




RESETTLEMENT ACTION PLAN 1 (RAP1)

for the proposed Industrial Area and N1 Access Road

Prepared by




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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
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

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-Kizza
MLHUD	Ministry of Lands Housing and Urban Development
MoA	Memorandum of Agreement
MOU	Memorandum of Understanding
NC	Nomad Consulting
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
SGC	Synergy Global Consulting Limited
TEP Uganda	Total Exploration and Production Uganda B.V.
TUOP	Tullow Uganda Operations (Pty) Limited
ULC	Uganda Land Commission

UNGP

United Nations Guiding Principles on Business and Human Rights

A glossary can be found at the end of this document in section 17

1. INTRODUCTION

1.1. Purpose of this document

The Joint Venture Partners (the JV Partners) comprising of Tullow Uganda Operations Pty Limited (TUOP), Total E&P Uganda B.V. (TEP Uganda) and CNOOC Uganda Limited (CNOOC) have been granted oil production licences from the Government of Uganda (GoU) and are currently entering the initial stages of petroleum development of production licence areas in the Lake Albert Basin in Uganda (see Figure 1 below).

On behalf of GoU, TEP Uganda, operator of Contract Area 1 and TUOP, operator of Licensed Area 2, plan to develop the licensed petroleum fields in Buliisa and Nwoya Districts, within the Albertine Graben of Uganda. As the Companies transition into their development and production phase for the production 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 in association with Synergy Global Consulting Limited and Nomad Consulting were contracted by TEP Uganda and TUOP.

The purpose of the current Resettlement Action Plan 1 (RAP1) is to identify and outline the actions required to acquire land and relocate people affected by the TILENGA project priority areas comprising of an industrial area and the N1 access road (hereafter referred to as the “RAP 1 Project Area”) which will be located in Kasenyi Village, Ngwedo sub-county, Buliisa District described further in Sections 1.2 and 1.3 below. 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 listed under the Priority Areas described in Section 1.2 below, as other components of the TILENGA project will be subject to 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 the License Area 2 located in Buliisa and Nwoya Districts in Uganda.

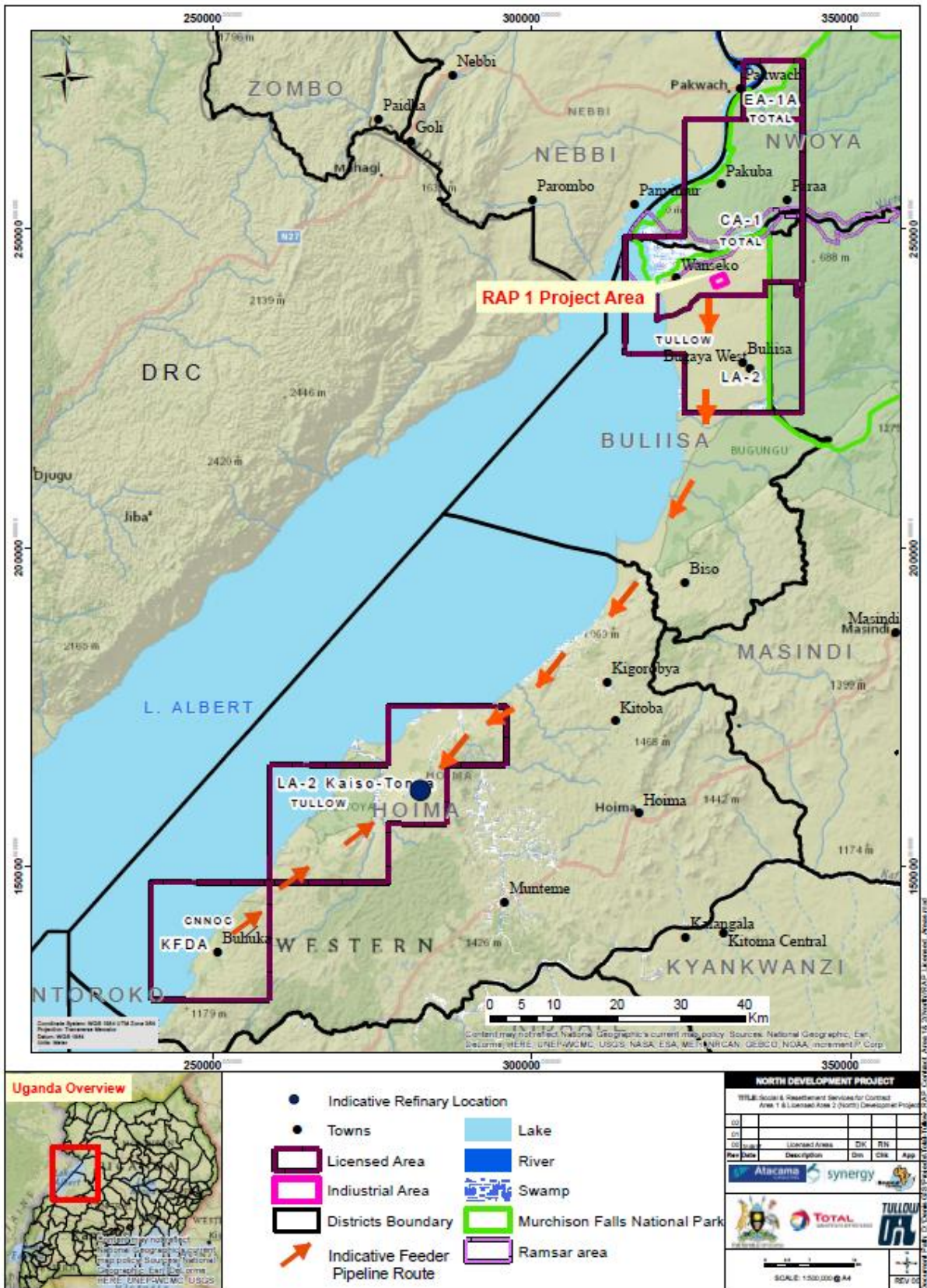


Figure 1 - Joint Venture Partners Licence Areas

The TILENGA Project will require land for the development of its facilities in Buliisa District. The first Resettlement Action Plan (RAP 1) developed for the TILENGA project covers two facilities i.e. the proposed Industrial Area and N1 Access Road both situated within Kasenyi Village, in Ngwedo Sub-County.

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 30 well pads. A network of interfield pipelines will collect the oil production 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 manifold 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 is in the Front-End Engineering Design (FEED) stage, where all necessary technical definition and cost and schedule estimates will be developed to allow the JV Partners to make a recommendation for a Final Investment Decision (FID) expected early 2018, and lead to the project execution and construction phase for the upstream facilities required to produce Uganda's Oil targeted for end 2020.

Concurrent with the FEED studies, are other activities whose contracts have also been awarded and are in progress within the upstream project. These include; Environmental & Social Impact Assessment (ESIA) and the development of Resettlement Action Plans (RAPs) to enable land acquisition for the project facilities. Work is also progressing on the contract strategy for the enabling works and the Drilling and Wells Services.

This FEED stage requires the planning for both temporary and permanent land acquisition and resettlement of communities in the area and this resettlement planning process has been broken down into five phases, each of which contains various project components in Buliisa and Hoima Districts:

- Priority Areas (RAP 1 Project Area)
- Feeder Pipeline Components
- North – Eastern Components
- North – Western Components
- Enabling infrastructure – road upgrades

The total land intake for the Priority Areas occupy an area of 785.724 Acres (317.97 hectares) and consist of the following components:

- Industrial Area (comprised of the Central Processing Facility, Operational Camps and Yards and Contractor Camps and Yards) – 770.824 Acres (311.941 hectares); and
- Access Road N1- 13.68 Acres (5.536 hectares)
- Orphan land – 1.22 Acres (0.493 hectares)

1.3. RAP 1 Project Area

The RAP 1 project site is located in Kasenyi village, Ngwedo Sub-County in Buliisa District (Figure 2 and Figure 3) and is approximately 3km south of the Victoria Nile River, 9km east of the northern end of Lake Albert, 6.8km west of Murchison Falls National Park (MFNP) and 3.3km south of the Murchison Falls-Albert Delta Wetland System (Ramsar site no. 1640) (Figure 2).

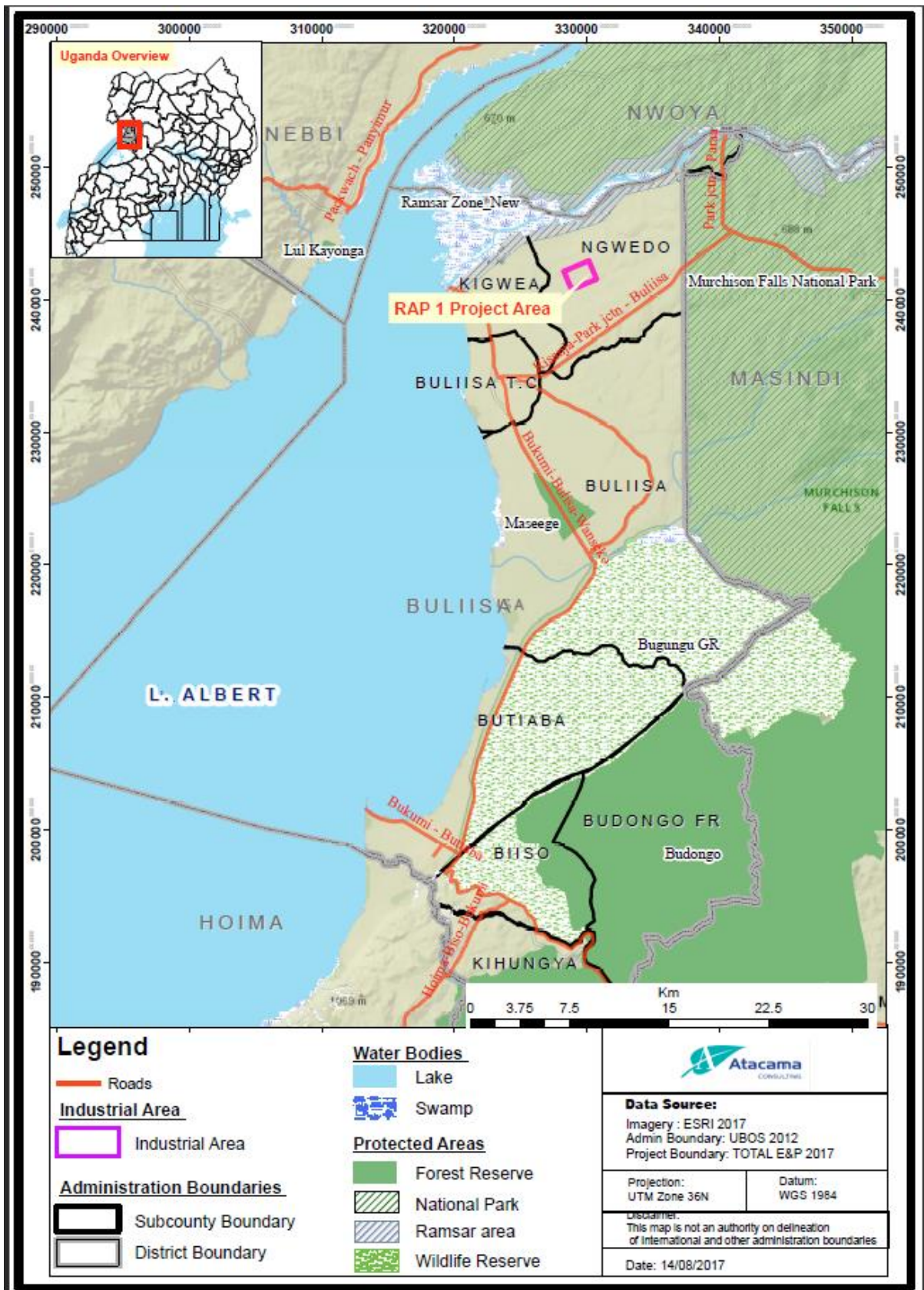


Figure 2 – RAP 1 Project Area in the context of Lake Albert and Buliisa

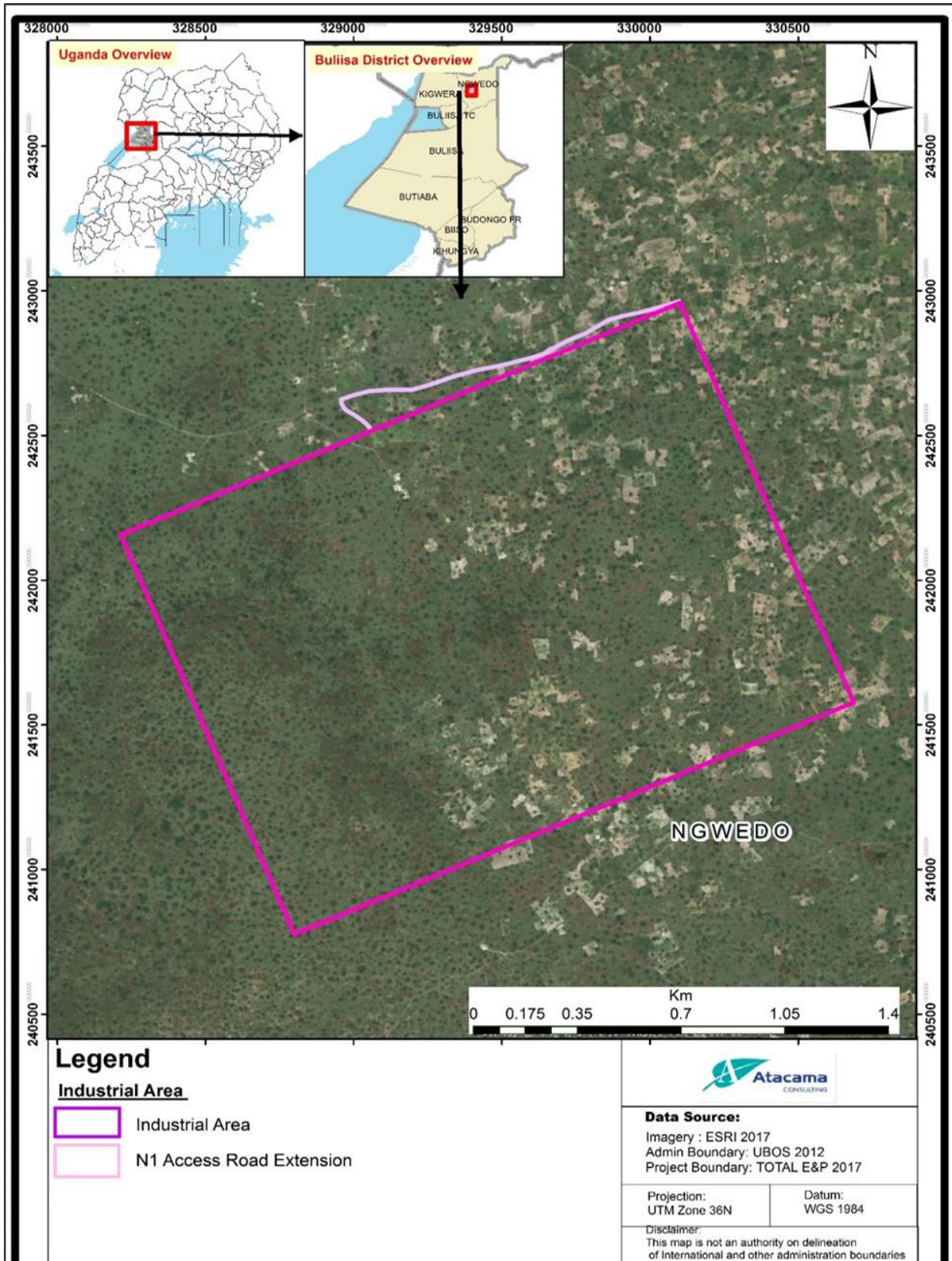


Figure 3 – Boundary of Industrial Area and N1 Access Road

The development of the Industrial Area and N1 Access Road requires the acquisition of 784.504 Acres¹ (without Orphan Land). This land will need to be acquired from 185 landowners² including 121 individuals, 62 families and 2 clans. There is also an incremental land take for 11 properties which are partly covered by the RAP 1 project areas where the retained land cannot sustain the livelihoods of the Project Affected Persons (PAPs). Following consultations, 9 of the 11 landowners agreed to relinquish their land resulting in an additional Orphan land take of approximately 1.22 Acres thus giving a potential total land take of 785.724 Acres. The procedure for Orphan land is explained further in section 5.1.1.

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) whom have legal or customary rights to assets that may be lost because of the project activities, as solely determined by the Cadastral Land and Asset Valuation Survey. 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 Project Industrial Area and access road. There are 610 **asset holders or PAPs**³ who are displaced by the resettlement. This includes:

- 26⁴ Physically displaced (only) – where PAPs will lose residential land, dwellings and structures;
- 345 Economically displaced (only) – whereby PAPs will lose their means of livelihood, primarily crop production, livestock grazing and natural resource gathering, and;
- 239 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 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 continued commitment to the development of Uganda's Hydrocarbon resources and social economic transformation of not only their area of operations but the country at large.

¹ Tilenga RAP 1 Valuation Report

² Tilenga RAP 1 Valuation Report

³ PAPs are asset holders and this is not the same as households as recorded in the baseline survey, see section 1.4

⁴ This should not be confused with the number of PAPs with Primary residences (which is 28). There are 26 PAPs who are only physically displaced and not economically displaced - this refers to anyone losing any residential structure (primary or secondary) who is not also economically displaced. This number is purely a categorization of the type of displacement and has no bearing on the number of primary residences or entitlement to replacement housing

TILENGA is a strategic project because of the anticipated benefits for the country including; improved infrastructure such as roads, business opportunities, such as supply of agricultural products and employment among others. As indicated in the results of the Industrial Baseline Survey conducted by the JV Partners (2013)⁵, the project will provide businesses 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 Priority Areas

Specific to this RAP, the rationale for land acquisition and resettlement of the RAP 1 Project Area is to secure access to land required for the construction and operation of the “Priority Areas” including the Industrial area (comprised of the CPF, Operational Camps and Yards and Contractor Camps and Yards) and associated N1 access road.

The acquisition of land for the RAP 1 Project Area will cause the physical displacement of 26 of PAPs, including the loss of residential land, dwellings and structures. It will cause direct economic displacement of 345 PAPs through the livelihoods obtained from crop production, livestock grazing and natural resource gathering being compromised by the land acquisition and will cause both physical and economic displacement of 239 PAPs.

The location of the Industrial Area and N1 Access Road has been subject to social screening and efforts to minimise resettlement.

The current Industrial Area location is the second of two options selected through a process detailed in the *ARTELIA Social Screening report (2013)*⁶ where the social impacts of both sites were compared in detail. Option 2 (the current location) was chosen because:

- There was less physical displacement compared to Option 1;
- Economic displacement was primarily in pastoral land with limited cultivated land present **at the time**⁷.
- There was less inter-dependency on land in the area which limited the impact for the whole region in terms of food security.
- The long-term impacts for livelihoods and resettlement were expected to be lower than those of Option 1. However, it was deemed that land ownership structures in Option 2 were more complex.

The methodology and findings of minimisation efforts are further described in detail in section 5.3.

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;

⁵ Joint Venture Partners Industrial Baseline Survey Report – November 2013

⁶ Artelia EAU & Environment Social Screening for Buliisa Project Facilities, 2014,

⁷ The evidence from recent surveys confirms that the amount of cultivated land in the Industrial Area has increased.

- 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 Development and the Early Works Project Brief are currently ongoing and as such, with the exception of the TILenga Development Scoping Report, the detailed reports are not yet available, however, the findings of the ESIA team will be considered during the implementation of the RAP.

1.6.3. Industrial Baseline Survey

The industrial baseline survey was conducted by the joint venture 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

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. The report conducted both desk and field research to identify valuation methods and evaluate the various agencies in Uganda responsible for the formulation of compensation rates. Its findings 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. It outlines the potential resettlement impacts of project components, including the Priority Areas, 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. 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. 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 1 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 March 2017 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. Cadastral Land and Asset Valuation Surveys

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

- Demarcating the RAP 1 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.
- Recording the location of all assets with a Real Time Kinematic (RTK) machine; and photographing assets.

This was done in the presence of the PAPs themselves and local leadership.

The surveys were carried out within the RAP 1 Project Area between the 18th April and 15th May 2017 and 26th June and 4th July 2017 (the latter mainly to handle any grievances and any additional outstanding form hand overs and signing) in the presence of the land owners, and the land users in the presence of 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 the office of the Chief Government Valuer (MLHUD) and MEMD. The team was also accompanied by a Community Liaison Officer (CLO) who briefed the PAPs on the resettlement if required.

Information was recorded onsite and signed off by the PAPs. The results were then used for providing supporting information for the development of replacement value, 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 1 Valuation Report (SURVESIS, January 2018) (Annexure 1).

1.7.4. 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 lords. 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 LC3 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 from 19th April 2017 to 15th May, 2017; and from 26th June 2017 to 5th July 2017.

Further detail on the Legal Due Diligence Survey methodology can be found in Chapter 5, Section 5.1.3.

1.7.5. Socio Economic Household Survey

A socio-economic household survey was conducted between 25th April to 16th May 2017 and between 26th June to 7th July 2017 to gather social information including:

- 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 1 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 Officer also briefed the PAPs on the resettlement planning process. Further detail on the methodology employed can be found in Section 1.1 or in the Social Baseline Report (Annexure 2).

1.7.6. 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. The interviews were conducted by a team comprising of resettlement experts, livelihood and agricultural experts, cultural heritage specialists, health and gender specialists. This 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, Youth etc.).

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

1.7.7. Livelihood Restoration Planning

Information regarding the current livelihoods being practiced on site was obtained primarily through the Socio-Economic Household Survey and Interview Program, an Institutions & Employment Study and supported by relevant information from the secondary sources listed in Section 1.6 above. The 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. Feasibility studies were also carried out on each of the Livelihood Restoration Options which involved interviews with key stakeholders. Further details of the methodology for Livelihood Restoration Planning can be found in Chapter 11 – Section 11.5.

2. RESETTLEMENT GOALS AND PRINCIPLES

The resettlement goals and principles of this RAP are guided by the Land Acquisition Resettlement Framework LARF (2016) 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 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 function, and other.

Principle 3 - Compliance with laws, standards and policies

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

Principle 4 - Active and informed stakeholder participation

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

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.

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 LAR Framework

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 Land Acquisition and Resettlement Framework (LARF)⁹ 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 4) and discussing how they are relevant for the RAP 1 Project.



Figure 4 - 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 both the corporate policies of TUOP and TEP Uganda commit to compliance with applicable Ugandan laws and regulations as well as applying their (TUOP and 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. TEP Uganda's social commitment focuses on achieving harmony with neighbouring communities. The TOTAL

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

Ethics charter also commits to contributing to the social and economic development of the country of operation.

3.2.2. TUOP Corporate Policies

Relevant TUOP Policies include; the Environment and Social Performance Standard which commits to compliance with host country laws and regulations but also commits to apply their (TUOP's) standards where they are more stringent than host county laws. The standard places 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.

TUOP's Policy commits to the Voluntary Principles on Security and Human Rights as well as to conducting human rights due diligence throughout a project. It also advocates for cultural awareness training of employees and contractors.

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, Cap 227, 1998 (as amended);
- The Land Acquisition Act, Cap 226, 1965;
- Registration of Titles Act, Cap 230, 1924;
- Petroleum (Exploration, Development and Production) Act, No. 3 of 2013;
- The Water Act, Cap 152;
- The National Forestry and Tree Planting Act, No. 8 of 2003;
- Physical Planning Act, No. 8 of 2010;
- Survey Act, Cap 232, 1939 (as amended);
- The Roads Act, Cap 358, 1964;
- Access to Roads Act, Cap 350, 1969;
- Uganda National Roads Authority Act, 2006;
- Local Government Act, Cap 243, 1997 (as amended in 1997, 2001 and 2003);
- Illiterate Protection Act, Cap 78, 1918;
- National Oil and Gas Policy for Uganda, 2008;
- Uganda National Land Policy, 2013;
- Strategic Environmental Assessment of Oil and Gas Activities in the Albertine Graben, 2015;
- National Physical Planning Standards and Guidelines, 2011;
- National Policy for Older Persons, 2009;
- Environmental Impact Assessment Guidelines for the Energy Sector, 2004, and;
- The National Environment (Wetlands, River Bank and Lake Shores Management) Regulations, No. 3 of 2000¹⁰.

¹⁰ Land Acquisition and Resettlement Framework (LARF), 2017, Chapter 5 – Legal and Administrative Framework, Page 30.

For this RAP, the Historical and Monuments Act, 1967 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 1 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 1998 (as amended in 2010)

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 1 Project Area, the families originate from various clans such as the Babala and Batera clan. However, it was found through consultation with the PAPs on site that the land is largely owned for usage for individual families. The land may still be presupposed to be for a clan, but it is the individual families who are declaring ownership. This is discussed further in Chapter 10, section 10.8.
2. The rights of women, children and disabled persons 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 these protections.
3. That customary land may be divided up and owned individually rather than just by clans.

3.3.3. The Land Acquisition Act, Cap 226, 1965

The Act makes provision for the compulsory acquisition of land for public purposes and other related matters. It makes provision for the procedures and method 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. Historical and Monuments Act, 1967

The existing law relating to archaeological sites in Uganda is the Historical and Monuments Act, 1967, 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. 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 1 Project Area which is based on customary land (i.e. public usage), which land is also being used as a place for burial and also has cultural sites within it as described in Chapter 13 – Cultural Heritage.

The Act goes on to state:

- “(b) without the written consent of the land owner -*
 - (i) upon any land which is the site 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 cattle¹¹”*

¹¹ The Ugandan Petroleum Act (Exploration, Development & Production) 2013. Page 98-99.

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 Industrial Area and N1 access road. 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 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 land owner 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;

a) Payment for rent or compensation to a land owner 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 land owner.

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 land owner 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 land owner 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 153.”

3.3.7. 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.

3.3.8. National Guidelines on Valuation Assessment

The Government of Uganda through the lead ministry of Lands Housing and Urban Development has developed as passed into practice Valuation guidelines that are called ‘guidelines for compensation assessment under Land acquisition (GCALA)’ that operationalize the LARF as signed in December 2016. The guidelines are 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.

3.3.9. 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 utilisation of energy resources;
- Ensuring that the Project is compliant with Uganda 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, MEMD approval of planned and executed work is required.¹²

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

The Chief Government Valuer (CGV) in the Valuation Division of the MHLUD 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)¹³ in the registration 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 has responsibilities 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

This is the Ministry responsible for legal matters within Uganda including those relating to the oil and gas sector. It 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 matters of missing persons (absentee PAPs, deceased persons among others).

¹² Land Acquisition and Resettlement Framework (LARF), 2017, Chapter 5 – Legal and Administrative Framework.

¹³ 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.

3.4.5. Ministry of Finance

The Ministry of Finance, Planning and Economic Development is in charge of formulating policies to enhance Uganda's economic stability and development. It oversees national planning and strategic development initiatives for economic growth. It also mobilises resources for and ensures efficiency of public expenditure. 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) is the lead agency tasked with monitoring, supervision and coordinating environment management related matters in the country. 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 social impact assessment and social management plans including the RAP 1 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.

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.

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 1 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. The Local Governments will primarily review the progress of the land acquisition and resettlement implementation and make decisions regarding actions to solve the problems and designate officers to carry out these actions.

All districts should have five levels of Local Councils (LCs). The five levels are listed below:

- Local Council 1 (LC1) – Village Level
- Local Council 2 (LC2) – Parish Level
- Local Council 3 (LC3) – Sub-County Level
- Local Council 4 (LC4) – County Level
- Local Council 5 (LC5) – District Council

It should be noted that the LC4s have not been set up and there are no LC2 administrative units in Buliisa.

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

In the project-affected area, LC1s, and LC3s 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 3.4.10.3 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 Boards (DLBs) facilitate the registration and transfer of land ownership. In addition, DLBs compile and maintain 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 DLBs review the lists of compensation rates annually. In this regard, the DLBs 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.

3.4.10.4. Buliisa District Land Tribunals

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 (LC1s).

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.

3.6. 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. 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.

3.6.1. 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.

3.6.2. 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.

3.6.3. 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 this Priority RAP, 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.”

3.7. Gap Analysis of National Laws & IFC Standards¹⁴

A Gap Analysis between National Laws and IFC Standards has already been conducted as part of the LARF. Table 1 contains the results of this gap analysis along with project specific mechanisms for addressing gaps.

¹⁴ Adapted from the LARF (2016)

Table 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 ¹⁵	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 Industrial Area has been subject to minimization efforts described in Chapter 5 – Section 5.3.
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 ¹⁶ .	Resettlement plans are not required by Uganda laws, but are prescribed in the EIA Guidelines for the Energy Sector.	The JV Partners commit to develop Resettlement Action Plans and Livelihood Restoration Plans once impacts of proposed land acquisition and resettlement activities have been identified.	The RAP 1 Project Area causes both Physical and Economic Displacement. The RAP 1 Project Area is therefore subject to this RAP document which includes an integrated Livelihood Restoration chapter (Chapter 11).

¹⁵ Section 10.1 of the EIA Guidelines for the Energy Sector, 2004.

¹⁶ Section 10.7 of EIA Guideline for the Energy Sector, 2004.

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 requirements must be obtained and their interests factored into resettlement planning and implementation.	A Licensee is not permitted to exercise any right upon land without prior written consent from the land owner ¹⁷ . 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 required ¹⁸ . 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.	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. There is no mention of how host communities or women shall be engaged during resettlement activities.	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.
Eligibility	Eligibility criteria should recognize the rights of the affected people:	Uganda laws recognize land occupancy under four regimes of land tenure, namely	Uganda laws and the IFC PS 5 are consistent in the recognition of the rights of occupants and land	The JV Partners will recognise the rights of all affected people including those with formal legal	This RAP recognizes the rights of all affected people including those without legal rights.

¹⁷ Section 138 (1) Petroleum (Exploration, Development and Production) Act, No. 3 of 2013.

¹⁸ Section 3 (1) Land Acquisition Act, Cap. 226.

	<ul style="list-style-type: none"> • Who have formal legal rights to the land or assets they occupy or use; • 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; • Who have no recognizable legal right or claim to the land or assets they occupy or use; and • The census will establish the status of the displaced persons. 	<p>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.</p>	<p>owners under the different land tenure regimes.</p>	<p>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>	<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	<p>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.</p>	<p>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 does not</p>	<p>The Uganda regulations are unclear on how a cut-off date is to be enforced.</p>	<p>Cut off dates for eligibility will be well documented and disseminated throughout the project area, including relevant national ministries and local government.</p>	<p>The final Cut-off Date for the RAP 1 Project Area was announced on 16th of May 2017.</p> <p>Notification for the cut-off date is explained in Chapter 6 – Section 6.5.2.</p>

		<p>provide any procedural guidance¹⁹.</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 compensated²⁰.</p>			
Census	<p>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.</p>	<p>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,</p>	<p>The Guidelines require that a census be conducted in the event of compensation and resettlement.</p>	<p>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.</p>	<p>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.</p>

¹⁹ Section 10 of EIA Guidelines for the Energy Sector, 2004.

²⁰ Section 5 (1) Land Acquisition Act, Cap. 226.

		including the rights of tenants ²¹ .			
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 resettlers to build their own housing. ²² The Physical Planning Standards specify plot sizes and materials to be used for the establishment of new residential infrastructure ²³ .	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 accordance with the law) are to be carried out.	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 receive cash compensation. As per the Entitlement Framework in section 8.3
Economic Displacement (loss of land)	Economically displaced persons will be compensated for the loss of economic	Displacement resulting from development project activities is not defined in Ugandan	The Ugandan laws do not categorise project affected persons according to the impact	The JV Partners will commit to compensating economically displaced persons:	This RAP commits to compensating economically displaced persons:

²¹ Section 10.4 of EIA Guidelines for the Energy Sector, 2004.

²² Section 10.7 of EIA Guidelines for the Energy Sector, 2004

²³ Chapter 2 (see also Table 1, p. 8) of National Physical Planning Standards and Guidelines, 2011.

	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).	laws. The EIA Guidelines for the Energy Sector consider compensation for the loss of land ²⁴ . The type of compensation packages that should be awarded to project affected persons is not described.	that proposed land acquisition and resettlement activities have on them. There is no specific requirement to provide replacement land to project affected persons, but it is an option available for consideration.	<ul style="list-style-type: none"> • With replacement land of at least the same productive potential and location advantage, or • For the loss of economic assets at full replacement cost. 	<ul style="list-style-type: none"> • With replacement land of equal value at full replacement cost. • For the loss of economic assets at full replacement cost. <p>As per the Entitlement Framework in section 8.3</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	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	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 JV Partners are committed to the provision of support to commercially displaced persons, who will receive: <ul style="list-style-type: none"> • Assistance to re-establish commercial activities; • replacement 	There are no businesses being displaced as part of this RAP 1 resettlement.

²⁴ Section 10 of EIA Guidelines for the Energy Sector, 2004.

	their income-earning capacity and standards of living (IFC PS5, §29).	Section 139, Subsection 1b of the Petroleum (Exploration, Development and Production) Act which provides that “account shall be taken of any improvements effected [...] the benefit of which has or will accrue to the land owner”.	the affected person’s income earning capacity.	property of equal or greater value; and <ul style="list-style-type: none"> • 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</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 areas ²⁵ . 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</p>	<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.</p>	<p>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.</p>	<p>This RAP commits to awarding compensation at Full Replacement Cost as per the as per the Entitlement Framework in section 8.3</p>

²⁵ Section 24 of Land Regulations, 2004.

	<p>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 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 communities²⁶.</p>			
Form of Compensation	<p>Compensation in kind should be considered in preference over cash.</p>	<p>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 taking of possession of the property” has been undertaken.</p>	<p>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 “constraints to monetary compensation”.</p>	<p>The JV Partners commit to compensating affected persons for loss of right over land or property in kind in preference over cash.</p>	<p>In kind compensation is recommended where feasible in this RAP, namely for primary residences and crop land as per the as per the Entitlement Framework in section 8.3</p>
Vulnerable Groups	<p>In resettlement planning, particular attention should be given to the poor and vulnerable, and compensation in kind</p>	<p>The 1995 Uganda Constitution stipulates that, “the State shall take affirmative action in favour of groups marginalised on the</p>	<p>The Ugandan laws offer protection of vulnerable groups from exploitation. However, this does not provide the procedure for this</p>	<p>The JV Partners commit to planning with particular focus given to vulnerable project affected persons. Resettlement packages should give preference to</p>	<p>Vulnerable project affected persons are given a particular focus as detailed in Chapter</p>

²⁶ Section 10.5 of EIA Guidelines for the Energy Sector, 2004.

	should be offered to facilitate permanent relocation and establishment at an alternative location.	<p>basis of gender, age, disability or any other reason [...] for the purpose of redressing imbalances which exist against them. “</p> <p>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 census²⁷.</p>	category of project affected persons to be consulted, engaged or further protected.	compensation in kind with special facilitation of permanent relocation.	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 ²⁸ .	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	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 1 Project Area. Further detail is provided in Chapter 7 – Concerns and Grievance Mechanism

²⁷ Section 10.4 of EIA Guidelines for the Energy Sector, 2004.

²⁸ Section 2 and other related sections of Land Acquisition Act, Cap 226.

			lowest level of activity” ²⁹ .		
Monitoring and Evaluation	A procedure to monitor and evaluate the implementation will be established; affected persons will be consulted during the monitoring process. (IFC PS5, §14).	An evaluation procedure is prescribed in the EIA Guidelines for the Energy Sector, including a team of experts to provide technical advice during monitoring. Monitoring is based on the Resettlement Plan ³⁰ .	Uganda laws do not require development project implementers to develop a 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.	The JV Partners commit to developing a Monitoring and Evaluation Procedure that will assess the implementation of land acquisition and resettlement activities. Affected persons will be consulted during the M&E activities.	This RAP contains a detailed framework for Monitoring and Evaluation framework in Chapter 14.

²⁹ Section 10.11 of EIA Guidelines for the Energy Sector, 2004.

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

4. SOCIO-ECONOMIC BASELINE

4.1. Introduction

Following the requirements set by the LARF and IFC PS5, a socio-economic survey and studies were carried to collect 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 forms the basis of a better understanding of the structure and make-up of affected households, their livelihoods practices adopted to secure household food needs and income; as well as providing a baseline for evaluating the success of livelihood restoration support.

This chapter provides a summary of the Social Baseline Report which was prepared as Annexure 2 to this RAP, and summarises the key findings and data collected by the various socio-economic studies.

4.2. Defining PAPs and Households

For this resettlement, Project Affected Persons (PAPs) is defined as any individual or group of persons (this constitutes a family or clan with shared interest in an asset) who have legal or customary or other proven rights to assets that may be lost because of the project activities, as solely determined by the Cadastral Land and Asset Valuation Survey. 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, (c) ownership of trees, (d) homestead property, (e) homestead structures, (f) graves, (g) shrines, and (h) other privately held physical assets located within the development footprint of the Project Industrial Area and N1 access road. There are 610 PAPs who are defined as displaced by this definition.

The majority of this RAP, particularly sections concerning compensation or resettlement provisions focus on PAPs as this is what was recorded in the Asset Survey. It should be noted however that the focus of the Social Baseline Report and Chapter is on the **household** – defined as a single residential entity, typically a family, that may or may not be directly resident in the proposed Industrial Area and N1 access road, but may have one or more assets in the area. Generally, this means that the total number of affected households is less than the number of PAPs defined in the Asset Survey.

There are 601 households which have been captured in the Socio-Economic Household Survey and have asset holdings in the Industrial Area and along the N1 access road as confirmed by the Asset Survey Report. Some households have multiple assets which 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 has been noted, the Socio-Economic Survey only interviewed the household once to avoid duplication of socio-economic data. Considering the above, it is important to distinguish PAPs and households in this document.

The RAP 1 Project will cause the displacement of 610 PAPs or 601 households.

4.3. Method

The Social Baseline Report and this Chapter is an amalgamation of several studies which have adopted a range of study methods as summarised below:

- **Household Socio-Economic Survey:** A Household Socio-Economic Survey was undertaken over two periods – the first programme extended between mid-April to mid May 2017, with a second round of fieldwork undertaken in late June to early July 2017. The survey comprised of a questionnaire covering a range of topics which was administered to 100 percent of the affected households identified by the Asset Survey.
- **Interview Programme:** A qualitative socio-economic interview program was also carried out in parallel with the household survey. Over 36 interviews were held with a range of individuals (as Key Informants Interviews) or 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.
- **Specialist Support:** Separate specialist fieldwork and input concerning public health, gender, cultural heritage, and archaeology was included as part of the social baseline methodology. Fieldwork comprised of 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). The findings are presented in the Social Baseline Report and summarised in this Chapter.

4.4. Demographics of Resettlement Affected Households.

The total number of affected households is 601 with a total population of 4773, or an average of 7.9 persons per household. The place of origin of affected households varies greatly (See Table 2 and Figure 5) however they can be divided into two groups – residents of Kasenyi village (but not necessarily the proposed industrial area and N1 access road) and non-residents.

Table 2 - Place of Origin of RAP 1 Project Affected Households

Parish Name	Village Name	Percentage (%)	
		Surveyed Households	Population
NILE	KASENYI	67.7	67.3
KIRAMA	KIRAMA	8.7	8.8
NILE	KISOMERE	6.5	5.5
KIGWERA	KIGWERA	2.5	2.5
NDANDAMIRE	KICHOKE	1.7	1.7
WANSEKO	WANSEKO	1.5	1.7
KIRAMA	KIYERE	1.3	1.4
NGWEDO	KIBAMBURA	1.2	1.3
NGWEDO	UDUK II	1.2	1.4
NDANDAMIRE	NDANDAMIRE	0.8	1.0
NGWEDO	NGWEDO	0.8	0.9
WANSEKO	MASAKA	0.8	1.2
NDANDAMIRE	KATODYO	0.7	0.6
MUBAKO	MUBAKO	0.5	0.3
AVOGERA	AVOGERA	0.5	0.3
KIRAMA	KIGWERA NORTH EAST	0.5	0.4
NILE	KILYANGO	0.3	0.4
NORTHERN WARD	KAKINDO	0.3	0.4
BULYANGO	NYAKATOOKE	0.3	0.4
AVOGERA	MUVULE NUNDA	0.2	0.1
GANDA	AFODHA	0.2	0.1
KIGWERA	KIGANA	0.2	0.3
BULIISA	KAKINDO	0.2	0.1
KISANSYA	KISANSYA WEST	0.2	0.1
KISUKUMA	KISUKUMA	0.2	0.3
MIYIRIKITI	MIYIRIKITI	0.2	0.1
MVULE	AJIGO	0.2	0.4
NDANDAMIRE	KICHOKE	0.2	0.2
POVUNGU WEST WARD	LUBIRI B	0.2	0.1
WAAKI	KIHUNGYA	0.2	0.2
WANSEKO	KATANGA	0.2	0.3
MVULE	MVULE 1	0.2	0.1
Total		100	100

Source: Socio-Economic Household Survey

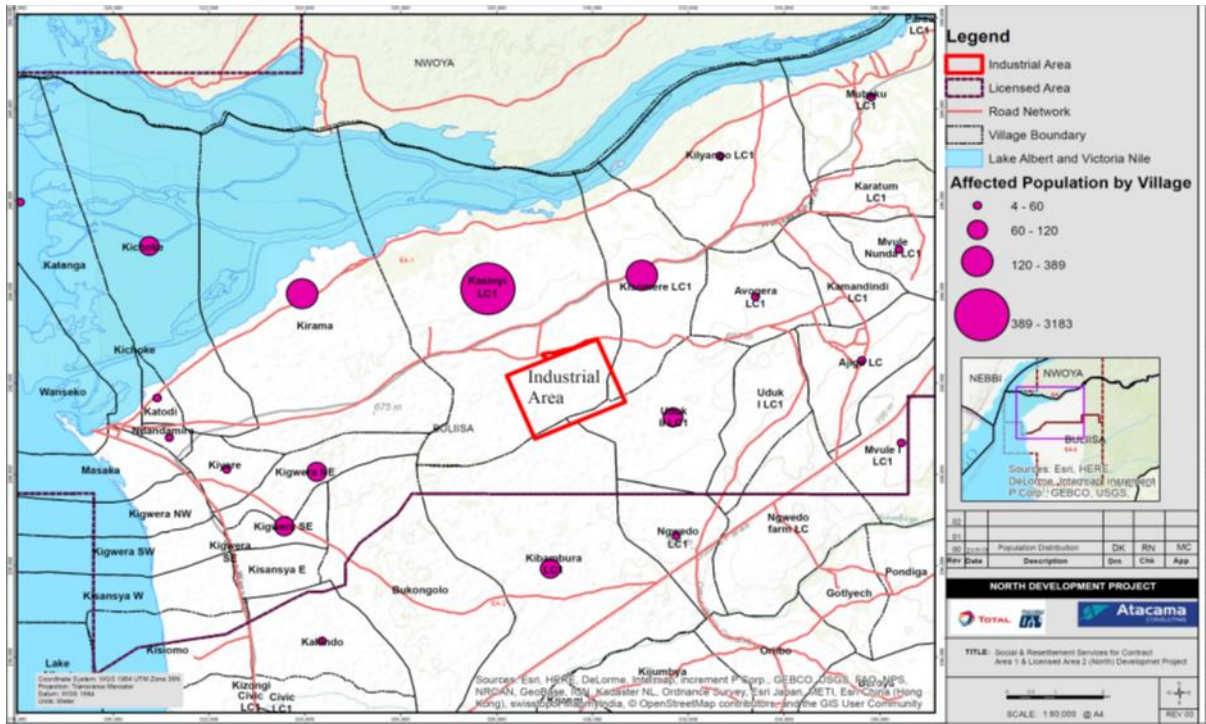


Figure 5 - Village of Origin of RAP 1 Project Affected Households

The project affected households are predominately residents of Kasenyi Village (but not necessarily of the proposed industrial area and N1 access road), and account for 68% of the total surveyed households. This is expected as the RAP 1 Project Area is mostly located within the village boundary of Kasenyi Village.

