Source of products		
		% Communal land	% Own Trees	% Communal and Own trees
Firewood	84.3	57.7	10.3	32.0
Fruit	82.2	7.2	66.7	26.1
Wood poles	62.3	25.3	43.7	31.0
Traditional building	60.3	49.7	23.1	27.2
Medicinal	37.1	40.6	24.8	34.3
Seeds	26.8	17.3	62.8	19.5
Others	0.3%	0.0%	50.0%	50.0%

Source: RAP 5 Social Economic Household Survey (January-March, 2019)

The use of tree products is determined by the nature of the tree product. For example, RAP 5 projected affected households mainly use medicinal plants, firewood, and seeds for household consumption, whereas fruit, wood poles, and traditional building materials are used for both household consumption and traded (see Annexure 2).

Up to 63 (3.9%) of the surveyed households undertake some form of informal trade in tree products. Intra-village trade is common, with 64.6% of the households trading with households or markets in their villages. Such trading generally happens on a weekly basis and requires minimal effort and resources for the transport of products.

A number of households (44.5%) also carry out inter (neighbouring)-village trade. Trade of tree products outside of neighbouring villages is limited, with only 18.4% of surveyed households claiming to trade elsewhere within Buliisa and about 3.5% trading elsewhere in the Bunyoro sub-region.

Labour for tree planting is mainly provided by males (79.5%) who are also the main players in collecting, processing, and selling tree products. However, females of the surveyed households, as well as children, are also involved in provision of labour in tree planting and usage (see Table 4.17). More male than female casual labourers are utilised in tree-related activities. However, overall, the use of casual labour is significantly less for tree management and utilisation compared to crop farming.

Table 4.17: Labour Breakdown for Tree Farming

Labour Type	Percent of Households by Family Member			
	Planting	Collecting Product	Processing Product	Selling Product
Male	79.5	73.4	43.2	62.7
Female	56.8	66.4	37.8	55.7
Children	25.1	39.8	14.1	17.5
Other family members	4.2	5.4	2.6	2.3
Hired Local Labour Male	8.0	8.7	4.1	1.3
Hired Local Labour Female	3.5	4.1	1.7	0.5

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.5.3. Livelihoods - Livestock

Livestock rearing as a livelihood strategy is undertaken by 89.3% of all surveyed households (Table 4.11).

The most common livestock reared by households include chickens, goats, and cattle (see Table 4.18). Goats and chicken are relatively low-input species and are permitted to roam around the homestead. The livestock kept are mainly local breeds due to their tolerance of local conditions.

Despite the high importance of cattle in many of the surrounding villages, only 36.6% of the households who own livestock actually own cattle. The villages of Kijangi, Avogera, and Kasinyi registered the highest cattle holdings with the average number of cattle owned by RAP 5 households being skewed by thirteen (13) households that owned between 200-550 head of cattle in Kibambura, Kijangi, Bikongoro, Kigwera NE, Kiyere and Uriibo villages. The Bagungu dominate cattle ownership in the RAP 5 project area, with 60.3% of the households that own cattle being Bagungu and owning 86.5% of the cattle registered.

Table 4.18: Livestock Profile

Type	Percentage Households (%)	Number of Animals		Average livestock holdings (Number)
		Local Breed	Exotic breed	
Chicken	87.6	24,687	150	19.85
Goats	84.5	15,112	44	12.57
Cattle	36.6	12,342	250	24.08
Ducks	30.0	4,841	13	11.34
Pigs	26.4	2,466	15	6.58
Sheep	22.8	3,257	8	10.02
Pigeons	5.3	1,367	0	17.99
Dogs	3.3	100	0	2.13
Rabbits	2.9	368	0	8.98
Cats	1.2	28	0	1.65
Other livestock (Doves, Turkey, Exotic Rats, Guinea Fowl)	0.5	75	0	

Source: RAP 5 Social Economic Household Survey (January - March 2019)

In general, females are more involved in livestock management, particularly for the tasks of watering and feeding. However, males are most involved in the herding (see Table 4.19) because often, livestock are herded in distant areas (see Table 4.20). Women are more likely to care for smaller livestock such as chickens and goats. Although women are closely involved in livestock care, livestock sell remains mainly a preserve of men in 68.9% of the households.

The adults of the household also rely on almost a third (30%) of the children of the household (this may include teenagers and not exclusively small children) to assist with livestock care, specifically watering and feeding.

Some households (18.9% of all HHS) are also reliant on the use of local labour in livestock rearing, particularly for herding, where they hire mostly males (see Table 4.19). The herders are referred to as *Balisya*, a generic word to designate cattle keepers in Buliisa.

These herders are often temporary residents and may be of the Banyankole, Rwandese, or Karamojong ethnic groups and are usually paid in milk rather than receiving cash. The milk

produced by the herd is split between the herdsman and the livestock owner, with the majority going to the herdsman (Birungi and Wanzala, 2014).

The *Balisya* **may potentially be** defined as a vulnerable group of people as, “they seem to be excluded from community life in the villages where they live”. More critically, the *Balisya* are not specifically included in the household of the cattle-owner (as a renter), and they are likely to be established as separate households. Such households may not have defined the *Balisya* as part of their households in the resettlement process.

Table 4.19: Labour Profile for Livestock management

Labour Type	Watering	Feeding	Herding	Selling & Trade
Male	59.7	59.6	54.8	68.9
Female	70.0	63.4	47.7	52.7
Children	45.3	42.8	30.0	14.8
Other family members	4.6	4.4	4.6	2.1
Hired Local Labour Male	13.9	13.9	16.4	2.9
Hired Local Labour Female	2.3	2.5	2.5	0.6
Community Members	0.1	0.1	0.3	0.0

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Analysis of livestock feeding was limited to large livestock (cattle, goats, and sheep).

There is no systematic management of communal lands, and grazing is undertaken freely. Households with cattle, goats, and sheep predominantly rely on pasture grazing on communal land (37.8%), 2.2% utilise tethered grazing, 1.4% practice fenced grazing, and 1.8% provide fodder to their livestock.

Almost a third (26.7%) of the livestock keepers who graze on communal lands travel distances of over an hour to graze their livestock (Table 4.20). This suggests considerable mobility in terms of grazing. The poultry are mostly kept under the free-range system.

Table 4.20: Grazing Practices and Walk-Time

Type	Percent of Households	Travel Time (Mins)				
		At Home	0-10	10-30	30-60	>60
Communal Grazing Land	37.8	0.6	2.1	2.4	5.0	26.7
Tethered Grazing	2.2	0.1	0.9	1.0	0.1	0.3
Fed Fodder	1.8	0.2	0.9	0.6	0.1	0.1
Fenced Grazing	1.4	0.2	0.9	0.2	0.2	0.1

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Focusing on livestock that require substantial amounts of water (cattle, goats, sheep, and pigs), community boreholes are the main source of water for all livestock except cattle with Lake Albert as the main water source for these (54.3%) and to a lesser extent streams/rivers (10.3%). – see Table 4.21.

Table 4.21: Water Sources by Livestock (Cattle, goats, sheep, and pigs)

Livestock Type	Percent of Household by Livestock and Water source								
	Shallow Open Well	Deep Open Well	Private Borehole	Communal Borehole	Stream/Rivers	Lake	Water Harvesting	In the bush	Piped/Tap Water
Cattle	3.3	2.3	0.4	26.6	10.3	54.3	0.4	0.0	2.5
Goats	3.7	3.6	1.8	69.0	2.9	7.4	4.6	0.6	4.2
Sheep	2.5	3.1	2.1	64.4	3.7	8.6	4.0	0.3	2.8
Chicken	2.9	3.0	2.2	66.3	1.8	5.0	4.7	0.5	3.7
Pigs	5.0	6.1	1.6	59.2	1.6	4.2	4.5	0.8	3.7

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Given the above water sources used by livestock as indicated in Table 4.21, it is not surprising that more than a third (45.9%) of the households that rear cattle travel more than an hour to the nearest water source (see Table 4.22). The majority (76.6%) of livestock owners travel 10 to 30 minutes to the nearest water source (see Table 4.22).

Table 4.22: Travel time to water sources for livestock

Travel time	% Households Rearing Specific Livestock ³³				
	All livestock	Cattle	Sheep	Goats	Pigs
At Homestead	10.8	0.6	3.7	4.4	5.0
0-10 minutes	27.3	4.4	8.0	12.0	11.4
10-30 minutes	76.6	18.5	28.8	33.4	29.4
30-60 minutes	71.9	1.1	1.2	25.3	23.9
More than 1 hour	64.4	45.9	20.2	17.1	13.5

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Trade in livestock and livestock products is a key income source for 67.8% and 18.4% of the surveyed households respectively (Table 4.11). As pertains to live animals, the sale of goats (78.6%), poultry (69.6%), and cattle (31.3%) are the leading forms of trade. With regards to animal products, cow milk (10.3%), chicken eggs (9.0%), and beef (2.2%) are the leading livestock products sold (Annexure 2).

Households that trade in livestock/livestock products mainly sell at markets or to households within the same village (54.6%) or at markets /to households in neighbouring villages (32.6%). Visits to markets/buyers within the same village are frequent, most likely due to the close proximity. On average, livestock /livestock products traders visit the markets in the neighbouring villages 2.4 times per month (Table 4.23).

Table 4.23: Livestock Markets

Market Location	% HH	Average Visits per month
Markets or households in the Same Village	54.6	3.26
Markets or households in the Neighbouring Villages	32.6	2.4
Local Town (Buliisa)	29.2	1.32

³³ This refers only to those households that specified the distances

Market Location	% HH	Average Visits per month
Elsewhere in Buliisa	14.6	1.91
Elsewhere in Bunyoro	2.1	3.49

Source: RAP 5 Social Economic Household Survey (January - March 2019)

The rearing of livestock is generally a livelihood that involves risk. Almost two thirds (66.6%) of the households rearing livestock were concerned about livestock diseases and pests, nearly half (47%) were concerned about livestock theft, and 36.2% were concerned about drought and water shortage.

4.5.4. Livelihoods - Fishing

Fishing is undertaken by 34% of the total surveyed households, of which 57.4% consider fishing to be a livelihood of high importance (see Table 4.11). It was ascertained during the household survey that households do not exclusively undertake fishing, but rather, undertake this activity as supplementary livelihood source to crop and livestock farming.

Household members are mainly involved in fishing directly (61.3%), as boat owners (not directly fishing) (31.6%), as fish traders/mongers (21.2%) or as fish transporters (2.5%) (Annexure 2). Fishing is dominated by men (82.8%), however, females also participate in fishing related activities in 4.7% of the households (Table 4.24), particularly in fish drying/smoking/salting and trading as established during the qualitative socio-economic discussions.

Households utilise fishing as a supplementary livelihood to employment, crop, and livestock farming, where a male member of the family undertakes fishing while the remaining family members engage in farming.

Table 4.24: Fishing Labour Profile

Description	% Households
Male	82.8
Female	4.7
Children	5.7
Other family members	2.1
Hired Local Labour Male	10.4
Hired Local Labour Female	0.8
Community Members	0.2

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Fishing is nearly exclusively undertaken on Lake Albert by 98% of the households. The main fishing methods used are gill netting (38.0%), net fishing from a boat (20.3%) and, purse seining (*kokota*) (16.4%) (See Table 4.25). Dwindling amount of fish catch was highlighted as a problem during the FGDs, attributed to poor methods of fishing, including the use of lights to fish at night and small-sized fishing nets.

Table 4.25: Fishing Methods utilised

Description	Percentage (%) Households
Gill Netting (<i>Bitimba</i>)	38.0
Net Fishing from a boat	20.3
Purses Seining (<i>Kokota</i>)	16.4

Description	Percentage (%) Households
Hand-line fishing from boat	7.4
Net fishing from shore	6.6
Net Casting (<i>Munjanga</i>)	5.5
Long Line Fishing (<i>Malobo</i>)	4.8
Fish Traps/Hook	2.6
Hand-line Fishing from Shore	2.2
Mosquito nets/ <i>Muziri</i>	2.0
Basket/Trap Fishing (<i>Migoni</i>)	0.9
Line and Hook (<i>Ilobo</i>)	0.7

Source: RAP 5 Social Economic Household Survey (January - March 2019)

A wide variety of fish species are caught. The most commonly caught fish species include; Tilapia (65%) and Nile Perch (*Mputa*) (48.3%) (See Table 4.26). The majority of the households use their fish catch both to generate income through trade and to supplement household food security. Very few households use the fish they capture exclusively for household food or trade, rather they use the fish for both purposes.

Table 4.26: Fish Catch Utilisation

Type of Fish	Percentage (%) Households	Use of caught fish (Percentage)		
		Household Food	Trade	Food & Trade
Nile Tilapia/ <i>Nzogoro</i>	65.0	16.8	5.7	56.4
<i>Mputa</i> /Nile perch/ <i>Magemu</i>	48.3	12.3	6.1	40.4
<i>Bagrus</i> (<i>Ngassia</i>)	14.5	3.8	1.2	12.1
Lanya	13.7	3.8	1.2	12.5
<i>Barbus</i> (<i>Kisinja</i>)	12.5	2.8	0.4	11.3
<i>Muziri</i>	10.3	1.0	2.8	7.7
<i>Gologolo</i>	9.1	3.4	1.0	7.9
<i>Angara</i> / <i>Ngara</i>	8.7	1.0	1.2	7.5
<i>Ragoogi</i>	3.6	0.6	1.2	2.4
<i>Bubu</i>	0.8	0.0	0.0	0.8
<i>Mungala</i>	0.8	0.4	0.0	0.8
<i>Wecune</i>	0.6	0.0	0.0	0.6
Yellow fish	0.6	0.0	0.0	0.6
<i>Biisa</i>	0.4	0.0	0.0	0.4
Mud Fish	0.4	0.0	0.0	0.2
<i>Karuka</i>	0.2	0.0	0.0	0.2
<i>Balwaa</i>	0.2	0.0	0.0	0.2
<i>Gansia</i>	0.2	0.0	0.0	0.2

Source: RAP 5 Social Economic Household Survey (January - March 2019)

The majority (87.1%) of the PAHs involved in the fishing industry undertake some form of trade in fish. Intra-village trade is common (52.8%), where households trade at village markets or sell to

buyers in their village (see Table 4.27). Of particular interest is the fact that 28.6% of the PAHs trade their fish outside the Bunyoro region, making up to 4 trips per month.

Table 4.27: Fish Markets and Trade Profile

Market Location	Percentage (%) HHS	Average Visits per month
Markets or households in the Same Village	52.8	9.6
Markets or households in the Neighbouring Villages	29.2	6.6
Local Town (Buliisa)	3.2	10.8
Elsewhere in Buliisa	12.1	6.9
Elsewhere in Bunyoro	2.3	3.5
Outside Bunyoro region	28.6	3.6

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.5.5. Livelihoods – Natural Resources

Most households (97.1%) indicated that they harvest natural resources, of which 37.4% consider such resources to be of high importance in sustaining household livelihoods.

The most common natural resources that are harvested include; firewood, grass for thatching, medicinal plants, and wild fruits and vegetables (see Table 4.28). Except for wild fruit and vegetables, all other main natural resources harvested are non-food items.

Table 4.28: Natural Resource Harvesting Profile

Natural Resource	Percentage Households
Collecting firewood	95.9
Grass for thatching	73.5
Wild fruits and vegetables	43.7
Medicinal plants	40.7
Wood for charcoal making	14.0
Sand / Clay/Stones for construction	16.6
Collecting papyrus	3.4
Hunting animals and birds	5.6
Ingredients for traditional alcohol	1.2
Wood for carpentry	4.0
Shells from the lake	0.7
Wood for artisanal items	2.1
Wood/Poles/Reeds/Strings for building	2.7
Collecting honey	0.5

Source: RAP 5 Social Economic Household Survey (January - March 2019)

As the affected households reside in a number of different villages, there is no single specific area from which natural resources are collected. Most natural resources are harvested within the village or in direct proximity to the village of the household (see Table 4.29). Resources are collected frequently by households.

To minimise the level of effort required to collect resources that are used daily (such as firewood) and therefore frequently collected, households generally limit the distance within which they

collect these resources to within or in close proximity (less than 1km away) of the village. However, 15.5% of the households claimed that they collect firewood more than 5 km away from their homes. The fact that some households are willing to walk such distances to harvest a frequently used resource such as firewood suggests that some natural resources may be becoming more difficult to source locally.

Table 4.29: Location of Natural Resources Harvesting

Natural Resource	Percentage of Household by Location			
	Inside the village (%)	Near the village (less than 1km)	Near the village (less than 1-5 km)	Away from the village (more than 5km)
Firewood	48.8	28.6	16.5	15.5
Grass for thatching	35.9	22.2	13.5	11.9
Wild fruits and vegetables	26.4	13.3	6.7	5.7
Medicinal plants	25.2	11.7	4.6	5.8
Wood for charcoal making	7.0	3.2	2.2	2.3
Sand / Clay/Stones for construction	10.6	1.9	15.1	2.6
Collecting papyrus	0.9	1.1	0.8	1.4
Hunting animals and birds	3.0	1.0	0.4	1.4
Ingredients for traditional alcohol	0.6	0.1	0.0	0.3
Wood for carpentry	0.8	1.2	1.7	0.6
Shells from the lake	0.3	0.2	0.1	0.2
Wood for artisanal items	0.8	0.7	0.4	0.4
Wood/Poles/Reeds/Strings for construction	1.4	0.5	0.4	0.6
Collecting honey	0.4	0.1	0.1	0.0

Source: RAP 5 Social Economic Household Survey (January - March 2019)

While both males and females are involved in natural resources harvesting, 89.1% of the households indicated that it is females who collect natural resources (see Table 4.30). The collection of firewood, thatch grass, vegetables, lake shells, and medicinal plants are mostly undertaken by women. On the other hand, men dominate the collection of wood for charcoal making, building and fencing poles and clay and sand excavation for construction.

Table 4.30: The labour profile of collection of natural resources

Labour Type	Percentage Households
Male	46.5
Female	89.1
Children	38.2
Other family members	3.2
Hired Local Labour Male	4.0
Hired Local Labour Female	0.5
Community Members	0.1

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Natural resources play a significant role in reducing vulnerability and providing safety nets and subsistence (food, firewood, and income) for women who depend on natural resources for livelihoods and in fulfilling their gender roles (provision of food, collection of water and firewood, child care and health care) – see Table 4.31.

The utilisation of natural resources varies depending on the type of natural resources (see Table 4.31). Firewood, wild fruits and vegetables, and medicinal plants are mostly used by the household exclusively. Thatch grass, wood for charcoal making, carpentry and papyrus are used by both the household and traded whereas, shells from the lake are primarily traded (see Table 4.31).

Table 4.31: Natural Resources by Utilisation

Natural Resources	Household Use	Trade	Household Use & Trade	Traditional Medicine
Wood for charcoal making	4.0	2.4	7.7	0.1
Firewood	65.0	0.8	30.1	0.1
Grass for thatching	38.3	1.3	32.6	0.7
Wild fruits and vegetables	28.9	0.6	14.1	0.1
Medicinal plants	22.9	0.1	7.9	9.5
Sand /Stones/ Clay for construction	14.5	0.1	1.8	0.0
Collecting papyrus	0.4	0.8	2.4	0.0
Hunting animals and birds	3.3	0.0	2.2	0.0
Ingredients for traditional alcohol	0.3	0.6	0.2	0.0
Wood for carpentry	1.5	0.6	1.9	0.0
Shells from the lake	0.1	0.4	0.2	0.0
Wood for artisanal items	0.8	0.5	1.0	0.1
Building materials Wood/Poles/Reeds/Strings/Sisal	1.7	0.1	1.5	0.0
Collecting Honey	0.1	0.00	0.1	0.0

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.5.6. Livelihoods – Informal Trade

Small businesses and informal trade are the main livelihood source in the project area undertaken by 50.7% of the PAP households, with 59.9% ranking these high as a livelihood source (see Table 4.11).

PAHs engage in a range of informal trade activities within their residential structures, compounds, along roads, or in gazetted markets, mainly including agricultural produce (62.7%), fish (19%), and general household goods (17.8%) (See Table 4.32).

From the survey data and from the qualitative interviews, it is evident that the trade in crop produce is not considered to be an enterprise undertaken solely with the aim of generating income. While this varies by the type of crop, most households secure household subsistence needs with crop staples first, and then, trade the surplus.

Non-food based enterprises or informal trade are generally limited to; household goods stores/shops, basic artisanal services, construction and carpentry, taxi/transportation services, weaving, and sewing (see Table 4.32). Qualitative interviews indicate that goods are generally sold at stalls established at the homestead, while sewing and basic carpentry are undertaken in or adjacent to the home.

Table 4.32: Types of Trade Activities undertaken by Affected Households

Type of Enterprise	% Households
Agricultural Goods Stall / Shop	62.7
Fish Stall / Shop or Fish Monger	19.0
Household Goods Stall / Shop/food vendor/baking	17.8
Food Processing/ flour milling	7.7
Construction and Carpentry	4.9
Taxi / Public Transportation/Boda boda	4.9
Traditional Medicine/witchcraft	4.3
Butchery Stall / Shop	4.1
Sell of Tree/ Tree Products/charcoal/Firewood/Grass/Poles	3.9
Sale of livestock	3.9
Artisanal Goods and Handcrafting/metal welding and fabrication	2.9
Sewing / Weaving	2.4
Bicycle Repair/Mechanics	1.4
Hair Dressing /saloon	1.1
Casual labouring	0.8
Bar/Alcohol/Local Brew Selling	0.4
Sale of clothes	0.3
Sale of fuel	0.3
Sale of honey/Beekeeping	0.3
Mobile money	0.3
Rental	0.2
Others	0.31

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Of particular importance to note, as pertains to informal trade is that the Asset Inventory survey recorded a total of 33 structures used in informal trade, including temporary stalls (22). Temporary kiosks (8), milling blocks (2), and garage building (1).

4.6. Public Health

In the last six months preceding the socio-economic HH survey, malaria and respiratory tract infections (including the flu and common cold) were the leading causes of morbidity experienced in the RAP 5 project area (see Table 4.33).

Table 4.33: Persons Affected by Prominent Diseases over the last 6 Months

Disease / Illness	Percentage of Total Population
Malaria	27.9
Respiratory Infections / Flu / Cold	20.3
Intestinal Worms	6.4
Skin Infections	5.2
Diarrhea	3.5

Disease / Illness	Percentage of Total Population
Bilharzia	2.2
High Blood Pressure (Hypertension)	2.0
Typhoid	1.9
Tuberculosis (TB)	1.0
Yellow Fever	0.9
Diabetes	0.6
Ulcers	0.4
Back pain and Chest	0.2
Headache	0.1
Leg Broken/pain and swelling	0.1
Measles	0.1
Eye Problems /Trachoma	0.1
Stomach ache	0.1
Asthma	0.0
Tooth Problem	0.0
Heart Problem	0.0
HIV/Aids	0.0
Others	0.2

Source: RAP 5 Social Economic Household Survey (January- March 2019)

Knowledge of the causes of malaria was relatively high among the respondents, with 84.8% being aware that it is caused by mosquito bites (see Table 4.34). Indeed 96.1% of the respondents stated that all members of their households sleep under mosquito nets. However, there are still many misconceptions about the causes of malaria, including; working in the sun (13.4%), getting cold (7.2%), and being in the rain (6.7%), amongst others. 8.1% of the respondents did not know the cause of malaria.

Table 4.34: Household Perception on the Causes of Malaria

Causes of Malaria	Percent of Households
Mosquito Bites	84.8
Dirty Surroundings	7.6
Getting Cold	7.2
Drinking dirty water	4.3
Being in the Rain	6.7
Working in the sun	13.4
From another person who has malaria	4.1
From eating too much junk food	1.7
Insect bites (Any insect)	3.3
From drinking alcohol	0.5
Don't know	8.1
Not given	0.7

Source: RAP 5 Social Economic Household Survey (January - March 2019)

The majority (91.5%) of surveyed households preferred to take sick persons to a medical care facility for care and treatment, with only 0.2% seeking treatment from traditional healers.

The most commonly utilised health facilities are Avogera HC III and Buliisa General Hospital (see Table 4.35). Avogera HC III is, however, the preferred option most likely resulting from the fact that this facility is located in the RAP 5 project area. Additionally, based on the public health specialist's study, patients find Avogera HC III less crowded than Buliisa General Hospital.

Table 4.35: Profile of Health Facilities Used by Surveyed Households

Health Care Facility	Percent of Surveyed Households by Health Problem Type				
	Common Diseases	Serious Diseases	Accidents and Injuries	Maternal Health Care	Child Health Care
Avogera HC III	37.1	38.1	27.9	32.0	31.6
Buliisa General Hospital	30.1	37.0	33.9	29.6	28.5
Kigwera HC II	9.3	8.8	6.5	7.8	7.9
Bugana HC II	2.8	2.4	1.6	1.5	1.9
Ndandamire HC II	1.3	1.1	1.0	1.0	2.1
Angali Hospital	0.4	0.6	0.8	0.6	0.4
Kyamukwenda HC II	0.2	0.2	0.2	0.2	0.2
Hoima Regional Referral Hospital	0.1	0.2	0.4	0.1	0.1
Olar Clinic	0.2	0.1	0.3	0.1	0.1
Agaba Clinic	0.1	0.1	0.1	0.1	0.1
Biiso HC III	0.1	0.1	0.1	0.1	0.1
James Clinic	0.1	0.1	0.1	0.1	0.1
Kasenene Health Unit II	0.1	0.1	0.1	0.1	0.0
Nebbi Hospital	0.1	0.1	0.1	0.1	0.1
Okumu Clinic	0.1	0.1	0.1	0.1	0.1
Pakawach HC	0.1	0.1	0.1	0.1	0.1
Panyimori HC IV	0.1	0.1	0.1	0.1	0.3
Para HC	0.1	0.1	0.1	0.1	0.1
St. Ambrose Kaganda	0.1	0.1	0.1	0.1	0.1
Wurusi HC	0.1	0.1	0.1	0.1	0.1
Azur HC	0.0	0.1	0.1	0.1	0.1
Edape medical centre	0.0	0.1	0.1	0.1	0.1
Kigoroby HC III	0.0	0.1	0.1	0.1	0.1
Uriibo Clinic	0.2	0.1	0.0	0.1	0.1
Local herbs	0.0	0.0	0.4	0.0	0.0
Bugoigo HC II	0.1	0.1	0.1	0.0	0.1
Kinyara General Hospital	0.1	0.1	0.1	0.0	0.0
Masindi Hospital	0.1	0.1	0.1	0.0	0.0
Dr. Ajaru clinic	0.0	0.0	0.1	0.0	0.0
Ngwedo Clinic / Drug Shop	1.1	0.1	0.0	0.0	0.0

Health Care Facility	Percent of Surveyed Households by Health Problem Type				
	Common Diseases	Serious Diseases	Accidents and Injuries	Maternal Health Care	Child Health Care
Bugoma HC II	0.1	0.1	0.0	0.0	0.0
Kihungya HC II	0.1	0.1	0.0	0.0	0.0
Kilyango Clinic	0.1	0.1	0.0	0.0	0.0
Kyatiri HC II	0.1	0.1	0.0	0.0	0.0
Never Forget Clinic	0.1	0.1	0.0	0.0	0.0
Divine HC	0.0	0.1	0.0	0.0	0.0
Kijanji Clinic	0.3	0.0	0.0	0.0	0.1
Wanseko clinic	0.3	0.0	0.0	0.0	0.0
Others	0.4	0.0	0.0	0.0	0.2

Source: RAP 5 Social Economic Household Survey (January - March 2019)

The majority (98.2%) of surveyed households have heard about a disease called HIV/AIDS, and 88.6% had knowledge of a local place where to receive HIV/AIDS testing services, including counselling and lifelong treatment. Knowledge of the role of condom use in HIV prevention was also high (84.5%). However, 8.7% stated that condoms or abstinence were not effective methods for HIV/AIDS prevention, and another 5.8% were not sure of the role of condoms and abstinence in the prevention of HIV/AIDSs (see Annexure 2).

4.7. Food security

Hunger was described as; experiencing hunger or scarcity of food at least once a month. Approximately two thirds (63%) of the households reported experiencing hunger in some months of the year 2018. A third (37.1%) of the households stated that they did not experience hunger in 2018. The periods January-February and June to August 2018 is when most households experienced hunger, with the hunger climax being experienced in the months of January, June, and February 2018. December, November, and September 2018 were the months when the least number of households experienced hunger (see Table 4.36). Buliisa has a bimodal rainfall pattern with most rains experienced from April to May (short rains) and August to November with a peak in October (long rains) – the period of rainfall corresponds with the periods when the least hunger was experienced by household i.e., hunger is mostly experienced in the dry months (January and February). However, despite this, the majority of the surveyed households mainly attributed hunger to lack of money to buy food (37.1%) (See Table 4.37), meaning that, regardless of seasonality, if one has money, they should not experience hunger.

Table 4.36: Profile of Households that Experienced Hunger in a Given Month the previous year

Hunger Month	Percent of Households
January	16.0
February	13.0
March	10.8
April	9.8
May	10.8
June	18.6
July	12.1

Hunger Month	Percent of Households
August	11.5
September	7.4
October	7.9
November	9.5
December	9.5

Source: RAP 5 Social Economic Household Survey (January - March 2019)

Table 4.37: Causes of Hunger in 2018

Reason for Hunger	% Households
No money to buy food	37.1%
Could not produce enough food	13.5%
Natural Calamities (bushfire, drought, diseases, and pests, too much rain)	8.2%
Not enough Land	1.4%
Not enough labour	0.6%
No water/Firewood	0.4%
Eviction/Migration	0.2%
Sick/Away from home	0.1%

Source: RAP 5 Social Economic Household Survey (January - March 2019)

The surveyed households have good access to protein with almost a quarter (22.8%) reporting that they ate fish daily in the six months preceding this socio-economic HH survey, 48.9% and 41.2% eating fish and meat respectively more than once a week. However, 0.9 % of the households surveyed claimed not to have accessed meat in the last six (6) months, but only 0.4% of the households claimed they had no access to fish in the six months preceding the socio-economic HH surveys.

Access to fruits and vegetables was reported daily (27%), with the majority of households (33%) having access to fruits and vegetables more than once a week (see Table 4.38). Only 27 households (1.7%) reported a total lack of fruits/vegetables.

Table 4.38: Profile of Households Nutrition

Frequency	Meat (Chicken, Beef, Pork)	Fish	Fruits and Vegetables
Daily	3.3	22.8	27.0
Once a week	30.9	20.2	20.0
More than once a week	41.2	48.9	32.5
Once a month	18.4	5.8	8.4
More than a month	0.1	0.1	0.0
Never	0.9	0.2	1.7
Uncertain	3.9	1.6	9.9
Not indicated	1.1	0.3	0.3

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.8. Public Services

4.8.1. Water

The majority of the project surveyed households are mainly dependent on community boreholes (83.4%), and rainwater (11.7%) to secure their domestic water needs (Table 4.39), and dependence on these two water sources is higher during the dry season than the wet season. Only 5.5% of the surveyed households are dependent on gravity water/tap.

Table 4.39: Profile of Domestic Water Sources by Season

Row Labels	% Wet Season	% Dry Season	% Households
Community Borehole	79.4	83.4	83.4
Rain Water	11.7	2.4	11.7
River/Stream/Lake	6.2	7.4	7.4
Gravity water/Tap	5.5	5.3	5.5
Hand Dug Well at Home	4.0	2.2	4.0
Protected Well	3.0	1.6	3.0
Private Boreholes	1.2	1.4	1.4
Tanker Truck	0.6	0.4	0.6
Deep Open well	0.4	0.1	0.4
Open Shallow water	0.3	0.3	0.3
Unprotected open well	0.3	0.1	0.3
Vendor	0.1	0.1	0.1
Bottled Water	0.1	0.1	0.1
Community Hand Dug Well	0.1	0.4	0.4

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.8.2. Household energy

The majority of the surveyed households (94.7%) are reliant on locally collected wood for cooking (see Table 4.40). Solar systems and battery torches are the main sources of lighting used by 48.7% and 42.6% of the surveyed households, respectively (see Table 4.40). Only 0.9% of the PAHs use formal electricity (national grid) connections for lighting.

Table 4.40: Profile of Energy Sources for Cooking and Lighting

Cooking Energy Source	Percentage	Lighting energy Source	Percentage
Collected Wood	94.7	Solar and Torch	48.7
Charcoal	16.8	Battery Torches	42.6
Bought wood	12.5	Paraffin	28.7
Paraffin	1.0	Candle	9.2
Biogas	0.1	Battery	3.8
		Private Generator	1.3
		Charcoal	0.9
		Formal Electricity Connection	0.9
		Collected Wood	0.8

Cooking Energy Source	Percentage	Lighting energy Source	Percentage
		Biogas	0.4
		Mobile phone torch	0.3
		Bought wood	0.1

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.8.3. Household Sanitation

The commonest toilet system in the project area is the simple pit latrine established at the homestead, with walls made out of mud and wattle, and the roofs made out of grass and thatch or iron sheets. The floor is usually covered with logs and soil (not a cement slab).

The majority of the surveyed households use a covered pit latrine, without a slab (58.0%) or with a slab (20.7%) (See Table 4.41). Of particular importance to note is the fact that 2.4% and 0.6% of surveyed households have no facility (use the bush and dig a hole) or use their neighbour's sanitation facility, respectively.

Table 4.41: Profile of Household Sanitation

Toilet System	% Households
Covered Pit Latrine Without Slab	58.0
Covered Pit Latrine With Slab	20.7
Uncovered Pit Latrine Without Slab	10.2
Uncovered Pit Latrine With Slab	4.2
VIP Latrine	3.8
No facility Bush Bucket/dig a hole	2.4
Other/ Use Neighbours'	0.6
Flush Toilet	0.3

Source: RAP 5 Social Economic Household Survey (January - March 2019)

The majority (71.7%) of the surveyed households dispose of waste using a private waste pit at the homestead, while a sizeable proportion (30%) dispose of waste by burning it, or throwing it in bushes (14.1%) (See Table 4.42).

Table 4.42: Profile of Household Waste Disposal Methods

Waste Disposal	% Households
Private Waste Pit Household	71.7
Burn Waste	30.0
Throw In Bushes	14.1
Bury Waste	9.9
Communal Waste/Pit/Landfill	2.3
Feed Waste to Animals	2.2
Compost Waste	1.5

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.8.4. Access to Public Facilities

Surveyed households access a range of public facilities and services. Such services and facilities include; schools, formal and informal shops, open markets, churches, health facilities, police

stations, etc. Table 4.43 indicates the **main/primary** public facilities and services used by surveyed households – also see Table 13.5 in Annexure 2 for further detail on the other facilities accessed by surveyed households.

Based on Table 4.43, and Figure 4.4 it is evident that the surveyed households mainly use public facilities and services in the RAP 5 affected village of Avogera, which village houses 21.2% of the RAP PAHs. However, in general, the use of public facilities is largely dependent on the presence of those facilities in the villages.

Table 4.43: Primary/ranked 1st Public Facilities and Infrastructure Used by Surveyed Households

Community Infrastructure	Location of Infrastructure
	First
Primary School	Avogera P/S
Secondary School	Ngwedo S.S.S
Open Markets	Buliisa Main Market
Informal Shops/Trading Centre	Avogera
Lower level Health Facilities	Avogera HC III
Large Hospital	Buliisa HC IV
Community Halls / Clubs	Ngwedo Sub-county
Police Station	Ngwedo
Church / Place of Worship	Avogera Catholic Church
Cemeteries	Masindi
Sport / Recreational Facilities	Avogera P/S

Source: RAP 5 Social Economic Household Survey (January - March 2019)

It is worth noting that the RAP 5 footprint traverses a total of nine (9) schools, two (2) community playgrounds, four (4) churches, and three (3) health facilities (see Section 5).

4.9. Income, Expenditure and Asset Holdings

4.9.1. Household Income Sources

Surveyed households have a diversity of income sources, with the primary income sources being the sell of crops and vegetables (87.2%) and the sale of livestock (live animals) (See Table 4.44). Income from the sale of crops and vegetables, sale of thatch/grass, sale of charcoal/firewood, donations, credit or loans, informal trading/hawking, salaries (any other companies), migrant remittance - within Uganda, and witch doctors/ traditional healer was higher in female-headed than in male-headed households.

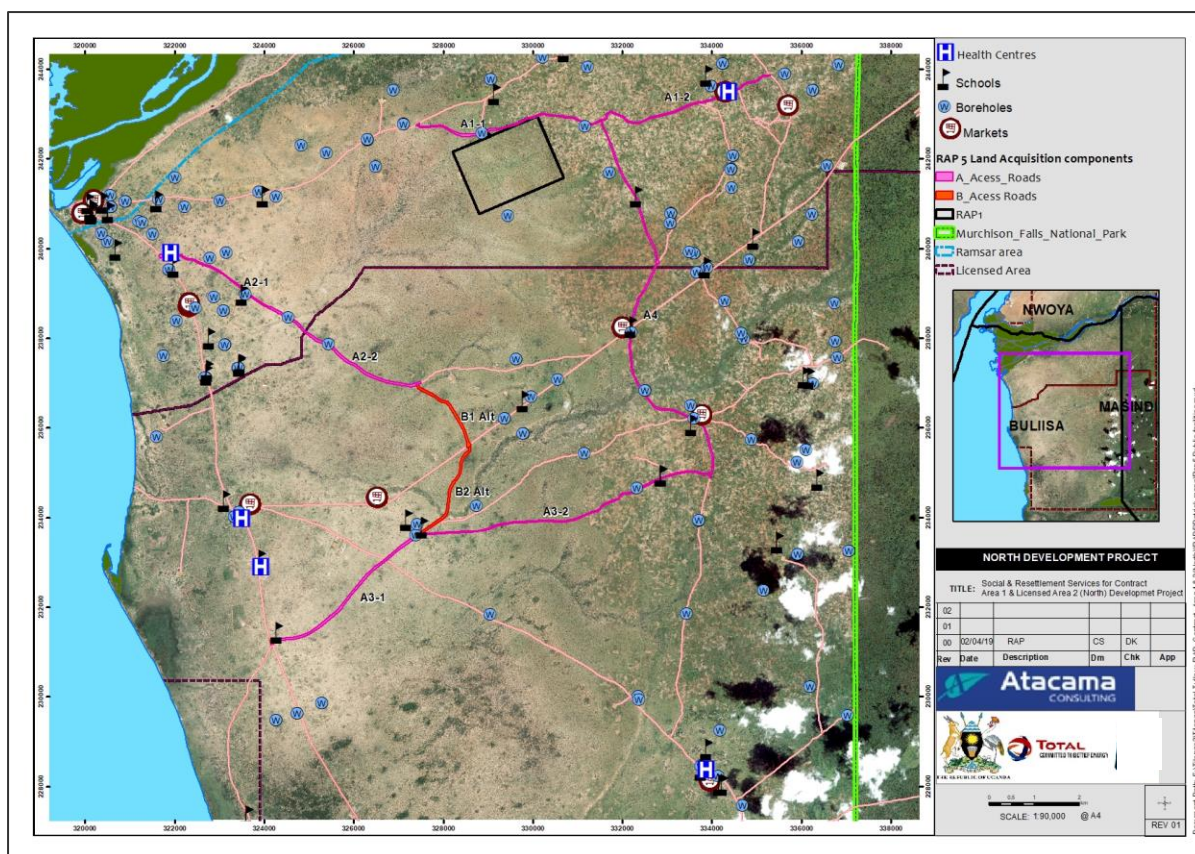


Figure 4.4: Location of Public facilities

Table 4.44: Profile of Household Income Sources

Income Source	Percentage	Percentage Male-Headed	Percentage Female-Headed
Sale of Crops and Vegetables	83.5	82.0	87.2
Sale of Livestock Live	67.8	69.1	64.6
Sale of Thatch/Grass	29.1	24.8	39.7
Sale of poles	27.3	28.5	24.5
Sale of Fish	27.0	30.9	17.1
Sale of charcoal/firewood	23.4	21.4	28.4
Trade Shop	19.0	20.7	15.0
Other Self Employed	15.1	15.5	14.3
Casual Worker	14.3	14.1	14.8
Donations	11.4	10.3	14.3
Credit or Loans	9.8	9.7	10.2
Sale of Livestock Meat	9.3	10.2	7.2
Sale of Animal Products	9.1	9.1	9.1
Rental of Property/Land	5.6	6.4	3.7
Craftsman	5.2	6.3	2.4
Informal Trading/Hawking	4.9	3.9	7.4

Income Source	Percentage	Percentage Male-Headed	Percentage Female-Headed
Salaries (Government)	4.4	5.1	2.8
Salaries (Any Other Companies)	3.5	3.3	4.1
Sale of Fruit	3.3	3.9	1.7
Boda boda/Transportation	1.4	1.4	1.3
Sale of Bush Meat	1.3	1.6	0.7
Migrant remittance - Within Uganda	1.2	1.0	1.7
Salaries (Oil & Gas)	1.1	1.1	0.9
Sale of land	0.9	1.1	0.7
Compensation	0.9	1.1	0.4
Repairing radios/Bicycles	0.8	0.7	1.1
Sale of shells	0.4	0.4	0.7
Sale of sand	0.4	0.4	0.2
Construction	0.4	0.4	0.2
Food processing	0.4	0.3	0.7
Sale of honey	0.4	0.4	0.2
Witch doctors/ traditional healer	0.3	0.2	0.7
Alcohol/Bar shop	0.3	0.3	0.4
Baking/ Restaurant	0.3	0.1	0.9
Sale of medicine	0.3	0.4	0.0
Pensions / Social Grants	0.3	0.4	0.0
Church offertories/priesthood	0.2	0.2	0.2
Migrant remittance - from relatives	0.2	0.0	0.7
Mobile money business	0.2	0.2	0.2
Others (remittances, video hall, sewing, welding, sale of artisanal products)	0.6	0.7	0.4

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.9.2. Household Expenditure

Most of the surveyed households use generated income to buy food for their families (91.8%), on school fees, uniforms, books/equipment (78.1%), and on medical expenses (76.1%) (See Table 4.45).

Table 4.45: Profile of Household Areas of Expenditure

Expenditure	Percent
Food	91.8
School fees, uniforms, books/equipment	78.1
Medical expenses	76.1
Clothes	54.3
Telephone (cellular)	49.6
Water	47.9

Expenditure	Percent
Transport	43.7
Personal Items	41.2
Agricultural expenses –livestock	39.9
Household energy	33.4
Rental (housing/accommodation)	26.8
Savings society/banks	23.8
Salaries of workers	19.4
Alcohol Expense	13.8
Furniture/household equipment	11.1
Agricultural expenses –Seeds	5.4
Others (smoking, church, land purchase, construction, business inputs, funerals)	0.6

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.9.3. Valued Movable Household Assets

During the socio-economic HH survey, respondents were asked whether they owned a pre-determined list of movable assets in working condition. The majority of the surveyed households had the following moveable assets; mosquito nets (87.4%), bed with mattress (83.0%), mobile phone (79.4%), and wooden furniture (78.6%) (See Table 4.46). Almost a quarter of the households (27.8%) owned motorcycles commonly used for commercial transport services (boda boda). With the exception of paraffin cookers and sewing machines, male-headed households own more movable assets in working condition than female-headed households. i.e., the gender disaggregated data (between male and female-headed households), indicates that the ownership percentages of the listed movable assets in working condition are higher among male-headed households than female-headed households implying that the female-headed households are relatively poorer than the male-headed households, in terms of asset ownership.

Table 4.46: Movable assets owned by the Households

Assets available in Working Condition	Percentage	Percentage Male-Headed	Percentage Female-Headed
Mosquito Nets	87.4	88.7	84.2
Bed with Mattress	83.0	85.8	76.1
Mobile Phone	79.4	84.9	65.7
Wooden Furniture	78.6	82.2	69.8
Bicycle	74.2	78.2	64.2
Radio	72.9	78.2	59.9
Plastic Chairs	69.9	73.2	61.8
Motorcycle (BodaBoda)	27.8	32.4	16.3
Television	10.6	12.5	6.1
Satellite Dish	5.6	7.0	2.2
Paraffin Cooker	4.6	4.6	4.8
Fridge	4.6	5.4	2.6
Sewing Machine	2.8	2.7	3.0

Assets available in Working Condition	Percentage	Percentage Male-Headed	Percentage Female-Headed
Generator	2.3	2.9	0.7
Motor Car	2.0	2.5	0.7
Tractor	0.3	0.4	0.2
Plough	0.2	0.3	0.0
Others	0.4%		

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.10. Cultural Heritage

Culture is the way in which a society preserves, identifies, organizes, sustains, and expresses itself (Uganda Cultural Policy, 2006). As such, culture has the power to shape everyday behaviour and influences the decisions made in life. Cultural heritage, on the other hand, refers to properties and sites of archaeological, historical, cultural, artistic, and religious significance. It also encompasses the unique environmental features and cultural knowledge, as well as intangible forms of culture embodying traditional lifestyles that should be preserved for current and future generations (IFC PS 8, 2012).

4.10.1. Cultural Context

The first peoples of the area were hunter-gatherers related to the “Pygmy”³⁴ people of the Congo. From around 1000 B.C, Bantu-speaking peoples moved into the area. They migrated from areas to the north and west, originating in the greater area of what is now the Cameroon. These Bantu groups introduced Iron Age technologies, agriculture, and animal husbandry. Subsequently, Cushitic pastoralists moved into the area. The last wave of historic migrants were the Luo people.

The mixing of these groups resulted in the Banyoro people as they are known today.

From 1000 A.D. there was a process of state formation, and the area saw the emergence of the Bunyoro-Kitara kingdom. The first rulers of the Kingdom were the Batembuzi dynasty. There were nineteen Kings of the Batembuzi dynasty.

The next dynasty was of people called the Bachwezi. They established the Bunyoro -Kitara kingdom (also called the Chwezi state). At its peak, the territory stretched from the Nile in the north to Karagwe in the south, from Busoga in the east to beyond the Rwenzori Mountains in the west.

The rule of the Bachwezi ended at the beginning of the fifteenth century, and the ruling group migrated away from Bunyoro kingdom. The new rulers of the Bunyoro-Kitara kingdom were the Babito dynasty, which claimed ancestry from the Luo, a Nilotic speaking people.

In the subsequent centuries, the kingdom of Bunyoro-Kitara under the Babito dynasty declined while its neighbouring kingdoms of Buganda and Nkore grew in strength at its expense.

Currently, the Bunyoro-Kitara Kingdom consists of eight (08) districts (see Figure 4.5):

- Buliisa district;
- Hoima district;
- Kikuube district (Kikuube district was established on 1st July 2018-prior to this, it was part of Hoima district);
- Kibaale district;

³⁴ The term pygmy is used in its generic ethnographic sense.

- Kakumiro district (Kakumiro district was established on 1st July 2016-prior to this, it was part of Kibaale district)
- Kagadi district (Kagadi district was established on 1st July 2016-prior to this, it was part of Kibaale district)
- Kiryandongo district (Kiryandongo district was established on 1st July 2010 prior to this, it was part of Masindi district); and
- Masindi district³⁵.



Figure 4.5: Bunyoro-Kitara Kingdom

From around 1940's the Alur people began to settle in Bunyoro along the lakeshores of Lake Albert and later on moved inland. The Alur are part of the Luo, who migrated from the southern part of Sudan initially and moved along the Nile and settled in other parts of East and Central Africa, thus the Luo of Kenya, Tanzania, Congo, and Uganda. This is because, in the course of migration, they settled in various places. For the Alur in the project area, they are said to have migrated mainly from Congo and West Nile.

³⁵ The map and the district information were accessed from the website: <http://www.bunyoro-kitara.org/5.html> on 23rd August 2017.

4.10.2. Language

Language is the means of expressing the creative arts of orator and literature (Uganda Cultural Policy, 2006), and Uganda has a variety of languages where some are dominant and others not. The dominant languages spoken by household heads and their spouses/next-of-kin in the RAP 5 surveyed households are Alur (52.5% household heads, 43% of spouses/next of kin) and Lugungu (45% household heads, 28% of spouses/next of kin) (see Table 4.47). The dominance of the Alur language is attributed to trade and migration between Buliisa and West Nile, as well as intermarriages between the Alur and Bagungu.

Table 4.47: Primary Languages of the Household Head and Spouse

Home Language	Percentage HH Head	Percentage Spouse or Next of Kin	Percentage Total
Alur	52.5	42.9	47.7
Lugungu	45.0	28.0	36.5
Lugbara	0.8	0.4	0.6
Acholi	0.2	0.3	0.3
Alur and Lugungu	0.4	0.1	0.3
Lukiga	0.3	0.3	0.3
Lunyoro	0.3	0.1	0.2
English	0.1	0.1	0.1
Luganda	0.0	0.1	0.1
Other languages	0.30	0.30	0.3
Not specified	0.3	27.4	13.8

Source: RAP 5 Social Economic Household Survey (January - March 2019)

4.10.3. Ethnicity

Ethnicity is associated with an individual's cultural background. The RAP 5 project area is located at the border of two ethnic groups – the Nilotic and Bantu. Based on the ethnic backgrounds of the household heads and their spouses/next-of-kin as established during the household socio-economic survey (see Table 4.48), the Alur belonging to the Nilotic group comprise the highest ethnicity (48.3%) followed by the Bagungu (36.7%) who are Bantu speakers.

Table 4.48: Ethnic background of the Household Head and Spouse

Ethnicity	Spouse or Next-of-Kin	Percentage Household Head	Percentage Next-of-Kin	Total	%Total
Alur	689	53.5	43.1	1,545	48.3
Bagungu	452	45.2	28.3	1,174	36.7
Banyoro	3	0.3	0.2	8	0.3
Bakiga	4	0.3	0.3	8	0.3
Lugbara	3	0.2	0.2	6	0.2
Others	8	0.6	0.60	14	0.30
Unknown	440	0.2	27.5	443	13.9

4.10.4. Religious Profile

Religion plays a vital role in the cultural life of different spaces. It is deeply rooted in people's experiences and influences the socio-economic and political directions of society.

Based on Table 4.49, the RAP 5 surveyed households mainly belong to the modern religion denominations such as the Roman Catholic Church (53.5%), the Anglican Church (31%), the Muslim faith (4.5%) and various Pentecostal churches (10.2%) known collectively as “Balokole” irrespective of gender.

The absence of those who follow traditional or indigenous religions could be attributed to modernisation, while in Uganda, there is generally a fear to be associated with traditional religion, which is regarded as witchcraft. There were four (4) places of worship within the RAP 5 project area (Figure 4.6).

Table 4.49: Religious Profile by Gender

Religion	Percentage of Population by Gender		
	Females	Males	Percentage Total Population
Catholic	27.3	26.2	53.5
Anglican	15.0	15.8	30.8
Pentecostal	10.6	9.8	10.2
Muslim	2.3	2.2	4.5
7th Day Adventist	0.2	0.2	0.3
Bisaka/Abaikiriza	0.1	0.1	0.2
African Religion	0.0	0.1	0.1
Lamutakwara	0.0	0.0	0.0
Other	0.0	0.0	0.1
No Religion	0.1	0.1	0.2
Unknown	0.1	0.1	0.2

Source: RAP 5 Social Economic Household Survey (January - March 2019)



Figure 4.6: The Catholic Church in Kisomere Village

4.10.5. Graves, Shrines, and Archaeology

The detailed baseline information pertaining to graves, clan and family shrines and archaeology is provided in the Cultural Heritage and Archaeology Chapter (Chapter 13) of this RAP report and is therefore not included/repeated here.

5. PROJECT IMPACTS

The purpose of this Chapter is to outline the potential project impacts, the efforts taken to minimise displacement and propose further mechanisms to minimise potential impacts during RAP implementation. The information in this Chapter is based on a document review and surveys carried out as part of the resettlement planning process for RAP 5. It should however be noted that, this Chapter only focuses on direct impacts in relation to resettlement and does not consider wider impacts that were subject to the Tilenga project Environmental and Social Impact Assessment (ESIA).

Due to the sensitive environment within which the Tilenga project is based, the project proponents have considered potential environmental and social impacts as a key factor in the decision making process as the design of the project has evolved. The design of the Tilenga project has been developed with the IFC mitigation hierarchy (Figure 5.1) being prominent in the decision making process of the FEED engineers, where the preference is the avoidance of negative environmental and social impacts and then to minimise before restoring and finally offsetting. Avoidance and minimisation efforts for the RAP 5 footprint are discussed in Sections 5.1 and 5.2 that follow respectively.



Figure 5.1: Mitigation Hierarchy

5.1. Avoidance

The siting options considered for all Tilenga project components took into account both environmental and social sensitivities. As a result, the chosen options avoided, where feasible, the more sensitive areas/receptors where a greater impact would have been experienced.

During the cadastral land and asset surveys, various monumental assets and structures were identified (see Table 5.1) below and further avoidance is proposed to ensure that these are out of the project foot print.

Table 5.1 RAP 5 Monumental Assets and Structures

S/N	Institutions	Villages
1	Kisiabi Primary School	Kizikya
2	Kijangi Communal Land Association C/O Balikenda Simon	Kijangi
3	Mutajwaha Growers Co-operative Society C/O Lukumu Yokisani	Kijangi
4	Kijangi Primary School	Kijangi
5	Kijangi Bugoigo Church	Kijangi
6	Church Land Of Kijangi C/O Kaahwa Edison	Kijangi

S/N	Institutions	Villages
7	Kijangi Centre Borehole C/O Kaahwa Edison & Kigaho Celestino	Kijangi
8	Kijangi Primary School C/O Tibemanya Nicholas & Kasangaki Steven	Kijangi
9	Apollo Church of Uganda C/O Tibemanya Nicholas	Kijangi
10	Kijumbya Catholic Church	Kijumbya
11	Kujumbya Catholic Church C/O Ocaya Gilbert	Kijumbya
12	Kijumbya Community Borehole C/O Oribi Isilivio	Kijumbya
13	St Marys Catholic Church Ngwedo Centre	Ngwedo
14	Ngwedo Pentecostal Church Vs Mutajwaha Growers Co-Operative Society Limited	Ngwedo
15	Community Play groud C/O Uriibo Express Community Football	Uriibo
16	Uriibo Community Borehole Vs Family Of Wanyoritho	Uriibo
17	Community Borehole	Kibambura
18	St Apollo Kijangi Church Of Uganda C/O Tibemanya Nicholas	Kijangi
19	Kijangi Primary School Vs Mpairwe Christine	Kijangi
20	Arsenal Fans Saving Group	Kigwera N/E
21	Kigwera Health Centre 1	Kiyere
22	Ndandamire Catholic Church	Kiyere
23	Kigwera Health Centre 2	Bikongoro
24	St Mary's Ndandamire Catholic Chapel	Bikongoro
25	Akichira St Steven Catholic Church	Kisomere
26	Uduk 2 Community Law	Uduk II
27	Akichi Catholic Church C/O Farwinyo Pascal	Kisomere
28	Pentecostal Fellowship Church C/O Openji Trnesi ,Okello Jackson & Pifwa Jenetty	
29	Ngwendo Secondary School	Uduk II
30	King Modern Nursery & Primary School	Ngwedo
31	Community Playgroud C/O Onenchan Charles	Ngwedo
32	St Steven Anichira Catholic Church C/O Chanpara Francis ,Pascal,Farwino	Kisomere
33	Avogera Mental Health Group	Kisomere
34	Kamandindi Church Of Uganda C/O Obamba Grirafel, Anyonga Sam& Jachan Lazarus.	Avogera
35	Avogera Health Centre III Land C/O Lawrence, Owinyi Deogratus	Avogera
36	Avogera Catholic Church	Avogera
37	Airtel Telecom Mast	Ngwedo

Source: RAP 5 approved Valuation report

According to TEP Uganda, it was recommended that the avoidance for RAP 5 will be either by shifting or narrowing of the proposed upgrade of the access road.

5.2. Efforts to Minimise Displacement

Consistent with the requirement of the International Finance Corporation (IFC) Performance Standard 5, the Resettlement Action Plan (RAP) must indicate that all reasonable efforts were undertaken in order to avoid or minimise displacement and justify why any proposed resettlement cannot be avoided.

This is also echoed in the LARF:

“Principle 1 - Resettlement will be avoided and minimised.

The project will seek to avoid or minimise displacement (both physical and economic) to the extent practically and affordably possible by exploring alternative Project designs, phasing, and land use and land access arrangements. This principle will also apply to host communities in the selection and construction of resettlement sites.”

The ESIA study provides recommendations regarding the most appropriate project layout and sites for the Exploration Area, located in Buliisa district of Uganda. The Artelia social screening (2013) characterised the societal context of the proposed sites in order to provide a better understanding of the sensitivities of the receiving communities. The study consisted of a combination of desktop studies and site visits. A 10-day field visit was conducted in August 2013, during which the Artelia team visited a total of 27 villages in Buliisa district that may be affected by proposed locations for Tilenga Project facilities. The site visits also included engagement with community representatives to build an understanding of the local context.

The design of the project was subject to further refinement to minimise the footprint of the key components, in particular the well pads. The minimisation process further helped the Project to avoid negative impacts that otherwise may have occurred. Minimisation consisted of both reducing the number of individual components required for the Tilenga project as well as reducing the individual footprint for each project component. These two processes further aided the Project to avoid negative impacts that otherwise may have occurred.

During the cadastral and asset surveys various monumental assets and structures were identified (Avogera Health Centre III and the ATC Telecom mast in Ngwedo centre among others), Figure 5.2, where further avoidance is proposed.



Figure 5.2: Monumental assets and structures identified during the cadastral survey for RAP 5
5.3. Approach and Methodology used to Identify Impacts

The project impacts and numbers of displaced PAPs were established primarily through a Cadastral Land and Asset Valuation Survey of the RAP 5 project area, followed by a Legal Due Diligence survey of land claims and ownership.

A socio-economic survey (baseline and household census) as well as archaeological and cultural heritage surveys were conducted to provide supporting information, however, these should not be considered as a definitive means to establish entitlements or numbers of physically and economically displaced PAPs

Prior to the Cadastral Land and Asset Valuation surveys, an initial round of stakeholder engagements took place from 04th December 2018 to 21st December 2018 with the 17 RAP 5 affected villages, 04 sub-counties of Ngwedo, Kigwera, Buliisa and Buliisa town council, Buliisa District Local Government, Bunyoro-Kitara Kingdom (BKK), local Community based Organisations CBOs/Civil Society Organisations (CSOs), in Buliisa district, GoU ministries and CSOs/NGOs at national level, (see Chapter 6 – Stakeholder Engagement for a detailed list of stakeholders engaged). The purpose of the engagements was to disclose the project and inform the stake holders of the upcoming surveys.

The detailed due diligence surveys for the RAP 5 project area commenced with the densification exercise undertaken between 17th December 2018 and 20th December 2018. This was followed by the Rapid Aerial Surveys (RAS) which were undertaken between 18th December 2018 and 21st December 2018, cadastral land, asset inventory/valuation, legal due diligence, cultural heritage and archaeological surveys were undertaken from 11th January 2019 and 27th February 2019, the socio-economic baseline and PAH census surveys were undertaken from 31th January 2019 to 31st March 2019. A valuation survey of Orphan land took place from 05th March 2019 to 9th March 2019.

A rolling development moratorium (cut-off date) was established as PAPs signed the cut-off date forms.

The methodologies for the cadastral land, asset and legal due diligence surveys are summarised below, however further detail can be found in the Tilenga RAP 5 approved Valuation Report (Annexure 1).

5.3.1.Cadastral Land Survey Methodology

The objectives of the Cadastral Land Survey were to:

- a) Undertake survey measurements (to the satisfaction of the Chief Government Valuer and the Commissioner for Mapping and Surveys) enabling the demarcation (strip maps) and mapping of the land to be acquired by the project;
- b) Carry out the survey process in accordance with the Laws of Uganda and the requirements of Ministry of Lands, Housing and Urban Development (Land Information System (LIS), as well as, taking into consideration the requirements of the Ministry of Energy and Mineral Development and International Finance Corporation; and
- c) Generate strip maps to support the valuation exercise.

The assumptions for this project were:

- Efficiency in required turnaround time for various approvals and timely participation in project activities;
- The design data provided by TEP Uganda was accurate and sufficient enough to be used in undertaking the necessary survey works; and
- Majority of the land in the project area is held under customary tenure without certificates of customary ownership. As such, the plot boundaries captured during the data collection exercise were identified by the land owners, their neighbours and the local authorities together with the respective Area Land Committees.

A detailed review of the design data and relevant maps was conducted to achieve the following:

- To appreciate and understand the project affected area which assisted in proper conduct of the surveys. This also included checking if there were any nearby National Grid Survey Points;

- Meeting and consulting with the local leaders, land and property agents and other stakeholders;
- Raising and spreading awareness of the project among the communities affected by the project; and
- Carrying out analysis to identify project affected persons and developing mitigation measures for risks identified.

The equipment and data included the following:

- Modern high accuracy GPS equipment;
- RTK Machines;
- Geodetic markers data provided by, and following the densification exercise as approved by Total E&P Uganda;
- Hand held GPS;
- Base Maps;
- Project design drawings and location data provided by TEP Uganda; and
- Pegs

The cadastral land survey scope of work included:

- Determining the location of any nearby National Grid Control Point, and the Geodetic Markers;
- Undertaking a Control Point extension exercise;
- Setting out the design extents of the project area and pegging the boundaries using wooden pegs;
- Collecting survey data to enable the mapping process;
- Creating strip maps of the affected areas, showing the extents of the sites, the affected people in the area and their respective land sizes;
- Generating revised maps to be used in future subdivisions for the affected land; and
- Timely communication regarding progress and consultations were undertaken with MLHUD, MEMD, Petroleum Authority of Uganda (PAU), Chief Government Valuer's Office, Department of Mapping and Surveys - Entebbe, Uganda Land Commission and, the District Land Offices.

During the field surveys, reference was taken from earlier established primary geodetic control points within the project area provided by TEP Uganda alongside additional controls that were established by the survey crew during the densification exercise.

The densification was necessary to bring the national control points within close vicinity of the project facilities to ease daily site checks and calibration for survey equipment. This activity was carried out prior to the cadastral survey and a report was submitted and approved by TEP Uganda.

Throughout the project, all measurements, computations and drawings tied to the coordinate system defined by the existing primary network as defined by the following geodetic parameters:

Local Datum:	WGS84
Semi major axis:	6378137.000m
Semi minor axis:	6356752.314m

Projection Grid:	UTM 36North
Longitude of origin:	33° East
Latitude of origin:	0° (Equator)
False Easting:	500,000
False Northing:	0
Scale factor:	0.9996

Setting out involved line staking and pegging of the outer extents of the proposed RAP 5 project footprint. Intermediate wooden pegs were fixed at 30m intervals to guide the rest of the field teams on the extents of the RAP 5 footprint. The survey data collected in the process of marking out of the boundaries was used in the production of strip maps which were used to compute the affected land areas.

For further detail on Cadastral Land Survey methodology, see the Tilenga RAP 5 approved Valuation Report (Annexure 1).

5.3.2. Asset Survey Methodology

The Asset survey commenced at the same time as the cadastral land survey, the overall objective of the study was to prepare a detailed report with compressive valuation of the affected assets for the different PAPs in line with existing legal framework and international Best Practice prior to the implementation of project activities.

The specific objectives of the asset valuation survey were the following:

- Identification of all Project-Affected-Persons and their properties within the project area;
- Survey and valuation of all their affected assets within the project area; and
- Conducting a valuation process in accordance with the Laws of Uganda and the requirements of MLHUD as well as taking into consideration the valuation principles and requirements of MEMD and the IFC.

The general approach to the valuation exercise comprised of the following main steps; desktop review, site visits, legal due diligence and computation of values as summarised below but which steps are discussed in detail in Section 4.4 of Annexure 1

A desktop-based exercise was conducted and formed the first step in appropriate data/evidence for the assessment. The documents reviewed included but were not limited to; legal documents and donor safeguard policies as well as, the National Guidelines for Compensation Assessment under Land Acquisition. The reviewed documents informed the development of the detailed valuation methodology that has been used in executing the assignment (See Appendix 8.1 in Annexure 1).

Site visits were undertaken and the overall objective of the site visits was to carry out consultations with the key stakeholders involved in the project. These included;

- Project Affected Persons;
- Local community leadership (Local council chairpersons);
- District Local Government, and;
- Civil society organisations (CSOs).

The consultation process had already been initiated by TEP Uganda.

A critical component of the site visits was the asset valuation data collection exercises which covered the entire RAP 5 project area. Section 4.5.1 of Annexure 1 provides the detailed description of the asset inventory data collection exercise and this has therefore not been repeated here.

Field data captured by the valuation team targeted the rightful land owners and their respective land users as determined, following the legal due diligence surveys (see Section 5.3.3 below) and the gathering of information on their affected properties including structures, crops and trees and cultural heritage sites.

The RAP asset inventory team completed a Property Assessment Form (Appendix 8.2 of Annexure 1) and Table 5.2 lists the signatories to the property valuation assessment form. Of particular relevance to note is that, the asset valuation assessment was also witnessed by GoU representatives from the office of the Chief Government Valuer of the MLHUD and MEMD as well as representatives from TEP Uganda.

Table 5.2: Signatories to the Property Valuation Assessment form³⁶

#	Signatory
1	PAP
2	PAP's Spouse
3	PAP's Witness ³⁷
4	LC I Chairperson ³⁸
5	Valuer
6	TEP Uganda Representative
7	MLHUD/CGV Representative
8	MEMD Representative

The role of the Legal Due Diligence was to determine the true ownership of land (by carrying out in-depth verification of land ownership in the area), land users and their interests on land affected by RAP 5 in accordance with the stipulated Laws of Uganda on land law and land acquisition.

The valuation of affected assets (computation of values) was carried out using the Approved Buliisa District Compensation Rates (FY 2018/2019) (Appendix 8.3 of Annexure 1).

In addition to the above, a market research was carried out on land, structures, crops and economic trees in Buliisa district in June 2018. This exercise was primarily aimed at attaining relevant and reliable information about market transactions within and near the RAP 5 project area. Section 8.4 provides the detailed description of the market research survey objectives, geographic scope, target respondents, methodology and findings, and these have therefore not been repeated here.

5.3.3. Legal due Diligence Methodology

The RAP legal due diligence team worked hand in hand with the project’s land surveyors. Having marked out the boundaries of each PAP’s land, the legal due diligence team would confirm true ownership through interviewing the PAP’s neighbours, LC I Chairperson and the LC III Chairperson. The team would then interview the PAP so as to establish true ownership of the land. Through these interviews, data was collected which was aimed at answering the following questions:

- How long has the PAP owned the land?
- What was the name of the previous land owner?
- What proof does the PAP have of their ownership – deed of land sale or will?

³⁶ The translator or RAP Team Community Liaison Officer (CLO) used during the process also witnessed the form in order to confirm that they duly translated the content of the form to the PAP and ensured that PAPs signed documents that they fully understand.

³⁷ The witness was a spouse to the affected person or child who must be above 18 years of age or, any other member of the community selected by the PAP.

³⁸ In addition to signing the form, the LC I representative was also required to stamp the form.

- What were the names of their neighbours?
- What were the details of family ownership?
- What was the marital status of the PAP?

Having established the true ownership of each affected plot of land, data collected was used to complete the following forms (see Appendix 1 of Annexure 1);

- Land Owner Identification Form;
- Land User Identification Form;
- Spousal Consent Form; and
- Absentee Land owner Form

The Land Owner Identification Form (Annexure A of Appendix 1 of the RAP 5 approved valuation report), designed to identify land owners, was signed by each land owner in the affected areas (also see Table 5.3). It contained details of the land including; location, tenure, size, boundaries and the details of land ownership. This information was confirmed by the respective Local Council 1 Chairperson who signed as a witness verifying the information from the land owner.

Through the legal due diligence process, the RAP team also established that there were land users; that is, PAPs who did not own land but owned assets (crops, economic trees, structures) on another person's piece of land. The Land User Identification Form (Annexure B of Appendix 1 of the RAP 5 approved valuation report), which has all the details of the land user, was signed by all land users with assets on the affected land (also see Table 5.3). It was also signed, verified and witnessed by the Local Council I Chairperson (LC I) of the village where the affected land is located and the land owner on whose land one is a land user.

Where the PAP ordinarily resided or derived their sustenance with his or her spouse on the affected land, the PAP and their spouse would then sign (also see Table 5.3) a Spousal Consent Form (Annexure C of Appendix 1 of the RAP 5 approved valuation report) as consent to have their land acquired for the purposes of RAP 2 of the Tilenga project. This is in accordance with the Land Act Cap 230. However, for avoidance of doubt and future conflicts that may arise out of the acquisition, the RAP Legal Team ensured that, where the land owner had more than one spouse, all the spouses to the land owners signed the Spousal Consent forms. This also catered for PAPs that would provide contradicting information as to whether their land is the family or not.

During the legal due diligence surveys, the RAP team consulted the LC III Chairperson and the neighbours in order to locate absentee PAPs (i.e. PAPs that could not be located) and where all efforts were futile, the team would proceed and complete an absentee landowner form (Annexure F1: District Land Board Verification and F2: Area Land committee verification of Appendix 1 of the RAP 5 approved valuation report).

Table 5.3: Signatories to the Land owner and user identification forms and the spousal consent forms

	#	Land Owner Identification Form	Land User Identification Form	Spousal Consent Form
SIGNATORY	1	Landowner	Land User	PAP's Spouse
	2	Translator ³⁹	Land Owner	Attesting Witness ⁴⁰
	3	LC I Chairperson	Translator	Translator

It is important to note that the nature, details and purpose of each of the forms used during the surveys were translated before execution (i.e. signing) and their meaning explained to the PAP in their respective local languages (mainly Lugungu and Alur) by either the Community Liaison Officer (CLO) on ground or a translator from the local community well versed with both the local language and English. A certificate of translation was signed by the translator or the CLO. This ensured that PAPs signed documents that they fully understood.

5.3.4. Development Moratorium/Cut-off Date

The RAP legal due diligence team worked hand in hand with the project's valuers. In accordance with IFC under Guidance note 5, Paragraph 32 which provides for setting a Cut-off Date (CoD) once the assets have been valued, the RAP legal due diligence team instituted a rolling individual CoD where each PAP would sign the COD form (see Appendix 3 of Annexure 1) on completion of the assessment of their affected land and assets.

A rolling cut-off date⁴¹ starting 11th January 2019 until 26th January 2019 was established for each individual PAP as at the date of assessment. The census and inventory of affected assets and property was completed and the final cut-off date for RAP 5 project area was declared on 18th February 2019 in the villages of Kamandindi, Avogera, Kisomere, Kasinyi, Ngwedo Centre, Kibambura, Kizikya, Kitahura, Kijangi, Uriibo, Kijumbya, Uduk I, Uduk II, Kigwera NE, Kigwera SE, Kiyere, and Bikongoro.

To this effect, any further developments on land within the surveyed plots of land will not be considered for compensation by the Project. Any new persons occupying the land after the cut-off date are not eligible for compensation for the lost assets and /or resettlement and rehabilitation. The RAP team also made it clear during the stakeholder engagements and on the cut-off date posters erected in and around the RAP 5 project area (see Figure 5.3) that, people cultivating their land can still go ahead to cultivate crops, bury the dead, graze their animals or construct structures before or after assessment, however any new developments or crops established after the cut-off date will not be eligible for compensation.

³⁹ The translator or RAP Team Community Liaison Officer (CLO) used during the process also witnessed the form in order to confirm that they duly translated the content of the form to the PAP and ensured that PAPs signed documents that they fully understand.

⁴⁰ The witness was a spouse to the affected person or child who must be above 18 years of age or, any other member of the community selected by the PAP.

⁴¹ The Cut-off date is the date after which any new structures, trees, crops and other immovable assets will no longer be counted or measured for compensation purposes. From the provisions of paragraph 12 of PS5 and principle 3 of the GCALA, every PAP signed a cut-off date form after assessment of their affected assets hence the "rolling cut-off date" which refers to the different dates when each individual PAPs signed the cut-off date forms after assessment of affected assets.

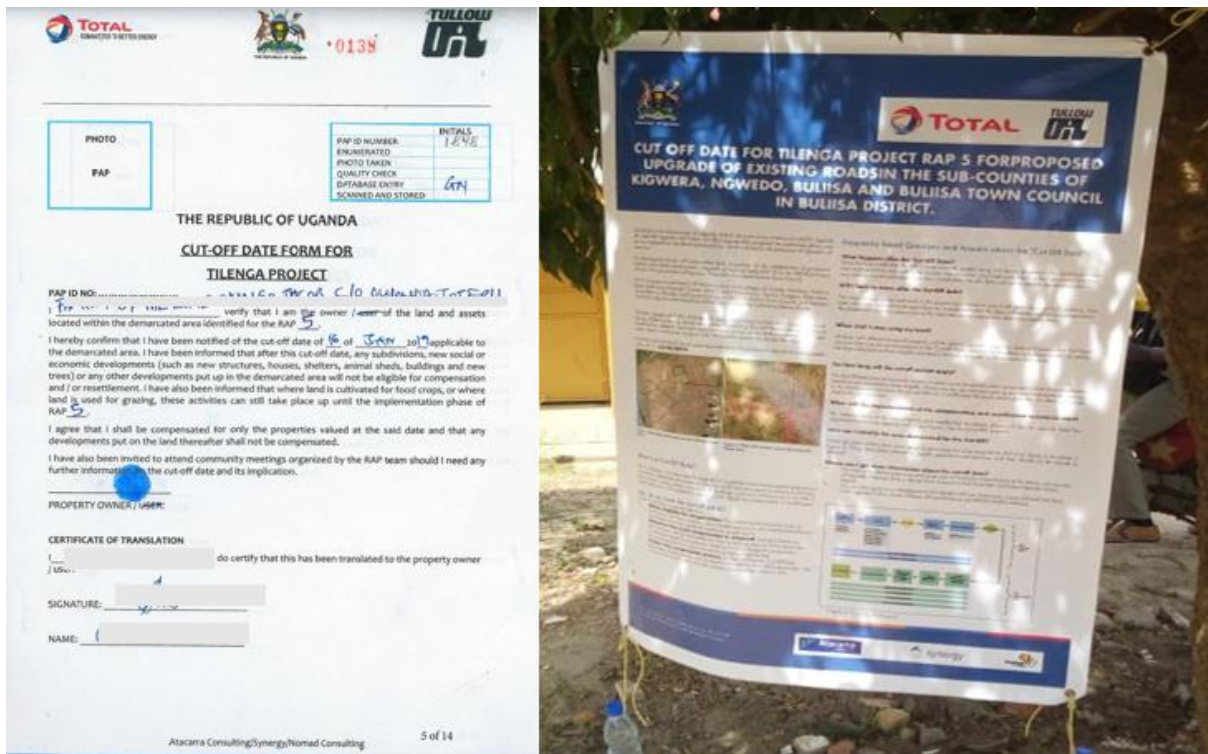


Figure 5.3: Copy of a signed cut-off date form and poster

5.4. Impacted PAPs

The data collected in the above surveys was cleaned to establish the number of physically and economically displaced PAPs. The data was used to develop strip maps which were put on display in the surrounding villages of Kamandindi, Kiyere, Kizikya-Kitahura, Kigwera NE and Kigwera SE on the 22nd March 19, Avogera, Kisomere and Uriibo on the 23rd March 19, Kasinyi village on the 24th March 19, Uduk I and Uduk II on 26th March 19, Ngwedo Centre on the 27th March 19, Kizikya on 28th March 19, Kibambura, Kijumbya and Bikongoro on 29th March 19, (see Table 5.4). This enabled PAPs to verify this data.

Table 5.4: Venues for strip map display at Village level

District	Village	Place/Venue	Dates	Time
Buliisa District	Kamandindi, Kiyere, Kizikya, Kitahura, Kigwera NE, and SE.	Tamarind Tree, Kilima P/S	Friday 22 nd March 2019	9am -5pm
	Avogera, Kisomere, Uriibo	Community Meeting Point near the Borehole	Saturday 23 rd March 2019c	9am -5pm
	Kasinyi Village	Mwakali's Home	Sunday 24 th March 2019	2pm
	Uduk I and Uduk II		Tuesday 26 th March 2019	9am -5pm
	Ngwedo Centre	Ngwedo Church	Wednesday 27 th March 2019	2pm
	Kizikya	Tamarind tree	Thursday 28 th March 2019, and Friday 29 th March 2019	9am -5pm
	Kibambura, Kijumbya and Bikongoro	Catholic Church/Munonde Tree		9am -5pm

The proposed Upgrade of Existing Access Roads components are located on a landscape that is typified by rural settlements, with linear distribution of homesteads, which are generally established adjacent to local access roads and paths (see Figure 5.4). The homesteads are typically established

as a single plot or property, or may comprise of a cluster of separate homesteads that have formed a small hamlet.

As stated in Chapter 4, the RAP 5 project will cause the displacement (physical and economic) of 1846 PAPs. The 1846 PAPs hold 2293 assets as per the RAP 5 approved valuation report. Of the total number of 1846 PAPs, 1746 PAPs belonging to 1599 households were interviewed in the RAP 5 socio-economic HH survey which currently stands at 95% coverage. However, 9 PAPs affected by RAP 5 hail from households interviewed in RAPs 2 (2 PAPs belonging to 2 households), 3a (4 PAPs belonging to 4 households) and 3b (3 PAPs belonging to 3 households). The total number of PAPs interviewed on RAP 5 is 1755 (1746 +9) belonging to 1608 (1599+9) households. 337 RAP 5 PAPs hold multiple assets (784 assets). Two hundred and seventy-one (271) RAP 5 PAPs are also affected by RAP 3a (149 PAPs belonging to 137 households) and 3b (122 PAPs belonging to 114 households).

5.4.1. Impact on Land and Major Land Use

The Asset Inventory determined the total land-holdings (or parcels) located within the proposed RAP 5 project area. The total size of the land affected by RAP 5 of the Tilenga project is 365.07 acres (without the 10.498 acres of incremental land take/orphan land) (Table 5.5). Please note however that, of the total 365.07 acres affected by RAP 5 of the Tilenga project, only 291.98 acres have been assessed for compensation (Table 5.6) because the remainder of the affected land is under (a) community and public infrastructure - 67.939 acres; (b) protected areas - 0.241 acres (c) already assessed under other RAPs -4.912 acres (see Section 5.4.3 that follows) and has therefore not been assessed for compensation.

The total land assessed for compensation (291.98 acres), is composed of 798 distinct parcels claimed by 626 land-owners⁴². The average land holding per affected household is 0.366 acres while the minimum and maximum landholding of the affected household is 0.001 and 15.194 acres respectively (see Chapter 4 of Annexure 2). Land acquisition for the Project will be limited to land only within the proposed RAP 5 project area, which the Asset Inventory totals as 365.071 acres (without the 10.498 acres of incremental land take/orphan land).

This land take represents 0.24% of the total land in the RAP 5 affected parishes of Kakoora, Nyamitete, Eastern Ward, Kisansya, Kirama, Kigwera, Ngwedo, Avogera, Kigoya, Nile, and Muvule (Table 5. 7).

Table 5.5: RAP 5 Project Land Take

Land Take	Land Size (Acres)
Affected Land Assessed for Compensation	291.980
Affected land under Community and Public Infrastructure	67.939
Affected land under the Protected	0.241
Affected Land already assessed under other RAPs	4.912
Total Land take	365.072

Source: RAP 5 approved Valuation report

⁴² Land-owners in this case refers to, individuals or groups of individuals (i.e. families or clans) that have customary rights and historical access to specific portions of land.

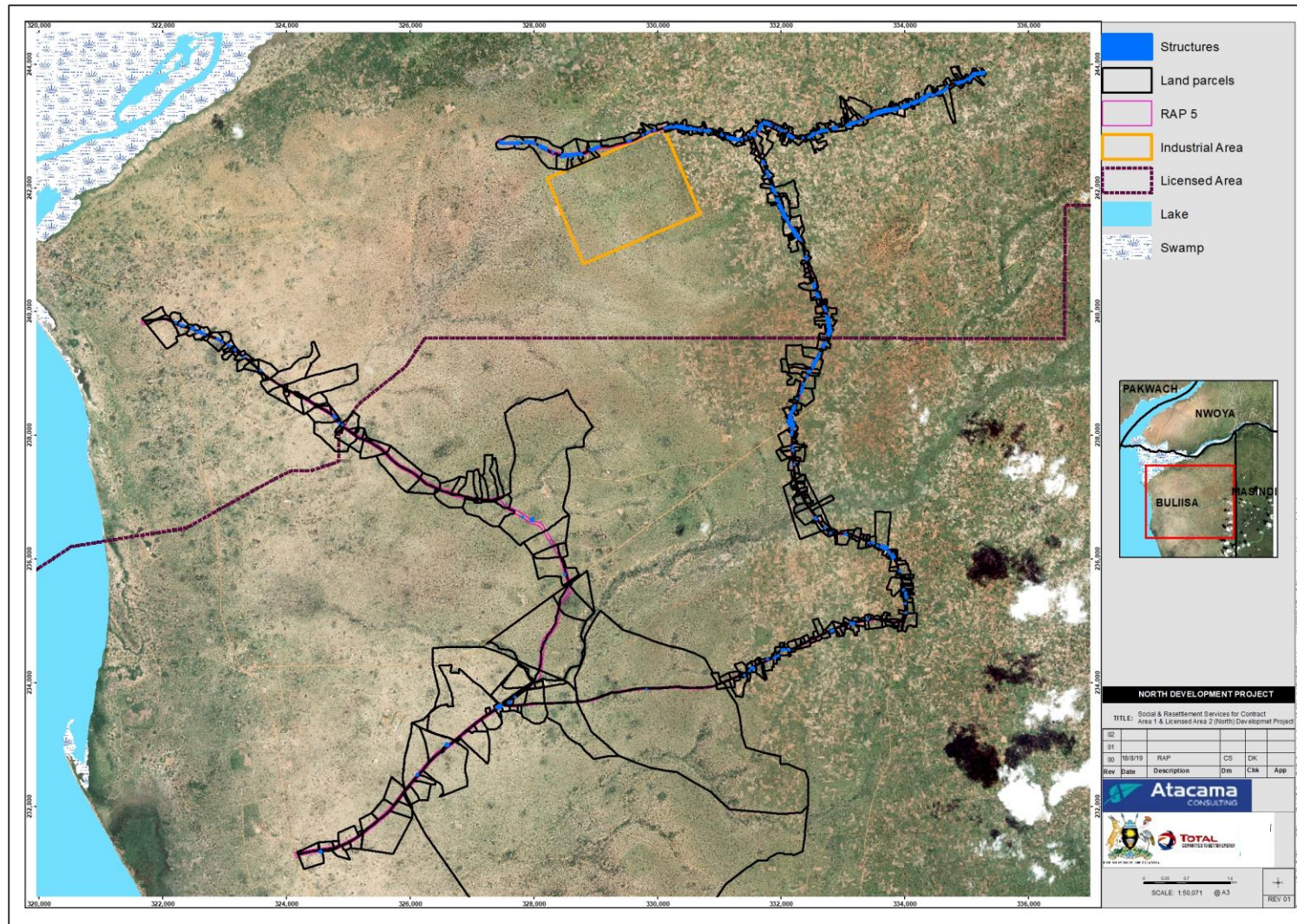


Figure 5.4: Impacted Structures and Land Parcels

Table 5.6: Land take assessed for compensation

#	Proposed RAP 5 facilities	Type of facility	Village	Total land take (Acres)
1	A1-1	Access Road	Kasinyi	14.273
2	A1-2	Access Road	Kasinyi, Kamandindi, Kisomere & Avogera	27.297
3	A2-1	Access Road	Kigwera North East, Kigwera South East & Kiyere	16.202
4	A2-2	Access Road	Bikongoro & Kigwera South East	40.096
5	A3-1	Access Road	Kijangi & Kizikya	43.989
6	A3-2	Access Road	Kijangi, Kijumbya & Uriibo	39.061
7	A4	Access Road	Kisomere, Ngwedo Centre, Uriibo, Uduk I, & Uduk II.	61.492
8	B1 Alt	Access Road	Bikongoro, Kibambura & Kijangi	22.499
9	B2 Alt	Access Road	Kibambura & Kijangi	27.071

Source: RAP 5 approved Valuation report

Table 5.7: RAP 5 Land take by Parish

RAP No.	Parish	Sub-county	District	Country	Project land take (acres)	Parish land size (acres) (based on UBOS data)	Percentage
RAP 5	Kakoora	Buliisa	Buliisa	Uganda	20.224	5164.438	0.39%
	Nyamitete	Buliisa	Buliisa	Uganda	25.493	3430.421	0.74%
	Eastern Ward	Buliisa TC	Buliisa	Uganda	26.840	2073.507	1.29%
	Kisansya	Kigwera	Buliisa	Uganda	44.980	6691.635	0.67%
	Kirama	Kigwera	Buliisa	Uganda	18.987	7999.654	0.24%
	Kigwera	Kigwera	Buliisa	Uganda	8.104	4959.766	0.16%
	Ngwedo	Ngwedo	Buliisa	Uganda	83.902	7410.494	1.13%
	Avogera	Ngwedo	Buliisa	Uganda	28.428	2646.339	1.07%
	Kigoya	Buliisa	Buliisa	Uganda	59.609	96254.344	0.06%
	Nile	Ngwedo	Buliisa	Uganda	46.734	11284.831	0.41%
Muvule	Ngwedo	Buliisa	Uganda	1.770	5644.929	0.03%	
					365.071	153,560.36	0.24%

Source: RAP 5 approved Valuation report

The dominant land-use in the proposed RAP 5 project area is mainly crop farming mixed with scattered settlements. Farming is primarily comprised of small-scale farm plots used for household subsistence but majority of the households sell off surplus produce for cash. Being a linear project, the farmland and settlements located in the proposed RAP 5 project area is linear along roads and village tracks.

A total of 47.094 hectares of land were being actively farmed (gardens) at the time of the Asset Survey. 878 gardens were registered during the asset survey (11th January to 26th January 2019⁴³) (see Figure 5.5), two times increment in the number of fields captured during the Rapid Aerial Survey imagery (RAS) undertaken on 18th December 2018 which indicated 397 fields (see Chapter 4 of Annexure 2). The average farmed area at the time of the Asset Survey was 0.054 hectares while the minimum and maximum farmed area was 0.00074 and 0.398 hectares respectively.

Crop farming is an important livelihood strategy and, according to the Household Survey, is undertaken by up to 99.4% of the RAP 5 surveyed PAHs with 92% ranking crop farming as being of high importance to their households' livelihoods (see Chapter 4 above). Crop farming focuses on cassava as the primary crop (82.6%) of farm plots and there is a greater dependence on family labour for all stages of the farming cycle. Cassava (82.7%), and maize (84.3%) are the most important staple food crops and are used by households to secure household food needs as well as trade. 98.8% of the claimed farmland is prepared using hand hoes and surveyed households are almost entirely dependent on rain fed irrigation (98%). Most of the surveyed households (82.6%) store their produce in grass baskets inside their household. The sell of crops and vegetables is the commonest income source for 83.5% of the RAP 5 surveyed households with intra-village being the most common and undertaken by 59.4% of the surveyed households.

Loss of 47.094 hectares of farmland has the potential to impact on the major livelihood activity of the RAP 5 households.

5.4.2. Displaced Businesses

During the onsite surveys and interviews, it was established that there are Fifty-eight (58) displaced businesses in the RAP 5 project area. These were mainly retail shops dealing in consumable and some house hold items and had no clear documentation in terms of registration and payment for trading licences.

⁴³ PAPs signed a rolling COD form

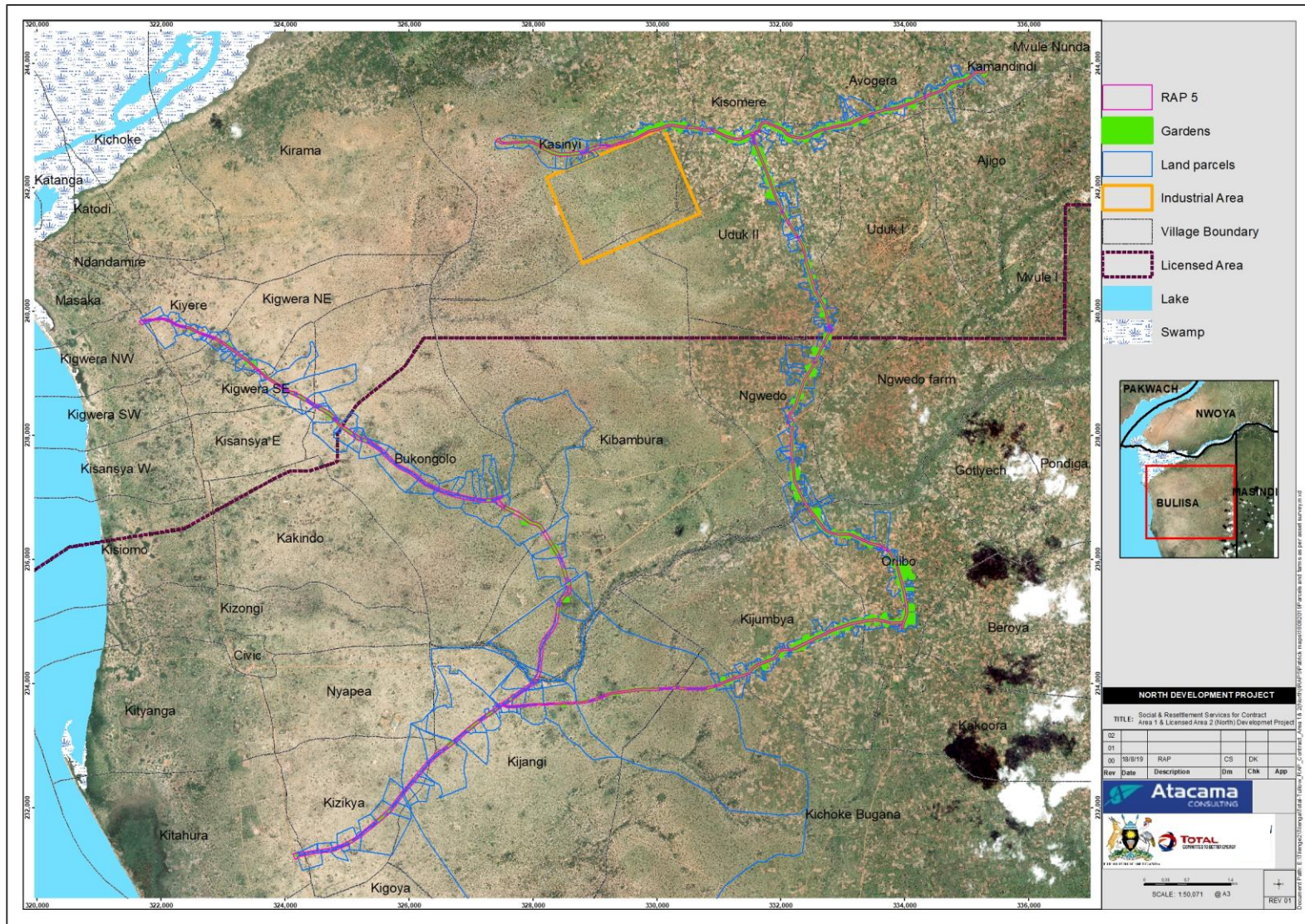


Figure 5.5: Farmland / Gardens in Relation to the Land Parcel

5.4.3. Project Affected Public Facilities

During the onsite surveys and interviews it was established that there are 14 displaced public facilities (see Table 5.8) in the RAP 5 project area.

Table 5.8: Public Facilities on RAP 5

No	Name	Caretaker	Village	Facility	Rap Number
1.	Kijangi Primary School	1. Tibemanya Nicholas 2. Kasangaki Steven	Kijangi	A3 - 2	RAP5/KIJ/481
2.	Kisiabi Primary School	1. Rwahwire Selemoth 2. Walikenda Deogracious Enock	Kizikya	A3 - 1	RAP5/KIZ/001
3.	Kigwera Health Centre II	1. Katusabe Alice 2. Byarufu Stephen 3. District Health Officer	Kiyere	A2 - 1	RAP5/KIY/063
4.	Avogera Health Center II	1. Kirabo Lauren 2. Kabagambe Edward	Avogera	A1 - 2	RAP5/AVG/362
5.	Kijumbya Primary School	1. Adokwun Regina 2. Bedijo Mose Musa 3. Orebi Alex Keno	Kijumbya	A3 - 2	RAP5/KJB/110-B
6.	Uriibo Community Bore Hole	1. Oyoma Esidoro 2. Ngamita Fraszazi	Uriibo	A4	RAP5/URB/180A
7.	Kasinyi Community Bore Hole (Disputed)	Disputed	Kasinyi	A2-1	RAP5/KAS/386
8.	Kijangi Community Borehole	1. Kaahwa Edison 2. Kisaho Celetino	Kijangi	A3-2	
9.	Kijumbya Centre Community Borehole	1. Oribi Silivio 2. Rwinyo Mazimba 3. Aduba Betty	Kijumbya	A3-2	RAP/5/KJUB/180
10.	Kibambura Community Borehole	1. Mpairwe Phikol	Kibambura	B2alt	RAP5/KIB/501A
11.	Bikongoro Community Borehole	1. Baguma William 2. Atuhaire Julius	Bikongoro	B1-Alt	RAP5/BIK/510A
12.	Ngwedo Community Water Tank	1. Onwang Angello	Ngwedo Centre	A4	RAP5/KAS/571C
13.	Uriibo Community Play Ground	1. Makmoth Narsis Wathum, 2. Okway Raphael, 3. Asimwe Paschal	Uriibo	A3-2	RAP5/URB/171
14.	Ngwedo Centre Community Play Ground	1. Onen Madwa 2. Onwanga Angelo 3. Michan Patrick	Ngwedo Centre	A4	Rap5/Ngw/571c

5.4.4. Project Affected Private Facilities

During the onsite surveys and interviews, it was established that there are sixteen (16) displaced private facilities in the RAP 5 Project area (Table 5.9). They include;

Table 5.9: Private institutions affected by RAP 5

No.	Name	Care taker	Village	Facility	RAP number
1.	St. Apollo Church Of Uganda	1.Tibemanya Nicholas	Kijangi	A3 – 2	RAP5/KIJ/482
2.	St. Mary's Ndamamire Catholic Church	1. Babyesiza Vicent 0779528714 2. Bamuturaki William	Kiyere	A2 1	RAP5/KIY/062
3.	Akichira St. Stephen Catholic Church	1. Farwinyo Paskal 2. Chanpara Francis 3. Owen Joel	Kisomere	A4	RAP5/KSM/305
4.	Kamandindi Church Of Uganda	1. Obomba Grirafel 2. Anyonga Sam 3. Jachan Lazarus	Avogera	A1 - 2	RAP5/AVG/438
5.	Avogera Catholic Church	Lubanga Stephen	Avogera	A2 - 1	RAP5/AVG/404
6.	Kijangi Church	1. Kaahwa Edison 0789980667 Pastor	Kijangi	A3 - 1	RAP5/KIJ/478
7.	Kijangi Christian Baptist Church	Bikara Godfrey, Bamuturaki Yesone & Nyabigambe Jennifer	Kijangi	A3 - 2	RAP5/KIJ/484
8.	Kijumbya Catholic Church	1. Ocaya Gilber 2. Pachudhga Vitorina 3. Wathum Isaac	Kijumbya	A3 - 2	RAP5/KIJ/110
9.	Ngwedo Secondary School	1. Muponda Bisoborwa Samuel 2. Matongo Majara Stephen	Uduk 2	A4	RAP5/UDK2/258
10.	St Marys Catholic Church Ngwedo Centre	1. Onen James Kiwanuka 2. Obetho Wilfred 3. Okumu Paulino	Ngwedo	A4	RAP5/NGW/547
11.	St. Abraham Church Of Uganda	1. Ongom Donald 2. Odubi James	Ngwedo	A4	RAP5/NGW/571A
12.	Kings Modern Nursery And Primary School	Mulaba Ejoyi	Ngwedo	A4	RAP5/NGW/571-B
13.	Charismatic Church	Not Selected	Uriibo	A4	RAP5/URB/345
14.	Byakisaka Church	Nyakato Sarah	Uriibo		RAP5/URB/162
15.	Pentecostal Fellowship Church	1. Openji Ernesi 2. Okello Jackson 3. Pifwa Jenetty	Uduk 2	A4	RAP5/UDK2/280
16.	Airtel Telecommunication Mast	American Towers Company	Ngwedo Centre	A4	RAP5/NGW/563A

5.4.5. Project Affected Public Access

During the onsite surveys and interviews it was established that there are sixteen (16) displaced public access (roads) in the RAP 5 project area (see Table 5.10).

Table 5.10: Project Affected Public Access

No.	Name	Class	Village	Facility
1	Kijangi t Kibambura	Community Road	Kijangi Kibambura	B2 ALT
2	Kibambura to Bikongoro	Community Road	Kibambura Bikongoro	B1 ALT
3	Kasinyi to Avogera via Kisomere	District Road	Kasinyi	A1-1
4	Kisomere to Kamandindi via Avogera	District Road	Kiyere, Kigwera NE and Kigwera SE	A1-2
5	Kiyere to Kigwera SE via Kigwera NE	District Road	Kiyere, Kigwera NE and Kigwera SE	A2-
6	Kigwera SE to Kibambura via Bikongoro	District Road	Kigwera SE, Kibambura, Bikongoro	A2-2
7	Kizikya to Kijangi	District Road	Kizikya, Kijangi	A3-1
8	Kijangi to Uriibo via Kijumbya	District Road	Kijangi, Uriibo, Kijumbya	A3-2
9	Ngwedo Centre to Kisomere via Uduk li	District Road	Ngwedo Centre, Uduk II, Uduk I, Kisomere	A4
10	Kibambura to Kijangi	District Road	Kibambura, Kijangi	B2 ALT
11	Wanaseko-Bugungu	UNRA Road	Kasinyi	A1-1
12	Wanaseko-Bugungu	UNRA Road	Kamandindi	A1-2
13	Wanaseko to Buliisa	UNRA Road	Kiyere	A2-1
14	Hoima to Buliisa	UNRA Road	Kizikya	A3-1
15	Ngwedo to Waiga Bridge	UNRA Road	Uriibo Ngwedo Centre, Kijumbya	A4
16	Buliisa- Bugungu	UNRA Road	Kibambura	B1-ALT

5.4.6. Loss of Grazing Areas

Livestock rearing is an important livelihood strategy and, according to the Household Survey, is undertaken by up to 89.3% of the RAP 5 surveyed PAHs with 56.5% ranking livestock rearing as being of high importance to their households' livelihoods (see Chapter 4). The most common livestock kept by households include chickens, goats and cattle (Chapter 4). While several of the livestock reared as indicated in Chapter 4 are confined to the compound, households with cattle, goats and sheep predominantly rely on pasture grazing on communal land (91%) – only 5.3% utilise tethered grazing, 3.2% practice fenced grazing and, 4.4% provide fodder to their livestock. A substantial percentage (55.3%) of the livestock keepers who graze on communal lands travel distances of over an hour to graze their livestock (Chapter 4), and more than 54.3% of surveyed households source water for cattle from Lake Albert (see Chapter 4), with 45.9% of the households that rear cattle travelling more than an hour to the nearest water source, and communal boreholes are largely used for livestock such as goats and chickens that require smaller volumes of water (see Chapter 4).

Trade in livestock and livestock products is a key income source for 89.2% of the surveyed households and households that trade in livestock commonly sell their products at markets within the same village (54.6%), to fellow households (32.6%) and Buliisa local markets (29.2%). On average, livestock traders visit the markets in the neighbouring villages 2 times per month (see in Chapter 4).

In summary, the proposed RAP 5 project area impacts grazing areas. Loss of this grazing area will impact cattle owners, registered PAHs as well as other households from the villages surrounding the RAP 5 project area who were used to grazing cattle in these areas. It is however impossible to provide

an accurate figure of the total number of households indirectly affected although, two (2) kraals are impacted in the RAP 5 project area. Grazing grounds are seasonal so that land is kept in reserve for the dry season therefore grazing land may appear to be unused for part of the year. Impacting this 'reserve' creates potential impacts for pastoralists, especially in drought years.

5.4.7. Loss of Access to Natural Resources

The Household Survey results (see Annexure 2) indicated that 97.1% harvest natural resources, of which 37.4% consider such resources to be of high importance in sustaining household livelihoods. It is also probable that other non PAP households harvest natural resources from the communal lands in the RAP 5 project area.

The most common natural resources that are harvested include; firewood (95.9%), grass for thatching, wild fruits and vegetables (43.7%) and medicinal plants (40.7%) (See Chapter 4). Except for wild fruit and vegetables, all other natural resources harvested are non-food items.

As the affected households reside in a number of villages, there is no single specific area from which natural resources are collected. Most natural resources are harvested from within the village or in direct proximity to the village of the household (see Chapter 4). For the most part, such resources are collected frequently and would need to be carried to the households; therefore, households generally limit the distance within which they collect natural resources to within or in close proximity (less than 1km away) to the household. However, 15.5% of the households claimed that they collect firewood, more than 5 km away from their homes. The fact that some households are willing to walk such distances to harvest a frequently used resource such as firewood, suggests that some natural resources may be becoming more difficult to source locally. The utilisation of natural resources varies depending on the type of natural resources (see Chapter 4). Wild fruits and vegetables, firewood and thatching grass are mostly used for domestic purposes but are also traded, while shells from the lake are traded exclusively, and medicinal plants are mainly used for traditional medicine.

In summary, the collection of natural resources is a very important component of rural livelihoods, and natural resources play a significant role in reducing vulnerability and providing safety nets and subsistence (food, firewood and income) for women who depend on natural resources for livelihoods and in fulfilling their gender roles (provision of food, collection of water and firewood, child care and health care) – 89.1% of the households indicated that it is females who collect natural resources (see Chapter 4). The proposed RAP 5 project area is an important source of these items for residents of both PAHs and non-PAP households.

5.4.8. Loss of Graves, Burial Sites and Sacred Sites

During the asset surveys, it was established that sixty-five (65) graves, twenty three (23) family shrines, nineteen (19) community shrines, and four (04) Churches will be affected by RAP 5.

6. STAKEHOLDER ENGAGEMENT

6.1. Introduction

This Chapter provides an outline of the main engagement activities carried out during the RAP 5 planning process, a summary of key issues identified during the RAP 5 engagement process, and a list of activities to be carried out during the RAP 5 implementation process.

In order to guide the design and schedule of activities, the RAP Team developed the Tilenga RAP 5 *Stakeholder Engagement Plan* (“Tilenga RAP 5 SEP”) specific to the resettlement process – an internal document, setting out the overarching engagement principles and approach alongside ‘live’ detailed action plans for engagement between TEP Uganda, and national, regional and local stakeholders during the resettlement process. The RAP 5 SEP guided the team and relevant TEP Uganda project team in the stakeholder engagement activities during the planning phase. The RAP 5 engagement process has been and will continue to be used for:

- Identifying and prioritising stakeholders affected by and interested in the RAP 5 project area, and;
- For establishing and managing relationships with those stakeholders throughout the resettlement process.

The Tilenga RAP 5 SEP is a ‘living’ document, which is continually updated during the resettlement process, including the RAP 5 implementation phase.

The Tilenga RAP 5 SEP included the principles and objectives identified in Tilenga project Stakeholder Engagement Plan 2018. This SEP framework (as indicated in Figure 6.1) aims to ensure that the planned engagements with external stakeholders during the resettlement activities, the Environmental Social Impact Assessment (ESIA) processes, and other development related studies and surveys associated with the Tilenga project are performed in a consistent manner in compliance with the project standard. The approach set out in the SEP drew on the experience of stakeholder engagement and understanding of the stakeholder concerns which, TEP Uganda and the Atacama RAP Team have gained during previous activities in and around the Tilenga project area as well as, engagement and consultation standards and best practices.

The RAP 5 SEP was prepared following:

- The review of the project documentation, including the Tilenga RAP 1 SEP 2017, and Tilenga ESIA socio-economic baseline report (2019)
- The initial resettlement disclosure activities related to RAP 5 project undertaken during December 2018; and
- RAP Contractor Team and TEP Uganda staff inputs during a stakeholder engagement training held in Buliisa from 10th to 12th December and from 17th to 18th December 2018.

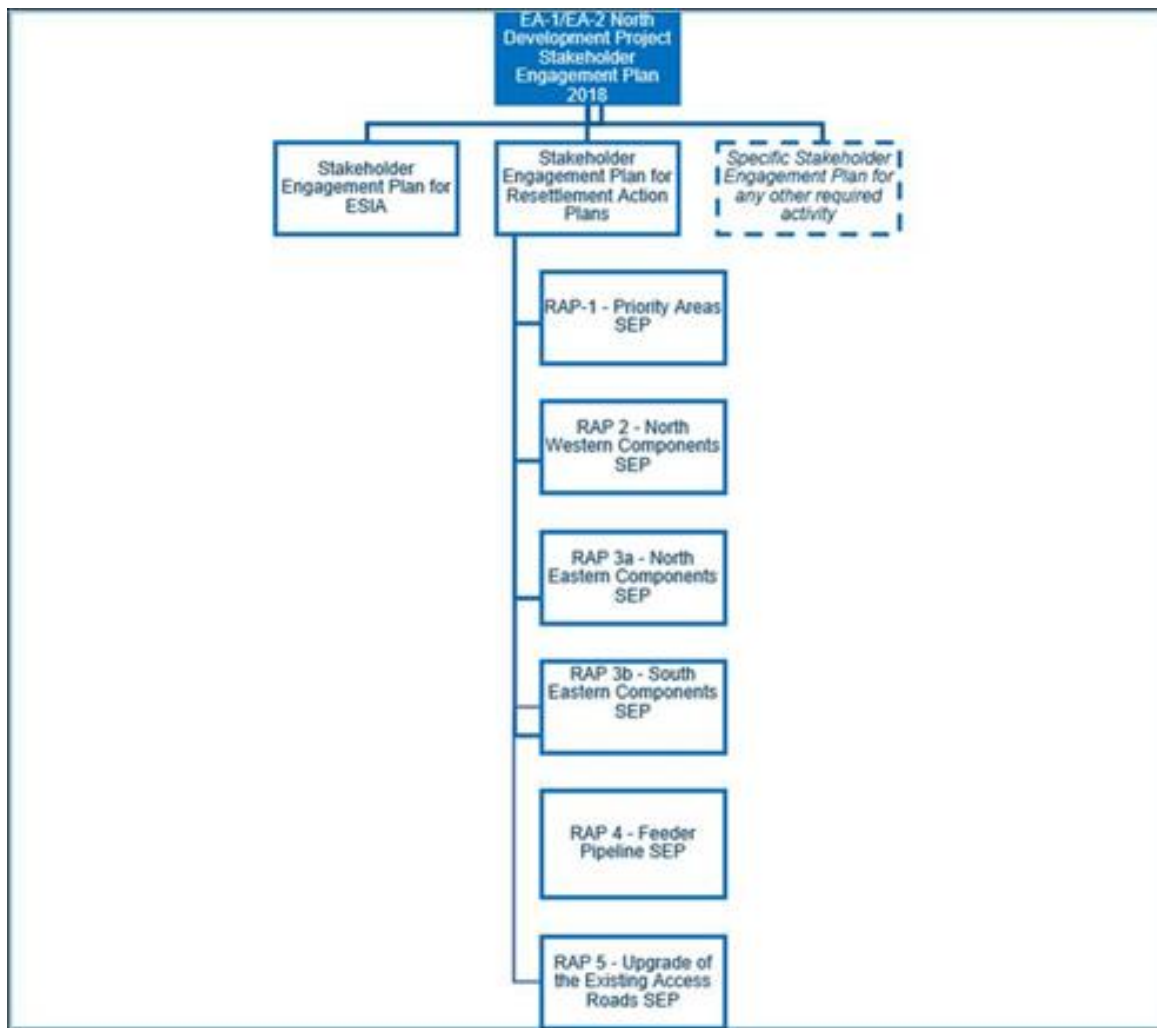


Figure 6.1: Tilenga Project Stakeholder Engagement Framework

6.2. Policies, regulations, requirements and principles for stakeholder engagement

The policies, regulations, requirements and principles set out in Table 6 underpin all engagement activities related to RAP 5.

Table 6.1 – Policies, regulations, requirement and principles for resettlement engagement

National	<p>The National Constitution (1995)</p> <p>Environmental Impact Regulations (1998)</p> <p>Environmental Impact Assessment Guidelines for the Energy Sector (2004)</p> <p>The Land Act (1998)</p> <p>The National Development Plan II 2015/2016 - 2019/2020 (NDP)</p> <p>National Gender Policy (1997)</p> <p>National Plan of Action for Women</p> <p>The Local Government Act (1997)</p> <p>Illiterate Protection Act (1918)</p>
MEMD, MLHUD and Joint Venture Partners	The Lake Albert Basin (Albertine Graben) Land Acquisition and Resettlement Framework (LARF) for upstream oil and gas activities
TEP Uganda corporate standards	Tilenga Project Stakeholder Engagement Plan 2018.

	TEP Uganda Practical Guide to Resettlement Planning and Implementation
International standards	International Finance Corporation (IFC): <ul style="list-style-type: none"> • Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts • Performance Standard 5: Land Acquisition and Involuntary Resettlement IPIECA social responsibility guidelines.

6.3. Principles and Approach to Stakeholder Engagement

Stakeholder engagement is essential during the resettlement process in order to ensure the success of projects, provide inputs into project decision making, building and sustaining healthy trusting relations with stakeholders that support the project’s social licence to operate⁴⁴. Engagement is particularly important in the context of Tilenga RAP 5 project area of operations where preliminary assessment (see Chapter 12) indicates that 8.3% of Project Affected Households (PAHs) based on the current 95% RAP 5 PAH socio-economic census survey, are considered vulnerable. This percentage is however subject to update and verification through stakeholder engagement with household heads and persons included in the list as well as key stakeholders from the village and district during RAP implementation.

Notably, for the RAP 5 project, identified principles of stakeholder engagement and good practice strategies intersect with issues and concerns specific to the resettlement process (Table 6.2).

Table 6.2: Intersection between principles, strategies and key issues

Note: Blue cells denote areas identified as challenges in carrying out stakeholder engagement. The implementation of SE activities was designed and/or modified to respond to these challenges.

Principles & Additional Strategies	Key issues						
	Limited time to build trust	Bribery & Corruption	Stakeholder hostility / disengagement	Stakeholder Perceptions	Challenges of engaging some vulnerable PAPs	Land disputes and speculation	Concurrent field studies
Operator Principles							
Consultation & Timely disclosure							
Inclusive engagements							
Joined Up							
Use of appropriate platforms & methods of communication							
Grievances recorded, tracked and effectively closed out							
Regularly review stakeholder groups and views							
Respect & integrity							
Continuous engagement							
Supplementary Principles							
Free prior and informed - disclose early, with objective, meaningful information, equal access to information							

⁴⁴ A detailed discussion on the importance of stakeholder engagement, the principles and approach during the RAP 5 planning process is included in the SEP.

Principles & Additional Strategies	Key issues						
	Limited time to build trust	Bribery & Corruption	Stakeholder hostility / disengagement	Stakeholder Perceptions	Challenges of engaging some vulnerable PAPs	Land disputes and speculation	Concurrent field studies
Free of manipulation interference and free of charge							
Transparency							
Zero tolerance to Bribery & Corruption							
Confidentiality							
Additional Strategies							
Limit the number of engagements with each household							
Single consistent CLO point of contact							
Coordinate activities with clearly assigned and implemented roles & responsibilities - across resettlement and project related teams							
Documentation - Record and track all engagement							
Clear, timely mechanisms to respond to concerns, grievances, suggestions and commitments (e.g. reporting back)							
Iterative mechanism to incorporate stakeholder feedback into project design and decision making including resettlement							

6.4. Resettlement stakeholder engagement aims and objectives

The **aim** of stakeholder engagement within the resettlement process is to ensure that all interested and affected parties are informed and involved throughout the project activities, while being provided with the necessary information to influence and participate in the resettlement planning decision-making process.

The **core objectives** of stakeholder engagement during the resettlement planning process for the RAP 5 project were to:

- Identify and map all relevant stakeholders, their context, interests and concerns;
- Establish a two-way dialogue to understand concerns, management options and external perspectives for incorporation into resettlement design and decision making;
- Proactively inform all potential affected and interested stakeholders about the resettlement process (including the schedule, grievance mechanism, rights and responsibilities), process status and feedback and opportunities to provide input;
- Promote and secure participation of PAPs by building their capacity for informed participation with special attention given to vulnerable PAPs in key decision making;
- Build and maintain trust between stakeholders and TEP Uganda including national and local authorities, support the resolution of emerging tension and maintain the project's social licence to operate;
- Promote and strengthen internal engagement with the Joint Venture partners and other Tilenga project contactor teams in support of the resettlement process;
- Manage stakeholders' expectations, especially those related to resettlement compensation;

- Support consistent project level engagement in relation to the project land acquisition and resettlement processes;
- Facilitate the collection of quality primary and secondary baseline information relevant to the resettlement and livelihood restoration processes including monitoring;
- Triangulate data collected and enable data analysis to inform resettlement decision making;
- Document information disclosed and public consultation efforts;
- Comply with regulations and Tilenga project requirements on disclosure and consultation, and;
- Build positive, long term relationships with stakeholder that will help lay the groundwork for social acceptance of future RAPs and the overall Tilenga project.

6.5. Stakeholder identification, analysis and prioritization

TEP Uganda has already identified categories of stakeholders for the Tilenga project as per Table 6.3.

Table 6.3: Tilenga Project SEP Framework Stakeholder categories

Stakeholder Cluster	Main stakeholders in type (group)
Authorities	<ul style="list-style-type: none"> • Central Government, agencies and authorities • Local Government leadership and administration including health, education, social welfare, nature resource management. • Legislators • Educational facilities • Security and emergency services • Tourism authorities • International Donors
Civil Society	<ul style="list-style-type: none"> • NGO, coalitions and environmental, social and economic development partners • Religious leaders • Traditional leaders and Cultural leaders • Media
Communities	<ul style="list-style-type: none"> • Project Affected Communities – Land owners/users, receiving / host communities • Secondary communities – may be affected by the project ancillary services e.g. where equipment may move through during transportation
Business	<ul style="list-style-type: none"> • Suppliers and contractors • Financial and industrial partners • Professional organizations • TEP Uganda • Local businesses and cooperatives • Tourism investors, operators

Source: EA-1/EA-2 North Development Project Stakeholder Engagement Plan 2018

Following the completion of field studies conducted for RAP 5 between December 2018 and March 2019 (socio-economic, Rapid Aerial Survey, legal due-diligence, asset inventory, cadastral, cultural heritage & archaeology and livelihood studies), the stakeholder engagement team identified and regrouped the RAP 5 stakeholders into categories as per Table 6.3 above. The socio-economic survey team in collaboration with the stakeholder engagement team developed a set of context specific criteria to support the grouping of PAPs, in particular vulnerable PAPs as well as PAPs who are less readily accessible for engagement. Chapter 12 provides the categories of vulnerable people identified in the RAP 5 project affected area and further discussion on the subject.

Following the above, engagement activities were prioritised based on stakeholders' **influence** and interest in the resettlement process, the overall aim was to ensure that all stakeholders are identified and engagement approaches designed and implemented that:

- Drive effective communication of resettlement information;
- Support confirmation that information has been understood;
- Facilitate feedback from stakeholders; and,
- Enable stakeholder input and participation in decisions affecting their lives.

High influence/High impact. This group primarily includes Local Government representatives at the district (including members of the Buliisa District Resettlement Committee – DIRCO), parish and village levels of the affected communities, identified PAPs and other marginalised and vulnerable groups. This group can influence the timing of project activities, mode of compensation and public interest in the project.

The RAP Contractor stakeholder engagement team worked closely with members of this group to obtain input and guidance on key decisions, and support in ensuring that critical information was passed onto PAPs. The RAP 5 Team Community Liaison Officers (CLOs) were based in Buliisa making regular visits to project affected villages of Kizikya, Kitahura, Kijangi, Kijumbya, Uriibo, Ngwedo Centre, Kibambura, Bikongoro, Kigwera South East, Kigwera North East, Kiyere, Kasinyi, Kisomere, Avogera, Kamandindi Uduk I and Uduk II.

The CLOs presence on the ground helped PAPs raise any questions, concerns and grievances and supported direct engagement with less accessible PAPs where appropriate to keep them informed and involved in the RAP 5 process. The CLOs also provided support during detailed due diligence surveys.

Of particular concern were PAPs whom had restricted or no ability to inform or make decisions or represent their interests regarding their individual or family assets affected by the resettlement process. Potential PAPs in this group include: female headed households, the elderly, children and some members of families in existing land related disputes. Additional PAPs that were noted within this group were those who may have less ability to participate in the resettlement related engagement activities including the disabled, and elderly PAPs as well as children.

High influence/Low impact. This group includes organisations at national and local level that have a greater influence in the progress of the project because of their legal regulatory powers traditional authorities/Kingdoms, media, religious institutions and the strong NGOs' interests on the social and environmental issues raised by the project. This group has the capacity to provide baseline information, influence choices and public support, as well as participate in livelihood restoration activities for the project.

TEP Uganda carried out direct engagement with national stakeholders such as ministries – both with individual ministries (see Table 6.4) and as part of the Resettlement Advisory Committee (RAC) and with NGOs, through the Civil Society Coalition on Oil and Gas (CSCO).

Low influence/High impact. This group includes the indirectly affected communities, business community and local public service providers. The stakeholder engagement team organised several community meetings to share information on the progress of the resettlement process, key decisions taken by the Resettlement Team together with the RPC and the DIRCO, and gain their feedback.

Low Influence/Low impact. This group includes the general public, academic and research organisations. The team engaged with this group of identified stakeholders primarily through the initial disclosure of the RAP process with meetings in Kampala and several villages in Buliisa district near the project affected area, as well as through local media sharing various information regarding the progress of the project.

Table 6.4: Stakeholders' influence and project impact analysis (RAP 5 Project Area)

Stakeholders' influence on Resettlement Project Resettlement Project impact on stakeholders	Authorities	Civil Society	Communities	Business	Committees
High/High	Kizikya LC I Uduk II LC I Kibambura LC I Kisomere LC I Kijangi LC I Kijumbya LC I Uriibo LC I Ngwedo Center LC I Bikongoro LC I Kigwera South East LC I Kigwera North East LC I Kiyere LC I Kasinyi LC I Avogera LC I Kamandindi LC I Uduk I LC I Kitahura LC I Ngwedo LC III (sub-county) Buliisa LC III (town council) Buliisa LC III (sub-county)	Bugungu Heritage Information Centre (BHIC) Buliisa Initiative for Rural Development Organisation (BIRUDO) Civic Response on Environment and Development (CRED) National Association Program for Environment (NAPE) Uganda Community Empowerment for Development (CED) Kijumbya Catholic Church Kijangi Church of Uganda Akicira Catholic Church Kamandindi Catholic Church	PAC Kasinyi Village PAC Kizikya Village PAC Uduk II Village PAC Kibambura Village PAC Kisomere Village PAC Kijangi Village PAC Kijumbya Village PAC Uriibo Village PAC Ngwedo Center Village PAC Bikongoro Village PAC Kigwera South East Village PAC Kigwera North East Village PAC Kiyere Village PAC Avogera Village PAC Kamandindi Village PAC Uduk I Village PAC Kitahura Village PAs from the affected communities		Buliisa District Resettlement Committee (DIRCO) RAP 5 affected Resettlement Planning Committees (RPCs) (Kigwera, Ngwedo, Buliisa sub-counties, and Buliisa town council); Buliisa District Land Board (BDLB)

Stakeholders' influence on Resettlement Project Resettlement Project impact on stakeholders	Authorities	Civil Society	Communities	Business	Committees
	Kigwera LC III (sub-county) Petroleum Authority of Uganda (PAU) Ministry of Land Housing and Urban development (MLHUD) Ministry of Energy and Mineral Development (MEMD)				
High/Low	Uganda Wildlife Authority (UWA) National Environment and Management Authority (NEMA) Ministry of Health (MoH) Ministry of Gender, Labour and Social development (MoGLSD) Ministry of Works and Transport Uganda National Roads Authority Bunyoro-Kitara Kingdom (BKK) Ministry of Agriculture, Animal Industry and Fisheries Directorate of Water Resources Uganda Human Rights Commission (UHRC)	Africa Institute for Energy Governance (AFIEGO) Albertine Graben Oil and Gas Districts Organization (AGODA) Civil Society Coalition Organization (CISCO) Action for Community Development and Empowerment (ACODE)			Parliamentary Committee on Oil and Gas Resettlement Advisory committee (RAC)
Low/High	Ministry of Internal Affairs Ministry of Education and Sports	Lake Albert Children and Women Advocacy for Development (LACWADO, CBO-Buliisa)	Buliisa cattle keepers Buliisa Dairy Farmers Association	Buliisa Traders Association	Area Land Committee of Ngwedo, Kigwera and Buliisa Sub- counties

Stakeholders' influence on Resettlement Project Resettlement Project impact on stakeholders	Authorities	Civil Society	Communities	Business	Committees
	Ministry of Justice and Constitutional affairs	Hoima Caritas Development Organization (HOCADEO) Soft Power Education Foundation The AIDS Support Organization (TASO) Justice Centers Uganda (JCU) Build Africa Uganda	Un registered Immigrants Bugana Health center III Ndandamire Primary School	Buliisa Business Community Kijangi Traders Uriibo Traders Ngwedo Center Traders Kijumbya Traders Uduk II Traders Uduk I Traders Akicira Traders Kisiabi Traders Avogera Traders	Urban Land Committees of Buliisa Town Council Mungu Miyo FAL Group Mungu Bikonyo Group
Low/Low	Affected sub-county police station/post Buliisa Central Police Station Ministry of Tourism, Wildlife and Heritage (MTWH) Ministry of Internal Affairs Ministry of Justice & Constitutional Affairs Ministry of Local Government (MoLG) Ministry of Water Environment and Natural Resources	Community Integrated Development Initiative, Living Earth Uganda Amaari Community Development Organisation World vision	Health Centre III (Avogera) Health Centre II (Kigwera) Kasinyi Church Kihangi Church Uganda Kijangi Primary School Kisiabi Primary School Kirima Primary School Private Nursery School (Kisomere) Public Primary School (Kisomere)	Buliisa District Livestock Association Buliisa District Chamber of Commerce	

Stakeholders' influence on Resettlement Project Resettlement Project impact on stakeholders	Authorities	Civil Society	Communities	Business	Committees
	Directorate of Water and Resource Management (DWRM)		Public Primary School (Wanseko) Public Primary School (Kirama) Public Secondary School (Kisansya) Public Secondary School (Hoima) Public Secondary School (Bagungu) Tertiary education (Kampala) Tertiary education (Hoima) Tertiary education (Makerere)		

6.6. Stakeholder engagement activities and the resettlement planning process

The RAP 5 Stakeholder Engagement team carried out several activities throughout the resettlement process in collaboration with TEP Uganda staff and representatives from the MEMD and MLHUD. The engagement activities were carried out with the wider affected communities, individual PAPs and, through Buliisa District Resettlement Committees (DIRCO) and Resettlement Planning Committee (RPC).

The engagement related activities for the RAP 5 planning phase are summarised in Figure 6.2. The remainder of this section provides more detail about each of the engagement interventions undertaken during the RAP 5 planning phase.

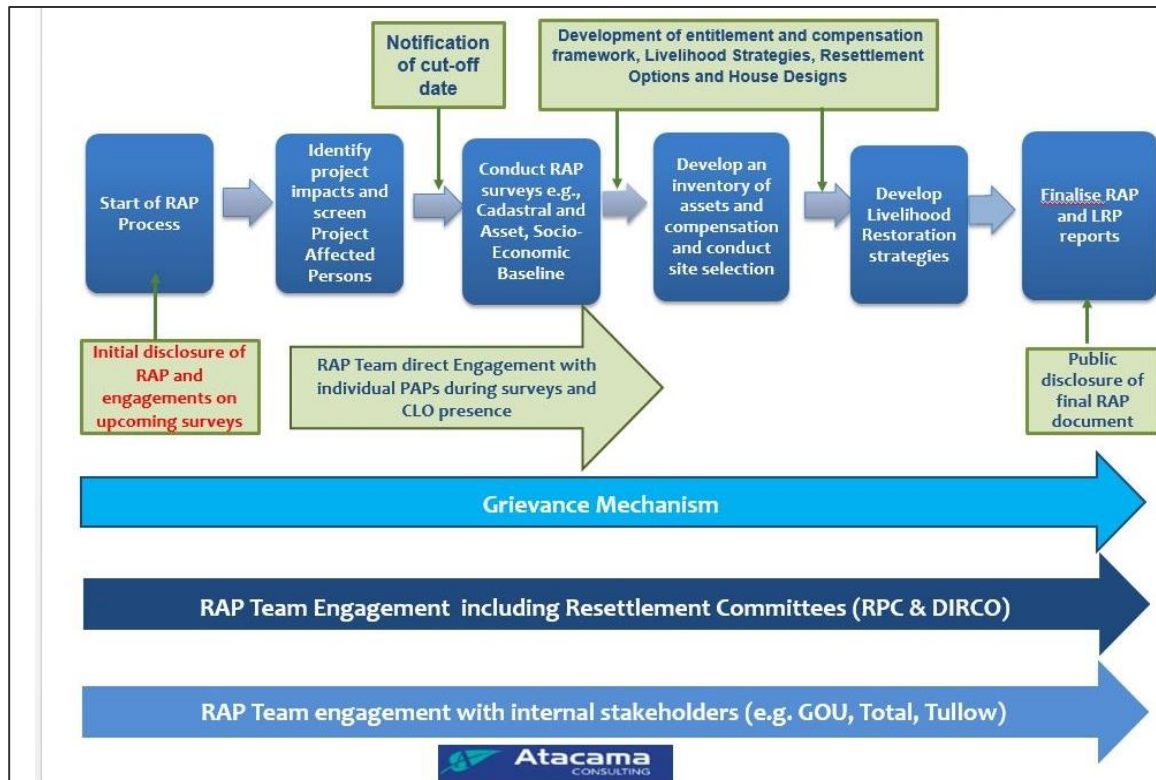


Figure 6.2: RAP 5 planning process stakeholder engagement activities

6.6.1. Initial disclosure of the RAP process

Between 5th and 13th December 2018, the RAP Team held a series of meetings with national, district and local government representatives, NGOs and CBOs at national and local level and potentially preliminarily identified affected villages to disclose the resettlement process for the RAP 5 of the Tilenga project in Buliisa district (Table 6.5).

The objectives of the disclosure engagement were to:

- Further identify/verify and support mapping of affected and interested stakeholders, their context, interests and concerns;
- Proactively engage in order to inform all potentially affected and interested stakeholders about the resettlement process (including timetable, grievance mechanism, rights, responsibilities, data management, confidentiality), process status, and opportunities to provide input;
- Promote and secure participation of affected PAPs and start to build their capacity for informed participation, especially vulnerable PAPs in key decisions;

- Understand and help manage stakeholders' expectations, including expectations relating to resettlement compensation;
- Initiate the process of two-way dialogue in order to understand concerns, management options and external perspectives for incorporation into resettlement design and decision making;
- Help build trust between stakeholders and TEP Uganda including national and local authorities; and,
- Provide answers to stakeholder questions, especially on how information from surveys will be stored and potential impacts and disruptions to PAPs.

Table 6.5: Stakeholders engaged in the RAP 5 Initial disclosures

Stakeholders engaged during the Initial RAP 5 disclosures	Date
Ministry of Tourism, Wildlife and Antiquities (MTWA), Uganda Wildlife Authority (UWA), Department of Museums and Monuments, Ministry of Agriculture, Animal Industry and Fisheries, Ministry of Works and Transport, Ministry of Gender Labour and Social Development (MoGLSD), Ministry of Internal Affairs, Ministry of Justice & Constitutional Affairs, Ministry of Local Government (MoLG), Petroleum Authority of Uganda (PAU), National Forestry Authority (NFA), Uganda National Roads Authority (UNRA), Uganda Bureau of Statistics (UBOS), Office of the Auditor General (OAG)	05 th December 2018
Africa Institute for Energy Governance (AFIEGO), Civic Response on Environment & Development (CRED), World Vision Uganda, Soft Power Education, Living Earth Uganda, Link Community Development, Advocate Coalition for Development and Environment (ACODE), FES Uganda, CSCO, Water Governance Institute, COTFONE Community Information, FIT Insights, Maendeleo ya jami, LANDNET, Friedrich-Ebert-Stiftung Uganda (FES-Uganda), National Association of Professional Environmentalists (NAPE), Global Rights Alert, Voluntary Initiative Support Organization (VISO), Fauna and Flora International (FFI), Albertine Graben Oil and Gas Districts Association (AGODA), Civil Society Coalition on Oil and Gas (CSCO) Citizens Concern Africa (CICOA), National Association of Women's Organizations of Uganda (NAWOU), Avocats San Frontieres (ASF) Uganda Human Rights Commission, Global Rights Alert, Minority Rights Group International.	05 th December 2018
LC II Chairpersons of Kirama, Kigwera, Kisansya, Nile, Ngwedo, Nyamitete, Kabolwa, Kakoora, Avogera, and Mubaku Parishes. LCI Chairpersons of Kizikya, Kitahura, Kijangi, Kijumbya, Uriibo, Ngwedo Centre, Kibambura, Bikongoro, Kigwera South East, Kigwera North East, Kiyere, Kasinyi, Kisomere, Avogera, Kamandindi Uduk I, Uduk II, Beroya, Pondiga and Bugana-Kichoke villages. Civic Response on Environment and Development, Maendleyo Ya Jame, Bugungu Heritage Information Centre, Agency for Integrated Development, BIRUDO, BULOGA, LACWADO, Kakindo Orphanage Care, Bagungu Community Association, Buliisa Youth Volunteers, and Buliisa NGO Forum.	07 th December 2018
Communities of Bikongoro, Kigwera South East, Kigwera North East and Kasinyi villages	09 th December 2018
Buliisa District Technical Planning Committee, Buliisa District members of the Executive Committee, Senior Assistant Secretaries/Town Clerk and LCIII Chairpersons of Ngwedo, Kigwera, Buliisa sub-counties and Buliisa town council.	10 th December 2018
Communities of Kisomere, Uduk II, Kibambura Kizikya, Kitahura, Kijangi, Kijumbya, Uriibo, Ngwedo Centre, Bikongoro, Kiyere, Avogera, Kamandindi and Uduk I villages.	11 th to 13 th December 2018
Buliisa District Members of Parliament and Founder members of Bagungu Community Association. Build Africa, BIRUDO, BULOGA, LACWADO, Kakindo Orphanage Care, Buliisa Oil & Gas Task Force, Bugungu Community Association, Buliisa NGO Forum and Buliisa District Chamber of Commerce.	12 th December 2018
Bunyoro-Kitara Kingdom representatives. Community of Avogera village.	13 th December 2018

Stakeholders were presented with information on the resettlement process using power point presentations, leaflets, project brief information documents and banners depending on the category of stakeholders. These materials (see Annexure 3) were also translated into the main local languages (Runyoro, Lugungu and Alur) to support community and PAP understanding of the RAP process. The activities in the disclosure pack include: Rapid Aerial Surveys, Cadastral and asset inventory surveys, Legal due diligence, socioeconomic baseline and household census surveys, Livelihood Restoration studies, among others. The team developed a presentation and organised question and answer sessions where participants raised their comments and concerns on the project

6.6.2. Engagement during Detailed Due Diligence (Rapid Aerial, Asset Inventory, Cadastral Land, Legal Due Diligence and Socio-economic Surveys)

Members of the stakeholder engagement team carried out several activities during the period of the asset and cadastral surveys, legal due diligence and socio-economic surveys between the months of January and March 2019. The objectives of these engagements were to:

- Update the community on the progress of the resettlement process and the implications of the various surveys;
- Gather any concerns and grievances raised during the survey period; and,
- Establish a two-way dialogue in order to understand concerns, management options and external perspectives for incorporation into resettlement design and decision making.