Of the remaining, most (18% of households) RAP 1 project affected households are in neighbouring villages of Uduk II, Kisomere, Kirama and Kigwera. The remaining 13% of affected households comprise of individuals not included in these villages, and are scattered amongst 29 other villages largely spread-out through the Buliisa District. The latter groups are likely comprised of claimants of land (as either an individual or clan members) located within the RAP 1 Project Area.

Affected households are typically comprised of a nuclear family made of the parents, children, with a smaller presence of grandparents and grandchildren (See Table 3). Following local custom, the household head is usually the senior male; however, 27% of the resettlement affected households are headed by women (See Table 3). Most of the female-headed households are headed by widows or by women who have either divorced or separated from their male spouse. Children of the household head constitute the largest proportion (61%) of the total population. Extended family members outside of the typical nuclear family are not prominent in the affected households.

Table 3 - Household Relations

Relationship to Household Head	% of Population		
	Male	Female	Total
Household Head (HH)	9.1	3.4	12.5
Spouse of HH	1.1	8.4	9.5
Son/Daughter of HH	32.3	28.0	60.3
Son/Daughter-in-law of HH	0.2	0.2	0.4
Grandchild of HH	3.3	3.2	6.5
Parent of HH	0.2	0.8	1.0
Grandparents of HH	0.1	0.1	0.2
Brother/Sister of HH	2.2	2.4	4.6
Parent-in-law of HH	0.1	0.0	0.1
Brother/sister-in-law of HH	0.1	0.2	0.3
Nephew/Niece of HH	1.0	0.6	1.6
Cousin of HH	0.4	0.2	0.5
Adopted/Foster/Step Child	0.2	0.2	0.4
Other Relative	1.1	0.8	1.9
Friend of HH	0.2	0.1	0.3
Total	51.5	48.5	100.0

Source: Socio-Economic Household Survey

Males and females make up 51% and 49% of the total surveyed population (See Table 3). Children (persons aged 18 years and below) account for 61% of the total population, while adults and the elderly contribute 37% and 2% respectively. The male to female ratio for those aged 0-4 is relatively even where males account for 7.5% and females 7.3% of the total population. In the group aged 5-19 males are more dominant (owing to females being married off at a young age), whilst the 20-24 age group is female-dominated (owing to males migrating in order to attain employment). The ratio of males to females covering ages from 25 to 65 are relatively balanced suggesting that after 25 years of age both males and females are largely settled.

A majority (91%) of the surveyed population classify themselves as permanently resident in their village which indicates that there is no significant temporary movement of people. A large proportion (70%) of the surveyed population are unmarried/single, this is largely attributed to the fact that the majority of the population are children. Adults are largely single or co-habitants with only 23% of the population married via traditional ceremonies. The marital status of household-heads shows that 73% are married, while 20% are either widowed, divorced or separated. Only 7% of household heads define themselves as single/unmarried.

Of the total population of children who are of school going age, approximately 87% are cited as being actively in school. Reasons given for not attending school include (1) the school is too far (1.4% of children), (2) school is too expensive (3.6% of children) and (3) the children must stay at home to work (0.8% of children). However, the main cited reason (19% of children) is that the child has completed primary school and there is no intent to send them to secondary school. Furthermore, it is evident the males are at a slightly greater advantage than females, where 4% of

males have greater access to education than females. This however, is only evident in primary schools and access to secondary education is equally problematic for both genders.

An occupation, in the context of this report, covers a person’s primary day-to-day activity (See Table 4). The majority of the surveyed population is aged below 19 years and so the daily occupation would be as either a pre-school child or a student/scholar. Crop farming is the primary occupation of 33% of the surveyed population, whilst livestock rearing, fishing and labour is only claimed as the primary daily occupation of 5% of the surveyed population. Employment and casual labour is the primary occupation of only 1.8% of the surveyed population.

Table 4 - Daily Occupations Profile

Occupation	Percent of Population by Gender		
	Males	Females	Total
Pre-school Child	13.0	11.5	24.5
Student/Scholar	19.2	16.0	35.1
Crop Farmer	14.6	19.2	33.8
Livestock Farmer	0.2	0.1	0.3
Fishermen/women	1.6	0.2	1.8
House-Worker / Care-giver	0.2	0.3	0.5
Employed – Private Company	0.3	0.2	0.6
Employed – Government	0.6	0.1	0.8
Contract Worker – Private Company	0.2	0.0	0.2
Contract Worker – Government	0.0	0.0	0.0
Casual Labourer	0.5	0.1	0.6
Own Business / Trade	0.7	0.4	1.1
Retired (with pension)	0.1	0.0	0.1
Retired (without pension)	0.1	0.2	0.4
Disabled and Not-Employed	0.1	0.2	0.3

Source: Socio-Economic Household Survey

4.5. Livelihoods of RAP1 Project Affected Households

The livelihood base for the RAP 1 project affected households is almost entirely rural and generally based on low-input, low-output family farming and fishing activities with some petty trading and small businesses (See Table 5). Affected households adopt a variety of livelihood activities rather than relying on a single strategy. This strategy reduces 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 agriculture, livestock rearing, natural resource harvesting, fishing, and trade in basic goods largely at the same time. 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 livelihoods adopted by that household.

Farming is the primary and most important livelihood adopted by nearly all (99%) households, while tree resource harvesting and livestock rearing is undertaken by 91% of households, of which two-thirds consider it critical. Only a third of households cite fishing, natural resource harvesting or trading as being of high importance.

Table 5 - Livelihoods Profile

Livelihoods	Percent of Households	Level of Importance		
		High	Moderate	Low
Crop Farming	98.9	97.0	1.4	0.5
Use of Trees and Tree Farming	91.2	61.1	24.0	6.1
Livestock Rearing	90.4	64.3	23.5	2.7
Fishing	51.1	33.1	16.5	1.6
Collecting Materials from the Bush	69.3	37.6	22.4	9.2
Small Businesses and Trading	50.9	35.7	13.5	1.7

Source: Socio-Economic Household Survey

4.5.1. Livelihoods - Crop Farming

There is restricted diversity in terms of the crops recorded as cultivated by surveyed households. This is largely attributed to: dry climate (bi-modal rainfall pattern which is alternating due to climate change), lateritic sandy soils in the Project Area, and the traditional livelihoods of fishing and livestock rearing.

Crop farming focuses on Cassava as the primary crop (81.4% of farm plots), followed by cotton (5.6% of claimed farm plots) and maize (4.3% of claimed farm plots) as summarised in Table 6. All other crops in combination, account for less than 8.7% of the total claimed farm plots. There is greater diversity in the secondary crops that include Maize, Simsim, Sweet Potatoes, Potatoes, Beans, Ground Nuts, Matooke, Cow-Peas, Sorghum, and Pumpkin.

Table 6 - Crops Profile

Crop Type	Percentage of Claimed Farm Plots	
	Primary Crop	Secondary Crop
Cassava	81.4	2.4
Cotton	5.6	1.5
Maize	4.3	42.5
Sweet Potatoes	1.6	7.6
Potatoes	1.3	3.6
Ground Nuts	1.1	4.2
Matooke	0.8	3.0
Sim-Sim	0.6	1.1
Aloe Vera	0.3	0.5
Beans	0.3	4.9
Sorghum	0.2	0.8
Cow-Peas	0.1	7.7
Tobacco	0.0	0.1
Pumpkin	0.0	6.5
Water Melon	0.0	0.8
Pineapples	0.0	0.9
Other	0.8	0.6
Not Specified	0.5	0.0

Source: Socio-Economic Household Survey

Cassava and Maize are the most important food staples and are used by 72% of households to secure household food needs as well as trade. A relatively small proportion of households solely sell Cassava

or Maize, indicating that households will secure household food first and then sell any surplus crops to generate income.

With respect to the preparation of farmland, 94% of the claimed farmland is prepared using hand hoes, while only 5% of households rent private tractors to prepare the land. Hand-hoeing requires significant time and effort, and is one of the more significant areas of labour for a household. Surveyed households are almost entirely dependent on rain-fed irrigation, with less than 1% of fields being irrigated with water from either a borehole or local streams. Surveyed households are predominantly dependant on buying seeds (55% of households), or utilising saved seeds and offcuts from the previous seasons crop (30% of households).

The storage of agricultural goods is a critical challenge for local households, and often produce is damaged by rot or pests. Most of the surveyed households (92.9%) store their produce in sacks or grass baskets inside their home, while 10% of households pile their produce inside or outside of the house with no attempt at covered or secured storage. Most surveyed households undertake a range of processing techniques relevant to the crop type, including shelling (92.5%), sun drying (97.8%), fermentation (85.3%) and chopping (82.3%). Intra-village trade is common and undertaken by 64.5% of households, while 88% of household also trade in neighbouring village. Trading happens on a weekly basis and is likely undertaken at the main weekly markets located in the Project Area.

It is a common local belief by affected households that females do more crop farming than males. Although both males and females actively work together in the preparation, sowing and harvesting of annual crops, there is indeed a greater dependence on females notably in terms of sowing, weeding, and harvesting crops. Females also play a central role in the sale of crops which significantly outweighs the contribution of males.

Children of 30% of the surveyed households provide additional labour input into land clearing, sowing, weeding, and harvesting of crops, which is lower than both adult males and females. Children in this context may include teenage children (13 – 17 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 hired from within the village, and is used by 57% and 56.2% of surveyed households for more labour-intensive land clearing and weeding respectively, while approximately 37.9% and 36.3% of surveyed households also use casual labour for sowing and harvesting crops respectively.

4.5.2. Livelihoods - Trees

The fruit tree holdings of resettlement-affected household are predominately comprised Banana, Mango, and Orange (See Table 7). The production of fruit is seasonal and used to secure household food needs as well as traded to generate an income.

Table 7 - Tree Holdings

Tree Name	Percent of Claimed Trees
Acacia	0.1
Avocado	0.0
Banana	7.2
Castor Oil	0.0
Fig Tree	0.0
Coffee	0.1
Cyprus	0.5
Eucalyptus	0.6
Guava	0.0
Jack Fruit	0.0
Lemon	0.0
Mango	13.9
Moringa	16.2
Mixed Indigenous Species	0.6
Neem Tree	41.9
Oranges	9.8
Palm	0.0
Passion Fruit	0.1
Paw Paw	0.2
Pine Tree	2.5
Sisal	5.8
Umbrella Tree	0.3

Source: Asset Inventory

The bulk of claimed tree holdings by resettlement affected household (See Table 7) comprise of Neem, Moringa and Mango, Orange, and Banana which account for 89% of claimed trees. Moringa and Neem are not cultivated for fruit, but are used for medicinal purposes or construction materials.

Households claim to privately own a range of trees and these are primarily used for fruit harvesting by 85% of households. Privately owned trees are also harvested for firewood, lumber, seeds, and traditional medicine by up to 46% of households. However, there is greater utilisation of communal or wild trees by surveyed households for non-food resources. Up to 91% of the surveyed households use communal trees for firewood, lumber, and traditional building materials.

Up to 71% of surveyed households undertake some form of informal trade of fruit or other tree products. Intra-village trade is common and households trade with either their neighbours (27% of households), at village markets or sell to buyers in their village (41% of households). Inter-village trade is however the most common form of trade in tree fruit or products. Of the surveyed households, 71% claim to undertake trade at markets or with buyers in neighbouring villages.

The labour breakdown in the planting of trees, as well as harvesting and processing of tree products is largely shared between the males and females of the surveyed households, with support from children and casual labour from the village. The sale of fruit and tree products is largely shared evenly between males and females. However, 20% of surveyed households still utilised casual labour for planting, harvesting, and processing.

4.5.3. Livelihoods - Livestock

Livestock rearing is an important livelihood strategy and is undertaken by up to 85% of all surveyed households (See Table 8). The most common livestock kept by households include goats and chickens. These are relatively low-input species and are permitted to roam around the homestead.

Table 8 - Livestock Holdings

Type	Percent of Households	Number of Animals	
		Local	Exotic
Goats	84.8	5 889	42
Chickens	78.8	7 130	47
Cattle	55.0	6 123	30
Ducks	38.9	2 085	3
Sheep	33.4	1 787	3
Pigs	10.2	370	0
Pigeons	5.6	571	36
Rabbits	3.1	130	9

Source: Socio-Economic Household Survey

Cattle are central to the livelihoods of households of the Bagungu majority villages of Kasenyi, Kirama, Kigwera, Kichoke and Kibambura. This is less so for households in the Alur majority villages of Uduk-2 and Kisomere which focus primarily on goats and chickens. The cattle ownership of 55% of households (see Table 8) reflects the high proportion of residents from Kasenyi and other Bagungu-majority villages that have plots in the RAP 1 Project Area. However, not all Bagungu households own cattle. Less well-off families may only own goats and other livestock that have a lower unit value, and therefore pose a lower risk to these more vulnerable farmers.

There is no systematic management of communal lands and grazing is undertaken freely. Households with cattle holdings predominantly rely on pasture grazing (54.2%), while only 5% of households utilised tethered grazing and the provision of fodder. There are no controlled and demarcated grazing lands established under either local formal or traditional administrative structures, and grazing is largely undertaken in an uncontrolled manner on the land.

The trade in livestock and livestock products is a key income source for surveyed households, with up to 82% of households undertaking some form of trade in animal products. The most common animal products traded include: live animals (82.6%), chicken eggs (42.5%), goat meat (40.9%), skins, hides and wool (39.5%) and cow's milk (35.9%). The sale of these products is predominately undertaken at various markets throughout Buliisa District, notably the market located at Buliisa Town, where the market is held once a month.

The task of caring for livestock largely falls evenly on adult males and females, although females are more likely to care for smaller livestock such as chickens and goats. The adults of the household also rely on children of the household (this may include teenagers and not exclusively small children) to assist with livestock care. The care, slaughter and sale of livestock are locally perceived as the primary activity of the male, but in practice it is shared between genders. Men and women keep livestock for commercial, dowry and food security or source of income.

Households are however also significantly reliant on the use of local labour in livestock rearing. The herders are referred to as *Balaalo*, a generic word to designate cattle keepers in Buliisa. The *Balaalo*

are not specifically included in the household of the cattle-owner (as a renter) and they are likely to be established as separate households.

4.5.4. Livelihoods - Fishing

Fishing is undertaken by 52% of the total surveyed households, of which 33% consider fishing to be a livelihood of high importance. Households utilise fishing as a supplementary livelihood to crop and livestock farming where a male member of the family undertakes fishing while the remaining family members engage in farming. Although fishing is dominated by men, women still play an important role. Women may be involved in activities directly related to fisheries production, processing, and marketing.

Fishing is nearly exclusively undertaken on Lake Albert, with only 4.1% of surveyed households claiming that fishing is undertaken on the Nile River (See Table 9). Fishing is largely restricted to hand-line and net-fishing from boats, and is adopted by 12% and 38% of households respectively. Hand-line and net-fishing along the shore of Lake Albert is undertaken to a lesser degree by up to 13% of households. The most commonly caught fish species include: *Nile Tilapia*, *Bagrus*, *Barbus*, *Lanya*, *Nile Perch*, *Gologolo*, *Mputa*, and *Ngara*.

Table 9 - Fishing Practices and Locations

Description	No. of Households	Percent of Households by Location	
		Lake Fishing	River Fishing
Hand-Line Fishing from Shore	8.0	8.0	0.0
Hand-Line Fishing from a Boat	12.4	11.9	0.5
Net Fishing from Shore	5.3	5.0	0.3
Net-Fishing from a Boat	39.7	36.7	3.0
Fish Traps / Hook	3.1	2.8	0.3
Fish Farms / Ponds	0.0	0.0	0.0
Other	0.0	0.0	0.0

Source: Socio-Economic Household Survey

Up to 31% of surveyed households undertake some form of informal trade of fish. Intra-village trade is common and households trade with either their neighbours (10% of households), at village markets or sell to buyers in their village (27% of households). Inter-village trade is also common with 31% of households undertaking fish trading at markets or with buyers in neighbouring villages. Trade of fish outside of neighbouring villages is limited, with only 9% of surveyed households claiming to trade elsewhere within the Buliisa District.

4.5.5. Livelihoods - Natural Resources

Nearly all households (98%) indicated that they harvest natural resources, of which half consider such resources to be of high importance in sustaining household livelihoods. The most common resources that are collected include firewood, grass for thatching, wild fruit and vegetables and medicinal plants (See Table 10). Except for wild fruit and vegetables, all other main resources harvested are non-food items.

Table 10 - Type of Collected Natural Resource

Natural Resource	Percent of Households
Firewood	98.9
Grass for thatching	93.0
Wild fruits and vegetables	84.5
Medicinal plants	76.8
Wood for charcoal making	37.5
Sand / Clay for construction of Bricks	31.3
Collecting papyrus	23.2
Hunting animals and birds	14.6
Ingredients for traditional alcohol	10.4
Wood for carpentry	10.0
Shells from the lake	9.0
Wood for artisanal items	8.8

Source: Socio-Economic Household Survey

The use of natural resources for building is important for surveyed households. Grass for roof thatching is collected by 93% of households, while 31% of households collect sand / clay for construction of household bricks. This is expected given that most household structures utilise traditional building materials.

There are no specifically defined communal areas that are allocated to natural resources harvesting within the RAP 1 Project Area. Most natural resources are harvested within a radius of up to 5 kilometres of the village. The fact that some households are willing to walk more than 5 kilometres from the village to harvest firewood, fruits and thatching grass suggests that these commodities are becoming more difficult to source in proximity to their village. The utilisation of natural resources varies depending on the type of natural resources.

4.5.6. Livelihoods - Informal Trade

Resettled-affected households engage in a range of informal trade activities (See Table 11). Agricultural produce is traded by 73% of households (See Table 11), and this occurs mostly at markets located in neighbouring villages, or traded directly with households in the same village. The latter is generally undertaken by establishing a small stall at the homestead.

Table 11 - Types of Trade Activities Undertaken by Affected Households

Type of Enterprise	Percent of Households
Agricultural Goods Stall / Shop	73.0
Fish Stall / Shop or Fish Monger	39.8
Food Processing	21.2
Traditional Medicine	21.2
Butchery Stall / Shop	17.9
Household Goods Stall / Shop	8.8
Construction and Carpentry	8.8
Taxi / Public Transportation	8.2
Artisanal Goods and Handcrafting	6.7
Sewing / Weaving	4.5
Other	5.8

The trade of fish is undertaken by 40% of affected households. Furthermore, the trade in livestock is common where the majority (18%) of affected households claim to trade in live animals while half trade in animal products such as meat, milk, eggs, and hides. Of the affected households, 21% claimed to undertake some level of food processing which include sun-drying, fermenting, shelling, and chopping. During the household survey and interviews, people claim to also trade in traditional medicines with neighbouring households and neighbouring villages, and this is undertaken by 21% of surveyed households as part of natural resource harvesting. Interviews indicate that goods are generally sold at stalls established at the homestead, while sewing and basic carpentry will be undertaken in or adjacent to the homes.

4.6. Public Health

Fifty-six percent of the total population suffered from malaria in the six months preceding the household survey and 47 percent reported suffering from respiratory tract infections including flu and the common cold (See Table 12). Intestinal worms, skin infections (including fungal infections), and Diarrhoea were the third, fourth and fifth most common cause of morbidity respectively in the past six months in the individuals interviewed.

Table 12 – Prevalence of Disease and Illnesses

Disease / Illness	Percent of Total Population
Malaria	56.5
Respiratory Infections / Flu / Cold	47.7
Intestinal Worms	29.8
Skin Infections	17.2
Diarrhoea	17.1
Bilharzia	14.0
Typhoid	7.7
High Blood Pressure (Hypertension)	7.2
Yellow Fever	6.3
Tuberculosis (TB)	2.7
Diabetes	2.5
Ulcers	0.4
Headache	0.2
Syphilis	0.2
Others	0.7

The majority (97%) of surveyed households preferred to take sick persons to the health facility for care and treatment while 2% preferred to seek care from a nearby drug store/chemist/pharmacy. None of the households surveyed reported to take real action if a household member was ill. Generally, women are the custodian of health in the home and communities, thus the action taken for ill health will depend on the experience and environment and nature of health problem to be addressed.

The findings indicate that the PAPs seek health services mostly at Avogera Health Centre 2 and Kigwera Health Centre 2 for all health care services including common diseases; serious diseases, accident injuries; maternal care and child care. Avogera Health Centre 2 is the only health centre

facility in Ngwedo Sub-County serving the RAP 1 affected households. The health centre is understaffed and lacks accommodation, and while centre is said to offer treatment, there is often no drugs.

Hunger was assessed using the global definition of hunger as, scarcity of food in the household resulting in the inability to satisfy the nutritious needs of the family. Hunger was felt most in the month of June and least in the month of December. Overall, more than 78% of households assessed reported no history of hunger. In the last 6 months, 35.2% of households reported availability of meat more than once a week while 28.3% and 25.1% reported access to meat once a week and once a month respectively. 51.2% of households had access to fish on a daily basis while 34.9% reported access to fish more than once a week. Access to fruit and vegetables was reported either daily or more than once a week in 39.3% and 34% households respectively.

4.7. Public Services

Affected households are largely dependent on community boreholes to secure their domestic water needs – including drinking water, water for cooking and washing. Dependency on community boreholes increases in the dry season, where 86.4% of affected households define this as their primary water source. Other water sources are not commonly used and are largely limited to rain-water collected during the rainfall season, and collecting water from local streams, rivers or lakes.

Affected households are reliant on locally sourced fuel wood and charcoal for cooking. Wood is harvested by 96% of the households, generally from bush around the homestead, and is the primary fuel source. Charcoal is used by 35.3% of affected households. However, these are poor sources of light energy and as such affected households make use of paraffin, battery torches and solar torches as their primary source of lighting.

There is no water-borne sewerage available to affected households, and households mostly use pit latrines. The majority of surveyed households have simple latrines established at the homestead, which are generally covered by grass walls and thatch roofs.

There is no formal waste collection or communal waste dump available to affected households. 92% of all affected households dispose of waste using a waste pit at the homestead while a relatively small proportion (3%) dispose of waste into the bush.

Affected households access a range of public facilities and services. Such services and facilities include aspects such as; schools, formal and informal shops, open markets, churches, pensioners pay points, hospital, small government clinic, police station etc. however, a large majority of these services and facilities lie outside the main impacted village of Kasenyi. The most used public facilities claimed as used by RAP 1 affected household is presented in Table 13 and Figure 6.

Table 13 - Public Facilities and Infrastructure Used by Surveyed Households

Community Infrastructure	Location of Infrastructure Ranked by Level of Use				
	First	Second	Third	Fourth	Fifth
Primary School	Kisomere	Kirama	Wanseko	Ndandamire	Ngwedo
Secondary School	Kisansya	Hoima	Uduk II	Biiso	-
University / College	Kampala	Hoima	Makerere	-	-
Open Markets	Kisomere	Wanseko	Ngwedo	Buliisa	Kijanga
Informal Shops	Kasenyi	Kisomere	Wanseko	Kirama	Kichoke
Formal Shops	Ngwedo	Wanseko	Kasenyi	Kisomere	Kirama

Small Government Clinic	Avogera	Kigwera	Buliisa	Kiyere	Wanseko
Large Hospital	Buliisa	Kigoya	Avogera	Angal Hos.	Kitanga
Pension Pay Points	Buliisa	-	-	-	-
Community Halls / Clubs	Kasenyi	Buliisa	Kisomere	Wanseko	-
Police Station	Ngwedo	Wanseko	Buliisa	Katanga	Kasenyi
Church / Place of Worship	Kasenyi	Kisomere	Kirama	Wanseko	Ndandamire
Cemeteries	Kasenyi	Kirama	Kichoke	-	-
Sport / Recreational Facilities	Kasenyi	Kisomere	Kirama	Wanseko	Ndandamire

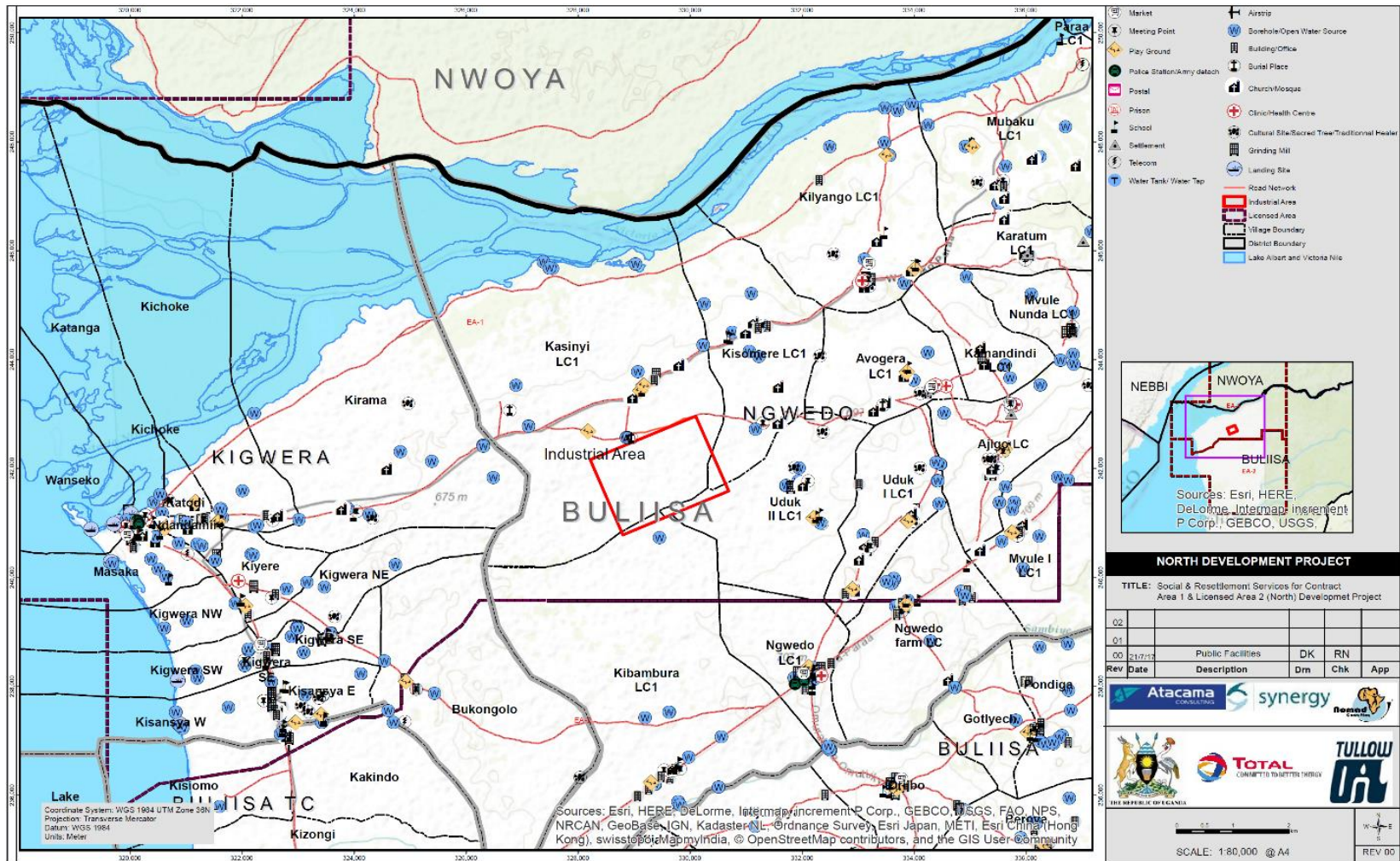


Figure 6: Location of Public Facilities

4.8. Income, Expenditure and Asset Holdings

Affected households have a limited diversity of income sources, with the primary income sources being the sale of crops, vegetables, and fruit which is obtained by 88% of surveyed households. Up to 81% of affected households generate an income from the sale of livestock or livestock products, as well as fish. Income from wage (formal) employment is negligible, with both local and migrant labour contributing an income for only 5.1% of affected households. Rather, a greater proportion (25%) of households, generate cash income from informal trading and basic services (baking, boda-boda riders etc.). Most households (96.5%) use any generated income to buy food for their families, as well as obtain other necessities such as medicine, clothing and education.

Most households (96.5%) use any generated income to buy food for their families as well as obtain other necessities such as medicine, clothing and education (fees, uniform, books etc.). After basic needs are met, 41% of the affected households contribute to savings, a fundamental aspect which will not only benefit them in times of drought but also improve the general standard of living.

4.9. 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).

4.9.1. Cultural Context

The first peoples of the area were hunter-gatherers related to the “Pygmy”³¹ 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.

³¹ The term pygmy is used in its generic ethnographic sense.

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

Currently, the Bunyoro-Kitara Kingdom consists of five districts:

- Buliisa District
- Hoima District
- Kibaale District
- Kiryandongo District (Kiryandongo District was established on 01 July 2010. Prior to that, it was part of Masindi District. The district is part of Bunyoro sub-region, which is coterminous with Bunyoro Kingdom.)
- Masindi District³²

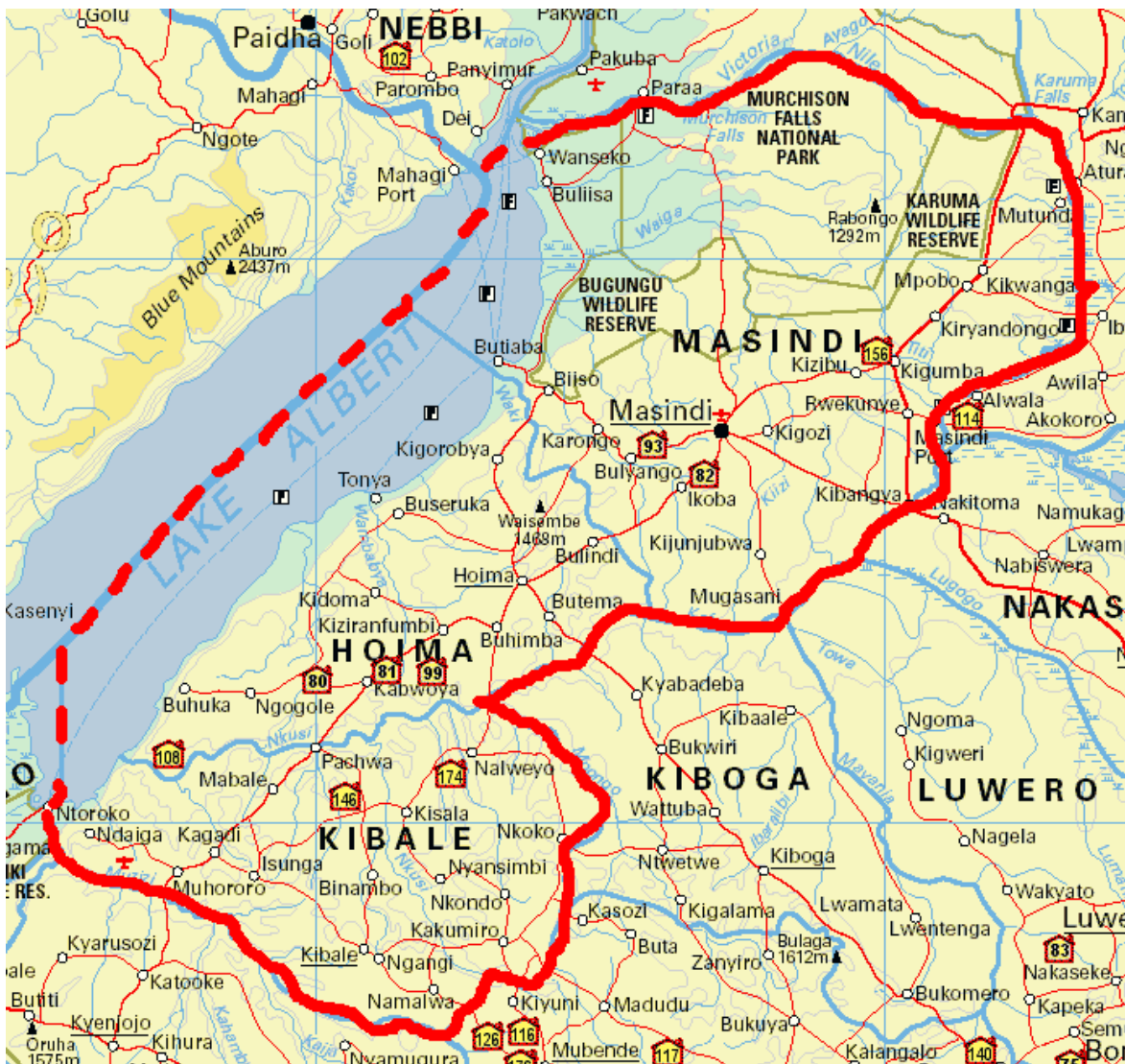


Figure 7 - Bunyoro-Kitara Kingdom

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,

³² The map and the District information were accessed from the website: <http://www.bunyoro-kitara.org/5.html> on 23 August 2017.

we have 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. As a result, a sizable proportion of the population in the project area is composed of the Alur people.

4.9.2. 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 language spoken is Lugungu (68.1%) followed by Alur (29.9%) while the Madi and Lugbara are minority languages (See Table 14). Analysis shows that, despite the dominance of Lugungu as the main language, there is a higher proportion of spouses that speak Alur, which is attributed to inter-marriages between the Alur and the Bagungu. The driver for this inter-mixing of ethnic backgrounds is likely related to trade and migration between Buliisa and West Nile.

Table 14 - Primary Languages of the Household Head and Spouse

Language	Percent of Household Heads	Percent of Spouse of the Household Head
Alur	28.7	35.0
Lugbara	0.2	0.5
Lugungu	68.9	60.3
Madi	0.2	0.2
Not Specified	2.0	3.0
Other	0.0	1.1

4.9.3. Ethnicity

Ethnicity is associated with an individual's cultural background. The Project Area is located at the border of two ethnic groups – the Nilotic and Bantu. Furthermore, the Bagungu, Banyoro and Bakiga are Bantu speakers while the Alur, Acholi, Jonam, Lugbara and Madi belong to the Nilotic group. The dominant ethnic groups are Bagungu and Alur (See Table 15). Much like language, there is greater representation of the Alur ethnic group for the spouse of the household head. This again supports the understanding that inter-tribal marriages are common.

Table 15 - Ethnic background of the Household Head and Spouse

Ethnic Background	Household Head	Spouse of the Household Head
Acholi	0.2	0.2
Alur	27.3	35.7
Bagungu	69.9	59.2
Bakiga	0.0	0.2
Bunyoro	0.2	0.8
Jonam	0.3	0.2
Langi	0.0	0.2
Lugbara	0.2	0.5
Madi	0.2	0.2
Other	1.9	3.0

4.9.4. 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.

The people in the industrial area thus belong to the modern religions denominations such as the Catholic Church, the Anglican Church, the Muslim faith and various Pentecostal churches known collectively as "Balokole". There is one new modern African faith openly practiced as well for the Alur people known as "Olam Tekwaro". 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.

Despite the allegiance to churches and religions as claimed above, the Bagungu peoples' belief system is still anchored to an extent in ancestor worship like most tribes in Uganda. Most of the family households have a family shrine called Kibila in Lugungu (the language of the Bagungu) and Abila in the Alur language.

The next level of traditional worship is at clan level. Clans have Shrines / cultural sites called "Mpuluma". Prayers at these locations are conducted by the clan priests (called "Balamansi") for the clan members and all the people living on the clan land.

The Balamansi Priests collect offerings to be made at these cultural sites from all members of the community in the area. In this way both the Alur and Bagungu people contribute the hens, goats and other items to be offered as sacrifices, but the priests were of the Bagungu tribe.

In addition, each Mpuluma has several lesser shrines at a distance which cater for single issues e.g. protection from disease such as malaria epidemics or snakebites. These are called "Bihongo", so if a village was suffering from a malaria epidemic, the Priests would collect offerings from the community and make sacrifices to protect the village at a "Kihongo" (singular form for Bihongo) to mitigate the community from the epidemic.

These Clan cultural sites are situated in many locations in Buliisa Districts and are usually marked by big trees where the prayers and sacrifice rituals are conducted. There are two such sites immediately adjacent to the proposed industrial area and N1 access road and both may be impacted depending on the actual distance to the planned activities on the project site.

Table 16 - Religious Profile by Gender

Religion	Percent of Population by Gender	
	Males	Females
Catholic	54.0	56.8
Anglican	31.6	30.5
7 th Day Adventist	0.3	0.2
Pentecostal	3.4	3.8
Muslim	5.4	3.9
Other	4.5	3.3
No Religion	0.2	0.5
Not Specified	0.6	1.0

4.9.5. Archaeology

The archaeological field survey identified 49 graves within the RAP 1 Project Area (See Figure 8). Each grave was marked individually, even if some were clustered grave-yards, and the names of the dead

recorded where possible. The graves in this region can be divided in 3 categories, that is, cemented graves, non-cemented graves and places where Spirits of the dead were called to rest. Other than these categories, some of the graves have clear mounds to show their existence while others have none.

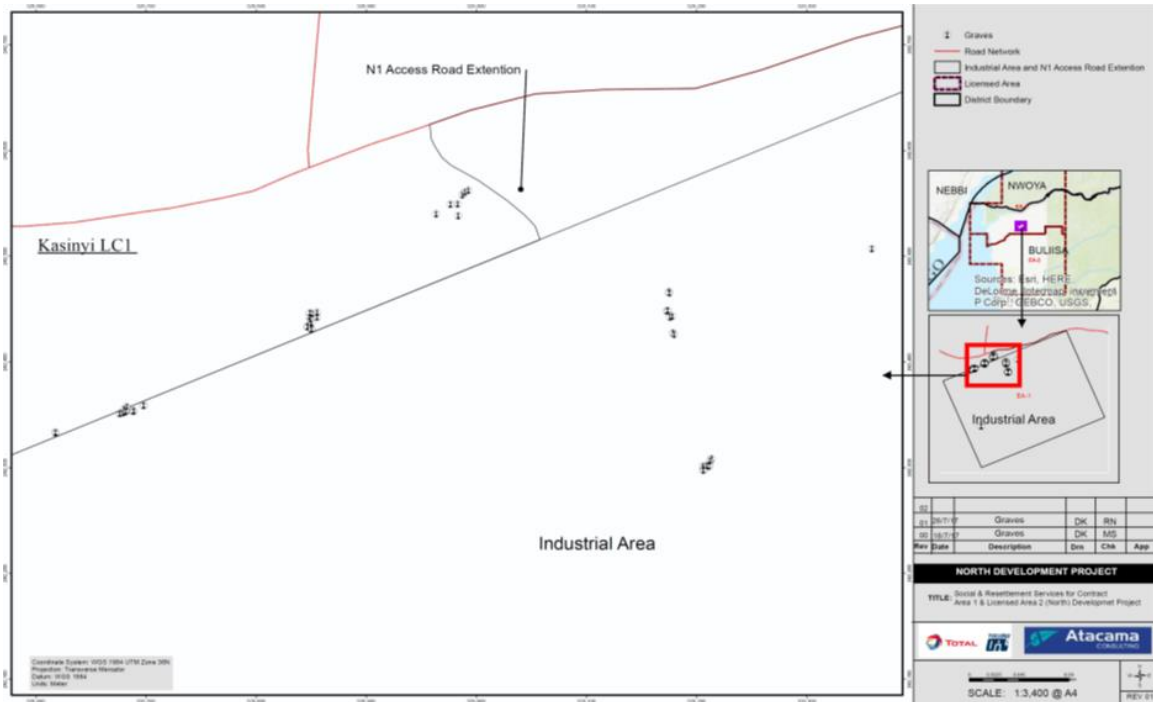


Figure 8: Location of Graves in the RAP 1 Project Area

In the category of cultural sites were mainly places of worship and sacrifice identified within the project area (See Figure 9). Based on information from stakeholder consultation, the sites within the RAP 1 Project Area could be regarded as family shrines (kibira).

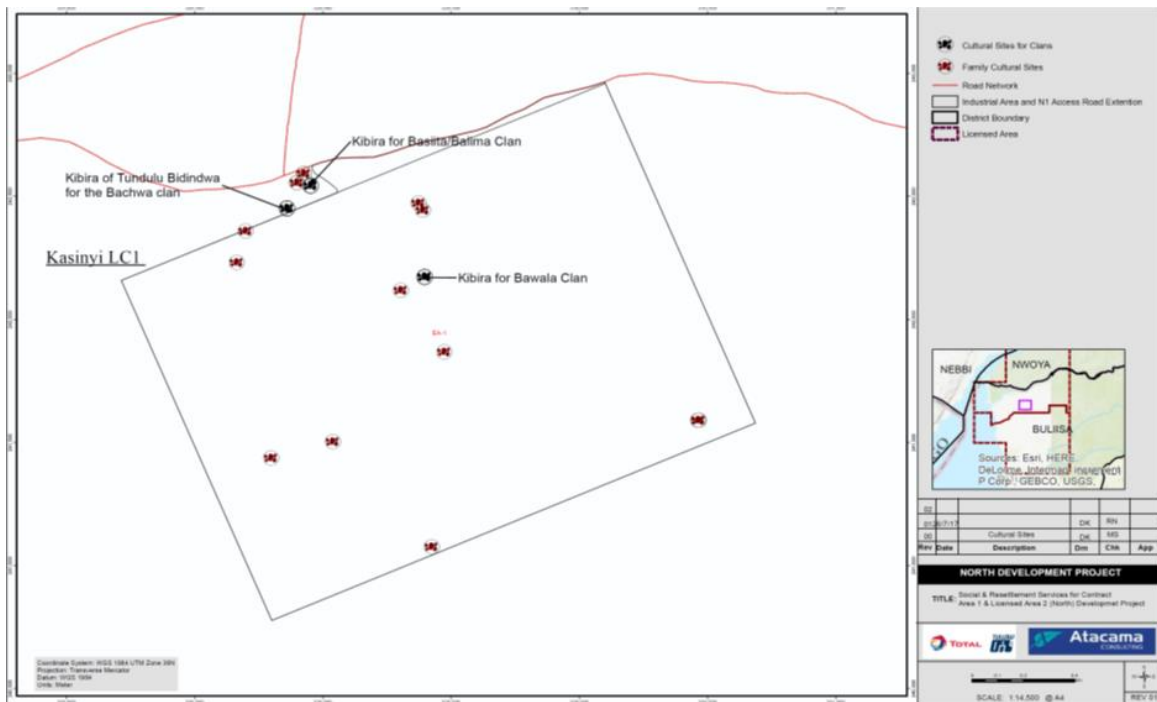


Figure 9: Cultural Sites in the RAP 1 Project Area

Archaeological field surveys were undertaken in the RAP 1 Project Area. An archaeological site is any place with cultural material and could be as small as a place with one artefact or as big as an entire city. Thus, any place where any archaeological material was identified was regarded as a site. Archaeological materials as identified from the Project Area included; pottery (66), lithics (9), daub (13), metal objects (2), bones (36) and shells (83). Table 17 stipulates the archaeological materials found.