In order to achieve the outlined objectives, the RAP 5 contractor team first held community meetings (Figure 6.3) to inform local residents of the forthcoming RAP activities, explaining how each survey fit into the resettlement planning process and how the surveys would be conducted. The meetings took place in the following villages, on the following dates;

- Kasinyi, Bikongoro and Kigwera N.E (09th December 2018),
- Kijangi, Kibambura, Kijumbya, Ngwedo Centre, Uriibo, Kitahura and Kizikya (11th December 2018), and,
- Uduk II, Uduk I, Kamandindi, Kisomere, Kigwera S.E, Kiyere and Avogera (12th December 2018) Kasinyi (27th April 2017).

Local Community (LC) leaders also assisted in mobilising the affected villages.

CLO engaged the Para LC 1 chairperson about the aerial survey flight activities that were launched in their village. The CLO obtained a verbal consent from the landowner (UWA), where the survey flights were launched.

Throughout the survey period, the RAP 5 Team CLOs provided support to the various survey teams operating in the area (i.e. valuers, surveyors, Lawyers, RAS team etc.) in their direct engagement with PAPs, answer questions PAPs had about the surveys and gather any grievances.



Figure 6.3: RAP Team CLO (standing) engaging PAPs during the legal due diligence survey

6.6.3. Socio-economic, Livelihood Restoration and Specialist Studies Interview Programmes

The socio-economic, livelihood restoration and other specialists (cultural, heritage, archaeology, gender, and public health) teams carried out qualitative interviews, key informant interviews and focus group discussions to further gather data and understand identified social trends, the details of which are included in Chapter 4 (above) of this report.

6.6.4. Cut-off Date Announcement

The Stakeholder Engagement Team developed a specific strategy to announce the cut-off date (see Chapter 8 Section 8.2.3) when the eligibility for resettlement and compensation is established and completed following the asset Inventory/valuation surveys. The objectives of the cut-off date announcement strategy were to:

- Comply with national guidance and best practice requirements;
- Approve and advise on suggested methods for cut-off-date notifications;
- Ensure that the cut-off date was publicly and widely disclosed and understood by PAPs and other interested stakeholders;
- Ensure all PAPs were aware of the date and its implications;
- Minimise speculation and any fraudulent activities linked to potential compensation;
- Minimise the number of absentee landowners;
- Continue to engage proactively to inform all potential affected and interested stakeholders about the resettlement process and promote / secure participation of affected PAPs and build their capacity for informed participation;
- Continue to build / maintain trust between stakeholders and TEP Uganda including national and local authorities, support the resolution of emerging tension in relation to the resettlement process; and,
- Document information disclosed and public consultation efforts.

A rolling Cut-off Date was applied to individual PAPs during the asset inventory and legal due-diligence surveys during which each of the identified PAPs was informed in detail about the meaning of the Cut-off Date and its implications after each property identification and during signing of the property identification and assessment forms.

Each landowner was required to sign the Cut-off Date form (see Appendix 3 of Annexure 1). A local interpreter was provided for at this stage to help ensure each PAP was informed. A special assistance desk was created for the vulnerable PAPs identified at site such as the elderly, pregnant mothers and disabled persons.

A final cut-off date for RAP 5 Project Area was declared on 18th the February 2019 in the villages of Kamandindi, Avogera, Kisomere, Kasinyi, Ngwedo Centre, Kibambura, Kizikya, and Kitahura, Kijangi, Uriibo, Kijumbya, Uduk I, Uduk I, Uduk II, Kigwera NE, Kigwera SE, Kiyere, Bikongoro (Figures 6.4, 6.5 and 6.6).

To enhance the effectiveness of final cut-off date declaration, a number of communication methods were used and materials were developed, translated and shared with of the PAPs (see appendix 4 of annexure 1). Posters were displayed at various strategic centres around the community such as trading centres, churches, health centres and schools. Leaflets were also developed, translated and shared with majority of the PAPs and the wider community. Both the posters and leaflets included some Frequently Asked Questions (FAQs). (See appendix 4; communication material for the disclosure of the cut-off date of Annexure 1).

Additionally, public notices were lodged on notice boards around Buliisa and a signage posts (Figure 6.7) were placed around the RAP 5 Project Area to discourage speculative development whilst allowing access for ongoing local farming activities.



Figure 6.4: Community meeting held at Kijumbya Catholic Church explaining RAP 5 Cut-off Date (18th Feb 2019)



Figure 6.5: Community meeting held at Bikongoro village explaining RAP 5 cut-off date 18th Feb 2019



Figure 6.6: Cut-off Date poster displayed at Bulisa District Headquarters



Figure 6.7: Signage around the demarcated RAP 5 project area at Ngwedo Centre

Furthermore, cut-off date radio announcements were run during prime time on two radio stations Biiso FM and Kings FM. The objectives of the radio announcements were to:

- Announce the cut-off date to the wider community in order to reach out to residents who make use of the resources and assets in the RAP 5 project area, and;
- Identify any absentee landowner who had not been identified during the cadastral land and asset valuation surveys.

The cut-off date radio announcements were presented in English, Lugungu and Alur and were ran for two consecutive days from 18th to 19th February 2019.

During CoD announcements and on all CoD communication materials, the RAP Team clarified that PAPs could still access their residences, structures and land, grow crops, harvest crops, graze animals until compensation awards were made. However, it was also made clear that any investments (e.g. new structures, new trees/crops) made after the cut-off date would not be eligible for compensation; as these would not be part of the assessed property and included in the budget for compensation awards. All presentations were translated in the local languages particularly Lugungu and Alur.

6.6.5. Strip Map Disclosure and PAPs verification

Display of RAP 5 strip maps and verification of the list of registered PAPs was conducted from 22nd and 31st March 2019 after compilation of draft valuation schedules. To encourage maximum participation in the display of strip map exercise, radio announcements were organised for the duration of the strip map display exercise on local radio stations such as Kings FM Masindi (in English) and Radio Biiso (in English, Alur and Lugungu).

Throughout the activity, RAP Team CLOs recorded and monitored the attendance and visited PAPs who were identified as vulnerable (e.g. elderly, women with children etc.) and any PAPs that were not able to attend the disclosure and verification at the appointed meeting points.

The display of strip maps was aimed at identifying any errors (assessment and name spellings), omissions, and any misrepresentations before the preparation and submission of the final valuation report. More specifically, the objectives of the strip map exercise were to:

- Engage PAPs in the verification of the data collected during the survey period to ensure the transparency of the survey system;
- Ensure that every PAP was fully aware that their details were captured by the survey team;
- Provide an opportunity for PAPs to highlight any omission or mistake, and;
- Obtain a final consolidated PAP master list that would guide the election process of the RPC.

The strip map display exercise in general enabled each land owner to confirm details pertaining to his/her affected piece of land. The verified details included:

- Details of each PAP (Names, RAP Number)
- Plot details (Plot Number where applicable)
- Size of the affected land
- Affected structures
- Details of neighbouring plots (Names and RAP numbers of Neighbours)

The details of the other different affected assets for the land users such as crops were also disclosed to the different individual PAPs. This was done using printed spreadsheets that contained details of the affected assets for each PAP. The disclosed details included;

- Details of each PAP (Names, RAP Number)
- Plot details (Plot Number where applicable)
- Size of the affected land
- Details of each affected structures (Built up area, construction details, level of completion)
- Details of the affected crops/ trees (Number / area cover by each type of affected crops/trees, their growth stage)
- Details of any affected cultural heritage sites

Venues for strip map display were selected in consultation with Local Council I Chairpersons and project affected communities. Strip maps were displayed in the following villages on these dates: Kiyere, Kigwera N.E, Kigwera S.E, Kizikya, Kitahura, Uriibo, Avogera, Kisomere, Kasinyi, Uduk II, Uduk I, Ngwedo Centre, Kijumbya, Bikongoro, Kijangi, Kamandindi and Kibambura villages between the 22nd and 31st March 2019. (Figures 6.8 and 6.9). The strip maps were also displayed at the Buliisa district and RAP 5 affected Sub-county (Kigwera, Ngwedo and Buliisa sub-counties and Buliisa town council) offices. The stakeholder engagement team were present at the designated strip map display venues to assist with translation into local languages as well as record PAP concerns and/or grievances. Any issues collected during the strip map display exercise (comments and concerns of PAPs attending the disclosure and verification exercise were captured – see Annexure 4) and these were addressed and changes incorporated in the RAP 5 valuation report prior to submission to the office of the CGV for review and approval.

It is important to note that the compensation values for the PAPs were not disclosed. The PAPs will be informed of their compensation values (awards) at the individual disclosures that will be conducted at commencement of RAP Implementation based on the approved RAP 5 valuation report.



Figure 6.8: PAPs checking their details on strip map displayed at Avogera



Figure 6.9: PAPs checking their details on the strip map displayed at Kigwera North East/Kilima Primary School

6.6.6. Community Meetings on Entitlement Matrix, Resettlement Options, Livelihood Restorations options and Replacement House Design Model

Four meetings were held with the RAP 5 established Resettlement Planning Committees (RPCs) of Buliisa town council and Buliisa sub-county Council (31st July 2019), and with Kigwera and Ngwedo sub-counties on 3rd August 2019 to disclose the entitlement matrix, resettlement options, proposed Livelihood Restoration (LR) options and replacement house design model and obtain feedback on the same.

In addition to the above, engagements were also held between 31st July and 03rd August 2019, with the PACs in the RAP 5 affected villages of; Kasinyi, Kiyere, Bikongoro, Kijumbya, Kijangi, Kizikya, Kitahura, Kibambura Uriibo, Ngwedo centre, Uduk I, Uduk II, Kigwera NE and Kigwera SE Kisomere, Avogera and Kilyango. Comments raised during the consultation meetings on the Entitlement Matrix, Resettlement Options, Livelihood Restoration options and replacement house design model were captured, and are included in (see Annexure 4 of this RAP Report).

6.6.7. Engagement through the Buliisa DIRCO and RPCs

International best practice recommend that resettlement planning should encourage and facilitate the formation of resettlement bodies within the affected population. These resettlement committees or advisory groups should include the formal leadership of the resettlement population as well as, representatives of interest groups that may have no formal leadership role.

These resettlement bodies play an important part in the dissemination of project information to PAPs, participating in the development of the entitlement and compensation frameworks, and providing input in the resettlement process generally. According to the LARF (2016), resettlement projects in the Albertine Graben would need to follow the framework in Figure .

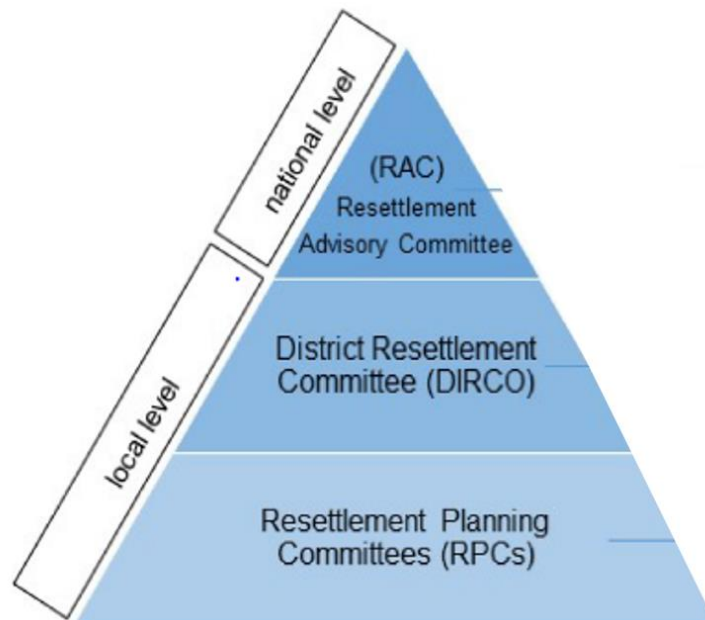


Figure 6.10: Resettlement Consultation Framework

- The **Resettlement Advisory Committee (RAC)** at the national level – this was already established and several meetings have been held since the inaugural meeting in June 2015;
- One **District Resettlement Coordination Committee (DIRCO)** for RAP planning and implementation at the district level was created for Buliisa district during RAP 1 planning in April 2017; and this DIRCO will; serve other Tilenga project components in Buliisa district, and;
- **Resettlement Planning Committee (RPCs):** For RAP 5, four have been set up at sub-county level covering the RAP 5 affected villages in Ngwedo and Kigwera, sub-counties and Buliisa town council on 26th June 2019.

The Terms of Reference (ToRs) for the Buliisa DIRCO that was established in April 2017 and RPC ToRs generated during the RAP 1 planning, were updated (Annexure 3)

DIRCO and RPC meetings are scheduled to take place on a quarterly basis or when required. The first meeting was held on 07th December 2018 as indicated in Table 6.6.

Table 6.6: Buliisa DIRCO Meeting Summary

Objective of the Buliisa DIRCO meetings	Date
<ul style="list-style-type: none"> • Presentations on RAP 5 resettlement process and methodologies. • Presentations on the forthcoming asset and cadastral surveys, Legal due diligence and socio-economic surveys. • Implication of the cut-off date announcement in the project area. 	7 th December 2018
<ul style="list-style-type: none"> • Members supervision of the ongoing surveys activities in the RAP 5 project Areas 	23 rd March 2019
<ul style="list-style-type: none"> • DIRCO field visit to project areas to witness project activities 	28 th March 2019
<ul style="list-style-type: none"> • Update on the progress of the RAP 5 activities 	15 th May 2019
<ul style="list-style-type: none"> • RAP 5 RPC Election process 	5 th June 2019

6.6.7.1. Buliisa DIRCO

DIRCO for Buliisa district was created during the RAP 1 Planning phase on 11th April 2017, and this same DIRCO is used during the RAP 5 planning phase. The DIRCO is composed of representatives from the technical and political authorities, civil society representative and other stakeholders in Buliisa district who will support and advise on resettlement planning and implementation activities at district level. The DIRCO meetings are open to the wider public but only members of the DIRCO have consultative rights.

The roles and responsibilities of the DIRCO include:

- Support for the declaration of the ‘cut-off date’ for eligibility and establishment of a moratorium;
- Assistance in the legal due diligence of the land register and identification of informal land rights;
- Provide inputs into the determination of livelihood restoration packages;
- Participate in the selection, planning and permitting of resettlement sites (including housing and infrastructure);
- Assist and support the mediation of grievances that cannot be resolved at the second level of the concerns and grievance mechanism (i.e. through Resettlement Planning Committees), and;
- Support the resettlement implementation.

During the RAP 5 planning process, the Buliisa DIRCO was engaged a number of times in different engagement activities, as indicated in Table 6.6 above.

6.6.7.2. RAP 5 RPCs

The roles and responsibilities of the RAP 5 RPCs include:

- Represent and discuss the interest of all PAPs;
- Provide regular feedback to PAPs on the progress of the RAP activities, they shall be assisted by the Resettlement CLOs;
- Support TEP Uganda and RAP Contractor information sharing activities to improve general knowledge of the project planning; and

Raise awareness of the grievance mechanism, channel dissenting option (majority and minority) to the mechanism, an assist in addressing grievances that cannot be resolved at Level 2 of the grievance mechanism.

Nomination and Election Process for RPC members

The establishment of the RAP 5 RPCs followed the completion of due diligence surveys (cadastral land, asset valuation/inventory, legal due diligence, socio-economic baseline and PAH census surveys) during which the full list of PAPs (PAP Master List), including persons in vulnerable groups, was collated and confirmed.

It was essential, prior to the set-up of the RPCs to be in possession of the full list of PAPs in order to ensure that all PAPs could participate in the RPC election process and have the opportunity to represent the PAPs and the wider affected community on the RPC.

The RPCs were established at sub-county level and the approach taken was to have representation from RAP 5 and all other RAPs (RAPs 2, 3a, 3b and 4 (Buliisa portion) within a particular sub-county.

The RAP 5 RPCs covers the sub counties of Ngwedo Kigwera, Buliisa, and Buliisa town council

Nominations were conducted at village level between 1st and 10th June, where PAPs from impacted villages nominated fellow PAPs whom they trusted could make good leaders. Among others, they were guided by the following criteria:

- **A recognized PAP** (where applicable) – a nominated RPC member must have been included in the Master List of PAPs;
- **Moral uprightness and good character** – the RPC member must be of good moral standing in the community, possess local knowledge and be willing to represent the interests of the stakeholder group;
- **Residency**– the nominated RPC member must have been a resident or PAP in the affected village where she/he is selected;
- **Credibility and availability** – A trusted member in the community and available to voluntarily attend regular meetings;
- **Willingness and commitment** to participate constructively in meetings;
- **Experience and ability** to provide feedback to represented stakeholders;
- **Knowledge of community affairs** – The RPC member has demonstrated knowledge of PAPs and community concerns, and is willing to share these with the RPC.

The nomination and election process was designed to ensure that vulnerable groups such as female, youth, elderly and disabled -PAPs are represented as much as possible through proportional representation and gender balance (Table 6.7).

Table 6.7: showing the nomination and election process for RPC members

Nomination Process
<p>The aim of the nomination process was for all PAPs to nominate candidates for each RPC member category</p> <p><u>RPC member categories</u></p> <ul style="list-style-type: none"> • General PAP representation • Female representative • Youth representative • Elderly representative • Disabled persons representative <p>More specifically</p> <ul style="list-style-type: none"> • Each affected village, <u>with more than 60 PAPs</u> was represented by three or more PAPs; one of whom was either female, or youth, or disabled and/or elderly.

- Where the affected village had 60 PAPs or less but more than 30 PAPs, the village was entitled to representation by two (2) elected PAP representatives; one of whom was either female, or youth, or disabled and/or elderly.
- Where the affected village had less than 30 PAPs, it was entitled to representation by one (1) elected PAP representative, who may or may not be a vulnerable PAP.

Representation was allocated according to the following order of priority:

- Project Affected Person (General PAP Representative)
- Female Project Affected Person
- Youth Project affected Person
- Elderly and,
- Disabled person.

Based on the number of PAPs in each affected village, PAPs were divided into four groups;

- Group 1 - All PAP Representation-01 rep
- Group 2 - Female Vulnerable-01 rep
- Group 3 - Youth Representative-01 rep
- Group 4 - Elderly or disabled Representative-01 rep

PAPs nominated one PAP in each category.

Nomination process

- Each PAP submitted one nomination form per category under which they belonged.
- PAPs nominated individuals on the nomination form by providing the name/details of the nominated individual.
- PAPs nominated up to a maximum of three persons who had consented to the nomination.
- A maximum of 10 nominations (those with the highest counts) made it to the ballot paper.

Nomination dates

- Buliisa town council: 1st to 2nd June 2019
- Kigwera sub-county: 2nd to 4th June 2019
- Ngwedo sub-county: 5th to 10th June 2019
- Buliisa sub-county: between 3rd to 5th June 2019

Summary of Nomination Results

No.	Sub-county	RAP	No. of nominations per Sub-County
1	Buliisa Town Council		
	Kakindo	RAP 2	4
	Kizikya	RAP 4 & 5	2
	Kizongi	RAP 2& 4	2
	Kisiimo	RAP 2	1
	Kitahura (was merged with Kizikya because it has one PAP)	RAP 5	0
	Total		9
2	Buliisa Sub-county		
	Gotylech	RAP 3b	8
	Kijangi	RAP 3b,4&5	4
	Kijumbya	RAP 3b &5	4
	Kabolwa	RAP 4	3

	Kigoya	RAP 4	2
	Uriibo	RAP 3b & 5	11
	Bugana-Kichoke (No identified PAPs due to land disputes)	RAP 3b	
	Total		32
3	Ngwedo Sub-County		
	Kilyango	RAP 3a	5
	Kasinyi	RAP 2, 3a, 4 & 5	12
	Kisomere	RAP 3a & 5	6
	Avogera	RAP 3a & 5	8
	Kamandindi	RAP 5	5
	Uduk I	RAP 3b & 5	3
	Uduk II	RAP 3a, 3b & 5	6
	Ngwedo Centre	RAP 3b & 5	5
	Ngwedo Farm	RAP 3b	3
	Kibambura	RAP 3b, 4 & 5	7
	Total		60
4	Kigwera Sub-County		25
	Kigwera NE	RAP 2, 4 & 5	6
	Kigwera SE	RAP 2, 4 & 5	3
	Kirama	RAP 2	4
	Bikongoro	RAP 2, 3b, 4 & 5	6
	Kiyere	RAP 5	3
	Kisansya East	RAP 2	2
	Kisansya West	RAP 2	1
	Total		50

Nominations for each RPC member category were counted by the RAP Team (confidential process), and the details of shortlisted candidates for each RPC member category displayed in the villages prior to the elections.

Election Process for RPC Members

Ballot paper of short listed candidates were prepared between 6th to 9th June 2019 for Kigwera sub-county, between 6th to 8th June for Buliisa town council, between 7th to 10th June for Buliisa sub-county and between 11th and 13th June 2019 for Ngwedo sub-county.

The election of the RAP 5 RPCs took place between 10th and 14th June 2019 in the sub-counties of Kigwera, Ngwedo, Buliisa and Buliisa town council. Radio announcements were run throughout the election period to encourage the participation of the local community. The election process was as per Table 6.8.

Table 6.8: RPC Members Election Process

Election Process					
The aim of the election process was for PAPs to elect RPC members for each nominated category (Figure 6.11):					
<u>Election process</u>					
<ul style="list-style-type: none"> Elections were held in specific project affected villages of each RAP. Independent observers (LC I, LC III and a DIRCO representative) were invited to witness the election process. All PAPs signed an attendance register upon arrival at the electoral centre. Voting for the members was by secret ballot with ballot papers placed in a sealed box. The counting of the votes was done in the presence of all members present at the electoral centre. The top candidates with majority votes were considered successful to represent PAPs on the RPC. Results were declared by the Buliisa DIRCO representative in each affected village in the presence of all PAPs and other community members. The RAP Contractor team notified the elected members of the date of the first RPC /Inaugural meeting. 					
<u>Election dates</u>					
Buliisa town council: 10 th June 2019					
Kigwera sub-county: 12 th June 2019					
Ngwedo sub-county: 14 th June 2019					
Buliisa sub-county: 13 th June 2019					
<u>Summary of Election Results</u>					
No.	Sub county	RAP	No. Elected	Fixed Rep (LC I of impacted villages and LC III of impacted Sub-counties)	Total RPC members per Sub-county
1	Buliisa Town Council			1 (LC III Chairperson)	
	Kakindo	RAP 2	3	1	
	Kizikya	RAP 4 & 5	1	1	
	Kizongi	RAP 2 & 4	1	1	
	Kisiimo	RAP 2	1	1	
	Kitahura (was merged with Kizikya because it has one PAP)	RAP 5	0	1	
	Total		6	6	12
2	Buliisa Sub-county			1 (LC III Chairperson)	
	Gotylech	RAP 3b	3	1	
	Kijangi	RAP 3b, 4 & 5	3	1	
	Kijumbya	RAP 3b & 5	3	1	
	Kabolwa	RAP 4	3	1	
	Kigoya	RAP 4	1	1	
	Uriibo	RAP 3b & 5	4	1	
	Bugana-Kichoke (No identified PAPs due to land disputes)	RAP 3b		1	
	Total		17	8	25

3	Ngwedo Sub-County			1 (LC III Chairperson)	
	Kilyango	RAP 3a	3	1	
	Kasinyi	RAP2, 3a, 4 & 5	4	1	
	Kisomere	RAP 3a & 5	3	1	
	Avogera	RAP 3a & 5	3	1	
	Kamandindi	RAP 5	3	1	
	Uduk I	RAP 3b & 5	3	1	
	Uduk II	RAP 3a ,3b & 5	3	1	
	Ngwedo Centre	RAP 3b & 5	3	1	
	Ngwedo Farm	RAP 3b	3	1	
	Kibambura	RAP 3b ,4 & 5	3	1	
	Total		31	11	42
4	Kigwera Sub-County		14	1 (LC 3 Chairperson)	
	Kigwera NE	RAP 2, 4 & 5	3	1	
	Kigwera SE	RAP 2, 4 & 5	1	1	
	Kirama	RAP 2	3	1	
	Bikongoro	RAP 2, 3b, 4 & 5	3	1	
	Kiyere	RAP 5	2	1	
	Kisansya East	RAP 2	1	1	
	Kisansya West	RAP 2	1	1	
	Total		28	7	35



Election Centre



Signing of attendance register at the election venue

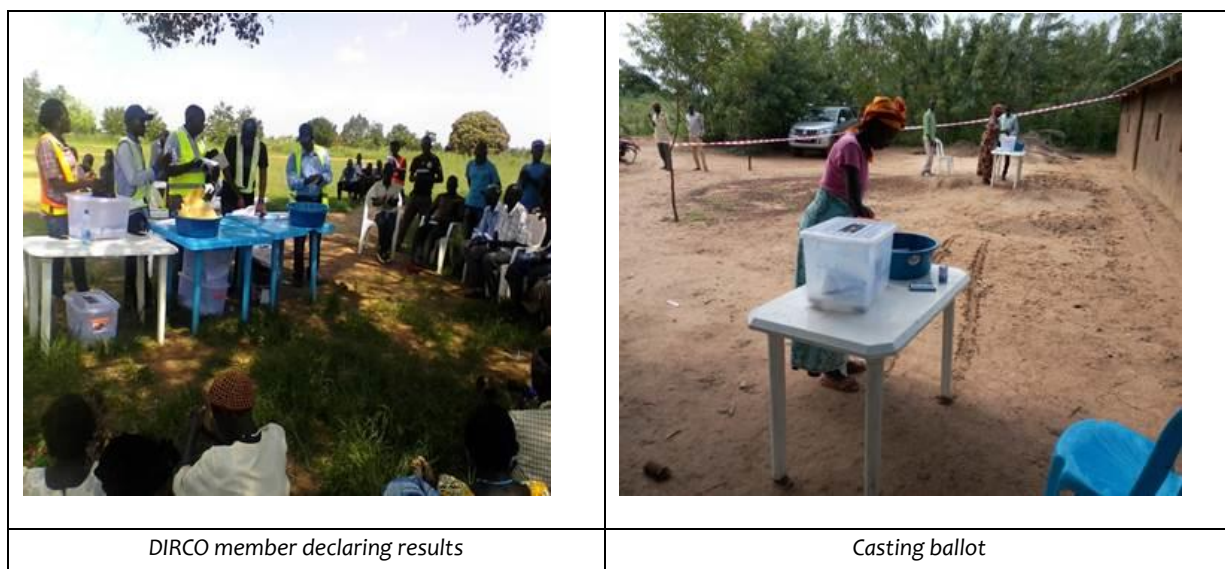


Figure 6.11: Election of RPC Members

The RAP 5 RPCs cover the sub-counties of Kigwera with representatives from the affected villages of Kigwera South East, Kigwera North East, Bikongoro, and Kiyere; Ngwedo with representatives from the affected villages of Kasinyi, Kisomere, Kamandindi, Avogera, Uduk I, Uduk II, Ngwedo Centre and Kibambura; Buliisa with representatives from the affected villages of Kijangi, Kijumbya and Uriibo; and Buliisa town council with representatives from the affected villages of Kizikya and Kitahura.

The elected representatives will assume all responsibilities of the RPC overseeing all RAP activities.

A final list of elected members was displayed on 15th June 2019 in Kigwera South East, Kigwera North East, Bikongoro, and Kiyere in Kigwera sub-county, Kasinyi, Kisomere, Avogera, Kamandindi, Kibambura, Ngwedo Centre, Uduk I and Uduk II in Ngwedo sub-county, Kijangi, Kijumbya and Uriibo in Buliisa sub-county and Kizikya and Kitahura in Buliisa town council.

The Four RAP 5 RPCs consist of the following:

RAP 5 RPCs (4) combined

There are 04 RAP5 Resettlement Planning Committees that were formulated at sub -county level. These include:

1. Kigwera sub-county with representation from the impacted villages of Kigwera North East, Kigwera South East, Kiyere and Bikongoro comprised of 09 elected and 05 fixed.
2. Ngwedo sub-county with representation from the impacted villages of Kasinyi, Kisomere, Avogera, Kamandindi, Uduk I, Uduk II, Ngwedo Centre and Kibambura comprised of 28 elected and 09 fixed.
3. Buliisa sub-county with representation from the impacted villages of Kijangi, Uriibo and Kijumbya comprised of 09 elected and 04 fixed.
4. Buliisa town council with representation from the impacted villages of Kizikya and Kitahura comprised of 01 elected and 03 fixed.

The elected RPC members included representation of PAPs and vulnerable categories including Female, Youth, Elderly and Disabled Project Affected Persons).

The fixed representatives include LC III Chairpersons of the impacted sub counties and Town Councils and LC I chairpersons of the impacted villages, and appointed representatives from TEP Uganda and /or MEMD/PAU.

At the sub-county level the RPC composition is as follows:

- Ngwedo sub-county RPC: 42 members in total of whom 36 members are specifically from RAP 5 impacted villages of Kasinyi, Kibambura, Kisomere, Uduk I, Uduk II, Avogera, Kamandindi and Ngwedo Centre (inclusive of the respective LC I Chairpersons), 06 members are specifically from RAPs 3a and 3b impacted villages (inclusive of the respective LC I Chairpersons), while 01 is the LC III chairperson of the Ngwedo sub-county.
- Kigwera sub-county RPC: 22 members in total of whom 13 members are specifically from RAP 5 impacted villages of Kigwera North East, Kigwera South East, Bikongoro, and Kiyere (inclusive of the respective LC I Chairpersons), and 08 are from the RAP 2 impacted villages of Kisansya East, Kisansya West and Kirama (inclusive of the respective LC I Chairpersons), while 01 is the LC III chairperson of Kigwera sub-county.
- Buliisa sub-county: 25 members in total of whom 12 members are specifically from RAP 5 impacted villages of Kijangi, Kijumbya and Uriibo (inclusive of the respective LC I Chairpersons), and 12 are from the RAP 3b impacted villages of Gotlyech, Bugana-Kichoke, and RAP 4 impacted villages of Kabolwa and Kigoya (inclusive of the respective LC I Chairpersons), while 01 is the LC III chairperson of Buliisa sub-county.
- Buliisa town council RPC: 12 members in total of whom 03 members are specifically from RAP 5 impacted villages of Kizikya and Kitahura (inclusive of the respective LC I Chairpersons), and 08 from the RAP 2 and RAP 4 impacted villages of Kizongi, Kakindo and Kisiimo (inclusive of the respective LC I Chairpersons), while 01 is the Mayor of the Buliisa town council.

Where applicable, the committees will co-opt members:

- From host communities or resettlement villages represented by LC I Chairperson. They become members of the RPC after the resettlement site selection process;
- The Community Development Officer/Assistant of the sub-county to provide technical support to the RPC regarding livelihood restoration measures and alternatives;
- From whom skill and expertise may be required either from the public sector or CSO or private sector;
- Where the RPCs lack representation of at least one category of vulnerable PAPs, the RPCs will co-opt such membership (at least one vulnerable PAP) from PAPs to represent the vulnerable PAPs.

RPC for Kigwera sub-county, Buliisa sub-county and Buliisa town council were inaugurated on 19th June 2019 and that of Ngwedo sub-county on 20th June 2019 (Figure 6.12).



Inaugural meeting of RAP 5 Resettlement Planning Committee Kigwera sub-county (19th June 2019).



Figure 6.12: Inauguration meetings for the RPCs for RAP 5

6.6.7.3. RPC Meetings

Similar to the Buliisa DIRCO, the meetings of RAP 5 RPCs are open to the wider public but only members of the committee have consultative and decision-making rights. To date, the RAP 5 RPCs have met twice (Table 6.9), and for the RAP implementation phase, meetings will be scheduled to take place on a quarterly basis or more frequently, if and when required.

Table 6.9: RPC Meetings

Objective of the meeting	Date
<ul style="list-style-type: none"> RPC Inaugural meeting for Kigwera sub-county, Buliisa sub-county and Buliisa town council RPC Inaugural meeting for Ngwedo sub-county 	19 th June 2019 20 th June 2019
<ul style="list-style-type: none"> Presentation and discussion on entitlement matrix, Resettlement options, Livelihood Restoration programs and House Design options. 	31 st July 2019 and 3 rd August 2019

6.6.8. Disclosure Engagements of the draft RAP 5 report contents

The objectives of the disclosure engagements were to:

- Communicate the contents of the draft RAP 5 report, and;
- Gather input from stakeholders regarding the RAP report content

The RAP 5 disclosure engagements took into account restrictions set by the Government of Uganda and the Ministry of Health concerning public gatherings during the COVID-19 pandemic, as well as, those encompassed in the Interim Advice provided by the IFC on safe stakeholder engagement in the Context of Covid-19, which document recognised that, it may not be possible for companies to conduct stakeholder engagement as they would under normal circumstances.

The main objective of the IFC Interim Advice was to assist clients in identifying alternative approaches and mechanisms for engaging stakeholders, for continuing to deliver project-related information to the communities within their areas of operations and for receiving feedback, while taking all feasible steps to protect the health and safety of those involved. This document (see Annexure 3) presented a framework for developing alternative approaches to engagement and access to grievance mechanisms offering advice on key aspects of decision-making and other relevant issues.

In adherence with all of the above, the RAP 5 disclosure engagements were held using a number of remote communication methods rather than engaging with stakeholders in person (Table 6.10).

Table 6.10: Disclosure of findings in the draft RAP 5 Report

Activities	Date
1. Disclosure of findings in the draft RAP 5 report -Webinars	
Stakeholders at national and district levels were presented with information on the contents of the RAP 5 report findings using power point presentations via the Zoom application. A consolidated RAPs 2-5 executive summary and a RAP disclosure power point presentation (see Annexure 3) were shared with stakeholders as pre-read material prior to the webinar sessions. During the draft RAP report disclosure webinar sessions, participants raised comments and concerns regarding the contents of the RAP 5 report findings. Webinar participants were issued with feedback forms (see Annexure 3) via email through which additional feedback could be sent for the RAP team's attention.	
<ul style="list-style-type: none"> RAP report disclosure Webinars at National level - GoU entities (Petroleum Authority of Uganda(PAU), Directorate of Petroleum, Ministry of Energy and Mineral Development (MEMD), Ministry of Gender, Labour and Social development (MGLSD), Ministry of Internal Affairs, Ministry of Local Government, Ministry of Trade, Industry and Cooperatives (MTIC), Ministry of Works and Transport (MoWT), Ministry of Lands, Housing and Urban development (MLHUD), National Environment Management Authority (NEMA), National Forest Authority (NFA), National Planning Authority (NPA), Office of the Auditor General, Uganda Bureau of Statistics, Uganda National Roads Authority (UNRA), Uganda Wildlife Authority (UWA), Ministry of Tourism, Wildlife and Antiquities-Department of Museum and Monuments, Inspector General of Government (IGG), Ministry of Justice and Constitutional Affairs (MoJCA), and Ministry of Defence and Veterans Affairs). 	17 th September 2020
<ul style="list-style-type: none"> RAP report disclosure Webinars at National level – NGOs & CSOs (AFIEGO, LANDNET, Uganda Consortium on Corporate Accountability (UCCA), Inter- 	17 th September 2020

Activities	Date
<p>Religious Council of Uganda, Global Rights Alert, Civic Response on Environment and Development (CRED), Civil Society Coalition on Oil and Gas (CSCO), National Association of Women Organisations (NAWO), National Organisation of Trade Unions (NOTU), Action Aid, Minerals and Oil workers union, National Association of Professional Environmentalists (NAPE), Advocates Coalition for Development and Environment (ACODE), Citizens Concern Africa, Democratic Governance Facility, Friedrich Ebert Stiftung, Green Watch Uganda, Human Rights Network Uganda, Living Earth Uganda, Maendeleo Ya Jamii, National NGO Forum, Oxfam Uganda, Pro-Biodiversity Conservationists in Uganda, Transparency International, Uganda Chamber of Mines and Petroleum, World Wildlife Fund Uganda, Navigators of Development Association (NAVODA), Network on Environment and Petroleum (NANEP), Advocats Sans Frontiers (ASF), Fit Insights, Albertine Graben Oil and Gas Districts Association(AGODA), and Initiative for Social and Economic Rights (ISER)</p>	
<ul style="list-style-type: none"> RAP report disclosure Webinars at District level (Buliisa District Local Government, and Buliisa, Kigwera, Ngwedo sub-county and Bullisa TC representatives, NGOs, CSOs) 	18 th September 2020
<ul style="list-style-type: none"> Follow-up engagement via Webinars with National level NGOs and CSOs (Inter-Religious Council of Uganda, Civic Response on Environment and Development (CRED), Civil Society Coalition on Oil and Gas (CSCO), Maendeleo Ya Ja, Albertine Graben Oil and Gas Districts Association(AGODA), World Wildlife Fund Uganda, Uganda Consortium on Corporate Accountability (UCCA), Transparency International, Citizens Concern Africa, Global Rights Alert, National NGO Forum, LAND net, Land Equity Movement Uganda, Uganda Land Alliance, National Organisation of Trade Unions (NOTU), Minerals and Oil workers union, Network on Environment and Petroleum (NANEP), Fit Insights, Green Watch Uganda, Action Aid, Advocates Coalition for Development and Environment (ACODE), Advocats Sans Frontiers (ASF), and Uganda Fisheries and Fish Conservation Association (UFFCA). 	8 th October 2020
2. Disclosure of findings in the draft RAP 5 report - Scripted Radio Dialogue	
<ul style="list-style-type: none"> RAP report disclosure radio dialogues via Spice FM, Biiso FM & Kings FM at Community level (affected communities, DIRCO, RPCs, sub-county leaders among others) in the four (04) languages of English, Alur, Runyoro and Lugungu. 	07 th October to 05 th November 2020
<ul style="list-style-type: none"> Community Drives through the RAP 5 affected villages of; Kasinyi, Kibambura, Kisomere, Uduk I, Uduk II, Avogera, Kamandindi and Ngwedo Centre in Ngwedo Sub-County; Kigwera North East, Kigwera South East, Bikongoro, and Kiyere in Kigwera Sub-county; Kijangi, Kijumbya and Uriibo in Buliisa sub-county; and Kizikya and Kitahura in Buliisa town council. 	30 th October to 8 th November 2020
3. Disclosure of findings in the draft RAP 5 report- Printed materials	
<p>RAP disclosure flyers (see Annexure 3) with the contents of the RAP 5 report were printed and distributed in all project affected villages. The distribution of flyers targeted PAPs, RPC executive committee, Buliisa DLG and local NGOs among others.</p> <p>The RAP report flyers were translated in 03 languages (Lugungu, Alur and Runyoro) to support community understanding. The flyers were summarized into five (05) themes, namely; Introduction, Cadastral & asset inventory, Concerns & grievances, Cultural Heritage & Archaeology and Vulnerability.</p>	09 th – 13 th November 2020

Following the completion of the RAP report disclosure exercise, the RAP team collected feedback forms from all the affected communities in Buliisa district between 4th and 7th November 2020 and compiled all issues and concerns raised into the issues trail (See Annexure 4).

6.7. Capacity Building and Training

6.7.1. Capacity Building and Training of the RAP Team, Company and Government Representatives

The need to develop the capacity of internal and external stakeholders to build understanding and competencies to support and effectively participate in the resettlement process and to shape the outcomes was identified.

Capacity building focused primarily on: the RAP Contractor team and Joint Venture Partner project staff.

To date, with the exception of the training undertaken during RAP1 planning, training of the RAP Contractor team and TEP Uganda project staff during RAP 5 Planning specifically included:

- A course on “Engagement and Relationship Building in the Context of Resettlement” attended by members of the RAP Contractor team and staff of TEP Uganda, on 19th July 2018 in Hoima district.
- A training and capacity building of CLOs and the RAP Contractor stakeholder engagement team members on the facilitation of community and other stakeholder meetings, resettlement committee meetings and management of the Concerns and Grievance Mechanism and Logs held on 20th-21st July 2018 at Kontiki Hotel in Hoima district. This was enhanced with ongoing mentoring by the RAP1 implementation stakeholder engagement advisor and other members of the team as appropriate.
- Additional CLO training sessions on stakeholder engagement, communication and risk management were held at Kontiki hotel in Hoima district between 10th and 12th December 2018.

6.7.2. Training of Resettlement Committee Members (Resettlement Planning Committee)

Following the establishment of the Resettlement Planning Committees (RPCs), the RAP Contractor Team provided RPC members with training on 19th and 20th June 2019 at Adonia Hotel, Buliisa district. The training took the form of briefings to clarify the various activities within the RAP process, and the committee member roles and responsibilities. To date, the meeting briefings have included topics such as:

- Project Background information on RAP 5 and the overall Tilenga project and related Resettlement Activities;
- The Role and mandate of the RPC Chairperson, secretary and members;
- Standard practices for organising, conducting meetings and taking decisions;
- Record keeping, follow-up and feedback practices;
- Governance, code of conduct of RPC members during meetings;
- RAP Grievance mechanism and the Role of the RPC;
- Asset Identification and Valuation Principles being followed (in order to ensure fair & adequate compensation i.e. full replacement cost), including:
 - Procedure for identifying, contacting and registering absentee land owners
 - What is an asset (and what is not an asset)?
 - Difference between annual crops and perennial crops
 - Difference between temporary and permanent assets

- Defining Entitlements and Eligibility
 - Types of Displacements: Physical, Social and Economic displacement
 - Different types of entitlements e.g., the difference between in-kind compensation and cash compensation?
 - Identification, selection and availability of replacement land, security of tenure (individual, communal) and the role of DIRCO
- Understanding livelihood restoration and alternative options for livelihood restoration
 - Vulnerable social groups or PAPs and the need for protection and special assistance for vulnerable social groups.

6.8. RAP Implementation Engagement Responsibilities and Activities

The RAP Contractor stakeholder engagement team is responsible for the management, coordination and execution of engagement activities related to the implementation of RAP 5. During the implementation phase, a clear engagement plan will be developed to support compensation, resettlement and Livelihood Restoration (LR) including:

- CLOs presence in the affected villages at least twice a week;
- CLOs presence at the TEP Uganda & Liaison Office in Buliisa;
- Ongoing quarterly meetings (or when required) for Buliisa DIRCO and RAP 5 RPCs;
- Regular community meetings providing updates on the progress of the resettlement process; and,
- One-on-one engagement with PAPs to disclose on compensation and support packages.

With regards to the LR engagement, there will be intensive engagement from the earliest point of the implementation phase where the dedicated RAP LR team (supported by RAP team CLOs where appropriate) will focus on engagement activities including:

- Engagement with potential implementing partners to put in place a high-level Memorandum of Understanding (MoU) with each partner, where not already established during RAP 1 implementation. The MoU will capture the principles, scope, commitments and any other general legal parameters that will guide the relationship;
- Engagement to support the completion of feasibility studies for LR options (where required) and preparation of detailed initiative implementation plans including roles, responsibilities etc.;
- Initiative based agreements will be developed with single or multiple partners which sets out clearly, the detailed scope of work related to the initiative including the role/responsibilities of each partner, tasks, schedule, deliverables and budget;
- Direct engagement with PAPs to discuss LR options followed by on-going engagement during LR initiative implementation;
- Provide support during the selection and enrolment process of PAPs in the LR programs;
- Ongoing monitoring and evaluation related engagement with PAPs, partners and other stakeholders.

The level of effort and time required to engage LR partners, PAPs and other stakeholders related to LR is not to be underestimated. A list of potential implementing organisations is provided in chapter 14 to provide an indication of the extent of engagement that will need to take place in order to engage and work on LR with these organisations. Engagement will be designed to

support the resettlement and LR process to allow PAPs to move and regain access to food and income as swiftly as possible as well as provide early evidence of LR support within the project affected communities. For complex LR initiatives, agreements may take up to twelve months to finalise and sign.

6.8.1. Associated Obligations and Special Considerations to Vulnerable PAPs

(a) Women and Children

The entitlements for PAPs should consider from the wider legal perspective in terms of certain obligations for the PAPs, which should be recognised and upheld where they apply especially by the household head such as parents/guardians. This is in respect to the rights of other persons within the PAPs households. The considerations to be upheld include the rights of women, orphans and children in respect to the land/property where they stay and/or derive sustenance. The Land Act (Cap 227) is very clear on this and makes it compulsory to seek the consent of spouses and or children representative(s) before resettlement compensation payments are made. The RAP implementation procedures will include provisions for upholding this legal provision. This will ensure that the rights of women, orphans and children within the PAPs households are upheld and that the RAP process does not lead to further vulnerabilities associated with gender and childhood.

(b) Vulnerable groups

The RAP recognises that there are vulnerable social groups among the PAPs. A synthesis of the development plans for Buliisa District indicate that there are vulnerable social groups defined in terms of unemployment, age, disability and gender among others. This RAP also recognises that vulnerability is a socio-economic dynamic situation and people can stream into a situation of vulnerability as well as stream out. The RAP implementation team will, therefore, need to screen, review and update the vulnerable PAP households; and the special assistance packages and strategies to deliver such assistance.

The following principles will be followed in updating and delivering special assistance packages to the identified vulnerable groups:

- (i) Ensure that RAP objectives, processes, and activities are also sensitive to the resettlement needs of vulnerable PAP groups identified.
- (ii) Identify constraints to vulnerable PAP groups' participation and develop strategies to enhance their participation in RAP implementation.
- (iii) Prepare and make adequate budget provisions for vulnerable PAP groups' participation and implement special assistance programs for such groups in a manner that is empowering.
- (iv) Identify and develop a strategy for livelihood skills building and enhancement related to needs of vulnerable PAP groups.
- (v) (v) Where local structures integrated into RAP implementation design, ensure representation of vulnerable PAP groups
- (vi) Special resettlement assistance to vulnerable PAP households should be delivered before payment of resettlement compensation and relocation.

(c) Special assistance program areas for vulnerable groups

The following intervention areas are suggested for consideration as constituting special resettlement assistance to vulnerable PAP households during RAP implementation. These have been derived from the socio-economic survey and stakeholder consultations;

- (i) Specifically targeted sensitisation for the vulnerable PAPs and other household members who cannot easily come to pre-arranged venues during pre-payment and post payment consultations.
- (ii) Priority consideration in processing resettlement compensation payments and specialised assistance in filling out compensation payment forms especially for vulnerable PAPs.
- (iii) Special arrangements to deliver compensation payment to the residences of PAPs that cannot easily move to arranged venues and involve next of kin in processing and delivering such payments.
- (iv) Training on proper use and management of resettlement compensation payments to vulnerable PAPs and responsible next of kin. At least two people from each of the vulnerable PAPs households will be considered.
- (v) Other livelihood skills development interventions will be considered and implemented for vulnerable PAP households in line with local livelihood economic opportunities. At least two people from each of the vulnerable PAPs households will be considered.
- (vi) Counselling and psycho-social support for members of vulnerable PAPs households where the head is living with multiple disabilities and chronic illness, widow or child household head.
- (vii) Priority consideration for employment in project related activities for some of the members of the vulnerable PAP households.

Chapter 12 provided details analysis of the vulnerable households and outlines the programs of interventions that should be adopted during the implementation phase of resettlement to ensure the vulnerable are offered the protection necessary for them not to suffer disproportionately during the process.

7. CONCERNS AND GRIEVANCE MECHANISM

This Chapter outlines the Concerns and Grievance Mechanism for the development and implementation of the RAP 5 project. The mechanism is in line with Tilenga project SEP and the Grievance Management requirements set out in the LARF.

7.1. Purpose

The purpose of the Concerns and Grievance Mechanism is to create, a systematic process for recording, processing and resolving grievances raised during the resettlement planning phase by PAPs and other stakeholders.

This mechanism serves as an important input channel to help inform RAP implementation decisions and detailed design of activities.

The mechanism was communicated to all stakeholders from the early stages of the resettlement process and will be referenced throughout the lifetime of the project to ensure that stakeholders understand the process but also provide feedback and comments on whether it is effective and fit for purpose.

7.2. Scope

The Mechanism applies to all concerns and grievances, perceived or actual, related to all activities linked to the resettlement planning and implementation processes, including but not limited to:

- Disclosure of resettlement activities and schedule;
- The eligibility and entitlement framework;
- The identification of affected properties within the project area and associated ownership rights;
- The identification of individual households;
- The valuation of land and other assets;
- The implementation of the eligibility framework and compensation process;
- Schedule and method of delivery of compensation; and
- The conduct and behaviour of TEP Uganda staff, the RAP Team staff in relation to the resettlement process.

The Concerns and Grievance Mechanism is coordinated to ensure that the process does not overlap, undermine or override existing TEP Uganda internal grievance mechanisms. The application of the Mechanism does not deny stakeholders the right to use other remedies provided by Ugandan legislation.

7.3. Definitions

Concern. A concern is an issue, complaint, problem or claim (real or perceived) that may be linked to the resettlement process that an individual or group wants the company to address and resolve. Any issues and concerns relating to matters beyond the project control such as legislations and government specific matters will be addressed to the key relevant agencies.

Grievance. A grievance is a formal complaint by an individual or a group who believe that their interests have been affected adversely in a way that they consider inappropriate. Grievances can arise from a range of development-related activities such as perceived mistakes in the calculation of compensation payments or breaches of community health, safety and security commitments causing death of a domesticated animal, but also from work done to prepare surveys and studies, such as those needed to finalise the RAP report.

7.4. Principles

The United Nations Guiding Principles (UNGP) on Business and Human Rights lists several “effectiveness criteria” for the successful implementation of a grievance mechanism. The UNGP states that grievance mechanism should always be:

- **Legitimate:** the mechanism must have a clear transparent and sufficiently independent governance structure to ensure that no party to a grievance process can interfere with the fair conduct of that process.
- **Accessible:** the mechanism must be publicised to stakeholders who may wish to access it and provide adequate assistance for aggrieved parties who may face barriers to access, including language, literacy, awareness, finance, distance, or fear of reprisal.
- **Predictable:** the mechanism must provide a clear and known procedure, with time frames for each stage; clarity on the types of process and outcome it can (and cannot) offer, and means of monitoring the implementation of any outcome.
- **Equitable:** the mechanism must ensure that aggrieved stakeholders have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance process on fair and equitable terms.
- **Rights-compatible:** the mechanism must ensure that its outcomes and remedies accord with internationally recognised human rights standards.
- **Transparent:** the mechanism must provide sufficient transparency of process and outcome to meet the public interest concerns at stake and should presume transparency wherever possible.

Furthermore, the process should be a source of continuous learning, drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms; and based on engagement and dialogue – consulting the stakeholder groups for whose use they are intended on their design and performance and, focusing on dialogue as the means to address and resolve grievances.

7.5. Issues that were considered in the development and management of the Concern and Grievance Mechanism

Table 7.1 outlines the potential issues linked to the concern and grievance mechanism.

Table 7.1: Potential issues linked to the Concern and Grievance Mechanism

Potential Issues	Management Approach
Stakeholders not aware of the Tilenga Project Concerns and Grievance Mechanism	Project team consistently share the procedure to increase awareness of stakeholders on the Concerns and Grievance Mechanism and how to access it through engagement and engagement tools.
The presence of different contractors working near or in communities greatly increases the likelihood of concerns / grievances being lodged by stakeholders.	Project team continue to work with project contractors to build awareness of different Grievance Mechanisms, and their role in concerns/ grievance management (passing them to the appropriate person).
Stakeholders’ concerns are not always channelled through the existing grievance system	Project team to encourage use of toll free line (0800216500) by stakeholders to share concerns / grievances with CLOs.
When communities lose trust in the national judicial system. The role of resettlement committees in the management of grievance and the role of the judicial system needs to be clarified.	Make stakeholders aware of project Concerns and Grievance Mechanism and how it relates to the national judicial system.

Potential Issues	Management Approach
Some grievances may take a very long time to resolve because of their complexity and the fact that they are often beyond the control of the project.	<p>Ensure stakeholders are regularly updated on the status of their concerns/ grievance and the expected time for the different stages of the process e.g. investigation, review, final decision etc.</p> <p>Ensure information provided on the Concerns and Grievance Mechanism includes realistic time frames and internal resources to meet these timeframes.</p> <p>Ensure stakeholders are made aware of other grievance redress mechanisms (Court)</p>
Vulnerable PAPs especially women, elderly, persons with disability and children may often have difficulty accessing the RAP team or project meeting venues.	Ensure regular visits or special assistance extended to vulnerable PAPs who may not move to the meeting venues to place/lodge or express a concern or grievance against the project.
Mechanism abuse by the stakeholders. Most of the stakeholders report concerns/grievances that they are not willing to close (They rarely want a solution)	Project team consistently conducts awareness sessions on the benefits of the mechanism to increase awareness of its proper application.

Source: TEP Uganda feedback on existing JV Partner Grievance Mechanisms during Stakeholder Engagement Training, July 2018

7.6. Concerns and Grievance Mechanism for the RAP 5 Project

7.6.1. Roles and responsibilities

The management, coordination and implementation of the Social & Resettlement Concern and Grievance Mechanism related tasks are the responsibility of the personnel set out in Table 7.2.

It should be noted that the Grievance Mechanism is managed by the project proponents and its contractors and runs separately from any Ugandan national legal options for redress. All parties lodging a concern or grievance through the Grievance Mechanism have the right to also access any national legal mechanisms for redress at any point.

Table 7.2: Roles and responsibilities for the management of the concerns and grievance mechanism related to land acquisition and resettlement activities

Promote Awareness and Understanding of grievance mechanism procedure	
RAP team Community Liaison Officer (CLO) RAP Team Stakeholder Engagement Coordinator	<ul style="list-style-type: none"> Train RAP team members on the procedure. Share the procedure with stakeholders at all meetings.
Receive, Acknowledge & Register Grievances	
RAP Team Community Liaison Officer (CLO)	<ul style="list-style-type: none"> Receive the grievances Register the grievance on the grievance form & issue a copy to the complainant Write the acknowledgement letter to the complainant
RAP Team Grievance Officer	<ul style="list-style-type: none"> Enter the grievance into the database system Monitor grievance resolution
Investigate, Resolve & Close out Grievances	
RAP Team CLO RAP Team Stakeholder Engagement Coordinator RAP Team Project Manager RAP Team Grievance Officer TEP Uganda Social Affairs Manager	<ul style="list-style-type: none"> Investigate grievances for immediate solution Investigate & follow up on the resolution of the grievances that go on to the levels 2 & 3 as set out below. Close out Grievances

Other sectors & departments within Tilenga project team where relevant	
Mediation & Follow Up	
RPCs and DIRCO Buliisa district senior leadership (MP, LC V, CAO) Tilenga project legal services Individual team leaders of the Social Resettlement Team	<ul style="list-style-type: none"> • For all mediations that take place at levels 2 & 3 • For all grievances that move on to level 4
Monitoring, Reporting & Feedback	
RAP Team Stakeholder Engagement Coordinator RAP Team CLO	<ul style="list-style-type: none"> • Share weekly reports of the grievance received and the status • Prepare the Monthly Grievance report • Share the grievance log sheet on a weekly basis
RAP Team Grievance Officer RAP Team Social Data Administrator	<ul style="list-style-type: none"> • Quality control of the progress and generate reports on a monthly basis. • Monthly and Quarterly reports to PAU.

7.6.2. Tools

The following are tools which are used in the ongoing management, coordination and implementation of the Social & Resettlement Concern and Grievance Mechanism:

Avenues through which a complainant may report a grievance

- **Email address:** ep.sacbugungu.ugep@total.com
- **Toll Free number:** 0800216500
- **Postal address:**
 - *In Kampala:* Atacama Consulting, Plot 22B, Lower Naguru East Road, Naguru, Kampala, Uganda
 - *In Kampala:* Total E&P Uganda, Plot 15, Yusuf Lule Road, Kampala, Uganda
 - *In Buliisa:* Social & Resettlement Services Community Liaison Officer (CLO) Desk, TEP Uganda Liaison Office, Buliisa district

Resettlement Committees (DIRCO and RPCs): Stakeholders can submit their concerns and grievances during committee meetings; resolutions may also be presented at the meetings.

Grievance Form: See Annexure 5. These are available from the RAP Team CLOs and filled in whenever a grievance is received.

Action Form: See Annexure 5 (Grievance Log).

7.6.3. How the Grievance Mechanism Process works

There are four (4) major steps followed in resolution of a grievance as indicated below (Figure 7.1) At all times, any grievance once received, should be acknowledged and registered within 24 hours and legitimized once investigated. A response should be given when available to close any grievance out at the first level where applicable. Where the resolution availed to the complainant is not accepted at the first level, it is escalated to levels 2, 3 and 4. At each level, steps 3 (Investigate and Respond) & 4 (close out) are repeated.

On receipt of any grievance, a grievance form must be completed to indicate:

- A. Details of the complainant;
- B. Details of the witness if any;
- C. Grievance category, description, provision of a solution, indication of solution acceptance or not;
- D. Acknowledgement of receipt of grievance and further investigations for levels 2 to 4 where applicable; and,
- E. Formal close out and an indication of complainants' satisfaction with the resolution process.

Each form has six pages, five of which are carbonated and only the second page of the form in the book is given to the complainant while the rest of the copies remain with the CLO and should be stored safely and in an organised manner. Only section A-D of page 1 of the forms are given to the complainant once the CLO has signed.

Step 1 – Receipt & Acknowledgement. A complaint may be reported through the channels above with evidence to the CLO or any other recipient. Anonymous grievances are also received and subjected to the same process of resolution although feedback to the complainant may be difficult.

Complainants should have as much evidence as possible to support investigations and these may include witnesses, photographs, and others.

The complainant should fill out **the Grievance Form**, with the support of CLO if required, take the second page and retain the rest of the copies with the CLO. If the CLO receives a grievance orally e.g. by phone, or in the case where the complainant cannot write, the form has to still be completed in front of the complainant and signed by a witness.

Step 2 – Record, Assess & Assign. The uniquely numbered and complete Grievance Form, is dated and signed by the Complainant with the guidance of the CLO which creates the record of the grievance. The CLO ensures that in all cases the complainant is aware of the contents of the form and if need be, the form can be scrutinised by a person (witness) nominated by the complainant to check that the information recorded is correct.

At this point, the CLO should explain the subsequent steps to the complainant to let him/her know the possible outcomes of a recorded grievance.

The CLO has to make sure enough information is acquired to make an assessment of the grievance and where possible, provide an immediate response or solution, the complainant can then acknowledge that they agree with the solution proposed by signing Section E to close out the grievance.

Whether the solution is accepted or not, the Acknowledgement of Grievance Section D is to be signed off and the second page of the form in the Grievance book issued to the complainant. This is what would constitute a **Level 1** solution as elaborated below.

All grievances are to be handed over to the Grievance Officer (GO) by the CLO for recording into the database within **24 hours of the grievance being received**, and in the absence of the GO, the CLO has a responsibility to ensure this is done within the same timeframe. The goal is to ensure that a log of all grievances received is updated daily in the Grievance Log Sheet.

Step 3 – Investigate & Respond. The purpose of the investigation is to verify the validity and assess the significance of the grievance. During the investigation, the CLO provides regular status updates to the complainant in an appropriate form. The responses must be given to the Complainant in a timely manner and all efforts should be made to ensure that the Complainant documents their response to the suggested solution. If the Complainant agrees to the solution, then the issue is closed out. If not, then escalation is triggered.

There are 4 escalation levels in the resolution process; as outlined in the Client's Grievance Procedure (see Figure 7.1)

Level 1: Aim for immediate resolution through dialogue-maximum 24 hours after receipt of the grievance.

The objective is to resolve issues immediately and efficiently when they arise at the time they are received or reported. On receipt, the CLO assesses the legitimacy of the grievance and provides an immediate solution. If the solution is accepted by the complainant, the **Grievance acknowledgement and Close Out sections are signed** and registered in the **Grievance Database** managed by the **Grievance Officer**.

On occasions where the complainant fails to provide evidence for a grievance or complaint raised, LC I, the sub-county Chief and Community Development Officer shall sign the grievance form and it shall be closed out within 7 days.

Level 2: Escalation of grievance once Level 1 Solution is not acceptable-maximum 14 days after receipt of the grievance.

If the first solution is not accepted by the complainant, an investigation needs to be undertaken within seven (7) days of lodging the grievance and a solution provided within 14 days.

The CLO mobilises, according to the category of the grievance, the necessary resources within the RAP Team and with Tilenga project Social Affairs team to investigate and develop a solution which shall be shared with Tilenga project Head of Social Affairs and, once approved, shared with the complainant.

The CLO informs the complainant of the proposed solution and coordinates with him/her if they have suggested modifications to the proposed approach. Upon acceptance of the solution by the complainant and implementation of the corrective measures, the complainant shall sign the "Close Out" section of the Grievance Form.

Level 3: Solution requiring the intervention of a third party [maximum 30 days after the grievance deposit]

If the Complainant does not accept the solution at Level 2, the CLO and Grievance Officer initiate the following steps; this should be closed out within a maximum period of 30 days from initial receipt of the grievance.

In consultation with the Head of Social Affairs, Responsible for Safety & Environment on Site (RSES), other relevant staff and relevant third party's such as the RPCs or DIRCO to come up with solutions.

Proposed solutions that are recommended shall be documented (letter, minutes of meeting, email) to the Grievance Officer and CLO copying in the Community Liaison Supervisor and RSES.

The CLO informs the Complainant of the proposed solution and coordinates with him/her if they have suggested modifications to the proposed approach. Upon acceptance of the solution by the complainant and implementation of the corrective measures, the Complainant shall sign the "Close Out" section of the Grievance Form. The Grievance Officer should ensure these updates are made in the database management system.

Level 4: Escalation of a grievance to legal

If the Level 3 mechanism fails to provide an acceptable solution to the Complainant, the grievance shall be directly handled by the Head of Social Affairs of Tilenga project who will brief and follow up the matter with the respective legal departments.

When a solution is agreed and the corrective measure implemented, the case is closed out, and the grievance is immediately registered as resolved in the grievance database by the Grievance Officer.

NOTE: The Grievance Officer should communicate with Complainants who have open grievances at least once a week to check in with them and inform them on the progress of their grievance.

Step 4 – Close Out. Timely, clear accurate responses to complainants should be given when closing out a grievance or, when a grievance requires escalation.