Table 17 - Archaeological Material Inventory

Material Finds	Number of Finds
Metals	2
Lithics	9
Daub	13
Bones	36
Pottery	66
Shells	83

Ceramics refer to any material made from clay that was fired and includes pottery. The identification of ceramics within the RAP 1 Project Area suggests that the area has been used for settlements and not just grazing land as it is widely held by people in the area. In the analysis of 45 selected pottery samples the following attributes were considered: surface finishing, temper, decoration, sherd part, colour, rim type, and shape. Studying the inclusions is important in understanding ceramic technology. Decoration is any addition on the ceramic vessel that does not affect its function but it is very vital in understanding the dating of pottery and the site. Thus, the dominant decoration was roulette (See Figure 10) which suggests that the site was occupied since the Later Iron Age period.



Figure 10 - Ceramics; potsherds

Lithics artefacts refer to, all those artefacts that were made from stone as a raw material. Nine sites had lithic materials. The lithic artefact types identified were whole flakes, grinding stone, pick axe,

side scraper and three cooking stones signifying a fire hearth. Lithics identified can be grouped into non-flaked stones such as the grinding stone and pick axe, shaped stone tools like the scraper and, non-shaped that included the whole flakes. The grinding stone implies farming in the area because grinding stones are an indirect indicator of food production as they were and are used for grinding mainly cereal crops. The grinding stone also suggests use of the site in the Neolithic period that suggests an occupation of the site dated to the Later Stone Age Period. Other lithic artefact types, especially the pick axe, even date the site to the Middle Stone Age period which is about 400,000 to 200,000 years ago.

Metal objects are also artefacts that were identified in the RAP 1 Project Area. They were only two metal objects identified, including a spear and a walking stick. The finding of metal objects confirms further iron working activities in the area which the people from this area are historically known for.

Architectural structures are also archaeological non-portable materials that were made by humans. The architectural structure is made of seven points of three lithics (stones) and each point of the stones has a function. Each of the stone heaps also has a name in Lugungu which the PAP was not at liberty to divulge. Furthermore, two sets of triple stone piles are said to be for protection. These are at the entrance to detect evil and it is believed that anybody with bad intentions cannot pass by them to proceed to the main theatre of worship.

5. PROJECT IMPACTS

The purpose of this chapter is to outline the project impacts, the efforts taken to minimize displacement and propose further mechanisms to minimize impact during the 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 1. It should be noted that this chapter only focus on direct impacts in relation to resettlement. This chapter does not consider wider impacts that will be subject to Environmental and Social Impact Assessment.

5.1. Approach and Methodology used to Identify Impacts

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

A Socio-Economic survey, Archaeological and Cultural Heritage surveys were also conducted to provide supporting information, however it should not be considered as a definitive means to establish entitlements or numbers of Physically and Economically affected PAPs.

Before the Cadastral and Asset Surveys took place, an initial round of community and stakeholder engagement commenced between the 14th March and the 20th March 2017. This engagement included; the four affected villages, Kasenyi, Kisomere, Uduk II and Kibambura; local authorities and stakeholders, see Chapter 6 – Stakeholder Engagement for a detailed list of parties engaged. The purpose of the engagement was to disclose the project, inform the communities of the upcoming surveys and that a cut-off date would be announced.

The surveys at the RAP 1 Project Area then commenced in mid-April 2017 and continued (including grievance redress) until end of August 2017. A valuation survey of Orphan land will also took place on the 6th to the 8th of September 2017. Orphan land owners were consulted on whether they choose to would like relinquish the said orphan land or not respectively. 9 PAPs confirmed that they would like to relinquish the land. This is the subject of an addendum to the Valuation Report (Annexure 1).

A rolling development moratorium (cut-off date) was established as PAPs signed the cut-off date forms. A final cut-off date was then announced on 16th May 2017. See chapter 8 – Section 8.2.3 for further detail on the cut-off date.

The methodologies for the Cadastral, Asset and Legal Due diligence surveys are summarised below, however further detail can be found in the TILENGA RAP 1 Valuation Report (Annexure 1).

5.1.1. Cadastral Survey Methodology

The objectives of the Cadastral Survey were to:

- Undertake survey measurements in compliance with the requirements of the Chief Government Valuer and the Commissioner for Lands and Surveys, thereby enabling the demarcation and mapping (strip maps) of the land to be acquired for the proposed industrial area and N1 access road.
- Produce strip maps to support the valuation exercise.
- Disclosure of the draft strip maps for PAP verification exercise.

The approach of the Cadastral Survey was as follows:

- Initially a detailed review of the design data and relevant maps was conducted to understand the project-affected-area. The team then consulted with local leaders and the community to raise awareness and understand the risks.
- Once onsite, the RAP 1 Project Area was then marked. This involved line staking and pegging of the outer extents of the Industrial Area. Intermediate wooden pegs were fixed at 25m intervals to guide the rest of the field teams on the extents of the RAP 1 Project Area.
- The team then conducted Parcel Boundary Surveys, these mainly involved capturing physical positions defining boundaries for the land affected by both the Industrial Area and the N1 access road. Coordinates defining the position of a given parcel boundary node were captured using the Rover working in Real Time mode. See TILENGA RAP 1 Valuation Report (Annexure 1) for further detail.
- Land owners were present to guide the land surveyors on the positions of their parcel boundaries. This was done in the presence of neighbours in all directions as well as the representative of the Local Council chairperson and Area Land Committee who witnessed the exercise. Details of the land owners such as names, names of spouse(s), telephone contacts etc. were collected in due process. Where the land was held as a family or a clan, only one plot was surveyed for the entire family.
- Sketches defining parcel polygons were made and properly coded to guide the plotting phase. Other details such as buildings, sacred trees, kraals and cattle drinking ponds were all captured.
- In cases where a given parcel had land users, their details were also captured and superimposed onto the map. These mainly involved the extents of their gardens, buildings and any other development by the land user.
- Following the development of the strip maps, the land surveyors later identified potential land that could be termed as 'orphan land' i.e. land that belongs to a PAP, which is partially affected by the RAP 1 Project Area but falls outside the boundary as set out by the surveyor. The total 'orphan land' take is 2 acres and belongs to 15 land owners/claimants. These 15 land owners have been consulted on a case by case basis to establish if they would prefer to retain their orphan land or relinquish it and receive compensation. If they chose to relinquish the land, additional valuation surveys will be required to value this land and assets and an addendum to the TILENGA RAP 1 Valuation Report will be published.

For further detail on Cadastral Survey methodology see the TILENGA RAP 1 Valuation Report (Annexure 1).

5.1.2. Asset Survey Methodology

The Asset Survey commenced at the same time as the Cadastral Survey, the objectives of the asset survey were to:

- Identify all Project-Affected-Persons and their properties within the Project Area.
- Survey and value of all their affected assets within the Project Area.
- Conduct 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 the LARF.

The approach of the Asset Survey was as follows:

- A literature review was conducted and formed the first step in appropriate data/evidence for the assessment. The documents reviewed included, legal documents and donor safeguard policies as well as, the National Guidelines on Valuation Assessment.
- Once onsite, field data captured by the valuation team targeted the rightful land owners and their respective land users as provided by the Local Council Chairperson. Their affected properties; building/structure, crops, trees and cultural heritage sites/graves were measured and recorded.
- For each land owner the teams completed a Property Assessment Form and Land Survey Form. These were signed by the land owners and the land users in the presence of the spouse, a witness and, the local council chairpersons who were required to sign and stamp the forms. This exercise was also witnessed by the representatives from the office of the Chief Government Valuer and the Ministry of Energy and Mineral Development.
- Market research was carried out on Land, Structures and crops to assist the replacement cost, the valuation team carried out market research for land, structures, crops and trees in Buliisa District in May and June 2017 within input from a quantity surveyor for structures and agronomists for crops. This exercise was primarily aimed at attaining relevant and reliable information about market transactions within and near the RAP 1 Area.

5.1.3. Legal Due Diligence Methodology

The legal due diligence team worked hand in hand with the Project's Cadastral and Asset surveyors. Having marked out the boundaries of each PAP's land, the legal due diligence team would: confirm true ownership, resolve any ownership or boundary disputes and establish unclaimed land or absent landlords. This was done through interviewing the PAP's neighbours, L.C 1 Chairperson and the LC3 Chairperson and Area Land Committee Members. The team would then interview the PAP 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?
- 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 owner of each piece of land, data collected would then be entered into:

- A Land Acquisition Form – which contained details of this ownership and was signed off by the owner and witnessed by the LC3 chairperson.
- A Spousal Consent Form – which was signed off by both spouses as consent to have their land acquired by the project.
- A Cut-off date form – which was signed off by each PAP and established the legal development moratorium for that PAP as described below.

The legal team also interviewed land owners to establish if there were any other PAPs who were users of the land that did not necessarily own it.

5.1.4. Development Moratorium/Cut-off Date

A rolling cut-off date was established for each individual PAP as the date of assessment and signing of the cut-off date form. To this effect, any further developments on land within the surveyed plots of land will not be considered for compensation by the Project. The census and inventory of lost assets and property was completed and the final RAP 1 Cut-off date was established and declared on 16th May 2017.

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.

5.2. Impacted PAPs

The data collected in the above surveys was then 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 between 25th and 28th July (see section 6.5.5). This enabled PAPs to verify this data.

5.2.1. Impacted PAPs

The proposed Industrial Area and N1 access road are located on a landscape that is typified by rural settlements, with a dispersed distribution of homesteads, which are generally established adjacent to local access roads and paths (See Figure 11). 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 there are 601 households with have been captured in the Socio-Economic Household Survey and have asset holdings in the Industrial Area and N1 access road as confirmed by the Asset Survey Report. Some households have multiple assets belonging to different household members and therefore have been defined as Project-Affected People (PAPs) multiple times in the Asset Survey and as such the total number of PAPs is 610 (see section 1.4).

5.2.2. Impacted Land use

Land-use in the proposed Industrial Area and N1 access road is limited to farming and communal resource areas. Farming is primarily comprised of small-scale farm plots used for household subsistence and some small-scale peasant activity that includes sale of crops. The farmland located in the proposed Industrial Area and N1 access road is on the western-most boundary of extensive farmland that has been established on a more elevated portion of the local landscape (See Figure 12).

Two-thirds of the proposed Industrial Area and N1 access road is comprised of unfarmed communal resource land. This land is actively used for cattle grazing and natural resource harvesting by local communities. While the land is used communally, it is not strictly communal land. Rather, families or clans have claims of ownership to the land under local customary practices. As the land is not actively used, the owners do not enforce any claims and local communities freely access that land for grazing or harvesting natural materials.

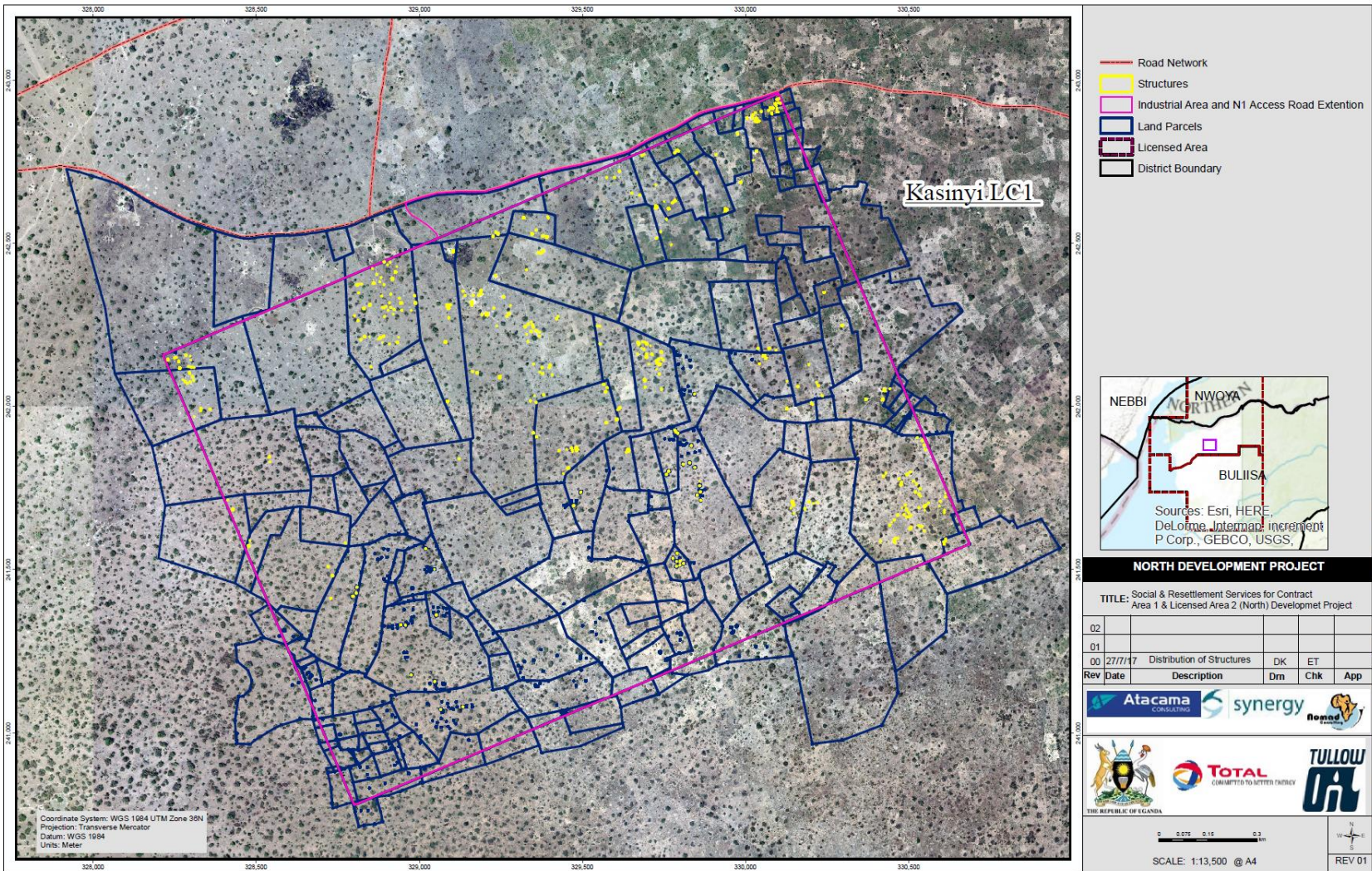


Figure 11 – Impacted Homesteads and Land Parcels

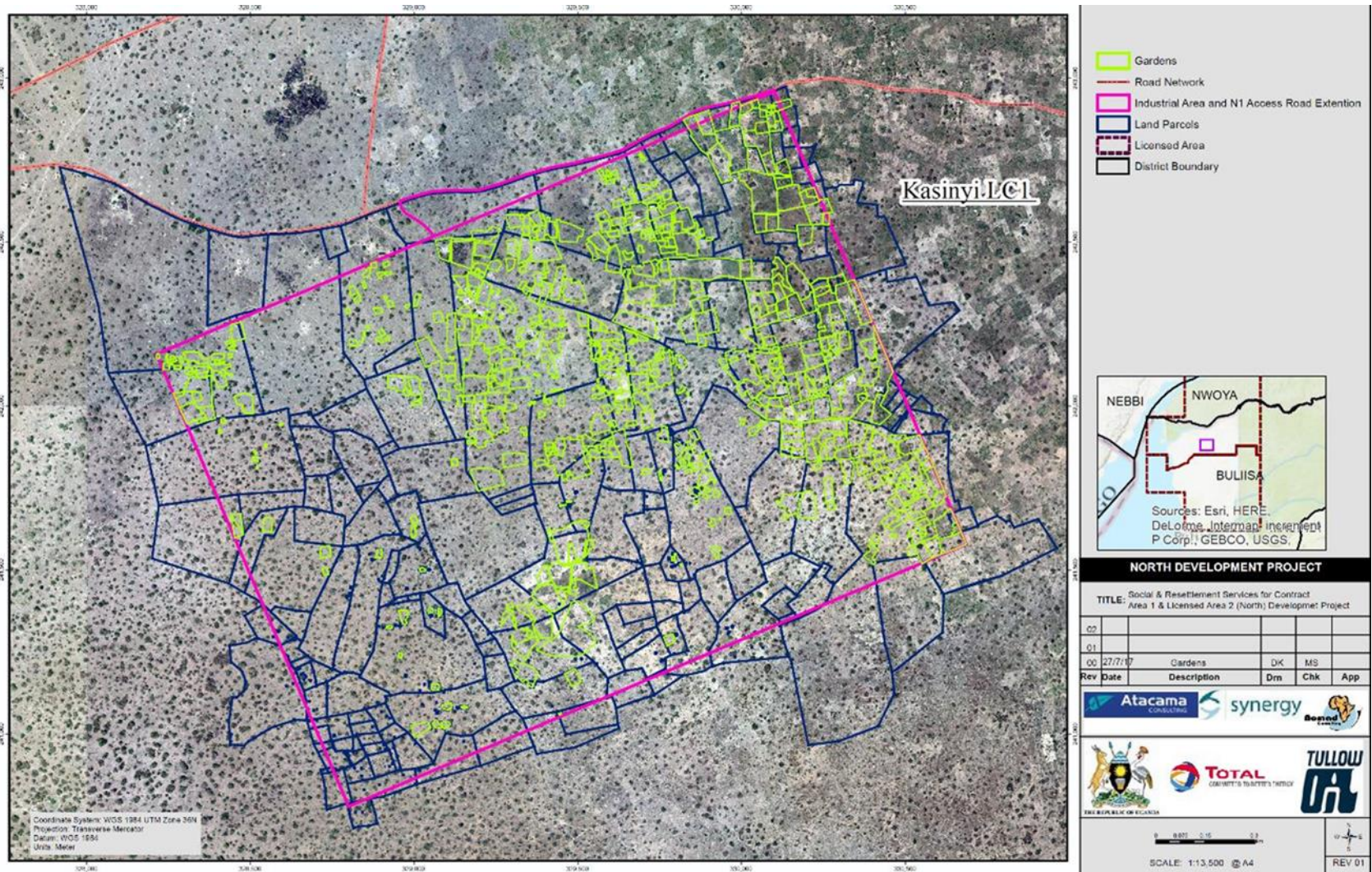


Figure 12 - Farmland / Gardens in Relation to the Land Parcel

5.2.3. Displaced Businesses

During the onsite surveys and interviews it was established that there are no displaced businesses in the RAP 1 Project Area.

5.2.4. Project Affected Public Facilities

During the onsite surveys and interviews it was established that there are no displaced Public Facilities in the RAP 1 Project Area.

5.2.5. Project Affected Public Access

During the onsite surveys and interviews it was established that there is no significant displaced public access (roads) or cattle corridors. However, an analysis of Satellite Imagery indicates³³ that there are a number of community footpaths that lead to the local people's residences within the industrial area and only a few community foot paths (two or three community foot paths) that cross the industrial area. In addition, the proposed N1 access road extension runs along an existing primary road in the North.

5.2.6. Loss of Grazing Areas

Livestock rearing is an important livelihood strategy and, according to the Household Survey, is undertaken by up to 80% of all registered PAP households. The most common livestock kept are goats and chickens, followed by cattle, ducks, sheep, pigs, pigeons and rabbits. While several of these species are confined to the compound, goats and cattle are mostly allowed to graze freely under the supervision of a hired herdsman or family member (only 5% of households utilised tethered grazing or the provision of fodder). The grazing area is generally limited to a walk-time of 30 to 60 minutes from the homestead, but can be much further in times of shortage of pasture or water.

Cattle are central to the livelihoods of households in the Bagungu-majority villages of Kasenyi, Kirama, Kigwera, Kichoke and Kibambura, but less so for the Alur-majority villages of Uduk-2 and Kisomere, which focus primarily on goats and chickens. Only 54% of surveyed households own cattle, but cattle numbers per household can reach several hundred head.

Cattle breeds are mainly the East African Zebu shorthorn with some Ankole longhorn cattle and their crosses. Rearing these breeds is typically low input (using few purchased inputs, no managed mating for stock improvement, no improved pasture, no systematic management of communal lands) and low output (limited off-take, usually associated with a family's need for cash).

The unrestricted grazing causes conflict between grazers and crop growers. Several factors (including expanding residential, cropped, and industrial land take) is reducing the land available for grazing, and constraining grazier's ability to move to good pasture and to water resources, further increasing the potential for increased levels of conflict.

The trade in livestock and livestock products is a key income source for surveyed households, with up to 82% of households undertaking some form of trade. As with crops, households will likely secure household food needs first and trade surplus livestock for income, rather than as a sole

³³ Based on desktop analysis of satellite imagery taken in 2014 so this should not be considered as definitive source.

income generating livelihood. Cattle may be sold as live animals, but individual households also sell milk, meat and hides. Cow's milk may be sold by herdsman as their main income source.

The task of caring for livestock largely falls evenly on adult males and females of the household or on hired herdsman. These Balaalo are not specifically included in the household of the cattle-owner and could be in danger of exclusion from the resettlement process. The Balaalo/herdsman should therefore be given access to development assistance and livelihood programs as described in Chapter 12.

Grazing routes are seasonal; so that land is being kept in reserve for the dry season therefore grazing land may appear to be unused for part of the year. However, removing this reserve creates potential problems for pastoralists, especially in drought years.

In addition, the cattle production system is geared to increasing numbers rather than increasing yields of meat or milk. This poses a serious challenge to the environment (through overgrazing and the removal of ground cover), as well as to the peaceful co-existence of crop-growers and graziers, and merits a radical re-think of the cattle production system in the Project Area.

In summary, the proposed Industrial Area and N1 access road was a prime grazing area, particularly to the south and west away from the established crop gardens. Its loss will be keenly felt by cattle owners in particular. These include both registered PAPs and also other, unregistered households from the villages surrounding the Industrial Area who will have brought their cattle there for grazing. It is impossible to provide an accurate figure of the total number of households indirectly affected. The general land constraints in the area may inflate the impact on the surrounding area because there is no other land available for those indirectly affected to graze, causing encroachment on already occupied grazing areas.

5.2.7. Loss of Access to Natural Resources

The Household Survey results (see Social Baseline Report) indicate that 83% of registered PAP households harvest natural resources, of which half consider such resources to be of high importance in sustaining household livelihoods. The proposed Industrial Area and N1 access road was noted during the Interview Programme by villagers to be a prime site for harvesting such resources. It is also highly probable that other unregistered households in surrounding villages harvest natural resources from the communal lands in the study area.

According to the results of the Household Survey, the most commonly collected resources in the village and neighbouring villages are firewood, grass for thatching, wild fruit and vegetables, and medicinal plants. Other items harvested include wood for charcoal making, wood for construction and artisanal items, ingredients for traditional alcohol, bush meat, sand and clay for brick-making, papyrus reeds, mushrooms and white ants.

For the most part, such resources are collected frequently and would need to be carried to the households; therefore, households generally limit the distance they travel to gather these resources. Most are collected within 5km of the village, but some people are prepared to walk more than 5 kilometres from the village to harvest firewood, fruits and thatching grass, which suggests that these commodities are becoming more difficult to source locally.

Firewood, wild fruits, medicinal plants, thatching grass, and sand are mostly used for domestic purposes, while charcoal and traditional alcohol are primarily traded. However, surpluses of all commodities are subject to trade.

In summary, the collection of natural resources is a very important component of rural livelihoods, and the proposed Industrial Area is an important source of these items for residents of the surrounding villages, including for registered PAPs and for other, non-registered households.

The loss of the Industrial Area will increase pressure on the remaining areas of common, unfarmed land, and may lead to a more rapid degradation of the natural environment and possibly increase encroachment on conservation areas.

5.2.8. Loss of Graves, Burial Sites and Sacred Sites

During the asset surveys, it was established that 49 graves within the RAP 1 Project Area that will be displaced and 15 family shrines will be displaced. There were also 2 sacred sites located close to the RAP 1 Project area which are potentially indirectly impacted by lack of privacy and noise.

5.3. Efforts to Minimize 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 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.”

The proposed location of the Priority Areas (which includes the Industrial Area and N1 Access Road) are the result of several avoidance measures, namely the Industrial Area location is one of two options selected, as shown in Figure 13. The location was chosen as part of the Social Screening conducted in 2013³⁴.

³⁴ Development of Lake Albert Fields, Block 1 (EA1/EA-1A) Social Screening for Buliisa Project Facilities
TILENGA PROJECT – RESETTLEMENT ACTION PLAN 1

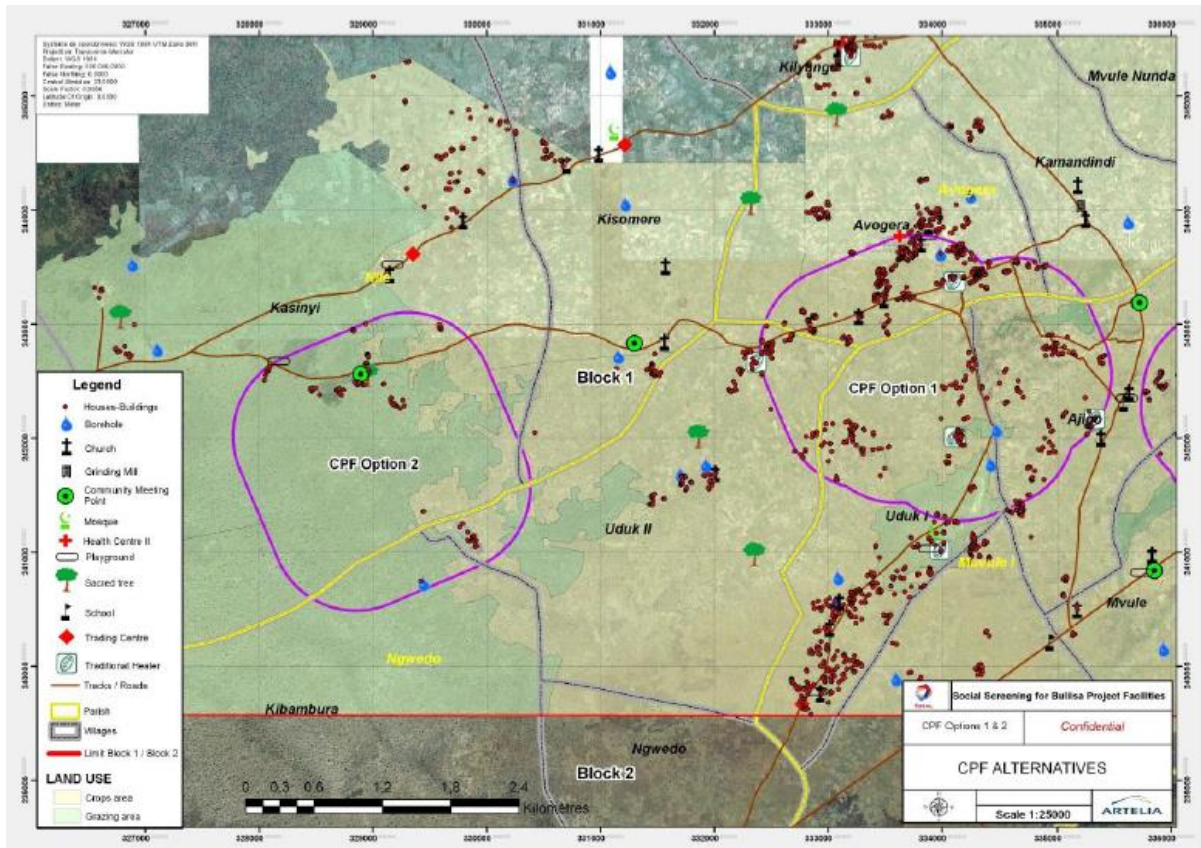


Figure 13 – Location Options for Industrial Area (CPF) taken from the Project Social Screening Report 2013

The study provides recommendations regarding the most appropriate project layout and sites for the Exploration Area, located in Buliisa district of Uganda. The social screening 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 of literature review and site visits. A 10-day field work visit was conducted in August 2013, during which the team visited a total of 27 villages in Buliisa District that may be affected by proposed locations for Project facilities. The site visit also included engagement with community representatives to build an understanding of the local context.

The study evaluated two proposed locations for the CPF which is included in the Industrial Area.

Option 1 was located in the East of Ngwedo sub-county and concerned Avogera, Kamandindi, Ajiro, Uduk 1, and Uduk 2 villages.

Option 2 was located in the West of Ngwedo sub-county. Uduk 2, Kibambura, Kisomere, and Kasinyi villages, which could possibly be impacted by this option.

Proposed locations were evaluated according to three main screening criteria:

1. Exposure (physical proximity to project facilities),
2. Sensitivity (the degree to which receiving /host environments are likely to experience social impacts, looking at population/demographics, infrastructure and access to social services, land tenure and use, conflict and security, and cultural resources), and
3. Coping capacity (ability of a receiving environment to accommodate or cope with impacts).

The screening found that CPF Option 1 featured a relatively high population density, with settlements located both along the main transportation axes and in the interior of villages. Lands in the area of Option 1 were individually owned and dedicated primarily to crop cultivation. This makes land acquisition and livelihood loss compensation straight forward for individuals, but regional reliance on the area for its food basket creates high sensitivity for livelihood and food security. Numerous schools, health centres, and other social infrastructure that serve more than one village were located in Option 1, further affecting regional inter-dependency.

In contrast, CPF Option 2 was found to be sparsely populated, with the population located primarily along the main road. Land in the area is mostly dedicated to grazing activities with a few agricultural plots in the Eastern part. Therefore, livelihood and food security sensitivity is lower for Option 2 than Option 1. The area also features very limited social services infrastructure compared to Option 1. Perceived communal land ownership structures in the area of Option 2 were considered to make acquisition and compensation more complicated.

Ultimately, the screening concluded that CPF Option 2 was the more favourable location. Land acquisition in Option 2 may be more complex due to the perceived prevalence of communal ownership. However, CPF Option 2 would require less physical displacement compared to Option 1, and economic displacement would be mostly limited to pastureland. Furthermore, the relative lack of social infrastructure and agriculture compared to Option 1 means that there is less interdependence on the land in the area, which would limit the impact for the whole region.

6. STAKEHOLDER ENGAGEMENT

6.1. Introduction

This chapter provides an outline of the main engagement activities carried out during the RAP 1 planning process, a summary of key issues identified during the RAP 1 engagement process, and a list of activities to be carried out during the RAP 1 implementation process.

In order to guide the design and schedule of activities, the RAP Team developed a *Stakeholder Engagement Plan* (“RAP 1 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, TUOP, and national, regional and local stakeholders during the resettlement process. The RAP 1 SEP guided the team and relevant TEP UGANDA and TUOP staff members in the stakeholder engagement activities. The RAP 1 engagement process has been and will continue to be used for:

- identifying and prioritising stakeholders affected by and interested in the RAP 1; and,
- for establishing and managing relationships with those stakeholders throughout the resettlement process.

The RAP 1 SEP is a ‘live’ working document, which is continually updated during the resettlement process, including the RAP 1 implementation phase.

The RAP 1 SEP included the principles and objectives identified in *TEP UGANDA and TUOP EA-1/EA-2 North Development Project Stakeholder Engagement Plan 2017*³⁵. This SEP framework (as indicated in Figure 14 below) aimed to ensure that the developments planned for engagement with external stakeholders during the resettlement activities, separate Environmental Social Impact Assessment (ESIA) processes, and other development related studies associated with the petroleum fields within Contract Area 1 and Licensed Area 2 were consistently communicated and understood by all those concerned. The engagement approach set out in the SEP drew on the experience of stakeholder engagement and understanding of the stakeholder concerns which both TUOP and TEP UGANDA have gained during previous activities in and around Contract Area 1 and Licensed Area 2, as well as the specified engagement and consultation requirements (national, corporate and international).

The RAP 1 SEP was prepared following:

- The initial site visit to Buliisa district and Ngwedo sub-county, undertaken by stakeholder engagement contractor staff and TUOP and TEP UGANDA staff members in February 2017;
- The review of the project documentation, including the ESIA socio-economic baseline;
- The initial resettlement disclosure activities related to RAP 1 Project were undertaken during March 2017, and;

³⁵ The *TUOP and TEP UGANDA EA-1/EA-2 North Development Project Stakeholder Engagement Plan 2017* was an internal document developed during 2016-2017.

- Internal and external stakeholders also provided inputs on the RAP 1 SEP development during a stakeholder engagement training held in Kampala between 28th February and 3rd March 2017.

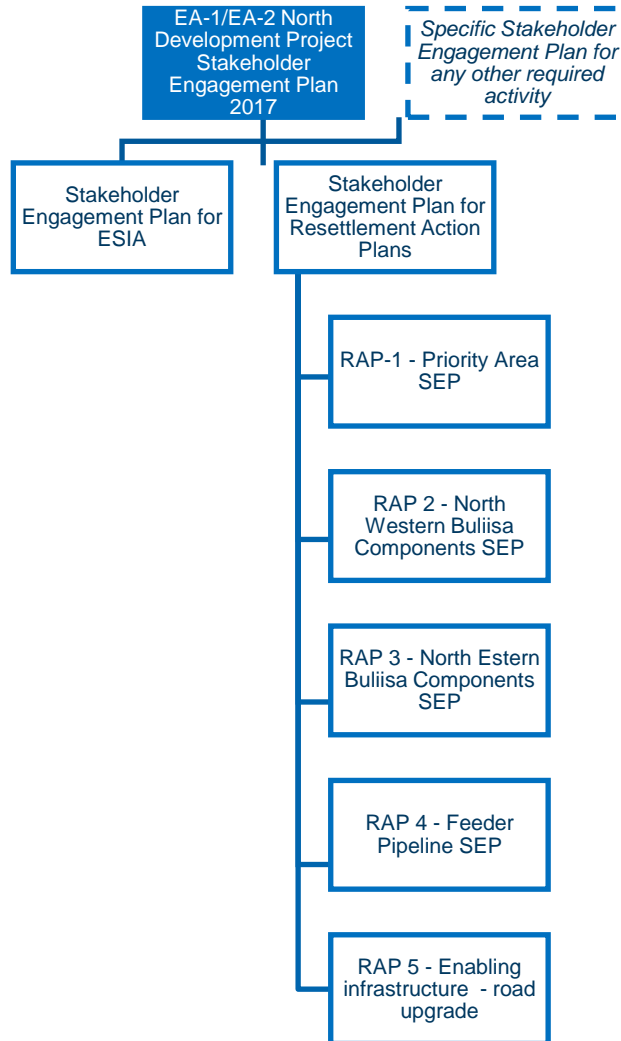


Figure 14 - Contract Area 1 and Licensed Area 2 North Development Project Stakeholder Engagement Framework

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

The following policies, regulations, requirements and principles set out in Table 18 underpin all engagement activities related to RAP 1.

Table 18 – 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	<p>The Lake Albert Basin (Albertine Graben) Land Acquisition and Resettlement Framework (LARF) for upstream oil and gas activities</p>
TEP UGANDA and TUOP corporate standards	<p>TUOP and TEP UGANDA EA-1/EA-2 North Development Project Stakeholder Engagement Plan 2017.</p> <p>TEP UGANDA and TUOP Practical Guide to Resettlement Planning and Implementation</p>
International standards	<p>International Finance Corporation (IFC):</p> <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 <p>IPIECA social responsibility guidelines.</p>

6.3. Principles and Approach to Stakeholder Engagement

The stakeholder engagement is essential during the resettlement process to ensure the success of projects, providing inputs on the project decision making, building and sustaining healthy trusting relations with stakeholders that supports the social licence to operate³⁶. Engagement is particularly important in the context of TUOP and TEP UGANDA’s area of operations where many of the communities and Project Affected People (PAPs) are considered vulnerable, poor or marginal.

³⁶ A detailed discussion of the importance of stakeholder engagement, the principles and approach during the RAP-1 process is included in the SEP.

Notably, for the RAP 1 Project, identified principles of stakeholder engagement and good practice strategies intersect with issues and concerns specific to the resettlement process.

Table 19 identifies where principles and strategies intersects with the key issues identified during the site visit and desk-based review of the project documentation.

Table 19 - Intersection between principles, strategies and key issues³⁷

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								
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								

³⁷ Blue cells denote areas identified as challenges in carrying out stakeholder engagement. The implementation of activities were designed and/or modified to respond to these challenges.

6.3.1. Resettlement stakeholder engagement aims and objectives

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

The **core objectives** for stakeholder engagement during the resettlement planning process for the RAP 1 Project are:

- To identify and map all relevant stakeholders, their context, interests and concerns;
- To establish a two-way dialogue to understand concerns, management options and external perspectives for incorporation into resettlement design and decision making;
- To 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;
- To promote and secure participation of affected PAPs by building their capacity for informed participation with special attention given to vulnerable PAPs in key decision making;
- To build and maintain trust between stakeholders, TEP UGANDA and TUOP, including national and local authorities, support the resolution of emerging tension and maintain the project's social licence to operate;
- To promote and strengthen internal engagement with the Joint Venture partners and other project study teams in support of the resettlement process;
- To manage stakeholders' expectations, especially those related to resettlement compensation;
- To support consistent project level engagement in relation to resettlement through collaboration and communication with project related teams who interact with PAPs;
- To facilitate the collection of quality primary and secondary information relevant to the resettlement and livelihood restoration processes including monitoring;
- To triangulate data collected and analysis done to inform resettlement decision making;
- To document information disclosed and public consultation efforts; and,
- To comply with regulations and requirements on disclosure and consultation.

6.4. Stakeholder identification, analysis and prioritization

TEP UGANDA and TUOP have already identified categories of stakeholders for the overall oil development project as follows:

Table 20 - TOTAL and TULLOW 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 and TUOP staff • Local businesses and cooperatives • Tourism investors, operators

Source: Total and Tullow SEP 2016/2017

Following the completion and download of data from the applicable field studies in the RAP 1 Project Area conducted between April and July 2017 (socio-economic, asset, cadastral and livelihoods studies), the stakeholder engagement team identified and grouped the affected stakeholders into logical categories as per the above. Attention was paid to identifying and grouping vulnerable PAPs, as well as PAPs who are less readily accessible for engagement. 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. (See Chapter 12 - Section 12.3) provides the categories of vulnerable people identified in the project affected area and further discussion on the subject.

Following the above, engagement activities have been prioritised based on stakeholders’ **influence** on the resettlement process and the **impact** of the resettlement process has on stakeholders. The overall aim is to ensure 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/Highly impacted. This group primarily includes local government representatives at district, parish and village levels of the affected communities, identified PAPs and other marginalised and vulnerable group. The stakeholder engagement team worked closely with the members of this group to obtain input and guidance on key decisions, and support in ensuring that critical information was passed to PAPs. Resettlement Community Liaison Officers (CLOs) were based in Buliisa town on a one-month rotation and in the affected village of Kasenyi twice a week. 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 1 process. The CLOs also provided support during the asset and cadastral surveys, legal due diligence and socio-economic surveys. PAPs 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, elderly females, children and some members of families in existing land related disputes. Additional PAPs that were noted within this group were those whom may have less ability to participate in the resettlement related engagement activities including PAPs not resident in the Buliisa District, disabled and elderly PAPs as well as children. Members of the Resettlement Planning Committee (RPC) and District Resettlement Committee (DIRCO) are part of this grouping.

High influence/Low impacted. This group includes organisations at national level that have a greater influence in the progress of the project because of their political position, legal regulatory powers and the strong NGOs’ interests on the social and environmental issues raised by the project. TEP UGANDA and TUOP carried out direct engagement with national stakeholders such as ministries – both with individual ministries (see Table 21) and as part of the Resettlement Advisory Committee (RAC) and with NGOs, through the Civil Society Coalition on Oil and Gas (CSCO).

Low influence/Highly impacted. Most of the indirectly affected communities and local public health service providers are included in this group. 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 impacted. 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.

It is important to note that, prior to the identification of PAPs through the surveys, early engagement activities focused on communities in villages associated with the wider project area: Kasenyi, Kisomere, Uduk II, Kibambura, Ajigo, Mvule I, Kirama, Kigwera NE, Kigwera SE, and Bikongoro.

Table 21 - Stakeholders' influence and project impact analysis (RAP 1 Project Area)

Stakeholders' influence on Resettlement Project Resettlement Project impact on stakeholders	Authorities	Civil Society	Communities	Business
High/High	Kasenyi LCI Uduk II LCI Kibambura LCI Kisomere LCI Ngwedo LCIII (sub-county) Buliisa District Executive Committee Buliisa District Chief Administrative Officer (CAO) Police station (Ngwedo) Police station (Buliisa)	Build Africa (CBO - Buliisa) BIRUDO (CBO - Buliisa) Community Integrated Development Initiative LACWADO (CBO – Biiso) MUNGU MIYO Functional Adult Literacy Group (CBO - Buliisa) BULOGA (CBO - Buliisa) Kakindo Orphanage Care Buliisa Oil & Gas Task Force Bugungu Community Association Buliisa NGO Forum Religious and Cultural Leaders (Kasenyi) Religious and Cultural Leaders (Uduk II) Bunyoro Kingdom cultural leaders (on DIRCO)	PAC Kasenyi Village PAPs Male Headed Households PAPs Elderly Headed Households PAPs Female Headed Households PAPs with Disability PAPs with Elderly-dominated households Dependents within PAP households including disabled, elderly, children PAPs Balaalo (Herdsmen) Unregistered immigrants Babala Clan Balima Clan	
High/Low	Ministry of Energy and Mineral Development (MEMD) Petroleum Authority of Uganda (PAU) Ministry of Water and Environment (MWE) National Environment Management Authority (NEMA) Ministry of Lands Housing and Urban	Africa Institute for Energy Governance (AFIEGO) Civic Response on Environment & Development (CRED) World Vision Uganda Soft Power Education Living Earth Uganda Link Community Development Uganda Human Rights Commission		

Low/High			PAC Uduk II PAC Kisomere Village PAC Kigwera Village Health Centre III (Avogera) Health Centre II (Kigwera) Health Centre IV (Kigoya) Health Centre IV (Avogera) Kasenyi Church	Business and Traders (Kasenyi) Business and Traders (Uduk II)
Low/Low	Police station (Wanseko) Kigwera LCIII (sub-county) Buliisa District Council Members Ministry of Tourism, Wildlife and Heritage (MTWH) Uganda Wildlife Authority (UWA), Department of Museums 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)	World Bank (Albertine Region Sustainable Development Project) Uganda Red Cross Society UNICEF (Quality Enhancement Initiative) Netccas CSO Ngwedo Kakindo Orphanage Bubongo Heritage & Information Centre	Private Nursery School (Kisomere) Public Primary School (Kisomere) 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)	Masindi District Livestock Association Buliisa District Chamber of Commerce

6.5. Stakeholder engagement activities and the resettlement planning process

The RAP Team carried out several activities throughout the resettlement process in collaboration with TEP UGANDA and TUOP internal staff and representative from the MEMD and MLHUD. The engagement activities were carried with the wider affected communities, individual PAPs and, through Resettlement Committees (DIRCO and RPC).

The engagement related activities for the RAP 1 planning phase are summarised in Figure 15 below. The remainder of this section provides more detail about each of the engagement interventions undertaken during the RAP 1 planning phase.

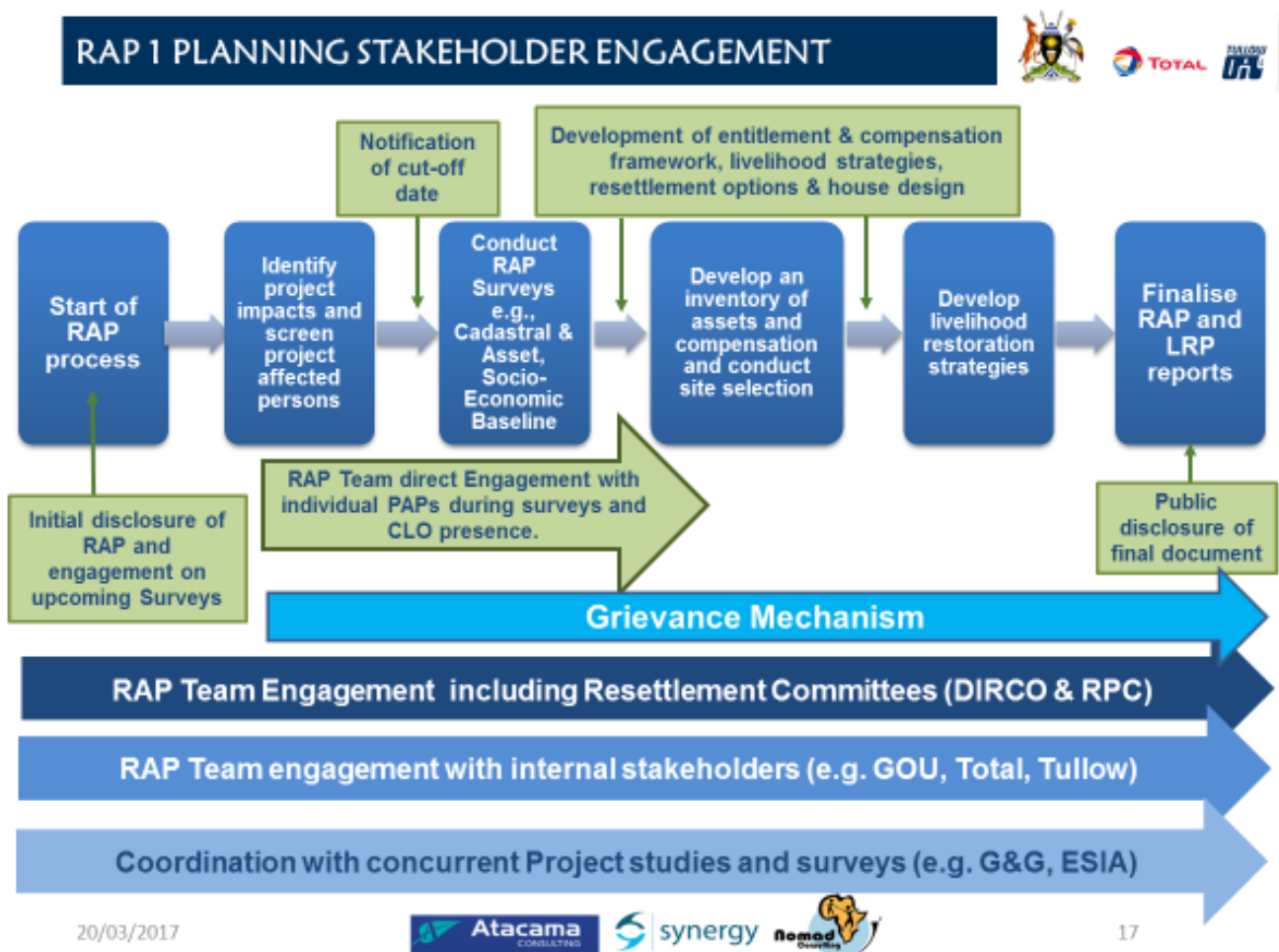


Figure 15 - RAP 1 planning process stakeholder engagement activities

6.5.1. Initial disclosure of the RAP process

Between 14th and 20th March 2017, the Resettlement Team organised a series of meetings with national, district and local government representatives, NGOs and CBOs at national and local level and potentially affected villages to disclose the resettlement process for the required facilities in the TILENGA project in Buliisa District (Table 22). The objectives of the engagement were:

- To further identify/verify and support mapping of affected and interested stakeholders, their context, interests and concerns;

- To engage proactively to inform all potential affected and interested stakeholders about the resettlement process (including timetable, grievance mechanism, rights, responsibilities, data management, confidentiality), process status, and opportunities to provide input;
- To promote and secure participation of affected PAPs and start to build their capacity for informed participation, especially vulnerable PAPs in key decisions;
- To understand and help manage stakeholders' expectations, including expectations relating to resettlement compensation;
- To 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;
- To help build trust between stakeholders, TEP UGANDA and TUOP including national and local authorities; and,
- To provide answers to stakeholder questions, especially on how information from surveys will be stored and potential impacts and disruptions to PAPs.

Table 22 – Stakeholders engaged in the Initial RAP 1 disclosures

Stakeholders engaged during the Initial RAP 1 disclosures	Date
<p>Buliisa District Members of Parliament, Buliisa District Technical Planning Committee, Sub-county chiefs & LCIII Chairpersons of Ngwedo, Kigwera, Biiso, Kihungya, Butiaba, and Buliisa Town Council.</p> <p>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.</p>	14 th March 2017
<p>LC II Chairpersons of Kirama, Kigwera, Kisansya, Nile, Ngwedo, and Mvule Parishes.</p> <p>LCI Chairpersons of Kasenyi, Kisomere, Uduk II, Kibambura, Ajigo, Mvule I, Kirama, Kigwera NE, Kigwera SE and Bikongoro villages.</p>	15 th March 2017
<p>Communities of Kasenyi, Kisomere, Uduk II and Kibambura villages.</p>	16 th March 2017
<p>Bunyoro-Kitara Kingdom representatives.</p> <p>Communities of Ajigo, Mvule I, Kirama, Kigwera NE, Kigwera SE, and Bikongoro villages.</p>	17 th March 2017
<p>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)</p> <p>Africa Institute for Energy Governance (AFIEGO), Civic Response on Environment & Development (CRED), World Vision Uganda, Soft Power Education, Living Earth Uganda, Link Community Development,</p> <p>Uganda Human Rights Commission, Global Rights Alert, Minority Rights Group International.</p>	20 th March 2017

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 were also translated into the main local languages (Swahili, Runyoro, Lugungu and Alur) to support community and PAP understanding of the RAP process. The team developed a presentation and organised question and answer sessions where participants raised their comments and concerns on the project.

6.5.2. Cut-off Date announcement

The Stakeholder Engagement Team developed a specific strategy to announce the cut-off date (see section 8.2.3) when the eligibility for resettlement and compensation is established and completed through the cadastral and asset surveys. The objectives of the cut-off date announcement strategy were:

- To comply with national guidance and best practice requirements;
- To approve and advise on suggested methods for cut-off-date notifications
- To ensure that the cut-off date was publicly and widely disclosed and understood by PAPs and other interested stakeholders;
- To ensure all PAPs were aware of the date and its implications;
- To minimise speculation and any fraudulent activities linked to potential compensation;
- To minimise the number of absentee landowners;
- To 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;
- To continue to build / maintain trust between stakeholders, TEP UGANDA and TUOP, including national and local authorities, support the resolution of emerging tension in relation to the resettlement process; and,
- To document information disclosed and public consultation efforts.

A rolling Cut-off Date was applied to individual PAPs during the asset and cadastral 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 Annexure 14). 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 the RAP 1 Project Area was declared on 16th May 2017, through a community meeting at Kasenyi village, involving the local leadership, the PAPs and the wider community. The meeting was attended by 327 people. The team organised a presentation outlining the progress of the resettlement process particularly around the proposed Industrial Area, explaining the final cut-off date declaration, the Resettlement grievance mechanism. The community was also made aware that the Resettlement CLOs would visit the affected area twice a week (Tuesday and Thursday) to

collect concerns and grievances and/or provide feedback to community members. The team clarified that PAPs could still access their residences 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) made after the cut-off date would not be eligible for compensation; as these would not be part of the assessed property and budgeted for compensation awards. All presentations were translated in the local languages particularly Lugungu and Alur.



Community meeting explaining the cut-off date (16th May 2017)



Community meeting explaining the cut-off date (16th May 2017)

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 all PAPs. 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 all PAPs and the wider community. Both the posters and leaflets included some Frequently Asked Questions (FAQs).

Additionally, public notices were lodged in the local newspapers, notice boards around Buliisa and a signage post was placed around the RAP 1 Project Area to discourage speculative development whilst allowing access for ongoing local farming activities.



Cut-off Date poster displayed near a shop in Kasenyi



Signage around the demarcated Industrial Area

Finally, the team organised radio announcements during popular radio programmes on three radio stations – Radio Biiso FM, Kings FM and Radio Pakwach. The objectives of the announcements were to:

- announce the cut-off date to wider community in order to reach out to residents in the Buliisa District who make use of the resources and assets in the Industrial Area; and
- identify any absentee landowner who have not been identified during the asset and cadastral surveys.

The cut-off date radio announcements were given in English, Lunyoro, Lugungu and Alur and ran for three consecutive days between 16th and 18th May 2017.

6.5.3. **Engagement during asset and cadastral surveys, legal due diligence and socio-economic surveys**

Members of the stakeholder engagement team carried out several activities during the period of asset and cadastral surveys, legal due diligence and socio-economic surveys between April and July 2017.

The objectives of this engagement were:

- To update the community on the progress of the resettlement process and the implications of the various surveys;
- To collect any concerns and grievances raised during the survey period; and,
- To 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 objectives, the team first held community meetings to inform local residents of the forthcoming RAP activities, explaining how each survey fits into the resettlement planning process and how they would be carried out. The meetings took place in the following villages:

- Kisomere (25th April 2017),
- Uduk II (26th April 2017), and
- Kasenyi (27th April 2017).

Members of the Buliisa DIRCO were taken to visit the RAP 1 Areas to witness the survey activities on 2nd May 2017. Local Community (LC) leaders were also contacted in order to carry out site reconnaissance in Uduk II, Kibambura, Kisomere and Kasenyi villages (3rd May 2017). A similar reconnaissance trip was carried out with representatives of the MEMD (on 5th May 2017).

Throughout this period the Resettlement CLOs provided support to the various survey teams operating in the area (i.e. valuers, socio-economic enumerators, livelihood restoration team, etc.) in their direct engagement with PAPs and/or during focus groups with key stakeholders. The role of the CLOs was to provide a brief introduction of the resettlement process, answer questions PAPs had about the process and collect any grievances.



RAP Team CLO (far right) and Legal team member (centre), assist PAPs during the legal due diligence survey

6.5.4. Socio-economic, livelihood restoration and specialist studies interview programmes

The socio-economic team, the livelihood restoration team and specialists in the field of culture, heritage, archaeology, gender, and public health carried out qualitative interviews and focus groups between May and July 2017 to further understand identified social trends, details can be found in Chapter 4 of this report.

6.5.5. Strip Map Disclosure and PAPs verification

Between 25th and 28th July 2017, the stakeholder engagement team together with the valuation team carried out the strip map disclosure and verification of the list of registered PAPs. The disclosure listed all identified landowners and the corresponding plot of land affected by the project and a list of PAPs identified as land users. The objectives of the exercise were:

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

The team displayed strip maps and checked each PAPs identification number against the master list in Kasenyi (25th to 28th July), Kibambura and Kirama (25th and 26th July), Uduk II and Kisomere (27th and 28th July).



PAPs checking their details on the strip map display



PAPs checking their details on the strip map display

Third party organisations attended the exercise as observers, including two CBO representatives of BIRUDO and CRED, the LC 3 Chairperson for Ngwedo sub-county, the Buliisa District Secretary for Women and Children Affairs.

To encourage maximum participation, the Team organised an ongoing radio announcement (see Annexure 8) for the duration of the disclosure and verification exercise on local radio stations – Kings FM Masindi (in English and Lunyoro), Radio Packwach (in English and Alur), and Radio Biiso (in English and Lugungu). Throughout the activity, Resettlement CLOs monitored the attendance and visited

PAPs who were identified as vulnerable (e.g. elderly, women with children etc.) and any PAP that were not able to attend the disclosure and verification at the appointed meeting points.

Comments and concerns of PAPs attending the disclosure and verification exercise were captured in Annexure 7.

6.5.6. Community meeting on Entitlement Matrix, Resettlement Options, Livelihood Restorations and House Design Options

On 10th August 2017, members of the Resettlement Team carried out a community meeting at Kasenyi village to inform the project affected community of the roles and responsibilities of the newly elected RPC (see below) and present the following key topics:

- RAP 1 Entitlement Matrix
- RAP 1 Resettlement Options
- RAP 1 Livelihood Restoration Options
- RAP 1 House Design Options

The presentation was followed by a question and answer session (see Annexure 7).

6.5.7. Engagement through DIRCO and RPC

International best practices suggest 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 resettlement population as well as representatives of interest groups that may have no formal leadership role.

These resettlement bodies would 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, resettlement projects in the Albertine Graben would need to follow the framework in Figure 16 below.

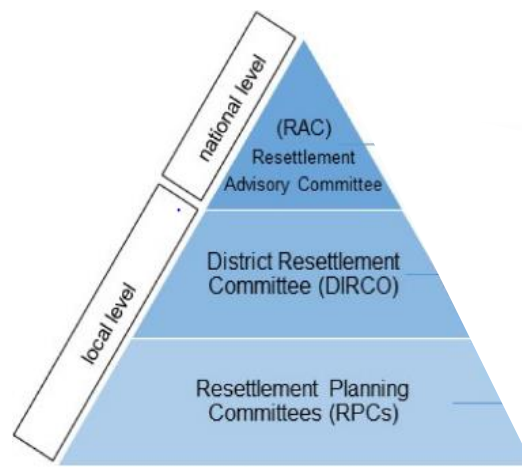


Figure 16 - Resettlement Consultation Framework

- The **Resettlement Advisory Committee (RAC)** at the national level – this has already been established and several meetings have been held since the inaugural meeting in June 2015;
- One **District Resettlement Coordination Committee (DIRCO)** for RAP 1 at the district level was created for Buliisa District in April 2017; and
- One **Resettlement Planning Committee (RPCs)** for RAP 1 was created covering villages affected within Ngwedo sub-county in August 2017.

Terms of Reference for the DIRCO and the RPC was drawn up. DIRCO and RPC meetings are scheduled to take place on a monthly basis until the public disclosure of the final RAP and LRP reports, though some meetings were organised out of schedule and in agreement with respective Chairpersons when required.

Buliisa DIRCO

The DIRCO for Buliisa District was created on 11th April 2017. Its membership is composed of representatives of the technical, political authorities, civil society representative and other stakeholders in Buliisa District to support and advise on resettlement planning and implementation activities at district level. The meetings are open to the wider public but only members of the committee have consultative rights.

The roles and responsibilities of the DIRCO include:

- Support for the declaration of the ‘cut-off date’;
- Assist in the legal due diligence of the land register;
- Provide inputs in the determination of valuation methodology;
- Provide inputs in the determination of appropriate compensation and livelihood restoration packages;
- Selection, planning and permitting of resettlement sites (including housing and infrastructure); and,
- Assist to support mediation of grievances that cannot be resolved at the RPC level.

During the resettlement planning process, the Buliisa DIRCO has met several times and were included in different engagement activities, as listed on the Table 23 below.

Table 23 - Buliisa DIRCO Meetings Summary

Objective of the Buliisa DIRCO meetings	Date
<ul style="list-style-type: none"> • Inaugural meeting 	11 th April 2017
<ul style="list-style-type: none"> • Training on the resettlement process and methodologies • Implication of the cut-off date announcement in the project area • Presentations on the forthcoming asset and cadastral surveys, due diligence and socio-economic surveys 	2 nd May 2017

Objective of the Buliisa DIRCO meetings	Date
<ul style="list-style-type: none"> Members supervision of the ongoing surveys activities in the RAP 1 Project Areas 	2 nd May 2017
<ul style="list-style-type: none"> Update on the progress of the RAP 1 Introduction of the RAC Chairperson (Under-secretary of MEMD) 	11 th July 2017
<ul style="list-style-type: none"> Update on the progress of the RAP 1 Presentation on the forthcoming Strip map and PAP list disclosure, RAP 1 RPC Election process and RAP 1 Finalisation engagement. 	24 th July 2017
<ul style="list-style-type: none"> RAP 1 Project: Report Consultation (prior to submission of the Draft RAP to the GoU) 	30 th August 2017

The DIRCO has provided valuable support to the Resettlement Team with obtaining authorisation, guidance, access to documentation, and sensitization of the PAPs on key steps of the resettlement process. For example, with regards to the cut-off date announcement, members of the Buliisa DIRCO were able to raise awareness about the cut-off date within communities of Buliisa and other forums. Through cooperation between the Resettlement Team and the Buliisa DIRCO, members interacted with PAPs through community meetings to explain the process and its implications.



Inaugural meeting of Buliisa District Resettlement Committee (11th April 2017)

The DIRCO will continue to be a vital committee with a key role in the future implementation and monitoring and evaluation of the RAP 1.

RAP 1 RPC

The election of RAP 1 RPC took place on 4th August 2017 and it was inaugurated on 7th August 2017. The establishment of the RAP 1 RPC followed the completion of Cadastral, Asset and Socio-economic

surveys during which the full list of PAPs, including vulnerable groups, was collated and confirmed. It was essential to have the full list of PAPs to ensure that all these individuals and households could participate in the RPC election process and have the opportunity to represent the PAPs and the wider affected community.

The RAP 1 RPC covers the Ngwedo sub-county which includes the directly affected village of Kasenyi and the indirectly affected villages of Uduk II, Kisomere, Kibambura and Kirama.

The committee consists of 37 members:

- 27 elected members which include representatives of PAPs, representatives of vulnerable PAPs (non-economically active households, youth, disabled people, female-headed households), representatives of wider members of the community (not directly affected by the project);
- 5 fixed representatives (Ngwedo LCIII Chairperson, Kasenyi LCI Chairperson, appointed representatives from TEP UGANDA and TUOP and/or MEMD, sub-county community development representative);
- 5 Co-opted representatives (LCI Chairpersons of indirectly affected villages and LCI Chairperson of potential host village representatives)

The election process was designed to ensure that vulnerable groups such as female headed-households were represented through proportional representation and gender balance³⁸.

The election nomination phase took place between 30th July and 2nd August 2017 under close monitoring and supervision of members of the Buliisa DIRCO. The nominated candidates were then displayed in key areas on 3rd August ahead of the election meeting. There were radio announcements throughout the election period to encourage the participation of the local community.

The election of RPC members took place on 4th August and was conducted through a secret ballot system with votes counted by members of the DIRCO. Elected representatives were declared by the DIRCO Vice Chairperson, Bernard Barugahara, and his Secretary, Bernard Tugume. A final list of elected members was displayed on 5th August 2017 in Kasenyi and neighbouring villages.



Election of RPC members (4th August 2017)

³⁸ During the inaugural meeting on 7th August, a female RPC member was nominated as vice-Chairperson but declined to take up the position, which was taken up by another member.



Election of RPC members (4th August 2017)

The roles and responsibilities of the RAP 1 RPC include:

- Play an important part in the dissemination of project information to PAPs;
- Represent the interests of PAPs and obtain their input on the project;
- Provide regular feedback to PAPs on the progress of the RAP and RAP consultations, assisted by the Resettlement Team;
- Seek input, support and approval in the processes during RAP preparation and implementation;
- Assist in mediating and reconciliation of/about grievances that cannot be resolved at the second level of the grievance mechanism;
- Provide input in the selection and planning of resettlement sites, housing and infrastructure options; and,
- Provide inputs in the appropriate compensation and livelihood restoration options.

Similar to the Buliisa DIRCO, the meetings of RAP 1 RPC are open to the wider public but only members of the committee have consultative and decision-making rights. To date, the RAP 1 RPC has met three times, and for the RAP implementation phase, meetings will be scheduled to take place on a monthly basis or more frequently, if and when required.

Table 24 – RPC Meetings

Objective of the meeting	Date
<ul style="list-style-type: none"> • Inaugural meeting • Training on the resettlement process • Presentation on the forthcoming RAP 1 Finalisation engagement. 	7 th August 2017
<ul style="list-style-type: none"> • Presentation and discussion on Entitlement Matrix, Resettlement Options, Livelihood Restoration Options and House Design Options 	9 th August 2017
<ul style="list-style-type: none"> • RAP 1 Draft Report Consultation (prior to submission of the Draft RAP to the GoU) 	29 th August 2017



Inaugural meeting of RAP 1 Resettlement Planning Committee (7th August 2017).

6.6. Capacity building and training

6.6.1. 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 four groups: the internal resettlement team; Joint Venture Project staff; and external stakeholders such as Government officials; and, Local leaders as well as Community Members involved in the resettlement committees.

To date training of the consultant team, joint venture project staff and some government officials included:

- A introductory training on best practices on land acquisition and resettlement was held for members of the internal resettlement team on 7th February 2017; and
- A course on “Engagement and Relationship Building in the Context of Resettlement” was attended by members of the resettlement team, staff of TEP UGANDA and TUOP and GoU officials, between 28th February and 2nd March 2017.
- Resettlement Community Liaison Officers (CLOs) were provided an informal training and overview of the RAP 1 resettlement process and its activities (including the Grievance Mechanism) on 15th March 2017, ahead of the community engagement for initial RAP disclosure. Further trainings were given in late July and August ahead of the RPC election process and inauguration.
- An introductory training on best practices on land acquisition and resettlement was held for members of the internal resettlement team (CLOs) and staff of TEP UGANDA and TUOP on 24th July 2017;
- An introductory training on best practices on land acquisition and resettlement was held for members of the GoU in Kampala on the 27th July 2017;

Future ongoing training and capacity building will include a formal training of CLOs and the consultant engagement team members in the facilitation of community meetings, resettlement committee meetings and management of the Concerns and Grievance Mechanism. This will be followed up by ongoing mentoring by the engagement cluster lead and other members of the team as appropriate.

6.6.2. Training of resettlement committee members (District Resettlement Committee and Resettlement Planning Committee)

Engagement and Relationship Building in the Context of Resettlement, Training Course (Kampala, from 28th February to 2nd March 2017).

Synergy prepared a three-day specialist stakeholder engagement training programme that was attended by 30 people, including members of the social performance teams of Total and Tullow, representative of relevant Government ministries, and members of the Resettlement team. This event provided an important opportunity to give tailored training for the project team prior to mobilisation of resettlement related activities. With this opportunity in mind, the aim of three-day training was to *equip members with the necessary skills and insights to engage effectively during the resettlement process and be part of building trusting and productive stakeholder relations throughout this project.* The training course drew on the accredited stakeholder engagement training content alongside information and working sessions specific to the project and Ugandan context.

Attendees were able to put into practice the acquired theoretical knowledge by developing and contributing to the development of this Stakeholder Engagement Plan. Therefore, several of the following sections has been enriched by the discussions from training course.

Following the establishment of the resettlement committees at the District (DIRCO) and sub-county Resettlement Planning Committee (RPC) levels, the Resettlement Team provided committee members with training. 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 the RAP 1 Project and its Resettlement Planning Activities;
- The Role and Mandate of the DIRCO and 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 DIRCO and RPC members during meetings;
- RAP Grievance mechanism and the Role of the DIRCO and RPC;
- Meaning, definition and purpose of the cut-off date and the role of DIRCO;
- Legal due diligence process (to verify land interests and identification of informal rights) and the role of DIRCO;
- 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 and RPC
- 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; and,
- Monitoring and Evaluation of livelihood restoration programs and the role of DIRCO and RPC.

6.7. RAP implementation engagement responsibilities and activities

The current stakeholder engagement team is responsible for the management, coordination and execution of engagement activities related to the implementation of RAP 1. During the implementation phase, a clear engagement plan will be developed to support resettlement and Livelihood Restoration (LR) including:

- CLOs presence in Kasenyi and other affected villages twice a week (Tuesdays and Thursdays);
- CLOs presence at the TEP UGANDA & TUOP Liaison Office in Buliisa;
- Ongoing monthly meetings (or when required) for Buliisa DIRCO and RAP 1 RPC;
- Regular community meetings providing updates on the progress of the resettlement process; and,
- One-to-one engagement with PAPs to agree 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 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. The MoU will capture the principles of and commitment to working together, an outline of the scope of support the partner and project will work together on in future, and 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, negotiate and agree LR options followed by on-going engagement during LR initiative implementation;

- Ongoing monitoring and evaluation related engagement with PAPs, partners and other related 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 organisation is provided in the box below to give 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 feasible as well as provide early evidence of LR support within the affected communities (Kasenyi and four neighbouring communities). For complex LR initiatives, Agreements may take up to twelve months to finalise and sign.

Potential Implementation Partners for Livelihood Restoration (not exhaustive)

Community Integrated Development Initiative (CIDI)
 Buliisa Initiative for Rural Development Organisation (BIRUDO)
 Living Earth Uganda
 Mercy Corps
 Agency for Accelerated Regional Development (AFARD)
 St Simon Peter Vocational Training Centre
 Millennium Business School
 TEP Uganda / TUOP
 Ministry of Energy and Mineral Development (MEMD)
 Hotels & Lodges
 Uganda Wildlife Authority (UWA)
 Uganda National Roads Authority (UNRA)
 Buliisa District Production Department
 Buliisa District Health Department
 Buliisa District Education Department
 Buliisa District Community Services Department
 Buliisa District Forestry Office
 Ministry of Health
 Ministry of Education and Sports
 Ministry of Agriculture, Animal Industry and Fisheries / NAADS / OWC
 Africa Innovations Institute, Kampala
 Bulindi Zonal Agricultural Research and Development Institute (NARO) - BuZARDI
 Butiaba Fishers and Farmers Development Association (BUFITA)
 Butiaba Young Fishers and Traders Association (BUFIDA)
 LINK Community Development
 Soft Power Education
 HOFOKAM Ltd
 Village Savings and Loans Associations
 Micro-finance Support Centre
 Lake Albert Children and Women Advocacy and Development Organisation (LACWADO)
 Minority Rights Alert International
 Global Rights Alert
 Stanbic Bank
 Mungu Miyo
 Malaika Honey Ltd
 Dairy Development Authority
 Buliisa Livestock Farmers Cooperative Society (BLFCS)
 Kityanga Women farmers group
 Victoria seeds Ltd

7. Concerns and Grievance Mechanism

This section outlines the Concerns and Grievance Mechanism for the development and implementation of the RAP 1 Project. The Mechanism is in line with TEP UGANDA and TUOP internal grievance mechanisms and the Grievance Management requirements set out in the Land Acquisition and Resettlement Framework (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 by PAPs and other stakeholders.

The mechanisms were communicated to all stakeholders from the early stages of the resettlement process and 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. This is so as to minimise and avoid the risk that in environments with limited avenues to resolve grievances, affected communities may exploit other means to manifest their frustrations and increase the risk to the resettlement process and compromise the TILENGA project objectives.

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, assets or levels of assistance;
- The implementation of the eligibility framework and compensation process;
- Time and manner of compensation payments; and
- The conduct of internal TEP UGANDA and TUOP staff, the Resettlement team 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 and TUOP internal grievance mechanisms. The application of the Mechanism does not deny stakeholders the right to use other remedies provided by the 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.

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 Resettlement Action Plan (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 25 - Potential issues linked to the Concern and Grievance Mechanism

Potential Issues	Management Approach
Stakeholders not aware of the Resettlement Grievance Mechanism or the different grievance mechanisms related to the project and the JV partners	Project team consistently share the procedure to increase awareness of stakeholders of the Grievance Mechanism and how to access it through engagement and engagement tools.
Internal stakeholders play an important role in the effectiveness of grievance mechanisms It is often difficult to connect with the right member of staff/department to resolve a grievance	Train all the staff involved in the procedure for its effectiveness, Mechanism to be managed correctly including helping to ensure that grievances related to social issues and resettlement are resolved in a timely and reasonable manner.
The presence of different contractors working near or in communities greatly increases the likelihood of concerns / grievances being lodged by stakeholders. Stakeholders' concerns are not always fed through the existing grievance system or mentioned to the Project team at all Once contractors leave the community, it is hard for TEP UGANDA and TUOP CLOs to investigate and verify issues. Contractors prefer to resolve a complaint by providing a payment rather than have the issue investigated (impact on their schedule / budget)	Project team continue to work with project contractors to build awareness of different Grievance Mechanism, and their role in concerns/ grievance management (passing them to the appropriate person). Ensure that daily report and input of grievances is done with the client CLOs for entering into the system All resettlement team made very aware of the Grievance Mechanism for the resettlement process and other Grievance Mechanism s and how to respond when concerns/ grievances are raised.
Grievances are not recorded for fear of reporting any bad behaviour of the company	Raise awareness among resettlement team and in resettlement engagement briefing pack about mandatory reporting of concerns/ grievances and how these should be managed. Project team continue to work with project contractors to build awareness of different Grievance Mechanism, and their role re. concerns/ grievance management (passing them to the appropriate person). Communicate to the stakeholders the different avenues for receiving grievances.
Communities seem to have lost trust in the national judicial system The role of resettlement committees in the management of grievance and the role of the judicial system need to be clarified.	Make stakeholders aware of project related Grievance Mechanism s and how they related to the national judicial system. Be aware that project related staff cannot take a concern on behalf of a third party (government) – pass the individual onto the third party.

Potential Issues	Management Approach
Some grievances will 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 Grievance Mechanism includes realistic timeframes and internal resources to meet these timeframes.</p>

Source: TEP UGANDA and TUOP feedback on existing JV Partner GMs during Stakeholder Engagement Training, Feb 2017

7.6. Concerns and Grievance Mechanism for the RAP 1 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 26.

It should be noted that the Grievance Mechanism is managed by the project proponents and its contractors and runs separately to 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 26 - Roles and responsibilities for the management of the concerns and grievance mechanism

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 & give a copy to the complainant Write the acknowledgement letter to the complainant
Total & Tullow CLO/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 Community Liaison Officer (CLO) RAP Team Stakeholder Engagement Coordinator RAP Team Project Manager Total & Tullow CLO/Grievance Officer Total & Tullow Social Affairs Managers	<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 Total & Tullow where relevant.	
Mediation & Follow Up	
RPC and DIRCO Total & Tullow 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 Community Liaison Officer (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
Total & Tullow CLO/Grievance Officer Total & Tullow 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 Buliisa:* Social & Resettlement Services Community Liaison Officer (CLO) Desk, TEP Uganda/TUOP Liaison Offices, Buliisa District

Grievance Cards: these can be found at the suggestion boxes in villages

Resettlement Committees (DIRCO and RPC): stakeholders can submit their concerns and grievances during committee meeting; resolutions may also be presented at the meeting.

Grievance Form: see Annex 8 of RAP 1 SEP these are available from the CLOs and filled in whenever a grievance is received.

Action Form/MOST Database: see Annex 10 of RAP 1 SEP (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. At all times, all 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 the below steps 3 (Investigate and Respond) & 4 (close Out) are repeated.

On receipt of any grievance, a grievance form must be filled out 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 treated 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 keep 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 filled in front of the complainant and signed with a witness.

Step 2 – Record, Assess & Assign. The uniquely numbered and filled in Grievance Form, is dated and signed by the Complainant with the guidance of the CLO which creates the record of the grievance. The CLO is to make sure 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 recorded a grievance.

The CLO has to make sure enough information is acquired to make an assessment of the grievance and where possible give an immediate response or solution, the complainant can then acknowledge that they agree to 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 book given 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 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 make sure 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 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

Level 1: Aim for immediate resolution through dialogue-max 24 hours after the grievance receipt

The objective is to resolve issues immediately and efficiently when they arise at the time they are received or reported. On receipt, the Community Liaison Officer (CLO) assesses the legitimacy and provide an immediate solution. When 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, LC1, 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-max 14 days after the grievance receipt

When 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 mobilizes, according to the category of the grievance, the necessary resources within the RAP Team and with TEP Uganda TUOP Social Affairs team to investigate and come up with a solution which shall be shared with TEP Uganda and TUOP 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 RPC or DIRCO to come up with solutions.

Proposed solutions that are recommended shall be documented via email to the Grievance Officer and CLO copy 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 Total E&P Uganda / TUOP 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 per week to check in with them and inform them on progress of their grievance.

Step 4 – Close Out. Timely, clear accurate responses to Complainants should be given when closing out or when a grievance requires to be escalated.

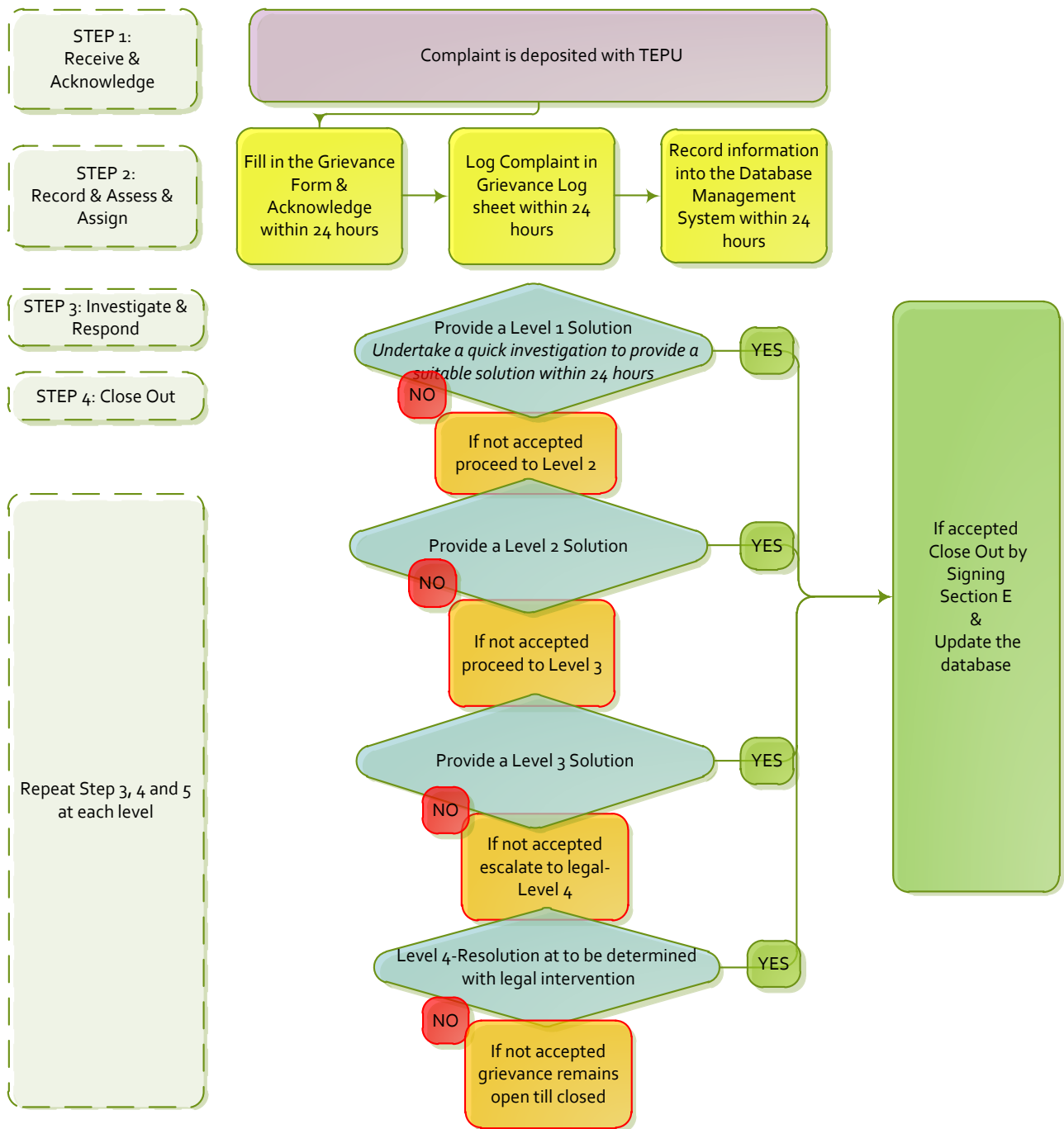


Figure 17 - Grievance flow chart

7.7. Reporting

The RAP contractor team³⁹ reports weekly on information regarding the management, coordination and implementation of the Grievance Mechanism both to internal and external stakeholders to ensure transparency and accountability.

The team 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.

³⁹ The Engagement Cluster lead has overall responsibility for the management of the Grievance Mechanism. The Consultation Coordinator & Administrator is responsible for updating the grievance log and providing input to the weekly cluster reports and monthly updates on grievances.

8. ENTITLEMENT & COMPENSATION FRAMEWORK

8.1. Introduction

Eligibility, entitlements and compensation are generally the most scrutinised components of resettlement because of both 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 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)⁴⁰

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;
- 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;

⁴⁰ IFC PS 5, Land Acquisition and Involuntary Resettlement – Page 3

- 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

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 Table below.

Table 27 - 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 1 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 16 th May)
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, PAPs are defined as any individual or group of persons (constitutes e.g. a family or clan with shared interest in an asset) whom have legal or customary rights to assets that may be lost because of the project activities, as determined by the Cadastral Land and Asset Valuation Survey. A PAP may have a right to one or more groups of assets including (1) rights to land, (2) ownership of annual and perennial crops, (3) ownership of trees, (4) homestead property, (5)

homestead structures, (6) graves, (7) shrines, and (8) other privately held physical assets located within the development footprint of the Project Industrial Area and N1 access road. As indicated, a group could refer to an extended family or clan who have shared ownership of land or assets.

For this RAP, all assets and land have been recorded against PAPs and each PAP 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. There may be multiple PAPs within a single household (as used in the socio-economic survey) which claim ownership to different households. It is therefore important to note this distinction between PAPs and Households.

8.2.2. Eligibility Criteria

Affected PAPs eligible for compensation/replacement include:

- (a) Those who have formal legal rights (Certificate of Title) to land⁴¹. This is established through the Legal Due Diligence Survey. See section 5.1.3 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 5.1.1 and 5.1.3.
- (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 5.1.2.
- (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 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 6.5.2.

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 1 Cut-off date was established and declared on 16th May 2017.

⁴¹ As confirmed by the Legal Due Diligence survey, there were no Certificates of Title in the Industrial area or N1 Access Road.

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 6.5.2.

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 1 specific entitlement framework was developed based on the guidance provided in the LARF.

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 RAP1 specific Entitlement Framework developed based on the findings of the RAP 1 resettlement planning surveys was presented for consultation to the RPC on the 9th August 2017 and the Kasenyi community on 10th August 2017. See section 6.5 for further details.

Table 28 – RAP 1 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: 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>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 at location of owner's own 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.</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 3: In kind- Replacement house of equivalent size (measured floor area or number of rooms) with</p>	<p>All affected people must prove ownership which is established through the final asset surveys.</p> <p>Option 1: 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> <p>Options 2 and 3: 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>consideration of functional spatial use but in host resettlement areas as identified by the RPC. 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>	
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>	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.
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>	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.
6	Land for Primary Residential Plot – permanent loss	Registered owner or claimants of customary held land on which complete immovable housing structure is established for Primary residence.	<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 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: The Resettlement Planning Committee (RPC) identifies and negotiates replacement land for a new Resettlement Village. The project buys the new land for the village.</p> <p>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.</p>	<p>All affected people must prove ownership which is established through the final asset surveys and legal due diligence surveys.</p> <p>Owner must identify residential plot for use as primary residence* and demarcated within the boundaries of the site at the cut-off date.</p> <p>*indicated as primary residence in the asset survey</p>

			NB: Owners already awarded a replacement house will not receive additional compensation for loss of residential plot.	
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 4 surrounding villages of Kasenyi, Uduk II, Kisomere, Kibambura	Registered owners or claimants: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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. 	Crops in place (rooted) at cut-off date and identified through final surveys. Compensation according to defined growth stage or size categories. Crop owners identified through final asset surveys

			<ul style="list-style-type: none"> • Statutory Disturbance Allowance of 30% of compensation amount. • Access to Livelihood Restoration Program. 	
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 four (4) villages of Kasenyi, Uduk II, Kisomere, Kibambura	<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 four (4) surrounding villages who gather natural resources such as medicinal herbs, 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	<p>Transitional hardship assistance program appropriate to specific cases and based on Project assessment, including:</p> <ul style="list-style-type: none"> • Priority in physical mobilisation and transfer to resettlement plot; 	Identified through final census survey based on agreed vulnerability criteria relevant to Project.

		groups are described in Chapter 12.	<ul style="list-style-type: none"> • A preference for in-kind compensation • Additional monitoring • Relocation if feasible near to kin and former neighbours to maintain informal support networks • Special assisted transit to resettlement plot; • Additional moving, loading and unloading assistance, if necessary; • Assistance from support case workers during transit process; • Assistance in the compensation payment procedure <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 around the project area or replacement land at agreed rates per grave (in accordance with national legislation).</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>

8.4. Valuation Methodology & Market Research

The valuation methodology is summarised in this section, further detail is contained with the TILENGA RAP 1 Valuation Report (Annexure 1).

The valuation of affected assets (crops/trees and structures) has been carried out using the approved Buliisa District Compensation Rates 2017/2018 as required by the Constitution of the Republic of Uganda 1995, the Land Act 1998 and other relevant legislation for this sector. 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 May and June 2017. This exercise was primarily aimed at attaining relevant and reliable information about market transactions within and near the RAP 1 Area.

Using this information collected through the site visits and the market research, compensation rates have been updated by the District Land Board and the office of the Chief Government Valuer to match Replacement Cost for purposes of establishing fair and adequate compensation as required by the Constitution of the Republic of Uganda in line with the LARF, 2016.

8.4.1. Land - Market Research and Valuation

The valuation team carried out research to elicit comparable value for land within and near the RAP 1 project area. The exercise was carried out together with the market research for crops and trees.

8.4.1.1. Land Market Research - Objectives:

The exercise was mainly aimed at attaining relevant reliable information about market transactions for the land within and near the project area. The collected information informed the valuation of the affected land at Kasenyi using the comparison method.

8.4.1.2. Land Market Research - Geographic scope:

The research was conducted in Kasenyi and Uduk II villages in Ngwedo Sub-county in Buliisa District. This was attributed to the fact that these two villages neighbour each other and have similar characteristics such as: the flat terrain, types of typical land use, and that land is commonly held under customary tenure in both villages.

However, due to the limited information and the restricted number of actually verifiable transactions from the targeted respondents, the exercise was extended to Mubaku and Kilyango villages all within Ngwedo sub-county.