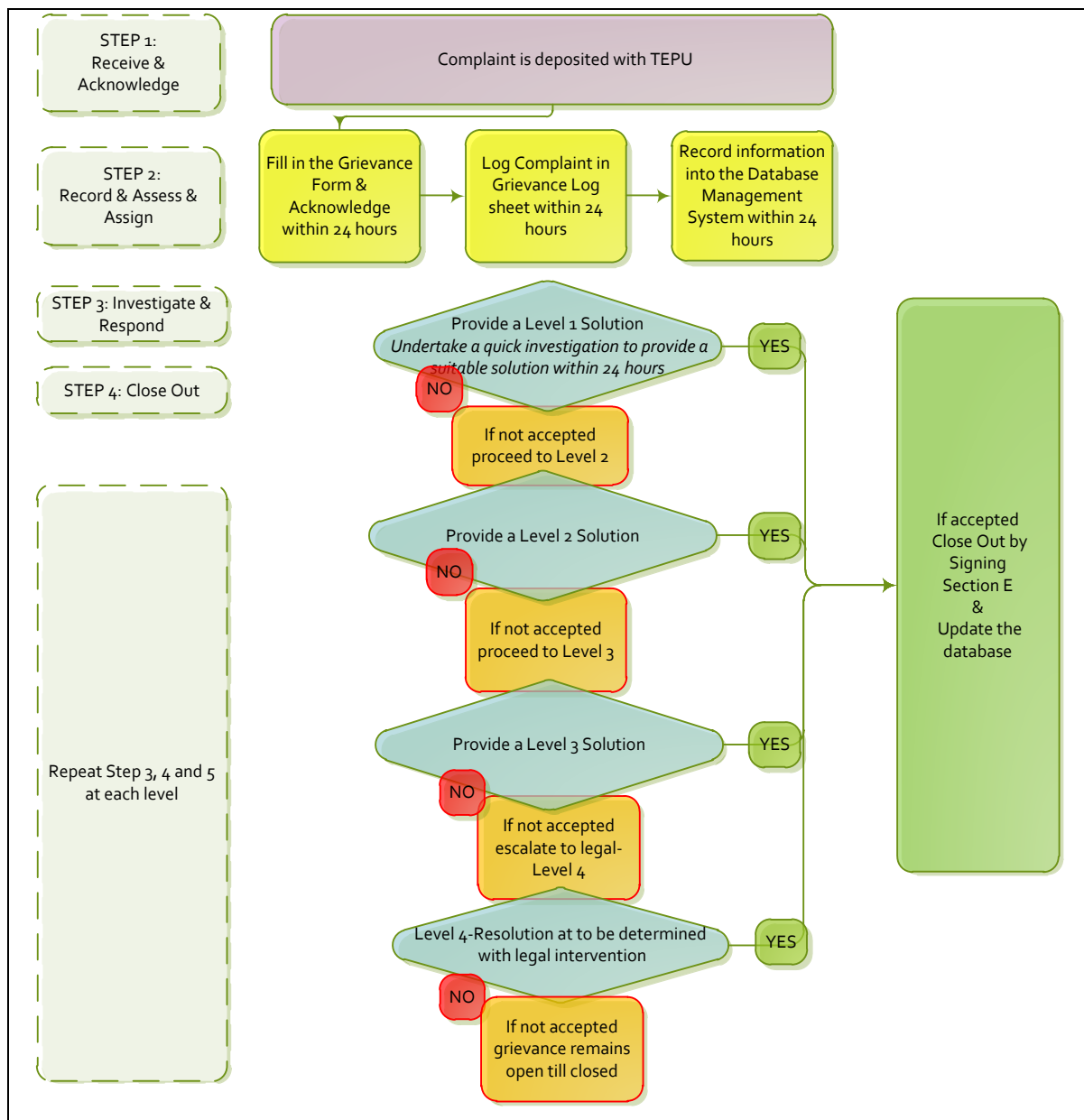


Figure 7.1: Grievance flow chart

7.7. Reporting

The RAP Contractor team ⁴⁵ reports weekly on information regarding the management, coordination and implementation of the concerns and Grievance Mechanism to ensure transparency and accountability.

The RAP team ensures internal monitoring, reporting and analysis of concerns and grievances, and how the information is applied to strategic planning and decision making.

The RAP team also provides regular feedback at DIRCO and RPC meetings (to clarify expectations on the scope of the Mechanism, to encourage PAPs to use it and to gather comments for its improvement). The team also discusses the results of concerns and/or grievances that may have a community-wide remit.

7.8. Summary of Grievances under RAP 5 Planning

At the time of submission of the RAP 5 Valuation report, two hundred (200) grievances had been recorded. Of the 200 grievances, one hundred fifty-five (155) cases have been resolved and forty-five (45) cases were pending. Additionally, after CGV approval of the RAP 5 Valuation report, five (5) new grievances were recorded between 16th and 18th March 2020 while thirty-two (32) grievances were registered between 24th September and 8th October 2020.

Based on the above, two hundred thirty-seven (237) grievances have been reported on RAP 5 in total pertaining to the categories indicated in Table 7.3 and Figure 7.2 below and of these one hundred sixty (160) cases have been resolved and seventy-seven (77) cases are pending.

Table 7.3: RAP 5 recorded grievance as of 8th October 2020 by category

Category	Resolved	Unresolved	Total
G1- Land and Resettlement	3	5	8
G2-Other economic loss	145	65	210
G3-Employment and Supply chain	1	0	1
G4- Environment and Health	0	0	0
G5- Safety	0	0	0
G6- Social conduct and security	0	0	0
G7- Cultural Heritage	0	0	0
G8- Social investment projects	2	0	2
G9- Engagement and Communication	0	0	0
G10- Other	9	7	16
Total	160	77	237

⁴⁵ The RAP Team Engagement Cluster Manager has overall responsibility for the management of the Grievance Mechanism. The RAP Team Deputy SE Manager (Reporting and Committees) is responsible for updating the grievance log and providing input to the weekly cluster reports and monthly updates on grievances.

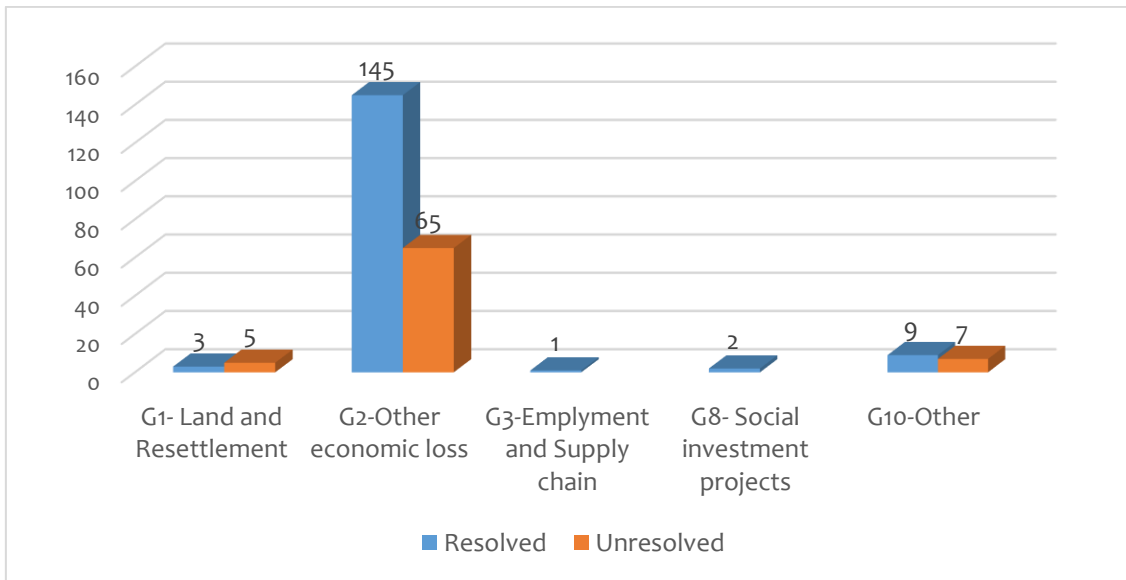


Figure 7.2: Summary of RAP 5 recorded Grievance as of 8th October 2020

8. ENTITLEMENT AND COMPENSATION FRAMEWORK

8.1. Introduction

Eligibility, entitlements, and compensation are generally the most scrutinised components of resettlement because of the cost implications for the project proponent and the livelihood implications for PAPs. Therefore, the processes, procedures, and methods used to determine each of these components must be transparent. This includes all matters related to valuation, the determination and application of rates, and how outcomes were derived.

The purpose of this Chapter is to understand who was eligible (i.e. qualified) under national legislation, IFC PS5 and the LARF to be regarded as a PAP. The entitlements that these PAPs will qualify to receive, are considered in an entitlement matrix.

With regards to Eligibility, Entitlement and Compensation, the IFC PS5 states the following:

“When displacement cannot be avoided, the client will offer displaced communities and persons compensation for loss of assets at **full replacement cost** and other assistance to help them improve or restore their standards of living or livelihoods, as provided in this Performance Standard. Compensation standards will be **transparent** and **applied consistently** to all communities and persons affected by the displacement. Where livelihoods of displaced persons are land-based, or where land is collectively owned, the client will, where feasible, offer the displaced **land-based compensation**. The client will take possession of acquired land and related assets **only after compensation has been made available** and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons **in addition to compensation**. The client will **also** provide opportunities to displaced communities and persons to derive appropriate **development benefits** from the project.” (Our emphasis)⁴⁶.

Payment of cash compensation for lost assets may be appropriate where: (a) **livelihoods are not land-based**; (b) **livelihoods are land-based** but the **land taken** for the project is a **small** fraction of the affected asset and the **residual land is economically viable**; or (c) **active markets** for land, housing, and labour **exist**, displaced persons use such markets, and there is **sufficient supply** of land and housing. Cash compensation levels should be **sufficient to replace** the lost land and other assets at **full replacement cost** in local markets.

Under IFC PS5 it is therefore preferable to issue affected people with replacement land which should be “like for like” as far as possible or an improvement on the existing land. All other assets should be compensated at full replacement cost. This is also echoed in the LARF which states:

Principle 7 - Compensation will be based on full replacement value

“PAPs will be eligible for compensation for loss of assets at full replacement value, as well as rehabilitation assistance. Land acquisition and resettlement should be conceived as an opportunity for improving the livelihoods and living standards of PAPs.”

Principle 8 - Comprehensive resettlement assistance package

Physical relocation and re-establishment of households will be supported through a comprehensive assistance package tailored to the Project socio-economic environment that:

- Is culturally appropriate;
- Offers PAPs a choice of compensation packages of equal or higher value, equivalent or better characteristics, and advantages of location;

⁴⁶ IFC PS 5, Land Acquisition and Involuntary Resettlement – Page 3

- Is transparent, consistent, fair and equitable, with people who have equivalent assets being treated in the same way;
- Encourages the acceptance of replacement housing for affected households;
- Will include the design of replacement housing that meets all statutory requirements, considers local preferences and is culturally appropriate. Cash compensation may be appropriate in certain circumstances, but must be based on a documented assessment of the ability of the affected person to use the cash to restore and improve their housing standards, and;
- Involves resettled and host communities participating in the selection of resettlement sites. The site selection shall follow a systematic process that also considers proximity to affected areas, accessibility and locational advantage.

8.2. Eligibility

The eligibility criteria being used in this RAP is in line with the introductory summary of various applicable policies including the IFC PS 5 as discussed in Section 8.1 above.

There are four variables to consider regarding Eligibility:

- **Who** is eligible – this is established through the definition of PAP and their relationship to the project-affected-area determined through the census.
- **How** are they deemed eligible - this is established in the eligibility criteria.
- **When** are they eligible - this is defined by the Development Moratorium (Cut-off Date).
- **What** are they eligible for (entitlement) – this is defined in the Draft Entitlement Matrix.

The applicability of the variables with respect to categories of PAPs is set out in the Eligibility Framework in Table 8.1.

Table 8.1: Eligibility Framework

Cat	Description	Who	How	When
1	Physically displaced PAP:	Individuals, households or groups who will lose their place of residence due to Land Acquisition required for the RAP 5 project area.	As determined by the Cadastral and Asset Survey and the Legal Due Diligence Survey.	At the time of signing the cut-off date form during the rolling Cut-off date (the final Cut-Off date was on the 18 th the February 2019
2	Economically displaced PAP:	Individuals, households or groups who will lose land, assets or access to assets or natural resource that leads to loss of income sources or livelihoods, but does NOT necessarily result in the direct loss of a place of residence.		
3	Physically and Economically displaced PAP:	Individuals, households or groups who fit into both categories above.		

8.2.1. Defining Project Affected People (Who is eligible)

For this resettlement, Project Affected Persons (PAPs) are defined as any individual or group of persons (this constitutes a family or clan with shared interest in an asset) who, loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b) ownership of annual and/or perennial crops and trees, (c) homestead property,

(d) homestead structures, (e) graves, (f) shrines, and (g) other privately held physical assets located within the development footprint of the RAP 5 project area.

For this RAP, all assets and land have been recorded against PAPs and each PAP (individual or group of persons the later, constituting a family or clan with shared interest in an asset) has been given a PAP ID number. Therefore, Entitlement and Eligibility is considered for each PAP with an ID as opposed to individuals, households or groups. The ID number is unique to the PAP, even when multiple assets are owned which are then differentiated by village and specific asset. Some households have multiple assets which could belong to different members of the households and therefore have defined as PAPS Multiple times in the asset survey. Where such multiple asset holdings by a single household has been noted, the socio-economic survey only interviewed the household once to avoid duplication of the socio-economic data.

It is therefore important to note this distinction between PAPs and Households.

8.2.2. Eligibility Criteria

PAPs eligible for compensation/replacement include:

- (a) Those who have formal legal rights (Certificate of Title) to land⁴⁷. This is established through the Legal Due Diligence Survey (see Section 5.3.3 for the methodology of this survey).
- (b) Those who do not have formal legally certified rights to occupy or use the land or other assets but have a claim to the land under the Land Act, Cap 227. The ownership of the land is established as part of the Cadastral Survey and verified by the Legal Due Diligence Survey (see Sections 5.3.1 and 5.3.3).
- (c) Those who have a claim to assets (e.g. structures or crops) on the land to be acquired. This includes land owners/claimants with assets on their own land and also those who claim assets on land they do not own/claim. The Asset Survey records all displaced assets, their owner details, the dimensions of the assets, the number of assets and the use and condition of the assets (see Section 5.3.2).
- (d) Those who have no recognisable legal right or claim to the land they are occupying (i.e. tenants). These were recorded as part of the Cadastral & Asset survey.

PAPs covered under (a), (b) and (c) are provided compensation and resettlement assistance for lost land, and other assets. PAPs covered under (d) are provided compensation for any assets they lose, and other assistance, as necessary, to achieve the objectives set out in this RAP and the LARF.

8.2.3. The Development Moratorium

The Development Moratorium determines that further developments on land within the surveyed plots of land will no longer be considered for compensation by the project, and is an outcome of the cut-off date. The principle of the cut-off date was disclosed to the community prior to the surveys (see Section 6.5.4).

The cut-off date form was issued by the legal due diligence team and signed by the land owner at the time of the valuation of assets. The census and inventory of lost assets and property was completed and the final RAP 5 Cut-off date was established and declared on 18th February 2019. The RAP team clarified that PAPs could still access their residences, structures and land, grow crops, harvest crops, and graze animals until compensation awards were made. However, it was also made clear during the CoD engagements that any investments (e.g. new structures, new trees/crops) made after the cut-off date would not be eligible for compensation for the lost assets and /or resettlement and rehabilitation and all assets improved or added by the recorded persons

⁴⁷ As confirmed by the Legal Due Diligence survey, there were no Certificates of Title in the RAP 5 project area.

are likewise not considered; as these would not be part of the assessed property and included in the budget for compensation awards.

Any new persons occupying the land after the cut-off date are not eligible for compensation for the lost assets and /or resettlement and rehabilitation. All assets improved or added by recorded persons are likewise not considered.

The disclosure of the Development Moratorium is detailed in Section 6.5.4.

8.3. Entitlement

The Entitlement Framework establishes the specific rights and entitlements to replacement assets or compensation and assistance. These rights are granted to any PAPs who will lose proven assets, as determined during the Cadastral, Asset and Valuation study. The RAP 5 specific entitlement framework was developed based on the guidance provided in the LARF and the eligibility criteria in Section 8.2.2.

The framework established the specific rights per the type of loss, as well as differentiating the potential compensation entitlement granted to physically and/or economically displaced PAPs.

8.3.1. Stakeholder Participation in defining Entitlement Framework

The overarching entitlement framework provided in the draft LARF was first reviewed by the members of the Resettlement Advisory Committee during the RAC meetings in 2015. The Draft LARF was later disclosed to Buliisa District Local Government and district leadership as well as to the representatives of Bunyoro-Kitara Kingdom, Members of Parliament of Buliisa district, Uganda Human Rights Commission and NGOs & CSOs during LARF meetings and workshops in October and November 2016. The final LARF was endorsed by MEMD and MLHUD in December 2016.

The RAP 5 specific Entitlement Framework developed based on the findings of the RAP 5 resettlement planning surveys (Table 8.2) was presented for consultation to the RAP 5 RPCs of Buliisa town and Buliisa sub-county council (31st July 2019), and with Kigwera and Ngwedo sub-counties on 3rd August 2019 affected villages of; Kasinyi, Kiyere, Bikongoro, Kijumbya, Kijangi, Kizikya, Kitahura, Kibambura Uriibo, Ngwedo centre, Uduk I, Uduk II, Kigwera NE and Kigwera SE Kisomere, Avogera and Kilyango on 3rd August 2019 (see Section 6.5 for further details).

Table 8.2: RAP 5 Entitlement & Eligibility Framework

Row No.	Type of loss	Category of Affected Person	Entitlement	Eligibility
1	Dwelling used as primary residence	Owners who live in the affected house and structures.	<p>Option 1: In kind Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use at location of owner’s choice but within a defined project area. Choice of standardized replacement house designs that comply with building/ planning standards and that take spatial and cultural function into consideration. House constructed from durable wall and floor materials and with permanent roof. <i>A standard 2 bedroom house to be constructed as a minimum replacement house.</i></p> <p>Materials from the affected structure may be salvaged at the owner’s expense within the notice period to vacate defined by the project schedule and prior to demolition.</p> <p>Allowance for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p> <p>OR</p> <p>Option 2: In kind- Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use but in host resettlement areas. Choice of standardized replacement house designs that comply with building/ planning standards and that take spatial and cultural function into consideration. House constructed from durable wall and floor materials and with permanent roof. Materials may be salvaged at the owner’s expense within the notice period to vacate defined by the project schedule and prior to demolition.</p> <p>Allowances for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p> <p>OR</p> <p>Option 3: Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory Disturbance Allowance of 30% of compensation amount.</p> <p>Materials from the affected structure may be salvaged at the owner’s expense within the notice period to vacate defined by the project schedule and prior to demolition.</p>	<p>All affected people must prove ownership which is established through the final asset surveys.</p> <p>Options 1 and 2: owners will be allocated a new built house for the primary residence* if the affected structure is complete and present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p> <p>*indicated as primary residence in the asset survey</p> <p>Option 3: Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p>

Row No.	Type of loss	Category of Affected Person	Entitlement	Eligibility
2	Dwellings used for secondary purposes (rental houses, free accommodation for relatives, etc.)	Owner of residential structure	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p>	<p>Ownership established through final asset surveys.</p> <p>Cash option is available to owners of affected structures that are present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p> <p>The owner must indicate that the dwelling is not his/her primary residence in the asset survey.</p>
3	Sanitation facilities (pit latrines & bath shelters).	Owners of buildings (residential, commercial and other)	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory Disturbance Allowance of 30% of compensation amount.</p> <p>Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p> <p>NB: Owners already awarded a replacement house that already includes these facilities will not receive additional cash compensation.</p>	<p>Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p>
4	Moveable and other structures such as fences, livestock enclosures, livestock water points, etc.	Owner of structures	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Materials may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p>	<p>Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p>
5	Incomplete buildings and structures	Owners of incomplete structures	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Materials may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p>	<p>Cash option is available to owners of affected structures that are present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p>
6	Land for primary residential plot – permanent loss	Registered owner or claimants of customary held land on which	<p>Option 1: Owner identifies and negotiates the purchase of a residential plot not exceeding the replacement value and within the defined project area. The project buys the new land for the owner.</p>	<p>All affected people must prove ownership which is established through the final asset surveys and legal due diligence surveys.</p>

Row No.	Type of loss	Category of Affected Person	Entitlement	Eligibility
		complete immoveable housing structure is established for Primary residence.	All transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure. OR Option 2: The project Identifies and negotiates replacement land for a new resettlement village (in conjunction with the RPC). The project buys the new land for the village. All transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure. NB: Owners already awarded a replacement house will not receive additional compensation for loss of residential plot.	Owner must identify residential plot for use as primary residence* and demarcated within the boundaries of the site at the cut-off date. *indicated as primary residence in the asset survey.
7	Permanent loss of agricultural land (crop) land	Registered owners or claimants of customary held lands	Option 1: Owner identifies and negotiates the purchase of replacement land at agreed value and within agreed area. The project buys the new land for the owner. Provision of support registration cost and required formalities to ensure security of tenure. OR Option 2: Cash compensation for land, at replacement cost Statutory Disturbance Allowance of 30% of compensation amount.	Persons must prove ownership (not necessarily through title) at the time of final asset surveys.
8	Permanent loss of grazing land	Registered owners or claimants of customary held lands Other users of grazing land within the surrounding villages	Registered owners or claimants: Cash compensation of the value of the land at replacement cost. Statutory Disturbance Allowance of 30% of compensation amount. Other users - Provision for livelihood restoration support.	For cash compensation, persons must prove ownership and interest (not necessarily through title) at the time of final asset surveys.
9	Annual Crops	Owners of crops on farm land	Where project gives at least 90 days' notice to farmers to harvest their annual crops: owner receives no compensation. Where insufficient notice period was given (less than 90 days) Crop Owners receive:	Crops in place (rooted) at cut-off date and identified through final surveys. Compensation according to defined growth stage or size categories.

Row No.	Type of loss	Category of Affected Person	Entitlement	Eligibility
			<p>Cash: damaged crops will be compensated in cash as mature crops at agreed rates determined annually by District Land Board based on replacement cost determined by formal market studies.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Access to Livelihood Restoration Program.</p>	Crop owners identified through final asset surveys
10	Perennial crops (Including fruit and economic trees)	Owners of crops on farm land	<p>Option 1. Cash compensation at replacement cost at agreed rates determined annually by the District Land Board based on replacement cost determined by formal market studies.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Access to Livelihood Restoration Program.</p> <p>OR</p> <p>Option 2. Where cash compensation is not preferred for fruit and economic tree, two (2) replacement saplings for every damaged tree of a crop variety suitable for the identified replacement farm land.</p> <p>NB: Only applicable to fruit and economic trees. No replacement fruit and economic tree saplings will be planted within infrastructure corridor with land-use restrictions.</p> <p>Access to livelihood restoration program.</p>	<p>Crops or trees in place (rooted) at cut-off date and identified through final surveys.</p> <p>Compensation according to defined growth stage or size categories.</p> <p>Crop and tree owners identified through final asset surveys.</p>
11	Restricted access to natural resource areas	Natural resource users within the surrounding villages	<p>Project to address access restrictions through improved access to alternative natural resource areas or substitute resource base.</p> <p>Participation in Livelihood Restoration Programmes to restore livelihoods to pre-resettlement levels. This may include provisions to provide access to alternative resources (such as seedlings).</p>	Persons from the surrounding villages who gather natural resources such as medicinal herbs/trees, thatching grass, timber or mushrooms.
12	Vulnerable Support Programme	Vulnerable individuals and families who may find it difficult to cope with the transition e.g. These vulnerable groups are	<p>In-kind hardship assistance program appropriate to specific cases and based on project assessment, including:</p> <p>Priority in physical mobilisation and transfer to resettlement plot;</p> <p>A preference for in-kind compensation</p> <p>Additional monitoring</p> <p>Relocation if feasible near to kin and former neighbours to maintain informal support networks</p>	Identified through final census survey based on agreed vulnerability criteria relevant to Project.

Row No.	Type of loss	Category of Affected Person	Entitlement	Eligibility
		described in Chapter 12.	<p>Special assisted transit to resettlement plot;</p> <p>Additional moving, loading and unloading assistance, if necessary;</p> <p>Assistance from support case workers during transit process;</p> <p>Assistance in the compensation payment procedure</p> <p>See Chapter 12 for further information.</p> <p>Other specific support related to moving process (e.g. medical assistance) identified by support case workers.</p>	
13	Graves/cemeteries	Family and community members	<p>Complete relocation of graves (exhumation, transportation and reburial) in designated cemetery or replacement land.</p> <p>Provision of in kind agreed customary ceremonial assistance per family.</p>	<p>Familial graves identified during asset surveys and/or confirmed through the Cultural Heritage survey.</p> <p>Unmarked graves identified through chance-find do not qualify for ceremonial assistance and will be dealt with in accordance with the Chance Finds Procedure in the Cultural Heritage Management Plan.</p>
14	Shrines	Family and community members	<p>Complete relocation of shrines in designated area around the project area.</p> <p>Provision of in kind agreed customary ceremonial assistance per family.</p>	<p>Shrines identified during asset surveys and/or confirmed through the Cultural Heritage survey.</p> <p>Cultural Heritage Management Plan to be adhered to.</p>
15	Loss of small businesses	<p>Business owners whose operations are temporarily restricted</p> <p>Business owners who are physically and economically displaced</p> <p>Business owners</p> <p>Business owners and employees</p>	<p>Cash: Cash compensation for the temporary loss of income from non-farm businesses for the duration of the temporary restriction or business closure, based on financial records of individual businesses.</p> <p>The project will endeavour, where practical, to schedule its activities to minimise temporary business income losses.</p> <p>Cash – In case of a person who is physically and economically displaced on a permanent basis, cash compensation for the loss of income from non-farm businesses for a period of three months from the date when the Project takes possession of the affected business structure</p> <p>In kind – Business advice to assist with re-establishment of displaced businesses.</p> <p>Cash/In kind – business owners with immovable structures will be provided with replacement structures (see Structures section below) or cash compensation</p>	<p>Business owners identified during final census and business surveys. Income and expenditure data obtained from final census and business surveys. In the absence of recorded financial information, aggregate information based on similar businesses will inform determination of monthly net income</p> <p>Review of businesses that were physically displaced to assess progress of re-establishment before end of three-month assistance.</p>

Row No.	Type of loss	Category of Affected Person	Entitlement	Eligibility
			<p>In kind: Business owners' assistance for business items, where practical, including loading, transportation and unloading assistance. OR Cash – Transportation allowance for self-arranged transportation of business items at an agreed all-inclusive rate per kilometre for transport hire and fuel.</p> <p>In kind – Participation in business improvement programmes to increase earning capacity. Details of programme to be determined</p>	<p>Employees of affected business enterprises will be provided with separate cash compensation (see Business employee section below)</p> <p>Business owners identified through final census and business surveys</p> <p>Business owners identified through final census and asset survey</p>
16	Loss of infrastructure (Roads and drainage, and pathways)	District and local government, communities	<p>In kind replacement of affected district and local roads where applicable</p> <p>In kind provision of access roads to resettlement sites where applicable</p> <p>In kind provision of drainage in accordance with statutory road safety requirements</p> <p>In kind replacement of pathways</p>	<p>Community roads and drainage and community pathways in place at cut-off date and identified through community asset surveys.</p> <p>Owners of displaced residential, commercial and other buildings identified through census and asset surveys.</p>
17	Public buildings	Government or community	<p>In kind - Replacement structure of equivalent size (measured floor area) with consideration of functional spatial use.</p> <p>Replacement design to comply with relevant building/planning standards.</p> <p>Constructed from permanent wall and floor materials with permanent roof.</p>	<p>Complete building at cut-off date, identified through final asset surveys.</p> <p>Ownership established through final asset surveys.</p>
18	Re-establishment allowance	All households that are being physically resettled	Cash – Transition allowance per individual to allow households to cover basic living expenses during early transition period	Individuals identified through final census survey.
19	Social networks	Physically displaced households	In kind – Allocation of replacement residential plots based on household preferences to the extent possible in order to maintain or re-establish social networks	Physically displaced households who choose to resettle on a replacement plot identified by the Project.
20	Financial transition	Individuals and families who will be receiving cash compensation.	<p>In kind – Money management training will be provided.</p> <p>Assistance with the opening of bank accounts.</p>	All persons receiving a form of cash compensation identified through final census surveys.

8.4. Valuation Methodology and Market Research

Summarised in this section is the valuation methodology the details of which are contained in the Tilenga RAP 5 approved Valuation Report (see Annexure 1).

The valuation of affected assets (crops/trees and structures) has been carried out using the approved Buliisa District Compensation Rates FY2018/2019 as required by the Constitution of the Republic of Uganda 1995, the Land Act 1998 and other relevant legislation. The affected assets have been valued at replacement cost.

To help establish the replacement cost, the valuation team carried out market research for land, structures, crops and trees in Buliisa district in June 2018. This exercise was primarily aimed at attaining relevant and reliable information about market transactions within and near the RAP 5 project area.

The information collected through the site visits and the market research, was shared with the office of the Chief Government Valuer for purposes of establishing fair and adequate compensation as required by the Constitution of the Republic of Uganda in line with the LARF, 2016 and GCALA, (June 2017).

8.4.1. Land

8.4.1.1. Land Market Research and Valuation

The valuation team carried out research to elicit comparable value for land within and near the RAP 5 project area. The exercise was carried out together with the market research for crops and trees.

8.4.1.2. Land Market Research Objectives:

The market research study was primarily aimed at attaining relevant reliable information about market transactions for the land within and near the project area, and the different factors influencing land values. The information gathered provided insight into the valuation of the affected land in the different affected villages and sub-counties.

8.4.1.3. Land Market Research Geographic scope

The market research on land in Buliisa was conducted in the villages of Kasinyi, Kibambura, Kilyango, Kisomere, Ajigo and Avogera in Ngwedo sub-county, Bikongoro in Kigwera sub-county, Kijangi, Kigoya and Kabolwa in Buliisa sub-county, Bugoigo, Sonsio, Walukuba, Nyamukuta, Kamagongolo, Kisinja and Booma in Butiaba sub-county.

8.4.1.4. Land Market Research Target Respondents

The market research study targeted different land owners in the villages indicated under the geographic scope in Section 8.4.1.3 above and involved interviewing at least five (5) respondents per village targeting community members who were recently involved in land transactions. The research on land also targeted key respondents such as; CGV's Office, Local council chairpersons, Area land committees for the different sub-counties, Buliisa District Land Board (DLB) officials (the custodians of records on land transactions in their respective area) specifically the Chairperson and Secretary, Buliisa District Technical Planning Committee (DTPC) particularly the Chief Administrative Officer (CAO), District Community Development Officer (CDO), and District Commercial Officer (DCO), and Uganda National Roads Authority (UNRA) particularly the valuation Officers.

8.4.1.5. Land Market Research Methodology

Land/interest in land is generally heterogeneous (i.e. has different characteristics). Even if the subject land parcel has identical physical characteristics to other lands being exchanged on the market, the location will be different. For this reason, the market research study focused on the

affected villages as well as those villages with relatively similar characteristics neighbouring the affected villages.

Information / data were collected through interviews with community members and other targeted respondents using a data collection tool/ questionnaire (see Appendix 9.1 of Annexure 1) for easy guidance and consistence. Transaction evidence/ records of the transactions such as land sales agreements and other documented proof were sought for/ collected from the respondents as a way of eliminating biased responses.

The data collected included clear details of the land transaction evidence provided such as; the location details, size of land, land use, land tenure, payment terms and parties to the transaction.

Some of the land use types included but are not limited to:

- Undeveloped land / Grazing land;
- Subsistence Crop farming land;
- Commercial agricultural land;
- Village Residential land;
- Village trading centre land; and
- Urban land.

In carrying out the market research (see detailed methodology for the market research in Appendix 9.2 of Annexure 1), the appropriate unit of comparison adopted was per acre. This was because it is a standard unit of measurement and is commonly used in the locality. This is the unit that was consistently selected and applied to the subject property and the comparable properties in each analysis of the potential land values as encompassed in the proposed land values report (Appendix 9.3 of Annexure 1) that was submitted to the CGV on 25th June 2019.

8.4.1.6. Land Market Research Findings and Valuation of Land at Replacement Cost

The affected land has been valued at replacement cost and the valuation is based on pre-project or pre-displacement market value of land of equal productive potential or use located in the vicinity of the affected land plus statutory disturbance allowance and Land Transaction costs⁴⁸.

In summary:

<p>Replacement cost of land = Pre-Project Market Value (market value + all transaction cost) + Statutory Disturbance Allowance</p>

Note: The market value of land presented in this report does not include the statutory disturbance allowance

Table 8.3 indicates the proposed land values for the affected areas in Buliisa under RAP 5. These were to be ideally based primarily on recent land transactions undertaken within the villages covered by RAP 5. However, there was no documented and reliable evidence of land purchases – most land was either inherited or sub-divided amongst families with no formal purchase or sale. Therefore, the values for land proposed in Table 8.3 by the RAP valuation team, were based on the comparison method of valuation which entails, review of market information (transactions that are considered to be reliable)⁴⁹ – and in this case, the information used was from neighbouring villages that are not the actual property that is being valued. This therefore required the valuers to undertake adjustments basing on the different factors pertaining to the subject property (see Section 8.4.1.5). Therefore, the figures obtained were used as a bench mark e.g. if high land values were obtained for a trading centre and, and the RAP footprint impacted a remote area within the

⁴⁸ The costs other than the market price that are incurred in trading goods, such as brokerage fees.

⁴⁹ This however was not the case for the RAP 5 project area.

same village, the valuation team ensured that the value attached to the affected land did not exceed the highest possible land value (i.e. the land value attached to the trading centre). Similar units of comparison were also used for example, never comparing the land price of an acre against that of a hectare. Villages with similar land use, also influenced the land value attached e.g. if two villages had a similar set-up (similar distance from roads, both had a Heath Centre II (and not one having a Heath Centre I and the other village a Health Centre III) – then the land value was expected to be within the same region. Furthermore, the further one moves away from a trading centre or roads, the lower the land value and this is attributed to the fact that the trading centers and roads have higher demand for land, a situation similar to landing sites. The findings of the land market research were submitted to the CGV.

Table 8.3: Proposed values for RAP 5 affected land

#	Village	Proposed Land Value (UGX)
1	Kasinyi	4,000,000
		6,000,000
		5,000,000
2	Kigwera NE	4,500,000
3	Kigwera SE	4,500,000
4	Kizikya	7,000,000
		12,000,000
5	Avogera	5,000,000
		9,000,000
6	Kijumbya	4,500,000
		5,000,000
7	Kisomere	5,000,000
8	Ngwedo	7,000,000
		15,000,000
		22,000,000
9	Uduk I	5,000,000
		6,000,000
10	Uduk II	5,000,000
		6,000,000
		8,000,000
11	Uriibo	5,000,000
		8,000,000
12	Kamandindi	6,000,000
13	Kigoya	7,000,000
14	Kijangi	8,000,000
		6,000,000
15	Kiyere	10,000,000
		21,000,000

8.4.1.7. Identification of Orphan land⁵⁰

Orphan land is the residual (remaining) land following land acquisition by the project that cannot be sustainably utilized or developed by the PAP i.e. the PAP's livelihood on the residual land is not sustainable, or as a result of land acquisition by the project, the remaining portion is rendered non-economically viable. Therefore, for these special cases, there was a case by case analysis to determine the ability of the retained land to sustain the PAP's livelihood. Where the retained land was unable to sustain the PAP's livelihood, the retained part of the land was assessed for compensation as an incremental land take. This is in line with the LARF.

In identifying PAPs with orphan land on RAP 5, the RAP team adopted three pillars for the criteria as elaborated below;

a) PAPs with land take of more than 80% of the total land

First priority was given to PAP's losing more than 80% of their land to the project. This implies that, such PAPs retained less than 20% of their original land size. The remaining portions of land were therefore identified as orphan land regardless of size. (See *Parcel D in Figure 8.1 below for an illustration of this scenario*). The above is in line with, WB OP4.12, which requires that, affected persons losing 80 percent or more of their total agricultural land are to be given an option allowing them to relinquish the remainder at replacement cost, acquire replacement land equivalent in size or productive value to their entire holdings, or opt for other rehabilitation measures, as appropriate. However, in cases in which acquisition of less than 80 percent of the landholding renders the remainder of the landholding no longer viable, World Bank Environmental and Social policy recommends that the entire parcel of land be acquired or if the residual holding of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.

b) PAPs with land take of less than 80% but retaining land that is less than or equal to 0.3 acres

The size of land is one of the factors that determine the land use of a given land parcel. Some land parcels are too small to be utilized for any given economic activities and as such, cannot sustain the PAP's livelihood. In RAP 5 project area land normally transacts in terms of 'musiri' (gardens). This is the standard garden size in the project area measuring approximately 0.25 acres. On this basis, the project adopted 0.3 acres as the standard size of a retainable parcel of land, and, this is also in line with the precedent set in the RAP1 (Industrial Area) orphan land take assessment, where all retained land, under 0.3 acres was identified as orphan land (see *Portion X of Parcel B in Figure 8.1 for an illustration of this scenario*).

It is important to note that, some PAPs had a total land size of less than 0.3 acres even before their land was affected by the Project. These have been analysed on a case by case basis in line with criterion (c) below.

c) PAPs with land take of less than 80% and retaining land that is more than 0.3 acres but, which land is considered to be unable to sustain their livelihoods following a case by case analysis

- (i) **Shape and layout of the remaining portion of land:** Some of the remaining portions of land are 'poorly shaped' and laid out. This renders the land less useful to the PAP. As such, land under this category land was identified as orphan land

⁵⁰ Orphan land is the residual (remaining) land following land acquisition by the project that cannot be sustainably utilized or developed by a PAP i.e. the PAP's livelihood on the residual land is not sustainable, or as a result of land acquisition by the project, the remaining portion is rendered non-economically viable. Therefore, for these special cases, there was a case by case analysis to determine the ability of the retained land to sustain the PAP's livelihood.

(see Portion S of Parcel C, and Portions in Figures 8.1 for illustrations of this scenario).

- (ii) **Possible access restrictions:** It was noted that some portions of remaining land will not be directly accessible at points with Above Ground Installations (AGIs). There is land that has been affected by the AGIs and the retained land may be restricted access. Such land has been identified as orphan land.
- (iii) **Terrain and nature of the retained land:** Where the terrain and nature of the retained land does not favour utilization of the land for the intended land use, the land cannot support or sustain the PAP's livelihood. The retained land with such terrain (e.g. the remaining portion of land is rocky or water logged, and therefore may not support activities such as agriculture or settlement – especially if the project acquired the portion of this land that was supporting these activities), such land has been identified as orphan land.

Below is a presentation of how the different parcels of land are affected by the proposed facilities and cases that have resulted into potential orphan land. Specifically, Figure 8.1 illustrates how different land parcels have been affected by propose RAP 5 access roads.

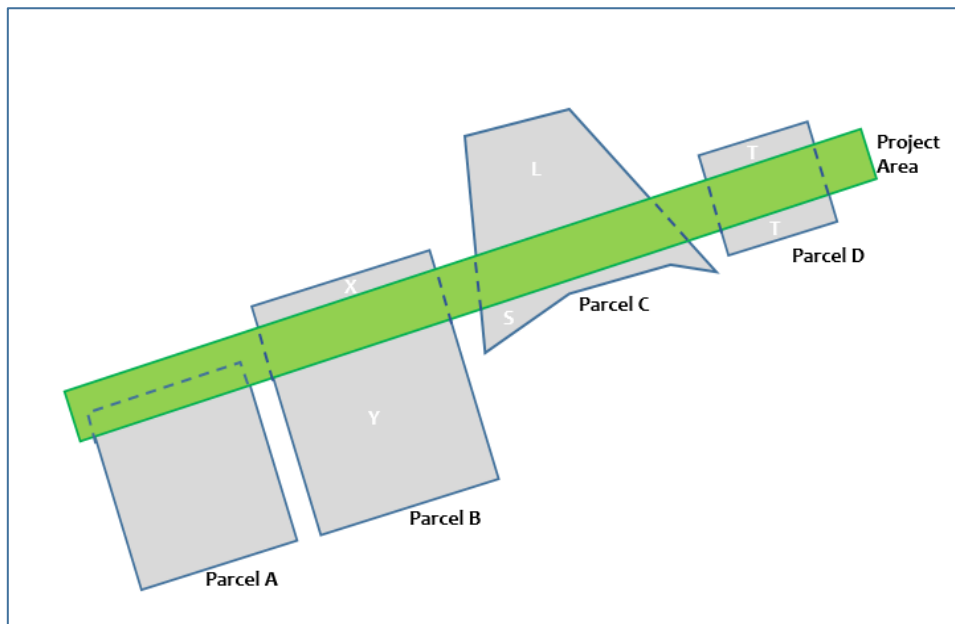


Figure 8.1: An illustration of how different parcels of land are affected by the proposed RAP 5 facilities.

From the above illustration:

- Land parcel A: A small percentage of the total land size is affected by the project. The retained land is large enough (*less than 80% land take and more than 0.3 acres*) The PAP is not considered highly impacted in line with WB OP4.12⁵¹ and as such, only the project affected land has been considered for compensation.

⁵¹WB ES policy requires that, affected persons losing 80 percent or more of their total agricultural land are to be given an option allowing them to relinquish the remainder at replacement cost, acquire replacement land equivalent in size or productive value to their entire holdings, or opt for other rehabilitation measures, as appropriate. However, in cases in which acquisition of less than 80 percent of the landholding renders the remainder of the landholding no longer viable, World Bank ES policy recommends that the entire parcel of land be acquired or if the residual holding of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.

- Land parcel B: A small part of the total land size is affected by the project however, the retained land has been split into two (2) plots X and Y. Parcel Y is large enough (*more than 0.3 acres refer to B above*) to sustain the PAP's livelihood and as such, is not considered for compensation as orphan land, but, parcel X is too small (*less than 0.3 acres*) and not sufficient to sustain the PAP's livelihood and as such, considered for compensation as orphan land after obtaining written consent from the land owner, that they would like to relinquish parcel X.
- Land parcel C: This land parcel has also been split into two (2) land plots L and S. Parcel L is large enough (*more than 0.3 acres*) to sustain the PAP's livelihood and as such, is not considered for compensation as orphan land and Parcel S is also large enough in terms of land size (*more than 0.3 acres*) however, the case by case analysis reveals that its shape may not be suitable for the intended land use and as such, it cannot sustain the PAP's livelihood and thus, this land is considered for compensation as orphan land after careful analysis of its ability to sustain the PAP's livelihood and consent from the land owner on their willingness to relinquish this land.
- Land parcel D: Part of the land parcel is affected by the project however the retained land has been split into two (2) plots T and T. Each of the two plots is too small (*less than 0.3 acres*) to sustain the PAP's livelihood separately and as such, each parcel has been identified as orphan land to be considered for compensation.

8.4.2. Structures Market Research & Valuation

8.4.2.1. Objectives:

The main objective of the research was to obtain reliable information about the source of building materials, market of building materials, construction and labour costs for the different structures to enable the development of Bills of Quantities (BoQs) for the respective structures.

8.4.2.2. Geographic scope:

The market research on structures was conducted in the villages of Kasinyi, Kibambura, Kilyango, Kisomere, Ajigo and Avogera in Ngwedo sub-county, Bikongoro in Kigwera sub-county, Kijangi, Kigoya and Kabolwa in Buliisa sub-county, Bugoigo, Sonsio, Walukuba, Nyamukuta, Kamagongolo, Kisinja and Booma in Butiaba sub-county.

In addition, a number of different local hardware shops/stalls in Buliisa district were visited to obtain the market prices for compensation materials.

8.4.2.3. Categories of structure:

For purposes of the market research, the structures were categorised according to construction details as described in Table 8.4.

Table 8.4: Categories of structures for the market research

1	Houses
a	Mud and wattle, Grass thatched roof
b	Mud and wattle, Galvanized corrugated iron sheet roof
c	Mud and wattle, iron sheet roof house and cement floor
2	Kitchen
a	Mud and wattle, Grass thatched roof
b	Mud and wattle, Galvanized corrugated iron sheet roof
3	Pit latrine

1	Houses
a	Mud and wattle, Grass thatched roof
b	Mud and wattle, Galvanized corrugated iron sheet roof
4	Bath shelters
a	Poles & reeds
5	Other structures
a	Plate/drying racks
b	kraals
c	Fence

8.4.2.4. Results of Market Research and Valuation of Structures at Replacement Cost

The buildings and structures have been categorised into permanent, semi-permanent and temporary structures.

Permanent structures were identified by the type of construction and construction details such as, burnt clay bricks and iron sheets. Semi-permanent and temporary structures on the other hand were identified by materials such as, timber, mud and wattle among others.

8.4.2.4.1 Valuation of Temporary structures

For most of the temporary structures/ houses in the project area, the ground plan is the usual circular or square without any support pillars. The walls are of mud and wattle reinforced with poles and reeds with small windows that are built into the wall on either side of the entrance to let in sufficient light and cool air. Inside some structures, partitions of mud walls are used to divide the house into rooms. Bamboo/ reeds, eucalyptus and reeds are used to make the frame of the roof that is thatched with grass. Hard wood is preferred for the construction of these structures because it is resistant to termite attacks. The floor is lavished with a layer of cow dung mixed with earth which seals off the dust.

The affected structures within the project area (semi-permanent and temporary structures including pit-latrines) were valued using the Approved Buliisa District Compensation Rates FY2018/2019 in order to arrive at the compensation values⁵².

Coordinates, construction details, built up areas, accommodation details, and occupancy status of the different structures were noted during the data collection exercise. This was aimed at establishing the replacement cost of the different structures for compensation purposes. Due to limited reliable market information within and near the project area, a sales comparison approach could not be applied in the valuation of the affected structures. As a result, the structures have been valued based on the 'reproduction cost' i.e. the cost of reconstructing an identical structure by using the same materials and design at the time of appraisal without depreciation. More specifically, the design, standard of construction, fittings and finishes were also taken into consideration in arriving at property values.

Incomplete structures

Incomplete temporary structures/ buildings were valued as per the approved district compensation rates. However, percentage levels of completion were applied to the various structures (see Figure 8.2) depending on their level of completion (Tables 8.5 and 8.6). This is because, due to the high level of influx of people which took place between the RAP 5 initial disclosure process in December 2018 and the beginning of the land and asset surveys in January 2019, a number of the assessed structures were established very recently. Some of these assessed

⁵² Land Act Cap 227 (1998)

structures were at various levels of completion therefore, these have been valued at replacement cost in relation to their respective levels of completion as per the valuation date, and, the compensation rates have been adjusted to reflect the levels of completion of the different structures. It is important to note however that, the structures without doors have been categorised as complete since these are considered to be complete by the local community within and near the project area.

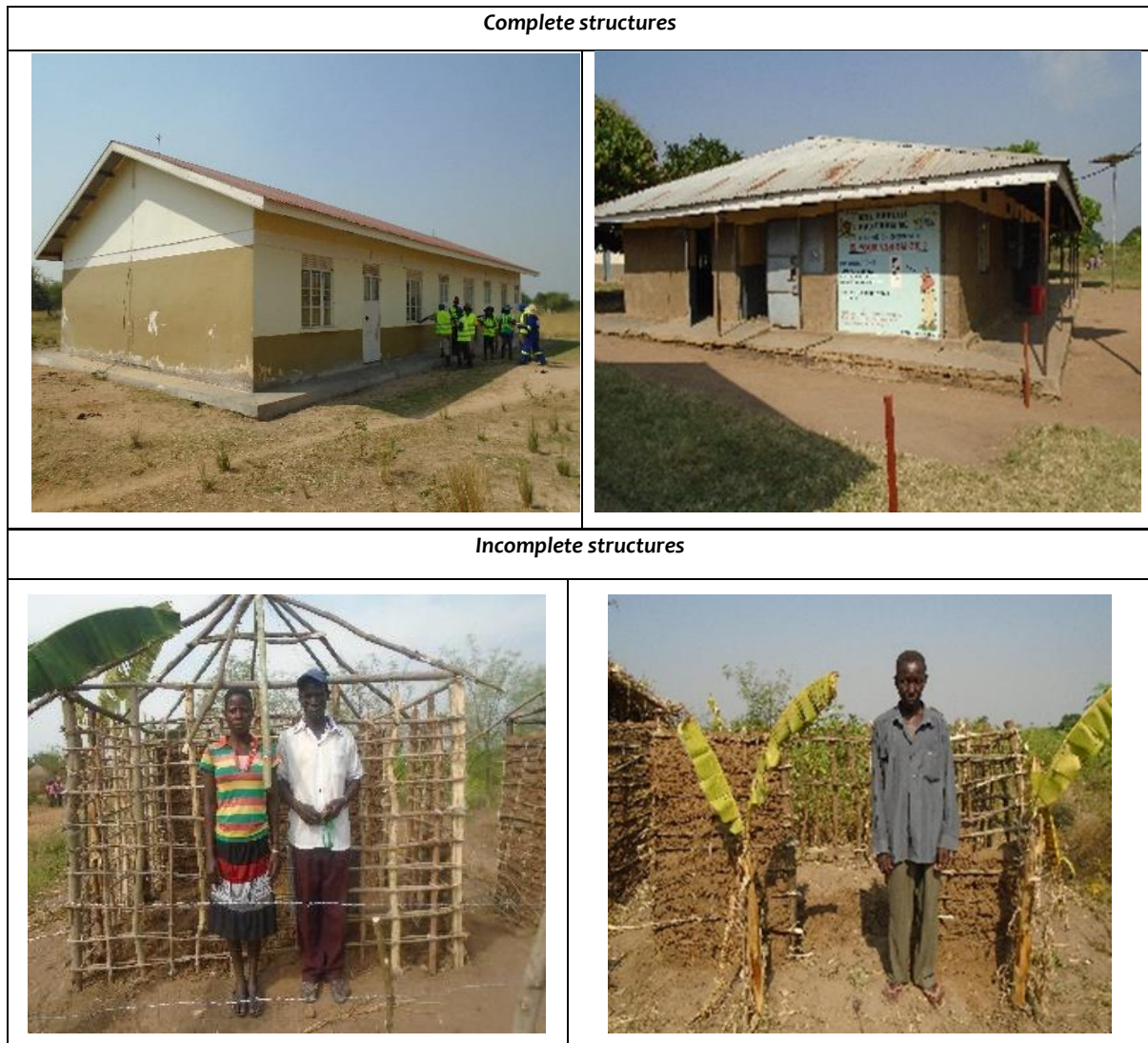


Figure 8.2: Sample structures in the RAP 5 project area

Table 8.5: Levels of Completion for Temporary structures/ houses and kitchen structures

Structure description	% of completion*
Structure with a roof, walls and floor, with or without a door	100%
Structure with walls and an incomplete roof	70%
Structure with a roof and partly complete walls (partly mud and wattle walls)	70%
Structure with a roof and only poles	50%
Structures with only pole or reeds	20%

Table 8.6: Levels of completion for the Temporary Pit Latrines

Structure description	% of completion
Structure with a roof, walls, a pit and floor. with or without a door	100%
Structure with a roof and partly complete walls (partly mud and wattle walls), a pit and a floor	70%
Structure with no roof but have built walls, and a pit.	70%
Structure with a roof on poles, a pit and a floor but without built walls	50%
Structure with no roof or wall but with a pit and floor.	30%

**It is also important to note that the levels of completion for the different structures may vary depending on the quality of building materials used.*

8.4.2.4.2 Valuation of Permanent Structures

Permanent structures are buildings constructed with durable materials such as burnt clay bricks, mortar, and iron sheets.

Unlike temporary and semi-permanent structures which were valued using the 2018/2019 approved Buliisa district compensation rates, permanent structures were valued at replacement cost. This has been achieved using Bill of Quantities that have been developed by a registered quantity surveyor (see Appendix 10 of Annexure 1).

In arriving at the applicable rate per square metre for such structures, the categories of permanent structures were classified based on the different construction details. The construction costs for the different categories of structures were generated from a Bill of Quantities (BoQs) formulated by a registered quantity surveyor and a valuation surveyor (see Appendix 10 of Annexure 1).

In summary⁵³:

Replacement cost of Structure = Cost of Construction + Statutory Disturbance Allowance

*The construction costs will vary from one structure to another depending on the built-up area and the construction details.

8.4.3. Crop and Economic Trees - Market Research and Valuation

The market research for crops and trees was carried out over a 14-day period from 12th to 25th June 2018 by a team of two valuation surveyors and two agronomists who were supported by Community Liaison Officers (CLOs). The market Research team also reviewed the market study 2017, to ensure consistency and check trends.

8.4.3.1. Objectives

The specific objective of the study was to collect sufficient and reliable information about agronomic practices and market prices for crops and crop produce within and around the RAP 5 project area to facilitate the computation of the Replacement Costs of the affected annual and perennial crops for compensation purposes.

Other objectives of the study included:

- Understanding the input cost incurred in growing the different types of crops from land preparation to harvesting, and;
Understanding the yields and income generated by farmers growing the different crops.

⁵³ As per the Guidelines for Compensation Assessment under Land Acquisition.

8.4.3.2. Geographic Scope

The market research on crops and economic trees was conducted in the villages of; Kasinyi, Kibambura, Kilyango, Kisomere, Ajigo and Avogera in Ngwedo sub-county, Bikongoro in Kigwera sub-county, Kijangi, Kigoya and Kabolwa in Buliisa sub-county, Bugoigo, Sonsio, Walukuba, Nyamukuta, Kamagongolo, Kisinja and Booma in Butiaba sub-county.

In addition, a number of local markets namely Ngwedo, Kisomere and Buliisa in Buliisa district were visited to obtain the market prices of the different agricultural produce.

8.4.3.3. Sample size respondents and methodology

The market research for crops and trees in Buliisa district covered 28 annual crops, 11 perennial crops, 25 fruit trees and 19 timber trees (see Appendix 9.2 of Annexure 1).

The research targeted farmers who were growing the different crops on a large scale and those who had been growing them for a period of more than three years. The research aimed at attaining responses through focus group discussions that were conducted in each village. The focus groups were composed of a minimum of five (5) famers per village in Buliisa district. There was one focus group discussion per target village.

Key personnel interviews were also conducted. These targeted individuals and institution stakeholders that possess knowledge and information about the produce market and different agronomic practices. These included; National Forestry Authority (NFA), Ministry of Agriculture, Animal Industry and Fisheries (MAAIF), National Agricultural Research Organisation (NARO) – specifically the Bulindi Zonal Agricultural Institute, District Production Officers, District Veterinary Officers, District Forestry Officers, District Land Board Officials, Area Land Committee Members, District Commercial Officers, Commercial farmers, any identified Farmers cooperatives and associations and agricultural support organisations, different product dealers and produce vendors in markets, Info Trade Uganda⁵⁴, and, Chairperson Livestock Association Buliisa.

The research did not focus on plants/ trees which are primarily used as local herbs/ medicinal purposes as most of them grow naturally and the communities tend to lack sufficient knowledge about their related agronomic practices, yields and market prices.

The detailed methodology of the crops and economic trees market research is provided in Appendix 9.2 of Annexure 1 and the agronomist's report is provided in Appendix 9.4 of Annexure 1.

8.4.3.4. Market Research Finding and Valuation of Crops & Trees at Replacement Cost

8.4.3.4.1 Correctly propagated crops/trees

The different types of trees and crops within the RAP 5 project area have been valued using the 2018/2019 Approved Buliisa District Compensation Rates as required by the Ugandan legal framework.

The crops and trees within the project area were categorised into two (2) major categories i.e. annual crops and perennial crops:

- Annual crops are defined as crops that complete their growing season within one year.

⁵⁴ InfoTrade market reports 2018 - FIT Uganda's MIS division (a platform built to integrate, collect, analyse and disseminate agricultural and other market information in Uganda currently extending to all regions in Uganda covering a total of 22 major markets countrywide and 46 commodities from all food categories including cereals, animal products, poultry and food crop) - web site <http://www.infotradeuganda.com>.

- Perennial crops are crops that go through their entire life cycle (germination, vegetative stage, seed production and maturity or harvesting) in two or more years. Perennial crops are harvested multiple times before their death.

Information regarding annual crops/ seasonal crops such as; type, age and numbers were captured during the field work and data collection exercise.

These crops will be compensated for as the PAPs will not have sufficient time (mandatory 3-months notice) to harvest these crops (see Appendix 11 of Annexure 1). This is in accordance with valuation principles of the LARF endorsed by the JV Partners, Ministry of Energy and Mineral Development (MEMD) and, Ministry of Lands Housing and Urban Development (MLHUD) in December 2016.

The method of ascertaining the number of crops/trees was by counting each crop/tree identified. However, in cases where large numbers of the same crop were identified, not intermixed/intercropped, measurements were taken and the area covered by the crops was considered in the valuation.

The compensation values for annual crops/seasonal crops have also been computed as the PAP will not have sufficient time to harvest these crops. This is in accordance with the Ugandan compensation regulations that require annual crops which can be harvested during the period of notice to vacate given to land owners / users are excluded in determining compensation wards.

The annual crops have all been valued as mature crops. This is attributed to the fact that these crops complete their growing season within a short period of time.

Intercropping

Intercropping is a multiple cropping practice involving growing two or more crops in proximity. The most common goal of intercropping is to produce a greater yield on a given piece of land by making use of resources or ecological processes that would otherwise not be utilized by a single crop. Where the crops/ trees were intercropped, to determine the distribution of compensation for the different crops, one of the following approaches were adopted:

- a) Physical count of each type of crops to establish their number

The valuers physically counted each plant for a given type of crop. This enabled them to capture the correct quantity of each crop type affected in an intercropped garden. This exercise was conducted in the presence of, and with the consent of the PAP.

- b) Determining plant ratio per acre for each crop

This was conducted onsite by the valuers and involved the following steps:

- A standard sample area of 4 or 9 square metres within the affected garden was set up;
- Each type of the affected crop in the set out (sampled) area was physically counted;
- The plant ratio in percentages per acre was established as illustrated below:

Plant Ratio for Plant A =	Number of Plants (A) in set-out area	X 100
	<hr/>	
	Total No. of crops (A+B) in the set-out area	
Plant Ratio for Plant B =	Number of Plants (B) in set-out area	X 100
	<hr/>	
	Total No. of crops (A+B) in the set-out area	

Following determination of the plant ratio in an intercropped garden, the compensation was computed as illustrated below:

Crops arising out of speculative practices

$\text{Compensation} = \text{Plant A ration (\%)} * \text{Plant A compensation rate per acre} + \text{Plant B (\%)} * \text{Plant B Compensation rate per acre}$
--

It is common practice in Buliisa district that the communities/ PAPs tend to plant crops/ trees during the valuation exercise speculatively with an aim of benefiting from the compensation packages.

The valuation team together with the agronomist only considered correctly propagated crops/ trees. However, these were recorded as ‘as is’ (*just planted crops*) and considered as seedlings/ suckers.

Just Planted – Speculative crops

These were newly planted crops (less than two weeks old) that were identified within the project area. These were planted due to speculative motives by the PAPs with a view of benefiting through compensation.

These were either:

- Newly established/ planted seedlings often planted following poor agronomic practices (with densities much higher than the recommended spacing); or
- Mature transplanted crops (such as for Aloe Vera)

Perennial just planted crops have been valued as young crops irrespective of their actual growth stage.

8.4.3.4.2 Herbal/Medicinal Plants

In the case of affected natural resources such as herbal and medicinal plants with no economic value, these will be compensated using in kind compensation as recommended in the LARF (2016) but more specifically, in line with the Buliisa DCR FY2018/2019 which state that, “*lack of evidence of price market data hindering valuation. Project proponent to propose in-kind compensation*”, and additionally, the project will endeavour to find resettlement sites (where applicable) that maintain access to natural resources. If these resources cannot be replaced, communities will receive additional livelihood improvement or alternative livelihood support. These plants have therefore not been valued, and the mitigation measures are included in the project Global Livelihood Restoration Plan (LRP) – Chapter 11 of this RAP document.

9. RESETTLEMENT AND RELOCATION PACKAGES

9.1. Role of Stakeholder Engagement and Surveys in Defining Resettlement Packages

The entitlement framework and resettlement provisions are primarily adapted from those provided in the LARF (2016). However, the socio-economic, cadastral land and asset inventory/valuation survey findings, have been used to tailor these specifically to RAP 5. This is particularly true for the resettlement options which have been amended from the LARF in light of information gathered during the socio-economic interview program. The entitlement matrix, resettlement options, house design modals and livelihood restoration options were all presented to the RAP 5 RPCs of Buliisa town and Buliisa sub-county council on 31st July 2019, and with Kigwera and Ngwedo sub-counties on 3rd August 2019 as well as with the PACs in the RAP 5 affected villages of: Kasinyi, Kiyere, Bikongoro, Kijumbya, Kijangi, Kizikya, Kitahura, Kibambura Uriibo, Ngwedo centre, Uduk I, Uduk II, Kigwera NE and Kigwera SE Kisomere, Avogera and Kilyango on 3rd August 2019.

9.2. Categories of Structures

The type and number of structures affected by the RAP 5 project as detailed in the Tilenga RAP 5 approved Valuation Report are summarised in Table 9.1.

Table 9.1: Type and numbers of affected structures

No.	TYPE OF STRUCTURE / BUILDING	Number
1	Bathroom Enclosure	76
2	Borehole	6
3	Bee Hive	1
4	Permanent Buildings	26
5	Churches	4
6	Dilapidated Buildings	4
7	Fences	428
8	Incomplete Permanent Buildings	3
9	Incomplete Semi-Permanent Buildings	455
10	Incomplete Temporary Buildings	121
11	Garage Building	1
12	Kraal	2
13	Kitchen Buildings	38
14	Milling Block	2
15	Pig Sty	4
16	Placenta Pit	1
17	Pit Latrine	123
18	Poultry House	16
19	Temporary Buildings	419
20	Temporary Kiosk	8
21	Racks	165
22	Temporary Shed	80

No.	TYPE OF STRUCTURE / BUILDING	Number
23	Temporary Stall	22
24	Temporary Structure	131
	Grand Total	2136

9.3. Loss of Dwellings Used as Primary Residence

The proposed RAP 5 project area will displace 43 primary residences belonging to 43 PAPs as per the records of the asset inventory.

The project developer will provide PAPs who have an affected primary residence with the choice of a replacement house or cash compensation at replacement value as required by IFC PS 5, Principle 7 and, Section 8.6.2 of the LARF.

Replacement houses will either be built on a new plot identified by the PAP following set site selection criteria or in a resettlement village secured by the project. The project will cover transport costs to the new place of residence for all movable assets as part of this option. The procedure for PAPs identifying replacement residential land is included in Section 9.6.1.

PAPs who choose cash will be paid out an amount based on the replacement land calculation with a 30% statutory disturbance allowance. The valuation procedure for all assets including houses is described in Chapter 8 - Section 8.4.2.

Majority of the existing dwellings impacted by the resettlement are typically less than 20m² and comprise of one or two rooms. There is a limited range of materials with which the houses are constructed, and this is largely limited to locally sourced natural materials (typically termed traditional materials). The floor is nearly exclusively made of compacted earth, while the walls are constructed of either mud or wattle or mud blocks with mud cladding. Roofs are made of either grass thatch or corrugated iron sheets. The type of residential structures recorded are shown in Figure 9.1.

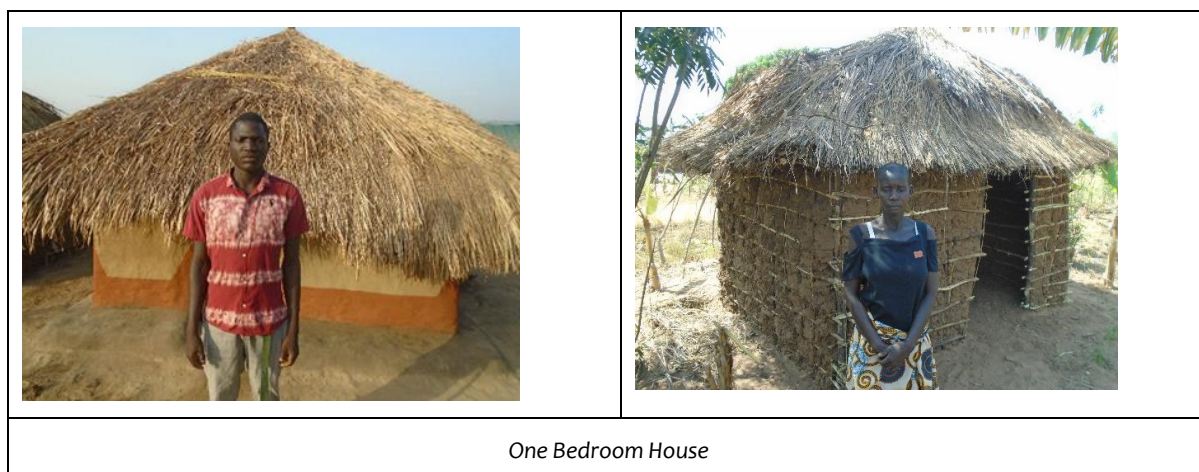




Figure 9.1: Sample Residential Structures existing in the RAP 5 project area

9.3.1. Replacement of Primary Residence

The size of the replacement house will be equal to that of the existing house based on the asset inventory survey data. The number of rooms will also be the same as those found in the existing house(s) and the size of the rooms proposed will be in line with the requirements of the national building standards and regulations of Uganda⁵⁵. Homesteads that have multiple residential structures will receive one replacement house with the total number of rooms equivalent to the rooms in the affected structures. The replacement houses will be of an equivalent or better standard when compared to the existing ones. In compliance with the National Physical Planning Standards and Guidelines (2011), the following durable materials will be used in the construction of the replacement houses: concrete blocks for walls, cement screed for the floors and corrugated iron sheets for the roofs.

All designs include a separate pit latrine, a separate kitchen and a water tank within the residential plot. The replacement houses themselves will have different features depending on the number of bedrooms required. Table 9.2 indicates what will be included in each house.

⁵⁵ Rooms must be over 9m² with no sides being less than 2.7 meters.

Table 9.2: Rooms and features of House design

	2 Bed Design	3 Bed Design	4 Bed Design
Sitting room	YES	YES	YES
Master bedroom	YES	YES	YES
Veranda	YES	YES	YES
Other Bedrooms	1	2	3
Passage	YES	YES	YES

The proposed design and its growth patterns (expansion of a two bedroom to a four-bedroom house) is illustrated in Figure 9.2. However, the heaped roofs (*Mwamba*) as preferred by PAPs in Buliisa during RAP 1 implementation, do not easily allow for expansion and would therefore require modification.

The replacement house design model was presented to RAP 5 RPCs of Buliisa town and Buliisa sub-county council on 31st July 2019, and with Kigwera and Ngwedo sub-counties on 3rd August 2019 as well as with the PACs in the RAP 5 affected villages of: Kasinyi, Kiyere, Bikongoro, Kijumbya, Kijangi, Kizikya, Kitahura, Kibambura Uriibo, Ngwedo centre, Uduk I, Uduk II, Kigwera NE and Kigwera SE Kisomere, Avogera and Kilyango on 3rd August 2019.

All designs have been produced in accordance with the following principles:

- Designs adhere to the relevant planning legislation and building standards, namely the National Housing Policy (May 2016).
- Building materials and the skills necessary to construct with these materials are available locally.
- Materials selected are based on availability, sustainability and performance.
- Designs provide for residents to change uses over time (e.g. change in function of rooms).
- Designs provide for residents to expand house size over time.
- Both designs and plot layout provide the potential to add new rooms.
- Design take into account the seismic risk specific to the Albertine Graben⁵⁶.

The materials used for the construction of the houses are detailed in Figure 9.3.

9.3.2. Allowances

The Company will provide the following allowances as part of compensation:

- 30% statutory disturbance allowance, this is provided as part of cash compensation only.
- The project will cover transport costs to the new place of residence for all moveable assets as part of the replacement option.
- Registration cost and required formalities to ensure security of tenure of the replacement land will be borne by the project developer as part of the replacement option only.

⁵⁶ Designs must make reasonable provisions for seismic risks however not all scenarios can be catered for particularly extraordinary natural events cannot be accounted for.

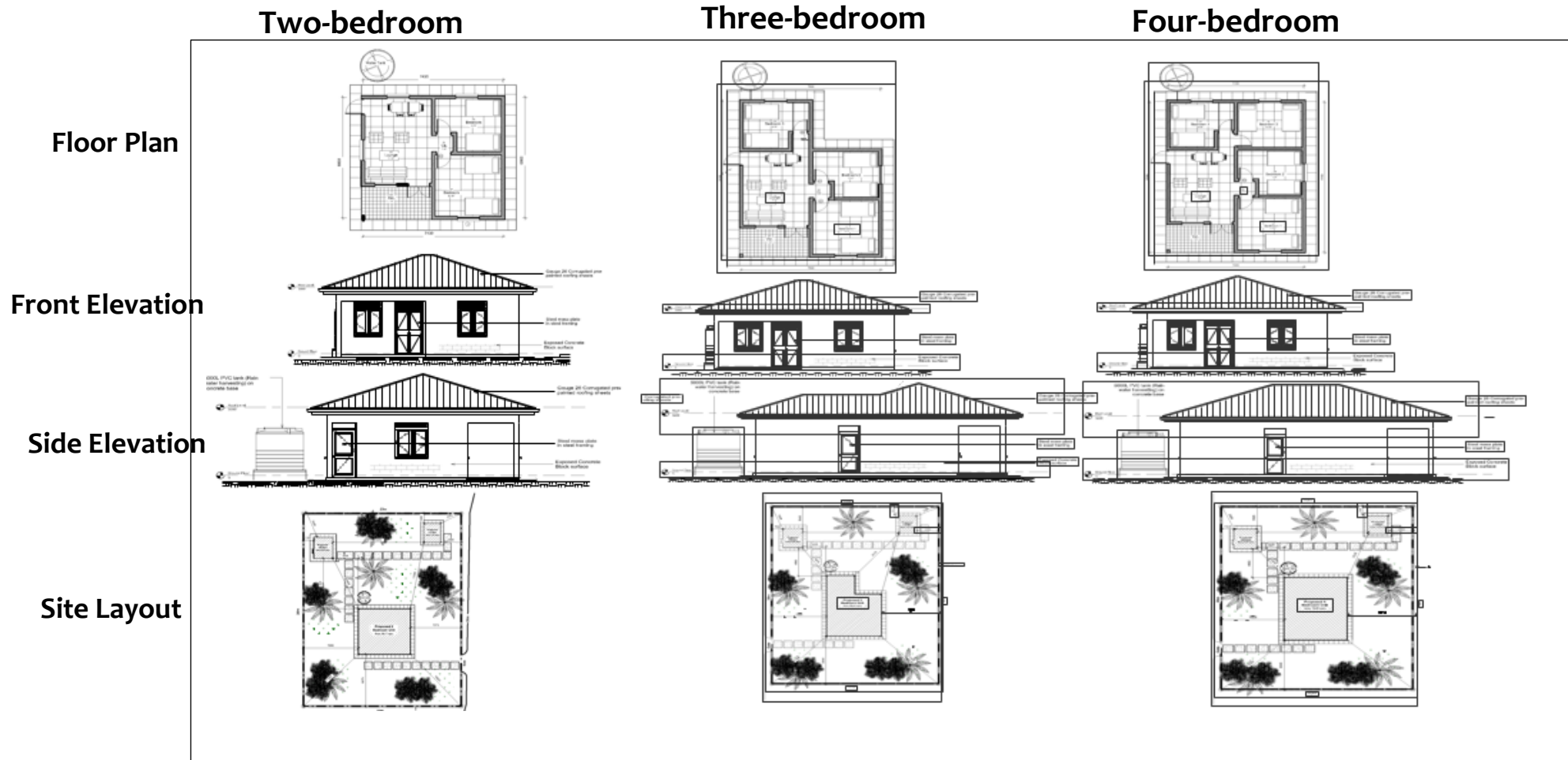


Figure 9.2: House Designs Models and Site Layout




WALLS	CONCRETE BLOCKS	
FLOOR	CEMENT SCREED	
ROOF	CORRUGATED IRON SHEETS	

Figure 9.3: Materials for replacement houses

9.4. Loss of Dwellings Used for Secondary Residence

All structures recorded as “House” in the asset survey that were not determined to be primary residences are therefore classed as dwellings for secondary purposes. The RAP 5 project will displace 847 dwellings used for secondary purposes.

As stated in the entitlement framework, (see Chapter 8 above), the project will provide cash compensation at replacement cost for all dwellings identified in the asset survey as being used for secondary purposes. The impact on PAPs with primary residences is significantly greater than those with secondary dwellings and therefore, the Project has taken the approach to provide for in priority those with affected primary residences to exercise the option of a replacement house to be built for them. This is in keeping with the provisions of section 8.6.2 of the LARF. Those who have impacted secondary residences will only qualify for cash compensation.

9.4.1. Allowances

The Company will provide the following allowances as part of cash compensation:

- 30% statutory disturbance allowance, this is provided as part of cash compensation.

9.5. Loss of Secondary Structures

All structures on the site that were incomplete or that were not recorded as “house” in the asset survey, are regarded as secondary structures. This includes the following categories from the entitlement framework: dwellings used for secondary purposes, sanitation facilities and moveable structures.

As stated in the entitlement framework, all secondary structures will be compensated in cash at replacement cost with the exceptions of those being replaced as part of a replacement residential plot (pit latrine & kitchen). The valuation methodology for assets including structures is described in Section 8.4.

9.5.1. Provision of new sanitation facilities

As shown above in Figure 9.2 there are 123 pit latrines, and 76 bathroom enclosures that will be displaced by the RAP 5 project. The project will provide cash compensation at replacement cost

for all pit latrines and bath enclosures lost because of the RAP 5 project. In kind replacements in the form of an external toilet block which includes a ventilated pit latrine and bathroom and are also being provided as part of replacement housing plot. This is included in the designs illustrated Figure 9.2 above which shows the external block and two doors, one for the Ventilated Pit Latrine and the other for a bathroom. Those entitled to compensation for a pit latrine who are being relocated to a replacement house will not receive additional compensation for a lost pit latrine unless they had more than one. Replacement of sanitation facilities will be built from the materials described in Section 9.3 above and will follow the same design principles.

9.6. Loss of Residential Land

Households which will be losing residential land (that is, land with a structure recorded as primary residence) are eligible for replacement land or they may choose cash compensation at replacement value as per the Entitlement Framework (see Table 8.2 in Chapter 8). See Section 8.4 for the valuation methodology.

The two options for replacement residential land are as follows:

Option 1 - Households that are to be relocated will identify their own replacement residential plots within an agreed budget and agreed area. This budget will be the value of their residential land at full replacement cost and allowances (described below).

The procedure for PAPs identifying replacement land is described in Table 9.3.

Option 2 –The project will endeavour to identify land available and suitable for the development of a resettlement village (including an option for the resettlement village (s) established as part of RAP 1 implementation). Households that are to be relocated will be provided with a replacement homestead plot at the resettlement village(s). The homestead plot will be proportional to the size of the replacement structures.

The replacement residential plot will be large enough to accommodate the envisaged replacement structures and of the same value as the lost land.

The process for the project identifying land for any additional required resettlement village is described below in Section 9.13.

9.6.1. Secure replacement land at host sites

The procedure for PAPs identifying replacement residential land is detailed below in Table 9.3 and Figure 9.4.

Table 9.3: Procedure for PAPs identifying replacement residential land

1. Confirm PAPs' eligibility
Confirm that each PAP who is eligible for replacement land as per the Replacement Entitlement Framework is identified and determine vulnerable PAPs who are candidates for additional support and or advice.
2. Engage with PAPs & sign Minutes of Attendance. (MoA)
Engage with PAPs and present and explain the available options i.e. either cash compensation or replacement land. Create and keep a record of the meeting(s) that documents the PAP's choice between compensation by way of cash/ money and replacement land. If the PAP chooses cash/money, confirm that they have been advised to open a joint bank account preferably with a spouse where the PAP is married and compulsorily where the PAPs are married and joint owners of the land in question and that the PAPs have been offered financial training. MoA in simple Plain English will be verbally translated in the local language prior to all attendants signing the MoA. When considering the offer, the PAP can ask for additional explanation and information or seek for advice. The MoA is to be signed by the PAP, the spouse, and all the parties that have been in attendance including the Government and Project representatives, and the leaders of local government or an entity with in the MEMD.
3. PAPs Choose Between Cash Compensation and Replacement Land
a. Cash Compensation Option

i. Document land and cash in MoA
Where a PAP chooses cash compensation, the MoA should include the details of the PAPs land that is to be acquired by the project and the amount of cash compensation for that land as per the approved valuation of Chief Government Valuer. A copy of the Cadastral survey should be appended to the MoA. The MoA will include a statement confirming that Vulnerable PAPs have been advised accordingly and will also include provisions for financial management training.
ii. Sign Final Contract
The PAP, the spouse, the Government representative and the Project representative will sign a final contract documenting the transfer of cash to the PAP in exchange for land to be registered in the names of Government.
iii. Payment of Compensation
Where necessary, bank accounts for the PAP will be set up to accommodate cash compensation as per step 2. Once payment is received by the PAP a receipt should be signed by the PAP and the company and the signed receipt stored in the resettlement database.
4. Replacement Land Option
i. MoU of Land Criteria
In the event that the PAP chooses the replacement land option, a Memorandum of Understanding (MoU) shall be signed between the PAP, the spouse (where applicable), Government representative and the Project representative. This MoU shall include the criteria to be followed by the PAP in the identification of the replacement land and the following terms shall be included: <ul style="list-style-type: none"> • The replacement land should not be located in gazetted areas. • The replacement land should be within the villages of 10 Kilometre radius of the RAP 5 project area. PAPs replacement land outside this 10km radius risk limited participation on proposed LR programs. • The land should not have any developed structures which would cause further displacement. • The land should not have any subsisting encumbrances such as a legal ownership dispute, mortgage (whether registered, unregistered, legal or equitable), caveat or any other third party claim that affects the validity of title. • The price of replacement land should not be more than cash compensation being offered to the PAP for the affected land. • The PAP shall have a maximum of two (2) months upon choice of option to identify suitable land, on which to construct the replacement house for primary residences, following which land in the resettlement village will be triggered. • In the event that the PAP fails to locate suitable land within these 2 months, their offer will by default become cash compensation (with possible exceptions for vulnerable people on a case by case basis) OR to they may receive a replacement house in a resettlement village secured by the company. • The land should not have any physical constraints to inhibit construction of replacement houses and associated buildings, including the sanitation option. • The land should provide similar access to social facilities and public infrastructure as the existing sites.
5. PAP to Notify RAP Implementation team of Land Choice
Once the PAP has identified an area of land, they must notify the RAP Implementation team of their choice with details of the location, seller, and the price.
6. Site Checks
The RAP implementation team shall make the following checks on the proposed land: <ul style="list-style-type: none"> a. The legal due diligence team should ensure that the seller is legitimate and there are no outstanding disputes; b. A number of Geotechnical Checks should be undertaken by a civil engineer and architect to ensure the land is suitable for a replacement house to be constructed. They should evaluate the site for topographical constraints, founding conditions and soils suitability for chosen sanitation provisions and any other checks deemed necessary for that site;

<p>c. Warrant that the land will <u>not</u> be subject to future development by the project or is not currently designated for future development by the government or other entities; and</p> <p>d. Assess access to social facilities and this should inform Livelihood Restoration measures.</p>
<p>7. Produce Site Suitability Report</p>
<p>All of the above information should be put together into a site suitability report which confirms the suitability of the site. This will need to be reviewed by the RAP implementation team before submission to Project representative for sign off.</p>
<p>i. Liaise with PAP About Way Forward</p>
<p>If the site is deemed to not be suitable, the RAP implementation team will liaise with the PAP to determine a way forward. The PAP will again choose between cash compensation or continue to look for a replacement land option if still within the two (2) month time outlined in the MoU (step 4).</p>
<p>8. Prepare MoUs</p>
<p>a. Prepare MoU with Site Plan</p>
<p>If the site is suitable, a MoU should be prepared between the PAP, his or her spouse (where applicable) and the Government and Project representatives that confirms the suitability of the site. This MoU should include a site plan of the replacement land, the site suitability report and the previous MoU concerning the PAP's choice to pursue the land replacement option. The agreement should include a clause noting that the project wishes to ensure that the PAP has security of tenure. This clause shall state that while it is not mandatory for a customary land owner to obtain a certificate of title, it is agreed that the Project should go ahead to obtain a certificate of customary ownership for the PAP to ease future transactions.</p>
<p>b. Prepare MoU with Seller</p>
<p>If the site is suitable, a MoU should be prepared between the replacement site owner (the seller) and the project that states that the project wishes to acquire the land on behalf of XXXX (name of the PAP) and offers to pay XXXX Uganda shillings for the land. It should also state that the Seller authorizes the Project to - at all costs - instruct the required specialists to undertake all the legal steps necessary for the transfer and registration of land title of the replacement in the name of the PAP. The site plan must be attached to the MoA and there must be witnesses to the signing of the MoU.</p>
<p>9. Documentation</p>
<p>Scanned copies of the MoA documentation are to be distributed to each PAP and seller for their records and recorded into a resettlement database. Original signed copies are to be placed in a fireproof safe within Project HQ in Kampala. Scanned copies of the documentation are to be loaded into the database against the unique identifier of each of the signatories (PAP and Seller). Thus, the documentation will be retained and can be made accessible in the event of any legal issues, grievances investigations and for audit purposes for the duration of the project (25 years minimum).</p>
<p>10. Signature of the Final Contract with Transfer of Property</p>
<p>Once the replacement land is approved by the project and the MoA is signed as per 8b above, the project will instruct its legal officer to undertake expeditiously all required actions to achieve all necessary steps to transfer the property to the PAP. All associated replacement costs are to be borne by the project. The project and the PAP and the spouse will sign a contract formalizing the transfer of land. Upon execution of the agreement, the project will commence the process of securing tenure, either by acquiring certificate of customary ownership or freehold certificate of title. It is important to note that the land in the villages within which the PAPs are required to acquire land is majorly customary land.</p> <p>NOTE: The transfer of replacement property to the PAP should occur at the same time or before the land acquisition of project land from the PAP to GoU. However, in some cases it may be necessary for the GoU to acquire the project land before replacement land is secured or transferred. If this need arises each instance must be reviewed on a case by case basis to ensure all provisions are provided to the PAP for the duration of any transient period in line with the principles of the LARF and IFC PS5.</p>
<p>a. Customary Ownership</p>
<p>Under Section 3(1) of the Land Act, Cap 227 of the Laws of Uganda, transfer of land under customary tenure must be in accordance with the governing rules and customs of a particular class of persons to which it belongs. Furthermore, it is not mandatory for a customary land owner to obtain a certificate of title to that effect; however, a customary owner may obtain a certificate of customary ownership to ease future transactions under the following procedure:</p>

- i. Application for a certificate of customary ownership made to Area Land Committee in prescribed form under Rule 3 form 1 of the first schedule to the Land Regulations Statutory Instrument No. 100/2004, Laws of Uganda.
- ii. The Area Land Committee will determine and mark the boundaries of all interests in the land, demarcate the rights of way and other easements over the subject land plus other adjacent land.
- iii. Under Section 6 (1), the Chairperson of the Area Land Committee shall ensure publication of notice of application in a prominent place area of the land and require any person whose claim is affected by the application to attend a meeting of the committee at a specified date and time to put forward their claims.
- iv. On the date specified, the Committee shall hold a meeting to be attended by all concerned parties to hear and determine any claims made on the said land.
- v. The Committee shall compile a report on the application and forward it to the District Land Board.
- vi. The Board shall consider the application and may confirm the recommendations of the Committee and either issue a certificate of customary ownership with or without conditions, restrictions or limitations, or refuse to issue a Certificate, or return the report to the Committee with directions on further investigations required.
- vii. Any person aggrieved by a decision by the Board may appeal to the Land tribunal against that decision; the Land tribunal may confirm, vary, reverse or modify the decision of the board.
- viii. Under Section 8 (2), a certificate of customary ownership confers on the holder the right to undertake, subject to the conditions, restrictions and limitations contained in the certificate, any transactions in respect of that land, which may include leasing or selling the land, in part or in whole.

a. Freehold Tenure

In the event that the client would like to secure freehold tenure rather than customary, the procedure to be taken is as follows:

- i. Section 9 of the Land Act, Cap 227, Laws of Uganda provides for the conversion of customary tenure to freehold tenure stating that any person, family, community or association holding land in customary tenure may convert it into freehold tenure in accordance with the Act.
- ii. An application to convert shall be in a prescribed form (Form 4 in the Land Regulations, 2004) and shall be submitted together with the prescribed fee to the area land committee in which the subject land is situated. According to the second schedule of the Land Regulations, the fee is 0.75 currency points, which is equivalent to **Ug. Shs 15,000** (Fifteen Thousand Uganda Shillings).
- iii. Upon receipt of the committee's report and regulations, the District Land Board shall order the land to be surveyed.
- iv. Where the District Land Board approves an application, it shall send a copy of its decision to the Registrar of Titles to enable him/her to issue a certificate of title.

It should be noted that under section 12 of the Land Act, Cap 227, a person who possesses a certificate of customary ownership is not required to go through the whole process of converting customary tenure into freehold, but only seeks a recommendation of the District Land Board (which recommendation shall take into consideration any new or additional matters not dealt with in the report submitted under the application for a certificate of customary ownership that should be brought to the attention of the board to the Registrar of titles to issue a free hold certificate of title.

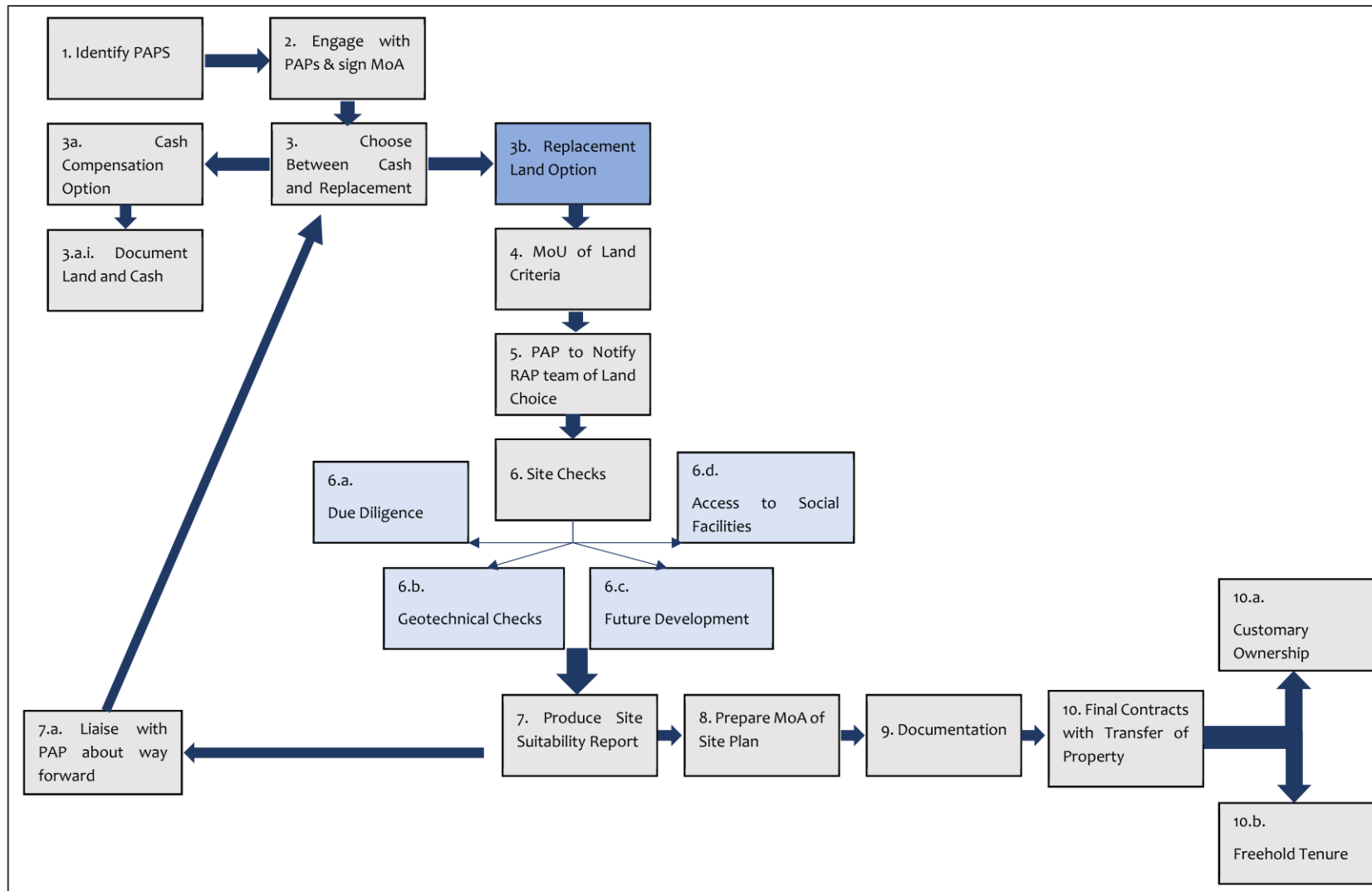


Figure 9.4: Procedure for PAPs locating replacement residential land

9.6.2. How replacement value was determined in case of cash compensation

The valuation methodology for land is described in Chapter 8 – Section 8.4.

9.6.3. Allowances

The project will provide the following allowances:

- 30% statutory disturbance allowance, as part of cash compensation only.
- The project will directly cover transport costs to the new place of residence of all moveable assets as part of this option.

9.7. Loss of Crop Land

Households which will be losing crop land are eligible for replacement land or they may choose cash compensation at replacement value as per the entitlement framework.

Transitional support should be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

9.7.1. Securing replacement land

The process for PAPs identifying replacement crop land is described in Table 9.4 and Figure 9.5.

Table 9.4: The process for PAPs identifying replacement crop land

1. Confirm PAPs' eligibility
Confirm that each PAP who is eligible for replacement land as per the Replacement Entitlement Framework is identified and determine vulnerable PAPs who are candidates for additional support and or advice.
2. Engage with PAPs & sign Minutes of Attendance (MoA)
Engage with PAPs and present and explain the available options i.e. either cash compensation or replacement land. Create and keep a record of the meeting(s) that documents the PAP's choice between compensation by way of cash/ money and replacement land. If the PAP chooses cash/money, confirm that they have been advised to open a joint bank account preferably with a spouse where the PAP is married and compulsorily where the PAPs are married and joint owners of the land in question and that the PAPs have been offered financial training. MoA in simple Plain English will be verbally translated in the local language prior to all attendants signing the MoA. When considering the offer, the PAP can ask for additional explanation and information or seek for advice. The MoA is to be signed by the PAP and the spouse and all the parties that have been in attendance including the Government and Project representatives, and the leaders of local government or an entity with in MEMD.
3. PAPs Choose Between Cash Compensation and Replacement Land
a. Cash Compensation Option
i. Document land and cash in MoA
Where a PAP chooses cash compensation, the MoA should include the details of the PAPs land that is to be acquired by the Project and the amount of cash compensation for that land as per the Chief Government Valuer approved valuation report. A copy of the cadastral survey should be appended to the MoA. The MoA will include a statement confirming that Vulnerable PAPs have been advised accordingly and will also include provisions for financial management training.
ii. Sign Final Contract
The PAP, the spouse, the Government representative and the project representative will sign a final contract documenting the transfer of cash to the PAP in exchange for land to be registered in the names of Government.
Payment of Compensation
Where necessary, bank accounts for the PAP will be set up to accommodate cash compensation as per step 2. Once payment is received by the PAP a receipt should be signed by the PAP and the company and the signed receipt stored in the resettlement database.

4. Replacement Land Option
<p>In the event that the PAP chooses the replacement land option, a Memorandum of Understanding shall be signed between the PAP, the spouse (where applicable), Government representative and the project representative. This MoU shall include the criteria to be followed by the PAP in the identification of the replacement land and the following terms shall be included:</p> <ul style="list-style-type: none"> • The replacement land should not be located in gazetted areas. • The replacement land should be within the villages of 10 Kilometre radius of the RAP 5 project area. PAPs replacement land outside this 10km radius risk limited participation on proposed LR programs. • The land should not have any developed structures which would cause further displacement. • The land should not have any subsisting encumbrances such as a legal ownership dispute, mortgage (whether registered, unregistered, legal or equitable), caveat or any other third party claim that affects the validity of title. • The price of land should not be more than cash compensation being offered to the PAP for the land. • The PAP shall have a maximum of two (2) months upon choice of option to identify suitable land. • In the event that the PAP fails to locate suitable land within these 2 months, their offer will by default become cash compensation (with possible exceptions for vulnerable people on a case by case basis). • The land should not have any physical constraints to the re-establishment of previous agricultural activities.
5. PAP to Notify RAP implementation team of Land Choice
<p>Once the PAP has identified an area of land, they must notify the RAP Implementation team of their choice with details of the location, seller and the price.</p>
6. Site Checks
<p>The RAP implementation team should make the following checks on the proposed land:</p> <ol style="list-style-type: none"> a. The legal due diligence team should ensure that the seller is legitimate and there are no outstanding disputes. b. For farmland, a number of technical checks should be undertaken to ensure the land is of equal productive capacity to the land being lost. <ol style="list-style-type: none"> i. This includes a visit by an agricultural technician to ensure that the land has no major limiting factors to sustainable production, such as high-water table, very thin topsoil layer, bare or rocky soil, steeply sloping land, liability to flood or landslide, liability to invasion by wild animals (near to Park boundary), or is crossed by a major cattle corridor, and that the land is accessible for bringing in inputs and taking out harvested produce, and any other checks deemed necessary for that site. c. Warrant that the land will <u>not</u> be subject to future development by the project or is not currently designated for future development by the government or other entities. <p>Assess access to social facilities and this should inform Livelihood Restoration measures.</p>
7. Produce Site Suitability Report
<p>All of the above information should be put together into a site suitability report which confirms the suitability of the site. This will need to be reviewed by the RAP implementation team leaser before submission to client for sign off.</p>
a. Liaise with PAP about way forward
<p>If the site is deemed to not be suitable, the RAP implementation team will liaise with the PAP to determine a way forward. The PAP will again choose between cash compensation or continue to look for a replacement land option if still within the two (2) month time outlined in the MoU (step 4).</p>
8. Prepare MoUs
a. Prepare MoU with Site Plan

If the site is suitable, a MoU should be prepared between the PAP, his or her spouse (where applicable) and the Government and Project representatives that confirms the suitability of the site. This MoU should include a site plan of the replacement land, the site suitability report and the previous MoU concerning the PAP's choice to pursue the land replacement option. The agreement should include a clause noting that the project wishes to ensure that the PAP has security of tenure. This clause would state that while it is not mandatory for a customary land owner to obtain a certificate of title, it is agreed that the project should go ahead to obtain a certificate of customary ownership for the PAP to ease future transactions.

b. Prepare MoU with Seller

If the site is suitable, a MoU should be prepared between the replacement site owner (the seller) and Project representative that states that the project wishes to acquire the land on behalf of XXXX (name of the PAP) and offers to pay XXXX Uganda shillings for the land. It should also state that the Seller authorizes the project to—at all costs—instruct the required specialists to undertake all the legal steps necessary for the transfer and registration of land title of the replacement property in the name of the PAP. The site plan must be attached to the MoU and there must be witnesses to the signing of the MoU.

NOTE: The transfer of the replacement property to the PAP should occur at the same time or before acquisition of the project land from the PAP to GoU. However, in some cases it may be necessary for the GoU to acquire the project land **before** replacement land is secured or transferred. If this need arises each instance must be reviewed on a case by case basis to ensure all provisions are provided to the PAP for the duration of any transient period in line with the principles of the LARF and IFC PS5.

9. Documentation

Scanned copies of the 8a documentation are to be distributed to each PAP for their records and recorded into a resettlement database. The same is to be done with the 8b documentation. Original signed copies are to be placed in a fireproof safe within Company HQ in Kampala. Scanned copies of the documentation are to be loaded into the database against the unique identifier of each of the signatories (PAP and Seller). Thus the documentation will be retained and can be made accessible in the event of any legal issues, grievances investigations and for audit purposes.

10. Transfer Property to PAP

Once the land is approved by the Tilenga project team and the MoA is signed as per 8b above, the Company will instruct its legal officer to undertake expeditiously all required actions to achieve all necessary steps to transfer the property to the PAP. All associated replacement costs are to be borne by the company. The Tilenga project team and PAP will sign a contract formalizing the transfer of land. Upon execution of the agreement, the Tilenga project will commence the process of securing tenure, either by acquiring **Certificate of Customary Ownership** or **Certificate of Freehold**. It is important to note that the land in the villages within which the PAPs are required to acquire land is majorly customary land.

b. Customary Ownership

Under Section 3(1) of the Land Act, Cap 227 of the Laws of Uganda, transfer of land under customary tenure must be in accordance with the governing rules and customs of a particular class of persons to which it belongs. Furthermore, it is not mandatory for a customary land owner to obtain a certificate of title to that effect; however, a customary owner may obtain a **certificate of customary ownership** to ease future transactions under the following procedure:

- i. Application for a certificate of customary ownership made to Area Land Committee in prescribed form under Rule 3 form 1 of the first schedule to the Land Regulations Statutory Instrument No. 100/2004, Laws of Uganda.
- ii. The Area Land Committee will determine and mark the boundaries of all interests in the land, demarcate the rights of way and other easements over the subject land plus other adjacent land.
- iii. Under Section 61, the Chairperson of the Area Land Committee shall ensure publication of notice of application in a prominent place area of the land and require any person whose claim is affected by the application to attend a meeting of the committee at a specified date and time to put forward their claims.
- iv. On the date specified, the Committee shall hold a meeting to be attended by all concerned parties to hear and determine any claims made on the said land.
- v. The Committee shall compile a report on the application and forward it to the District Land Board.
- vi. The Board shall consider the application and may confirm the recommendations of the Committee and either issue a Certificate of Customary ownership with or without conditions, restrictions or limitations, or refuse to issue a Certificate, or return the report to the Committee with directions on further investigations required.

<ul style="list-style-type: none"> vii. Any person aggrieved by a decision by the Board may appeal to the Land tribunal against that decision; the Land tribunal may confirm, vary, reverse or modify the decision of the board. viii. Under Section 83, a Certificate of Customary Ownership confers on the holder the right to undertake, subject to the conditions, restrictions and limitations contained in the certificate, any transactions in respect of that land, which may include leasing or selling the land, in part or in whole.
<p>a. Freehold Tenure</p>
<p>In the event that the client would like to secure freehold tenure rather than customary, the procedure to be taken is as follows:</p> <ul style="list-style-type: none"> i. Section 9 of the Land Act, Cap 227, Laws of Uganda provides for the conversion of customary tenure to freehold tenure stating that any person, family, community or association holding land in customary tenure may convert it into freehold tenure in accordance with the Act. ii. An application to convert shall be in a prescribed form (Form 4 in the Land Regulations, 2004) and shall be submitted together with the prescribed fee to the area land committee in which the subject land is situated. According to the second schedule of the Land Regulations, the fee is 0.75 currency points, which is equivalent to Ug. Shs 15,000 (Fifteen Thousand Uganda Shillings). iii. Upon receipt of the committee's report and regulations, the District Land Board shall order the land to be surveyed. iv. Where the District Land Board approves an application, it shall send a copy of its decision to the Registrar of Titles to enable him/her to issue a certificate of title. <p>It should be noted that under Section 12 of the Land Act, Cap 227, a person who possesses a certificate of customary ownership is not required to go through the whole process of converting customary tenure into freehold, but only seeks a recommendation of the Board to the Registrar of titles to issue a certificate of title.</p>

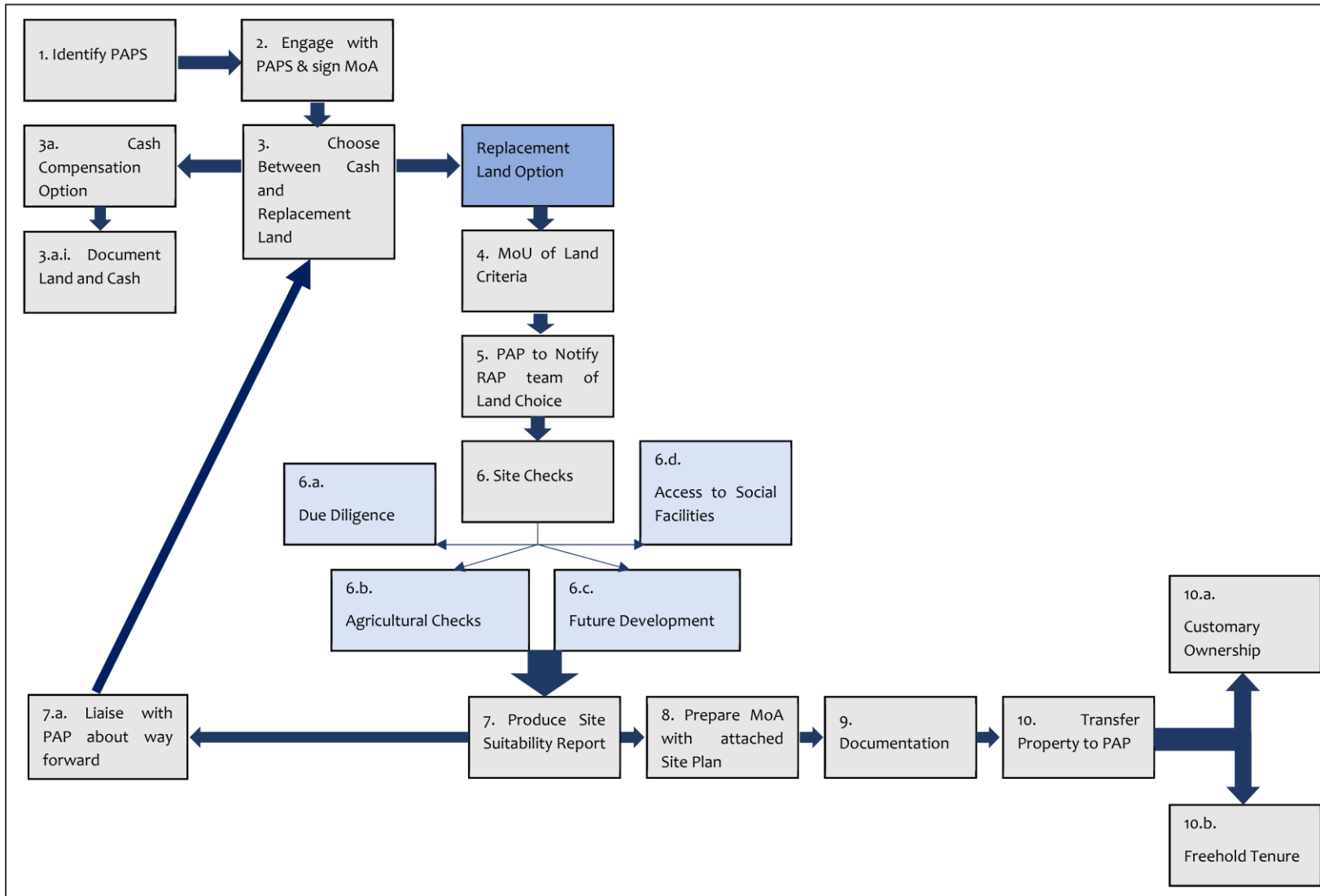


Figure 9.5: Procedure for PAPs locating replacement agricultural land

9.7.2. How replacement value was determined in case of cash compensation

The detailed valuation methodology is described in Section 8.4. Crops were categorised into annual and perennial. Crops are valued according to their net forgone income and the net establishment cost.

9.7.3. Allowances

The Company will provide the following allowances:

- Statutory disturbance allowance, as part of cash compensation or included in the budget for replacement land, and;
- The project will cover transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure, for the replacement land option only.

9.8. Loss of Grazing Land

PAPs who own grazing land as established in the surveys are entitled to cash compensation for the land due to the limited availability of replacement grazing land in accordance with the LARF.

Transitional support should be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

9.8.1. How replacement value was determined in case of cash compensation

The valuation methodology for all land is described in Section 8.4 above.

9.8.2. Allowances

The company will provide the following allowances:

- Statutory disturbance allowance, as part of cash compensation.

9.9. Loss of Communal Resources

The RAP 5 project will cause the loss of access to communal resources. This is described in Chapter 5.

Because of the nature of communal resources, the definition of impact should not be limited to the PAPs who were surveyed and as such, have a household ID. Communal resources are used by the wider community and it is impossible to determine and verify who exactly used communal resources in the RAP 5 project area in any given time period. Therefore, it is more effective to address the loss of communal resources through restoring these resources and making them available to the wider community.

The Company will make provisions for the loss of communal resources through Livelihood Restoration as detailed in Chapter 11.

Specific livelihood schemes will be available to the wider community (see Chapter 11).

9.10. Loss of Graves and Sacred Sites

There were Sixty-five (65) graves, nineteen (19) community shrines, and twenty-three (23) family shrines contained within the RAP 5 Project Area. Where the project will disturb graves and sacred sites, the project will make provisions for either the physical or symbolic relocation of graves or sacred sites (see Chapter 13).

9.10.1. Allowances and traditional ceremonies

Allowances for traditional ceremonies will be provided in-kind (see Chapter 13).

9.11. Procedures for the Removal of Archaeological Finds

During the archaeological surveys, there were no significant archaeological items found that would require salvage/rescue excavation type intervention. However, the Chance Finds Procedure (CFP) found as part of the Cultural Heritage Management Plan (CHMP) (Annexure 6) should be followed if any items of significance are found during construction or operation.

9.12. Vulnerable Support Programme

The socio-economic baseline identified a number of vulnerable households including 123 elderly headed, 14 elderly dominated (with high elderly dependency ratio), 173 with high child dependency 461 female headed, 501 households which support members with a mental or physical disability or long-term illness, and 43 married children (see Chapter 12).

The provisions for vulnerable households are included in Chapter 12 (Vulnerable Households).

9.13. Host Sites for Replacement Village

As described above, the options that shall be given to those who lose a primary residence, include finding their own residential plot or be relocated to a resettlement village (including an option for relocation to the resettlement village established during RAP 1 implementation) secured by the Company. This section addresses the second option and securing land for a resettlement village.

9.13.1. Methodology

Before setting out to find the replacement land, RAP Contractor the team ensured that the characteristics of the parcels of land to be replaced were thoroughly and comprehensively understood. These characteristics are provided in the socio-economic baseline Chapter 4 of this RAP.

However, the available data and information for replacement land was rather general and thus an inferential and extrapolative approach was taken.

It is also important to know that speculation is a significant challenge for this resettlement and, as such, any search for replacement land must be done with this risk in mind. The study that was undertaken in this planning phase had the simple objective of identifying potential sites but also establishing the feasibility of finding such sites. The objective was not to identify the final sites. Identifying final sites too early in the resettlement process would trigger speculative acquisition of these sites.

The implementation phase will include locating further sites (other than the resettlement village site established during RAP 1 implementation) and swift acquisition of the final resettlement sites to avoid speculation.

9.13.2. Participatory Process

Preliminary identification of replacement land was based on consultations with the RPCs and also consultations with local leaders.

The objective of the consultations was to ascertain the following information at minimum:

- Availability of vacant or underutilized land, preferably under communal ownership for sale;
- Owner of the land in question;
- The approximate size of the land; and

- The possibility of inspecting the land.

Eight (08) potential sites were identified, geo-referenced and the characteristics of each were studied and enumerated. Generally, all sites appeared suitable for farming and housing.

9.13.3. Resettlement site selection criteria used for initial feasibility ranking

The criteria for replacement land identification were in line with the LARF (2016). The criteria outlined in the LARF include:

- Distance from the former original site;
- Possibility of in-fill resettlement – this is the preferred option;
- Availability of equivalent area of crop land free of settlements, similar or larger in size;
- Access to main social infrastructure and road systems;
- Proximity to wetlands will be preferable for land for agricultural purposes;
- Acceptance by receiving communities.

These criteria have now been expanded upon in the procedure for Company location of resettlement sites as indicated in Section 9.13.4 that follows.

9.13.4. Site Feasibility

Eight (08) sites were visited and subjected to a preliminary GIS/Mapping and basic visual site suitability assessment, based on the following criteria:

- The land should not be located in gazetted areas;
- The land should not have any developed structures which would cause further displacement (currently based on 2015 satellite imagery), and;
- The land should provide similar access to social facilities and public infrastructure as the existing sites.

Table 9.5 presents the results of the initial assessment. The results of this study indicate that locating land for a resettlement village is feasible and is based on the preliminary GIS assessment, seven (07) of the eight (08) site identified may be suitable (see Table 9.5). In addition, these results indicate that the sites are also suitable for replacement farmland. Further site identification should commence in the implementation phase with caution taken to prevent speculation and the basis, for the site suitability will be as indicated Table 9.6.

The procedure in Table 9.7 and Figure 9.6 indicate how the Company should identify and secure land for replacement villages.

Table 9.5: Site Feasibility⁵⁷

Site No	Area (acres)	Affected by future Tilenga developments	Located in gazetted area	Road (Km)	Commercial (Km)	Education (Km)	Water (Km)	Health (Km)
Site1	4.14	NO	NO	1.31	1.8	2.3	2.3	6.0
Site2	1.61	NO	NO	0.00	0.9	1.5	0.9	6.9
Site3	38.49	NO	NO	0.00	2.2	2.3	1.9	1.2
Site4	9.31	NO	NO	0.20	0.7	1.8	0.6	6.5
Site5	44.51	NO	NO	0.00	2.8	2.7	2.8	1.3
Site6			YES	Inside Bugungu Wild life Reserve				
Site7	1.75	NO	NO	1.44	1.6	1.6	2.1	1.4
Site8	1.22	NO	NO	1.25	1.4	1.4	2.1	1.4

Source: UBOS (<https://ubos.geo-solutions.it/layers/?limit=20&offset=0>).

Table 9.6: Basis for rating for rating of replacement site suitability selection criteria for preliminary analysis

Rating	Colour Code	Interpretation	Terms in the selection criteria	Option
Unacceptable	RED	Non-compliance with specific requirements/selection criteria; No further assessment/action required.	<ul style="list-style-type: none"> The price of replacement land is more than cash compensation being offered to the PAP for the affected land. The replacement land is located in gazetted areas; The land has any developed structures which would cause further displacement. The land is subject to future development by the project or is currently designated for future development by the government or other entities. The land has physical constraint to inhibit construction of replacement houses and 	<ul style="list-style-type: none"> PAP must provide another piece of alternative land within the period of the M.O.U (specifically, two (2) months from the date of signature of the M.O.U), upon choice of option to identify suitable land; OR in the event that the PAP fails to locate suitable land within these 2 months, their offer will by default become cash compensation (with possible exceptions for vulnerable people on a case by case basis) OR they may receive a replacement house in a resettlement village secured by the Company.

⁵⁷ Owing to the potential speculative activity, the coordinates of the proposed resettlement sites have not been provided in this RAP report even though readily available

Rating	Colour Code	Interpretation	Terms in the selection criteria	Option
			associated buildings, including the sanitation option;	
May be acceptable following further site suitability assessment	Orange	Partial compliance with specific requirements/selection criteria.	<ul style="list-style-type: none"> The replacement land is not located within 10 kilometre radius of the Project area⁵⁸. Minimum land size required by the proposed house designs is 75*100 feet (696.8 square meters). The land does not provide similar access to social facilities and public infrastructure as the existing sites. 	<ul style="list-style-type: none"> Further assessment/action required to determine suitability of the site (Legal due diligence and site checks e.g. geotechnical checks).
Acceptable	Green	Compliance with requirements/selection criteria.		PAP receives a replacement house constructed on the piece of alternative land they provided.

⁵⁸ This can also be defined as a term or site location that does not breach a legislation, but could result into breach of RAP guidelines; (other locations within Buliisa District may be considered on a case-by-case basis provided that all of the other criteria have been fulfilled).

Table 9.7: Procedure for Project to Identify Replacement Villages

1. Identify number of PAPs and sign MoAs
<p>Confirm the number of PAPs who opt for replacement residential land in a resettlement village. Create and keep a record of the meeting(s) that documents the PAP's choice between compensation by way of cash/ money and replacement land. If the PAP chooses cash/money, confirm that they have been advised to open a joint bank account preferably with a spouse where the PAP is married and compulsorily where the PAPs are married and joint owners of the land in question and that the PAPs have been offered financial training. MoA in simple Plain English will be verbally translated in the local language prior to all attendants signing the MoA. When considering the offer, the PAP can ask for additional explanation and information or seek for advice. The MoA is to be signed by the PAP and the spouse and all the parties that have been in attendance including the Government and project representatives, and the leaders of local government or an entity with in the MEMD. The MoA should include details regarding the size and design of the house to be built. These details would have been established during the compensation negotiations.</p>
2. Calculate the size of land take
<p>The RAP Implementation team should calculate how much land take is required for the resettlement village. This should be done with the input of a settlement planner. Consideration should be given to the spacing between housing and any other settlement facilities that may be required to accompany the village, either built as part of this resettlement or for future expansion (both natural expansion and expansion as a result of later phases of the project). In addition, the settlement planner should take into account the number and location of the host community as potential beneficiaries of community services and facilities to be provided as part of the new settlement.</p>
3. Identify Land
a. Further develop the Land Criteria
<p>For all replacement land the following criteria must be observed.</p> <ul style="list-style-type: none"> • The land should not be located in gazetted areas. • The land should not have any developed structures which would cause further displacement. • The land should not have any subsisting encumbrances such as a legal dispute, mortgage and caveat. • The land should not have any physical constraints to inhibit construction of replacement houses and associated buildings, including the sanitation option. • The land should provide similar access to social facilities and public infrastructure as the existing sites. <p>The following aspects should also be considered when identifying land:</p> <ul style="list-style-type: none"> • Access by both foot and other means of transport currently used to facilities and services such as, inter alia, markets, shops, places of worship, schools, health posts & clinics. • Access and proximity to social networks such as those of friends and family. • Local conflicts need to be taken into account Example: the dispute between the Bagungu and the Alur may make certain areas off limits for members of the one group. Similarly, there may be inter-clan or inter-family disputes and these need to be identified through engagements with the PAPs and the local leaders. • Feasibility of delivery of infrastructure and engineering services to/from the site during construction. • Topography – for example there may be sloping land that enables water to flow to and across the site or that contains a stream. • Proximity to farmland to be used by the PAPs. • Proximity to Lake Albert and water resources.
b. Engagement to find land
<ul style="list-style-type: none"> • The RAP implementation team should engage with various stakeholders to identify land parcels. Stakeholders that should be engaged include but may not be limited to: <ul style="list-style-type: none"> ○ RPC Members ○ Village Leaders LC I ○ The Land Board

<ul style="list-style-type: none"> Care should be taken to avoid speculation and a non-disclosure agreement with stakeholders should be signed if possible.
4. Site visit and Checks
<p>The RAP implementation should conduct a visit to the site and make the following checks on the proposed land:</p> <ol style="list-style-type: none"> The legal due diligence team should ensure that the seller is legitimate owner of the land parcel and there are no outstanding disputes A number of checks on Geotechnical conditions should be undertaken by a civil engineer and architect to ensure the land is suitable for a replacement house to be constructed. They should evaluate the site for topographical constraints, founding conditions and soils suitability for chosen sanitation provisions. Site proportions should be checked to ensure that the chosen house option can be accommodated within the site. This should include being able to position the house to maximize natural ventilation and sun penetration to rooms. The Company shall warrant that the land will <u>not</u> be subject to future development by the project or is not currently designated for future development by the government or other entities Assess access to social facilities and this should inform Livelihood Restoration measures
5. Produce Site Suitability Report
<p>All of the above information should be put together into a site suitability report which confirms the suitability of the site. This will need to be reviewed by the RAP implementation team leader before submission to client for sign off.</p>
6.
a. Prepare MoA with Seller
<p>If the site is suitable, a MoA should be prepared between the replacement site owner (the seller), the PAP and the government and project representatives stating that the project wishes to acquire the land on behalf of the PAP and offers to pay XXXX Uganda shillings for the land. It should also state that the Seller authorizes the Project to - instruct the required specialists to undertake all the legal steps necessary for the transfer and registration of land title of the replacement to the PAP. The site plan must be attached to the MoA and there must be witnesses to the signing of the MoA.</p>
7. Sign Final Contract with Transfer of Property
<p>Once the land is approved by the project and the MoA is signed, the project will instruct its legal officer to undertake expeditiously all required actions to achieve all necessary steps to acquire the land. The Government and project representatives and the PAP (and spouse) will sign a contract formalizing the transfer of land. Upon execution of the agreement, the Project will commence the process of securing tenure, either by acquiring Certificate of Customary Ownership or Certificate of Freehold. It is important to note that the land in villages within which the PAPs are required to acquire land is majorly customary land.</p> <p>NOTE: The transfer of the replacement property to the PAP should occur at the same time or before the land acquisition of project land from the PAP to GoU. However, in some cases it may be necessary for the GoU to acquire the project land before replacement land is secured or transferred. If this need arises each instance must be reviewed on a case by case basis to ensure all provisions are provided to the PAP for the duration of any transient period in line with the principles of the LARF and IFC PS5.</p>
c. Customary Ownership
<p>Under Section 3(1) of the Land Act, Cap 227 of the Laws of Uganda, transfer of land under customary tenure must be in accordance with the governing rules and customs of a particular class of persons to which it belongs. Furthermore, it is not mandatory for a customary land owner to obtain a certificate of title to that effect; however, a customary owner may obtain a certificate of customary ownership to easier future transactions under the following procedure:</p> <ol style="list-style-type: none"> Application for a certificate of customary ownership made to Area Land Committee in prescribed form under Rule 3 form 1 of the first schedule to the Land Regulations Statutory Instrument No. 100/2004, Laws of Uganda. The Area Land Committee will determine and mark the boundaries of all interests in the land, demarcate the rights of way and other easements over the subject land plus other adjacent land. Under Section 61, the Chairperson of the Area Land Committee shall ensure publication of notice of application in a prominent place area of the land and require any person whose claim is affected by the application to attend a meeting of the committee at a specified date and time to put forward their claims.

<p>xii.</p> <p>xiii.</p> <p>xiv.</p> <p>xv.</p> <p>xvi.</p>	<p>On the date specified, the Committee shall hold a meeting to be attended by all concerned parties to hear and determine any claims made on the said land.</p> <p>The Committee shall compile a report on the application and forward it to the District Land Board.</p> <p>The Board shall consider the application and may confirm the recommendations of the Committee and either issue a Certificate of Customary ownership with or without conditions, restrictions or limitations, or refuse to issue a Certificate, or return the report to the Committee with directions on further investigations required.</p> <p>Any person aggrieved by a decision by the Board may appeal to the Land tribunal against that decision; the Land tribunal may confirm, vary, reverse or modify the decision of the board.</p> <p>Under Section 83, a Certificate of Customary Ownership confers on the holder the right to undertake, subject to the conditions, restrictions and limitations contained in the certificate, any transactions in respect of that land, which may include leasing or selling the land, in part or in whole.</p>
<p>a. Freehold Tenure</p>	
<p>In the event that the Company would like to secure freehold tenure rather than customary, the procedure to be taken is as follows:</p> <p>v. Section 9 of the Land Act, Cap 227, Laws of Uganda provides for the conversion of customary tenure to freehold tenure stating that any person, family, community or association holding land in customary tenure may convert it into freehold tenure in accordance with the Act.</p> <p>vi. An application to convert shall be in a prescribed form (Form 4 in the Land Regulations, 2004) and shall be submitted together with the prescribed fee to the area land committee in which the subject land is situated. According to the second schedule of the Land Regulations, the fee is 0.75 currency points, which is equivalent to Ug. Shs 15,000 (Fifteen Thousand Uganda Shillings).</p> <p>vii. Upon receipt of the committee's report and regulations, the District Land Board shall order the land to be surveyed.</p> <p>viii. Where the District Land Board approves an application, it shall send a copy of its decision to the Registrar of Titles to enable him/her to issue a certificate of title.</p> <p>It should be noted that under Section 12 of the Land Act, Cap 227, a person who possesses a certificate of customary ownership is not required to go through the whole process of converting customary tenure into freehold, but only seeks a recommendation of the Board to the Registrar of titles to issue a certificate of title.</p>	
<p>Allocation of Plots to PAPs</p>	
<p>Once land acquisition is complete, plots should be allocated to the PAPs who will be relocated to the village.</p> <p>The PAPs should only be relocated once the following are completed:</p> <ul style="list-style-type: none"> • All land acquisition procedures are complete • All buildings and site services infrastructure completed; and • The site construction engineers have inspected and certified ALL works as duly completed and ready for occupation. This can be done on a site-by-site basis. 	

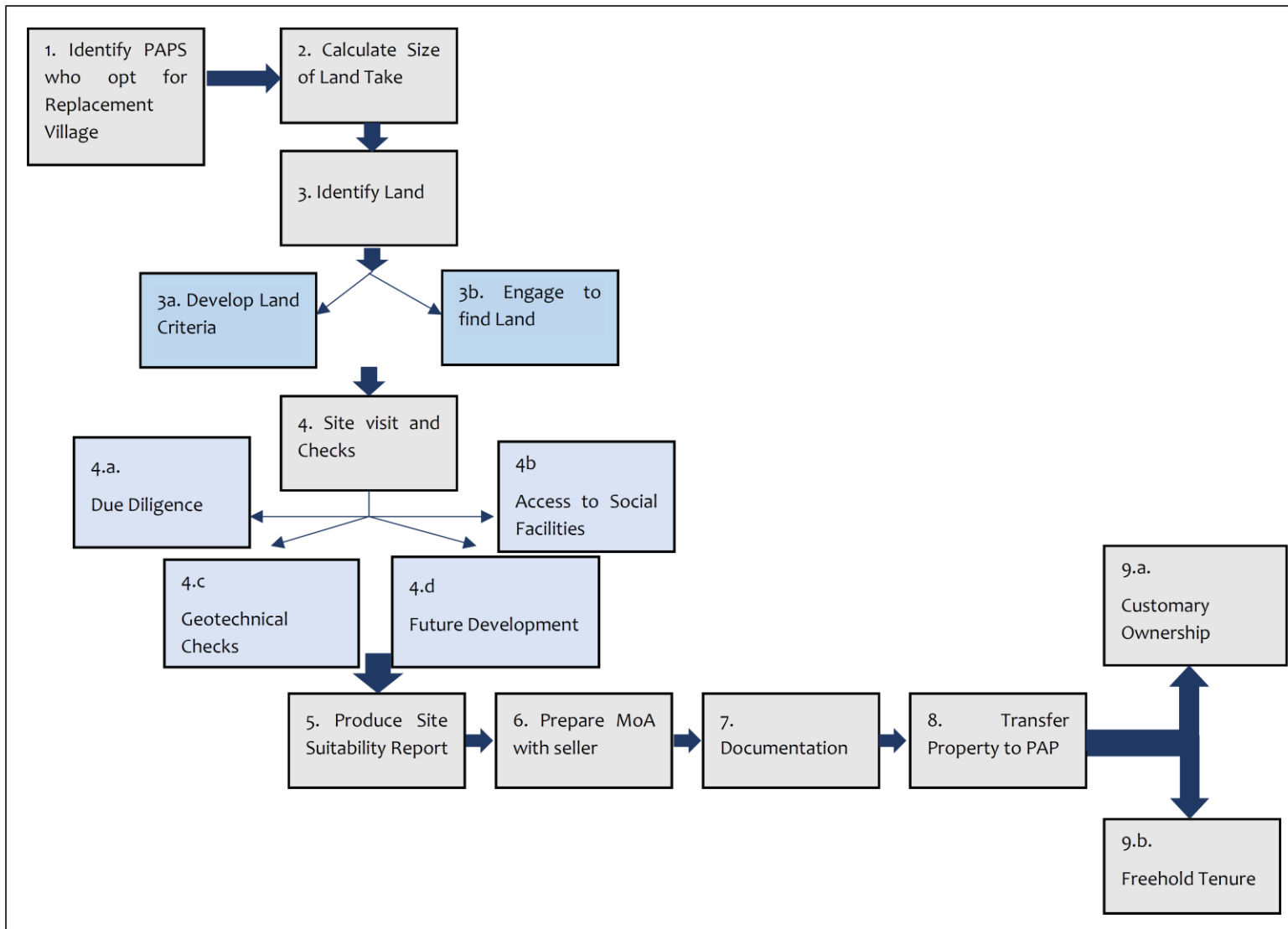


Figure 9.6: Procedure for the Project to identify land for resettlement village

9.13.5. Relocation of religious buildings

The RAP 5 project will displace 04 religious buildings.

As stated in the entitlement framework (see Section 8 above), the Company will provide cash compensation for structures identified in the asset survey as a privately owned religious buildings.

9.13.6. Allowances

The Company will provide the following allowances as part of compensation:

- 30% statutory disturbance allowance, provided as part of cash compensation.

10. LAND ACQUISITION

10.1. Introduction

The Ugandan National Oil and Gas Policy (UNOGP) established in 2008 recognises that it is essential for oil companies to acquire land in the petroleum value chain⁵⁹. This, therefore, informs the need for land to be acquired permanently on behalf of the Government for the proposed RAP 5 project area. The UNOGP further stipulates the need for agreements to be entered into with landowners to cover aspects such as compensation for their land surface rights⁶⁰. It is for this purpose that different forms namely the land acquisition form, the spousal consent form and the cut-off date form were used during the preparation of the process for land acquisition.

The Land Owner Identification Form (Appendix 1 of Annexure 1) was signed by each landowner in the affected areas. It contained details of the land including; location, tenure, size, boundaries and the details of land ownership. This information was confirmed by the respective Local Council I Chairperson who signs as a witness verifying the information from the landowner. This form was designed to identify landowners.

Through the legal due diligence process, the RAP team also established that there were land users; that is, PAPs who did not own land but owned assets (crops, economic trees, structures) on another person's piece of land i.e. were using the land. The Land User Identification Form (Appendix 1 of Annexure 1) was signed by all land users with assets on the affected land. The form has all the details of the land user. It was also signed and verified and witnessed by the Local Council I Chairperson (LC I) of the village where the affected land is located and the landowner on whose land one is a land user.

Where the PAP was married and the land was matrimonial property, each PAP and their spouse would then sign a Spousal Consent Form (Appendix 1 of Annexure 1) as consent to have their land acquired for the purposes of RAP 5 of the Tilenga project. This is in accordance with the Land Act⁶¹. However, for avoidance of doubt and future conflicts that may arise out of the acquisition, the RAP Contractor legal due diligence team ensured that, all the spouses to the landowners signed the spousal Consent forms. This also catered for PAPs that would provide contradicting information as to whether their land is matrimonial or not. In instances where the landowner had more than one spouse, both spouses would sign the spousal consent forms.

In accordance with IFC PS 5 under Guidance Note 5, Paragraph 32 which provides for a Cut-off Date (CoD) to be set once a PAP's assets have been valued, the RAP Contractor legal due diligence team instituted a rolling individual CoD where each PAP would sign-off the CoD form (see Appendix 1 of Annexure 1) on completion of the valuation and assessment of their affected land and assets⁶² until the 18th February 2019.

All forms were translated before execution (i.e. signing) and their meaning explained to the PAP in their respective local languages (mainly Lugungu and Alur) by either the Community Liaison Officer (CLO) on ground or a translator from the local community well versed with both the local language and English. A certificate of translation was also signed by the translator or the CLO. This ensured that PAPs signed documents that they fully understand. IFC PS5 requires that in the event of PAPs having their land acquired for project purposes, the replacement land should be transferred to the PAP and security of tenure should be achieved. One of the Objectives of IFC PS5 reads: *"To improve living conditions among physically displaced persons through the provision of*

⁵⁹ Paragraph 6.1.1 National Oil and Gas Policy for Uganda, 2008

⁶⁰ Ibid.

⁶¹ Land Act Cap 230

⁶² This means PAPs had varying Cut-off Dates as each PAP signed off the cut-off date form as and when their assets were valued or assessed.

adequate housing with security of tenure at resettlement sites.” (Our emphasis) In a footnote to this objective security of tenure is defined as follows: “Security of tenure means that resettled individuals or communities are resettled to a site that they can legally occupy and where they are protected from the risk of eviction”⁶³

This chapter therefore, addresses the form of tenure within the RAP 5 project area and associated rights as well as the statutory procedures for acquiring replacement land and secure tenure.

10.2. Land Tenure Arrangements

The largest portion (87.2%) of land affected by RAP 5 is held under **Customary Tenure** (see Appendix 1 of Annexure 1)

Under the customary tenure system, land is owned in perpetuity and is governed by rules generally accepted as binding and authoritative by the class of persons to which it applies as defined by the Land Act Cap 227. In other words, customary regime is not governed by written law. Customary occupants are occupants of former public land and occupy land by virtue of their customary rights; they have proprietary interest in the land and are entitled to certificates of customary ownership which may be acquired through application to the Parish Land Committee and eventual issuance by the District Land Board.

The Land Act,⁶⁴ stipulates the nature of rights that arise out of customary ownership of land and these are:

- a. Lease the land or part of it;
- b. Permit a person usufructuary rights over the land or part of it for a limited time;
- c. Mortgage or pledge the land or part of it;
- d. Subdivide the land or part of it;
- e. Create an easement with the consent of the person entitled to the benefit;
- f. Sell the land or part of it;
- g. Transfer the land or part of it, and;
- h. Dispose of the land by will.

Therefore, the PAPs under the Land Act, in executing the Legal Identification Forms are exercising their right under (f) and (g) above. This implies that they have a right to transact/ or use their land in accordance with the rights highlighted.

During interactions with the PAPs, the RAP Contractor legal due diligence team established that this customarily owned land had no evidence of land titles or of the land being surveyed despite the presence of a fully constituted Area Land Committee in the different sub-counties where the proposed RAP5 facilities are to be situated. The PAPs also did not hold Certificates of Customary Ownership⁶⁵ as defined by the Land Act, Cap 227. Despite the presence of fully constituted Area Land Committee in Ngwedo Buliisa and Kigwera sub-counties as well as the Buliisa town council where the RAP 5 project area is located, it is with the Area Land Committee that an applicant for the certificate of customary ownership lodges an application. It is upon the approval of the committee that one can then proceed to the District land Board. It is upon the approval by this

⁶³ Para 3, page 1, IFC Performance Standard 5; Land Acquisition and Involuntary Resettlement, January 1, 2012

⁶⁴ Section 8 of the Land Act Cap 227 Laws of Uganda

⁶⁵ A certificate of customary Ownership is conclusive evidence of customary rights and interests specified in it and the land to which the certificate referred is occupied, used and regulated. Any transactions in respect of the land and any third-party rights over the land have to be exercised in accordance with the customary law. Land Act Cap 227 (1998).