8.4.1.3. Land Market Research - Target Respondents:

The market research exercise targeted the different land owners in the villages. It also targeted key informants such as the L.C 1 chairpersons of the respective villages together with the Area Land Committee members since they are the custodians of records on land transactions in their respective area.

8.4.1.4. Land Market Research - Methodology:

Land / interest in land is generally heterogeneous (i.e. has different characteristics). Even if the subject parcel of land has similar physical characteristics to others being exchanged in the market, the location will be different.

Information / data were collected through interviews with the targeted respondents. The collected information was filled into the data collection tool/ questionnaire being implemented by the Valuer. Evidence/ records of the transactions were requested by the interviewer where applicable.

For each market transaction, the following information was sought during the market research study:

- Location of the land
- Land Tenure System
- Size of the land
- Land Uses
- Parties to the Transaction
- Transaction Date
- Financing Terms
- Total Land Value per acre

In carrying out the market research, the appropriate unit of comparison adopted was value per acre. This was because it is a standard unit of measurement and is commonly used in the locality.

8.4.1.5. Land Market Research - Findings

The reliance on the data collected in the valuation process was determined by comparing various characteristics of the land and the transaction from which the data was derived with the property being valued (Industrial Area and N1 access road). The specific differences that were considered in assessing the reliability of the data collected included:

- The tenure system under which the land is held;
- The respective location;
- Date of transaction records provided;
- Land use of the subject and comparative land; and
- Distances to trading centres and other services such as health centres, water points.

No reliable and recorded evidence of market transactions was obtained within and near the project area and this is attributed to the fact that land is held under customary tenure and most of the transactions are informal. The land owners do not keep any record about their respective land transactions and when they were carried out.

The only evidence of formally recorded land transactions is from areas within Ngwedo sub-county situated near the river banks. There are a few tourist lodges along the river banks where some market evidence was obtained however, these have not been directly adopted as comparable evidence in the valuation of the subject land because of the following reasons:

(a) The type of interest providing the evidence and the type of interest being valued are different. The land near the river banks is held under freehold tenure whereas the land being valued in Kasenyi is held under customary tenure.

(b) The respective locations: The subject land is located in Kasenyi village and is more than 10km from the comparable properties which are situated in Mubaku and Kilyango villages,

(c) The major land use in Kasenyi village (grazing) is different from the land use in Kilyango and Mubaku Villages where land is mainly used for crop farming.

(d) Within Kilyango and Mubaku the information obtained was from areas near the river banks where the several tourist lodges are coming up.

Due to the major difference in the characteristics of land in the project area and land in Kilyango and Mubaku villages, several adjustments have been made in the collected data to cater for the difference in the characteristics of the land.

8.4.1.6. Valuation of Land at Replacement Cost

The RAP 1 Project area is a large site covering over 784.504 Acres (without orphan land).

In some instances where the Project Area covers part of a land parcel and the remaining land (Orphan land) is equal to less than 30 decimals (0.3 acres) 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 will be assessed for compensation as an incremental land take. This is in line with the LARF. This is the subject of an addendum to the TILENGA RAP 1 Valuation Report will be submitted.

The findings of the land market research were submitted to the CGV for the determination and approval of land compensation rates. Following the engagements with the PAPs on Saturday 6th of January 2018 at Kasenyi Village, Buliisa District, the Government of Uganda team led by the Minister of Land and Minister of Energy communicated to the PAPs that the land rate applicable for RAP1 proposed industrial area and access road N1 would be set at 3,500,000 UGX per acre (Uganda shillings Three Million Five Hundred Thousand only). This is therefore the value which was used in the RAP 1 updated valuation report in January 2018 submitted to the Office of the CGV for approval.

8.4.2. Structures - Market Research & Valuation

The valuation team together with a quantity surveyor conducted research on the different types of structures in the project area. The exercise was conducted in May 2017.

8.4.2.1. Objectives:

The main objective of the research was to obtain reliable information about the construction cost 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 was conducted within the Project area in Kasenyi village, Ngwedo Sub-county in Buliisa District. The team extended the research outside the project area so as to obtain the market prices of the different construction 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 the Table 29 below.

Table 29 - Categories of structures for the market research

Structure	Categories	
Houses/ Kitchen	1	Grass thatched roof
	2	Iron sheet roof

Pit latrines	1	Grass thatched roof
	2	Iron sheet roof
Bath Enclosures	1	Wall of reeds on poles, no roof
Fence/ Kraal	1	Poles with barbed wire

8.4.2.4. Sample size:

The total sample size was eighteen buildings (18) in the project area, with varying finishes, comprising three (3) different structures from each of the above-mentioned categories which were physically inspected by the quantity surveyor. These were measured and analysed, with the team establishing the source and cost of materials used. It was established that most of the construction materials are locally sourced and that local labour costs are a major input in these structures.

The team also visited one market (Ngwedo market) to obtain information regarding the market prices for the different construction materials.

8.4.2.5. Results of the market research for structures

The information collected from the market research on the different categories of structures has informed the development of their respective Bills of Quantities (BoQ) which also includes the detailed build-up of the BoQs which have been used in the establishment of the replacement cost of the structures by the valuation team.

8.4.2.6. Valuation of Structures at Replacement Cost

To establish the replacement cost, the coordinates, type of structure, construction details, built up areas, accommodation details, and occupancy status of the different structures were recorded during the data collection phase. 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.

Due to the high level of influx of people which took place between the RAP initial disclosure process in March 2017 and the beginning of the land and asset surveys in April 2017, a number of the assessed structures were established very recently, some of the assessed 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. The compensation rates have been adjusted to reflect the levels of completion of the different structures.

Some of the structures in the project area were incomplete and these have been valued at per their respective dates of inspection. Percentage levels of completion as applied to replacement cost methodology above have been given to the different structures depending on their level of completion. It is important to note that, the structures without doors have been taken as complete since these are considered to be complete to the local community within and near the project area.

Table 30 - Selected views of the structures in the project area

The complete structures



The incomplete structures



Table 31 - Levels of Completion for houses and kitchen structures

Structure description	Percentage 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 on only poles	50%
Structures with only pole or reeds	20%

Table 32 - Levels of completion for the pit latrines

Structure description	Percentage 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 a roof on poles a pit and a floor but without built walls	50%

Structure with no roof but have built walls, and a pit.	50%
Structure with no roof or polythene roof on poles, a pit and floor.	30%

8.4.3. Crop & Trees - Market Research and Valuation

The market research for crops and trees was carried out over a 10-day period from 9th to 18th June 2017 by a team of two valuation surveyors and two agronomists who were supported by Community Liaison Officers (CLOs).

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 project area situated in Kasinyi village in Buliisa District 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.

8.4.3.2. Geographic Scope

The research was carried out in five villages of Kasinyi, Kisomere, Kilyango and Ajigo in Nile Parish, plus Mvule 1 in Mvule Parish all in Ngwedo Sub-county in Buliisa District. The market research also covered three different local markets namely; Ngwedo, Kisomere and Biiso market to obtain the market prices of the different agricultural produces.

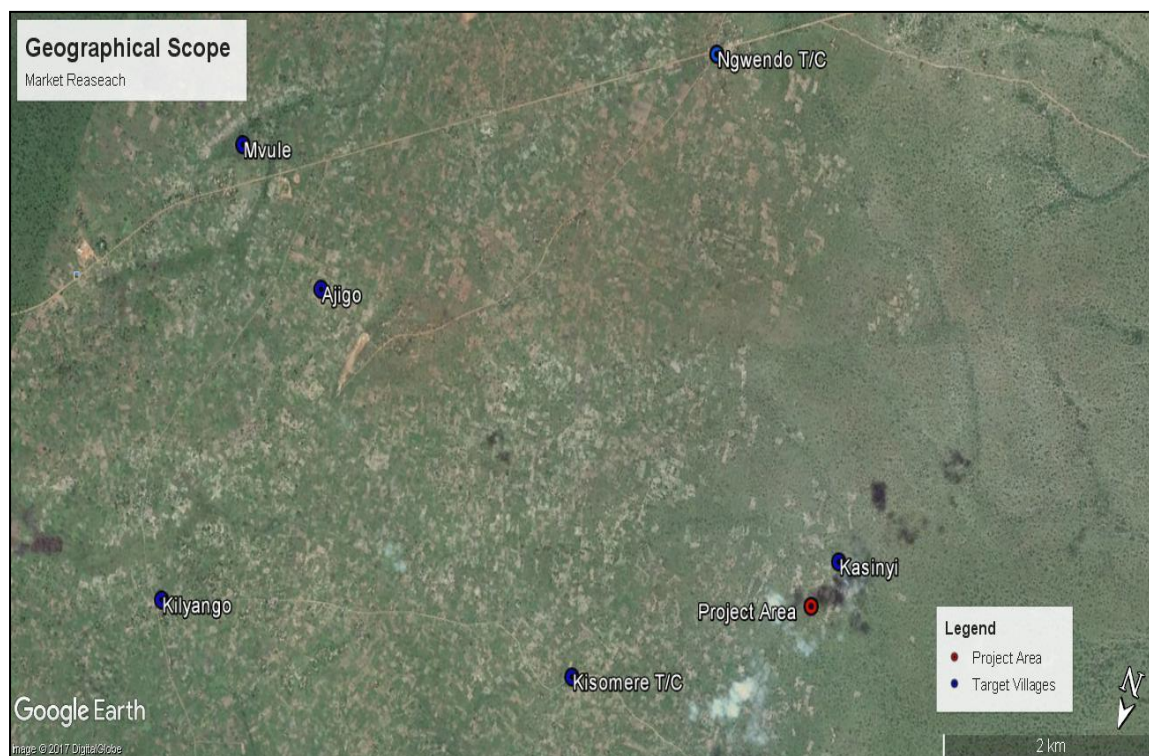


Figure 18 – Geographical Scope of Market Research

8.4.3.3. **Sample size**

The market research covered 22 different annual crops and 24 different perennial crops. The research targeted farmers who have been growing relevant crops on a substantial scale and those who have been growing them for a period of more than three years. A total number of 210 respondents/farmers were interviewed. Some of these farmers were growing more than one crop and as such they were able to provide information for more than one crop. This generated a total of 238 responses for the different crops.

8.4.3.4. **Results of the market research for crops**

As indicated, the market research provided information about the agronomic practices and market prices of the different crops that are grown around and near the project area. This information has been used in the computation of the replacement cost of these crops. The research also provided better understanding of the different input costs for the different crops grown and the challenges faced by the different farmers.

The land preparation activities that are commonly carried out within the area include: bush clearing, first ploughing, making holes for the given crops and planting. The maintenance costs incurred out include: weeding which is performed every after 3 months, thinning, pruning, plus spraying and watering which are not very common amongst most farmers.

The market prices for some of the different annual and perennial crops obtained from the three markets (Ngwedo, Kisomere and Biiso markets). Additional information was obtained from InfoTrade (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) via their web site <http://www.infotradeuganda.com>.

The data as collected from the markets combined with the agronomist's estimates was used to confirm the replacement costs.

8.4.3.5. **Valuation of Crops & Trees at Replacement Cost**

Following consultation, the CGV used the findings of the market research and Replacement Cost approach to update the draft District Rates for 2017/2018 (only for the crops that were identified in the market research and assessed using the Replacement Cost approach).

The different types of trees and crops within the RAP 1 project area have therefore been valued using the 2017/2018 approved Buliisa District Compensation Rates as required by the Ugandan legal framework. These rates reflect replacement cost of the crops and trees.

The crops and trees within the project area were categorised into two major categories:

- **Annual crops** - crops that complete their growing season within one year.
- **Perennial crops** - crops that go through their entire life cycle, in two or more years. Perennial crops are harvested multiple times before their death.

Information regarding Annual crops/ Seasonal crops such as; coordinates of gardens, type of crop, growth stage and numbers or surface area were captured during the field work and data collection exercise however these are only to be compensated if sufficient time is not allocated to the PAPs

to harvest these crops as per the entitlement framework. This is in accordance with valuation principles of the LARF and the entitlement framework.

If crops were newly established/planted and poor agronomic practices were followed due to rushed planting (with densities much higher than the recommended spacing) or if they had been recently transplanted (such as transplanted mature Aloe Vera) these crops were classified as “just planted” and were valued using the District Compensation rates for the “seedling” category at replacement cost with only the cost of the planting material and land preparation costs considered.

9. RESETTLEMENT & 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. However, the social economic, cadastral and asset survey findings, have been used to tailor these specifically to RAP 1. This is particularly true for the resettlement options which have been amended from the LARF in light of information around land constraints gathered during the socio-economic interview program. The entitlement matrix, resettlement options, house designs and livelihood restoration options were all presented to the RPC on the 9th August 2017 and the PAPs on 10th August 2017 with a question and answer session. Members of the RPC were instrumental in the identification of potential replacement land, while also confirming the feasibility of the resettlement options presented.

9.2. Categories of Structures

The type and number of structures displaced by the RAP 1 project as detailed in the TILENGA RAP 1 Valuation Report are summarised below.

Table 33 – Type and numbers of affected structures.

Building/ Structure	Description of Material	Number
Complete Houses	Grass thatched/iron sheets roof, mud and wattle walls, earth/cement floor, timber/iron sheet doors	275
Incomplete Houses	No roof/polythene, poles and reed walls, partly grass thatched/iron sheet/polythene roof, poles/polythene/iron sheet walls (Table 31)	104
Incomplete Structures (pit latrine, kitchen, goat shed, bath shelter)	No roof/polythene, poles and reed walls, partly grass thatched/iron sheet/polythene roof, poles/polythene/iron sheet walls (Table 32)	40
Kitchen	Grass thatched roof, mud and wattle walls, no door,	35
Pit Latrine	Grass thatched/iron sheet roof, mud and wattle walls	81
Utensil racks	Poles	54
Kraals	Poles and barbed wire	11
Cattle shallow deep	Poles	2
Poultry house	Grass thatched roof, poles	1
Fence	Poles and barbed wire	31
Bath Enclosures	No roof, reeds/poles/ iron sheet walls	41
Private Church	Iron sheet roof, mud and wattle walls, timber door, earth floor	1

9.3. Loss of Dwellings Used as Primary Residence

The proposed industrial area and N1 access road will displace 28 primary residences belonging to 28 PAPs as per the records of the asset inventory.

The project developer will give PAPs with an affected primary residence the choice of a replacement house or cash compensation at replacement value as required by IFC PS 5, Principle 7 of the LARF and section 8.6.2 of the LARF. Replacement houses will either be built on a new plot

identified by the PAP following site selection criteria or in a resettlement village secured by the project. Allowances for transport costs to the new place of residence for all moveable assets will also be provided as part of this option. The procedure for PAP identifying replacement residential land is included below.

Those 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.

The existing dwellings impacted by 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 below.



Figure 19 – Residential Structures existing at the RAP 1 project site

9.3.1. Replacement of Primary Residence

The size of the replacement structure will be at least equal to that of the existing structure based on the asset survey data. The number of rooms will also be the same as the existing structures and the size of the rooms will be according to the national building standards and regulations of Uganda⁴². The replacement structures will be of an equivalent or better standard when compared to existing structures. 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 creed for the floors and corrugated iron sheets for the roofs.

Eligible PAPs will have a choice of two sets of design options (Idea 1 and Idea 2) which were created during the resettlement planning phase. Both sets of designs include a single bedroom house which can be expanded to up to four bedrooms. The first design expanded in a longitudinal direction across a residential plot, and the second laterally as illustrated in Figure below.

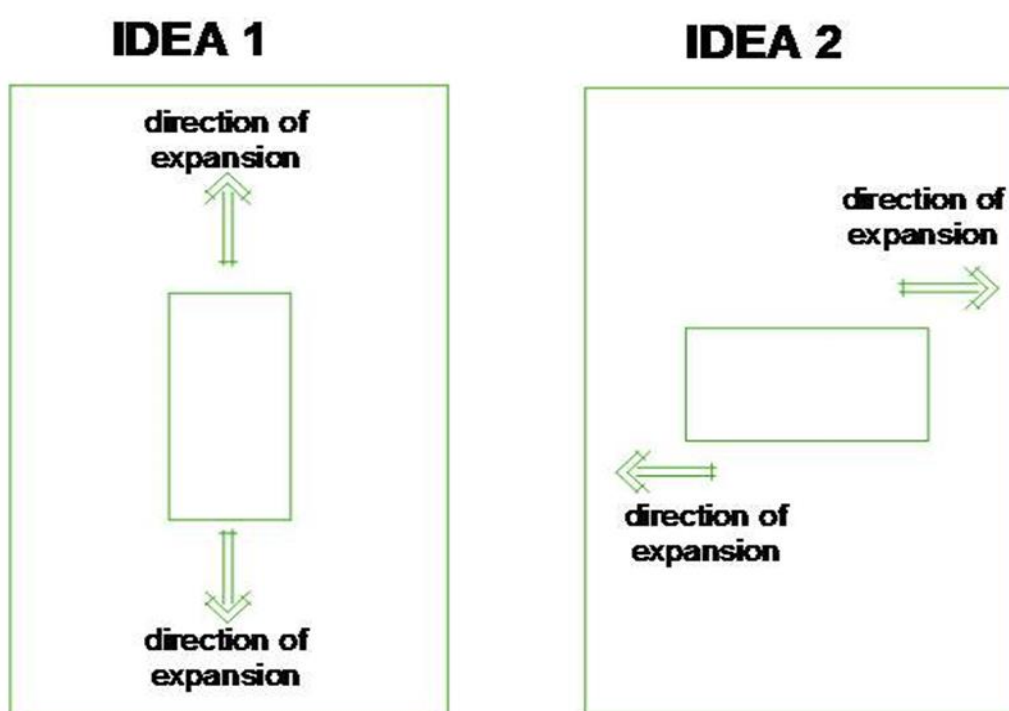


Figure 20 –House design growth directions

All preliminary designs currently include a separate pit latrine, a separate kitchen and a water tank included within the residential plot.

The replacement houses themselves include different features depending on the number of bedrooms required.

⁴² Rooms must be over 9m² with no sides being less than 2.7 meters -

The two sets of designs and their growth patterns (expansion of single bedroom to a four-bedroom house) are illustrated below in Figure 21 and Figure 20. It should be noted that these designs are to be considered as preliminary. Detailed and optimized designs will be prepared for early in the implementation phase of the RAP 1 Project.

The preliminary designs were presented to the RPC on the 9th of August 2017 and the PAPs on the 10th August 2017⁴³.

⁴³ During the presentation of the proposed replacement housing designs to the RPC members (on 09th/08/2017 and 30th/08/2017) and community members (on 10th/08/2017), members requested for a change in the roofing style of the proposed replacement house designs from Cross global roofing style to combination roofing style 'Mwamba' style because houses with Cross global roofing style can easily crack due to the nature of soils in the area and also the rooves might be blown away due to storms in the areas.

Idea 1

Floorplan

Single Bedroom



Two Bedroom



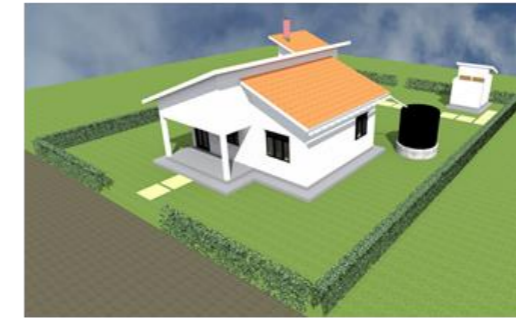
Three Bedroom



Four Bedroom



Front View



Rear View



Site Layout

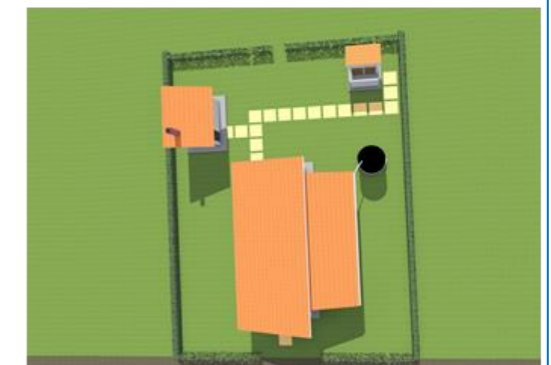
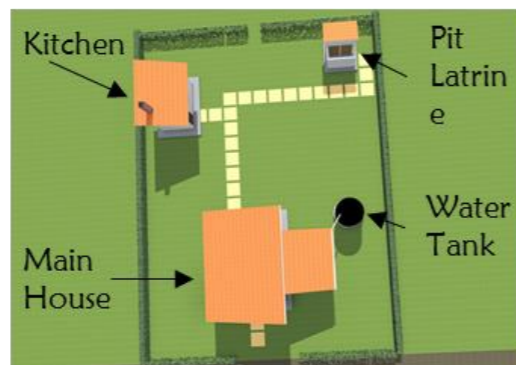


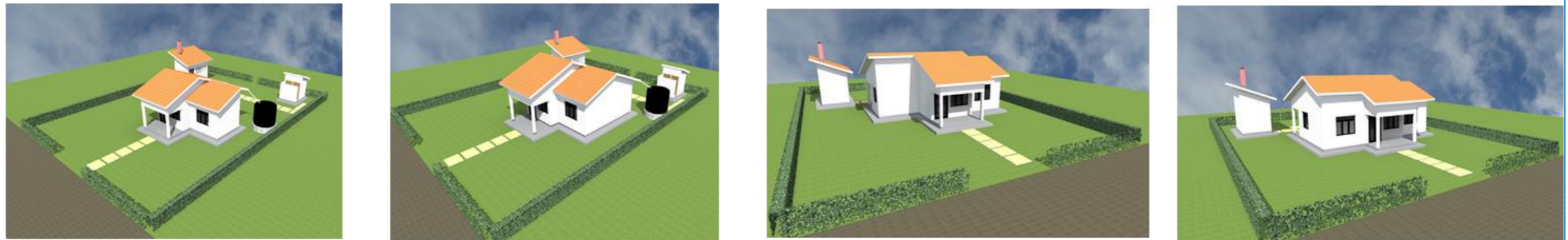
Figure 19 – Preliminary House Designs, Idea 1

Idea 2

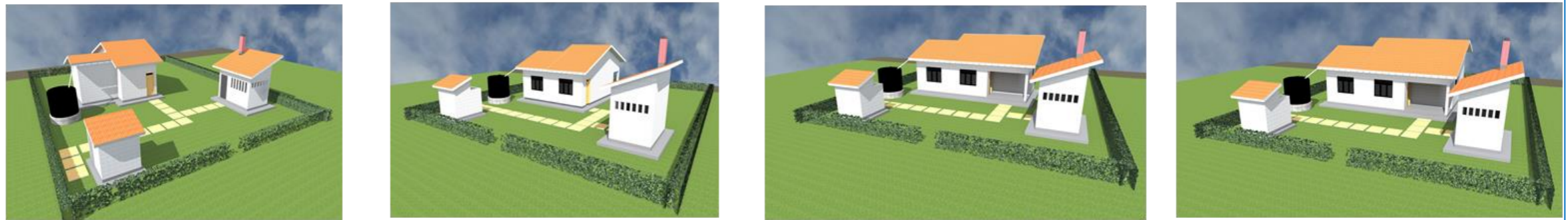
Floorplan



Front View



Rear View



Site Layout

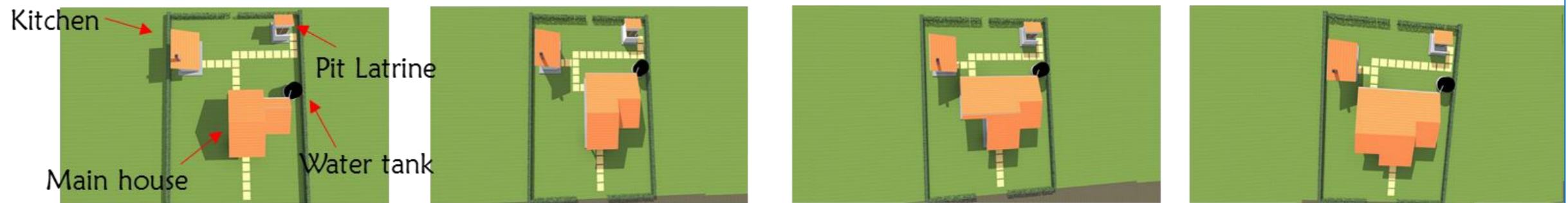


Figure 202 – Preliminary House Designs, Idea 2

All designs have been produced in accordance with the following principles:

- Designs must adhere to the relevant planning legislation and building standards, namely the National Housing Policy (May 2016).
- Building materials and the skills to construct with these materials must be available locally.
- Materials are to be selected for 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 are to provide the potential to add new rooms.
- Design must also take into account the seismic risk specific to the Albertine Graben⁴⁴.

⁴⁴ Designs must make reasonable provisions for seismic risks however not all scenarios can be catered for particularly extraordinary natural events cannot be accounted for.

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.
- Allowances for transport costs to new place of residence for all movable assets as part of the replacement option only.
- 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.

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 1 Project will displace 255 dwellings used for secondary purposes⁴⁵.

As stated in the entitlement framework, 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 due to limited available replacement land, the Project has taken the approach to provide for in priority those with affected primary residences and 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 and structures is described in section 8.4.

9.5.1. Provision of new sanitation facilities

As shown above in Table 33 there are 81 pit latrines and 41 bath enclosures that will be displaced by the RAP 1 Project. The project will provide cash compensation at replacement cost for all pit latrines and bath enclosures lost because of the RAP 1 Project. In kind replacements in the form of

⁴⁵ This is the 283 complete houses minus the 28 Primary residences. These numbers should be verified during implementation.

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 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 on the land) are eligible for replacement land or they may choose cash compensation at replacement value as per the Entitlement Framework. 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 below in Table .

Option 2 – With the guidance of the RPC, the project will endeavour to identify land available and suitable for the development of a resettlement village. Households that are to be relocated will be provided with a replacement homestead plot at the resettlement village. The homestead plot will be proportional to the size of the replacement structures.

Replacement residential plot will be large enough to accommodate the envisaged replacement structures and to the same value as the lost land.

The process for the project identifying land for the 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 replacement land is detailed below in Table and Figure 23.

Table 34 – Procedure for PAPs identifying replacement residential replacement 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 and 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 Ministry of Energy.

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 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:

- The replacement land should not be located in gazetted areas
- The replacement land should be within the villages of Kasenyi, Kibambura, Uduk II, Kisomere only
- 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
- 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

<ul style="list-style-type: none"> • 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
<p>The RAP implementation team shall 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 and there are no outstanding disputes 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 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
7. Produce Site Suitability Report
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.
i. Liaise with PAP About Way Forward
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).
8. Prepare MoAs
a. Prepare MoA with Site Plan
If the site is suitable, a MoA 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 MoA should include a site plan of the replacement land, the site suitability report and the previous MoA 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.
b. Prepare MoA with Seller
If the site is suitable, a MoA should be prepared between the replacement site owner (the seller) and the project that states 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 MoA.

9. Documentation

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).

10. Signature of the Final Contract with Transfer of Property

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 four (4) villages within which the PAPs are required to acquire land is customary land.

NOTE: The transfer 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.

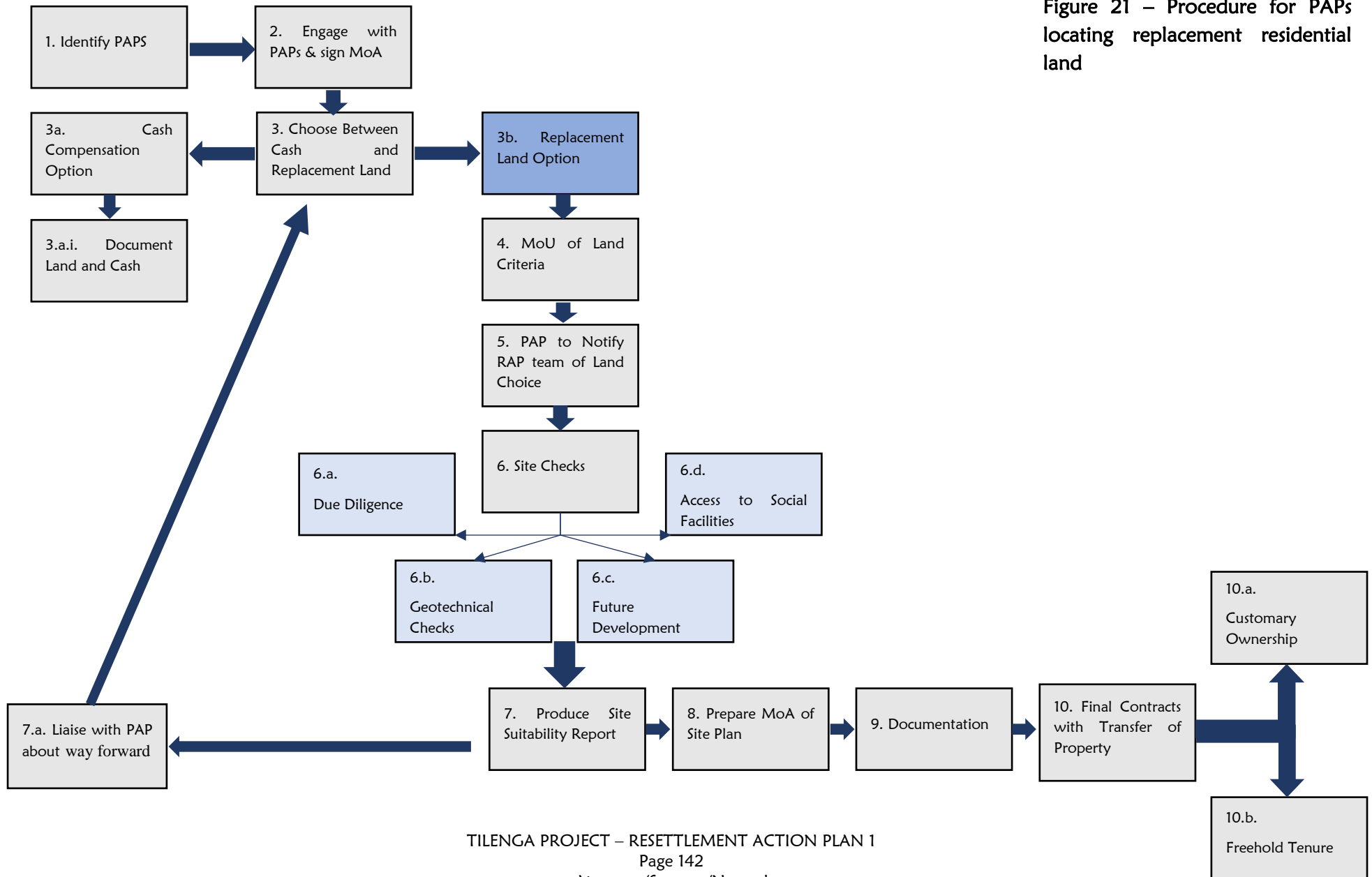
a. Customary Ownership

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 easier 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 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

<p>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>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.</p> <p>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.</p>
<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> <ol 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 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.</p>

Figure 21 – 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 8.4.1.

9.6.3. Allowances

The project will provide the following allowances:

- 30% Statutory Disturbance Allowance, this is provided as part of cash compensation only.
- Allowances for transport costs to new place of residence for all movable assets for replacement option only.

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

Table 35 - The process for PAPs identifying replacement crop land is described below in table.

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 and 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 Ministry of Energy.
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 stored in the resettlement database.

4. Replacement Land Option

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:

- The replacement land should not be located in gazetted areas
- The replacement land should be within the villages of Kasenyi, Kibambura, Uduk II, Kisomere only
- 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

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 should make the following checks on the proposed land:

- 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.
 - 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

<p>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.</p> <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.</p> <p>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 leaser before submission to client for sign off.</p>
<p>a. 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 MoAs</p>
<p>a. Prepare MoA with Site Plan</p>
<p>If the site is suitable, a MoA 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 MoA should include a site plan of the replacement land, the site suitability report and the previous MoA 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.</p>
<p>b. Prepare MoA with Seller</p>
<p>If the site is suitable, a MoA 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 MoA and there must be witnesses to the signing of the MoA.</p> <p>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.</p>
<p>9. Documentation</p>
<p>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</p>

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 four (4) villages within which the PAPs are required to acquire land is 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.
- 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.

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:

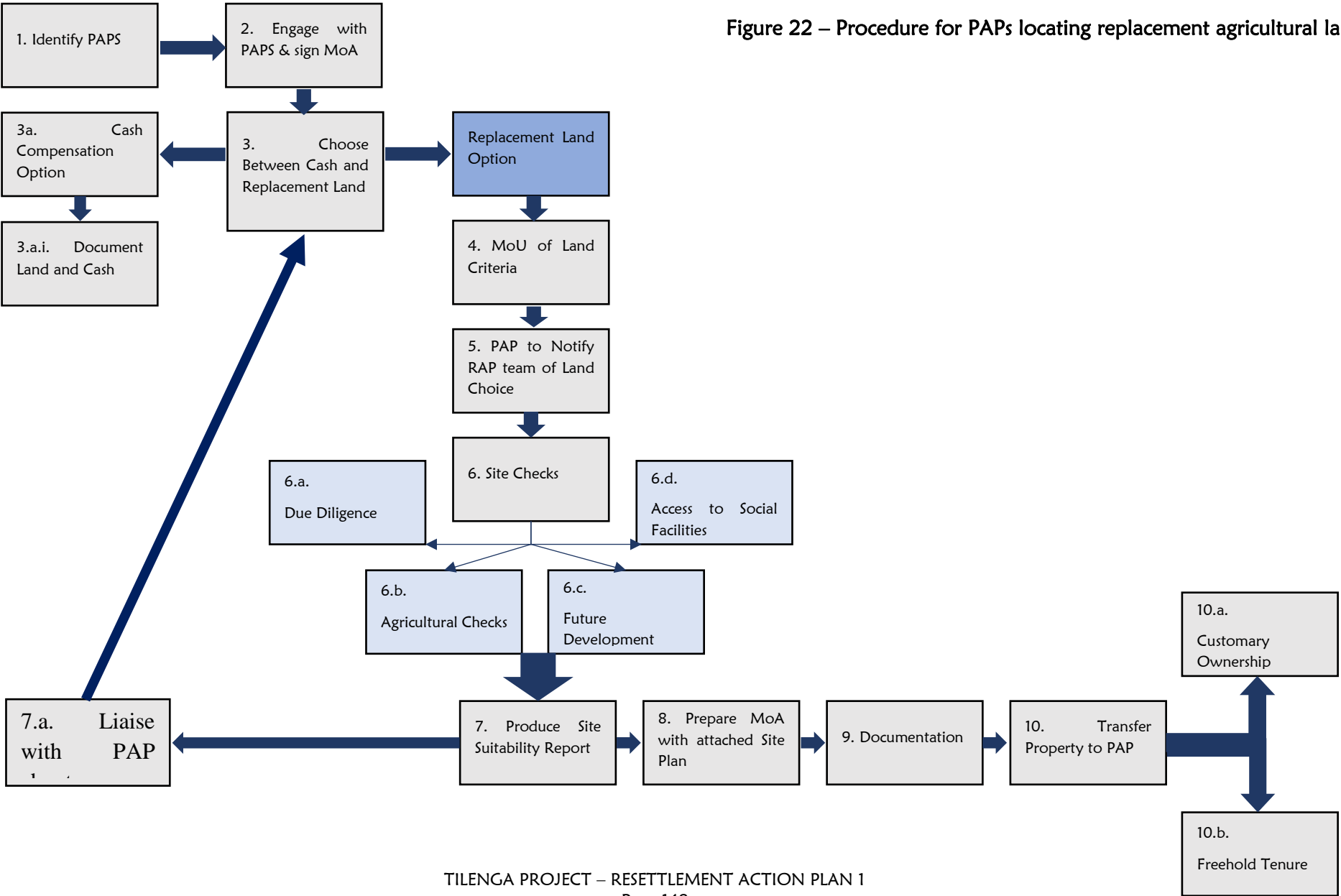
- i. Section 9 of the Land Act, Cap 227, Laws of Uganda provides for the conversion of customary tenure to freehold tenure stating that any person, family, community or

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 Board to the Registrar of titles to issue a certificate of title.

Figure 22 – Procedure for PAPs locating replacement agricultural land



9.7.2. How replacement value was determined in case of cash compensation

The full valuation methodology is described in section 8.4. Crops were divided into Annual and Perennial Crops. Crops are valued according to their net forgone income and the net re-establishment cost.

9.7.3. Allowances

The company will provide the following allowances:

- Statutory Disturbance Allowance, this is provided as part of cash compensation or included in the budget for replacement land.
- 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, for the replacement land option only.

9.8. Loss of Grazing Land

PAPs which own grazing land as established in the cadastral and legal due diligence survey 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.

9.8.2. Allowances

The company will provide the following allowances:

- Statutory Disturbance Allowance, this is provided as part of cash compensation.

9.9. Loss of Communal Resources

The RAP 1 Project will cause the loss of access to communal resources. This is described in section 5.2.7.

Because of the nature of communal resources, the definition of impact should not be limited to the PAPs which 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 1 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 specifically of the 4 surrounding villages of Kasenyi, Uduk II, Kisomere, Kibambura.

9.10. Loss of Graves Burial Sites and Sacred Sites

There were 49 graves contained within the RAP 1 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, Section 13.4

There were no sacred clan sites located within the RAP 1 project area however two (2) sites were found just outside which may need to be relocated depending on their actual proximity to the project activities and project impacts on their continued use as Sacred sites. This will be assessed on a case-by-case basis. The mitigation measures are described in See chapter 13, Section 13.4.

9.10.1. Allowances and traditional ceremonies

Allowances for traditional ceremonies will be provided in-kind. See Chapter 13, Section 13.5.3.

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 9) 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 22 Elderly Headed, 150 Female headed households, and 242 households which support a member with a physical or mental disability or illness. See Chapter 4 (Table 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 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, the team ensured that the characteristics of the parcel of land that is to be replaced was thoroughly and comprehensively understood. These characteristics are provided in the socio-economic baseline section of the 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 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 RPC and also consultations with local leaders.

The objective of the consultations was to ascertain the following information;

- Availability of vacant or underutilized land, preferably under communal ownership for sale
- Owner of the land in question.
- The approximate size of the land
- The possibility of inspecting the land.

The RPC could not readily provide the answers due to short notice, requesting for more time to identify available land. However, with guidance from village leaders the team identified residents, willing to sell off part of their land. Six 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 formal 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 9.1.3.4 that follows.

9.13.4. Site Feasibility Ranking

Six sites were visited and subject to a basic visual assessment of the suitability. Based on these initial site findings, the sites are ranked below.

Ranking	Site no	Advantages	Disadvantages
1	Site no 5	Proximity to established social networks and easily accessible by road and foot, Potential for both residence and crop growing	Will require some further infrastructure development to use the site
2	Site no 3	Proximity to social networks and water source, potential for use as residential and farm land. Possibility of acquiring more additional land from the family members and neighbours	Might require more infrastructure development to use the site
3	Site no 4	Same as site no 3 and 5	Same as site no 3 and 5
4	Site no 1	Very fertile land that could be used for both Farming and residential set up	Too close to the national park, distant from the affected site
5	Site no 2	Has similar characteristics and proximity to services to the land that will be acquired therefore can guarantee continuity of livelihood	Too close to the industrial area, limited land use options and lack of room for possible more land acquisition
6	Site no 6	Easily accessible by road and foot and can also easily access social services.	Very close to a wellpad road and could easily be affected by future infrastructure developments. Very small area of land

The results of this study indicate that locating land for a resettlement village is feasible and that sites identified may be suitable. 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.

The procedure below indicates how the Company should identify and secure land for replacement villages.

Table 36– Procedure for Project to Identify Replacement Villages

1. Identify number of PAPs and sign MoAs
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 and 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 within the Ministry of Energy. 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.

2. Calculate the size of land take

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.

3. Identify Land

a. Further develop the Land Criteria

For all replacement land the following criteria **must** be observed.

- 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

The following aspects should also be considered when identifying land:

- 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 conflict 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

- 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:
 - RPC Members
 - Village Leaders LC1
 - 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.
<p>4. Site visit and Checks</p>
<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
<p>5. 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 leader before submission to client for sign off.</p>
<p>6.</p>
<p>a. Prepare MoA with Seller</p>
<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>
<p>7. Sign Final Contract with Transfer of Property</p>
<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 the four (4) villages within which the PAPs are required to acquire land is customary land.</p> <p>NOTE: The transfer 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

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:

- ix. 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
- x. 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.
- xi. 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.
- xii. 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.
- xiii. The Committee shall compile a report on the application and forward it to the District Land Board.
- xiv. 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.
- xv. 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.
- xvi. 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.

a. Freehold Tenure

In the event that the Company would like to secure freehold tenure rather than customary, the procedure to be taken is as follows:

- 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.
- 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).
- vii. Upon receipt of the committee's report and regulations, the District Land Board shall order the land to be surveyed.
- 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.

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.

Allocation of Plots to PAPs

Once land acquisition is complete, plots should be allocated to the PAPs who will be relocated to the village.

The PAPs should only be relocated once the following are completed:

- 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.

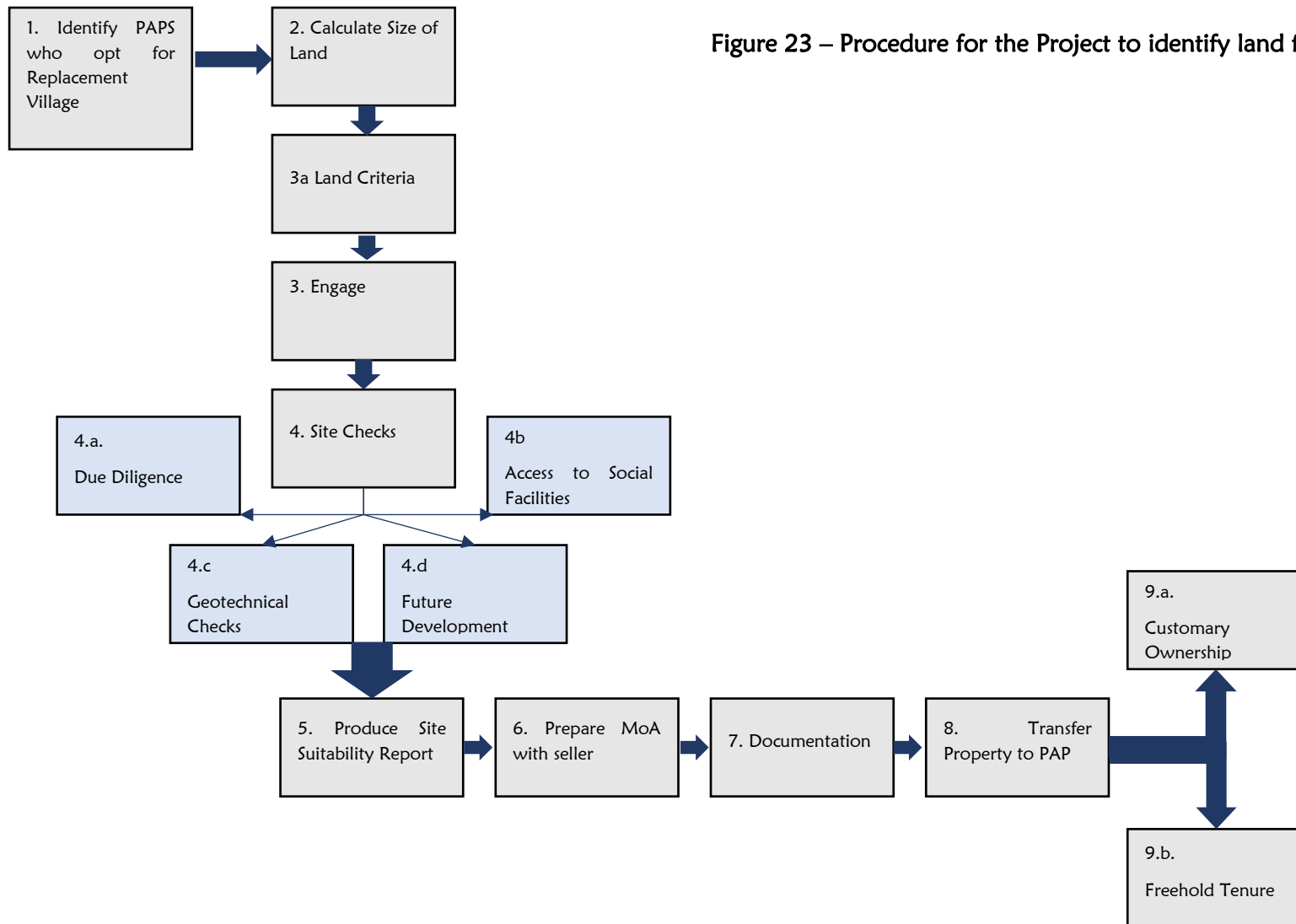


Figure 23 – Procedure for the Project to identify land for resettlement village

9.13.5. Relocation of religious buildings

The RAP 1 Project will displace 1 private church which is not registered.

As stated in the entitlement framework, the company will provide cash compensation for structures identified in the asset survey as being used as a privately owned religious building.

9.13.5.1. Allowances

The company will provide the following allowances as part of compensation:

- 30% Statutory Disturbance Allowance, this is 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 chain.⁴⁶ This, therefore, informs the need for land to be acquired permanently on behalf of the Government for the proposed Industrial Area and N1 access Road. The UNOGP further stipulates the need for agreements to be entered into with land owners to cover aspects such as compensation for their land surface rights.⁴⁷ 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 Acquisition Form (Annexure 12) was signed by each land owner and contained details of the land and its ownership. This was confirmed by the LC3 chairperson who signed as a witness. Where the PAP was married and the land was family land, each PAP and their spouse would then sign a Spousal Consent Form (Annexure 13) as consent to have their land acquired for the purposes of the TILENGA Project.

A Cut-off Date form (Annexure 14) was signed by each PAP. 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 Team used a rolling individual Cut-off Date⁴⁸ where each PAP would sign-off the CoD on completion of the valuation and assessment of their land and assets.

Each of these forms were translated to the PAP informing them of the nature, details and purpose of each of them before execution and a certificate of translation was signed by each interpreter.

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 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”*⁴⁹

This chapter therefore, addresses the form of tenure within the Industrial Area and N1 access Road and associated rights as well as the statutory procedures for acquiring replacement land and secure tenure.

10.2. Land Tenure Arrangements

There are four forms of land tenure in Uganda⁵⁰ and during the surveys and interactions with PAPs, it was established that all of the land in the proposed Industrial Area and N1 access road was held

⁴⁶Paragraph 6.1.1 National Oil and Gas Policy for Uganda, 2008

⁴⁷Ibid.

⁴⁸ 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.

⁴⁹Para 3, page 1, FC 1Performance Standard 5Land Acquisition and Involuntary Resettlement, January 1, 2012

⁵⁰Article 237(3) Constitution of the Republic of Uganda (1995) and Section 2 of the Land Act, Cap 227, Laws of Uganda.

under customary tenure without any evidence of land titles procured by PAPs or the land being surveyed.

Customary tenure of land ownership is defined by the Ugandan Land Act, Cap 227 Section 3 (1) as, a system of land tenure regulated by customary rules which are limited in their operation to a particular description or class of persons.

It must be noted that Ngwedo Sub-County where the proposed Industrial Area is located has a fully constituted Area Land Committee. Despite this office being in place, to date none of the residents have used it to obtain customary certificates of ownership. It should be noted that it is with the Area Land Committee that an applicant for a Certificate of customary ownership lodges an application. It is upon the approval of this 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 land⁵¹ 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 6⁵², 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 6.6 ⁵³ , 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.
- i. Under Section 8⁵⁴, 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

⁵¹Former public land is land that was administered under the 1969 Public Land Act.

⁵²Land Act, Cap 227, Laws of Uganda.

⁵³Land Act, Cap 227, Laws of Uganda.

⁵⁴Ibid.

leasing or selling the land or a part of it, where a customary certificate of customary ownership does not restrict it.

Given that there was no formal documentary evidence of land ownership; verification of ownership was done through consultation of the local leaders and the neighbours.

However, there were few land purchases formally recorded as only four PAPs had agreements. The rest had either agreed orally or had lost their respective Land Sale agreements. Therefore, in such instances where there were no agreements, verification of the sale of land and in effect ownership was done through consultation with the seller. Where the seller was either deceased or could not be located, verification was done by consulting the Local Council Area Representative and the neighbours.

See section 5.1.3 for the methodology for the Legal Due Diligence surveys.

It was also established that there are a substantial number of female land owners. The women who had land had acquired it in their own right as their inheritance from their biological family and this position was often confirmed by their family members. Hence, in such instances, a Spousal Consent form (Annexure 13) was not executed if the woman insisted that it is her personal property even when she was married. Spousal Consent was not executed for PAPs who owned land that was not being used as family land.

10.3. Rights Under Customary Tenure

The Land Act⁵⁵, further, 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;
- h. Dispose of the land by will.

Therefore, the PAPs under the Land Act⁵⁶, in executing the Land Acquisition forms are exercising their right under (f) and (g) above.

10.4. Land ownership and ties to clans

As highlighted under section 10.1 above, land in the Industrial Area and N1 access is customarily owned. It is further noted that families in that area originate from mainly the Babala and Batera clans. Although much of the land may be presupposed to be for the clan, individual PAPs and

⁵⁵Cap 227, Laws of Uganda.

⁵⁶Cap 227, Laws of Uganda.

families clearly stated that it is either individually or family- owned and used on an individual or family basis.

10.5. Management of Speculation

Land speculation has been a significant challenge in Buliisa District over the last few years. For the RAP 1 Project, the majority of speculative developments occurred during the short period of time between the demarcation of the site boundary on the 24th of April 2017 and the final cut-off date on 16th May 2017.

Speculation was managed through the execution of the different forms. By execution of the Land Acquisition forms, the PAP as an actual land owner committed him/herself not to offer the land so as to curb further transactions such as land sales to people who would have only wanted to benefit from the project after gaining knowledge of it.

As discussed under section 5.1.4 of Chapter 5, the Legal team settled for a rolling Cut-off Date⁵⁷ where each PAP would sign-off the Cut-off Date Form upon completion of the assessment of their land and assets. This was to curb speculative developments. Following announcements of the cut-off date as well individual signature, each PAP was explained that upon having their assets surveyed and execution of the cut-off date form, they would not be compensated for any additional developments taking place after the cut-off date.

Where speculation was identified it was dealt with on a case by case basis whenever it arose through consultation with LC3 and LC5 chairmen.

10.6. Land Titling

It is confirmed that there are no Certificates of Title in the proposed industrial Area and associated N1 access road. This was established by relaying coordinates of the Industrial Area to the Mappings & Surveys Department under the Ministry of Lands Housing and Urban Development for verification. The implication of this finding was that the land had no known encumbrance at the time of filing this report.

10.7. Absentee Land Owners

During the legal due diligence surveys, absentee landowner forms (Annexure 15) were used for affected landowners that could not be located. A flowchart was also prepared indicating the procedure to be followed if a landowner is not located (Figure). However, by the time the surveys were complete, all PAPs had been identified through consultation with the LC 3 chairperson and the neighbours. This procedure should still however be followed if a land owner becomes absent during the implementation phase.

⁵⁷ 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.

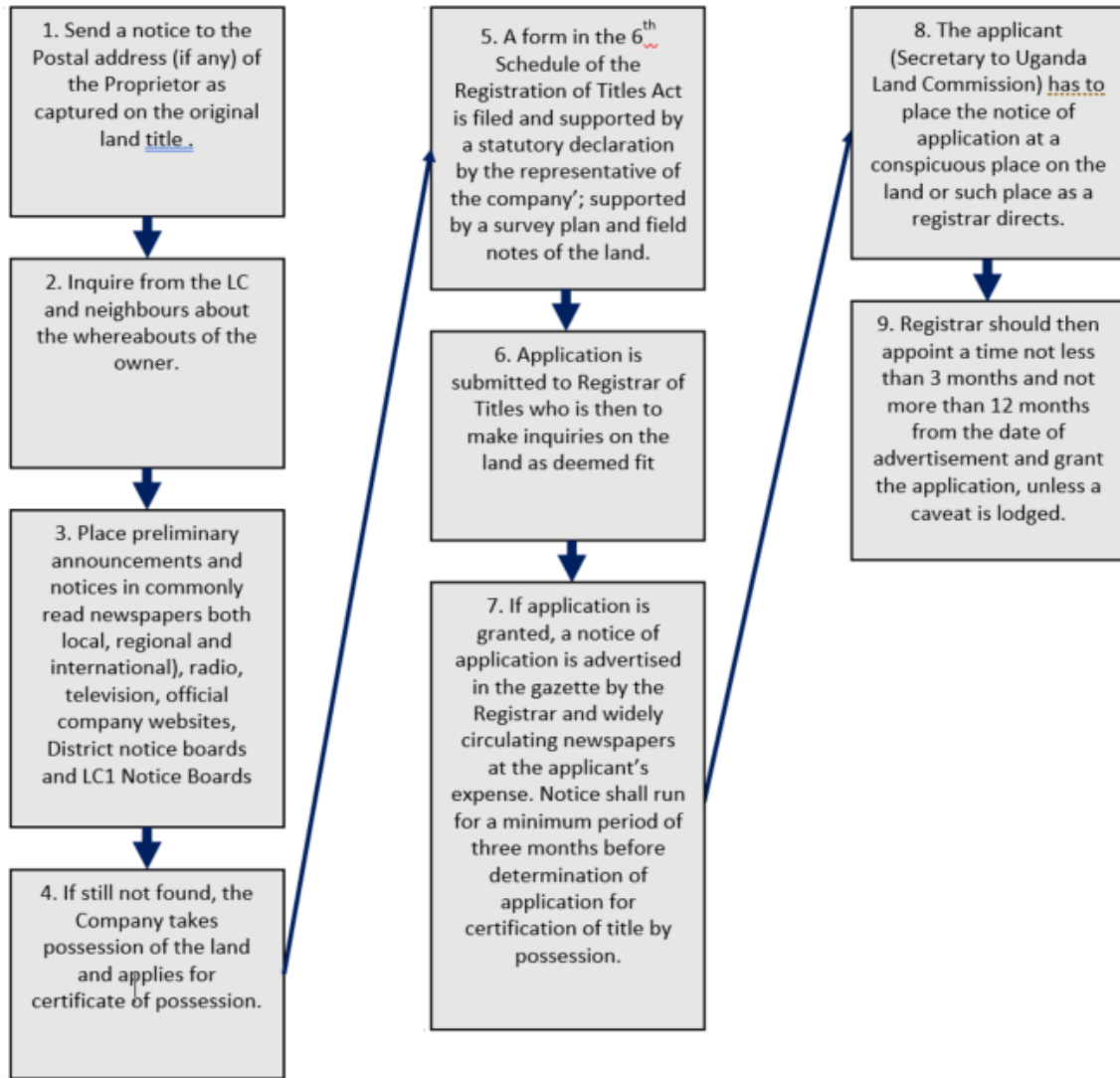


Figure 24 - Absentee Landlord Flow-Chart for Registered Land (Sections 78 and 79 of the Registration of Titles Act

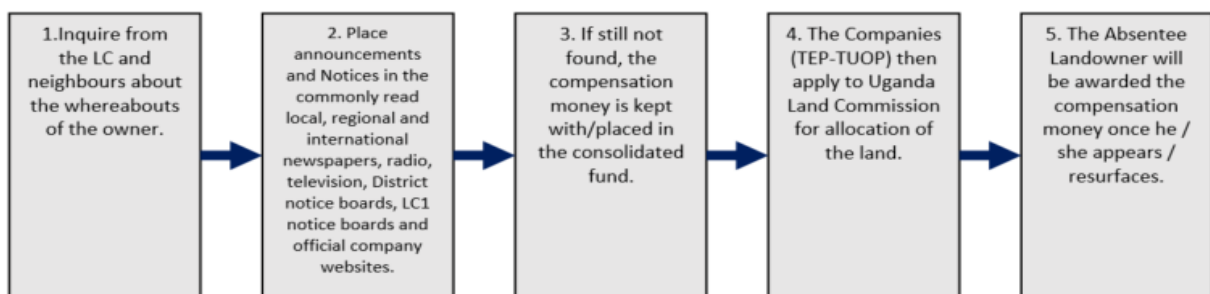


Figure 257 - Absentee Landlord Flow-Chart for Unregistered Land.

The Absentee Landowner will then be awarded the compensation money once he/she is traced and is available.

10.8. Family Owned Land –vs- Private Ownership

During the surveys, there were many situations where the land was claimed as family owned land. For example, a situation whereby a family had owned a piece of land for the last 40 years and the head of that family produced children. The children now also 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 then resolved through mediation to arrive at an amicable solution for the families but at the same within the confines of the law.

10.9. Drafting Family Committee Agreement

Disagreements of land sharing by family members were solved by drafting Family Committee Agreements. These agreements were drafted where it was clear that the family was large and dealing with the entire family would create complexities. 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 that effect. The execution was witnessed by the LC3 Chairman.

10.10. Undertaking Agreements

These were made in instances where the land owners were too old to follow-up the compensation process, or not easily available due to commitments. They would then nominate someone who would execute an undertaking to that effect.

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 that effect. The execution was witnessed by the LC3 Chairman.

10.11. 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.⁵⁸ At the beginning of the field work, it was also presumed that the land in the Industrial Area and along the N1 access road was communally owned. However, during the Legal Due Diligence team's interactions with the PAPs, it was established that the land was individually owned and there was therefore no need for the land owners to form these committees.

⁵⁸Section 15 of the Land Act of the Republic of Uganda (1998)

10.12. Land in Court

It was discovered that there was one land dispute that is in the High Court of Masindi. This dispute is about determination of true ownership of the land.

In the above case, both parties were advised to jointly sign the Land Acquisition Form while they await the outcome of the Appeal process and the proceeds of the compensation shall be deposited in court for safe custody. The Parties also proceeded to execute an agreement to that effect.

10.13. Boundary Disputes

As stated under section 10.4 above, the Industrial Area and N1 access road had no land title hence the land had no clear boundary marks. As a result, there were instances during the survey process where individuals disagreed on the boundaries. The legal team working with the LC leaders listened to each party's grievances and an amicable decision was settled upon.⁵⁹

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 form to curb future developments on land that had already been valued. The Cut-off Date process was implemented by having both land owners and land users execute the Cut-off Date form.

There were numerous land users that mainly had crops on the. After the land users had their crops valued, some did not turn up for signing of the Cut-off Date form. The only opportunity that therefore arose was to get the land users to sign at the same time when they were convened for the signing of the asset inventory forms. This in effect prolonged the process.

10.15. Statutory Procedures for Land Acquisition

The Ugandan National Oil and Gas Policy, 2008, recognises that it is essential for oil companies to acquire land in the petroleum value chain⁶⁰. The Policy, thus provides that agreements have to be entered into with land owners to cover aspects such as compensation for their land surface rights.

Section 135 (1) (b) of the Petroleum Exploration, Development and Production Act 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, in consultation with the Petroleum Authority of Uganda considers the matter taking into consideration the concerns of both parties.

⁵⁹ These were documented, mainly by the CLO, who filled out the grievance mechanism form. There are also land dispute settlement agreements that were also signed by some PAPs.

⁶⁰ Paragraph 6.1.1 National Oil and Gas Policy for Uganda.

The issue of consent was discussed in Uganda National Roads Authority (UNRA) vs Asumani Iumba and another (2014)⁶¹, 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 Act, Cap 226 where land declared as that for public purposes was compulsorily acquired by the Uganda Land Commission.

Thus, the subject of consent in RAP 1 was dealt with by holding community engagements through which the PAPs were duly informed of the project. Through these meetings, the PAPs were 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.
- The documentation required from the PAPs.

The Process was also participatory enabling PAPs to express themselves and raise questions which were duly addressed. These engagements included negotiations and consultations with the community as a whole and, later, on an individual basis. The purpose of having these engagements before land acquisition 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 through the execution of Land Acquisition forms (Annexure 12).

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 metres;
- b) Land prepared for growing of agricultural crops or on which agricultural crops are growing is within fifty metres;
- c) Cattle dip-tank, dam or water used by human beings or cattle is within a hundred 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/TUOP, the Petroleum Authority of Uganda confirmed 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 implementation phase.

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

⁶¹ Supreme Court Constitutional Appeal No.2 of 2014

agency, and if permitted by the agency, play an active role in the resettlement planning, implementation, and monitoring.”

As indicated Article 26 of the 1995 Constitution of the Republic of Uganda 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 thus no person shall be deprived of their property or any interest or right over the property unless via due process.

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
- 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.

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 a 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.
- Securing land for replacement village – This will be carried out by the Project.

Procedures for these three categories are provided in Chapter 9.

11. LIVELIHOOD RESTORATION

11.1. Livelihood Restoration Options for RAP 1

11.2. Introduction

This section sets out the aims, principles and objectives of livelihood restoration, as well as some of the contextual issues around restoration. The section then describes the methodology used to define the livelihood restoration options, the scope of the livelihood restoration programme, the factors required to make this successful, and the institutional arrangements by which they can be implemented.

Finally, the livelihood restoration options are presented, together with their option-specific implementation arrangements and exit strategies.

Three Annexures are provided: Potential contributing organisations to the Livelihood Restoration programme implementation; Consultations with stakeholders; and the Anticipated schedule of Livelihood Restoration activities following RAP approval. A budget summary is provided in Chapter 16.

11.2.1. Aims

The TILENGA Project aims to develop sustainable LR programmes with the following key requirements:

- To position the project as a partner in multi-stakeholder processes rather than as the principal actor in promoting local development;
- To avoid dependency, encourage self-reliance, and create long-term benefits that can outlast project support;
- To commence activities with a viable exit or handover strategy;
- To focus investments on capacity building, participatory processes, and organizational development to enable local communities, institutions, and partners to take progressively greater roles and responsibilities;
- To reinforce, rather than replace, local institutions and processes;
- To measure returns for both the project's social license to operate and the community (resettlement impact mitigation), and;
- To use output and outcome indicators to measure the quantity and quality of change.

Therefore, this chapter includes both priority actions for Livelihood Restoration which can be implemented rapidly, as well as *proposals* for medium-term to long-term Livelihood Restoration programmes, that are *subject to further detailed feasibility and design studies* and the conclusion of Memoranda of Understanding with the relevant institutional stakeholders. The implementation of the programme proposed herein hinges on effective shared commitments and shared responsibility with the relevant stakeholders.

11.2.2. Key principles of Livelihood Restoration (LR) from the LARF and IFC PS5

The LARF describes the functions of Livelihood Restorations as follows:

- LR will focus on the enhancement of livelihoods through the improvement of income, increased production, and a better quality of life.
- LR will ensure that land-based programmes are discussed and agreed to with affected communities only if replacement land is available and secured. When there is insufficient replacement land, other measures such as improving of productivity of remaining land or training/capacity building will be explored.
- LR will equally endeavour to re-establish existing business enterprises and provide additional support to business owners in order to improve business operations (marketing, administration, operational efficiency) through training and other support measures.
- LR will be the focus of all monitoring and evaluation programmes until after completion of the resettlement to assure that the Project has successfully restored and improved livelihoods and standards of living.

The IFC PS5 defines the main objective of livelihood restoration as: *To improve, or restore, the livelihoods and standards of living of displaced persons.*⁶² The document further states that:

- For persons whose livelihoods are land-based, replacement land that has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost should be offered as a matter of priority.
- For persons whose livelihoods are natural resource-based, implementation of measures will be made to either allow continued access to affected resources or provide access to alternative resources with equivalent livelihood-earning potential and accessibility. If circumstances prevent the client from providing land or similar resources as described above, alternative income earning opportunities may be provided, such as credit facilities, training, cash, or employment opportunities.⁶³

The IFC PS5 envisages a stand-alone Livelihood Restoration Plan (LRP), whereas in this instance many of the sections expected in the LRP (e.g. (i) an introduction to the project; (ii) summary of project impacts; (iii) summary of the social baseline; (iv) regulatory framework; (v) results of stakeholder engagement; (vi) eligibility criteria; and (vii) entitlement matrix) are all included in other sections of the RAP.

In addition to the guidance from the LARF and the IFC PS5, Livelihood Restoration should follow the following principles:

- Do no harm to any family member (women, men, girls and boys), or to the environment;
- Strive for household food sufficiency and food security;

⁶² IFC PS5 p2

⁶³ IFC PS5 pp 22-23

- Involve beneficiaries and other local stakeholders in choosing and implementing LR initiatives;
- Respect gender differences (roles, rights, responsibilities) and provide equally for women, men, girls and boys;
- Differentiate the needs of different types of PAPs, and provide for these appropriately;
- Strive for sustainable livelihoods (institutional, financial, environmental and social sustainability) by the end of the interventions;
- Build on present strategic plans for the Region, District and location;
- Encourage household income diversification to spread risk;
- Base income-earning opportunities on tried and tested approaches in the Project area;
- Consider both incremental and radical changes;
- Consider options across the 5 livelihood capitals (human, social, financial, physical and natural);
- Remember the vulnerable, and provide specific measures to help them, and;
- Ensure options are relevant, practical and achievable.

11.3. Objectives of RAP 1 Livelihood Restoration

The IFC defines the objective of Livelihood Restoration (LR) as being: *To improve, or restore, the livelihoods and standards of living of displaced persons* (IFC Performance Standards on Environmental and Social Sustainability; effective January 1, 2012 - PS5, page 32).

In RAP 1 there are economically and physically displaced persons whose property has been registered under the cadastral and asset survey, and also households who are not registered, but have lost access to grazing and natural resource harvesting within the Priority Area. Both are covered under the LR programme.

The **primary focus** of livelihood restoration is on re-establishing household food sufficiency and food security for those losing land, crops and trees. The **secondary focus** is on introducing household income diversification, skills development, and capitalising on opportunities for non-farm employment/entrepreneurship provided by the oil industry, tourism industry and other sectors. The **third strand** of livelihood restoration is the enhancement of the quality of life of the communities most affected by the loss of access to grazing and natural resources in the Priority Area (principally Kasenyi village) through improvements to education, health, water and sanitation. This last strand of livelihood restoration will be also be addressed through the Community Development Plan and other social management plans within the ESIA.

11.4. Context of Livelihood Restoration

The main types of livelihoods encountered in the Priority Area are land-based livelihoods with some non-land micro-businesses (e.g. tailoring, hairdressing, boda-boda), and livelihood options have been selected accordingly. As land in the vicinity of the proposed industrial area and N1 access road

is limited in its availability, and resettlement will lead to increased pressure on grazing land and natural resources, emphasis has been given to alternative livelihoods (through vocational and business training and linkages to potential employers and microfinance), improving life options (through adult and youth literacy and numeracy – including financial literacy and use of mobile money), improving the quality of life (through improved health, water, sanitation and education services) and improving the productivity and profitability of farming activities (through training and advisory services, improved inputs and access to credit).

A number of suggested options have **not** been included for various reasons. For example, programmes which would require significant water supply in all seasons were excluded as these would not be sustainable due to lack of reliable water (only 3 out of 10 boreholes are functioning in Kasenyi, and water is often saline). Moreover, measures that might encourage further increases in cattle numbers have also not been included as there is already crop-cattle conflict and increasing natural resource degradation due to overgrazing. The whole cattle production system needs radical change, but this is outside the scope of livelihood restoration.

At the time of writing, it is not known how many PAPs will prefer cash compensation for cropland and main residences, and how many will opt for replacement cropland and housing - either in a location of their individual choosing, or (if a suitable location can be found and purchased) in a resettlement village in a location chosen by the RPC. This means that the given scale of each LR activity and their associated budgets are only indicative at this stage.

11.5. Methodology Used to Arrive at the Livelihood Restoration Options

The Sustainable Livelihoods framework Figure 28 was used as a basis for developing the design for the livelihood restoration programme.

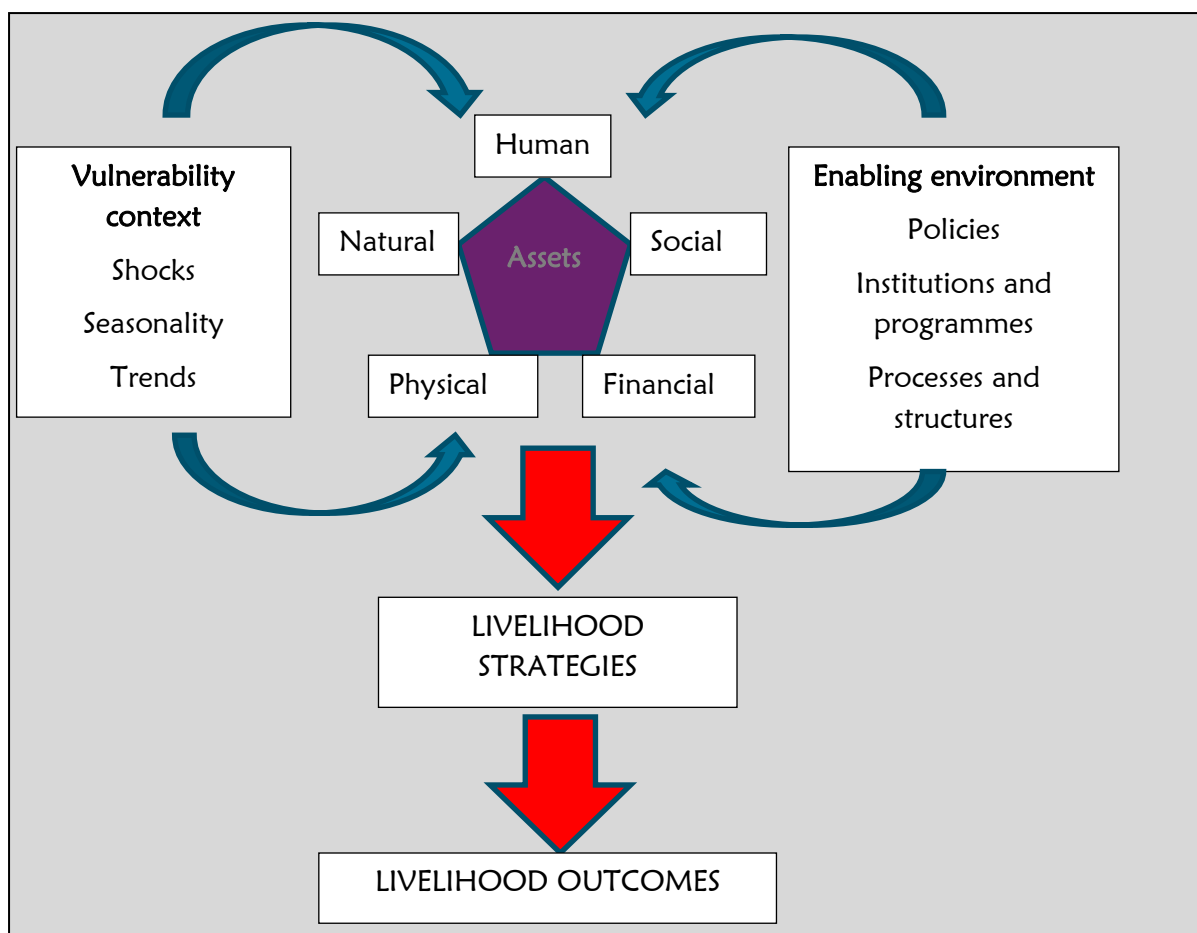


Figure 28: Sustainable Livelihoods Framework

This approach requires us to look holistically at the lives of each member of the household (women, men, girls and boys) to understand their social, human, physical, financial and natural capitals (their assets) and the influences (institutional, cultural, environmental, political) acting upon them. This then helps in understanding the livelihood strategies they have and the livelihood outcomes that they aspire to.

Following an initial site visit in February 2017, relevant documents were reviewed, and field surveys (the qualitative Interview Programme, the quantitative Household Survey and an Institutions and Employment Study) designed, and implemented in April/May 2017 with stakeholders in Buliisa and Hoima Districts, and in Kampala and Bulindi. Following the completion of the social baseline surveys, brief fact-finding studies were undertaken on a limited number of the options from 2-6 August 2017. The draft LR options were shared and discussed with the Resettlement Planning Committee (RPC) and with Kasenyi community members between 9th and 11th of August, and with Joint Venture partners, the Petroleum Authority of Uganda and the Government of Uganda in September/October 2017. Following a meeting with the Petroleum Authority of Uganda on November 30th 2017, at the request of the regulator the Livelihood Restoration Plan was amended and re-submitted. Feedback from all of these activities was incorporated into the present version of the RAP.

Annexure 4 details who was interviewed during livelihoods fieldwork activities.

11.6. Results from the Livelihoods Activities

The present livelihoods situation is described in detail in the Social Baseline report (Annexure 2) and summarised in Section 4.5 of this RAP. The main **concerns** for livelihood restoration are that the overall situation in rural areas of Buliisa District is one of poor levels of services, low levels of household assets, multiple categories of vulnerable people, low levels of literacy and non-farming skills and an accelerating degradation of the natural resources that most families depend on. In addition, service providers (government, NGO, CBO and private sector) have limited capacity and resources. However, there are a number of **positive considerations**. The overall attitude towards resettlement is positive and there are opportunities to build on, as follows:

- Willingness at all levels of government and amongst NGOs to support LR;
- Useful current Buliisa District 5-year Development Plan;
- Improving opportunities (transport, communications, employment, markets) due to oil and consequent government focus;
- Relative country stability and security leading to increased tourism and employment opportunities in the tourism sector;
- The present low-input/low-output farming methods can be seen as an opportunity to improve productivity of both crops and livestock, but requires intensive, long-term commitment and value chain support services;
- VSLAs can be built on through improved access to financial services, but need caution not to cause indebtedness through defaulting on loans, and;
- Presence of active NGOs in the project area.

11.7. Main Livelihood Impacts from Loss of the Priority Area

Project Affected People (PAPs) registered by the Cadastral and Asset survey as economically and/or physically displaced from the Priority Area will lose residential dwellings and other structures present on the affected land, crop land and any crops that cannot be harvested before the end of the period of notice to vacate, commercial trees and other perennials, grazing land, natural resources, and cultural heritage such as graves and sacred sites. Some of these will be compensated commensurate with their losses in line with the Entitlement Framework presented in Section 8.3. While financial compensation for these assets at full replacement cost provides a one-off monetary benefit, this does not: a) provide for loss of grazing land and natural resource harvesting; b) prevent PAPs from becoming impoverished and food insecure through ill-advised use of their compensation; c) assist PAPs in practical way to quickly restore their food security and incomes; d) support PAPs to adjust to the new situation and opportunities presented by changes brought about by the advent of oil activities. A range of production, skills and income enhancing LR measures are therefore needed both for those opting for cash compensation and for those who chose replacement land.

An un-verifiable number of non-registered households residing in the villages around the Priority Area (principally Kasenyi, Uduk-2, Kisomere and Kibambura) will also lose the ability to graze their animals in, and harvest natural resources from, the proposed industrial area and access road N1.

There were tracks across the proposed industrial area, so there will also be some reduction of access for villagers to land, markets, schools, friends and family due to extra distance required to go around the area. These un-registered, but affected households, will be compensated by the community livelihood restoration measures described in this section.

11.8. Scope of Livelihood Restoration for RAP 1:

11.8.1. Human and geographic scope

- a) There are 610 PAPs identified in the Cadastral and Asset survey for the proposed industrial area and N1 access road (asset holders, not to be confused with households). It is to be noted that PAPs who take cash compensation and then move beyond the RAP 1 project area of influence (the boundaries of the four villages around the proposed industrial area and access road N1) will not be eligible for LR support. It is to be noted also that at the time of writing it is not known what proportion of PAPs will take cash compensation and what proportion will choose replacement housing and/or crop land.
- b) Households/communities in the four villages surrounding the proposed industrial area and access road N1 (Kasenyi, Kisomere, Uduk-2 and Kibambura) are indirectly affected by their loss of access to grazing and natural resource harvesting. The most affected village is Kasenyi. An estimate of the numbers indirectly affected is around 260 households, of which the majority are resident in Kasenyi.⁶⁴
- c) Host households/communities (in-fill or new re-settlement sites) will be affected by the re-settlement of PAPs. At the time of writing it is not known where PAPs will settle, but the likelihood is that the majority will settle within the project area (i.e. within the 4 villages around the proposed industrial area and access road N1).

11.8.2. Temporal scope

As financial inputs by the TILENGA Project may only be scheduled for a limited period (dependent on the time required for each LR measure to attain sustainability), the impacts should be as financially, environmentally, socially and institutionally sustainable as possible in the long term, providing the recipients with sustainable livelihoods and prospects, with particular regard to food security and avoidance of impoverishment. To this end each LR option has a section on sustainability, and an exit strategy. A summary implementation schedule is included as Annexure 5 - Key success factors of LR programmes.

The key elements leading to the success of the LR programme are: effective engagement with stakeholders, incorporating sustainability into all LR measures, effective institutional arrangements for implementation, and a workable exit strategy.

- a) **Engagement of stakeholders:** The affected communities and CBO, NGO, private sector and government staff (at village, sub-county and District levels) were engaged, (see Annexure

⁶⁴ Kasenyi has c.180 Households in total (measures apply to all households in the village = 180 households); Kisomere has 200 Households (estimate 10% of households affected = 20 households), Kibambura 500 Households (estimate 15% of households affected = 75 households) and Uduk-2 350 Households (estimate 10% of households affected = 35 households) = 260 households affected in total, of which the majority are in Kasenyi.

4 for a list of those engaged) during the Interview Programme, Household Survey, Institutions and Employment study and Fact-finding visit as described in the Methodology sub-section above. The results of these surveys and studies were used to develop draft livelihood restoration options. These were presented and discussed at the Livelihood Restoration Stakeholder Feedback workshop with the RPC on 9 August 2017, at a community meeting in Kasenyi on 10 August, and with the Chair, Vice Chair, Secretary and 6 members of the RPC on 11 August 2017. They were further discussed with the PAU on September 22nd and with GoU Agencies on October 5th 2017.

- b) **Sustainability:** The IPIECA guide for social investment (2017)⁶⁵, suggests a four-stage implementation strategy for social investment initiatives, which is noted and applied where practical in this LR programme. The strategy calls for high Project investment during Phase 1, which corresponds to our RAP development phase, tapering to zero Project input following withdrawal. As outlined above, the RAP development phase strove to understand the present livelihood situation and its context, to share knowledge and information through stakeholder engagement and training, and to establish key feedback, mobilisation, management and ownership organisations – the RPC and the DIRCO. Having identified relevant, practical and achievable LR options with the input of the above stakeholder representatives and authorities, it is also necessary to identify how each option can be rendered independent of external support from the Project after relevant periods of time (that vary according to the nature of the LR option):
- Clarity to stakeholders on the requirements for an exit strategy (see below) from the start.
 - Partnership in the planning and delivery of each option from the relevant District, sub-county, NGO and community entities.
 - Making the Business Case for “private good” initiatives emphasising institutional capacity strengthening, soft skills training, income-generating activities and enterprise development (IPIECA, 2017).
 - Ensuring on-going human and financial resources are available (including revenue-generating activities if appropriate) from community or District government to maintain the initiative, or leveraging resources from external donors or programmes.
 - Include an exit or strategy in the design of each initiative (see individual options).
- c) **Effective institutional arrangements for implementation:** For successful implementation, the implementation arrangements have to be effective, efficient and transparent. To achieve these, implementation has to be task-based, time-bound and fully resourced (human, finances, facilities and support). The programme needs an on-going monitoring and reporting system, together with external oversight and evaluation. The Project needs to be able to withdraw completely from LR implementation at such a time when livelihoods have effectively been restored, requiring an exit strategy agreed at an early stage between the implementing partners (see individual options as exit strategies vary between types of initiatives). The implementation of the programme depends upon multiple stakeholders,

⁶⁵ IPIECA (2017). Creating successful, sustainable social investment: Guidance document for the oil and gas industry. IPIECA, London

who need to be committed and share responsibility for the implementation of the activities. Memoranda of understanding will be drawn up, defining commitments, roles and responsibilities.

11.9. Institutional Arrangements for Implementation

Following RAP 1 approval by GoU, LR implementation will be an integral part of the wider implementation of the Resettlement Action Plan, and will therefore be managed by the RAP team of consultants. To work effectively, implementation has to be task-based with clear responsibilities and a short line of command. Tasks must be resourced, time-bound and monitored. There must be a full-time LR team permanently on-site to fulfil the LR action plan Figure 29.

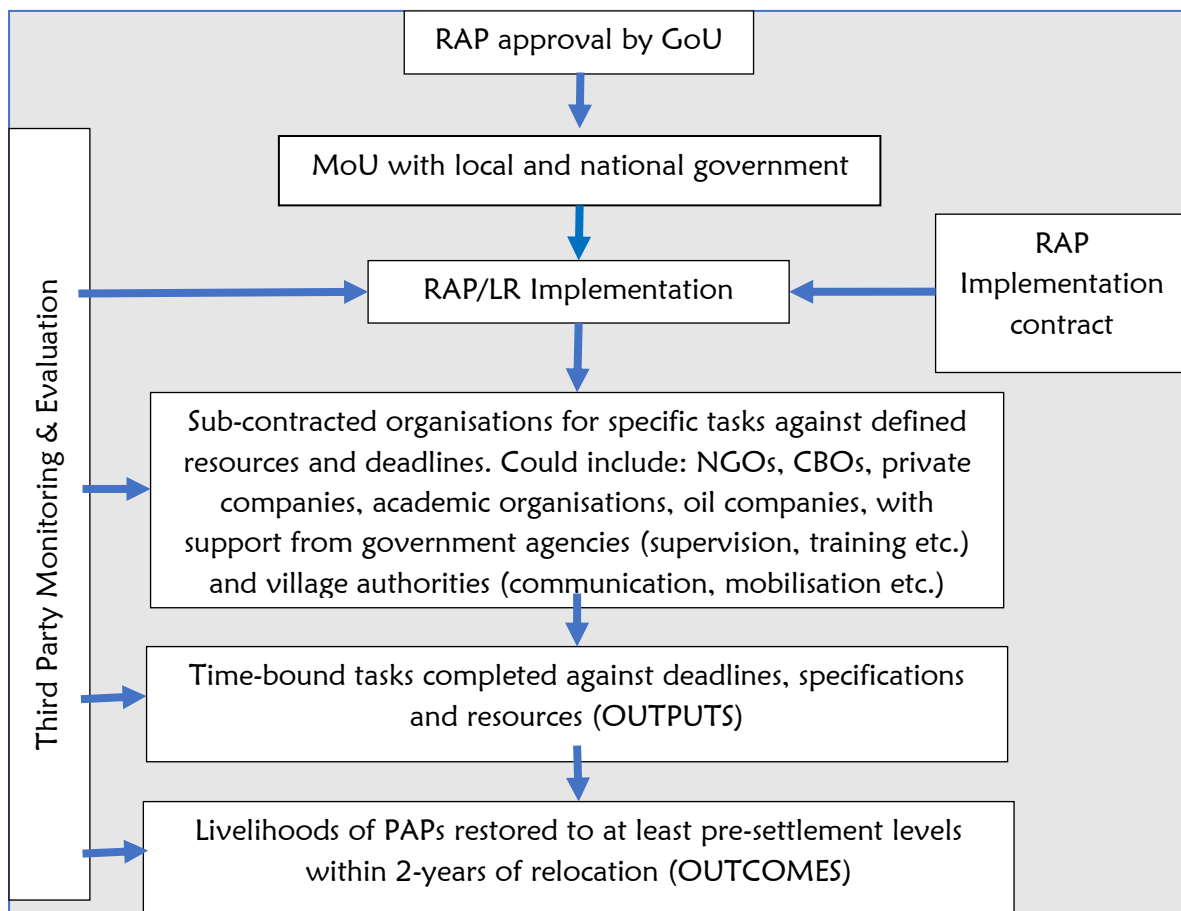


Figure 29 - LR implementation diagram

An on-site, full-time team directly employed by the RAP Implementation consultant will manage LR implementation. This team will need office facilities and adequate transport. The RAP/LR Implementation team would sub-contract relevant organisations (see Annexure 3) to carry out specific tasks against specifications, deadlines and resources.

11.10. Monitoring and Evaluation

The RAP/LR implementation team would conduct day-to-day monitoring of **outputs** as above, and report to the Project management.

External evaluation of **outcomes** will entail the periodic evaluation of implementation progress by a third party, and a Completion Audit by an independent evaluator (see Chapter 15).

11.11. Potential Livelihood Restoration Options

Table 37 summarises the Livelihood Restoration options for directly affected and registered PAPs (those registered by the cadastral and asset survey as having property within the Proposed industrial area and access road N1).

In addition to directly affected and registered PAPs, there are also indirectly-affected communities (residents in the 4 villages located around the Proposed industrial area and access road N1), some of whose households used the land for grazing and for the harvesting of a variety of natural resources. The village most affected is Kasenyi as most of the land of the proposed industrial area and access road N1 lie within its village boundaries. In addition, it is assumed that much of the resettlement of PAPs will take place within Kasenyi village. The other villages bordering directly onto the proposed industrial area are Kisomere, Uduk-2 and Kibambura. These are much less affected than Kasenyi by the loss of grazing and natural resources. Livelihood restoration measures for indirectly affected communities residents of these three villages have not been included in this plan, as they will be addressed through the other Project ESIA social management plans and in particular the Community Development Plan.