Committee that one can then proceed to the District Land Board. A detailed procedure for acquiring a Certificate of customary ownership is as follows;

- a. Under Section 4 (1) and 4(2) Land Act, Cap 227, any person, family or community holding land under customary tenure on former public land⁶⁶ may acquire a certificate of customary ownership in respect of that land and the certificate be in a form prescribed;
- b. Application for a Certificate of customary ownership is made to the Area Land Committee in prescribed form under Rule 3 form 1 of the first schedule to the Land Regulations Statutory Instrument No. 100/2004, Laws of Uganda;
- c. The Area Land Committee upon receipt of an application for a certificate of customary ownership determines and marks the boundaries of all interests in the land, demarcate the rights of way and other easements over the subject land plus other adjacent land;
- d. Under section 6⁶⁷, the Chairperson of the Area Land Committee shall ensure publication of notice of application lodged in a prominent place area of the land and also require any person who claim is to be affected by the application to attend a meeting of the committee at a specified date and time to put forward their claims;
- e. On the date specified, the Committee shall hold a meeting to be attended by all concerned parties to hear and determine any claims made on the said land;
- f. The Committee shall then compile report on the application and forward it to the District Land Board;
- g. The Board shall, upon receipt of the report and recommendations of the Committee referred to in Section 6.6⁶⁸, consider the application and may confirm the recommendations of the Committee and where those recommendations are to issue a Certificate of customary ownership with or without conditions, restrictions or limitations issue a Certificate of Customary ownership or return the report with directions on further investigations required;
- h. Any person aggrieved by a decision of the Board under this section may appeal to the land tribunal against that decision; and the land tribunal may confirm, vary, reverse or modify the decision of the board, and;
- i. Under Section 8⁶⁹, the effect of a Certificate of customary ownership is that it confers on the holder the right to undertake, subject to the conditions, restrictions and limitations contained in the certificate, any transactions in respect of that land which may include leasing or selling the land or a part of it, where a customary certificate of customary ownership does not restrict it.

The PAPs stated that, they either had agreed orally or had lost their respective Land Sale agreements. Therefore, verification of the sale of land and in effect, ownership was done through consultation with the seller and the Local Council Area representative and the neighbours. Where the seller either was deceased or could not be located, verification of ownership was done by consulting the Local Council area representative and the neighbours.

Following a formal Title Deed search conducted by the RAP Contractor team (See Appendix 1 of Annexure 1), it was confirmed from the Department of Surveys and Mapping of the MLHUD following a due diligence procedure at the Masindi Zonal Office (MZO), that, at the time the RAP 5 field surveys were carried out (January 2019), there were Seven (07) surveyed land parcels (12.8% of the RAP 5 total land take) although, at the time of writing this report, the specific land tenure

⁶⁶ Former public land is land that was administered under the 1969 Public Land Act.

⁶⁷ Land Act, Cap 227, Laws of Uganda.

⁶⁸ Land Act, Cap 227, Laws of Uganda.

⁶⁹ Ibid.

for these seven (07) surveyed plots of land affected by the proposed RAP 5 project area had not been ascertained. In addition, the title deed search confirmed that one (01) PAP possesses a freehold title comprised in Plot 53, Block 3 at Ngwedo in Buliisa county Buliisa district.

Appendix 1 in Annexure 1 provides the detailed description of the legal due diligence surveys

10.2.1. Freehold Tenure

Freehold tenure is a form of tenure deriving its legality from the constitution and its incidents from the written law which involve the holding of a registered land in perpetuity or for a period less than perpetuity which may be fixed by a condition.

This tenure system enables the holder to exercise subject to the law, full powers of ownership of land including but not limited to:

- Using and developing the land for any lawful purpose;
- Taking and using and any all produce from the land;
- Entering into any transaction in connection with the land including but not limited to; selling, leasing, mortgaging or pledging, sub-dividing creating rights and interest for other people in the land and creating trusts of the land, and;
- Disposing of the land to any person by will.

Legal due diligence was conducted to confirm the presence of the above discussed forms of tenure following formal Title Deed Searches conducted by the legal due diligence team (see Appendix 1).

10.3. Land Ownership and Ties to Clans

As highlighted under Section 10.2, Majority of the land (87.2%) in the RAP 5 project area is customarily owned. It is further noted that, some families in this RAP 5 project footprint originate from clans and, although much of the land may be presupposed to be owned by the clan, individual PAPs and families clearly stated that it is either individually or family-owned and used on an individual or family basis. The clans encountered are indicated in Table 10.1.

Table 10.1: List of clans encountered in the RAP 5 area

#	CLAN NAME	FACILITY	VILLAGE	RAP NO.
1.	Babaala clan	A1- 2	Kasinyi	RAP5/KAS/395
2.	Bahamba clan	A2- 1	Kigwera South East	RAP5/KIW/021

10.4. Management of Speculation

Whereas there has been land speculation in Buliisa district over the last few years, speculation was managed through the execution of the different forms. By execution of the Legal identification and cut-off date forms, the PAP as an actual land owner/ land user committed himself/herself not to offer the land so as to curb further transactions such as land sales to speculators not within the affected area who would have only wanted to benefit from the project after gaining knowledge of the project footprint. After signing the cut-off date forms, the PAP would not be assessed for any other developments in the affected land other than those already assessed before the individual cut off -date.

The Legal team instituted a rolling Cut-off Date⁷⁰ where each PAP would sign-off the Cut-off Date Form upon completion of the valuation of their assets. Following individual signature of the rolling cut-off date forms, each PAP was explained to that after this date. During CoD announcements and, on all CoD communication materials, the RAP Team clarified that PAPs could still access their

⁷⁰ This meant that PAPs had varying Cut-off Dates as each PAP signed off the Cut-off Date form as and when their assets were valued.

residences, structures and land, grow crops, harvest crops, graze animals until compensation awards were made. However, it was also made clear that any investments (e.g. new structures, new trees/crops) made after the cut-off date would not be eligible for compensation; as these would not be part of the assessed property and included in the budget for compensation awards. Additionally, final general cut-off date for RAP 5 was announced on the 18th February 2019 in all the villages where the proposed facilities are located. During these announcements, meetings were conducted in the affected villages by the stakeholder engagement team. The team would inform the PAPs that they can continue using their land in the manner they deem fit but their assets would not be eligible for assessment and valuation after the announcement.

10.5. Land Titling

It was confirmed from the Department of Surveys and mapping of the MLHUD that, at the time the field surveys were carried out there was one (01) a freehold title comprised in Plot 53, Block 3 at Ngwedo in Buliisa county, Buliisa district. Additionally, it was confirmed from the Department of Surveys and Mapping of the MLHUD following a due diligence procedure at the Masindi Zonal Office (MZO), that, at the time the RAP 5 field surveys were carried out, there were Seven (07) surveyed land parcels within the RAP 5 project area. The same surveyed pieces of land were not registered under the Registration of Titles Act. It should be noted that under that Registration of Titles Act⁷¹, conclusive proof of ownership of land is by a Certificate of Title. Merely surveying land is not proof of ownership of land.

10.6. Absentee Land Owners

During the legal due diligence surveys, absentee landowner forms (see Appendix I1 and I2 of Annexure 1 for District Land Board Verification and Area Land Committee Verification forms) were used for affected landowners that could not be located. Flowcharts (Figure 10.1 (for registered land) and Figure 10.2 (for unregistered land)) were also prepared indicating the procedure to be followed if a landowner is not located. However, by the time RAP 5 surveys were completed, all PAPs (including those who had disputes) had been identified through consultation with the LC I chairperson and the neighbours. This implies that no absentee landowners were identified in the RAP 5 project area.

The procedure outlined in Figure 10.1 will still however be followed if a landowner becomes absent during the RAP implementation phase, following RAP 5 approval by GoU.

⁷¹ Section 59

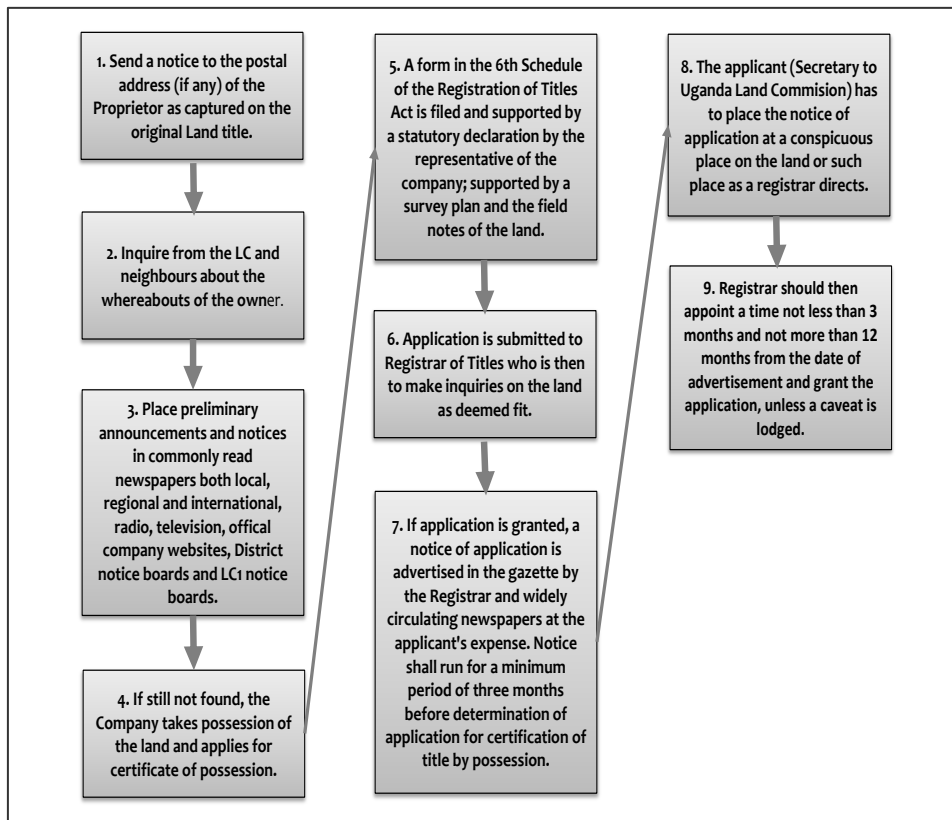


Figure 10.10101: Absentee Landlord Flow-Chart for Registered Land (Sections 78 and 79 of the Registration of Titles Act)

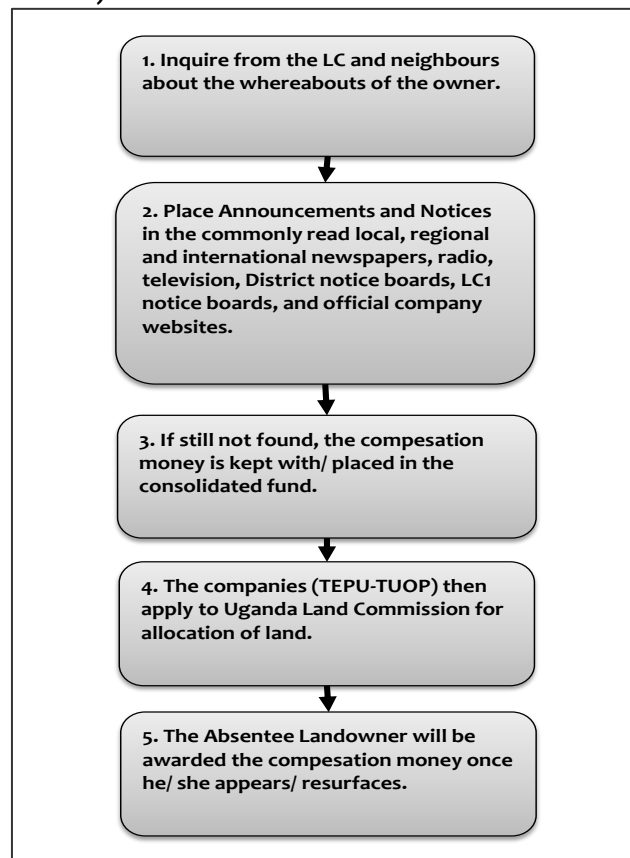


Figure 10.2: Absentee Landlord Flow-Chart for Unregistered Land

10.7. Family Owned Land –vs- Private Ownership

During the surveys, there were many situations where the land was claimed as family owned land. For example, there were situations where a family owned a piece of land for a number of years, and the head of that family produced children and now the children had their own families and had jointly been using the land. In such cases, some families agreed to have the land handled as a family holding and selected representatives for that purpose to be caretakers of the land. In some instances, some members insisted on private ownership where a claimed sub-division of the family land had taken place.

Sometimes these issues brought about disagreements among the family members on how sharing should occur. These were resolved through mediation wherever possible to arrive at an amicable solution for the families but at the same time within the confines of the law.

10.8. Drafting Family Committee Agreement

Disagreements arising from land sharing by family members were resolved by drafting Family Committee Agreements (see Appendix 1 of Annexure 1). These agreements were drafted where it was clear that the family was large and dealing with the entire family would create complexities for the family when it comes to sharing compensation entitlements and complexities as to who should represent the family to sign project documents. In the agreement it was agreed that the family nominates representatives that would interface with the project whenever need arose.

These agreements were translated to the PAPs and their appointed representatives before execution to ensure that they understood the nature of the agreement and the duties and obligations that arise from it. A certificate of translation was signed to this effect. The execution of the agreement was additionally witnessed by the area LC I Chairman.

10.9. Undertaking Agreements

These undertakings were made on behalf of elderly landowners and land users that informed the RAP team that they would not be in position to follow up the compensation process. The PAPs in this category nominated someone for example, a family relative or a trusted guardian who executed an undertaking to that effect (see Appendix 1 of Annexure 1 for a copy of the undertaking appointing a guardian). There were ten (10) PAPs in this category.

The undertakings were also signed by guardians in respect of PAPs that are minors. Minors as defined by the Contracts Act, 2010 are persons below (18) eighteen years of age). They do not have legal capacity to transact⁷². The team encountered six (06) minors affected by the RAP 5 project. In such cases, the guardians of such minors made undertakings to follow/ transact on their behalf.

These Undertakings were translated to the PAPs and their appointed representatives before execution to ensure that they understood the nature of the agreement and the duties and obligations that arise from it. A certificate of translation was signed to that effect. The execution was witnessed by the area LC I Chairman.

a) Deceased PAPs

In the event that a project affected person passes on, the family members seeking to benefit from the estate of the deceased are required to provide a short death certificate from the sub-county or a letter from the LC I chairman verifying that the PAP passed on.

Additionally, the family of the deceased is required to provide the minutes of the meeting where a representative was chosen and consented to by all the meeting attendees. The meeting minutes

⁷² Section 11 of the Contracts Act 2010, Laws of Uganda

should contain a fully signed attendance register of all attendees who in this case must include the LC I chairman.

Therefore having obtained proof of death of the deceased and a record of the family meeting's minutes, the project will liaise with the appointed representatives for all purposes pertaining to the land acquisition process including; signing documents, receiving compensation for and on behalf of the family and any other duties that may be required of them.

As of 13th October 2020, 09 RAP 5 PAPs had passed away.

10.10. Communal Land Associations

These are associations formed by a group of people for purposes connected with communal ownership and management of land under customary law or otherwise⁷³. At the beginning of the fieldwork, it was also presumed that the land in the RAP 5 project area was communally owned.

However, during the legal due diligence team's interactions with the PAPs, it was established that there were two (02) registered communal land associations i.e. Kijangi communal Land Association and Abakwehundya Family Land Association. However dealing with these communal land associations will be guided by best industry practice.

10.11. Land under Public Facilities (not assessed for compensation)

10.11.1. Land under access roads and boreholes

The proposed RAP 5 project area affects a number of community and public infrastructure such as roads. These were identified during the data collection exercise and are presented in Table 10.2.

Table 10.2: Affected Access Road and Water Sources

#	Name	Description	Village	
ROADS	1	Kijangi to Kibambura	Community Road	Kijangi, Kibambura
	2	Kibambura to Bikongoro	Community Road	Kibambura, Bikongoro
	3	Kasinyi to Avogera via Kisomere	District Road	Kasinyi
	4	Kisomere to Kamandindi via Avogera	District Road	Kisomere, Avogera, Kasinyi and Kamandindi.
	5	Kiyere to Kigwera SE via Kigwera NE	District Road	Kiyere, Kigwera NE and Kigwera SE
	6	Kigwera SE to Kibambura via Bikongoro	District Road	Kigwera SE, Kibambura, Bikongoro
	7	Kizikya to Kijangi	District Road	Kizikya, Kijangi
	8	Kijangi to Uriibo via Kijumbya	District Road	Kijangi, Uriibo Kijumbya
	9	Ngwedo Centre to Kisomere via Uduk II	District Road	Ngwedo Centre, Uduk II, Uduk I, Kisomere
	10	Kibambura to Kijangi	District Road	Kibambura, Kijangi
	11	Wanseko-Bugungu	UNRA Road	Kasinyi
	12	Wanseko-Bugungu	UNRA Road	Kamandindi
	13	Wanseko-Buliisa	UNRA Road	Kiyere
	14	Hoima-Buliisa	UNRA Road	Kizikya
	15	Ngwedo - Waiga Bridge	UNRA Road	Uriibo, Ngwedo Centre, Kijumbya

⁷³ Section 15 of the Land Act Cap 227

#	Name	Description	Village
16	Buliisa-Bugungu	UNRA Road	Kibambura
WATER SOURCES	1	Community Borehole C/O Baguma William & Atuhaire Julius	Community Borehole
	2	Kibambura Community Borehole C/O Mpairwe Phikol	Community Borehole
	3	Kijangi Communal Land Association C/O Balikenda Simon	Community Borehole
	4	Kaheru Erifazi & Gladys Kaheru Vs The Family of Timitewo Kamanyirwa C/O Mukonyezi Patrick	Borehole
	5	Kijangi Christian City Church C/O Kaahwa Edison	Borehole
	6	Kijumbya Community Borehole C/O Oribo Silvio, Rwinyo Mazimba & Aduba Betty	Borehole
	7	Uriibo Community Borehole C/O Oyoma Esidoro, Ngamita Fraszazi & Onencan Ejino	Borehole
	8	Uduk li Community Land	Borehole
	9	Ngwedo Community Water Tank C/O Onwang Angello	Water Tank
	10	Kisiabi Primary School C/O Rwahwire Selemoth, Balikenda Nestur Deogratias & Kyahurwa Enock Dolo	Water Tank

10.11.2. Land under protected areas

The RAP 5 project footprint also affects protected areas (River at Kijangi) – see Table 10.3.

Table 10.3: Affected land in Protected Areas

	River Name	Description	Village
1	River at Kijangi	This is seasonal river that connects to Lake Albert	Kijangi

10.11.3. Land affected by other Tilenga Project RAP footprints

RAP 5 project area land that is affected under other Tilenga project RAP footprints is indicated in Table 10.4 – please note that this land has only been assessed once for compensation and not under each RAP.

Table 10.4: RAP 5 Intersection with other RAP Footprints

#	Intersection Point (Village)	Description
1	Bikongoro.	RAP 5 intersection with RAP 4 (Feeder pipeline)
2	Kijangi.	RAP 5 intersects RAP 4 (Feeder pipeline)
3	Kasinyi.	RAP 5 affects part of the land already acquired for the Central Processing Facility (CPF) under RAP 1.
4	Bikongoro and Kigwera South East.	RAP 5 intersects RAP 2 (North Western component)
5	Kigwera South East	RAP 5 intersects RAP 2 (North Western component)
6	Kijumbya	RAP 5 intersects RAP 3b (South Eastern Component)
7	Kijumbya	RAP 5 intersects RAP 3b (South Eastern Component)
8	Uriibo	RAP 5 intersects RAP 3b (South Eastern Component)
9	Uduk II	RAP 5 intersects RAP 3b (South Eastern Component)

#	Intersection Point (Village)	Description
10	Kasinyi	RAP 5 intersects RAP 3a (North Eastern Component)
11	Kasinyi	RAP 5 intersects RAP 3a (North Eastern Component)
12	Avogera	RAP 5 intersects RAP 3a (North Eastern Component)
13	Uduk II	RAP 5 intersects RAP 3a (North Eastern Component)

10.11.4. Churches, Schools and Health Centres

The RAP team also encountered thirteen (13) churches, five (5) schools and two (2) health centres during data collection in the RAP 5 project area. These entities are not duly incorporated companies under the Laws of Uganda⁷⁴, registered partnerships⁷⁵ or any registered legal entity. The entities have not registered any trust to hold property on their behalf. This creates a legal challenge in establishing their legal capacity to contract and to own property.

Tentatively, the entities signed undertakings appointing representatives to transact on their behalf. The RAP team explained to and advised the representatives the dynamics of registering a legal entity.

These Undertakings were translated to the PAPs and their appointed representatives before execution to ensure that they understood the nature of the agreement and the duties and obligations that arise from it. A certificate of translation was signed to that effect. The execution was witnessed by the area LC I Chairman.

10.12. Land ownership/Boundary Disputes in Court

The main land disputes in the RAP 5 project area were scattered in various sub-counties including Ngwedo, Buliisa and Kigwera. Villages with land disputes comprised Kizikya, Kigwera North East, Kigwera South East, Kiyere, Uriibo, Uduk II, Kasinyi, Avogera, Kibambura, Bikongoro, Kijangi and Ngwedo Centre (see Appendix 1 of Annexure 1).

Of the sixty-five (65) land disputes encountered in the RAP5 project area, two (02) land disputes were already filed in the High Court of Masindi.

A copy of the plaint and notice of Appeal in respect of the above-mentioned court disputes were obtained. The copies obtained of the plaint, and Notice of Appeal are included in Appendix 1 of Annexure 1.

However, assessments and valuations of assets have been undertaken and this does not prevent the project to move to implementation. Dealing with the properties shall be upon the determination of the matters.

10.13. Land ownership/Boundary Disputes not in Court

Land parcels whose ownership was claimed by two or more individuals (i.e. disputed) have not yet been demarcated. These will be demarcated when ownership disputes (some of which, as indicated above are already in the Courts of Law) are fully resolved. Nevertheless, in cases where a given parcel had land users, their details were also captured and superimposed onto the strip map (see Annexure 1). These details mainly involved capturing the extents of their gardens, structures and any other developments by the land user, and therefore, the valuers noted the details of inventory on such (disputed) land, and, the land under dispute has been clearly indicated in the valuation spreadsheet (in blue) – see Annexure 1.

⁷⁴The Companies Act, 2012

⁷⁵The Partnership Act, 2010

The surveyors assisted by elders, local council executive leaders and land owners would identify the boundaries. As a result, there were instances during the survey process where individuals disagreed on the boundaries. Where possible, with the exception of the land disputes that were already in the Courts of Law, the RAP team working with the Local Council Executive and elders listened to each party's grievances and an amicable decision was settled upon⁷⁶. Where a settlement was reached, a Memorandum of Understanding (MoU) was signed by the parties and witnessed by the mediators and the Local Council Executive Committee. Appendix 1 of Annexure 1 indicates the MoUs that were signed as applicable to the RAP 5 project area.

Of the sixty-five (65) land disputes encountered in the RAP 5 project area, at the time of writing this report, 39 land disputes were resolved, with 24 (excluding the two already in Court) pending resolution (see Appendix 1 of Annexure 1).

These disputes have not been filed before any entity with capacity to determine disputes and make a binding decision. As such, their resolution shall depend on the good will of the parties to allow informal mediation by different stakeholders for example, the LC executive committee.

Compensation for disputed land will only be issued to the rightful owners after proper resolution of the disputes. The RAP Contractor team will continue to monitor and track the progress of the resolution of these disputes for purposes of the acquisition of the land.

10.14. Cut-off Date Implementation

The Cut-off Date process involved valuation of the PAPs assets and signing-off of the Cut-off Date forms. The Cut-off Date process was implemented by having both land owners and land users execute the Cut-off Date form. A final cut-off date for RAP 5 project area was declared on 18th February 2019 in the villages of Kamandindi, Avogera, Kisomere, Kasinyi, Ngwedo Centre, Kibambura, Kizikya, Kitahura, Kijangi, Uriibo, Kijumbya, Uduk I, Uduk I, Uduk II, Kigwera NE, Kigwera SE, Kiyere and Bikongoro. The RAP Team clarified that PAPs could still access their residences, structures and land, grow crops, harvest crops, and graze animals until compensation awards were made. However, it was also made clear that any investments (e.g. new structures, new trees/crops) made after the cut-off date would not be eligible for compensation; as these would not be part of the assessed property and included in the budget for compensation awards.

10.15. Statutory Procedures for Land Acquisition

The Constitution of the Republic of Uganda entitles every citizen to own land either individually or in association with others and that such land shall not be compulsorily acquired unless prompt and fair compensation is made and the acquisition is for public use⁷⁷.

The Ugandan National Oil and Gas Policy, 2008⁷⁸, is to the effect that agreements have to be entered into with landowners to cover aspects such as compensation for their land surface rights.

Section 135 (1) (b) of the Petroleum Exploration, Development and Production Act⁷⁹ states that, a licensee shall not exercise any of the rights under a licence without the written consent of the owner.

In the event that the parties fail to agree, the matter is then referred to the Minister responsible for petroleum activities within 15 days from the date the parties failed to agree. The Minister, then,

⁷⁶ These were documented, mainly by the CLO's who filled in the grievance mechanism forms. There also land dispute agreements that were signed by the PAPs

⁷⁷ Article 26 of the 1995 constitution of the Republic of Uganda

⁷⁸ Ibid.

⁷⁹ Act no 3 of 2013

in consultation with the Petroleum Authority of Uganda (PAU) considers the matter taking into consideration the concerns of both parties.

The issue of consent was discussed in *Uganda National Roads Authority (UNRA) vs. Asuman Irumba and another* (2014),⁸⁰ where the Supreme Court was of the view that, there needs to be free, prior and informed consent as well as compensation before compulsory acquisition of land by government. This judgment was in respect to Section 7 of the Land Acquisition Act⁸¹, where land declared as that for public purposes was compulsorily acquired by the Uganda Land Commission (ULC).

Thus, the subject of consent in RAP 5 was dealt with by holding community engagements through which the PAPs were duly informed of the project. For instance, during the final CoD announcement on 18th February 2019, a stakeholder engagement with the PAPs was conducted and the PAPs were extensively addressed on the following matters:

- The importance of the project to the Country;
- The reason why their land was required;
- The steps that would be involved in acquiring the land, and;
- The documentation required from the PAPs.

The Process was also participatory enabling PAPs to express themselves and raise questions, which were duly addressed. The purpose of having these engagements before the identification and verification process was to ensure that each PAP fully understood the purpose for which they would be giving up their land. The outcome of these engagements was the ability of each PAP to give informed consent to the RAP activities.

Section 135 of the Petroleum Exploration, Development and Production Act, further, requires written consent to be attained from landowners whose;

- a. House or building is within two hundred (200) metres;
- b. Land prepared for growing of agricultural crops or on which agricultural crops are growing within fifty metres, and;
- c. Cattle dip-tank, dam or water used by human beings or cattle is within one hundred (100) metres; from the land, which is the site of the proposed activities. As regards this, in response to a request for interpretation of this section of the Act by TEP Uganda, the Petroleum Authority of Uganda confirmed during the Tilenga RAP 1 planning process that it would be required for the Licensee to obtain this consent as per Section 135 above. This consent will therefore be attained during the RAP implementation phase (see Appendix 1 of Annexure 1 for a copy of the consent form).

10.16. Statutory Procedures in Case of Expropriation

The project must explore all opportunities to reach an agreement with PAPs before initiating an expropriation process, which should be considered as a last resort for the Project as per the requirements of IFC PS5, which states:

“In cases where affected persons reject compensation offers that meet the requirements of this Performance Standard and, as a result, expropriation or other legal procedures are initiated, the client will explore opportunities to collaborate with the responsible government agency, and if permitted by the agency, play an active role in the resettlement planning, implementation, and monitoring.”

⁸⁰ Supreme Court Constitutional Appeal No.2 of 2014

⁸¹ Ibid.

As indicated, Article 26 of the 1995 Constitution of the Republic of Uganda⁸² provides for the protection of citizens from deprivation of property. The article is to the effect that every citizen has a right to own property either individually or in association with others. This implies that no person shall be deprived of his or her property or any interest or right over the property unless there is a due process followed.

The conditions, which must be satisfied for a person to be compulsorily deprived of their property or their right/interest in the property, are:

- I. That the possession or acquisition is necessary for public use or in the interest of defence, public safety, public order, public morality or public health;
- II. The compulsory acquisition is made under a law that provides for prompt payment of fair and adequate compensation prior to acquisition, and;
- III. The compulsory acquisition is made under a law that provides for a right of access to a court of law by any person who has an interest or right over the property. The law in this aspect is the Land Acquisition Act⁸³.

This process should therefore only be considered after initial compensation negotiations fail.

10.17. Securing Replacement Land

The tasks of securing replacement land have been divided into three categories:

- Securing replacement farmland – This is to be done in partnership with the PAP losing land who will locate replacement farmland for the Project to acquire on their behalf;
- Securing replacement residential plots - This is to be done in partnership with the PAP losing land who will locate the replacement residential plot for the project to acquire on their behalf, and;
- Securing land for replacement village – This will be carried out by the project.

Procedures for these three categories are provided in Chapter 9.

⁸² Ibid

⁸³ Ibid.

11. LIVELIHOOD RESTORATION

Refer to the Global Livelihood Restoration Plan (Annexure 7).

12. VULNERABLE HOUSEHOLDS

12.1. IFC Guidance & Uganda's Requirement

Within the context of resettlement and land acquisition the term “vulnerable groups” is given to individuals, households, or groups of people that may be disproportionately affected by the resettlement process based on their gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status within their community.

In Uganda there is a constitutional imperative to protect those defined as marginal and the 1995 Constitution states that “*the State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason [...] for the purpose of redressing imbalances which exist against them*”. This commitment is not specific to the context of resettlement and land acquisition but may be read as applying.

More specifically the IFC defines vulnerable people as, “those who by virtue of gender, ethnicity, age, physical or mental disability, economic or social status may be more adversely affected by displacement than others, and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.” Within the context of the LARF is a commitment to resettlement planning with a focus on vulnerable project affected persons. To this end, the LARF requires that the census be used to identify those households or individuals that might be regarded as vulnerable. Following identification, there is a requirement to ensure that consultation and engagement is targeted to include the vulnerable and that support via a Vulnerable People Programme (VPP) is set out in resettlement planning. In regards to treatment of vulnerable people, the IFC guidance states that, “compensation and restoration packages for vulnerable people should include additional forms of support, and should favour the lowest risk mitigation options wherever possible.”

The census, or more specifically the socio-economic baseline survey component included a set of questions aimed at identifying potentially vulnerable households and individuals within households.

The Interview Programme, through Focus Group Discussions (FGDs) and Key Informant Interviews (KIIs), also explored who the vulnerable people are in the villages within the RAP 5 project area, and some of the ways in which they might be affected.

12.2. Project Responsibilities

The LARF requires the development of a Vulnerable People Programme. This requires the identification of vulnerable groups (as above) and the development of measures to support them during resettlement planning, agreement negotiation, compensation disbursement, physical relocation, and livelihood restoration where needed.

The responsibility of the project proponents during RAP implementation is as follows:

- Understand the presence of vulnerability in the area;
- Identify and list which households and individuals are vulnerable to negative interactions with the resettlement processes, and;
- Develop or adjust activities to manage (avoid, minimise, compensate) displacement's particular impacts on vulnerable households and individuals, as a result of the interactions between vulnerable households and the resettlement processes.

For the purposes of ensuring adequate engagement in consultation, the process of involving the vulnerable is described fully in Chapter 6 above.

Section 12.7 sets out the programmes of interventions that should be adopted during the implementation phase of resettlement to ensure that the vulnerable are offered the protection necessary to ensure that they do not suffer disproportionately during the process.

12.3. Identifying Vulnerable People

Implementation of projects that leads to loss of assets and livelihood disruption usually affects some people more than others; these categories of people are known as potentially vulnerable. Since the overall objective of resettlement is to restore or improve the living standards and livelihoods of displaced people, it is important to identify groups that are particularly at risk. The groups below are potentially vulnerable and may require special assistance during RAP implementation.

Supporting information that will help determine if a household or person possesses the characteristics described in the categories below can be found in the socio-economic survey data. It should be noted that forms of vulnerability do overlap (e.g. women in general are vulnerable, but female-heads of households have an added layer of vulnerability. Similarly, children are generally vulnerable, but orphaned children have an added layer of vulnerability).

12.3.1. Elderly Headed Households

These are defined as, households in which the head is over 65 years of age. These heads of households may be frail, heavily dependent on extended family and/or government for support, or have no support group at all (i.e., live alone).

The elderly are particularly vulnerable in resettlement processes because they often lack the physical capacity or economic opportunity to transition to new sources of income after resettlement due to their age.

While elderly headed households are potentially defined as vulnerable, other factors such as support from family members or assistance/allowance from government should be taken into account when assessing their vulnerability. For instance, elderly headed households comprising of large families where the head is the elderly patriarch or matriarch, who has considerable support from the children and grandchildren may not be vulnerable due to the presence of a strong support system.

12.3.2. Elderly dominated Households

These are defined as, households comprised mostly of the elderly (ratio greater than 1 per working age household member). These may have less recourse to support by younger family members and are susceptible to the impacts of resettlement in much the same way as elderly headed households.

12.3.3. Female-headed Households and Women

Female-Headed Households are defined as, households where the female is recognised as the sole or main income earner and decision maker in areas concerning the welfare of the members of the household. Also, the state of a woman being a household head may derive from being unmarried, divorced, separated, or widowed. However, women in general are traditionally more vulnerable than men in countries like Uganda where inequalities persist between genders. For example, customary practices in terms of land rights are biased against women making them less economically independent. Customary marriages only give women access rights to land, but do not protect their land rights leaving them vulnerable to losing access to land in case of polygamy, marriage breakdown or widowhood.

The 2015 and 2016 baseline surveys in the project area revealed cash compensations during the exploration phase had a negative impact on families (increased separation, divorce) and contributed to an increase in domestic violence against women (cases of husbands or male

relatives threatening women to get the money that women obtained from compensations of damages in their crop fields). Domestic violence is one of the commonest forms of crime in Buliisa district, though under-reported in official records.

Upon the death of the husband, the husband's family in many cases deny land rights to widows, and this can render the household destitute. Where the head of a household is female, the household can be disadvantaged in that gender discrimination may limit women's access to resources, opportunities and public services that help women improve their standard of living. In addition, when a female is the only productive adult in the household, they must manage the household livelihood and act as caregiver to any children which makes them vulnerable to shocks and changes.

12.3.4. Child headed households and orphans

Child-headed households are defined as, households where the head is younger than 18 years of age or a household solely comprised of children under the age of 18, who have no support from an adult family member (i.e. orphaned or abandoned).

According to the **Uganda National Household Survey 2016/17**, 11 percent of the children younger than 18 years were orphaned i.e. they have lost one or both parents.

This category is considered vulnerable because ideally they should be dependent on others for support. In some households orphan hood leads to child-heads of households that face increasing household adversity and rising levels of responsibility for their family members during and after resettlement.

12.3.5. Child Marriage/Child Brides

Child marriage is defined as a marriage of a girl or boy before the age of 18 years and refers to both formal marriages and informal unions in which children under the age of 18 years live with a partner as if married.

According to UNICEF⁸⁴, Uganda has the 16th highest prevalence rate of child marriage in the world and the tenth highest absolute number of child brides globally. Customary marriages or informal marriages, where a girl lives with an older man, are more common than registered civil or religious marriages.

This category is considered because child marriage is driven by gender inequality and the belief that girls are somehow inferior to boys. 40% of girls in Uganda are married before their 18th birthday and one in 10 is married before the age of 15. In Uganda, child marriage is also driven by low levels of education, and poverty

12.3.6. Households with members living with disability or serious health conditions

These are households where one or more household members suffer from a physical disability, mental disability, or long-term/chronic illness. Serious health conditions subject the households to financial burdens since disabled or sick family members are not able to work or help contribute to the household income.

The presence of family members who are disabled or chronically ill places a strain on family finances needed for their medication as well as emotional burden to family members who are assigned to care for them. It could also imply a reduction in the labour/income producing potential of the household.

⁸⁴ Child marriage prevalence is the percentage of women 20-24 years old who were married or in union before they were 18 years old (UNICEF State of the World's Children, 2017).

According to the Uganda Social Development Programme⁸⁵, households where at least one member has severe or partial disability have a poverty rate of 30%, compared to the national average of 22%.

12.3.7. Households with majority of dependents that are below the legal working age

These are households that have majority of their dependents below the age of 14 years. It is assumed that the head of household and other adult productive members of the household have a large population of unproductive individuals to fend/care for that may take their time away from focusing on improving or sustaining their livelihood (e.g., time for farming, selling/trading, etc).

Additionally, children below the age of 14 years require additional resources for education, healthcare and feeding, yet they are not directly contributing to production or income-generation in the household. Children in homes with many dependants are likely to be involved in child labour to meet household livelihood needs.

Young girls in such households have an added layer of vulnerability: they face risks of defilement, child marriage, and early pregnancy. Early pregnancy and marriage often results in girls leaving school, which limits their capacity to meaningfully participate in decision making. Increased expendable cash in the project area plus increased “foreign” workers attracted by the oil and gas industry could contribute to the increased rates of defilement and child mothers. In cases where cash compensation leads to domestic violence and family breakup, or where parents squander cash compensation, children are at risk of destitution.

12.3.8. Households that are considered ‘poor’ as per national definition

The National Development Plan (II) defined the poor as, people living on less than 1.25 dollars per day (the poverty line). This translates into monthly living expenses of 37.5 dollars, equivalent to 138,500 Uganda Shillings as of August 2019. More locally, a poverty study (World Bank, 2018) revealed that Buliisa district has the Western region’s highest poverty rates at 14 percent for the total population and 16 percent among children. Buliisa district houses four of the Western region’s poorest sub-counties. More specifically, Buliisa sub-county has the highest poverty rate in the Western region, which reaches 18.5 percent for the general population and 20.7 percent for the child population⁸⁶.

Households living below the poverty line are vulnerable because they do not have the income or assets that will assist them in coping through the effects of resettlement. Children living in poor households often do not attend school and are more likely to engage in child labour.

For instance, the poor are reliant on cash making them vulnerable to changes in prices of everyday commodities. They may live a hand-to-mouth existence with very little or no secondary income and have less ability to cope with shocks or changes. Thus, loss of their main source of income (i.e., land) makes them more vulnerable than the rest of the community and they may have more difficulty recovering.

However, the socio-economic data collected relating to household income and expenditure is deemed unreliable because there was a tendency for respondents to over-state their income and expenditures, and many respondents included periodic or seasonal income and expenditure (agricultural inputs and sales, school/educational expenses) in monthly figures. However, on-the-ground verification during RAP Implementation will identify such households.

⁸⁵ <http://socialprotection.go.ug/newwebsite2/wp-content/uploads/2016/07/National-Social-Protection-Policy-uganda.pdf>

⁸⁶ World Bank, 2018. Poverty Maps of Uganda - Mapping the Spatial Distribution of Poor Households Based on Data from the 2012/13 Uganda National Household Survey and the 2014 National Housing and Population Census Technical Report

12.3.9. Other groups

Other groups or individuals may also be exposed to the risk of displacement-induced vulnerability. This risk condition exists for these other vulnerable groups because they are unlikely to cope with external shocks resulting from displacement:

- **Landless Households** – The Tilenga project ESIA documented that oil developments in the region and the associated resettlement and compensation process are likely to create incentives for increased land speculation and commercialisation of land, leading to increased transition from customary land ownership and communally held land to privatisation and individualisation of land.
- Unfarmed communal land is the main source of pasture and natural resource harvesting, especially in the Bagungu-dominated villages. The commercialisation of land will lead to loss of customary tenure rights and increasing risk of landlessness for some individuals and groups due to sale of clan land without their knowledge or consent. Land grabbing by local and non-local elites is an added risk factor. This will lead to destitution of women, children and the next generation because oil-related inflation will make it harder for younger people to acquire land for settlement and farming.
- Agriculture is central to securing household food security and forms the basis for most trade. As such, access to land for farming is critical in minimising household vulnerability
- **Herdsman (also known as *Balisya*)** – These are individuals hired by cattle-owning households to care for their animals either on a temporary or full-time basis. The loss of grazing land may lead to the reduction of cattle stock, and a commensurate reduced need for herdsman. This may undermine the livelihoods of herdsman without recourse to compensation or resettlement benefits. This vulnerable group is not specifically included in the household of the cattle-owner (as a renter) and they are likely to be established as separate households. As such they are not necessarily reflected in the socio-economic baseline of the affected households unless they are also directly affected asset owners. For RAP 5 loss of grazing land is expected to be minimal given that the impact is predominantly linear displacement that have no impact on grazing. The percentage land take of RAP 5 as a function of the total area in Buliisa district is 0.06%.

12.4. Developing the Vulnerable Peoples List

Based on the categories in Table 12.1, 713 households (44.6%) of the affected 1599 households based on 95.12% socio-economic census survey coverage affected by RAP 5 are considered to be potentially vulnerable (in the case of female-headed households, only those without adult males are considered).

Table 12.1: Summary of potential vulnerable people categories

Vulnerability Category	No. of Households	No. of Household Heads who are PAPs	Percentage of Total Households surveyed	Female HH headed	Additional observations of household vulnerability
Elderly Headed Households	123	110	7.69%	38	
Elderly Dominated Households	14	13	0.9%	5	09 households considered critically vulnerable, because they have no working age population
Female Headed Households	461	448	28.8%	461	206 households didn't have adult male members

Vulnerability Category	No. of Households	No. of Household Heads who are PAPs	Percentage of Total Households surveyed	Female HH headed	Additional observations of household vulnerability
Child Headed Households	0	0	0.0%	0	
Households with members living with mental disability	67	64	4.2%	27	12 households had multiple persons living with mental disability: 10 households with 2 each, 1 household with 3 and 1 household with 4 persons.
Households with members living with physical disability	261	234	16.3%	78	38 HH had two physically disabled, 13 had 03 and one 1HH had 4r
Households with members living with long-term illness	173	149	10.8%	66	32 households each had 02 persons living with long-term illness, 16 households each had 03, 04 households each had 04, and 01 household had 05
Households with majority of dependents that are below the legal working age (dependency ratio >= 3.0)	173	163	10.8%	84	09 households are considered critically vulnerable, because they had no working age population. These overlap with category 2 (Elderly - dominated Households)
Married Children	43	29	1.81%	10	
Herdsmen/Balisya	To be determined* Refer to Note1	N/A	N/A	N/A	
Total Vulnerability	713			162	

***Note 1:** The number of indirectly affected vulnerable households cannot be determined, and general consideration of this group will be needed during the resettlement implementation process and as part of ongoing monitoring. Once the impacts of the potential loss of cattle lands and potential reduction in requirements for labour have been understood, via the monitoring program, a set of specialist likelihood assistance programmes may need to be developed.

From the list of vulnerable households, individuals who are registered as PAPs under each household and possess specific vulnerability characteristics related to their gender, marital status, age, and health status (i.e., physical or mental disability or long-term illness) were subjected to a scoring criteria (see Table 12.2) and a Vulnerable Project Affected Household (VPAH) list developed for RAP 5 (see Annexure 8 for a detailed list of vulnerable households) as of 17th November 2020.

Table 12.2: Scoring criteria for developing the VPAH list

No.	Vulnerability Category	Criterion	Vulnerability Score
1	Sex and gender of Head of Household (Female Headed Household)	Female head of household with an economically active adult man in the household	5
		Female head of household without an economically active man in the household	25
		Female head of household who is a PAP	15
		Female head of household who is Not a PAP	5

No.	Vulnerability Category	Criterion	Vulnerability Score
2	Age of Head of Household (Elderly Headed Household)	65+ years	10
		65+ years with number of dependants 7+	15
3	Elderly Dominated Households	Ratio of number of HH members aged 65+ years over number of HH members of working age being greater than 1	15
4	Child Headed Households	Age of head of HH less than 18 years	30
5	Households with members living with Disability	Mental disability	10
		Physical disability	10
		Long term illness	15
6	Households with major dependants below legal working age	HH with child dependency ratio equal or greater than 3; (Child dependency ratio equals No. of children 0-13yrs over No. of working age 14-64 yrs)	25
		Total Score	180*

* A PAH with a score 50 and above qualifies to be listed as Vulnerable

Based on the scoring in Table 12.2 above, 133 (8.3%) of the RAP 5 surveyed households are categorised as vulnerable.

The RAP 5 VPAH list is subject to update and verification through Stakeholder engagement with household heads and persons included in the lists well as key stakeholders from the village and district during RAP implementation.

12.5. Update and Verification of Vulnerable Peoples List

Given the potential for delay between RAP planning and implementation, the vulnerability status of individuals and PAH may have changed. Furthermore, based on experience engaging with PAPs and informal field observations during RAP 1 implementation, it was observed that many PAP households who belonged to one the above groups (i.e. were categorised as vulnerable during RAP 1 planning) were, in actuality, equipped with support or coping mechanisms that make them resilient.

For RAP 5, implementation will begin with an intensive round of stakeholder engagement to set the stage for formal disclosure and agreement signing. During this round of engagement, variables to be used for validating vulnerability will be discussed with key stakeholders (DIRCO, RPC, etc.). The SE team will visit all households on the VPAP list in order to confirm their vulnerability status, generate an updated VPAP list, and to outline the planned support. Management of vulnerability in the context of the Global LR will be managed by the LR team.

12.6. Changes in Vulnerability Status during Implementation

Over the course of RAP implementation, the team will scan for emerging cases of vulnerability as part of the M&E activities. Additions or subtractions from the list may be recommended. The criteria for removing an individual or a household from the list will be based upon any changes in their condition and situation that result in them no longer meeting the vulnerability criteria and confirmation by the SE and LR teams and the Buliisa DCDO.

12.7. Vulnerable Peoples Programme (VPP)

While vulnerability may be prevalent in the project area, the VPP is concerned with the **interactions** between resettlement processes and potentially vulnerable people (Table 12.3). The project is not responsible for reducing general levels of vulnerability in society. In general, vulnerability manifests as an issue during implementation through:

- Ability to access / participate in resettlement processes; and
- Consequences of the design of processes

Table 12.3: Interaction between Vulnerability and Resettlement Processes

Resettlement Process	Target participants	Interaction with vulnerability
Disclosure and agreement signing	<ul style="list-style-type: none"> • PAPs and interested HH members (disclosures) 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to access or attend events or are disadvantaged by doing so (e.g. a single HoH having to stop working in order to attend an event).
Payment (including consequences of cash)	<ul style="list-style-type: none"> • PAPs 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to access or attend events, travel to the bank, or are disadvantaged by doing so (e.g. a single HoH having to stop working in order to attend an event). • Liquidating assets may change individuals' behaviour that can have negative consequences on VPAPs (poor HH women, and elderly may be affected by breakup of families, decisions about use of cash, and emigration of adults).
Relocation	<ul style="list-style-type: none"> • HH 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to move their assets to their new location. • Location or resettlement home, in kind plot, or purchased replacement plot may be significantly farther from critical resources (water supply, clinic, market) and support (family, relatives, clan). • House design may not accommodate disabilities.
Cultural Heritage	<ul style="list-style-type: none"> • Group 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to access or attend events.
Livelihood restoration	<ul style="list-style-type: none"> • HH 	<ul style="list-style-type: none"> • People with mobility or health issues (elderly PAP, single PAP, disabled PAP or PAPs with dependents in the HH) may not be able to access or attend events. • HHs with high number of dependants (vulnerable, elderly, children) and few 'productive' members may not be able to commit the time to participate in intensive projects. • Projects that favour certain vulnerable groups (in particular women) can trigger reactionary consequences if they overtly challenge or seek to change the status quo.

The management of vulnerability will be undertaken via a structured programme that is part of the implementation process and will be tracked through the RAP implementation M&E process.

In the context of physical and economic displacement, vulnerability management planning follows the principles of impact and risk management. Activities will be designed to manage the consequences (impacts and risks) of the interactions between project activities (resettlement processes) and vulnerable groups. (See Table 12.4). Activities are targeted and designed in line with the mitigation hierarchy.

Table 12.4: Proposed Peoples venerable support program and interventions

Resettlement Process	Target participants	Support Programme / Interventions
Disclosure and agreement signing	<ul style="list-style-type: none"> • PAPs with mobility issues (elderly PAP, disabled PAP) who cannot physically travel to the disclosure site. • PAPs with dependents that they care for and cannot leave them in the house alone to attend the events. • PAPs who are single HoH who may have difficulty attending events. • PAPs HoH who may have to stop working in order to attend the disclosure. 	<ul style="list-style-type: none"> • Provide transportation for all VPAPs to disclosure and signing events. • Disclosure and signing team to establish a unit to visit VPAP HHs for disclosure and signing (including support for illiterate VPAPs in signing of agreements (i.e. translation and finger printing).
Payment (including consequences of cash compensation)	<ul style="list-style-type: none"> • PAPs with mobility issues (elderly PAP, disabled PAP) who cannot physically travel to the bank. • PAPs HoH who may have to stop working in order to travel to the bank. • PAPs with dependents that they care for and cannot leave them in the house alone so they can go to the bank. • Female PAPs who may encounter challenges in accessing the cash. • Elderly PAPs who may be affected by breakup of families, decisions about the use of cash or emigration of adults. 	<ul style="list-style-type: none"> • Provide transportation for all VPAPs to payment events. • Provide 5 trips to the bank for VPAPs to support access to their compensation and to encourage them to keep their money in the bank. • Consider a mobile bank system with the Bank. • M&E to closely track family status of significantly impacted VPAP HH and to encourage immediate repurchase of land. • Remaining individuals in HH where a HoH / PAP has emigrated are eligible for intensive LR projects. • M&E to reinforce financial literacy training and to discuss use of cash as a livelihood resource.
Relocation	<ul style="list-style-type: none"> • PAPs with mobility issues (elderly PAP, disabled PAP) who may not be able to move their assets to their new location and/or those who encounter difficulty living in traditionally designed houses (people using wheelchairs). • PAPs with dependents that they care for who may not be able to move their assets to their new location. 	<p>Relocation assistance will include:</p> <ul style="list-style-type: none"> • Providing vehicle, driver and facilitation for transportation of assets from primary and secondary structures to new location. • Transportation support for access to primary health care / water during transition period. <p>Secondary structure re-establishment:</p> <ul style="list-style-type: none"> • Provide assistance in re-establishing structures including planning, acquisition (not payment for) and transportation of materials and workforce, supervision <p>Viable relocation:</p> <ul style="list-style-type: none"> • Support VPAPs to identify, purchase and title plots (regardless of whether they chose cash or in-kind compensation) that are close to critical resources and/or support.

Resettlement Process	Target participants	Support Programme / Interventions
		<p>Accessible house design:</p> <ul style="list-style-type: none"> For primary resident VPAPs: Ensure house design accounts for mobility challenges (i.e., wheelchair access).
Cultural Heritage	<ul style="list-style-type: none"> PAPs (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) who are members of a family or clan that need to access or attend the ceremonies or events during relocation of their cultural heritage assets. 	<ul style="list-style-type: none"> Provide transportation for all VPAPs for cultural heritage ceremonies.
Livelihood restoration	<ul style="list-style-type: none"> PAPs with mobility or health issues (elderly PAP, single PAP, disabled PAP) who may not be able to physically access or attend events. HHs with high numbers of dependants (vulnerable, elderly, children) and few 'productive' members who may not be able to commit the time to participate in time-intensive projects. PAPs who may be discriminated against and unable to find new land to use. Female PAPs who may face Gender Based Violence (GBV) due to household stresses of transition or if they are deemed to be breaking family and traditional norms. 	<p>General:</p> <ul style="list-style-type: none"> All VPAP HH are prioritised for selection in livelihood restoration projects based on the HH Livelihood Plan; M&E field officers to closely monitor status of VPAPs during transition period. HH Livelihood Restoration Plan to outline reasonable support needed (transportation, child minding) for VPAP HH to access their chosen projects. Global LR project design to consider needs of VPAP HH when selecting locations and setting schedule for projects; consider evening training. M&E field officers to support HH to participate in external ongoing development sector and government programmes. For example, help elderly people apply for Senior Citizens Grants (SCG) under the Ugandan government's Social Assistance Grants for Empowerment (SAGE) programme. <p>To support vulnerable land users and tenants:</p> <ul style="list-style-type: none"> M&E field officers will actively support significantly impacted vulnerable HH to identify new land to use / accommodation to rent. Transitional support for land users who are unable to find new land to use resulting in a missed crop cycle⁸⁷. <p>To support role of women in livelihood restoration and mitigate risk of increase in GBV:</p>

⁸⁷ The RAP Contractor team will set criteria to ensure that the HH made active documented efforts and that the transitional support is not an incentive to not seek to restore livelihood restoration. For example, the PAP cannot participate in LR projects until they have secured land to use.

Resettlement Process	Target participants	Support Programme / Interventions
		<ul style="list-style-type: none"> • M&E field officers to work with HH to identify roles for all productive household members in agreement with the entire HH and to identify HH at risk of GBV to refer to appropriate channels (such as local NGOs or local authorities). • Detailed project design to consider equitable programming⁸⁸ for men and women to avoid men feeling left out in favour of women. • Avoid projects and language that overtly appear to challenge the gender status quo.

⁸⁸ This does not mean each training has seats for 50% men and 50% women. Rather, if there is a special project / activity that targets women, then there must be an equitable project that targets men.

12.8. Monitoring and Evaluation of Vulnerable Peoples

Vulnerability will be one of the cross-cutting issues for implementation and post implementation phase monitoring. The monitoring plan will ensure that vulnerable categories have been appropriately disaggregated, considered and treated and form part of the monitoring process and ensure that any additional monitoring measures required are put in place. This may mean undertaking individual consultations with these groups to ensure they are receiving the appropriate levels of compensation and support. Independent verification may be required to be put in place.

As with all aspects of the M&E system, care should be taken to keep it as simple as possible. This monitoring is to ensure that requirements are met, and that any shortfalls are identified and addressed. The M&E third party contract, should therefore include provision for necessary interventions, provided that any potential conflict of interest is avoided (whereby the sub-contracted entity might seek to expand its operational role unnecessarily).

Monitoring and evaluation activities will consider the indicators included in Table 12.5 and will scan for emerging vulnerability issues that may be direct or indirect results of project-induced displacement.

The Vulnerable Peoples list will be updated formally on a quarterly basis by the RAP Contractor M&E team with input from both the RAP Contractor SE and LR teams based on their ongoing interaction with PAPs. Any increase or decrease in the number of VPAPs will be noted in progress reports and confirmed with the Buliisa DCDO. Key Performance Indicators (KPIs) will still be tracked as a percentage of identified VPAPs.

Table 12.5: Proposed Monitoring & Evaluation Activities for Vulnerable People

Activity	VP-Specific Support / Intervention	Output Indicators	Outcome Indicators
Disclosures and agreement signing	<ul style="list-style-type: none"> • Transportation to disclosure and signing events. • Home visits for disclosure and agreement signing. 	<ul style="list-style-type: none"> • # of trips arranged for VPAPs to participate in disclosure/ signing activities. • # of home visits made to VPAPs for disclosure/agreement signing. 	<ul style="list-style-type: none"> • VPAPs have copies of their completed and signed compensation agreements that triggers payment of their compensation (either monetary or in-kind).
Compensation Payment	<ul style="list-style-type: none"> • Transportation to payment events • Transportation to the bank for VPAPs to support access to their compensation. • Establishment of mobile bank system. • Various M&E support activities as outlined in Table 12.5. 	<ul style="list-style-type: none"> • # of trips arranged for VPAPs to open accounts in the bank. • # of trips arranged for VPAPs to access compensation money in the bank. • # of home visits made to VPAPs to deliver payments in cash. • # of VPAPs who accessed compensation money through the mobile bank system. • # of VPAPs actively participating in the M&E. 	<ul style="list-style-type: none"> • VPAPs that have been fully compensated. • VPAPs have used their compensation money to repurchase land, save or invest.
Relocation (Housing)	<ul style="list-style-type: none"> • Transportation to move to new location. • Transportation support for access to primary health care / water during transition period. • Assistance in re-establishing structures and transportation support for materials. • Availability/choice of house designs that account for mobility challenges. 	<ul style="list-style-type: none"> • # of trips arranged for VPAPs to move to their new homes. • # of trips arranged for VPAPs to access primary health care / water during transition period. • # of VPAPs who received assistance in re-establishing their structures in their new homes. • # of trips arranged for VPAPs to transport materials to the new location. • # of VPAPs with physical disabilities who receive improved house designs. • # of elderly VPAPs with mobility issues who receive improved house designs. 	<ul style="list-style-type: none"> • VPAPs have successfully relocated and are well-adjusted in their new homes.

Activity	VP-Specific Support / Intervention	Output Indicators	Outcome Indicators
		<ul style="list-style-type: none"> # of VPAPs who receive transportation assistance in relocating to their new home. 	
Relocation (Cultural Assets)	<ul style="list-style-type: none"> Transportation to attend cultural heritage relocation ceremonies. 	<ul style="list-style-type: none"> # VPAPs who were provided transportation to attend CH relocation ceremonies. # of trips arranged for VPAPs to be transported to/from the new GH site. 	<ul style="list-style-type: none"> Cultural assets owned by the VPAPs or their families or clans are successfully moved to the new location of their choice or the resettlement cemetery (for the individual graves)
Livelihood restoration	The indicators for the various livelihood restoration programs will developed upon the approval of the Global Livelihood Restoration (GLR) Plan by GoU and once the individual project designs are finalised.		

13. CULTURAL HERITAGE

13.1. Introduction

As per IFC Performance Standard 8, Cultural Heritage is defined as, “properties and sites of archaeological, historical, cultural, artistic and religious significance as well as intangible forms of culture embodying traditional lifestyles that should be preserved for the current and future generations”.

The purpose of this chapter therefore is to document the potential impacts on cultural heritage as a result of the proposed RAP 5 project and to outline how such impacts are to be mitigated through a Cultural Heritage Management Plan (CHMP) and Chance Finds Procedure (CFP).

13.2. Legal and Policy Considerations

The legal and policy framework that applies to the RAP 5 resettlement planning and implementation process was presented in Chapter 3 above, and therefore, the current Chapter only focuses on the legal and policy framework relevant to cultural heritage.

At the national level, the following are relevant:

- The Ugandan Constitution (1995) as amended addresses the protection, conservation, promotion and management of culture and monuments. More specifically, The Constitution of the Republic of Uganda lays the premise for all the laws that have a bearing on culture by:
 - Obligating the State and citizens to preserve and protect the culture of preservation of public property and Uganda’s heritage (Principle of XXV);
 - Obligating the State to promote and preserve those cultural values and practices which enhance the dignity and well-being of Ugandans (Principle XXIV);
 - Mandating the central Government to manage national monuments, antiquities and archives as parliament shall determine (189(1) schedule 6(10), and;
 - Requiring districts to cooperate to promote cultural and traditional lands (Fifth Schedule article 178).

The Constitution (Amendment) Article 3 of the Constitution (Amendment) (No.2) Act 2005 mandates Regional Assemblies under the Regional tier system of governance to handle cultural matters relating to the traditional or cultural leaders, clan and sub-clan leadership, cultural and traditional practices (cultural funeral rites) and cultural institutions by establishing specialized committees for them.

- The National Environment Act, Cap 153 as repealed and promulgated in 2019 provides for sustainable management of the environment, the continuation of an Authority (*that was established under the National Environment Act, Cap. 153*) as a coordinating, monitoring and supervisory body for this purpose (the National Environment Management Authority). The Act provides provisions relevant to cultural heritage as follows:
 - Conservation of cultural heritage and use of the environment and natural resources of Uganda for the benefit of both present and future generations are one of the principles of environmental management; Sec. 2.
 - NEMA with the assistance of Local Environment Committees, District Environment Committees, and the lead agency must identify those elements, objects and sites in the natural environment which are of cultural importance to the various peoples of Uganda.

- NEMA is required to maintain a register of all elements, objects and sites identified in consultation with the lead agency, issue guidelines and prescribe measures for the management or protection of cultural elements, objects and sites registered (Section 49)
- The Historical Monuments Act (Cap 46) makes provisions for the preservation and protection of historical monuments and objects of archaeological, paleontological, ethnographical and traditional interest.
- The National Culture Policy (2006) of Uganda currently under review (as of the year 2020) aims to promote aspects of Uganda’s cultural heritage that are cherished by its people. The policy recognizes that Uganda has several cultural sites and monuments. Some of them are man-made while others are natural. These sites, monuments, and antiquities are important for socio-cultural and educational purposes. The natural sites also enhance the protection of the environment. The cultural beliefs, traditions, and values are core to a community’s mechanism for survival. These beliefs and values enhance social cohesion and sustain an acceptable moral fabric.
- The National Oil and Gas Policy (Uganda) (2008) places the responsibility on oil companies to protect the environment in which they work and any areas impacted by their operations.
- The Local Government Act (LGA) (1997) provides for decentralized governance and devolution of central government functions, powers, and services to local governments including cultural affairs.

At the international level, resettlement is guided by conventions and performance standards including but not limited to:

- IFC Performance Standards (IFC PS): Of relevance is PS 8 (2012) which, “*aims to ensure that clients protect cultural heritage in the course of their project activities*”. This is done by guiding companies in protecting cultural heritage from the adverse effects of project activities and supporting its preservation. In the area which is the focus of RAP 5, it is primarily tangible cultural heritage that is the focus of the RAP. There is no proposed use for commercial purpose of any intangible elements of cultural heritage.
- UNESCO Conventions: Uganda is a signatory to a number of UNESCO conventions that appeal to the safeguarding of cultural heritage. Among these is the 1972 UNESCO Convention concerning the preservation and protection of World cultural and natural heritage ratified in 1987, the 2003 UNESCO convention on the Safeguarding of the Intangible cultural heritage ratified in 2009 and the 2005 UNESCO convention on the protection and promotion of the diversity of cultural expressions that was ratified in 2015.
- World Bank Environmental and Social Policy (2016) 4.11 (Physical Cultural Resources): The Banks’ general policy regarding cultural properties is to assist in their preservation and to seek to avoid their elimination. This normally includes declining to finance projects that will significantly damage non-replicable cultural property and assisting only those projects that are sited or designed so as to prevent such damage. The Bank also assists in the protection and enhancement of cultural properties encountered in Bank-financed projects, rather than leaving that protection to chance. In some cases, the project is relocated in order that sites and structures can be preserved, studied, and restored intact *in situ*. In other cases, structures can be relocated, preserved, studied, and restored on alternate sites. Deviations from this policy may be justified only where expected project benefits are great, and the loss of or damage to cultural property is judged by competent authorities to be unavoidable, minor, or otherwise acceptable.
- International Human Rights Instruments: Uganda is a signatory to the Universal Declaration of Human Rights (UDHR) and therefore has a moral obligation to advance the

Rights spelled therein. Under Article 17 of the UDHR, everyone has the right to own property alone as well as in association with others and no one shall be arbitrarily deprived of his property. This includes cultural property. In addition, Uganda is bound by the International Covenant on Economic, Social and Cultural Rights (ICESCR) which it ratified in 1987. Article 27 of UDHR and Article 15 of ICESCR recognize everyone's right to freely participate in cultural life.

A number of institutions are responsible for safeguarding cultural heritage, at different levels ranging from national to regional and local institutions. Those applicable to the RAP 5 project area include:

- Ministry of Gender, Labour & Social Development (MGLSD): MGLSD is the leading and coordinating agency for the Social Development Sector. In collaboration with other stakeholders, MGLSD is responsible for enforcing the National Culture policy and coordinating the Cultural Institutions in Uganda. The Department of Family and Culture is mandated to ensure the protection of the Uganda's cultural resources.
- Ministry of Tourism, Wildlife, and Antiquities: This is the Ministry with the responsibility to sustain tourism, Wildlife and Cultural heritage in Uganda. It also formulates and implements policies for the Tourism, Wildlife and Cultural heritage. Through the Department of Museums and Monuments, the ministry undertakes the following key functions:
 - Conservation and maintenance of important physical cultural resources;
 - Provision of professional knowledge and information regarding the archaeology and palaeontology of Uganda;
 - Monitoring the implementation of policies and strategies of historical and cultural heritage conservation and development;
 - Promote public awareness about cultural and natural heritage through formal and informal education;
 - The department will review the CHMP and undertake salvage excavations in the project area.
- Buliisa District Local Government Administration: The Local Governments Act, Cap 243 provides for decentralized governance and devolution of central government functions, powers, and services to local governments that have their own political and administrative structures. Districts have powers to oversee implementation of development activities under the supervision of their relevant departments such as environment, lands and water resources. District and Local Council administrations are stakeholders in the Project and will have a role in reviewing the CHMP and subsequent monitoring.
- The Uganda National Museum: The management of heritage resources in Uganda is under the Department of Museums and Monuments of the Ministry of Tourism, Wildlife, and Antiquities. It operates through the Historical Monuments Act of 1967 and Amendment Decree of 1977.
- Bunyoro-Kitara Kingdom (BKK) is a traditional institution recognized by the 2011 Institution of Traditional Leaders Act to operationalize Article 246 of the Ugandan Constitution which provides for traditional leaders to promote and preserve cultural values, norms, and practices which enhance the dignity and wellbeing of the people where they are recognized as such. In this case, the Bunyoro-Kitara Kingdom is recognized in Buliisa district where the RAP 5 project is to be located and thus, BKK is a key stakeholder in this project.
- Bugungu Heritage and Information center: This is based in Buliisa district and is a member of the Uganda Community Museum Association. The information center is mainly used as

a collection of heritage artefacts found within the district, it is also a source of information about the cultural heritage and sites within the district.