Table 37 –Summary of Livelihood Options

Time frame and sector	PAPs
I. Priority LR measures	
A. Financial literacy and Capacity Building	A.1. Support to the establishment and to strengthening existing farmer groups and VSLA
	A.2. Training on financial management and Business management including Financial Literacy, opening of bank accounts and links to microfinance
B. Food security and Agriculture	B.1. Provision of dry rations to PAPs for 6-months -
C. Improve Management of Natural Resources & Access to Energy	-
	C.1. Commercial tree nursery at Kasenyi
II. Medium-term to Long term LR measures	
A. Financial literacy and Capacity Building	A.3. Vocational training and linkage to employment
B. Food security and Agriculture	B.2. Drip irrigation and kitchen gardens
	B.3. Agricultural extension packages
	B.4. Cassava improvement (High Quality Cassava Flour)
C. Social Assistance	C.2. Measures for vulnerable groups (Social Assistance Grants for Empowerment and Senior Citizen's Grants)

Time frame and sector	PAPs	
III. LR Infrastructure measures subject to Detailed Feasibility Studies		
C. Improve access to Health, Water and Sanitation	C.3.Upgrade for Avogera Health Centre	
	C.4.Feasibility study and water supply program for Kasenyi	

The main purpose of the proposed LR measures are as follows:

- Support food self-sufficiency and security;
- Reduce the risk of impoverishment and dependency;
- Provide alternatives to grazing and natural resource harvesting. It is not possible to provide alternative land for grazing or natural resource harvesting as there is no land that is not occupied or used by others in the area, so the emphasis here is on the development of alternative livelihoods through vocational training, school education or improved businesses, or the enhancement of available land-based enterprises such as bee-keeping and High-Quality Cassava Flour production;
- Provide choice for PAPs. Most are presently involved in agriculture, but male or female family members (and perhaps particularly the youth) may wish to take advantage of the changing circumstances and opportunities through the acquisition of vocational or business skills or by improving their literacy and numeracy

Each LR option has different characteristics, so a separate “profile” has been developed for each one, below.

Note that in Table 37, and in the following profiles, the LR measures have been colour coded into green, purple and blue categories:

- The **green measures** are those that are vital for the immediate restoration of livelihoods of directly-affected PAPs, and which provide quick and tangible benefits to indirectly-affected communities. These are therefore the short-term priority measures.
- The **purple measures** are those which require some further negotiation with government, NGO and other stakeholders before they can go ahead. These can therefore be seen as medium-term measures.
- The **blue measures** are those which, although communities highlighted them as developmental priorities, require detailed feasibility studies and firm commitments from stakeholders to be in place before they can proceed. These are therefore longer-term measures. The budgets for these blue measures will be determined by the feasibility studies, which should be completed within 6-months of RAP-1 approval. At this point PAU/GoU will review and approve the measures on a case by case basis.

For many of the measures, an indicative number of beneficiaries is given. For PAPs, these figures are a “best estimate” at this time as it is not known how many PAPs will take cash compensation and how many will opt for replacement land and assets. In some cases, the number of places

available is restricted (e.g. where specialised training is to be provided in tree nursery management), as the “market” for such services in the villages is very limited. In other instances, numbers are pegged to the number of training places available within the Region (e.g. for vocational training).

PAPs and community households will need to **choose** between options, rather than be able to benefit from several of the options at any one time. That will give a fairer distribution of benefits between households. If, after time, there remain spare places available then these can be divided among applicants.

11.11.1. Priority LR Measures for immediate implementation

A. Financial Literacy and Capacity Building

LR Option A1 - Support to establishing and strengthening Farmer Groups and VSLAs in Kasenyi

Context: In times of rapid change, communities benefit from the solidarity of working together in groups. There is already a tradition of savings group working, and several groups of different types already exist in the project area (examples of existing saving groups are Katurunye women farmers group, Katyekambe group, Tungendamanso farmers association and Youth Alive group). Farmer groups can provide an efficient means for sharing extension advice and materials, and can be a vehicle for joint processing and marketing. VSLAs have shown that they are able to accumulate significant capital and provide strategically important credit, benefiting both women and men.

Objective: To strengthen existing farmer groups and VSLAs in Kasenyi, and establish new ones where there is a demonstrated need and purpose.

Outcomes expected (quantify benefits where possible): More and more effective groups serving the multiple needs of the community. Mitigation of the negative impacts of the VSLA methodology, such as dealing with group dynamics, enhancing the saved capital, problems of expectations of allowances, and intra-family conflict caused by female groups.

For who (quantify beneficiaries): VSLAs for women, men and youth (male and female). Farmer groups for purposes identified by village members, but likely to include High Quality Cassava Flour production, processing and marketing groups and the tree nursery. Altogether estimate (non-financial or infrastructure) support to 5 VSLAs of up to 25 members each and 4 farmer groups of up to 25 members each.

By who (and why partners were chosen): NAADS/OWC and CIDI will provide support to present farmer groups and to the organisation and training of farmers groups involved in HQCF (also see separate profile of HQCF). BIRUDO, Mungu Miyo and Malaika will support honey production groups. CIDI will support VSLAs as they are already involved in this work locally (see excerpt from a CIDI report below)⁶⁶. There are also VSLA master trainers in Kasenyi who can be drawn on for the support of new groups.

Where implemented: Principally Kasenyi village, but groups might cross neighbouring village boundaries.

How will it be implemented: Existing farmer groups and VSLAs will be reviewed and needs assessment done to identify training, organisational or networking needs. These will then be addressed through appropriate actions. Community consultation by the same organisations will identify the need for any further farmer or VSLA groups (e.g. among vulnerable groups or youth), and support these through establishment and consolidation. This measure does not envisage providing any cash or materials, but rather organisational, skills and information support.

⁶⁶ Total has supported the formation of eight (8) VSLAs at Kilima, Kisansya, Kiyere, Katodio, Kirama Aloyozio, Kirama Kikoma, Uduk 1 and Kasenyi boreholes. As a result, 2 additional VSLAs have been formed by community members at Kasenyi and Kirama Kikoma out of the inspiration of the existing ones. This ripple effect will be further felt during the second saving cycle next year. A total of UGX 20 million has been saved during the first 7 months of existence of the VSLAs (March 2016 to date). Critical to these VSLAs is the fact that they are linked to the water source and a precursor for the operations and maintenance of the source. The ultimate aim of these associations is to create access to credit for community who would otherwise not be able to qualify for the formal available financial services within Buliisa. It can be noted that all the groups constitute a leadership, Norms; savings pass books and saving boxes among others which are critical for their existence and continuity beyond the life of the project (CIDI, 2016. Water, sanitation and water resources community partnership project for Buliisa. End of project report)

Schedule: To start as soon as possible after the RAP is approved, and to continue for a minimum of 2 years
Sustainability factors/local ownership: The supporting organisations will emphasise self-reliance within the groups and no dependence on external support. The groups will have their own governance structures and income.
Exit/hand-over strategy: By end of 2-years groups will be established and functioning independently. There are no ongoing staff or resource considerations.
Conformity with Buliisa District Development Plan: The Buliisa District Development Plan Production and Marketing objectives include: Promotion of group formation to enable credit accessibility and easy training (BDDP Page 67)
Synergy with District/National government programmes: CARE International has been prominent in promoting VSLAs in Uganda, while a number of NGOs and NAADS have established farmer groups.
Monitoring and evaluation: Number of women, men and youth involved in groups. Capital accumulated in VSLAs and loans provided to members. Number of vulnerable people as members of groups. Uses to which loans are put, and benefits accruing to women and men. Influence of VSLA on the sustainability of installations such as boreholes.
Further steps: Set-up a MoU with the partner organizations (CIDI, NAADS/OWC, BIRUDO, Mungu Miyo and Malaika)

LR Option A 2 - Training on financial management and Business management including Financial Literacy, opening of bank accounts and links to microfinance.

Context: PAPs are not accustomed to receiving large amounts of cash, and may spend/invest it unwisely. In addition literacy and numeracy levels are low in rural Buliisa, and particularly low for women. This is a consequence of low secondary school attendance. These limit access to employment outside farming and unskilled labour, and limit the acquisition of knowledge through written media. The Interview Programme confirmed the interest of post school youth and adults to participate in adult education (functional literacy and numeracy, including financial numeracy and use of mobile money transfers). Finally during the Interview Programme, several of types of one-person micro-businesses were identified, including fish trading, goat trading, boda-boda, hair dressing, tailoring and phone charging where both women and men are involved. None of these groups had received any business training, and all said getting finance of any sort was difficult in order to expand the business.
Objective: <ul style="list-style-type: none"> - To assist PAPs (men and women) to handle and use their cash compensation sensibly to restore their livelihoods and build a sustainable future - To increase employment and knowledge opportunities through literacy and numeracy. - To increase the capacity of entrepreneurs to function more effectively and expand their businesses. To provide time-bound business support to self-employed enterprises, aiming to grow them into viable and sustainable businesses
Output: Raise literacy and numeracy levels among PAPs by 10% (from present levels of 64%).
Outcomes expected (quantify benefits where possible):

Interested PAPs and those receiving large payments (over 500,000 UGX) open Bank accounts. All PAPs and their spouses receive money management training and advice on different options for investment.

For interested traders / business people among the PAPs, further business training aiming to grow them into viable and sustainable businesses.

For who (quantify beneficiaries):

- PAPs receiving cash compensation for structures, land or crops. Up to 50 existing traders/business people (men and women) and those interested in establishing businesses from among the PAPs. Youth and vulnerable groups to be prioritised.

By who (and why partners were chosen):

- Financial management training by Microfinance Support Centre in partnership with CIDI (MSC is a government organisation based in Hoima. It can give Training of Trainers training to CIDI who would implement the training on the ground due to their local knowledge and presence in Buliisa District). Support to opening Bank accounts.
- Literacy and numeracy training also In partnership with District Livelihood Support Programme (DLSP), and the Department of Education.
- Business training by Millennium Business School (Hoima) to provide outreach courses in Buliisa for PAPs in their own villages, supported by Living Earth NGO.

Where implemented: Financial management training in the main villages of PAPs (Kasenyi, Kirama, Kisomere and Kigwera). These 4 villages cover 85% of all PAPs. Those from other locations would attend training in these 4 locations (and would be given transport allowance). Those opening Bank accounts would do so at Stanbic Bank premises in Buliisa TC.

How will it be implemented: Through training sessions for several groups of up to 30 PAPs each, including spouses.

For business management training, half-day per week courses over a 6-week period rotating between villages. The courses will be practical in nature while being organised in form of cohort with field work and exposure to examples of successful enterprises.

Priority will be given to vulnerable people, women and youth. Implementation will be through one day per week courses over 10 weeks rotating to different villages/groups on different days of the week.

Schedule: To start as early as possible after RAP is approved by GoU and signature of land and compensation agreements have been completed, but before compensation cash is handed over. Training sessions will continue during the year for PAPs remaining within the project area of influence.

The business management training will start 6-months after the resettlement land is handed over, and to last 6 weeks.

Sustainability factors/local ownership: This measure will provide information so that PAPs can make an informed decision on how to use their cash compensation, and have the money in a Bank account rather than as cash that can be stolen or used rapidly and unwisely leading to impoverishment and discontent. Women (as PAPs or spouses) will be encouraged to attend, and special efforts may be needed to enable vulnerable PAPs (elderly, disabled etc.) to attend. Skills imparted will last a lifetime and provide openings for employment and acquiring knowledge from written media.

Finally trained entrepreneurs will be able to earn a living and contribute to a diversified rural household income.

Exit/hand-over strategy: Government (DLSP) is committed to providing FAL programmes. Through dialogue with the DLSP, they will be encouraged to continue the programme after the courses offered here are finished.

Conformity with Buliisa District Development Plan: The Ministry of Local Government District Livelihood Support Programme (DLSP) funds adult literacy programmes, and the Buliisa District Development Plan: *Funding for UPE and basic curative and preventative health care, functional adult literacy (FAL) and community development, and road maintenance, water and sanitation will remain high priority in the short run, depending on availability of resources* (BDDP p 42).

Synergy with District/National government programmes: Good synergy with the DDP.

Monitoring and evaluation: Number of men and women attending training and attaining completion certificates; number of Bank accounts opened. Evaluation of how PAPs have used their cash, and their situation after 2 years. Evaluation of new activities being performed by graduates as a result of the skills acquired from the courses.

For business management training, number of new activities that PAPs are doing as a result of their training after one year. Improvement in circumstances/income resulting from the course. Number accessing micro-finance or credit.

Further steps:

Dialogue with DLSP and District Department of Education to ensure their support. Set-up an MoU with the relevant partner organizations (Microfinance Support Centre, CIDI, Banking institutions, Millennium Business School (Hoima), Living Earth, Hofokam and Microfinance Support Centre).

B. Food Security and Agriculture

LR Option B1 – Provision of dry rations to PAPs

Context: PAPs will require transitional food relief for the first 6-month after leaving the Industrial Area and N1 Road. After that time they will have their own harvests to sustain their families.

Objective: To provide basic food security for PAP families until they can harvest their own crops.

Outcomes expected (quantify benefits where possible): Food secure affected households

For who (quantify beneficiaries): All 610 PAPs

By who (and why partners were chosen): Funds provided by Project.

Where implemented: Within Buliisa District.

How will it be implemented: Dry food parcels (cassava, maize and beans) will be provided to PAPs on a weekly basis

Schedule: To operate from displacement to the end of 6-months.

Sustainability factors/local ownership: PAPs will have their own harvests after the end of the activity

Exit/hand-over strategy: Completion at end of 6-months

Conformity with Buliisa District Development Plan: N/A.

Synergy with District/National government programmes: Not applicable

Monitoring and evaluation: Food security of PAPs from handover to 6-months

Further steps: -

C. Improving management of Natural Resources and Access to Energy

LR Option C1 - Commercial Tree Nursery in Kasenyi for the supply of trees, other perennials, ornamentals and vegetable seeds/seedlings

Context: Up to now the natural environment has provided a wide range of products to households, including fuel, wild fruit, timber etc. The increasing pressure on natural resources makes it more difficult to source these nearby, and some are walking >5kms to gather these products. It therefore becomes more viable to plant appropriate fruit, timber, medicinal and fuel wood trees, windbreak shrubs, cattle fences etc. Tree and shrub species that could be cultivated for sale include citrus, mango, avocado, moringa, neem, pine, eucalyptus, sisal, aloe vera, Grevillea, Casuarina, banana, matooke, Cyprus, umbrella tree (*Maesopsis eminii*), pawpaw, acacia, coffee, passion fruit, jack fruit, castor oil, palm, guava and fig. There are no nurseries local to Kasenyi. There exists the opportunity for entrepreneurs to start a nursery for the rearing and sale of a range of seedlings that could also include ornamentals and vegetables for transplanting. A certain amount of seedlings will be purchased from the nursery for the PAPs in the first year (as in-kind compensation for perennial crops). After that, the Nursery can sell seedlings to other community members.

Objective: Assist interested entrepreneurs to establish a commercial nursery.

Outcomes expected (quantify benefits where possible): Provides a viable business for one or more entrepreneurs. Provides access to tree seedlings and other planting materials for Kasenyi and surrounding villages.

For who (quantify beneficiaries): Nursery owner and employees; from Kasenyi households and neighbouring villages. Assume 4 entrepreneurs.

By who (and why partners were chosen): Forestry section of District Department of Natural resources, Uganda Wildlife Society (has established nurseries in Buliisa District for an Ecosystem Alliance project) and the International Tree Foundation that has trained local people to become nursery entrepreneurs in north-east Uganda.

Where implemented: Kasenyi. The land for the nursery must be owned by the entrepreneur and free of disputes and structures, the size must be adequate (>0.25ha) and the soil must be suitable (although this can be modified with time) and free from risk of flooding. The land will need to be fenced against livestock and theft. The location must be approved by the project (to avoid footprint of other project components).

How will it be implemented: Interested individuals will be identified and trained. On the acceptance of an agreed business plan they will be assisted with a start-up grant, materials and advice to establish a commercial nursery to serve the needs of the village. Advisory support will continue for 2-years by which time they should have established a steady and increasing income from sales.

Schedule: Individuals to be identified soon after RAP approval, and trained (including exposure visits) by six-months after approval. The nursery will be established by the end of the first year. Advisory support will continue for a further year.

Sustainability factors/local ownership: This will be a commercial venture, supported only in its start-up phase. After 2 years it will be commercially viable.

Exit/hand-over strategy: The Project will have no responsibility after 2 years.

Conformity with Buliisa District Development Plan: The Buliisa District Development Plan (page 85) includes “*Training of Private tree nursery owners on the best tree nursery management practices*” under the plans for the Forestry section of the District Department of Natural Resources.

Synergy with District/National government programmes: The Uganda Forest Policy (Ministry of Water, Lands and Environment - <http://extwprlegs1.fao.org/docs/pdf/uga144357.pdf>) states that: *The Ministry responsible for forestry will promote the development of adequate supplies of high quality tree seeds and improved planting stock to meet the needs of small-scale farmers and large-scale commercial tree growers. The government will promote extensive tree growing in the country, and recognises that success will depend on the supply of tree planting material that is productive, stable and well adapted to local conditions. The Ministry responsible for forestry will promote seed procurement, tree improvement and genetic resource conservation. The government will build capacity for research and development in these areas. Priority indigenous tree species that are endangered will be conserved as sources of tree seed and planting material. The private sector has a major role to play in the collection and distribution of tree seeds and planting stock. The government will help to build capacity in the private sector to enable effective seed supply and marketing, and develop mechanisms to ensure high standards and quality control.*

Monitoring and evaluation: Start-up grant awarded; nursery established; seedlings sold.

Further steps: Agree training support for trainees with Forestry section of Department of Natural Resources.

11.11.2. **Medium to Long-term LR measures requiring further discussions with partners**

A. Financial Literacy and Capacity Building

LR Option A 3 - Vocational training and linkages to employment opportunities (industry, tourism, services and government sectors as well as for starting/improving new businesses)

<p>Context: Land-based and fishing livelihoods are becoming constrained by population increase, by natural resource degradation and by declining fish stock, leading to the overall fragility of traditional sources of income and food. Therefore, the youth in particular are looking for alternative livelihoods. During interviews tailors expressed a wish to up-skill (and upgrade their equipment), while youth expressed a wish to get employment with a trade in construction or driving. The oil industry, the expanding tourism sector and government are potential employers, while private-service-provision opportunities are also likely to expand as infrastructure and communications improve. Levels of skills outside farming and fishing are very limited at present, and youth employment is low. There are no vocational colleges in Buliisa District, but there are several in Hoima.</p>
<p>St Simon Peter VTC in Hoima offers: 2-year Diploma Courses in Civil, Mechanical and Electrical Engineering, Water and Sanitation Engineering, Architectural Craftsmanship, Information and Communication Technology; 2-year Certificate Courses in Cutting and Tailoring, Building Construction, Wood work Technology, Electrical Installation Systems Maintenance, Plumbing, Welding and Fabrication, Automotive mechanics; and 3-6 Month non-formal courses in Motorcycle Repair and Maintenance, Carpentry and Joinery, Plumbing, Bricklaying, Welding and Metal Fabrication, Tailoring and Garment Cutting and Hair Dressing.</p>
<p>The Millennium Business School in Hoima offers courses in: Catering and Hotel Management, Tailoring, Hair Dressing, Cosmetics, Secretarial studies and Computer packages.</p>
<p>Objective: To provide interested PAPs (in particular male and female youth) with useful skills through vocational training and to link these with employment/business opportunities.</p>
<p>Outcomes expected (quantify benefits where possible): Skilled PAP youth with successful careers and businesses contributing to diversified family income and food security, and future livelihoods away from farming.</p>
<p>For who (quantify beneficiaries):</p> <ul style="list-style-type: none"> • Up to 100 PAP family members (male and female) from those settling in the project area (in the main villages Kasenyi, Kirama, Kisomere and Kigwera). •
<p>By who (and why partners were chosen): Suitable courses are available at St Simon Peter VTC, Millennium Business School (both in Hoima). The NGOs Living Earth and/or AFARD are skilled in assessing potential student's needs, and supporting them through vocational training and finding employment.</p>
<p>Where implemented: Operational and functional VTCs available in the region (Hoima, Masindi, ...)</p>
<p>How will it be implemented: Conduct survey of eligible PAPs to gauge interest and perform a needs assessment. Select students from vulnerable groups, youth and women who have the necessary entry eligibility and support of their family first. If further places remain open to other categories of PAPs. Identify appropriate courses and arrange placements. Support students through courses. Work with students and employers to find suitable jobs.</p>
<p>Schedule: Needs assessment to start soon after resettlement. Courses to start within first year after resettlement. Programme to cease after 2 years.</p>

Sustainability factors/local ownership: Employment away from the family farm provides diversified source of income that is not dependent on climate or other farming risks. Reducing the number of farmers reduces pressure on land. Reducing youth unemployment reduces discontent and potential for unrest.
Exit/hand-over strategy: Programme completes after 2 years
Conformity with Buliisa District Development Plan: No VTCs in Buliisa District
Synergy with District/National government programmes: N/a
Monitoring and evaluation: Numbers of vulnerable people, women, youth and other categories attending which VT courses. Numbers employed after training, and with whom. Evaluation of their experience of the training, the changes in their skills and their prospects resulting from training.
Further steps: Clarify the status of Kigwera Vocational School and identify any further VTCs in Masindi.

B. Food Security and Agriculture

LR Option B2 - Drip Irrigation for kitchen gardens

Context: Many PAPs grow vegetables like tomatoes, onions, egg plants etc. in kitchen gardens for home consumption. However, there are few farmers who are involved in commercial production of vegetables especially in Nile Parish (Vegetable Value Chain Analysis, 2013). Farmers who are not close to the river and swamps fetch water to irrigate their crops. Drip irrigation will improve the efficiency with which the water is used by delivering it to the plant and reducing evaporation losses. Production will be assured during the dry season (if there is a supply of water of adequate quality), thereby improving household food security. Vegetables provide vitamins such as Vitamin A which is often lacking in the diets of rural Uganda. The drip irrigation systems selected below cover an area of 0.1ha (1/4 acre), which will also provide space to keep sweet potato vines going through the dry season, providing a head start for food production when the rains come. Note that despite the highly efficient use of water, it is estimated that to irrigate 0.1 ha during the dry season will still require 10,000 litres of water per week. The water quality has to be good so that salinity does not build up in the plot.
Objective: To improve vegetable production of PAPs (men and women) to help them improve their household incomes for a better future.
Outcomes expected (quantify benefits where possible): About 100 PAPs have a quarter acre (0.1ha) drip irrigation installed at each of their farms, where a sufficient water supply is available either through rain harvesting or other means. PAPs receive training in vegetable production and entrepreneur skills.
For who (quantify beneficiaries): 100 selected PAPs already engaged in or keen to start vegetable production.
By who (and why partners were chosen): Drip irrigation kits will be installed by SIRACO Irrigation company, which will provide training on maintenance of the kits and proper handling practices. CIDI will offer training in vegetable production, and entrepreneurship skills. SIRACO is a specialized company dealing in irrigation equipment, and they are the ones selling the drip irrigation kits. CIDI has experience in training and mentoring farmers in crop production.

Where implemented: Drip irrigation kits will be for PAPs who wish to engage in vegetable production (and have experience) from the villages of Kasenyi, Kirama, Kisomere and Kigwera. Other PAPs coming from other villages might be considered.

How will it be implemented: PAPs who wish to carry out vegetable production will be asked to register, they will be selected against their interest, the availability of water and land, and will be encouraged to form groups. SIRACO and CIDI will conduct a feasibility study for vegetable production among PAPs. CIDI will conduct 10-day training in vegetable production, after which SIRACO will install the drip irrigation kits. CIDI will continue training and mentoring as part of the agricultural extension package (budgeted elsewhere).

Schedule: As early as possible after RAP is approved by GoU. Selection and training of participants in first 6-months. First drip installation by 9 months. Project will run for 3 years.

Sustainability factors/local ownership: Beneficiaries will be encouraged to form a vegetable producers Association so that they spearhead their interests for sustainability and growth of the enterprises. Capable farmers will be selected by the groups for the maintenance of the systems.

Exit/hand-over strategy: The Project will withdraw when groups are well established and stable, have acquired skills in production and marketing and the maintenance of the drip irrigation systems. This is expected to be after 3 years.

The district production office will carry out routine monitoring and encouragement of the group, and will continue technical support after the project has ended.

Conformity with Buliisa District Development Plan: This package is in line with the BDDP plans for Production and Marketing (BDDP p63), which are to:

- a) To improve household food and nutrition security.
- b) To increase agricultural production and productivity.
- d) To improve the production capacity of farmers in the district.

Synergy with District/National government programmes: Not applicable

Monitoring and evaluation: Numbers of kits installed, numbers of PAPs trained in vegetable production. Increased domestic consumption of vegetables compared to the Household survey. Number of households gaining 25% or more of their income from vegetable production after 2 years.

LR Option B3 - Agricultural extension package (advice, training and materials for crops, livestock, bees and trees)

In order to restore the land-based livelihoods of the project communities, an agricultural extension programme or package will be implemented. This program will provide agricultural extension assistance to PAPs that are affected by the proposed industrial area and access road N1.

The components of the programme include:

- Bee Keeping for diversification of income (materials, training, marketing)
- Storage bins and granaries to improve food security by reducing storage losses
- Vegetable production for income and household nutrition
- Fruit production (indigenous, exotic) for income and household nutrition
- Establishment of woodlots for timber and fuel to reduce pressure and encroachment on natural environment
- Livestock water points (dams or trapezoidal bunds, rock catchments and semi-circular micro catchments) to reduce distances travelled by livestock, crop-cattle conflict and mortality in drought situations
- Management of animal diseases to improve productivity and reduce risk
- Increased access to extension services (facilitative role – allowances, skills upgrades and transport costs)

Linkages with other programmes include:

- Improved access to credit to enable farmers to invest and diversify (see LR Option A.1.)
- Seed and other planting materials (both for initial planting of resettled land, and for subsequent plantings) made available through Nursery (see LR Option C.1.)
- High Quality Cassava Flour programme for value addition (see LR Option B.3)
- Food crop enhancement programme (including drip irrigation for kitchen gardens – see LR Option B.2.)

Context: The Proposed industrial area and access road N1 land is currently a grazing and agricultural area, and the PAPs are predominantly farmers, natural resource harvesters and fisher folk with some trading of surpluses and some small businesses. **Restoring land-based livelihoods and food security in the face of the loss of the Proposed industrial area and access road N1 that was used for grazing and natural resource harvesting is the main priority of the LR programme.** This covers crops, livestock, fruit, fuel, timber, bees at the production stage, and also post-harvest operations including value addition. There are opportunities to improve production and profitability beyond the present levels. In addition, the loss of the proposed industrial area and access road N1 makes it necessary to produce more on less land through the use of improved genetic material and other inputs. Note that before the project takes place, household food security is already fragile, partly due to the unpredictable climate, the low level of inputs used, the patchy extension services, the sandy nature of the soils and the low purchasing power of households.

Objective:

- To restore the agricultural productive capacity of PAPs to cater for domestic food needs (food security) and trade a modest surplus in good years.
- To restore the agricultural production capability of Kasenyi to that before the loss of the proposed industrial area and access road N1 so that it is able to cater for domestic food needs (food security) and trade a modest surplus in good years.
- Where possible, to improve the productivity and profitability of farming enterprises without compromising the environment.
- To improve the knowledge of farmers through advice and training, and their opportunities through access to inputs and credit.

Outcomes expected (quantify benefits where possible): Household food security restored to at least the level recorded by the Household Survey.

For who (quantify beneficiaries):

- All PAPs who identify suitable replacement farm land within the agreed area in Buliisa. At the time of writing the number of PAPs choosing to be resettled is unknown, but for purposes of the budget, a figure of 100 has been taken to work with.
- .

By who (and why partners were chosen): This component calls for a strong partnership between government, agricultural institutions and NGOs. The limitations of government extension services are noted (lack of transport and allowances). There is also a scarcity of NGOs involved in agriculture in the District. Therefore, there needs to be significant financial support to both government departments (principally the District Production Department and NAADS/OWC⁶⁷) and NGOs (e.g. CIDI and World Vision for general agriculture and BIRUDO, Mungu Miyo and Malaika for honey) to be able to deliver the services required. In addition the African Institute for Innovation, which has good academic and practical experience with High Quality Cassava Flour (HQCF), will provide technical advice on cassava value chains. The micro-finance organisations operating locally (Hofocam and the Microfinance Support Centre) will be involved to assist farmers to access credit to farmers as appropriate. Victoria seeds is a Uganda seed company with a range of seeds (including traditional vegetable seeds) and crop protection that can be a valuable partner with advice as well as quality products.

Where implemented: On PAP-resettled farms within the agreed area.

How will it be implemented: Materials and land preparation will be provided to bring resettlement land into similar production to the land lost, including the planting of indigenous and exotic trees if applicable. In addition, extension teams will meet with men and women farmers to determine their interests and the potential of their land and to make a plan for improvements in productivity and profitability – considering the bullet point areas listed above. Training for skills development, knowledge, and linkages to markets, input suppliers, sources of advice and finance (as they will have some security of tenure and therefore better collateral) will be components of the plan so that farmers develop their own abilities to make decisions and act on them. For particular commodities (e.g. HQCF, fruit and vegetables) farmers will be assisted to form groups that will facilitate training, input purchase and marketing. There will also be opportunities for farmers and extension staff to visit examples of farmer organisations that are performing well. A tree/shrub nursery planned for Kasenyi (see under Options for Indirectly Affected Communities) will supply fruit, timber and fuel tree seedlings as a small business. A certain amount of seedlings will be purchased from the nursery for the PAPs in the first year (as in-kind compensation for perennial crops). After that, the Nursery can sell seedlings to other community members.

Schedule: To commence once replacement farm land has been purchased and handed over to the PAPs, and to continue for a period of three years.

Sustainability factors/local ownership: By the end of three years, farmers will have increased knowledge, skills and linkages. They will also have organised into stable groups for some commodities, and be earning significant incomes from the sale of these commodities. Extension services and NGOs will be better able to meet the needs of farmers and farmer groups. Micro-finance will be more available to farmers who have improved land tenure security.

Exit/hand-over strategy: At three years after the purchase and hand-over of replacement land to the PAPs, farmers will have restored their food security and be better trained and networked

⁶⁷ Operation Wealth Creation (OWC) is being implemented under various Ministries and Agencies. However, the Agriculture component of providing inputs/technologies to farmers at national level is being managed by OWC under the Office of the President and NAADS under MAAIF.

than at present. Some will be members of stable groups for processing and marketing (e.g. for HQCF and honey). The involved NGOs and government extension services will have improved their capabilities, but it will not be possible for the Project to continue funding them after three years.

Conformity with Buliisa District Development Plan: This package is in line with the Buliisa District Development Plan for Production and Marketing (BDDP p63), which are:

- a) To improve household food and nutrition security
- b) To increase agricultural production and productivity.
- c) To improve on value addition and marketing
- d) To improve the production capacity of farmers in the district

Synergy with District/National government programmes: Synergy with the agricultural component of Operation Wealth Creation (Office of the President initiative).

Monitoring and evaluation: Number of eligible PAPs with more than 0.5 acres of food crops planted 6 months after the hand-over of replacement farm land. Number of PAPs with active bee-hives after 1 year. Number of PAPs using improved crop-storage methods after 1-year. Number of PAPs using improved cassava varieties after 1-year. Proportion of graziers using new water points after 2-years. Evaluation of household food security situation after 2 years compared with that recorded by the Household survey.

Further steps: Further discussions with government and NGOs to apportion roles, responsibilities and logistics.

LR Option B3 - Cassava Improvement

Context: Cassava is the main staple crop of the area (with 81% of households declaring it as their primary commodity in the Social Baseline Report), as well as being a traded commodity. Cassava is particularly suited to the soils of the area because it is able to make the most of poor, sandy soils due to mycorrhizal associations that accumulate phosphorus. It is a good food security crop, being able to withstand dry periods and some varieties can be stored in the soil for six months. There is a range of cassava varieties (bitter, sweet, short season, long-season) that provides choice to farmers. Improved varieties have resistance to virus diseases (Brown Streak and Tobacco-Mosaic viruses) that have proved very problematic in some areas of Uganda, but these are not readily available to all farmers. In addition, there are processing methods and standards that can deliver high-grade cassava flour (High Quality Cassava Flour) that commands a premium price and sells in urban markets. Expertise exists in Uganda on this commodity, and it is believed that with good advice farmer groups could benefit greatly from its introduction.

Objective: To improve cassava yields for household food security, and to improve the quality of processed cassava (High Quality Cassava Flour) for sale.

Outcomes expected: Improved productivity (25% increases in yield per unit area) and profitability (20% increases in price per unit weight of flour). Reduced risks due to virus-induced losses.

For who:

- PAP Crop farmers in and around Kasenyi (approx. 100 households selected from the farmer groups by the farmers themselves as being leader farmers who will share their knowledge with others in the groups and manage the “group” equipment for the benefit of the group).
-

By whom: District extension, NAADS, BIRUDO, Africa Innovation Institute (Kampala), Bulindi Zonal Agricultural Research and Development Institute, (exposure visits to Latoro Business Farmer's Cooperative and Kityanga Women's Group). The Project's roles would be to approve the contracting of partners, respond to reports, arrange evaluation at appropriate points and finance the programme against agreed milestones.

Where implemented: Farmer's fields in the vicinity of Kasenyi

How will it be implemented: Farmers will be formed into groups of 10-20/group (Note that existing groups can also join). Groups will form or be linked to VSLA. Training on HQCF will be provided by Africa Innovation Institute and extension services. Improved varieties will be sourced and provided (with farmers being selected to multiply the best varieties). Soil testing will be conducted and appropriate fertiliser sourced. Farmers will grow cassava under advice from BIRUDO and extension services. Farmers will be responsible for all their own land operations. Harvested roots will be used for home consumption and surplus will be processed using equipment provided to the group. Resultant HQCF will be sold to identified markets.

Schedule: The service providers, including the implementation coordination team, will meet soon after RAP approval to clarify roles and responsibilities and develop a detailed schedule. Group formation and VSLA establishment will be carried out within 3-months of RAP approval, by which time improved planting materials will have been sourced. Training of farmers in production, post-harvest handling, processing and marketing will follow group formation. Groups will develop business plans which will trigger the distribution of processing equipment. The first HQCF should be produced within one year of RAP approval. However advisory support will be needed until year three to consolidate the institutional and technical aspects of the groups.

Sustainability factors/local ownership: Groups will acquire skill and processing equipment to produce and sell HQCF. Part of profits will go into group VSLA account for maintenance of equipment.

Exit/hand-over strategy: The Project will withdraw when group is institutionally stable, has acquired value-chain skills and linkages, and has healthy bank balance able to sustain operations. This is expected to be after 3 years.

Conformity with BULIISA DISTRICT DEVELOPMENT PLAN: This option is very much in line with the present Buliisa District Development Plan. The Plan (p47) states that: "The first priority (for addressing poverty) will go to rural development in particular to Health services, agriculture development and fishing. Given that poverty has decreased least amongst crop farming households, agricultural development support services in areas, which have the competitive edge and offer high economic returns, shall be accorded the highest priority for public expenditure". The BULIISA DISTRICT DEVELOPMENT PLAN's strategic plan for agriculture (p63 – expanded on p66) concentrates on the following objectives:

- A) To improve household food and nutrition security.
- B) To increase agricultural production and productivity.
- C) To improve on value addition and marketing.
- D) To improve the production capacity of farmers in the district.

Synergy with District/National government programmes: NAADS and OWC

Monitoring and evaluation: The main indicators will be how many groups formed and supplied with improved planting material within 6-months; Purchase and distribution of processing equipment to groups trained in its use within 1 year; Production of High Quality Cassava Flour after 2 years, Groups trained in value addition and processing skills after 1 year; Identification of markets for HQCF by 1 year; Financial performance of each group after 2 years.

Further steps: Meeting of service providers and implementation coordination team to define roles and responsibilities and detailed schedule.

C. Social Assistance

LR Option C2 - Measures for vulnerable groups

Context: Vulnerable groups are listed in the Vulnerable household section of this report (see section 12.4). It was acknowledged that some of these get support from family members and from the community. Some are able to contribute productively, such as in bee keeping, making handicrafts or shop-keeping. Certain measures are in place for vulnerable groups under compensation and moving arrangements (see section 12.4), and it is anticipated that some members of vulnerable groups will be able to participate in, and benefit from, some of the other options described elsewhere in this section.

The Social Assistance Grants for Empowerment (SAGE) Scheme under the Government's Expanding Social Protection Programme initially piloted two types of direct income support grants: the Senior Citizens Grants and the Vulnerable Family Grants. The Senior Citizens Grant targeted older persons of 65 years and above. The Vulnerable Family Grant was paid to poor and vulnerable households that lacked labour capacity. In June 2015, however, the Ministry of Gender, Labour & Social Development made a decision to phase out the Vulnerable Family Grant as it was not well received. It is hoped that now that Uganda has a Social Protection Policy in place, when funding allows, other direct income support grants targeting specific vulnerable groups can now be initiated under the SAGE scheme⁶⁸.

Measures included:

- Vocational training appropriate to needs and capabilities (included elsewhere)
- Adult and youth (post school) functional literacy and numeracy (included elsewhere)
- Access to SAGE (Social Assistance Grants for Empowerment) programmes including Senior Citizen's Grants (SCG)

Objective: To provide vulnerable groups with skills and supplementary income that can contribute to their household income.

Outcomes expected (quantify benefits where possible): Less dependency of vulnerable groups on family and community. Greater self-respect and self-reliance.

For who (quantify beneficiaries): The social baseline report records 22 elderly who have no family support, 150 female headed households, and 242 persons with disabilities or long-term sickness.

By who (and why partners were chosen): See above for vocational training and for adult literacy and numeracy. SAGE/SCG programmes to be introduced in conjunction with the District Community Services Department.

Where implemented: In villages (familiar surroundings allowing easier access for the elderly and those persons with disabilities)

How will it be implemented: Survey to assess interests and needs, coupled to available vocational training and literacy/numeracy training. Assessment against SAGE and SCG compliance.

⁶⁸ <http://socialprotection.go.ug/direct-income-support-programmes/>

Schedule: To start as soon as resettlement land has been handed over. Trainings to be completed by end of first year after land transfer. SAGE/SCG benefits to continue indefinitely through government.

Sustainability factors/local ownership: Better vocational, literacy and numeracy skills will enable vulnerable groups to be more self-reliant and less dependent on relatives and the community.

Exit/hand-over strategy: Courses paid for by the Project will cease at the end of the first year. SAGE/SCG will be paid throughout by government.

Conformity with Buliisa District Development Plan: SAGE/SCG are not, at present, part of the Buliisa District Development Plan, so discussions are needed with national government to roll the Programmes out in Buliisa District.

Synergy with District/National government programmes: The National Development Plan (NDP) articulates the government’s plans to “develop and implement Direct Income Support programmes including cash transfer programmes, to the elderly, persons with disability and the poorest quartile of the population” (NPA, 2010). Uganda’s National Policy for Older Persons, 2009 and National OVC Strategic Plan also both prioritise the establishment of Direct Income Support schemes. Finally, several of the main political parties, including that of the current government, include specific commitments on the establishment of a social pension for older persons. SAGE has been piloted in 15 Districts since 2013, and proved effective⁶⁹.

Monitoring and evaluation: Numbers and types of vulnerable people enrolled in vocational training and in adult literacy/numeracy courses. Numbers of elderly provided with direct payments under SAGE/SCG schemes. Changes in livelihoods or quality of life brought about by inclusion in courses or direct payments.

Further steps: To determine with government the modality of extending SAGE/SCG to Buliisa District.

11.11.3. LR Infrastructure measures requiring detailed feasibility studies and commitment from partners

The budgets for the measures described below will be determined by the feasibility studies, which should be completed within 6-months of RAP-1 approval. At this point PAU/GoU will review and approve the measures on a case by case basis.

C. Improving Access to Health, Water and Sanitation

LR Option C3 - Improvement of Avogera health centre

Context: Health provision for Kasenyi is inadequate. The nearest health centres are at Kigwera and Avogera (4-6km away). These lack many of the facilities required for the population they serve. There are health assistants based in Kasenyi, but these coordinate immunisations and sanitation and do not treat people. Life expectancy is low in rural Buliisa (49 years according to Buliisa District Development Plan p15), and childbirth and early years are particularly risky periods. Otherwise main causes of death are malaria and respiratory diseases. While Avogera HC is classified as a HCIII it lacks many of the facilities of that status (needs include: repairs to the

⁶⁹ Jane Namuddu, Stephen Barrett, Augustine Wandera, Beatrice Okillan and Stephen Kasaija, 2014. Evidence on graduation in Uganda’s SAGE scheme. International Conference: “Graduation and Social Protection” Serena Hotel, Kigali, Rwanda.

roof, provision of diagnostic services, improved waiting area for patients and family, more staff housing, fencing, and more admissions beds).
Objective: To work with the Ministry of Health and the District Department of Health to upgrade Avogera health centre to full HCIII level so that it can serve its catchment population adequately.
Outcomes expected (quantify benefits where possible): Improved peace of mind; improved health (less time lost to sickness, lowered mortality and safer childbirth through improved patient knowledge and the provision of health care).
For who (quantify beneficiaries): All residents in the Avogera catchment (around 2000 households).
By who (and why partners were chosen): District Health Department, Ministry of Health
Where implemented: Avogera, Ngwedo sub-county
How will it be implemented: According to the Assistant District Health Officer and District Health Inspector, the following are needed to upgrade Avogera HC: <ul style="list-style-type: none"> • Expand the outpatient department, Expand the maternity ward (currently mothers share beds), Build more staff houses • Provide or construct a waiting area for the mothers who travel long distances (also traditionally expecting mothers normally have relatives who accompanied them, these can also be put in the waiting area) • Fencing off the facility • Motorcycles for the out-reach activities • Furniture and other health equipment • Provide water supply at the facility • Refurbish the laboratory
Schedule: Full design study within 6-months of RAP-1 approval. GoU to then review study and approve budget.
Sustainability factors/local ownership: Staffing of the facility would remain the full responsibility of the government. District government puts maintenance and running costs in work plan and budget.
Exit/hand-over strategy: When facility upgrades are complete.
Conformity with Buliisa District Development Plan: Apart from fencing, none of the above upgrades are visible in the Buliisa District Development Plan. However, they are very necessary for the burgeoning population in Kasenyi.
Synergy with District/National government programmes: N/A
Monitoring and evaluation: Full design study completed; upgrades complete. New or improved services available to residents. Reduced mortality in childbirth.
Further steps: Full design study and consultation with Ministry of Health. Approval of budget after feasibility study is completed.