13.3. Methodology

The CH assessment was undertaken by first ascertaining the existing baseline conditions in the RAP 5 project area in regard to cultural heritage. The potential impact of the project on the cultural heritage resources was then determined for each category of cultural resource, and thereafter the plan (CHMP incorporating CFP) was designed to mitigate any potential negative impacts. More specifically, the methods and strategies used for the CH assessment included the following:

a) Literature reviews

This involved the reviewing of relevant documents including but not limited to; previous ESIA studies undertaken in the project area, literature on the history of Bunyoro-Kitara Kingdom, literature on the culture and traditional religion of the Bagungu people, recent local government and other social and demographic reports on the region.

b) Stakeholder consultations

A number of stakeholders were consulted as indicated in Table 13.1. The data collected was analysed using the qualitative method. This provided information on the perception and attitudes of the stakeholders as to the proper procedures in the conduct of the resettlement operations and actions to be taken (e.g. requirements when relocating CH sites) where ever cultural property was encountered.

Table 13.1: Stakeholders Consulted

No	Institution/Individual	Date	Location
1	Hon Ochaya Orach Vincent, Alur Kingdom Prime minister	26/7/2018	Kampala
2	Hajji Bruhan Kyakuhaire, Bunyoro Kingdom Minister of Culture	31/8/2018	Hoima
3	Buliisa District Community Development Officer	8/8/2018	Buliisa
4	Bugungu Cultural Heritage Information Center	14/3/2019	Buliisa
5	Hon. Blasio Mugasa, former Bunyoro Kingdom Deputy Katikiro	8/8/2018	Buliisa
6	Hon. Margret Byarufu, member-Bunyoro kingdom assembly	8/8/2018	Buliisa
7	Mr. Alex Wakitinti, Chairman Cultural leaders (Priests)	31/7/2018	Buliisa
8	Mr. Richard Kajura , Hereditary priest of the Bahukwa clan	8/8/2018	Buliisa Town
9	Mr. Kaliisa Stephen Munange LC I Chairman Ngwedo Sub-County	20/1/2019	Ngwedo Town
10	Mr. Kyomuhendo Richard LC I Chairman Kirama Village	27/7/2018	Kirama village
11	Mr. Tibewa Peter LC IChairman Kizikya Village	11/1/2019	Kizikya village
12	Mr. Mpairwe Phikol LC IChairman Kibambura	2/2/2019	Kibambura Village
13	Mr. Balikwenda Simon LC I Chairman Kijangi	11/1/2019	Kijangi Village
14	Mr. Okello Wilson LC I Chairman Avogera	30/1/2018	Avogera village
15	Mr. Okumu Charles LC I Chairman Kijumbya	14/1/2019	Kijumbya village
16	Mr. Albet Okumu LC I Chairman Uriibo	13/1/2019	Uriibo Village
17	Mr. Adubanga Twaha LC I Chairman Uduk II	20/1/2019	Uduk II village

c) Site visits

The archaeology and cultural heritage specialist team undertook transect walks together with the available cultural elders in the RAP 5 project area. Specifically, elders

were required for the identification of cultural sites and medicinal plants used by the communities. Field verification of reported cultural sites was undertaken to distinguish the clan sites from family shrines and identify the location of reported grave/burial sites in the RAP 5 project area.

The archaeological surveys in particular were unsystematic given the nature of terrain and vegetation. Thus, the CH team examined the impacted areas to check for clear visibility, low or no vegetation, footpaths and erosion gullies among others.

The CH survey employed the use of a Geographical Positioning System (GPS) to geo-reference all areas found with CH materials e.g. archaeological material, graves, shrines etc. Some diagnostic and portable findings were collected, bagged and transported to the laboratory at the Uganda Museum and Kyambogo University history department laboratory for further analysis while the un-diagnostic materials and non-portable samples were examined *in situ*⁸⁹, recorded, photographed and left in the field.

Specific to archaeology, the collected samples were analysed using various attributes based on the material types. For pottery, analysis was centred on the decorative elements, temper, colour, surface finishing and pottery tradition. While in the case of lithics (stone) artefacts, morphological attributes were analysed and these included raw material type, lithic artefact type, lithic technology, and modifications. In the case of two (02) metallurgical objects, metal type and magnetism were the key attributes analysed. Faunal remains' attributes included animal type and skeletal part in order to identify the animal species. For the analysis of medicinal plants emphasis was placed on the name of the plant and its use or, how it is utilized by the communities.

In term of limitations during the field surveys, the archaeology survey was restricted to the ground surface and in some areas, thick vegetation hampered the visibility of archaeological materials.

d) PAH socio-economic census survey

The socio-economic team conducted a household survey (see Chapter 4 above) in which a survey questionnaire was administered to RAP 5 project affected households. The questionnaire was also designed to capture CH data on aspects such as, details on CH sites (including graves), religious affiliation, language and ethnic groups of the surveyed population.

13.4. Cultural Heritage directly affected by land access, acquisition and resettlement

There are a number of cultural heritage sites within the proposed RAP 5 project area that will potentially be impacted by implementation of the project. These include; graves, shrines (both clan and family owned) as well as archaeological items as presented in Table 13.2. Please note that the CH presented in Table 13.2 is that which will be directly impacted for example as a result of land clearing, as this CH is located within the actual footprint of the RAP 5 project area. Indirect impacts may however result from noise and a range of activities within the RAP 5 project area that will disturb the use of these CH sites (particularly the shrines) some of which were likely chosen for, and have, quiet and seclusion qualities. Interviews with the priests of such sites confirmed that they require privacy and to be away from the public gaze while performing rituals. They stated their concern that long-term noise from the works in the proposed RAP 5 project area would disturb them. It should however be noted that, the proposed RAP 5 project area already includes

⁸⁹ *In situ* refers to an artefact that has not been moved from its original place of deposition.

a buffer area to mitigate such impacts. Therefore, the nature of the residual impacts on sites outside of the RAP 5 project footprint should be confirmed on a case-by-case basis.

Table 13.2: Cultural Heritage Items in the RAP 5 Project area

	Item	Number
1	Graves	65
2	Community shrines	19
3	Family Shrines	23
4	Churches	4
5	Pottery	936
6	Lithics	151
7	Faunal remains	113
8	Daub	4
9	Charcoal mounds	20
10	Metal Objects	22
11	Medicinal Plants	776
12	Structures	5

13.4.1. Graves

In simple terms, a grave is a location where dead people are buried. During the RAP 5 survey exercise, a total number of 65 graves were identified in the RAP 5 project area (see Annexure 6 and Figure 13.1). The locations of the grave were marked and the names of the dead recorded where possible (Annexure 1). The graves identified could be categorized into two categories: cemented graves (Figure 13.2) and un-cemented ordinary graves, the latter (made of mud) were mostly unobtrusive since the soil used to cover them easily falls off after the burial (Figure 13.3). Such graves usually have mounds to show their existence while others do not have any features to distinguish them.

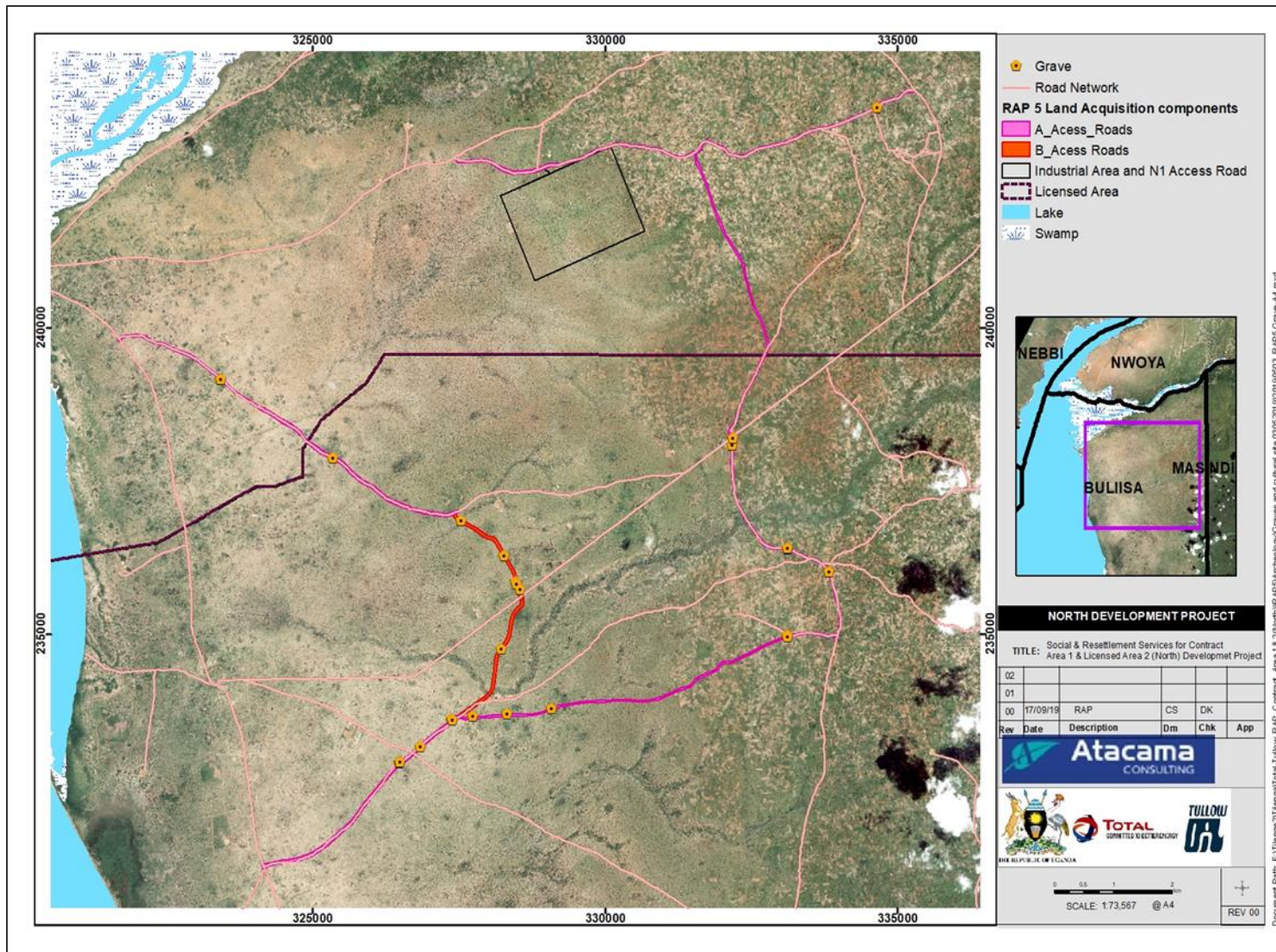


Figure 13.1: Location of Graves in the RAP 5 Project Area



Figure 13.2: A cement grave in the RAP 5 project area



Figure 13.3: Ordinary mud graves in the RAP 5 project area

13.4.2. Sacred Sites

13.4.2.1. Clan Sites

The CH field surveys and associated consultations with stakeholders ascertained that the proposed RAP 5 project area houses nineteen (19) sacred clan sites see Annexure 6 and twenty-three (23) family shrines see Annexure 6 and within its boundaries (Figure 13.4).

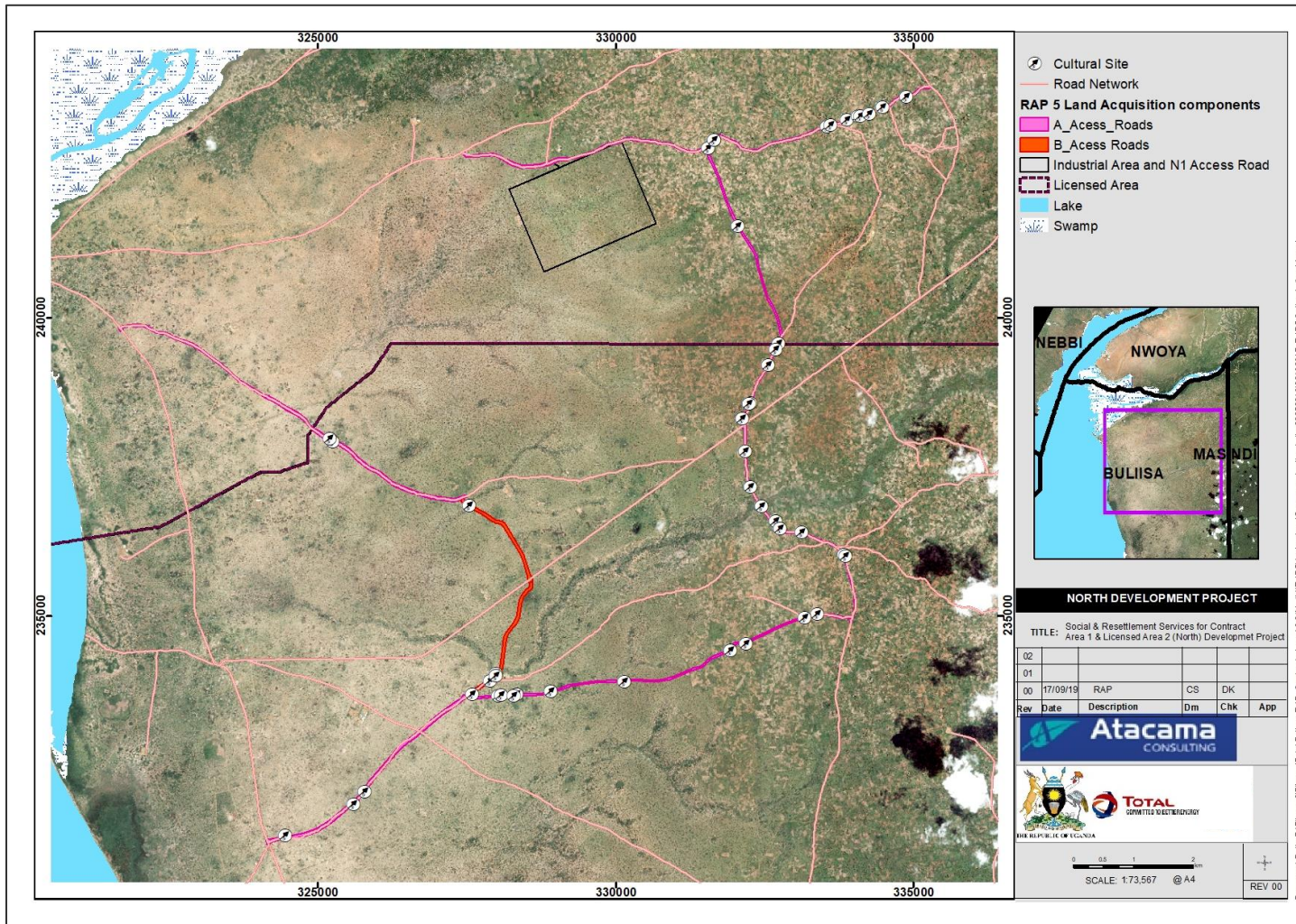


Figure 13.4: Location of Sacred sites in the RAP 5 Project Area

3.4.2.1.1. Clan cultural site (Tamarind tree)

Clans have Shrines / cultural sites called “Empoluma”. Prayers are conducted at clan shrines by the clan priests called “Baramansi” for the clan members. Clan elders established cultural sites within the RAP 5 project area (Table 13.3). A total of 19 cultural sites were observed within the RAP 5 project area (see Annexure 6 and Figure 13.5).

Table 13.3: Clan Cultural Sites within the RAP 5 Project Area

	Caretaker	Category	Description
1	Munejo David Kakonda	Cultural Site	Cultural site Empoluma of Bakung'i Batema Called Tityekaaalu
2	Nyange family	Cultural Site	Cultural site branch of Tityekaaalu
3	Zablioni Nyamazawe	Cultural Site	Clan site Empoluma Tundulu of the Bagana clan
4	Byakagaba Rogers	Cultural Site	Clan site of Empoluma of the Bakolwe clan
5	Gasalilwe Robert	Cultural Site	Cultural site Kihongo of Bahukwa clan
6	Bakwehundya family	Cultural Site	Cultural site Kihongo of Bahukwa clan
7	Alex Wakitinti	Cultural Site	Clan site of kihongo of Batemera clan
8	Alex Wakitinti	Cultural Site	Cultural site Kihongo called Kyawire
9	Unda Joseph	Cultural Site	Cultural site of Alur tribe called Nyakuta Nyato Priest Name Nyarumbe Leticia
10	Babyenda William	Cultural Site	Cultural site of the Bajangi clan called kirundu
11	Babyenda William	Cultural Site	Cultural site of Bajangi clan called Kaliisa kanyate
12	Kasisaki Andereya 0771984304	Cultural Site	Cultural site of Bagana clan called Sisa wa Bigambe
13	Kaheru Eliphazi 0783482493	Cultural Site	Cultural site called Kizwera of Baliisa/Basiabi clan
14	Kaheru Eliphazi	Cultural Site	Cultural site called Katabantu of the Badogimo clan
15	Mungu Alfred	Cultural Site	Cultural site of Alur tribe
16	Ogyerchan Robert 0750347285	Cultural Site	Cultural site of Alur tribe
17	Mulinzi Robert 0783102231	Cultural Site	Cultural site of Bakibiro Clan
18	Joseph Chan 0779845441	Cultural Site	Cultural site called Nyagisi
19	Cwinyai Jimmy	Cultural Site	Cultural site of Alur tribe



Figure 13.5: Cultural site of Bahukwa clan in Kijangi village

13.4.2.2. Family Shrines

Family or household shrines called Kibira (Figure 13.6) were found in the compounds of some of the households in the RAP 5 project area. A total of twenty three (23) family shrines were observed during the surveys and their locations logged (see Annexure 6 and Figure 13.7). These family shrines serve purposes of averting evil, asking for blessings, safe delivery, safe and productive hunting and fishing expeditions, productivity among family members among others.



Figure 13.7: A Kibira (family shrines) in the RAP 5 project area, Avogera village.

13.4.3. Archaeology

Archaeological evidence identified during RAP 5 fieldwork depicts a chronological sequence from the Middle Stone Age to the Later Stone Age, Iron Age and Neolithic period. This indicates that the area has been inhabited since the Middle Stone Age period as identified from the *levallois* lithic technology from some of the sites. This shows that the area could be dated roughly about 40,000 years ago. This was followed by the Later Stone Age and the Iron Age technologies mainly depicted from the metal objects and pottery.

13.4.3.1. Archaeological items

A number of archaeological items in the following categories, and which are described further in the sections that follow were identified during the RAP 5 archaeological surveys. These were:

- Ceramics and pottery,
- Lithics,
- Faunal objects,
- Daub,
- Metal objects, and
- Medicinal plants

13.4.3.1.1 Ceramics (pottery)

Ceramics are any material made out of clay and fired. While all pottery is ceramic not all ceramic is pottery. Pottery identified was mainly in the form of potsherds as no entire pot was identified in the various sites indicated in the map in Figure 13.8. A total of 936 sites were marked with a handheld GPS that had pottery, see Table A-1 of Annexure 6.

Pottery analysis

Pottery was analysed based on the following attributes; surface finishing, temper⁹⁰ or inclusions to establish the nature of the fabric, colour⁹¹, ceramic forming methods⁹², decoration to determine the motif and tradition and then the shape of the vessel.

a) Surface Finishing

Analysis of surface finishing indicated that, the potters in the RAP 5 project area used slip, burnishing and glazing as the major surface finishing techniques. In terms of temper, the main inclusions in the clay were; sand, grog (broken pieces of crushed pottery) and mica.

b) Colour

The colour from the RAP 5 pottery was black, brown, brick red, dark brown, dark grey, grey, greyish brown, light grey and reddish brown. Colour is paramount in suggesting the nature of clay used and firing conditions. Thus, the bright colours would suggest better firing conditions

⁹⁰ Temper refers to the inclusions added to clay to improve its plasticity. Plasticity like porosity was a key aspect that ceramologists in the past took into consideration while making pottery.

⁹¹ Colour was analysed in order to establish the level of firing conditions the ceramics were subjected to.

⁹² Pottery forming methods are important in understanding prehistoric technology.

of good types of clay or even use of advanced firing techniques. Reduced firing suggests use of open firing which is one of the traditional firing methods.

c) Pottery forming methods

In the RAP 5 project area, the ceramologists formed pottery using the coiling method, one of the traditional pottery forming methods in Africa and Uganda in particular.

d) Pottery decoration

Of special interest was the decoration on the pottery. Pottery decoration is crucial as it is used in archaeology as a relative dating technique. Thus in terms of decoration the analysed pottery belonged to roulette decoration which is a characteristic of the Early Iron Age (EIA), and Late Iron Age (LIA)⁹³.

(i) Early Iron Age (EIA) pottery

The Early Iron Age also termed as Urewe pottery is mainly characterised with cross hatching, incisions and grooves. This is also referred to as dimple based or Urewe ware/ Early Iron Age (EIA) pottery. Posnansky et al (2005) dated Urewe in the Great Lakes region to have span from 500BC to AD 800. This is the oldest type of Iron Age pottery.

(ii) The Middle Iron Age (MIA) pottery

The MIA is also termed as bourdine or Chobe ware. Bourdine was a name given by Hiernaux following his findings in Rwanda/Burundi, which is the same as Soper's (1971) Chobe ware⁹⁴. Bourdine refers to the finger marked ware distinguished by one or more irregular horizontal ridges or finger pinching or channeling with no other decoration apart from occasional rows of finger- nail impressions (Soper, 1971: 56) and exposed coils on the vessel body that were not smoothed properly. This could be close to what Ashley (2010) regards as, contact Urewe, which is an emulation of typical Urewe but lacking its details. No emphasis was placed on quality and surface finishing for this pottery tradition. Bourdine pottery is heavily tempered with irregular inclusions implying that they were used between agriculturalists and hunter-gatherers (Ashley, 2010)⁹⁵.

(iii) Late Iron Age pottery

The Late Iron Age pottery is also referred to as roulette. This entails using a decorating tool that is either rolled or impressed onto a wet surface of a clay vessel (Haour et al, 2010: 193)⁹⁶. Roulette or Late Iron Age (LIA) pottery tradition is dated about A.D 800-1100 identified from the 11th century. Roulette has forms of decoration such as, twisted

⁹³Kyazike (2016), Archaeological examination of cultural interactions in the Upper Nile Catchment areas; 6000-1500BP

⁹⁴ Soper R. C. (1971b), "Iron Age Archaeological sites in the Chobe sector of Murchison Falls National Park, Uganda", *Azania* VI (1): 53-87.

⁹⁵ Ashley, C. Z. (2010), "Towards a socialised archaeology of ceramics in the Great Lakes Africa". *African Archaeological Review* 27: 135-163

⁹⁶ Haour, A. et al, (2010), *African pottery roulettes, past and present; techniques, identification and distribution*, Oxford: Oxbow books, glossary.

string roulette, knotted grass roulette, curved wooden roulette and mamillated roulette. This was the most dominant pottery tradition in the RAP 5 project area.

13.4.3.1.2 Lithics

Lithics refer to any archaeological material that was made out of stone. A total of One hundred fifty-one (151) sites with lithic artefacts were identified in the RAP 5 project area (see Table A-2 of Annexure 6 and Figure 13.8). Analysis of the lithics emphasised the following attributes; lithic raw material, lithic type, and lithic tradition.

(a) Lithic raw materials

Lithic raw materials refer to the type of stone from which the lithic artefact was made. Raw material is vital because raw material sourcing provides clues on mobility systems, settlement patterns and, social interactions. These imply the human ranging patterns and social exchange systems. Based on the analysis of lithics as presented in Annexure 6, it is clear that the dominant lithic raw materials were quartz. This indicates that the prehistoric humans utilised the locally available raw materials.

(b) Lithic artefact Type

Eight types of lithic were identified and these were retouched tools, backed pieces, whole flakes, flake fragments, *debitage*, non-flaked stones and cores (Annexure 6). Cores are artefacts shaped by continuous reduction (removal of *debitage*), with only dorsal (negative or concave) faces (flake scars).

The core types belonged to multiplatform, single platform, amorphous and levallois core categories. An analysis of the state of abandonment showed that many were exhausted which implies scarcity of raw material. Another dominant lithic finding was whole flake which was identified in 65 sites. Whole flake is the initial material retouched to produce a tool.

(c) Lithic Artefact tradition

The lithic artefact tradition is crucial in dating the site. Lithic analysis aimed at examining the lithic typology and technology and this involved examination of typological variability and technological aspects that would trace human behaviour and organization. The Lithic industry within the RAP 5 project area can be dated as spanning from the Middle Stone Age due to the presence of levallois technology and tools like core axes to the Later Stone Age as seen from the presence of backed pieces. The Late Stone Age occurred in Eastern Africa between 50,000-39,000 years ago.

13.4.3.1.3 Faunal remains

Faunal remains in the RAP 5 project area were in two categories of bones and shells, although the dominant finds were bones. A total of 113 sites with faunal remains were identified in the RAP 5 project area (Figure 13.8). Bones were dominant accounting for 74.3% of the faunal assemblage while shells accounted for 25.7% (see Tables A-3 and 4.4 of Annexure 6 and Figure 13.9). Identified were bone fragments belonging to animal species such as bovids (cattle, goats) and birds. Parts of bones identified were related to; humerus bones, jaws, ribs, femurs, foot bones, horns, skull fragments, ear bone and ribs of a cow. This is not unique since Buliisa is predominantly an animal grazing land.

The dominance of bones is not surprising given the fact that Buliisa is an animal grazing area where it is common to find an entire cow's bones.

13.4.3.1.4 Daub

Daub is an indicator of prehistoric construction for houses. The existence of daub among the archaeological findings suggests settlement in houses made of daub and wattle in the area.

Daub was identified at four (04) sites (see Table 4.6 of Annexure 6 and Figure 13.8) indicating that the RAP 5 project area was not very much inhabited by humans in the past.

13.4.3.1.5 Metal Objects

Two metal objects were identified at twenty-two (22) sites (see Table 4.4 of Annexure 6 and Figure 13.8). Detailed analysis revealed that there were two types of metallurgical objects that were metal objects. The metal objects were all iron in nature as detected from their magnetism some of which were in fragments. The metal object types identified included a bangle, a coin of 100 shillings, bicycle part, nail part, padlock and a ten cents Ugandan coin dated 1968.

13.4.3.1.6 Charcoal mounds

A total of twenty-four (24) sites were recorded with charcoal mounds (see Table 4.7 of Annexure 6 and Figure 13.8). The existence of the charcoal mounds was of archaeological interest because in most cases, they were associated with pottery and charcoal mounds are an indicator of human activities in the area.

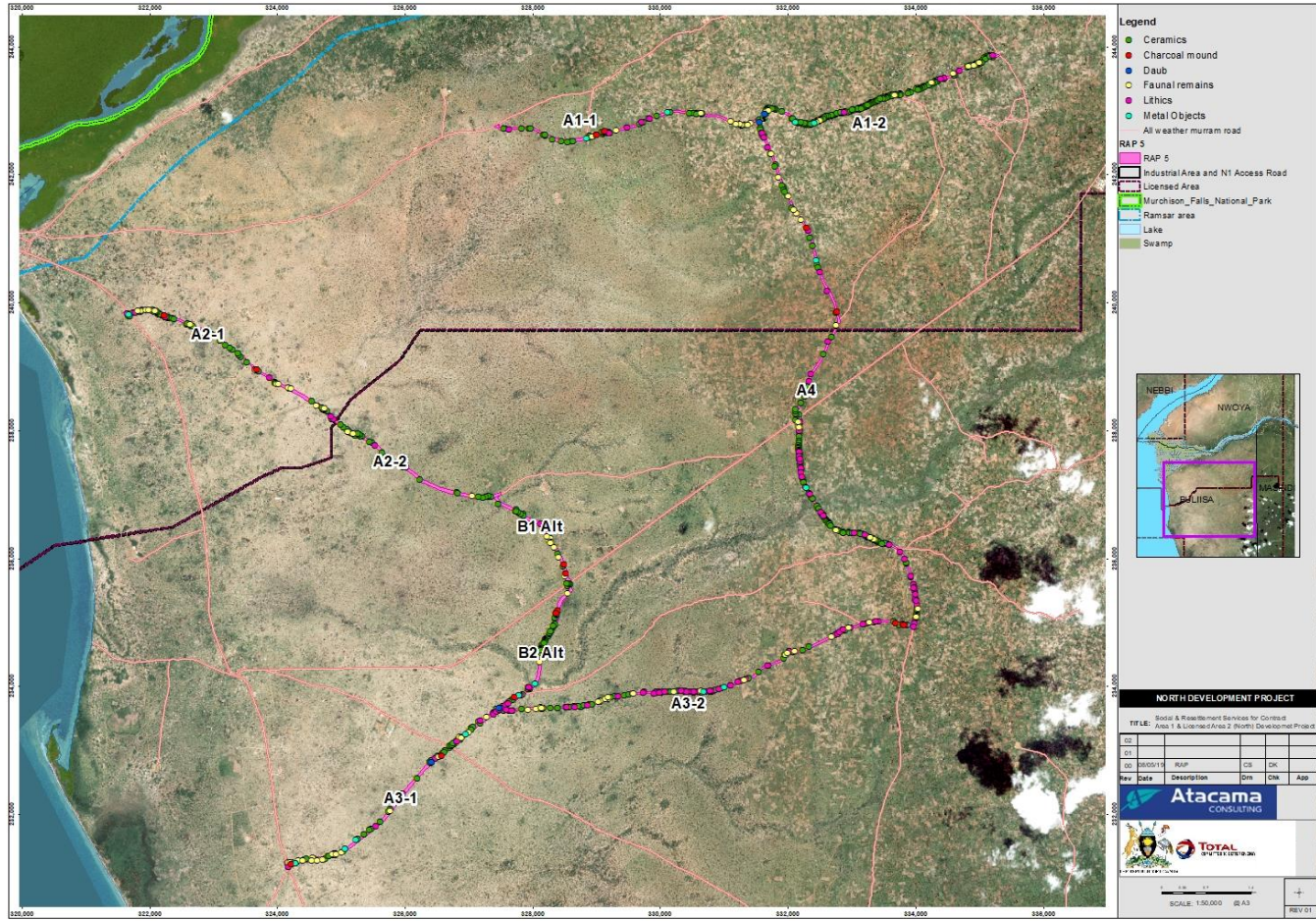


Figure 13.8: Map showing location of archaeological remains (Ceramics and pottery, lithics, faunal objects, daub, and metal objects) in the RAP 5 project area

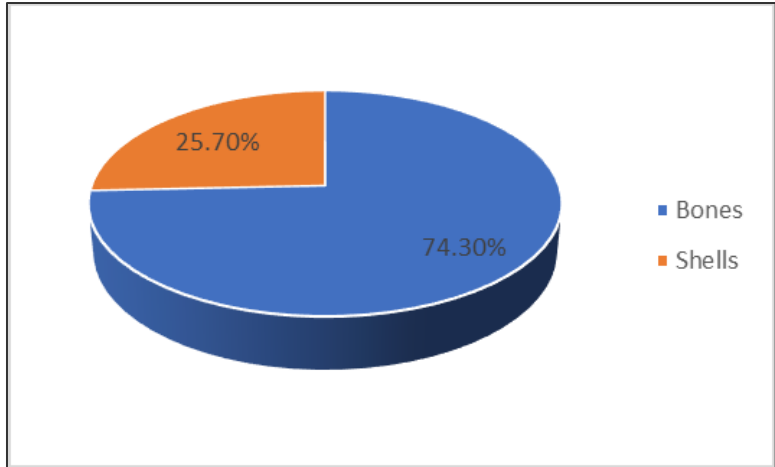


Figure 13.9: Faunal Remains in the RAP 5 project area

13.4.4. Medicinal Plants

There were 33 medicinal plant species identified at 776 sites within the RAP 5 project area (see Table A-4 of Annexure 6 and Figure 13.10). The identified medicinal plants include but are not limited to: *Aloe vera*, *Cactus*, *Mukwakwa*, *Mukolyo*, *Musisiye*, *Musonge*, *Meteete*, *Alongo*, *Mbumbuura*, *Mukolyo*, *Musinga Bakazi*, *Bikoni*, *Bongo*, *Mbembera*, *Goroturu*, *Lenga*, *Lira*, *Mabaale*, *Mangoes*, *Lanya*, *Moringo*, *Mukodoyi*, *Mukaku*, *Muguzandwa*, *Mukonkolo*, *Mulaleki*, *Muloko*, *Musumo*, *Mutungutungu*, *Mutuba*, *Muzoroyi*, *Neem Tree*, *Ntobotobo*, *Otiyepo* and *Uduk*. Some medicinal plants are trees that serve other purposes such as construction, community shades, cultural sites etc.

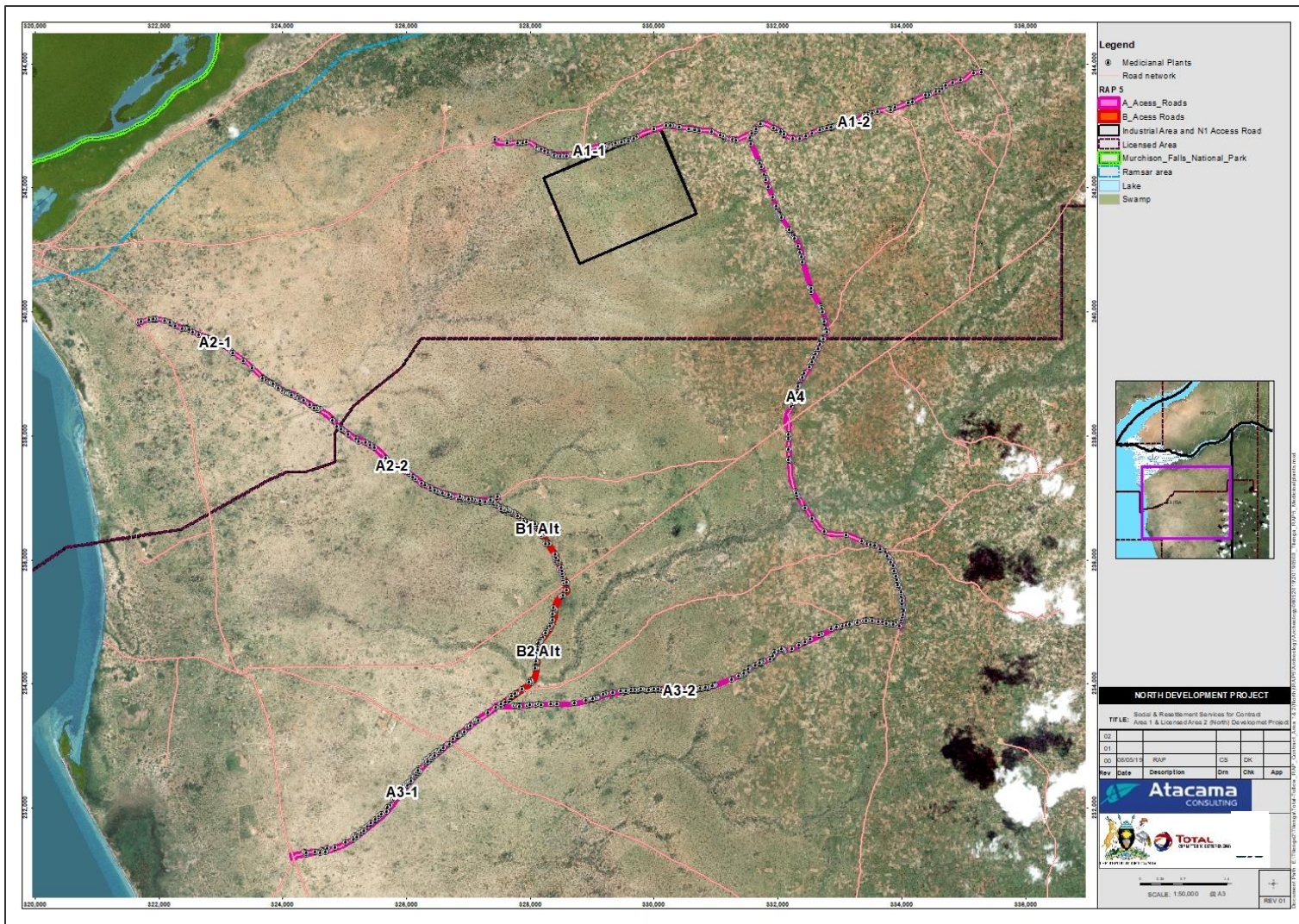


Figure 13.10: Map showing the location of medicinal plants within the RAP 5 project area

13.5. Impacts & Mitigation

Table 13.4 presents the impact assessment of RAP 5 project area Cultural Heritage Resources.

Table 13.4: Impact on RAP 5 project area Cultural Heritage Resources

	Item	Number	Impact Assessment
1	Graves	65	High <i>Graves cannot remain in area once infrastructure development commences.</i>
2	Cultural Sites	19	High <i>Cultural sites cannot remain in area once infrastructure development commences.</i>
3	Family Shrines	23	High <i>Family shrines cannot remain in the project area when households are relocated</i>
4	Churches	4	High <i>Churches cannot remain in the constructed roads</i>
5	Medicinal Plants	776 (33)	High; <i>These are of high value to the community and although some medicinal plants can be propagated, or found in other locations within the project area, there are medicinal plants which cannot be propagated and which will need to be cleared during infrastructure development</i>
6	Pottery	936	Medium <i>Pottery can co-exist with infrastructure development.</i>
7	Lithics	151	Medium <i>Lithics can co-exist with infrastructure development.</i>
8	Faunal remains	113	Low <i>These are of negligible value to the community and project.</i>
9	Daub	4	Low <i>These are of negligible value to the community and project.</i>
10	Charcoal mounds	24	Low <i>These are of negligible value to the community and project.</i>
11	Metal Objects	22	Low <i>These are of negligible value to the community and project.</i>
12	Structures	5	Low <i>These are of negligible value to the community and project</i>

Archaeological materials

The archaeological materials observed in the RAP 5 project area were surface scatters since no subsurface survey was undertaken to identify materials within the stratigraphic context, and they were not in any site of significance. However, analysis of these items and the fact that they did not occur in a stratigraphic context of archaeological significance, does not rule out the existence of significant materials in the subsurface or indications of the need for any rescue archaeology investigations or excavations in the future at the time of operations as detailed in the CHMP and CFP (Annexure 6). This does not mean however, that no such sites may be revealed during RAP 5 construction activities. In any such instance, the CFP of the CHMP must be activated.

It is recommended that test pits be established to check any stratigraphic occurrence and actual absolute dating of the materials. In addition, the ceramic and lithic items should be collected under

the supervision of a qualified archaeologist in the presence of an official from the Uganda National Museum prior to the commencement of development works in the RAP 5 project area as part of the implementation of the CHMP. Any collected ceramic and lithic items should be collected and handed over to the relevant entity as guided by the department of museum and monuments.

Sacred sites

Specific to sacred sites, the intrinsic qualities of these sites are often the quiet and peaceful nature of the context in which they are located. These may be impacted in that, these sites may lose their sacred status of seclusion due to the potential noise from traffic on the nearby access roads to and from and, operations within the RAP 5 project area.

Clan sites

To address the potential impacts on the sacred clan sites, a case-by-case analysis will have to be performed to identify if such residual impacts would trigger the relocation of the sites or not. This relocation will not be physical but spiritual and undertaken using a traditional ceremony. Continued access to the sacred sites is important to the community. If the sites are to be relocated, the selection of replacement sites should take into consideration linkages with the affected and relocated households.

The responsibility for selecting the relocation site is that of the priest, in terms of clan sites. Depending on the outcomes of the case-by-case analysis, consultations with these PAPs as well as with the priests for the selection of the new sacred sites will need to be held so as to establish the timing of the relocation as well as to confirm and detail the requirements for the relocation ceremonies so as to ensure continued accessibility to these sites by the clan and members. The recommended mitigation measure is to relocate (see details of relocation in the CHMP – Annexure 6) the sacred sites to a new site to be chosen in close consultation with the site's custodian.

Family shrines

These are the personal property of the households, and therefore they will need to be relocated, together with the other assets of the households, during resettlement implementation. The relocation of these family shrines follows the procedures outlined for this specific CH resource in the CHMP (Annexure 6).

Graves

In the case of modern graves made of cement, these usually contain coffins. In this case the coffins are exhumed and transferred to the new locations after the rituals and prayers by the priests. This is in contrast to the ordinary mud graves where the corpses are left in situ and a symbolic transfer of the bodies is undertaken. If the mud grave sites are going to be disturbed by land clearing and site levelling works, the PAPs advised in consultations that the ancestors would have to be relocated using traditional means. The customs that will need to be performed during the traditional relocation of family graves and in case of a single grave, are detailed in the CHMP (Annexure 6 and have therefore not been repeated here.

In the event that human remains are discovered in the course of development works and subsequent maintenance & operations works, then the Chance Finds Procedure will be applied to handle these remains.

Medicinal Plants

The Tilenga project will provide in-kind compensation for medicinal plants since medicinal trees are largely communally freely accessed by the community despite their being located on individually owned land, and therefore, can be considered communal assets and not household assets. Additionally, International standards give preference to in-kind compensation over cash compensation. International standards also state that, when the standards and national laws are

different, then the ‘more stringent’ (read: beneficial to PAPs long-term sustainability) should be used.

The medicinal trees have two forms of value: as lumber OR as a source of medicinal leaves⁹⁷.

- Where trees are considered lumber, then PAPs will be allowed to harvest their trees for wood or be compensated for the value of the lumber.
- Where the trees are considered as a source of medicinal herbs, then the source of herbs will be immediately replaced, or an interim measure put in place to provide herbs while new trees are grown. The current Tilenga project’s plan provides a mechanism to provide replacement trees, as well as measures to provide access to medicinal herbs during the period before the new trees can be harvested (approximately 3-5 years⁹⁸).

Therefore, the Tilenga project will:-

- Allow harvesting of trees within a set deadline. A facility to support cutting of trees, pruning and transport to a salvage area can be considered if households are able to reliably identify and later collect their property.
- Ensure people's need for medicinal herbs is not interrupted. This means that in the period between the harvesting of the trees in the RAP 5 project area and the tree nursery that is proposed for establishment under RAP 1 Implementation being able to provide adequate supplies, other sources must be found and made available. Options for how this can be accomplished (identifying and confirming access to alternative sources of medicinal herbs⁹⁹, supporting the harvesting, drying, and storage of medicinal herbs from trees before they are cut, etc.) will be developed. TEP Uganda is committed to ensuring communities have access to medicinal herbs until the new trees are mature.

The Tilenga project will also issue out, to all PAPs, a key messages document responding to, but not limited to the following:-

- *How will the Tilenga project compensate medicinal trees?*
- *Why in kind compensation and not cash like other projects in Uganda?*
- *TEP Uganda consultation with the PAPs on their opinion regarding cash or in-kind compensation for medicinal trees?*
- *Can the plants be sourced locally?*
- *Can PAPs harvest their trees?*
- *Is it possible to actually plant nurseries with plants and seeds in the RAP 5 project area before site clearance occurs?*

How will PAPs get medicinal herbs after their trees are harvested?

⁹⁷ Some medicinal leaves can be dried and used but others are used fresh according to traditional medicine.

⁹⁸ Time period will vary depending on the species of tree.

⁹⁹ This would entail establishing, by the process of mapping out, whether similar trees are available in the area around the RAP 5 project and whether the PAPs can access these trees. Furthermore, it would need to be assessed whether this might work without triggering speculation. In addition, it needs to be established whether there is a market for harvested / dried herbs, as well as whether the PAPs consider these dried herbs effective. If yes, the RAP team would then need to devise ways for PAPs to harvest and dry their herbs for future use during the time gap (of when the new trees can be harvested) or create a small project to provide herbs during the time gap similar to the RAP 1 Implementation dry rations project.

14. INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION

This Chapter of the RAP outlines the organisational framework for implementing resettlement, including identification of the agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer and hand-over to local authorities or resettlers themselves, the responsibility for managing facilities and services provided under the project and, for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

14.1. Organisational Framework for Implementing the Resettlement Action Plan

The IFC PS5 acknowledges the fact that, resettlement requires a team of skilled and experienced individuals to provide direction during the planning stages of the Project, and to manage and support the implementation of the negotiated resettlement plans. More specifically, the IFC Hand book for preparing a Resettlement Action Plan (2012) requires that, a RAP must identify and provide details on the roles and responsibilities of all organisations - public or private, governmental or nongovernmental - that will be responsible for resettlement activities.

Therefore, in line with the above, and in reference to IFC PS5, the Government plays a central role in the land acquisition and resettlement process, including the determination of compensation, and is therefore an important third party. Described in the sections that follow are, the roles and responsibilities of the GoU as per the specific mandates allocated to various GoU agencies (Table 14.1), including under specific Ugandan Legislation (Table 14.2). In addition to the above, Table 14.3 summarizes the chronological steps that will be involved in the implementation of the RAP 5, including the agencies responsible for each activity, as guided by Table 14.1 and Table 14.2.

It is important to note however that, GoU involvement in RAP implementation will be fostered through the RAC at the national level as elaborated below and through the institutional roles and responsibilities described in Table 14.1 to Table 14.3.

Moreover, local government will also be directly involved through the District Resettlement Coordination Committee, and through the institutional roles and responsibilities described in Table 14.1.

14.2. Resettlement Committees and Forums

Activities associated with the RAP require regular engagement with key stakeholders where advice and support will be sought. Three (3) Resettlement Committees have been established for the RAP 5 at various levels of Government including Central and Local Governments, and some non-government participants namely:

1. The RAC at the national level.
2. The DIRCO at the district level, and;
3. The RPC at the community level.

14.3. The Inter-Ministerial Resettlement Advisory Committee (RAC)

The Inter-Ministerial RAC was established in 2015 by MEMD and the Joint Venture (JV) Partners comprising of TEP Uganda and CUL.

The RAC is chaired by MEMD, and is composed of MLHUD, ULC; Ministry of Local Government (MLG); NEMA; Ministry of Gender, Labour & Social Development (MGLSD); Ministry of Agriculture, Animal Industry and Fisheries (MAAIF); the Chairperson of the Buliisa DIRCO; Uganda National Oil Company (UNOC); and, the JV Partners' Land Acquisition and Resettlement Steering Committee (LARSC). Expert third parties are also invited to the RAC as and when required.

14.3.1. Key Objectives of the RAC

- Responsible for the coordination of all upstream project LAR activities with an advisory role;
- Platform for dialogue among key GoU stakeholders to ensure alignment on the LARF (2016);
- Guidance and advice in respect of GoU requirements and International Standards; and
- Reference group in LAR at project level through regular briefings and to monitor resettlement progress with affected communities.

14.3.2. Roles and responsibilities of the RAC

Key specific responsibilities of the RAC in RAP implementation (also refer to the specific roles and responsibilities of the GoU institutions that sit on the RAC as outlined in Table 14.1 and Table 14.2) include:

- Coordinate efforts and provide technical support and recommendations on how GoU agencies can support the land access and acquisition process for the project;
- Ensure alignment in respect of the LARF (2016);
- Providing advice and guidance on GoU requirements for Land Acquisition and Resettlement (LAR), resettlement packages, resettlement housing and communication strategy (at national and local level), and provide technical support/guidance to the DIRCO and Local RPCs;
- Ensure the development of a holistic approach to resettlement aiming at the restoration and improvement of community wellbeing and livelihoods;
- Support LAR implementation including but not limited to:
 - Review the JV Partners' proposed footprint of petroleum production surface facilities and advise on their integration in physical planning documents;
 - Consultation on the status of LAR activities linked to the JV Partners' project operations including adherence to LARF principles;
 - Advice in respect of the eligibility criteria, resettlement site preference and livelihood restoration and alternative livelihood options; and
 - Provide guidance on the consultation / negotiation process with affected and host communities.
- Identify key risks and facilitate the approval of LAR process and documents in a timely manner; and

- Provide direction to the DIRCO and RPCs on LAR issues such as but not limited to; consultation/grievances with affected and host communities, implementation of livelihood strategies etc.

14.4. The District Resettlement Coordination Committee (DIRCO)

The Buliisa DIRCO was established during RAP 1 planning on 11th April 2017 in Buliisa district as the primary district interface between Tilenga project team, PAPs, and the RAC. The DIRCO is governed by the Chairperson, Vice-Chairperson and Secretary and meets quarterly (or more frequently when required) since its establishment during the planning phase of RAP 1: Industrial Area and N1 Access Road.

The DIRCO is composed of Buliisa district technical and political authorities, a civil society representative and other stakeholders in Buliisa district to support and provide advice on resettlement implementation activities at district level.

The permanent members of the DIRCO are:

- Chief Administrative Officer (CAO) of Buliisa district;
- Resident District Commissioner (RDC) of Buliisa district;
- District Council Chairperson of Buliisa district;
- District Land Officer (DLO) of Buliisa district;
- Representative of DLB of Buliisa district;
- Representative of the relevant Ministerial Zonal Office (when MZO in Masindi is established to represent the interests of MLHUD on the DIRCO);
- District Valuer of Buliisa district;
- LCIII Chairpersons of Ngwedo, Kigwera, Buliisa sub-counties, and Buliisa town council;
- Cultural representative (representative of Bunyoro-Kitara Kingdom);
- Chairperson of the Resettlement Planning Committee;
- Buliisa District Community Development Officer (CDO);
- Representative from Buliisa District NGO Forum;
- District Secretary (LC V Councillor) for Women (and/or youth and children);
- Petroleum Authority of Uganda (PAU) representative;
- RAP Team representative (CLO on-duty), and;
- Appointed members of the Tilenga project team from TEP Uganda.

The DIRCO reserves the right to formally invite other district authorities and expert third parties to provide technical support at the DIRCO meetings. The parties that may be invited to the DIRCO may include but shall not be limited to, District Engineer, District Production and Marketing Officer, District Natural Resources Officer, District Physical Planner, representative of the survey team from MLHUD attached to the project, District Gender, Youth and Probation Officer, member(s) from the faith based organisations and Community Based Organisations and NGOs.

14.4.1. Key Objectives of the DIRCO

The DIRCO ensures members will advise and support the local project implementation process. Such activities include but are not limited to:

- Participating in the selection, planning and permitting of resettlement sites, housing and infrastructure;
- Providing inputs and support livelihood restoration packages;
- Supporting the mediation of grievances that cannot be resolved at the second level of the Concerns and Grievance Mechanism, and;
- Supporting resettlement implementation.

14.4.2. Roles and responsibilities of the DIRCO

Key responsibilities of the DIRCO in RAP Implementation include:

- Building trust and relationships with PAPs and authorities;
- Acting as the primary district level interface between Tilenga project team, PAPs, and the RAC;
- Building awareness of the resettlement requirements and, fostering greater cooperation; and
- Playing a primary role in dissemination of information to affected communities.

14.5. The RAP 5 Resettlement Planning Committees (RPCs)

The RAP 5 RPCs were elected on from 12th to 13th June 2019 and inaugurated on 19th and 20th June 2019 to act as the primary local interface between Tilenga project team, PAPs, and the DIRCO.

The RPCs are composed primarily of representatives from the PAPs and affected communities (refer to Chapter 6, section 6.6.7 for the specific RAP 5 RPCs composition) and were established once the cadastral and asset valuation survey team had identified and issued a list of registered Project Affected Households (PAHs).

14.5.1. Key Objectives of the RPCs

The objectives of the RPCs are to:

- Represent the interests of PAPs and obtain their input in the discussions on the project and obtain consensus;
- Provide regular feedback to PAPs on the progress of the RAP and RAP consultations, assisted by the Contractor Team CLOs;
- Seek support and approval in decision-making processes during RAP implementation and;
- Assist in mediating and reconciliation of/about grievances that cannot be resolved at the second level of the grievance mechanism.

14.5.2. Roles and responsibilities of the RPCs

Key responsibilities of the RPC in RAP Implementation include:

- Building trust and relationships with PAPs and local authorities, building awareness of the resettlement requirements and, fostering greater cooperation.

- Facilitating the land acquisition and resettlement implementation process, consulting the communities and agreeing on resettlement measures and other entitlements. The RPCs include; representatives from vulnerable social groups such as women, youth, single-headed households, elderly, disabled, etc.

14.6. Tilenga Project Land Acquisition and Resettlement (LAR) Management Team

The Tilenga project LAR management team will, to an extent, be the face of the resettlement process for the affected people and communities and will be primarily responsible for the on-the-ground coordination of the RAP implementation process.

Key responsibilities will include:

- Coordinating and overseeing the resettlement process and all those participating in it;
- Interfacing with the project in relation to engineering options, the timing/phasing of the resettlement process etc.;
- Facilitating all consultation and engagement activities with affected communities;
- Finalising the resettlement packages;
- Budget control and formulating and operating compensation disbursement mechanisms;
- Ensuring conflict resolution, addressing grievances and alerting the DIRCO and RAC to any additional problems;
- Providing particular support and assistance to vulnerable groups;
- Facilitating resettlement assistance provisions and livelihood restoration programmes to ensure that local needs are met; and
- Guiding the resettlement monitoring and evaluation process and reporting to the resettlement committees.

14.7. Private Sector Entities

RAP implementation will entail involvement of private sector consultants for various implementation activities (refer to Table 14.3).

Third party Witness Organisation: In particular, the witness organisation should lead the capacity building processes in the affected community, build trust with the affected communities and play a central role in the implementation of the livelihood restoration and development programmes committed to in the RAP. Therefore, the selection of a witness organisation will have to look into elements such as the following:

- Integrity, fairness, transparency and accountability;
- Code of conduct and avoidance of conflict of interest (members of the witness organisation should not include PAPs or Project staff for example);
- Evidence (or at least an indication) of experience in participating in such an activity before and in reporting;

- Knowledge and understanding of the land acquisition and resettlement process, livelihood restoration processes, national requirements and international standards.
- Assessment of available skills, capacity and resources including recognized experts in the various fields required for this activity; and
- Availability of a national office and preferably a regional office.

Civil Society Organisations and Human Rights Institutions are fundamental in the success of any resettlement process. Ideally, the project should specifically employ such an organisation to contribute to the resettlement process and ensure its effective delivery.

The *Witness Organisation's* roles in RAP implementation include the following:

- Gathering and sharing information (on investment option for the compensation money, savings and credit trainings etc.), which may help to avoid potential problems when implementing the RAP;
- Providing information that may be useful for the RAP monitoring and evaluation process;
- Developing information dissemination materials and promoting effective community participation;
- Strengthening local institutions;
- Delivering services to inaccessible communities and vulnerable groups in a cost-effective manner; and
- Assisting in implementing livelihood restoration and development plans in a sustainable manner.

14.8. Roles and Responsibilities of Government

Roles and responsibilities of government agencies in the implementation of RAP 5 are defined in Table 14.1.

Table 14.1: Roles and responsibilities of GoU in RAP 5 and LRP Implementation¹⁰⁰

GoU Agency	Roles and Responsibilities in RAP Implementation
Petroleum Authority of Uganda (PAU)	<p>PAU is the lead agency, responsible for overseeing and approving all the Tilenga Project activities. PAU has a regulatory role in the oil and gas industry and is, therefore responsible for:</p> <ul style="list-style-type: none"> • Ensuring that the Project is compliant with Uganda legislation in all of their activities, and; • Approving both project technical and financial planning. Since some of the activities carried out by the Tilenga project are cost-recoverable, MEMD approval of planned and executed work is required.
Ministry of Lands, Housing and Urban Development (MLHUD)	<p>This is the responsible government agency, which should collaborate with the Tilenga project in cases where affected persons reject compensation and, as a result, expropriation or other legal procedures are initiated.</p> <p>In addition to the above, the MLHUD is the line ministry for the Office of the Chief Government Valuer (CGV). The office of the CGV in conjunction with the District</p>

¹⁰⁰ All interaction with PAPs, (formal or spontaneous will be reported in a timely manner to all implementation parties.

GoU Agency	Roles and Responsibilities in RAP Implementation
	<p>Land Board (DLB) of Buliisa District provided approved updated compensation rates (FY 2018/2019) used for calculations of compensations.</p> <p>Furthermore, the office of the CGV was responsible for authenticating and approving the final Valuation report, which is to be used as a basis for compensating PAPs during RAP Implementation.</p> <p>The CGV's office is also involved in resolving public complaints and disputes that arise from valuation for land acquisition and compensation payments through timely written responses with official positions.</p> <p>It is further anticipated that, the Land Administration, Land Registration, and the Surveys and Mapping Departments, as well as the Ministry Zonal Offices at regional level (for RAP5 this is the Masindi Zonal Office, which is yet to be established) will be involved in resettlement activities.</p> <p>Additionally, the Department of Lands under the Directorate of Lands, shall liaise with the District Land Board (DLB)¹⁰¹ in the registration and transfer of land.</p>
Ministry of Local Government (MLG)	<p>Ministry of Local Government oversees the decentralisation and devolution of functions, powers and services and ensures good governance and democratic participation in, and control of decision making by the people.</p> <p>The Local Government will primarily review the progress of the land acquisition and resettlement process implementation, and make decisions regarding actions to resolve disputes relating to the amount of compensation to be paid for land acquired on a compulsory basis and designate officers to carry out these actions. The Local Governments also assist with the resettlement process through the District Land Board and Resettlement Planning Committees.</p>
Ministry of Energy and Mineral Development (MEMD)	<p>Provide oversight for RAP implementation activities.</p> <p>MEMD is responsible for establishing policies, regulations and strategies to promote the rational and sustainable exploitation and utilisation of energy and mineral resources for social and economic development.</p>
Ministry of Justice and Constitutional Affairs (MoJCA)	<p>Provision of legal advice and legal services to GoU on land matters through the Attorney General's office, especially when compulsory land acquisition is triggered.</p> <p>MoJCA is responsible for promoting and facilitating efficient and effective machinery capable of providing laws for good governance to both GoU and the public.</p>
Department of Community Development in the Ministry of Gender, Labour and Social Development	<p>Promotion of participation of communities in Community Development and Literacy initiatives which is achieved through Community Development Officers (CDOs) at District, Municipal and sub-county levels. The CDOs are responsible for imparting non-formal skills to communities, disseminating information on available services (health, education) and employment opportunities as well as organizing communities to form development groups to engage in development ideas such as Operation Wealth Creation (OWC) and Savings and Credit Cooperatives (SACCOs). In addition CDOs support engagement and dispute resolution related to RAP implementation and provide support to LR project detailed planning, implementation and M&E.</p>
Operation Wealth Creation (OWC) Welfare Program of the Ministry of Defence and Veteran Affairs	<p>OWC aims at improvement of household incomes for poverty eradication, wealth creation and overall prosperity of Ugandans through facilitation of sustainable commercial agricultural production and enhancing household participation in commercial agricultural production through community mobilization, equitable</p>

¹⁰¹ The MLHUD has the responsibility to train and build the capacity of the District Land Board.

GoU Agency	Roles and Responsibilities in RAP Implementation
	<p>and timely distribution of agricultural inputs, and facilitation of agricultural production chains.</p> <p>Therefore, the guidance of OWC will be very applicable in line with livelihood restoration activities that involve the agriculture sector.</p>
Ministry of Education and Sports	<p>This Ministry is mandated to ensure universal and equitable access to quality basic education for all children, to improve the Quality of Education in the following levels, to ensure equal access by Gender, District and Special Needs at all levels of Education, and to build capacity of districts by helping Education Managers acquire and improve on their knowledge, skills and attitudes to be able to plan, monitor, account and perform managerial functions.</p> <p>Therefore, in line with improvement of quality of basic education, guidance will be sought from this Ministry for those livelihood restoration activities that involve the education sector.</p>
Rural Water Supply and Sanitation Department of the Ministry of Water and Environment	<p>This department mainly coordinates utilization of district water and sanitation grants that involves resource mobilization and allocation, technical support to districts, monitoring compliance and capacity building to the district local governments. In addition to that, the department supports planning and development of water schemes that traverse local government boundaries, largely gravity flow schemes and large motorized piped water schemes.</p> <p>Guidance will be sought from this Department in line with rural water supply and sanitation activities that are encompassed in the livelihood restoration program and these include provision of water for irrigation to the most affected households.</p>
Office of the Prime Minister (OPM)	<p>The OPM has the following functions that are relevant to the RAP implementation activities:</p> <ul style="list-style-type: none"> • Coordinate the monitoring and evaluation of the implementation of Government Policies and Programmes; • Coordinate the implementation of Government Policies, Programmes and Projects through National Institutional Coordination Framework; • Coordinate development of capacities for prevention, preparedness, and response to natural and human induced Disasters and Refugees; • Coordinate and monitor the implementation of Special Government Policies and programmes for Northern Uganda, and Bunyoro; <p>Basing on the above, as the need may arise, guidance will be sought from the OPM in areas such as coordination role of all the ministries involved in this process, management of refugees (if any) and disaster preparedness and response and implementation of special government projects for the Bunyoro region.</p>
National Environmental Management Authority (NEMA)	<p>NEMA is charged with the management of environmental and social issues and provides for sustainable management of the environment. The Authority in consultation with the lead agencies has the responsibility of assessing and monitoring compliance of the project with environmental and social requirements attributed to the project including those prescribed in the RAP. Assessment and compliance monitoring may be done through the Buliisa District Environment officer or directly through NEMA's Environmental Inspectors.</p>
Uganda Land Commission (ULC)	<p>ULC is responsible for holding and managing land in Uganda vested in or acquired by the GoU. The ULC also grants leases on public land. When the Project has acquired the land for the development of the RAP5 infrastructure, the land will be transferred to the ULC.</p>

GoU Agency	Roles and Responsibilities in RAP Implementation
Office of the Auditor General	Office of the Auditor General is in charge of auditing the compensation process to ensure that public funds and resources are managed in a legal, competent, effective and efficient manner and the objectives of public programmes are achieved.
Buliisa DLG	All districts have four levels of local councils (LCs), and these LCs are responsible for local policy matters, economic development, resolving local conflicts and providing orderly leadership. In the RAP 5 project-affected area, LC Is, LCIIIs and LC IIIs interact directly with the affected population. These councils will thus be able to aid during the verification of rightful property owners, and resolving compensation grievances. The DLG includes the District Land Office, District Land Board and Area Land Committees whose responsibilities are stated below.
<i>District Land Office (DLO)</i>	The DLO includes the District Physical Planner, District Land Officer, District Valuer, District Surveyor, District Registrar of Titles and District Cartographer, which provides technical services to the DLB through its own staff or arranges for external consultants to facilitate the Board in the performance of its functions –
<i>District Land Board (DLB)</i> ¹⁰²	The DLB is responsible for setting compensation rates for crop and temporary structures and facilitate land registrations. In this regard, the DLBs will oversee the appropriation of public land, facilitating registration, and transfer of interests in land.
<i>Area Land Committee (ALC)</i> ¹⁰³	The ALC is responsible for determining, verifying and marking the boundaries of all interests in land that is subject to an application for certificate of customary ownership or in grant of freehold title. The ALC assists the DLB in an advisory capacity on matters relating to land including ascertaining rights in land boundaries and disputes.

Table 14.2: Institutional Arrangements for RAP Implementation as per Ugandan Legislation

Ugandan Legislation	Institutional Arrangements in RAP Implementation
Land Act, 1998	The Land Act, 1998 makes provision for the following institutional arrangements: <u>Uganda Land Commission (ULC)</u> a) Hold and manage any land in Uganda which is vested in or acquired by the GoU in accordance with the Constitution of the Republic of Uganda 1996 (as amended), and; b) Procure Certificates of Title for any land vested in or acquired by the GoU. <u>District Land Boards (DLBs)</u> a) Facilitate the registration and transfer of interests in land; b) Cause surveys, plans, maps, drawings and estimates to be made by or through, its officers or agents; c) Compile and maintain a list of rates of compensation payable in respect of crops, buildings of a non-permanent nature and any other thing that may be prescribed; d) Review every year, the list of rates of compensation referred to in (c) above; and e) Deal with any matter, which is incidental or connected to the other functions referred to above.

¹⁰² The DLB rescinded all land applications between 2010 and 2017.

¹⁰³ The Ngwedo ALC was “re-established” in 2017.

Ugandan Legislation	Institutional Arrangements in RAP Implementation
Land Acquisition Act, 1965	<p>According to the Land Acquisition Act, 1965, the following roles and responsibilities are prescribed:</p> <ul style="list-style-type: none"> a) The <u>Minister (of the MLHUD)</u>, by statutory instrument may, make a declaration on use and acquisition of land by the GoU for a public purpose, which declaration will include the location of the land, and the approximate area of the land, among others. b) An <u>Assessment Officer (from the MLHUD)</u>, as soon as land possession has been effected, shall forward to the Registrar of Titles, a copy of the declaration relating to the land endorsed. c) The <u>Registrar of Titles</u>, on receipt of a declaration shall take such steps as may be necessary to give effect in the Register Book in respect of the land specified in the declaration. d) <u>Attorney General</u> - any disputes as to the compensation payable shall be referred by the Attorney General to the court for decision.
Registration of Titles Act (Cap 230) 1924	<p>The Act makes for provision of appointment of Registrars of Titles, who upon receipt of any application (under Section 29), shall bring the land under this Act by registering in the name or names of such person or persons as may be entitled to it, a certificate or certificates of title to the land in the form in the Third Schedule to this Act.</p>
The Physical Planning Act, 2010	<p>This Act establishes the <u>District Physical Planning Committee</u> which has the following functions as directly applicable the resettlement services in this Project:</p> <ul style="list-style-type: none"> a) To approve development applications relating to housing estates, <i>industrial location</i>, dumping sites or sewerage treatment, which may have injurious impact on the environment as well as applications in respect of land adjoining or within a reasonable vicinity of safeguarding areas; and b) To ensure integration of social, economic and environmental plans into the physical development plans.
Local Government Act, Cap 243	<p>This Act makes provision for the following:</p> <p><u>Local Government Councils and Administrative Councils at the County, Sub-county and Parish levels</u></p> <p>These are the highest political authority within the area of jurisdiction of a local government.</p> <ul style="list-style-type: none"> a) They monitor and supervise projects and other activities undertaken by the Government, local governments and non-governmental organisations in their area; b) Are responsible for the protection of the environment at the district level; c) To draw the attention of the <u>district chairperson, the Chief Administrative Officer (CAO) and the Assistant Chief Administrative Officer at the county level or the chief at the parish level</u> to any matter that rouses their concern or interest; d) At the county level to, advise the <u>area Members of Parliament (MPs)</u> on all matters pertaining to the county; e) At the county and parish level to, resolve problems or disputes referred to it by relevant <u>sub-county or village councils</u>; and f) To assist in the maintenance of law, order and security. <hr/> <p><u>District Technical Planning Committee (DTPC)</u></p> <p>Chaired by the <u>Chief Administrative Officer (CAO)</u> and consisting of <u>Heads of Department of the district, and any technical persons co-opted by the CAO</u>, the District Technical Planning Committee (DTPC) coordinates and integrates all the sectoral plans of lower level local governments for presentation to the district council.</p>

Ugandan Legislation	Institutional Arrangements in RAP Implementation
Survey Act (Cap 232), 1939 (as amended);	<p><u>Government Surveyor</u></p> <p>a) The Act empowers a Government Surveyor or duly authorised officer with his or her workers to enter upon any land where any survey is authorised under Section 2 or 3, and make all inquiries and do or cause to be done all things necessary for effecting a survey.</p> <p>b) The Act mandates a Government surveyor to cause a general notice to be published stating that it is his or her intention to proceed to survey holdings in any specified area within such local limits as may be fixed under section 2(1), on and after a day to be fixed by the notice where a general survey is authorised.</p> <hr/> <p><u>Chiefs</u></p> <p>The Act mandates Chiefs (this Act does not specify which Chiefs, however the Land Act refers to Parish and Sub-county Chiefs) to prevent the destruction, injury or alteration of any survey or boundary mark within the local limits of their jurisdiction. Furthermore, whenever they shall become aware that any such mark has been destroyed, injured or altered, they shall report immediately to the nearest <i>district commissioner</i> such destruction, injury or alteration.</p>
The Historical Monuments Act, Cap 46	<p><u>Minister</u></p> <p>The Minister may, by statutory instrument declare any object of archaeological, paleontological, ethnographical, traditional or historical interest to be a preserved object for the purposes of this Act.</p> <hr/> <p><u>Conservator of Antiquities</u></p> <p>For purposes of maintenance and inspection of any preserved or protected object, there shall be a Conservator of Antiquities whose duties shall be:</p> <ul style="list-style-type: none"> • The entering and inspection of preserved or protected objects; • The fencing, repairing, and generally maintaining preserved or protected objects; • The erection of “tablet” or notice of such an object; • The performance of any duty which is connected with the preservation and protection of any preserved or protected object or monument; and • The maintenance and general administration of the museum. <p>Any discovery of palaeontological, ethnographical, traditional or historical interest shall be reported to the Conservator of Antiquities, the District Commissioner or the Curator of the National Museum of Uganda.</p>

14.9. RAP Implementation Team Structure

Figure 14.1 provides an overview of the RAP Implementation Team Structure. An overview of the roles and responsibilities of each entity indicated has already been provided in Tables 14.1 and Table 14.2.

14.10. Entities responsible for delivery of each item/activity in the entitlement matrix

Table 14.4 lists entities responsible for delivery of each item/activity included in the entitlement matrix.

14.11. Institution(s) responsible for implementation and coordination of livelihood restoration programs

Institutional arrangements for Livelihood Restoration are discussed in Annexure 7. A detailed matrix of possible partners for Livelihood Restoration schemes is included in Annexure 7.

14.12. Staffing

For effective RAP Implementation, it is important to gain an understanding of current staffing needs of the institutions implementing the RAP together with their required RAP Implementation training needs based on the roles and responsibilities of each institution in RAP Implementation, be they generic or specific. This is important in order to identify shortfalls or over subscription (if any). Once identified, there may be a requirement to carry out a needs analysis (note that the undertaking of this activity will be informed by the results of the staffing needs study) specifically aimed at, but not limited to:

1. Person analysis: By definition, this form of analysis deals with potential participants and instructors involved in the RAP Implementation process. The important questions being answered by this analysis are:
 - Who will receive the training?
 - What is their level of existing knowledge on the subject (RAP Implementation)?
 - What is their learning style?
 - Do the persons in these institutions that will be involved in RAP Implementation have the required skills?
 - Are there changes to RAP Implementation related policies or procedures that require or necessitate further training?
2. Work/task analysis: This is an analysis of the tasks that will need to be performed by each institution during RAP implementation and the requirements for performing the task. This analysis seeks to specify the main duties and skill levels required. This helps ensure that the training that will be developed will include relevant links to the requirements of the roles and responsibilities of the specific institution during RAP Implementation. However, it is important to note that comprehensive task analysis can only be completed following finalization of all the specific procedures of the RAP Implementation.
3. Job descriptions: Specifically, the accuracy and effectiveness of current job descriptions to ensure effective use of staff in RAP Implementation (more specifically, to verify that job descriptions are representative of the roles in place as required during RAP Implementation) and, how can these be integrated into staffing needs during the RAP Implementation. For example, at the Buliisa district Level, it will be important to ascertain if the respective institutions of interest such as the Buliisa District Land Board, District Technical Planning Committee, the District Lands Office and Area Land Committees have the required personnel (or not) for them to be functional/operational in line with the specific responsibilities they have in RAP Implementation – as identified in Table 14.3.

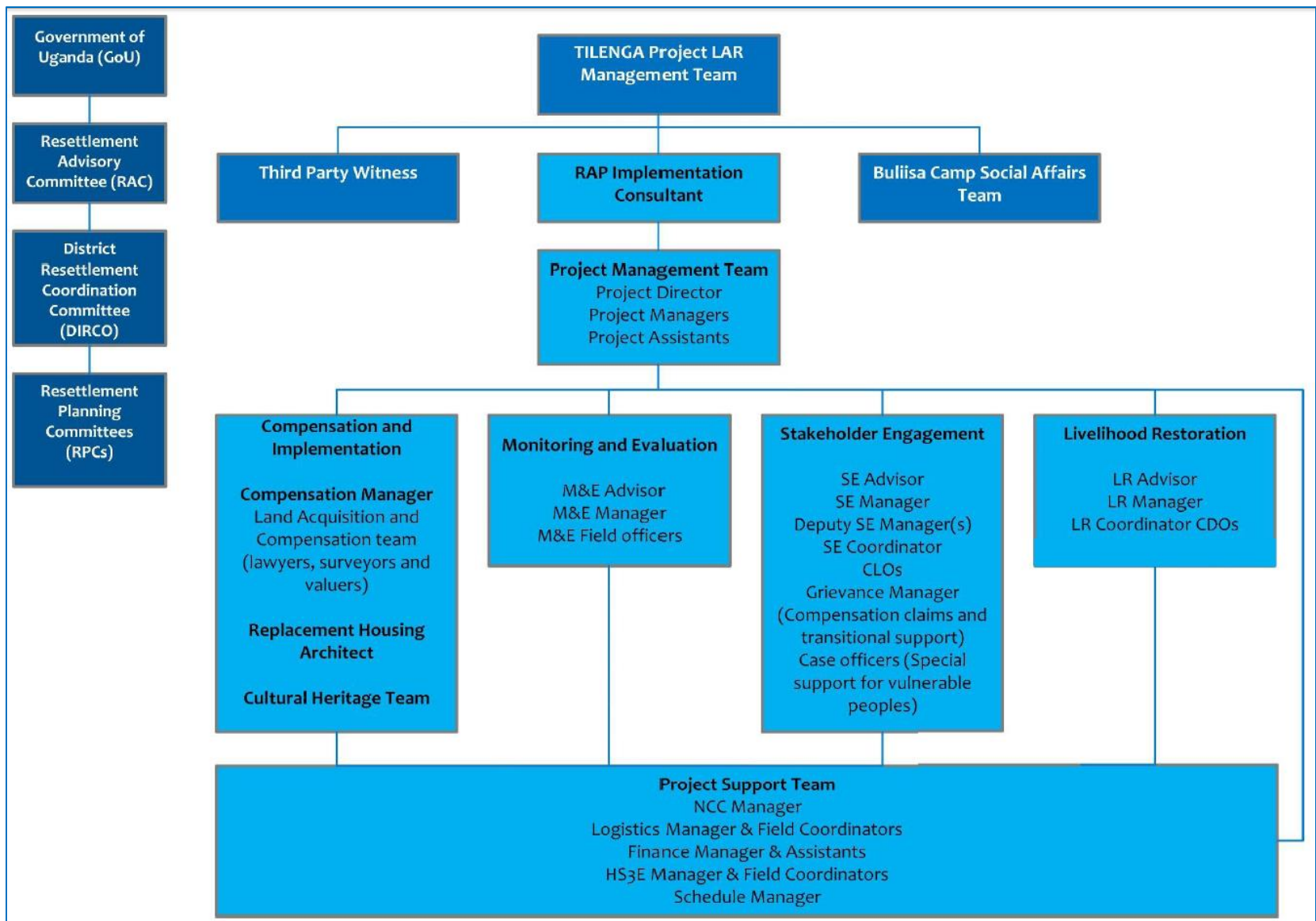


Figure 14.1: RAP Implementation Team Structure

Table 14.3: List of the activities that will be involved in the RAP 5 Project Area RAP implementation, as well as the responsible agencies

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party
				RAC	DIRCO	RPC			
1	Disclosure, Sign-off and delivery of compensation	Provision of guidance for resettlement packages.		✓			✓		✓ ¹⁰⁴
		Notification of PAPs of the compensation offer.				✓	✓		
		Capacity building activities especially in line with financial/investment literacy, and money management				✓	✓	✓ ¹⁰⁵	
		Opening of bank accounts.				✓	✓	✓ ¹⁰⁶	
		Provision of signed land purchase, lease, easement, and compensation agreements and written consents.				✓	✓	✓ ¹⁰⁷	
		Preparation of compensation agreements/disagreement reports as may apply for each PAP.	✓				✓	✓	
		Engagement with PAPs (and vulnerable groups), local governments and resettlement committees to disclose the RAP implementation process.		✓	✓	✓	✓	✓	
		Resolution of public complaints and disputes that arise out of the compensation payments.	✓				✓	✓	✓ ¹⁰⁸

¹⁰⁴ PAPs

¹⁰⁵ Witness Organisation and PAPs.

¹⁰⁶ Financial Institution and PAPs.

¹⁰⁷ PAPs

¹⁰⁸ Witness Organisation.

Step	RAP Implementation Activity	Description of Activity	Responsible Agency							
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party	
				RAC	DIRCO	RPC				
		Preparation of Agreement and Cash Compensation Delivery Report.					✓	✓		
		Expropriation/other legal procedures in cases where PAPs reject compensation.	✓	-	-	-	-	-	-	
2	Notice to vacate	Compilation of a list of PAPs to be used in communicating to authorities in line with preparation of notices to vacate.						•		
		Monitor the delivery of notices to vacate.					✓	✓	109	
		Preparation of Monitoring Reports of issuance of notices to vacate for each PAP.	✓				✓	✓	✓	110
		Survey of affected land by the Government Surveyor.					✓	✓	✓	
3	Registration of land titles	Verify and mark the boundaries of all interests in land that is subject to an application for certificate of ownership.	✓				✓	✓		
		Make a declaration on use and acquisition of land by the GoU for a public purpose.	✓				✓	✓		
		Forward to Registrar of Titles, a copy of the declaration above.	✓							
		Registration of the land declaration in the Register of Books.	✓							
		Procure certificates of title for any land vested in or acquired by the GoU.	✓							

¹⁰⁹ Witness organisation.

¹¹⁰ Witness organisation.

Step	RAP Implementation Activity	Description of Activity	Responsible Agency							
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party	
				RAC	DIRCO	RPC				
		Facilitate the registration and transfer of interests in land.	✓				✓	✓		
		Conduct negotiations and prepare all documentation for the acquisition of land for resettlement sites.	✓				✓	✓	111	
4	Process of replacement land titles	Provision of guidance in line with resettlement site preference.	✓	✓	✓	✓	✓	✓	✓ 112	
		Follow up with GoU on replacement land registration and titles.			✓	✓	✓	✓	✓	
		Registration of the land declaration in the Register of Books.					✓	✓		
		Preparation of In-kind Compensation Delivery Report	✓							113
		Provision of guidance for resettlement housing.					✓	✓	✓ 114	
5	Resettlement construction	Interface with the RAP Implementation Consultant in line with engineering options and the timing/phasing of the resettlement process.	✓	✓	✓	✓	✓	✓	✓	
		Approve development applications (e.g. construction permits) relating to the construction activities.			?		✓			

¹¹¹ PAPS

¹¹² PAPS

¹¹³ Witness Organisation

¹¹⁴ PAPS

Step	RAP Implementation Activity	Description of Activity	Responsible Agency							
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party	
				RAC	DIRCO	RPC				
		Implementation of the replacement housing and infrastructure programme.	✓		✓				Construction Contractor	
		Inform impacted farmers when their farms are required for project activities.					✓	✓		
6	Moves, salvages, demolition	Facilitate resettling households to inspect and verify that their resettlement house(s) are complete and acceptable before moving.	✓		✓	✓	✓	✓	¹¹⁵	
		Maintenance of law and order.	✓				✓	✓	✓	
		Prevent the destruction, injury or alteration to survey/boundary marks.	✓							
		Management of concerns and grievances.	✓	✓	✓	✓	✓			✓
7	Livelihood Restoration Programs	Preparation of detailed terms of reference for community development and livelihood restoration programs.	✓		✓	✓	✓	✓		
		Provision of sufficient financial, staff and other resources to plan, implement and monitor a resettlement programme.					✓	✓		
		Implementation of Livelihood Restoration Plans.	✓				✓	✓	¹¹⁶	
		Provision of direction to Resettlement Planning Committee (RPCs) on issues to	✓				✓	✓	✓ ¹¹⁷	

¹¹⁵ Witness organisation

¹¹⁶ Witness organisation and relevant NGO/CSO

¹¹⁷ PAPs

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party
				RAC	DIRCO	RPC			
		do with implementation of livelihood strategies.							
		Facilitation of all consultation and engagement activities with affected communities.	✓	✓	✓		✓	✓	
		Capacity building activities especially in line with livelihood restoration programs.			✓	✓	✓	118	
		Monitor and supervise project activities.	✓				✓	✓ 119	
8	Monitoring and Evaluation	Provision of guidance in line with resolution of problems or disputes associated with the project activities.	✓	✓	✓	✓	✓	✓ 120	
		Provision of regular feedback to PAPs on the progress of RAP implementation.	✓	✓	✓	✓	✓	✓	
		Facilitating all consultation and engagement activities with affected communities.			✓	✓	✓	✓	
		Preparation of completion report for the RAP Implementation Phase.			✓	✓	✓	✓	121
9	Submission of RAP/LRP Implementation Completion Report					✓	✓	✓	

¹¹⁸ Witness Organisation

¹¹⁹ Witness Organisation

¹²⁰ Witness Organisation

¹²¹ Witness organisation

4. In the event that a government position is vacant, the project team will consult the relevant resettlement committees (RAC, DIRCO) to best allocate responsibilities within current staffing. However, if through consultation a role is still vacant then it is the responsibility of the GoU to fill the vacancy in consultation with JV Partners. Competency assessment will be carried out and training will be provided as required.
5. Performance management: A review of the nature, extent and effectiveness of performance management systems in place (if any), and any improvements that may be required and, how these improvements will contribute to RAP Implementation - is the performance management system in place robust enough to meet the requirements for RAP Implementation.
6. Competency assessments¹²² and framework development to fit the new requirements appropriate for RAP Implementation: This will assist in ascertaining if there are any competency assessments embedded within the specific institution's processes. If not, competency assessments for RAP Implementation will be proposed and implemented with requisite mandate as necessary. If competency assessments exist, it will be investigated if there is a need for review and identify gaps as relevant to the requirements for RAP Implementation.
7. Change Management: This is the approach of transitioning individuals using methods intended to re-direct the use of resources, business process, budget allocations or other modes of operation that significantly reshape an organisation. The major objective will be to consider any relevant change management requirements based on the results of the staffing needs study for RAP Implementation.
8. Training: A training program will be created, prioritising the most urgent skills and capacity building gaps required for RAP Implementation, whilst identifying staff who should attend urgent training according to the needs analysis developed in collaboration with each institution. A training manual will be prepared for all staff members based on generic skills required for those working at the specific institution (in direct relation to the needs for RAP Implementation) and a system will be created to continuously update training programs.

¹²² An assessment of the knowledge, skills and abilities that influence one's job.

Table 14.4: Entities responsible for delivery of the Entitlement Framework

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
1	Dwelling used as primary residence	<p>Option 1: In kind Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use at location of owner’s own choice but within a defined project area. A <i>standard 2 bedroom house to be constructed as the minimum replacement house.</i></p> <p><i>However, on a case by case basis and based on HH socioeconomic data, the number of rooms may be adjusted upwards based on household size. Following review, the same treatment will be applied to RAP 1 although already under implementation.</i></p> <p>Choice of standardized replacement house designs that comply with building/ planning standards and that consider spatial and cultural function. House constructed from durable wall and floor materials and with permanent roof.</p> <p>Materials from the affected structure may be salvaged at the owner’s expense within the notice period to vacate defined by the project schedule and prior to demolition.</p> <p>Allowance for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p>	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
		Allowances for transport costs to new place of abode for all movable assets.	Tilenga project through RAP Implementation team	
		<p>OR</p> <p>Option 2: In kind- Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use but in host resettlement areas.</p> <p><i>However, on a case by case basis and based on HH socioeconomic data, the number of rooms may be adjusted upwards based on household size.</i></p>	Tilenga project through RAP Implementation team and construction contractor.	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		<p>Following review, the same treatment will be applied to RAP 1 although already under implementation.</p> <p>Allowances for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p>		
		<p>Allowance for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p>	Tilenga project through RAP Implementation team	
		<p>OR</p> <p>Option 3: Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p>	Tilenga project through RAP Implementation team and construction contractor.	
		<p>Allowances for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p>	Tilenga project through RAP Implementation team	
2	Dwellings used for secondary purposes (rental houses, free accommodation for relatives, etc.)	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p>	Tilenga project through RAP Implementation team	
		<p>Statutory disturbance allowance of 30% of compensation amount.</p>	Tilenga project through RAP Implementation team	
		<p>Allowance for transport costs to new place of abode for all movable assets.</p>	Tilenga project through RAP Implementation team	
3	Sanitation facilities (Pit Latrines & Bath Shelters)	<p>Cash compensation for all structures at replacement cost.</p>	Tilenga project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
4	Moveable and other structures such as fences, livestock enclosures, livestock water points, etc.	Cash compensation for all structures at replacement cost.	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
5	Incomplete buildings and structures	Cash compensation for all structures at replacement cost, based on professional valuation.	Tilenga project through RAP Implementation team	
		Statutory Disturbance Allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
6	Land for Primary Residential Plot – permanent loss	Option 1: Owner identifies and negotiates the purchase of a residential plot not exceeding replacement value and within the defined project area.	Tilenga project through RAP Implementation team	PAP
		All transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.	Tilenga project through RAP Implementation team	
		OR Option 2: The Resettlement Planning Committee (RPC) identifies and negotiates replacement land for a new Resettlement Village.	Tilenga project through RAP Implementation team	RPC
		All transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.	Tilenga project through RAP Implementation team	
7	Permanent loss of agricultural (crop) land	Owner identifies and negotiates the purchase of replacement land at agreed value and within agreed area. The Tilenga project buys the new land for the owner.	Tilenga project through RAP Implementation team	PAP
		Provision of support registration cost and required formalities to ensure security of tenure.	Tilenga project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		OR Cash compensation for land, at replacement cost.	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
8	Permanent loss of grazing land	Registered owners or claimants - Cash compensation of the value of the land at replacement cost.	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
		Other users - Provision for Livelihood Restoration support.	Tilenga project through RAP Implementation team	
9	Annual Crops	Where insufficient notice period is given (less than 90 days) Owners receive:		
		Cash: damaged crops will be compensated in cash as mature crops at agreed rates determined annually by District Land Board.	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
		Access to Livelihood Restoration support.	Tilenga project through RAP Implementation team	
10	Perennial Crops (Including fruit and economic trees)	Option 1. Cash compensation at replacement cost agreed rates determined annually by the District Land Board or based on replacement cost determined by formal market studies.	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		Access to Livelihood Restoration support.	Tilenga project through RAP Implementation team	
		OR Option 2. Where cash compensation is not preferred for fruit and economic trees, two (2) replacement saplings for every damaged tree of a crop variety suitable for the identified replacement farm land.	Tilenga project through RAP Implementation team	
		Access to Livelihood Restoration support.	Tilenga project through RAP Implementation team	
11	Restricted access to resource areas	Tilenga Project to address access restrictions through consolidated and improved access to alternative resource areas or substitute resource base.	Tilenga project through RAP Implementation team	
		Participation in Livelihood Restoration Programmes to restore livelihoods to pre-resettlement levels. This may include provisions to provide access to alternative resources (such as seedlings).	Tilenga project through RAP Implementation team	
12	Vulnerable Support Programme	In-kind hardship assistance program appropriate to specific cases and based on Project assessment, including: <ul style="list-style-type: none"> • Priority in physical mobilisation and transfer to resettlement plot; • Special assistance transit to resettlement plot; • Additional moving, loading and unloading assistance, if necessary; and • Assistance from support case workers during transit process. 	Tilenga project through RAP Implementation team	
		Other specific support related to moving process (e.g. medical assistance) identified by support case workers.	Tilenga project through RAP Implementation team	Vulnerable support case workers
13	Graves/cemeteries	Complete relocation of graves (exhumation, transportation and reburial) in designated cemetery at agreed rates per grave (in accordance with national legislation).	Tilenga project through RAP Implementation team	Family of the deceased and other members as required e.g. priest
		Provision in kind of agreed customary ceremonial assistance per family.	Tilenga project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
14	Shrines	Complete relocation of shrines.	Tilenga project through RAP Implementation team	Shrine custodian/priest
		Provision in kind of agreed customary ceremonial assistance per family.	Tilenga project through RAP Implementation team	

14.13. Capacity Building and Training

The RAP Implementation capacity building process will involve trainings in a number of aspects and development of capacity of selected staff. Broadly, the focus of this training will be to capacitate staff of the institutions involved in RAP Implementation.

It is proposed that the training presentations be prepared based on a case study¹²³ approach with the RAP Implementation Consultant who will be responsible for all components of the training including; the training needs analysis¹²⁴ development of the training package and delivery of the training sessions.

A highly participatory training process involving staff from the respective institutions and supplemented with individual and group exercises will ensure staff contribution and understanding of RAP Implementation activities.

Participants are more receptive to training materials that include a combination of theoretical information and practical examples that illustrate the potential application of the knowledge in the real-world context.

Another method that has been proven to enhance the learning experience is to actively engage participants in discussions during the training sessions rather than encouraging passive intake of information. The length of the training sessions shall be ideal (not too long; such that participants are worn down and not too short; such that a training session is ended prematurely. In addition, the sessions will allow for tea/lunch breaks, and group or individual exercise/discussion breaks) and provide sufficient time to present the theoretical component and then still include material for discussion. These discussions may revolve around real or hypothetical case studies or simply be initiated through some questions. Inclusion of photographs and case studies from real projects will also enhance the learning experience.

There have already been a series of capacity building sessions for the resettlement committees (DIRCO and RPCs) to better equip the members on understanding resettlement activities and the wider process and to gain their constructive input. The objective of capacity building for these committees was to increase understanding about their roles and mandates. Further information on the trainings conducted during RAP planning for the DIRCO and RPC members, and that to be conducted during RAP Implementation is provided in detail in Chapter 6 and therefore not repeated here.

¹²³ This means that a particular instance/case of a project will be used to illustrate RAP Implementation.

¹²⁴ It is important to note that the training needs analysis will be done before the training programme/materials can be developed

15. MONITORING & EVALUATION

Consistent with the requirements of the LARF and IFC PS5, the RAP team in collaboration with TEP Uganda will establish and implement a monitoring and evaluation system (i.e., framework) to measure outputs and outcomes of the different aspects of resettlement implementation. The project activities during implementation will be monitored and evaluated based on two levels:

1. **Internal monitoring** – comprises of pre-implementation visits and monitoring the day-to-day resettlement activities and tracking the progress in meeting predicted or scheduled resettlement milestones. The objective of internal monitoring is to aid in verification and classification of HHs based on the severity of the project impacts and also inform the Project Management Team (PMT) of the progress in the implementation of the RAP 5 Project; to identify gaps in the processes affecting the implementation and recommending corrective actions through the modification of procedures and adjustments in resources. Internal monitoring will also include: preliminary evaluation of conditions in displacement-affected communities on an annual basis.
2. **External monitoring** – will be undertaken to obtain an independent assessment of the effectiveness of the RAP implementation. Upon conclusion of the resettlement, a Completion Audit is to be prepared by an external specialist. The overall aim of the audit will be to verify that resettlement and livelihood restoration activities have been undertaken in line with the requirements of the RAP, the LARF and IFC PS5.

Monitoring will be undertaken using systematic data collection for specified output indicators to provide the project and project affected households with timely, accurate, transparent and indicative information. Monitoring will help determine if those affected persons and communities whose assets or access to livelihood resources were displaced by the project are currently on track to achieving sustainable restoration and improvement of their quality of life or whether adjustments to the resettlement process are needed.

Monitoring will be conducted to verify whether:

- Policies for compensation, assistance and resettlement are being implemented sufficiently and completely;
- Compensation, assistance and livelihood programmes are achieving sustainable restoration of Livelihoods and are improving the welfare of project affect persons and communities;
- Vulnerable people are being tracked and necessary assistance provided (including the effective identification and inclusion of vulnerable people in intervention programmes), and;
- Complaints and grievances from affected persons are followed up with timely and appropriate action.

The potential indicators to be used to assess the outputs of resettlement and livelihood restoration options are included in Table 15.1.

Evaluation is to be done through a systematic and objective assessment of ongoing or completed resettlement and livelihood activities taking in to account its design, implementation and results. The aim is to, determine the relevance and fulfilment of the objectives, development efficiency, effectiveness, impact and sustainability. The purpose of evaluation is to assess program implementation and to track emergent, mid and long term impacts of the project and the welfare of PAPs and communities.

The monitoring parameters that will be used to assess the outputs and outcomes of resettlement and livelihood restoration activities are also included in Table 15.1.

15.1. Organisational Responsibilities

The RAP 5 project Team will undertake internal monitoring, as part of their internal performance monitoring system. The needed systems and resources will be established to ensure that internal monitoring is effectively performed. Where deemed necessary, the RAP 5 project Team may appoint an external expert to support the monitoring process. Additionally, they will be responsible for leading the internal reporting on the periodic basis specified below

The RAP 5 project will appoint an independent and competent specialist to undertake the external monitoring and the final Completion Audit.

15.2. Reporting

The RAP 5 project team will carry out *internal monitoring* of the progress of RAP implementation on a monthly and quarterly basis to the Project Management Team. The reports produced from the internal monitoring activities will be summarized and provided to the RAP 5 Resettlement Committees (RPCs, DIRCO and RAC) for consultation and input during the routine monthly meetings.

Reporting will commence from the establishment of the cut-off date/moratorium until the conclusion of the relocation of PAPs, replacement of land and payment of compensation, and conclusion of the construction defects liability period on replacement houses. The following reports will be prepared and shared with relevant stakeholders:

- *Monthly* – includes progress made on the implementation of project activities (actual versus target), updates on key meetings and outcomes, engagement with project affected persons and communities as well as other key stakeholders, and concerns, grievance and issue tracking.
- *Quarterly* – includes status of milestone project activities, progress updates against RAP requirements and timeframes, summary of engagement (including grievance management) with project affected persons and communities as well as other key stakeholders, assessments of the effectiveness of implementation of mitigation programming and livelihood restoration programmes, updates on vulnerable households, identification of potential gaps in implementation or non-compliance issues that need to be resolved, and proposed corrective actions to close the identified gaps or non-compliance issues. This report will take the place of the monthly reports on the third, sixth, and ninth project calendar months.
- *Annual* – a major review of the RAP project activities, associated plans, programmes, and operational controls covering a 12-month period. This report will take the place of the monthly reports on the month that it is to be submitted.

Allied to the above, the RAP 5 project team, in consultation with the RAP 5 resettlement committees, will establish formal mechanisms in terms of the reporting and correction of any non-compliance issues. Corrective action reporting should include:

- Identification and investigating of the non-compliance,
- Responsible parties,
- Agreed correction actions/remediation, and
- Closure of remediation.

In line with the LARF 2016, *external monitoring* will be undertaken annually at a minimum. This should coincide with the internal monitoring and focus on findings and recommendations on identified gaps in implementation or non-compliance issues. In addition, the project will make the findings of the external monitoring report available to the funders on request. Where required by any permit/authorisation, the monitoring report will be submitted to the authorities as an independent audit report.

15.3. Completion Audit

A completion audit will be undertaken after all the actions and development initiatives of RAP 5 are concluded. The audit will determine if the provisions of the RAP have been met. It will also provide in-depth analysis that compares planned versus actual achievements in line with the requirements of the RAP, the LARF and, IFC PS5 and identify issues of ongoing risk or impacts on affected communities as well as make the recommendations if needed. Depending on results of completion audits there may be a need for continuous monitoring and support to further complete and monitor identified gaps.

The completion audit will be conducted by a different consultant than who developed and implemented the RAP.

The list of indicators in Table 15.1 are preliminary and will be finalized at the outset of implementation. It will be updated as the project evolves to ensure relevance of the Monitoring and Evaluation Framework. Primary stakeholders will be consulted regularly to confirm the continued importance of monitoring identified areas. In addition to the traditional quantitative and qualitative data collection methods to be used in monitoring, data about the changes in the demographics and livelihood condition of the PAPs will be supplemented by information obtained through the M&E, which is connected to the Global Livelihood Restoration Program.

Table 15.1: Monitoring and Evaluation Framework

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
PERFORMANCE MONITORING (Input Monitoring)				
<p>Programme Management</p> <p><i>Is the RAP 5 project on track and within the budget agreed?</i></p>	<p>Ongoing high-level monitoring of the overall implementation of the RAP 5 project against set targets (e.g. budget, schedule) to ascertain the progress of the resettlement project.</p>	<p>Actual versus predicted RAP implementation schedule.</p> <p>Actual versus predicted compensation schedule.</p> <p>Actual versus predicted household relocation implementation schedule.</p> <p>Actual versus predicted replacement land implementation schedule.</p> <p>Actual versus predicted project-spend on livelihoods restoration programmes.</p>	<p>Project Management Team provides monthly reporting to TEP Uganda giving an overview on the progress of implementation against the set schedule, budgeting and other targets on key implementation of the RAP (see entries below).</p>	<p>Monthly</p>
<p>Stakeholder Engagement</p> <p><i>Have affected communities been engaged and informed of the resettlement process?</i></p> <p><i>Have all identified PAPs been engaged on their entitlement and compensation packages?</i></p> <p><i>Has the Team made all efforts to engage vulnerable and marginalised groups?</i></p>	<p>Ongoing monitoring of engagement activities to ensure all stakeholders are identified and engagement approaches designed and implemented that:</p> <ul style="list-style-type: none"> • Drive effective communication of resettlement information; • Support confirmation that information has been understood; • Facilitate feedback from stakeholders; and • Enable stakeholder input and participation in decisions affecting their lives. 	<p>% of scheduled engagement meetings held as planned during the set period (target 80%).</p> <p>% of MoM (Minutes of the meeting) and attendance lists submitted for meetings held during the set period. (Target 100%).</p> <p>% communication materials developed / translated / distributed in line with the agreed deadline and targets. (Target 100%).</p> <p>% of scheduled engagement activities carried out with RPC (Target 80%).</p>	<p>Check Stakeholder Engagement Plan</p> <p>Check Stakeholder Engagement Plan</p> <p>Check Stakeholder Engagement Plan</p> <p>Check Stakeholder Engagement Plan</p>	<p>Monthly</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		% of scheduled engagement activities carried out with DIRCO (Target 80%).	Check Stakeholder Engagement Plan	
Concerns and Grievance Mechanism <i>Is the concerns and grievance mechanism known in the affected community?</i> <i>Have all concerns and grievances been captured?</i> <i>Have grievances been resolved successful and in a timely manner?</i>	Ongoing monitoring of the number of grievances to identify any gaps in the implementation process and PAP satisfaction with the implementation process	No. of grievances and complaints received and registered per month. No. of active grievances (i.e., unresolved) currently within each step of the Grievance Mechanism (at a set point in each month). Nature of grievances currently within each step of the Grievance Mechanism (at a set point in each month). No. of resolved grievances that PAPs have appealed. Nature of appealed grievances. For active grievances - Time period since grievance receipt. (Target: 14 days) For closed out grievances - time period from grievance receipt to close out for all resolved RAP	Check grievance log Check grievance log Check grievance log Check grievance log Check grievance log Check grievance log	Monthly

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<p>5 related grievances. (Target: 30 days)</p> <p>No. of times the Concerns and Grievance Mechanism have been communicated (e.g. through presentation and other communication material)</p> <p>No. of concerns registered per month</p> <p>No. of concerns addressed through engagement per month</p>	<p>Check Stakeholder Engagement Plan</p> <p>Check concerns log</p> <p>Check concerns log</p>	
<p>Eligibility & Compensation (Physical Resettlement)</p> <p><i>Has everyone who is eligible for replacement or compensation been identified?</i></p> <p><i>Have all identified eligible parties been awarded the compensation they are due?</i></p>	<p>Continuous monitoring of eligibility, even after replacement assets and cash compensation has been carried out to the majority of PAPs, to ensure all affected parties receive their due compensation.</p> <p>Particular attention should be given to any absentee PAPs identified during the final asset surveys.</p> <p>Eligible parties are awarded their due compensation under LARF and IFC PS5.</p>	<p>No. of outstanding legal land disputes involving PAPs and identified land within the RAP 5 project area.</p> <p>No. of PAPs who have not been consulted (i.e., those who have not been disclosed to) regarding compensation agreement (and given the options of replacement housing or full compensation).</p> <p>No. of identified PAPs who have not signed a compensation</p>	<p>Legal register compiled and managed monthly.</p> <p>Legal register compiled and check engagement database</p> <p>Analysis of new and/or outstanding grievances.</p> <p>Consult the compensation database; check all PAPs have a signed compensation agreement</p>	<p>Reviewed monthly until all replacements and cash compensations are made and then revisited quarterly against new grievances for a period of 3 years.</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<p>agreement. Logged reasons for lack of agreement.</p> <p>No. of identified PAPs who have signed compensation agreement for replacement housing but have not been assigned a specific replacement housing.</p> <p>No. of identified PAPs who have signed compensation agreement for replacement land but not been assigned replacement land for primary residential plot.</p> <p>No. of identified PAPs who have signed a compensation agreement for cash but have not been paid cash compensation.</p> <p>No. of incidences of stakeholders who have not been identified during the asset cadastral survey.</p> <p>No. of people who are satisfied with the administration, process of allocating replacement housing.</p>	<p>Analysis of the extent that all replacement housing has been assigned - % assigned (Target 100%). Compare the actual with the planned %.</p> <p>Log receipts of all MoUs, final contracts and hand over of title deeds documentation. Analysis of the extent that all replacement land has been assigned - % assigned (Target 100%). Compare the actual with the planned %.</p> <p>Log receipts of all MoUs, final contracts and hand over of title deeds documentation</p> <p>Analysis of the extent that all cash compensations have been distributed - % distributed (Target 100%). Compare the actual with the planned %.</p> <p>Log receipts of all MoUs, bank transfers and final contracts.</p> <p>Check grievances that have been logged during the implementation of the resettlement, and check if complainant has a ground for eligibility</p> <p>Monitor Grievance log</p>	<p>As part of a quarterly survey</p> <p>As part of a quarterly survey.</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<p>No. of people who are satisfied with the administration, process of allocating replacement of land for primary residential plot.</p> <p>No. of people who are satisfied with the administration, process of allocating cash compensation.</p>	<p>Monitor Grievance log</p> <p>Monitor Grievance log</p>	<p>As part of a quarterly sample survey on PAPs who received cash compensation.</p>
<p>Eligibility & Compensation (Economic Resettlement)</p> <p><i>Has everyone who is eligible for replacement or compensation, and livelihood restoration been identified?</i></p> <p><i>Have all identified eligible parties been awarded the compensation they are due?</i></p> <p><i>Have Livelihood Restoration Options been allocated?</i></p>	<p>Continuous monitoring of eligibility, even after land replacement and cash compensation has been paid to the majority of PAPs, to ensure all affected parties receive their due compensation.</p> <p>Particular attention should be given to any absentee landowners identified during the final asset surveys.</p> <p>Eligible parties are awarded their due compensation under LARF and IFC PS5.</p> <p>Ensure that Livelihood Restorations options have been awarded and set up.</p>	<p>No. of outstanding legal land disputes (border disputes or ownership disputes etc.) involving PAPs and the identified land within the RAP 5 project area.</p> <p>No. of PAPs that have not been consulted and given the options of replacement land or full compensation.</p> <p>No. of identified PAPs who have not signed a compensation agreement. Logged reasons for lack of agreement.</p> <p>No. of identified PAPs who have signed compensation agreement for replacement of agricultural land but have not</p>	<p>Legal register compiled and managed monthly</p> <p>Legal register compiled and check engagement database</p> <p>Analysis of new and/or outstanding grievances.</p> <p>Consult the compensation database; check if all PAPs have a signed compensation agreement</p> <p>Analysis of the extent that all replacement land has been assigned - % assigned</p>	<p>Reviewed monthly until all payments are made and then revisited quarterly against new grievances for a period of 3 years.</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<p>been assigned specific replacement land.</p> <p>No. of identified PAPs who have signed compensation agreement for cash but not been paid cash compensation.</p> <p>Number of incidences of stakeholders who have not been identified during the asset cadastral survey.</p> <p>No. of people who are satisfied with the administration, process of allocating replacement land.</p> <p>No. of people who are satisfied with the administration, process of allocating cash compensation</p>	<p>(Target 100%). Compare the actual with the planned %.</p> <p>Log receipts of all MoAs, final contracts and hand over of title deeds documentation.</p> <p>Analysis of the extent that all cash compensations have been distributed - % distributed (target 100). Compare the actual with the planned %.</p> <p>Log receipts of all MoAs, bank transfers and final contracts.</p> <p>Check grievances that have been logged during the implementation of the resettlement, and check if complainant has a ground for eligibility</p> <p>Monitor Grievance log</p> <p>Monitor Grievance log</p>	<p>As part of a quarterly survey</p> <p>As part of a quarterly survey</p>
<p>Asset Replacement</p> <p><i>Is the replacement of individual resettlement houses and/or the resettlement village on track and within the budget agreed?</i></p>	<p>Ongoing monitoring of the construction of resettlement housing against set targets (e.g. budget, schedule)</p>	<p>Actual versus predicted individual resettlement houses construction schedule.</p> <p>Actual versus predicted resettlement village construction schedule.</p> <p>Actual versus predicted community facilities construction schedule.</p>	<p>Monitor Construction Schedule</p> <p>Monitor Construction Schedule</p> <p>Monitor Construction Schedule</p> <p>Monitor Construction Schedule & Monitor Relocation logs. Log receipts of all MoAs,</p>	<p>Reviewed monthly until all constructions are completed and then revisited quarterly against new grievances for a period of 2 years.</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<p>Progress on replacement housing / and handover.</p> <p>Progress on replacement land preparation and handover.</p> <p>No. of PAPs that have been relocated against predicted schedule.</p> <p>No. of housing maintenance issues reported.</p>	<p>final contracts and hand over of title deeds documentation.</p> <p>Monitor Relocation logs</p> <p>Log receipts of all MoAs, final contracts and hand over of title deeds documentation.</p> <p>Monitor Relocation logs. Log receipts of all MoAs, final contracts and hand over of title deeds documentation.</p> <p>Check grievance log.</p>	<p>As part of a quarterly survey</p>
<p>Cultural Assets</p> <p><i>Have all cultural assets been identified?</i></p> <p><i>Have they all been relocated according to the chosen customs?</i></p> <p><i>Have affected families been provided ceremonial assistance?</i></p>	<p>Ongoing monitoring of the identification and relocation of all cultural assets from the RAP 5 project area.</p>	<p>No. of signed agreements on the relocation of cultural assets.</p> <p>No. of cultural assets (e.g. graves) that have not been identified. (either assets already recorded, or new assets declared via the grievance mechanism)</p> <p>Progress on the establishment of replacement cemeteries.</p> <p>Progress on the exhumation and relocation of graves.</p> <p>Progress on the re-establishment of Sacred Sites.</p>	<p>Check final asset surveys and socio-economic surveys.</p> <p>Monitor Grievance log</p> <p>Monitor Relocation logs</p> <p>Monitor Relocation logs</p> <p>Monitor Grievance log</p> <p>Monitor Relocation logs</p> <p>Monitor Grievance log</p> <p>Monitor Relocation logs</p> <p>Monitor Grievance log</p>	<p>Monthly</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
Vulnerable Groups <i>Have all vulnerable groups been identified and supported?</i>	Ensuring that the needs of vulnerable stakeholders are addressed during the resettlement implementation to ensure they are not adversely affected by the change in circumstances brought about by the resettlement project.	No. of households that have not been identified as vulnerable. No. of PAPs who are members of identified vulnerable groups but have not been given assistance vacating the land. No. of vulnerable households supported during the implementation period (3 years period). Type of support given to vulnerable households.	Check final asset surveys and socio-economic surveys. Monitor Grievance log Analysis of % of identified vulnerable PAPs who have received assistance for vacating land. Compare the actual with the planned %. Consult the compensation database Consult the Livelihood Restoration database	Monthly
Livelihood Restoration <i>Have the Livelihood Restoration Options been implemented?</i> <i>Are the identified options sustainable and viable as a suitable form of livelihood restoration?</i>	Monitoring of the sustainability and viability of the livelihood restoration options for individual PAPs groups and the wider community in order to understand the success of the Livelihood Restoration Plan and to identify potential areas of intervention if unforeseen negative impacts arise.	No. of livelihood restoration and development programmes initiated. No. of actual versus predicted project beneficiaries. % of PAPs eligible for participation in Livelihood Restoration Schemes who are part of these schemes. No. of PAPs enrolled for vocational training course. No. of PAPs attending and completing vocation training courses.	Consult the compensation database. Check compensation database. Check Livelihood Restoration attendance logs. Check Livelihood Restoration attendance logs. Check Livelihood Restoration attendance logs.	Monthly for 6 months then quarterly for 2 years
IMPACT MONITORING (Output Monitoring)				
Demographic Change <i>Has the project resulted in a drastic socio-</i>	Ongoing monitoring of the social well-being of the PAPs to identify areas of potential direct intervention and/or collaboration with	Demographic profile Education levels Skills levels	Quantitative and qualitative assessment, including a repeat of the household survey to determine longitudinal (over-time) change. (this should ideally be full or	Annually for 3 years (or until the completion audit is passed).

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
<p>economic change in the affected community?</p> <p>Have some households become more vulnerable?</p>	<p>third parties (e.g. national government, aid agencies, NGOs)</p>	<p>Changes to status of women, children and vulnerable groups</p> <p>Access to primary and other healthcare services</p> <p>Access to potable water</p> <p>Changes in nutritional status</p> <p>Employment levels</p> <p>Access to livelihoods and resources</p> <p>Homestead asset profiles including homestead structures</p> <p>Homestead land holding</p> <p>Security of tenure for affected PAPs</p> <p>Income sources and areas of expenditure.</p> <p>Livestock ownership</p> <p>In-migration and population changes</p> <p>Health facility usage</p> <p>Impact on vulnerable groups</p>	<p>substantial sample households for the first year at least).</p> <p>Each assessment should be compared with the original baseline survey for reference but also wider influences (climatic, economic, and political) outside of resettlement must be evaluated. (E.g. a decrease in agricultural output may be due to climatic conditions rather than directly because of resettlement).</p>	
<p>Livelihood Change</p>	<p>Monitoring the outcome of the implementation of Livelihood restoration over time to ensure that PAPs are not worse off as a result of the resettlement project</p>	<p>Size of replacement land compared to land lost (only applicable to those who found replacement land).</p> <p>No. of replacement tree crops compared to those lost.</p> <p>Size of horticultural gardens compared to what was lost.</p>	<p>Quantitative and qualitative assessment, including a tailored household survey that investigates in depth livelihood restoration to determine longitudinal (over-time) change</p>	<p>Annually for 3 years</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<p>No. of households engaged in crop farming (or alternative livelihoods).</p> <p>No. of households engaged in fishing (or alternative livelihoods).</p> <p>No. of re-established and new business enterprises.</p> <p>No. of local people directly or indirectly employed by the project or third-parties linked to vocational training.</p> <p>No. of beneficiaries included in local content plans.</p> <p>Level of livelihood improvement or socio-economic improvement of vulnerable groups.</p>		

16. RAP BUDGET & IMPLEMENTATION SCHEDULE

16.1. Introduction

This chapter contains a summary of the costs for implementing the resettlement action plan and a high-level implementation schedule. Critically, it also lists the assumptions that underpin both the cost estimate and the schedule. All amounts shown are in USD.

16.2. Assumptions

The assumptions listed below contribute to defining the boundaries of this cost estimate.

1. The cost estimate provides for the construction of forty-three (43) replacement houses; any changes during implementation in view of the final choice made by PAPs could influence the cost.
2. The compensation amounts contained in the government-approved valuation report are the numbers that will be used to direct compensation payments and other entitlements. Any disputes may delay the process and could necessitate a revision of the estimate.
3. The budget is focused only on the compensation of resettlement impacts, including livelihood restoration, for the proposed RAP 5 project area. It currently excludes:
 - a. Cost of contractor fees for RAP implementation and disbursements;
 - b. Cost of training and capacity building; and
 - c. Cost of legal support and grievance management.

16.3. Implementation costs

The costs to implement this plan are summarized in Table 16.1.

Table 16.1: RAP 5 Implementation Costs

	Item	Unit Cost	Units	Total (USD)
1	Cash Compensation	2,597,369	1	2,597,369
	<i>Uplift 15% per year</i>			389,605
	<i>Provision of bank accounts</i>	100,000	1	100,000
	Sub-Total			2,597,369
2	Physical Resettlement	40,000	45	1,800,000
	<i>Titling of replacement land</i>	1,265	669	846,285
	<i>Housing Construction Cost (inspection fees, approval of building plans, and issuance of construction permits)</i>	484	45	21,780
	Sub-Total			2,668,065
3	Other Costs (implementation)			
	<i>Relocation of family graves ceremony</i>	1,400	50	70,000
	<i>Relocation of individual graves ceremony</i>	1,130	15	16,950
	<i>Exhumation and reburial cost</i>	947	65	61,555
	<i>Relocation of clan shrine ceremony</i>	3,600	19	68,400
	<i>Relocation of family/individual shrines and ceremony</i>	1,436	23	33,028
	<i>Chance Finds activities & reburials in common cemetery (Lumpsum)</i>	20,000	1	20,000

	Item	Unit Cost	Units	Total (USD)
	<i>Monitoring & Evaluation at least 3 years (excluding LR includes Pre Implementation monitoring, Pre and completion audit)</i>	3,361	1690	350,000
	Sub-Total			619,933
4	Livelihood Restoration	3361	1690	5,680,090
	Sub-Total			5,680,090
	Total			11,565,457
	10% Contingency			1,156,546
	COMBINED TOTAL (USD)			12,722,002

16.4. Implementation schedule

A high-level schedule is presented in Figure 16.1, with implementation presented over an 18-month period. Please note however that, specific start and end dates cannot be indicated at this stage as the provision of specific RAP implementation timelines is entirely dependent upon the approval of RAP 5 planning report by PAU.

Figure 16.1 shows the tasks and timing for the subsequent 18 months of RAP 5 implementation. The schedule will be updated as required and, additional tasks added as and when necessary.

No	Activity/Task	month1	month2	month3	month4	month5	month6	month7	month8	month9	month10	month11	month12	month13	month14	month15	month16	month17	month18	month19
1 PROJECT MANAGEMENT & ADVICE																				
1.1	Project oversight																			
1.2	Implementation management																			
1.3	Technical advice																			
1.4	Project finance management																			
1.5	Logistics and administration management																			
1.6	Implementation set-up and mobilisation																			
1.7	Internal engagement																			
1.8	Contracts management																			
1.9	Scheduling																			
1.10	Handover and close-out																			
2 DATA VERIFICATION & ALIGNMENT																				
2.1	Review final sets of PAPs numbers and entitlements																			
2.2	Analysis of conflicting data sets																			
2.3	Identify methods of rectifying any conflicts or anomalies																			
2.4	Resolution of inconsistencies that can be addressed without fieldwork																			
2.5	Presentation of analysis and plan to TEPU																			
2.6	Fieldwork for resolution and confirmation of any remaining inconsistencies &																			
2.7	Seek consensus on final data set																			
2.8	Issue final data set																			
3 CONTINUOUS STAKEHOLDER ENGAGEMENT & GRIEVANCE MANAGEMENT																				
3.1	Develop SEP to support implementation																			
3.2	Provide daily management, training, and mentoring of team																			
3.3	Develop and manage the commitments register, concerns and grievance register																			
3.4	Develop and produce engagement materials																			
3.5	Carryout engagement activities																			
4 MONITORING & EVALUATION																				
4.1	Design M&E Framework																			
4.2	Present M&E Framework to TEPU and agree on potential indicators to be monitored																			
4.3	Prepare monthly and quarterly monitoring reports																			
4.4	Prepare annual M&E report																			
4.5	Completion Audit																			
5 COMPENSATION																				
5.1	Individual Negotiations of Compensation agreements																			
5.2	Finalise compensation agreements and written consent																			
5.3	Signing of compensation agreements																			
5.4	Facilitate opening of Bank accounts as required																			
5.5	Payment administration																			
5.6	Information management and record keeping																			
5.7	Reporting																			
6 LAND ACQUISITION																				
6.1	Engagement																			
6.2	Identification of resettlement plots by PAPs																			
6.3	Confirmation of land availability																			
6.4	Administrative duties in the land acquisition process																			
6.5	Survey new land portions																			
6.6	Registration of land/Titling																			
7 PHYSICAL RELOCATION																				
7.1	Finalisation of house designs																			
7.2	Construction management																			
7.3	Handover of replacement land/house																			
8 CULTURAL HERITAGE MANAGEMENT																				
8.1	Relocation of shrines and sacred sites																			
8.2	Relocation of graves																			
8.3	Report on effective relocation of cultural assets																			
8.4	Cultural Heritage Training																			
8.5	Archeology																			
9 LIVELIHOOD RESTORATION																				
9.1	Oversight																			
9.2	Monitoring & Management of LR Programs																			
9.3	Preparation of Terms of reference																			
9.4	Training																			
9.5	Engagement																			

Figure 16.1: RAP 5 Implementation Schedule

Glossary

Asset Inventory or Asset Tables	A record of lost and affected assets at the household, enterprise and community level. This information is collected by means of a detailed survey and should be at a minimum account for land area and improvements, loss of physical assets, as well as loss of income, the duration of loss (temporary or permanent), and ownership details. Assets surveys should be signed by household heads to minimize future claims to ownership. Collectively held assets should be recorded separately.
Associated Facility	Facilities that are essential to the construction or operation of the project, but that are not necessarily developed by the JV Partners.
Buffer Area	Area that extends beyond the boundaries of the installation but which is nevertheless affected to some extent either permanently by normal operation of the facility (noise, radiation, etc.) or exceptionally by the consequence of an emergency situation caused by a major failure. The buffer area is not under control of the company but is subject to agreement with local authorities to minimise the presence of the public within this area.
Communal Land Association	An association of persons formed under the Land Act, Cap 227(laws of Uganda 2000), for any purpose connected with communal ownership and management of land, whether under customary law or otherwise
Community Development	Community development refers to a program of interventions that contribute to both economic and social development of communities who are considered stakeholders. The area of intervention may extend beyond the people who experience physical or economic displacement. The specific objectives and modes of implementation may vary, and are subject to negotiation with stakeholders, including communities and government.
Compensation	Payment in cash or in kind for an asset or a resource that is acquired or affected by the project.
Compulsory Acquisition	Also known as Expropriation or Eminent Domain. According to the Constitution of the Republic of Uganda (1995) as amended “no person shall be compulsorily deprived of property or any interest in or right over property” except under the condition that it is necessary for public use and made under a law that makes provision for prompt payment of fair and adequate compensation prior to taking of possession or acquisition of the property, etc. (see article 26 (2) and article 237 (2) (a)).The process for expropriation should be considered a measure of last resort to obtain permanent entry onto land.
Consultation and Disclosure	Resettlement planning requires that affected persons are informed early on in the planning process about their options and rights regarding displacement and compensation.

Affected persons should also have the opportunity for informed and meaningful participation in the key phases of planning, so that mitigation of adverse project impacts is appropriate, and the potential benefits of resettlement are sustainable. Disclosure includes, the disclosure of information about displacement eligibility and entitlements, as well as compensation and livelihood packages, with the aim to allow potentially displaced people sufficient time to consider their options (see also IFC PS5 5 and 10 and GN28).

Cut-off Date	Designated date of completion of the census and assets inventory of persons affected by the Project. Similarly, PAPs can still access their residences, structures and land, grow crops, harvest crops, graze animals until compensation awards are made. However, new fixed assets (such as built permanent structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory (i.e. the cut-off date) shall not be eligible for compensation; as these would not be part of the assessed property and included in the budget for compensation awards. For avoidance of doubt, the cut-off date is not the same as a declaration or notice issued under the Land Acquisition Act (sections 3 and 5).
Development	The planning, placement, construction and installation of facilities needed for production of petroleum.
Development Area	An area constituted by a block or blocks which, following a commercial discovery of petroleum, has been delineated for production according to the terms of the petroleum agreement.
Discovery Area	The block or blocks in an exploration area comprising the geological feature as outlined by the relevant geological or geophysical data in which a discovery is located.
Dwelling	A structure occupied by one or more households as their residence. A dwelling may be a primary or secondary residence.
Easement	An easement is a non-possessory right of use, entry or way onto the property of another. It is used by a project operator to allow its personnel to enter private land to inspect and maintain its infrastructure. It is a proprietary form of right on the land of another and is thus enforceable. A legal contract (easement agreement) is concluded between the parties that sets out the mutual rights and obligations of the parties, including the determination of an easement fee as form of compensation for the disturbance associated with the enforcement of the “right of way” and any limitations on the owner’s continued use of the land in question.
Economic Displacement	Loss of income streams or means of livelihood caused by land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of the project or its associated facilities. For example, economic

	displacement can result from loss of access to farm land and can occur without physical displacement occurring.
Encroacher	Loss of income streams or means of livelihood caused by land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of the project or its associated facilities. For example, economic displacement can result from loss of access to farm land and can occur without physical displacement occurring.
Entitlement	Methodology to determine the compensation, rights, and assistance measures offered by the Project according to identified impacts and displaced assets.
Eligibility	A set of criteria or conditions to determine who is entitled.
Export Pipeline	The pipeline that shall be used to export crude oil from Kabaale to an export facility in Chongoleani of Tanga in Tanzania.
Feeder Pipeline	This pipeline will connect the Central Processing Facility to a delivery point to be located near the refinery in Kabaale.
Fixed Development Plan	A prerequisite condition for an application for the grant of a petroleum production licence. It includes proposals for the development and production of the resource relating to the spacing, drilling and completion of wells and the facilities required for the petroleum production. (See Petroleum (Exploration, Development and Production) Act, Act 3 of 2013, Section 71).
Forced Eviction	Defined by the United Nations Office of High Commissioner for Human Rights as the permanent or temporary removal of individuals, families and/or communities against their will from homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.
Grievance	A grievance is a concern or complaint raised by an individual or a group of individuals affected by company operations. Both concerns and complaints can result from either real or perceived impacts of a company's operations, and may be filed in the same manner and handled with the same procedure. The difference between responses to a concern or to a complaint may be in the specific approaches and the amount of time needed to resolve it.
Host Community	People living in areas to which the people physically displaced by the Project will be resettled, and who in turn may be affected by the resettlement.
Household	An individual or group of persons living together, who share the same cooking and eating facilities, and operate as a single socio-economic and decision-making unit.
Household Census	The enumeration of affected people; their registration according to location and collection of basic information before the Project starts to establish a list of legitimate beneficiaries. A census may include data variables that seek to

		determine socio-economic conditions of affected people and their households as baseline information for monitoring and evaluation. On large projects, the baseline survey is done on a representative sample and thus not done as part of the census.
Involuntary Resettlement		Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement. This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use, 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.
JV Partners		Two oil and gas companies, CNOOC Uganda Ltd (CUL) and Total E&P Uganda B.V. (TEP Uganda) entered into a Joint Operating Agreement (JOA) to develop the petroleum resources in the Lake Albert Rift Basin. JV Partners are also referred to as Operators.
Land Acquisition		This includes both outright purchase of property and acquisition of rights such as easements or rights of way. It enables the temporary or permanent entry of land and the consequential removal of all assets on the land for a project-related activity. Where land is registered under some form of title, land acquisition requires the transfer of landownership to the Project in order to secure an unencumbered right to entry. Where land ownership is vested in the Government, the right of entry may be established by means of long-term leasehold.
Land Acquisition and Resettlement Framework		The voluntary approach that outlines the terminology, objectives, policies, principles and organizational arrangements that will govern land access, acquisition and resettlement activities related to the project. This is to meet the needs of the people who may be affected by Project activities resulting in land access and acquisition, loss of shelter, loss of assets or livelihoods, and/or loss of access to economic resources.
Land Grabbing		Refers to an unprotected practice of obtaining interests in or rights over unregistered land without full disclosure to the unregistered owner(s) of that land. A term used in the Uganda National Land Policy.
Land Tenure		The Uganda National Land Policy recognises three land use classifications namely Private, Public and Government and four land tenure classifications namely customary, freehold, mailo, and leasehold.
License Area		Refers to Exploration Area 1, 1A, 2, and the Kingfisher Development Area, and thereafter the whole or any part of such area which, at any particular time remains subject to a petroleum exploration licence and/or a petroleum production licence.

License Operator	The designated partner that will lead the development and operation of facilities in one or more licence areas.
Livelihood	Refers to the full range of means comprising of capabilities, assets (including both material and social resources), and activities required for individuals, families, and communities to generate an income to secure the necessities of life.
Livelihood Improvement	Livelihood improvement refers to programs or measures designed specifically to improve the assets, levels of economic productivity, and/or standards of living to above pre-project levels. Livelihood improvements in the context of this document are targeted to displaced people whose livelihoods are affected by the project. Livelihood improvements are required as part of the resettlement action plan to conform to the spirit and intent of IFC Performance Standard 5.
Network Pipelines	Pipelines that will connect the well pads to the CPF (also referred to as flow lines).
Orphan Land	For this RAP, Orphan land is described as land that is not directly affected by the project area but the project may limit the usefulness of this land. More specifically, Orphan land is the residual (remaining) land following land acquisition by the project that cannot be sustainably utilized or developed by a PAP i.e. the PAP's livelihood on the residual land is not sustainable, or, as a result of land acquisition by the project, the remaining portion is rendered non-economically viable. These small, uneconomic areas have been named 'orphan land'.
Permanent Displacement	Physical or economic displacement for the development of the Project that does not foresee the return of the land and its assets to its original state within a reasonable period (e.g. at the end of construction); as a result, affected persons are required to relocate to a new location to re-establish their livelihoods and asset base.
Production	All activities relating to recovering oil and gas from a reservoir and preparing it for evacuation from the field area.
Project	The Project refers to the Tilenga Project – the project name for the development of petroleum production facilities in Contract Area 1 and Licence Area 2.
Project Affected Household	For this resettlement, a Project Affected Household (PAH) is defined as one person or a group of persons who share a dwelling unit and for a group, share at least one meal a day.
Project Affected Persons	For this resettlement, Project Affected Persons (PAPs) are defined as, any person or group of persons who loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b)

ownership of annual and/or perennial crops and trees, (c) homestead property, (d) homestead structures, (e) graves, (f) shrines, and (g) other privately-held physical assets located within the development footprint.

Public Disclosure	Dissemination of information about the Project in a public forum allowing public access to reports and documents which contain (among others) the description of: projects, potential impacts, mitigation plans and other information that may have an effect on the public. Public disclosure of resettlement plans refers to the making available of non-financial information about the planned resettlement to affected communities.
RAP 1 Project	The resettlement and land acquisition for the Priority Areas (Industrial Area and N1 Access Road) as components of the overall Tilenga project
RAP 2 Project	The resettlement and land acquisition for the North Western Components of the overall Tilenga project
RAP 3A Project	The resettlement and land acquisition for the North Eastern Components of the overall Tilenga project
RAP 3B Project	The resettlement and land acquisition for the South Eastern Components of the overall Tilenga project
RAP 4 Project	The resettlement and land acquisition for the Feeder oil Pipeline Components of the overall Tilenga project
RAP 5 Project	The resettlement and land acquisition for the Upgrade of Existing Roads Components of the overall Tilenga project
Replacement Cost	The rate of compensation for lost assets, which shall be calculated at full cost of replacement; that is, the market value of the assets in addition to all transaction costs. In applying this method of valuation, depreciation of structures and assets are not taken into account. Market value is defined as the value required to enable affected communities and persons to replace lost assets with assets of similar value.
Replacement Land	A form of compensation for the loss of agricultural or pasture land. It is land of equal productive use or potential, located in the vicinity of the affected land or the new housing site, and the cost of its preparation to levels similar or better than that of the affected land.
Resettlement	Resettlement refers both to physical and economic displacement as a result of Project related land acquisition, and the process by which these impacts are mitigated and addressed.
Resettlement Action Plan	The document which specifies the plan and procedures that the JV Partners 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. The RAP shall be consistent with this Framework.

Resettlement Package	The compensation, benefits and other assistance provided by the project to displaced households and businesses.
Restricted Area	An area of land in which the level of prevailing risk is not compatible with the presence, even temporarily, of members of the public. Onshore, the restricted area is required to be within the security zone of the facility.
Security of Tenure	Means that resettled individuals or communities are resettled to a site that they can legally occupy, and where they are protected from the risk of eviction.
Speculation	Individuals that intentionally move to a project site, purchase land, build or plant assets in an opportunistic way so that they may receive compensation or receive additional compensation.
Stakeholder	Any and all individuals, groups, organisations, and institutions interested in and potentially affected by a project or having the ability to influence a project.
Stakeholder Engagement	An ongoing process that may involve stakeholder analysis and planning, disclosure and dissemination of information, consultation and participation, grievance mechanism, and ongoing reporting to Affected Communities. The nature, frequency, and level of effort of stakeholder engagement may vary considerably, and will be commensurate with the Project risks and adverse impacts, as well as the phase of development.
Standard of Living	The level of wealth, comfort, material goods and necessities available to a certain socioeconomic class in a certain geographic area. The standard of living includes factors such as: income, quality and availability of employment, class disparity, poverty rate, quality and affordability of housing, hours of work required to purchase necessities, gross domestic product, inflation rate, number of holiday days per year, affordable (or free) access to quality healthcare, quality and availability of education, life expectancy, incidence of disease, cost of goods and services, infrastructure, national economic growth, economic and political stability, political and religious freedom, environmental quality, climate, and safety. Standard of living is closely related to quality of life.
Temporary Displacement	Economic displacement for the development of the project for a limited period of time, for instance during specialized technical operations or period of construction of Project infrastructure. Land and assets are restored after the temporary displacement and compensation for any loss of assets and convenience is provided for by the project including livelihood support during the period of displacement.
Temporary Structure	Defined in the National Physical Planning Standards and Guidelines, 2011. Dwelling units built with non-durable wall and roof materials that cannot maintain stability for more than 3 years and require regular replacement.

Vulnerable People

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

Well Pad

Unmanned facility with up to 20 wells per pad including both producer and injector wells.