LR Option C4 - Water supply program for Kasenyi, subject to a detailed feasibility study

<p>Context: Kasenyi is water-stressed in terms of water for domestic, hygiene and sanitation uses. It is also short of water for livestock (see item on water points for livestock) and for irrigating horticultural, food and cash crops (see item on drip irrigation for directly affected PAPs). The population of Kasenyi, and its need for water, are likely to increase above the already high population growth increases due to the proximal presence of oil camps for the CPF. Although ten boreholes have been sunk, few are functioning. Boreholes are seen as unreliable, and the water from these sources is often saline. There is an existing piped water scheme in Wanseko. This proposal envisages an extension to that scheme to include Kasenyi. The water scheme will require land to be ceded by the community for water installations. The population of Kasenyi is dispersed in small hamlets and single homesteads and it will not be possible to supply all of these individually.</p>
<p>Objective: To provide minimum domestic drinking, hygiene and sanitation water supply to the residents of Kasenyi village (at least in the central part of the village and in areas not affected by the project flowlines).</p>
<p>Outcomes expected (quantify benefits where possible): Health and comfort benefits due to better quality and quantity of water for drinking and hygiene; time saving on water collection allowing more productive activities.</p>
<p>For who (quantify beneficiaries): Residents of Kasenyi village (at least in the central part of the village – note it may not be possible to extend the system to all parts of the village). Note also that the installation of piped water supply to Kasenyi may make it cost effective for the District Water Office to extend the system to other parts of Ngwedo sub-county providing indirect benefit to a wider population.</p>
<p>By who (and why partners were chosen): District Water office of the District Works and Technical Services Department. CIDI to support the establishment of water-use committees as they already have experience of this (linked to VSLAs). There is need to link this initiative to ongoing efforts by the Ministry of Water and Environment.</p>
<p>Where implemented: Kansinyi village</p>
<p>How will it be implemented: N.B. This option will be strictly subject to a detailed feasibility and design study.</p>
<p>Schedule: Full feasibility and design study to be completed within 6-months of RAP-1 approval. GoU to review and approve.</p>
<p>Sustainability factors/local ownership: From the start, this would be a Buliisa District initiative, supported by the Project financing. Water-use committee for collection of fees for maintenance and management of the facility at the community end. Maintenance of the infrastructure will be catered for in District government work plan and budget. There would be routine visits by the water officers and health officer for accountability purposes and water quality monitoring.</p>
<p>Exit/hand-over strategy: From the start, this would be a Buliisa District initiative, supported by the Project financing. All operating and maintenance costs will be catered for in District work plans and budgets.</p>
<p>Conformity with Buliisa District Development Plan: According to the District Water Officer, the five-year plan includes: Rehabilitating the boreholes (mainly this financial year); Rolling out the piped water system for Ngwedo and Kigwera; Providing sanitary facilities like Latrines in the</p>

centres (the DWO was not sure whether funds will be available to accomplish these projects without outside assistance).

Synergy with District/National government programmes: N/A

Monitoring and evaluation: Full design study conducted; piped water supply completed and producing to specification by end of year 2; trained water-use committee in place. Reduction in time taken to collect water compared to the Household survey.

Further steps: Full design study and then approval by GoU.

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 is set out in resettlement planning.

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 and Key Informant Interviews, also explored who the vulnerable people are in the villages within the Industrial 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.

For the purposes ensuring adequate engagement in consultation the process of involving the vulnerable is described more fully in Chapter 6.

Table 39 sets out the programmes of interventions that should be adopted during the implementation phase of resettlement to ensure that the potentially 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 lead to property take 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 should be to improve the living standards, physical security, and productive capacity and income levels of all the people affected or at the very least, to restore those to former levels, it is important to identify groups that are particularly at risk. Therefore, vulnerable groups require special attention in planning and implementing development projects.

For the purposes of the RAP the following criteria were deemed to trigger potential vulnerability in households or to constitute vulnerable individual within households:

12.3.1. Elderly Headed Households

These are defined as households in which the head is older than 65 years of age. These may be frail and dependent on extended family and/or government for support. The elderly are particularly vulnerable in resettlement processes because they often lack the physical capacity or economic opportunity to obtain new sources of income after resettlement. While elderly-headed households are potentially defined as vulnerable, this is often misleading. Elderly heads may comprise of large families where the head is the elderly patriarch or in some cases matriarch, whom has considerable support from the children and grandchildren. Analysis of the socio-economic baseline of the affected households indicates that there are 63 elderly-headed households. Of these 63, there are 41 that are considered to have sufficient support from adult family members that they potentially do not need to be defined as vulnerable. This analysis was borne out in interviews with elderly persons from Kasenyi and Uduk-2 villages. Some of the respondents said that as they aged they were less and less able to contribute to family tasks, and were assisted by family and neighbours (e.g. to get to hospital). However, the elderly were concerned that if the household received compensation and moved out of the area, they may be left without support.

12.3.2. Elderly Dominated Households

These are defined as households comprised mostly of the elderly (the average age of the household is higher than 65 years in age). These may have less recourse to support by younger family members and are susceptible to the impacts of resettlement in the much the same way as elderly headed households. According to the socio-economic baseline survey only 10 households support elderly persons or elderly persons with only children, and these households are defined as vulnerable. In addition, there are 11 households that are deemed marginal or where there are only one to two adults that support elderly persons as well as children. This may place significant pressure on the adult and therefore that are deemed to be vulnerable.

12.3.3. Female Headed Households

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. Further, women must often take on more household tasks, thus limiting productivity for other tasks or their ability to find ways of earning a livelihood. In addition, women often have little contact with community leaders, and have lower educational attainments and lower labour participation. Moreover, prevalent values impose various

restrictions on women to the extent that their main task is taking care of the house and children. The situation potentially becomes more problematic when they lose their spouses or their marriages break up forcing them to become the sole breadwinners at home. According to a Uganda national survey⁷⁰, agricultural plots managed by women on average produce less than those managed by men. The Government of Uganda has made women's land ownership a focus of its Gender Policy and Social Protection Programme.⁷¹

According to the baseline survey carried out, there are 163 households that claim to be female headed. However, a more in-depth analysis of the household baseline data suggests that not all female-headed households are strictly vulnerable. Of the 163, 115 (70%) have one or more adult males (aged above 18 year) that may support the female head. In such cases, the household may be defined as matriarchal with a female-head in place where the male head has passed away. The female-head is however being supported by, usually, her adult sons. Forty-eight (48) of surveyed households are female-headed but has no adult male in the household, and therefore these households could be classed as deemed more vulnerable.

12.3.4. Households including the disabled

These are households where one or more household members are defined as physically or mentally disabled. These are vulnerable due to the reduced labour/income producing potential, and require additional resources and support in the care of the disabled person. According to the Uganda Social Development Programme⁷², households where at least one member has severe or partial disability have a poverty rate of 30 percent, compared to the national average of 22 percent. Multiple categories of disability were considered in the socio-economic baseline survey, including persons with a claimed physical disability (150 households), persons with a claimed mental disability (26 households) and persons with a long-term illness (66 households): some households have members with multiple disabilities and/or multiple members with a disability. It should be emphasised that these are members of the households and occupy a potentially vulnerable position within the households but their presence does not by definition render the household itself vulnerable.

12.3.5. Herdsmen/Balaalo

Cattle-owning households use herders to care for their animals. Of the cattle owning households in the socio-economic survey, the majority (64%) said they hired in labour either on a temporary or a more full-time basis. The herders are generally referred to as Balaalo, a generic word to designate cattle keepers in Buliisa (ARTELIA Eau et Environnement, 2015). The herders may be temporary residents and may be of the Banyankole ethnic groups. The Social and Health Baseline (ARTELIA Eau et Environnement, 2015) states that they "seem to be excluded from community life in the villages where they live" and there has been clashes between the Bagungu and Balaalo in 2007, which led to their expulsion from the district by the military. The process of alienation of grazing land may lead to the reduction of cattle stock numbers, and a commensurate reduced need for

⁷⁰ As cited in National Social Protection Policy <http://socialprotection.go.ug/newwebsite2/wp-content/uploads/2016/07/National-Social-Protection-Policy-uganda.pdf>

⁷¹ <http://socialprotection.go.ug/newwebsite2/wp-content/uploads/2016/07/National-Social-Protection-Policy-uganda.pdf>.

⁷² <http://socialprotection.go.ug/newwebsite2/wp-content/uploads/2016/07/National-Social-Protection-Policy-uganda.pdf>

herdsmen. This will undermine the livelihoods of herdsmen without recourse to compensation or resettlement benefits. The Balaalo are 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. Also, if they are not asset owners and classified as directly impacted they will not receive any part of the cash compensation paid to registered PAPs, and might not benefit from livelihood restoration benefits if they live separately from other villagers. The number of potential indirectly affected vulnerable household 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 livelihood assistance programmes may need to be developed.

12.3.6. Potentially Non-Registered Immigrants

Lacking formal legal protection and often without access to informal channels of protection the non-registered immigrants may be vulnerable. Analysis of the socio-economic baseline indicates that there is 1 household-head from the Democratic Republic of Congo which has claims to crop only (SURVESIS, January 2018). One household-head did not specify their nationality and they have claims to structures and crops within the RAP 1 Project Area. Caution is required as immigration status and nationality are usually underreported due to fears that this may be a means of denying a household resettlement assistance or compensation. General consideration of this group will be needed during the resettlement planning process.

Other categories that were examined in the socio-economic baseline data base but did not appear to elicit any qualifying households included the following:

- Child headed households (including orphans): Defined as where the household head is younger than 18 years of age or a household solely comprised of children under the age of 18, whom have no support from an adult family member. A review of the socio-economic baseline indicates that there are no PAPs which fit this category.
- The Landless: Households without access to land are deemed vulnerable. Agriculture is central to securing household food security and forms the basis of most trade. As such access to land for farming is critical in minimising household vulnerability. A review of the socio-economic baseline indicates that no households have claimed to have no access to land for farming.

12.4. Management of Vulnerability

The management of vulnerability will be undertaken via a structured programme that is part of the implementation process and continues into the monitoring programme. Identification of specific households that require potential assistance, as per the programme, will be a key initial task of the post resettlement planning and initial implementation programme. As such the implementation agent will develop a list of qualifying households, informed largely by the socio-economic baseline survey but also assisted by direct stakeholder input. The list of qualifying households will be

matched with intervention criteria and form an aspect of overall implementation management. This will be actively monitored by the implementing agent and scrutinised by the client.

Table 38 - Vulnerable People Programme

Criteria	Possible Interventions and Entitlements
Elderly Headed Households	<p>Resettlement packages should give preference to compensation in kind with special facilitation of permanent relocation</p> <p>Relocation where feasible near to kin and former neighbours to maintain informal support networks</p> <p>Monitor nutritional and health status of elderly persons post-resettlement to ensure successful integration into the resettled community</p> <p>Provide services to help elderly people apply for Senior Citizens Grants (SCG) under the Ugandan government’s Social Assistance Grants for Empowerment (SAGE) programme (see LR Option).</p> <p>Additional assistance⁷³</p> <ul style="list-style-type: none"> • Assistance in case of moving: providing vehicle, driver and facilitation at the moving stage, • Assistance in the compensation payment procedure.
Elderly Dominated Households	<p>Resettlement packages should give preference to compensation in kind with special facilitation of permanent relocation</p> <p>Relocation where feasible near to kin and former neighbours to maintain informal support networks</p> <p>Monitor nutritional and health status of elderly persons post-resettlement as part of the monitoring and evaluation programme, to ensure successful integration into the resettled community</p> <p>Provide services to help elderly people apply for Senior Citizens Grants (SCG) under the Uganda National Government’s Social Assistance Grants for Empowerment (SAGE) programme (see LR Option).</p> <p>Additional assistance on case by case basis:</p> <ul style="list-style-type: none"> • Assistance in case of moving: providing vehicle, driver and facilitation at the moving stage, <p>Assistance in the compensation payment procedure.</p>
Female Headed Households	<p>Resettlement packages should give preference to compensation in kind with special facilitation of permanent relocation</p> <p>Provide specialized livelihood training for women to address gender skills gap (as part of LR options)</p> <p>Provide livelihood improvements via the structured livelihood restoration programme aimed at potentially to reducing women’s workloads.</p> <p>Improve access to productive assets (credit, legal reform)</p> <p>Assistance in the compensation payment procedure.</p> <p>Assistance in building: providing materials, workforce, or building houses;</p> <p>Implement livelihood improvement programs to improve women’s educational opportunities (literacy and numeracy training)(as part of LR option A7 and A8)</p> <p>Additional assistance on case by case basis</p>

⁷³ Additional assistance could include items such as getting children registered for a new school; assistance with transport of their material goods; help in finding a place to reside during a transition period

Criteria	Possible Interventions and Entitlements
Households including those with a Disability	<p>Provide services to assist disabled persons in applying for SAGE grants</p> <p>Provide specialized livelihood training appropriate to the disability where feasible.</p> <p>Ensure that resettlement sites are physically accessible for individuals with compromised mobility</p> <p>Monitor nutritional and health status of disabled persons post-resettlement to ensure successful integration into the resettled community</p> <p>Assistance with construction of replacement housing/structures</p> <p>Additional assistance on case by case basis</p> <p>Assistance in the payment period to ensure that the compensation money is received, this could entail the implementation team visiting the household to ensure that monies have been received via the agreed disbursement process;</p> <p>Assistance in moving: providing vehicle, driver and facilitation at the moving stage,</p> <p>Assistance in building: providing materials, workforce, or building houses;</p> <p>Health care if required at critical periods: moving, transition period.</p>
Herdsman/ Balaalo	<p>Allow access to mitigation and development assistance programs where it is evident that these indirectly impacted households had bona fide linkages to directly impacted households and that livelihoods have been lost</p> <p>Improve access to productive assets (credit, legal reform)</p> <p>Allow access to livelihood improvement programs to improve educational opportunities (literacy and numeracy training)</p> <p>Additional assistance on case by case basis</p> <p><u>Disclaimer:</u></p> <p>The number of potential indirectly affected vulnerable household 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 livelihood assistance programmes may need to be developed.</p>
Potentially Non-Registered Immigrants	<p>Allow access to mitigation and development assistance programs</p> <p>Additional assistance on case by case basis</p>
Tenants	<p>Make tenants eligible for development assistance</p> <p>Compensate tenants for improvements made by them to land (perennial crops, trees, structures)</p> <p>Provide vocational skill development training where feasible and on a priority basis to enhance employability</p> <p>Additional assistance on case by case basis</p>

Vulnerability will be one of the cross-cutting issues for implementation and post implementation phase monitoring. Monitoring the treatment of vulnerable people during the compensation and resettlement process should be done as a special, focused activity and preferably sub-contracted to a competent and knowledgeable organization. The monitoring plan will ensure that vulnerable categories have been appropriately disaggregated, considered and treated and part of the monitoring process and ensure that any additional monitoring measures required are put in place.

This may mean 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 covered. The M&E third party contract, should it be in place, 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).

13. CULTURAL HERITAGE

13.1. Introduction

This chapter deals with the cultural heritage items and sites that are to be impacted by the proposed Industrial Area and N1 access road and how such impacts are to be mitigated through a Cultural Heritage Management Plan (CHMP) and Chance Finds Procedures (CFP).

With reference to the protection of cultural heritage, potential resettlement impacts in the area include the loss of graves, burial sites and sacred sites – among others.

13.2. Legal and Policy Considerations

The legal and policy framework that apply to the resettlement planning and implementation process is addressed in Chapter 3. Those relevant to consideration of cultural heritage are simply noted here.

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
- The National Environment Act Cap 153 provides for management of the environment, (including cultural heritage, and the establishment of an Authority to coordinate, monitor and supervise this work. This is the National Environment Management Authority (NEMA).
- The Historical Monuments Act (Cap 46) which 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 which provides for strategies to enhance the integration of culture into development
- 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 affected by their operations.
- The Local Government Act (LGA) 1997 which provides for decentralized governance and devolution of central government functions, powers and services to local governments including cultural affairs.

At the international level, there are the IFC Performance Standards. Of relevance to this chapter is IFC PS 8 *which:*

“aims to ensure that clients protect cultural heritage in the course of their project activities.”

In the area which is the focus of this Priority RAP, 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.

13.3. Assessment of Cultural Heritage directly affected by land access, acquisition and resettlement

There are a number of cultural heritage sites within to the proposed Industrial Area and the road that will be affected by the development of these areas. These are graves, shrines (both family and community owned) as well as archaeological items. The latter are surface scatter and not part of a significant site.

Table 39 - Cultural Items in Industrial Area

	Item	Number	Impact type
1	Family shrines	15	Direct
2	Cemented graves	5	Direct
3	Mud graves	43	Direct
4	Relocated grave	1	Direct
5	Archaeological pottery spots	66	Direct
6	Clan Cultural sites	2	Potential indirect impact by lack of privacy and noise, to be confirmed on case-by-case basis depending on the actual distance between the site and the planned activities on in project area.

The assessment was based on data gathered from extensive interviews with a range of stakeholders. The focus group discussions were with officials of Bunyoro and Alur kingdoms including Mrs Margret Byarufu member of Bunyoro Kingdom parliament, Priests of the Bagungu traditional religion and District officials of Buliisa local government. The sites located within the Industrial and road areas will be directly impacted and those adjacent may be potentially indirectly impacted. The direct impacts will result from land clearing and related engineering works to prepare the site for the construction of the Industrial Area.

The indirect impacts may result from noise and a range of activities on the site that will disturb the use of these sites which currently have quiet and seclusion qualities. Interviews with the priests of the sites established that they require privacy and to be away from the public gaze when they perform their rituals. They stated their concern that long-term noise from the works in the proposed Industrial area and access road N1 would disturb them. It is to be noted that the proposed industrial area already includes a buffer area to mitigate such impacts. Therefore the nature of the residual impacts should be confirmed on a case-by-case basis.

13.4. Graves

The field survey of the proposed industrial area and access road N1 identified 49 grave sites within the area. There are:

- ordinary graves i.e. those unmarked by any surface structure but often just mounded earth (see example in photo below)

- cemented graves marked by a cement covering over the burial area (see example in photo below)

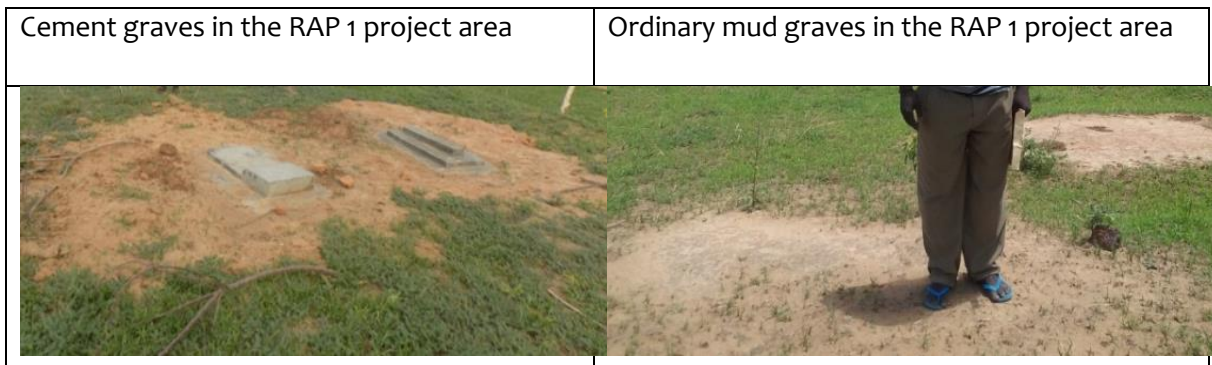


Figure 260 – Photos of graves in the RAP 1 Project Area

Co-ordinates and owners of the graves were all recorded in the cultural heritage database.

13.4.1. Exhumation and Relocation of modern 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.⁷⁴

13.4.2. Traditional ceremony for the relocation of mud graves

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 following customs were found to be performed during the traditional relocation of Family graves. Two goats (one male and one female) were slaughtered by a local priest for the relocation in relation to the male and female dead members who were being relocated. Prayers were then conducted and the topsoil of the ordinary graves or one of the mark stones for each grave would be removed to be taken to the new location. The members of the clans present would then offer a feast of food and local drinks. Large families used to cater for this feasting by slaughtering a whole cow for the feast. The same rituals would be performed at the relocation site.

In case of a single grave, only one goat would be slaughtered by the priest and then prayers conducted for the relocation, a feast of food and local drinks would also be given to the gathered family members. The mark stone or handful of the top soil of the ordinary grave would be taken to the new location and then prayers and feasting by family members would be repeated and a goat slaughtered at the relocation site. Both ceremonies would generally be conducted on the same day. However, if the relocation site is some distance away that ceremony at the new site is undertaken the following day using the same priests to conduct the rituals.

If the deceased had been a local priest, then a sheep would be slaughtered for the relocation ritual. Associated costs included transport costs and the performance/professional fee for the priest. The priest is from the clan and resides in the district. Items for the rituals can be bought or paid for

⁷⁴ Source of information- interviews with Bunyoro kingdom officials as well as the Bunyoro kingdom Minister of Culture
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with cash and then provided to the priest. However the priests are usually given a transport allowance in Uganda.

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.

13.5. Sacred Sites

13.5.1. Clan Sites

The field survey and associated consultations with stakeholders found that the proposed industrial area and access road N1 does not contain any sacred clan sites within its boundaries. However, it was established that two sacred sites are located just outside of the proposed industrial area. The two sacred sites belonging to clans are the Empoluma at Kasenyi for the Balima clan and the Kihongo for the Batera clan. Each clan supplies its priests to their clan sacred sites. All the other community members benefit from the services of the sites if they are believers. The Kihongo called Nyina barongo deals with matters of praying for getting children. If the women who are believers in the site move away during the resettlement it will affect them. They will also have to travel to wherever the cultural site will be relocated by the Batera clan.

13.5.2. Impacts on Clan Sites

Intrinsic qualities of these sites are the quiet and peaceful nature of the context in which they are located. These may be impacted in that the sites may lose their sacred status of seclusion due to the noise from the traffic on the nearby access road and operations in the Industrial Area. To address the impacts on the sacred sites, a case-by-case analysis will have to be performed to identify if the residual impacts would trigger the relocation of the sites or not.

The issue of who will be impacted is whether one is a believer in the cultural site or not. Continued access to the site is therefore important to these clan members. If the sites were 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 for the priest, in areas where the clan has land in the district.

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 confirm and detail their requirements for the ceremonies so as to ensure continued accessibility for the clan members.

The recommended mitigation measure is to relocate (see steps below) the clan sacred site to a new site to be chosen in close consultation of the site's custodian.

The Empoluma of Balima Clan at Kasenyi Village called Munyagi.	The Kihongo sacred site of the Batera clan called Nyinabarongo at Kasenyi village. The site is located just outside of the boundary of the proposed Industrial Area and access road N1.
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Figure 271 – Photos of Sacred sites near to the RAP 1 Project Area

13.5.3. Traditional Ceremony for the Relocation of Clan Sacred Sites

The two sacred clan sites noted above may need to be relocated in order to mitigate the impacts on them. This relocation will not be physical but spiritual and undertaken using a traditional ceremony.

This traditional spiritual ceremony will be undertaken with the guidance and direction of the traditional care taker/custodian of the site, who will also identify the relocation site. This relocation site is on clan land within the district.

A sheep, some eggs and two chickens would be offered to the priest and his assistants to conduct prayers for the relocation. Then a feast for the gathered clansmen would be given. Usually a whole cow was slaughtered to feed the many people and drinks of local alcohol and soft drinks would be given to the clan's men for the occasion. The same rituals would then be performed at the relocated sacred site.

Associated costs include transport costs and the performance/professional fee for the priest and his assistants.⁷⁵

13.6. Family Shrines

Family or household shrines called Kibira were found in the compounds of the homes in the project area. As these are personal property of the household heads, they will be relocated, together with the other assets of the households, during the resettlement exercise. A total of fifteen (15) shrines were observed during the survey and their locations logged – see Table 40.

⁷⁵ Source: Interview during field survey with Richard Kajura the Priest of the Babukwa clan whose sacred clan site (Empoluma) was relocated from its location at Kasemene 2 oil well.

13.7. Relocation

The relocation of these shrines follows the same procedures as the clan sites as described above.

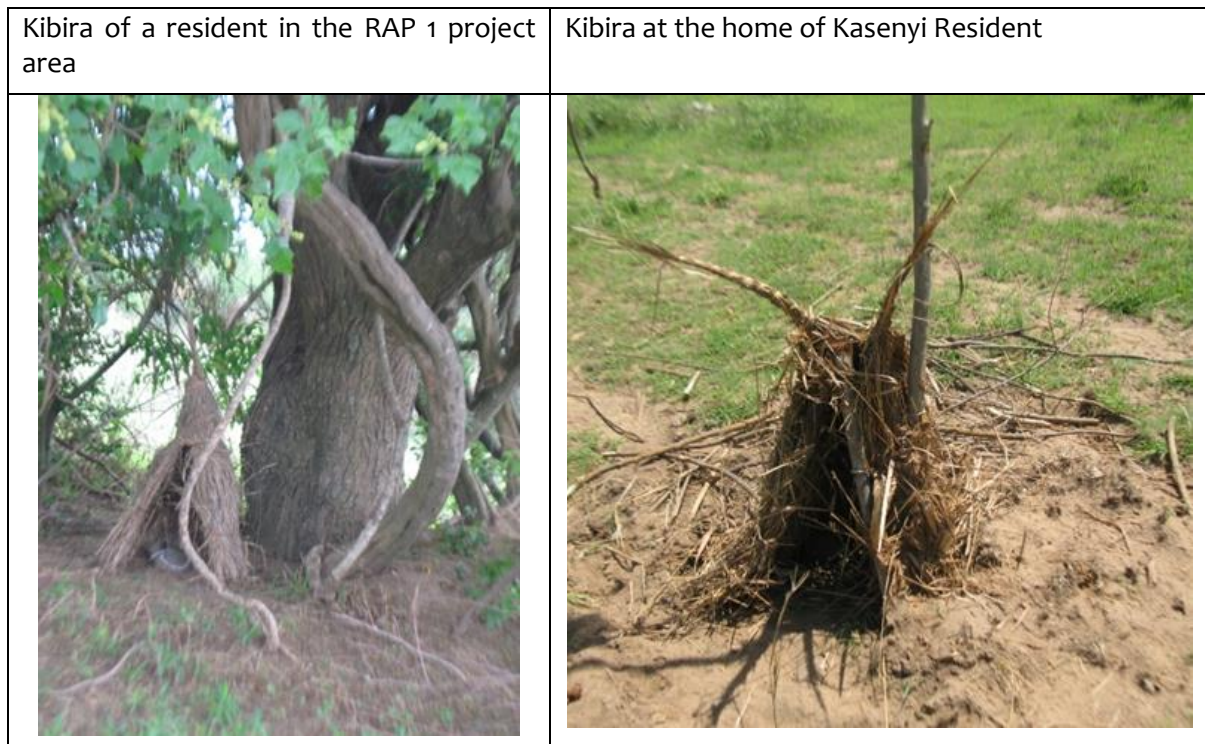


Figure 282 - Pictures of Kibira (Shrines)

13.8. Archaeology

As indicated the area in which the project is situated was first inhabited by the hunter gatherers people related to the “pygmy” of the Congo. Stone age tools found in the rift valley in places such as Kaiso, Nkondo and at Paraa along the banks of the river Nile, by archaeological investigations are evidence of the presence of these people from as early as 50,000 B.C.

From around 1000 B.C, Bantu-speaking groups migrated into the area and introduced iron age technologies. They also established village communities headed by chiefs. From around 1940’s, the Alur people began to settle in Bunyoro along the lakeshores and later on moved inland.⁷⁶

13.8.1. Archaeological items

A number of archaeological items were identified and logged during the field survey work. These fell into the following categories:

- Ceramics and pottery

⁷⁶ Sources for the information in these first two paragraphs are: 1 Kihumuro Apuuli - “A thousand Years of Bunyoro Kitara” Fountain publishers; and 2. ATACAMA Consulting - Archaeological, Historical and Cultural Baseline study in Exploration Area 2”, July 2013

- Lithics

The items were all observed as surface scatter and no significant archaeological contexts were found.

Assessment of these items and the fact that they did not occur in a context of archaeological significance, has led to the conclusion that there are no indications of the need for any rescue archaeology investigations or excavations.

This does not mean, however, that no such sites may be revealed during construction and operational activities. In any such instances, the Chance Finds Procedure of the Cultural Heritage Management Plan must be activated.

Whilst the archaeological field survey did not find any of the items to be of archaeological significance, in consultations with the communities the field survey investigators were advised by local community and cultural leaders that the archaeological items that were to be affected by the project should be gathered up and preserved rather than left and lost due to project works.

13.9. Impacts & Mitigation

The field survey by the archaeologist found archaeological items that were just surface scatter and not in any site of significance. It is recommended that the ceramic and lithic items are collected prior to commencement of development works as part of the implementation of the CHMP, ceramic and lithic items should be collected and handed over to the Bugungu Heritage and Information Centre. The gathering of this material should be undertaken under the supervision of a qualified archaeologist and in the presence of an official of the Centre.

Whilst no items of significance were identified during the field survey and which require mitigation measures, such measures are suggested for broader community cultural reasons.

Table 39 - Cultural Heritage Management Plan specific to RAP 1 implementation

Code	Action	Responsibility	Timeframe
CH1	<p>Prior to the commencement of any works on or adjacent the affected areas, all known archaeological lithic and ceramic items identified in the field survey and recorded in the archaeologist report shall be collected and stored in an appropriate container and then handed over for safe custody to the local cultural heritage leaders and organisations.</p> <p>The gathering of this material should be undertaken under the supervision of a qualified archaeologist and in the presence of one or more of the cultural leaders of the area.</p> <p>Consideration should be given to consulting further on the detailed implementation steps with the Bugungu Heritage and Information</p>	Qualified and experienced archaeologist	Once the land is acquired, prior to demolition and bush clearing.

Code	Action	Responsibility	Timeframe
	<p>Centre in Buliisa before commencing any actions on this issue.</p> <p>(Note: if any archaeological items are uncovered in the course of development works and, subsequently during site operations and maintenance then the Chance Finds Procedure in the CHMP will be used to guide the response).</p>		
CH2	<p>Graves – Engage with each PAP family that has one or more graves in the affected area to establish whether they wish to relocate each grave by either traditional ceremonial means or by physical exhumation, transport to a new location and reburial.</p> <p>For each choice, follow the procedures set out in the CH Management Plan</p>	RAP implementation team	At the start of the Implementation Phase
CH3	<p>Clan Shrines</p> <p>– detailed consultations with site custodian and clan leaders to:</p> <p>First explore ways to mitigate project impacts on the clan sacred shrines by means other than relocation</p> <p>Second, if the first is not successful then confirm all procedures for relocation and timeframe as well as facilitate custodian to identify new location for shrine</p> <p>- design a plan based on results of consultations (including a MoA to be signed)</p> <p>- sign MoA to record, guide and reflect agreement on all implementation steps and details</p>	RAP implementation team	At the start of the Implementation Phase
CH4	<p>Family Shrines</p> <p>– detailed consultations with each site PAH head and other family adults resident in the homestead to confirm all procedures and timeframe for relocation</p> <p>- facilitate site custodian to identify new location for shrine</p> <p>- design a plan based on results of consultations (including a MoA to be signed)</p> <p>- sign MoA to record, guide and reflect agreement on all implementation steps and details</p>	RAP implementation team	At the start of the Implementation Phase

Code	Action	Responsibility	Timeframe
CH5	<p>Training – at the commencement of the Implementation of the RAP and early works activities, a training program in cultural heritage should be designed.</p> <p>This training should be given to new staff as well as contractors. It should address:</p> <p>The types of cultural heritage in the general project area and the appropriate behaviours to use when encountering these – the ‘dos and don’ts’</p> <p>How to recognise the types of cultural heritage items</p> <p>What is and how to apply the Cultural Heritage Management Plan and its Chance Finds Procedures.</p>	Archaeologist	<p>Prior to any commencement of site works</p> <p>+ Ongoing application</p>

14. INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION

This Chapter of the RAP outlines the organizational 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 of 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. Organizational 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 organizations - public or private, governmental or nongovernmental - that will be responsible for resettlement activities.

Therefore, in line with the above, and considering the fact that, according 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 42), including under specific Ugandan Legislation (Table 43). In addition to the above, Table 44 summarizes the chronological steps that will be involved in the implementation of the Priority Areas RAP, including the agencies responsible for each activity, as guided by Table 42 and Table 43.

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 42 to Table 44.

Moreover, local government will also be directly involved through the District Resettlement Coordination Committee, and through the institutional roles and responsibilities described in Table 42.

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 Priority Areas RAP 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 TUOP, TEP Uganda and CNOOC.

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 42 and Table 43) 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;
 - 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;
 - Provide direction to the DIRCO and RPC 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 on 11th April 2017 in Buliisa district as a primary District interface between TILENGA Project team, PAPs, and the RAC. The DIRCO is governed by the Chairperson, Vice-Chairperson and Secretary and will meet once a month (or more frequently when required) until the completion of the implementation phase of RAP 1: proposed Industrial Area and Access Road N1.

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, Biiso, Kihungya, Butiaba and Buliisa Town Council,
- Cultural representative (representative of Bunyoro Kingdom),

- Chairperson of the Resettlement Planning Committee,
- Buliisa District Community Development Officer (CDO);
- Representative from Buliisa District NGO Forum,
- District Secretary (LCV Councillor) for Women (and/or youth and children),
- Petroleum Authority of Uganda (PAU) representative
- RAP Team representative (CLO on-duty), and;
- Appointed members of TILENGA Project team from TEP Uganda and TUOP,

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 will ensure members will advise and support the local project implementation process. Such activities will include but are not limited to:

- Participate in the selection, planning and permitting of resettlement sites, housing and infrastructure;
- Provide inputs and support livelihood restoration packages;
- Support the mediation of grievances that cannot be resolved at the second level of the Concerns and Grievance Mechanism, and;
- Support 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;
- Act 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 1 Resettlement Planning Committee (RPC)

The RAP 1 RPC was elected on the 4th and inaugurated on the 7th August 2017 to act as the primary local interface between TILENGA Project team, PAPs, and the DIRCO.

The RPC is composed primarily of representatives from the PAPs and affected communities (refer to Chapter 6, section 6.5.7 for the specific RAP 1 RPC Composition) and was 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 RPC

The objectives of the RPC 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 RAP 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 Figure 33 and Table 44).

Third party Witness Organization: In particular, the witness organization 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 organization 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.
- Availability of a national office and preferably a regional office; and

Civil Society Organizations and Human Rights Institutions are fundamental in the success of any resettlement process. Ideally, the project should specifically employ such an organization to contribute to the resettlement process and ensure its effective delivery.

The *Witness Organization'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 1 are defined in Table 41.

Table 41 - Roles and responsibilities of GoU in RAP1 and LRP Implementation

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 Land Board (DLB) of Buliisa District provided approved updated compensation rates (FY 2017/2018) 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.</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 RAP 1 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)⁷⁷ in the registration and transfer of land.</p>
Ministry of Local Government (MLG)	Ministry of Local Government oversees the decentralisation and devolution of functions, powers and services and ensures good

⁷⁷ 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>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 Committee.</p>
<p>Department of Community Development in the Ministry of Gender, Labour and Social Development</p>	<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).</p>
<p>Operation Wealth Creation (OWC) Welfare Program of the Ministry of Defence and Veteran Affairs</p>	<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 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>
<p>Department of Clinical Services of the Ministry of Health</p>	<p>The Clinical Services Department is mandated to set up, among others, health infrastructure (buildings, equipment, communication) policies, standards and guidelines.</p> <p>The guidance from this Department will be very constructive to livelihood restoration activities involving the upgrade of health centres in the project area.</p>
<p>Ministry of Education and Sports</p>	<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</p>

GoU Agency	Roles and Responsibilities in RAP Implementation
	<p>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>
<p>Rural Water Supply and Sanitation Department of the Ministry of Water and Environment</p>	<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>
<p>Rural Electrification Agency (REA)</p>	<p>REA is a semi-autonomous body to operationalize Government’s rural electrification function. The agency has the function of moving the population away from traditional energy sources (e.g. firewood and other basic forms of biomass) towards modern energy services. The REA supports and implements grid extension projects, off grid solutions and renewable energy projects including photovoltaic systems.</p> <p>Guidance will be sought from this agency with regards to replacement houses</p>
<p>Office of the Prime Minister (OPM)</p>	<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</p>

GoU Agency	Roles and Responsibilities in RAP Implementation
	any) and disaster preparedness and response and implementation of special government projects for the Bunyoro region.
National Environmental Management Authority (NEMA)	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.
Uganda Land Commission (ULC)	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 Industrial Area and N1 Access Road infrastructure, the land will be transferred to the ULC.
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 District Local Government (DLG)	<p>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 1 project-affected area, LCIs, LCIIIs and LCIIIIs 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.</p> <p>The DLG includes the District Land Office, District Land Board and Area Land Committees whose responsibilities are stated below.</p>
<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 – however, it should be noted that this Office as of 2017, was barely staffed and hence this would present challenges in line with implementation of its respective roles.

GoU Agency	Roles and Responsibilities in RAP Implementation
<i>District Land Board (DLB)</i> ⁷⁸	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> ⁷⁹	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.

⁷⁸ The DLB rescinded all land applications between 2010 and 2017.

⁷⁹ The Ngwedo ALC was “re-established” in 2017.

Table 42 - Institutional Arrangements for RAP Implementation as per Ugandan Legislation

Ugandan Legislation	Institutional Arrangements in RAP Implementation
Land Act, 1998	<p>The Land Act, 1998 makes provision for the following institutional arrangements:</p> <p><u>Uganda Land Commission (ULC)</u></p> <ul style="list-style-type: none"> 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. <p><u>District Land Boards (DLBs)</u></p> <ul style="list-style-type: none"> 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.
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> may, by statutory instrument, 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>

Ugandan Legislation	Institutional Arrangements in RAP Implementation
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. <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>
	<u>Government Surveyor</u>

Ugandan Legislation	Institutional Arrangements in RAP Implementation
Survey Act (Cap 232), 1939 (as amended);	<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> <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 and whenever they shall become aware that any such mark has been destroyed, injured or altered, to report immediately to the nearest <u>district commissioner</u> 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> <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 paleontological, ethnographical, traditional or historical interest shall be reported to the <u>Conservator of Antiquities, the District Commissioner or the Curator of the National Museum of Uganda.</u></p>

14.9. RAP Implementation Team Structure

Figure 33 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 Table 41 to Table 42.

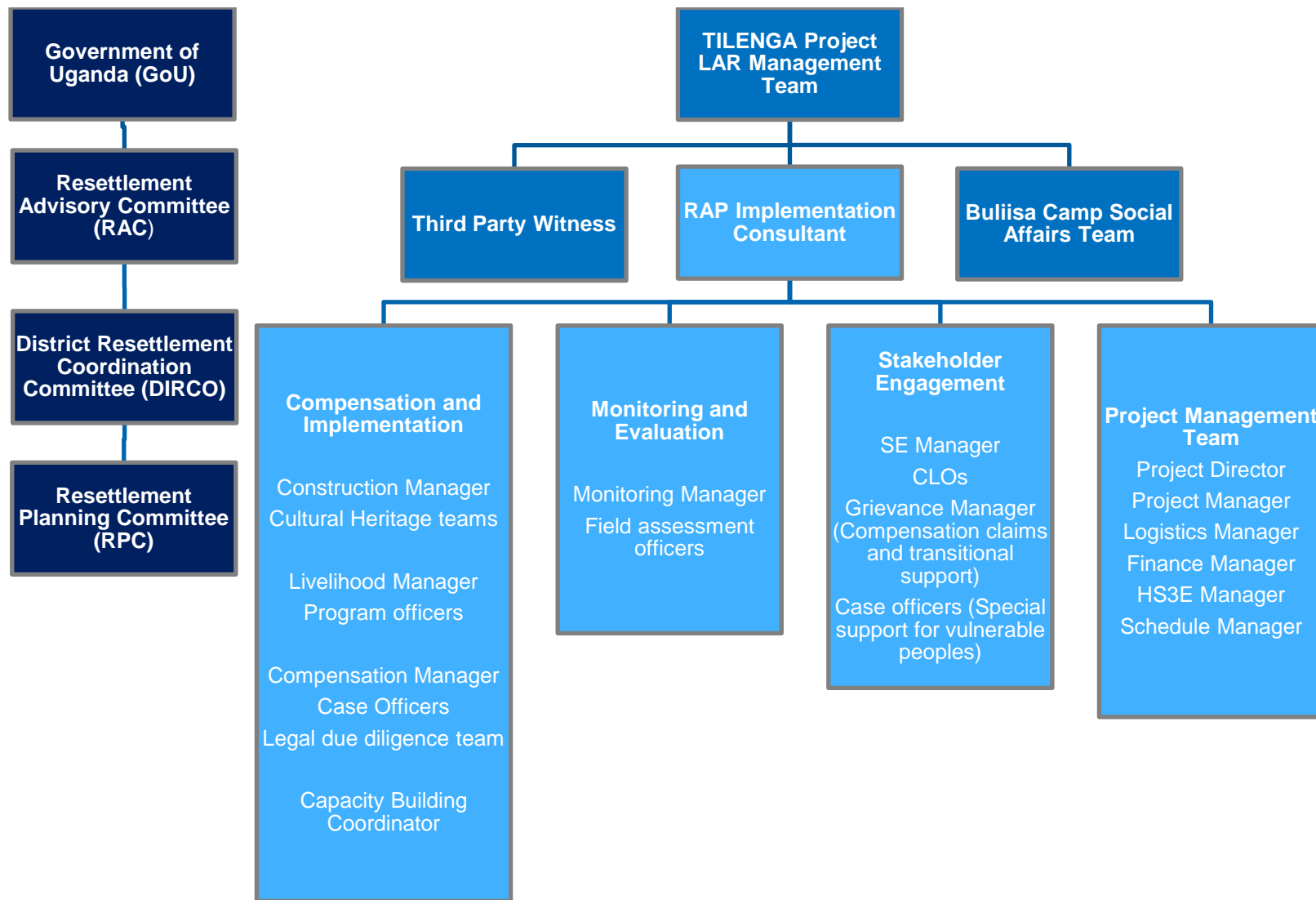


Figure 293 - RAP Implementation Team Structure

Table 43 - List of the activities that will be involved in the Priority Areas 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.	✓	✓	✓	✓	✓		✓ ⁸⁰
		Notification of PAPs of the compensation offer.	✓				✓	✓	
		Capacity building activities especially in line with financial/investment literacy, and money management.	✓				✓	✓	✓ ⁸¹
		Opening of bank accounts.					✓	✓	✓ ⁸²
		Provision of signed land purchase, lease, easement, and compensation agreements and written consents.	✓				✓	✓	✓ ⁸³
		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.		✓	✓	✓	✓	✓	

⁸⁰ PAPs

⁸¹ Witness Organisation and PAPs.

⁸² Financial Institution and PAPs.

⁸³ PAPs

		Resolution of public complaints and disputes that arise out of the compensation payments.	✓	✓	✓	✓	✓	✓	✓ ⁸⁴
		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.					✓	✓	85
		Preparation of Monitoring Reports of issuance of notices to vacate for each PAP.	✓				✓	✓	✓ ⁸⁶
		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.	✓						

⁸⁴ Witness Organisation.

⁸⁵ Witness organization.

⁸⁶ Witness organization.

		Procure certificates of title for any land vested in or acquired by the GoU.	✓						
		Facilitate the registration and transfer of interests in land.	✓				✓	✓	
		Conduct negotiations and prepare all documentation for the acquisition of land for resettlement sites.	✓				✓	✓	87
4	Process of replacement land titles	Provision of guidance in line with resettlement site preference.	✓	✓	✓	✓	✓	✓	✓ 88
		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	✓						89
		Provision of guidance for resettlement housing.					✓	✓	✓ 90
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 relating to the construction activities.			?		✓		
		Implementation of the replacement housing and infrastructure programme.	✓		✓				Construction Contractor

⁸⁷ PAPs

⁸⁸ PAPs

⁸⁹ Witness Organization

⁹⁰ PAPS

		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.	✓		✓	✓	✓	✓	91
		Maintenance of law and order.	✓				✓	✓	✓
		Prevent the destruction, injury or alteration to survey/boundary marks.	✓						
		Management of concerns and grievances.	✓	✓	✓	✓	✓		✓
		Preparation of detailed terms of reference for community development and livelihood restoration programs.	✓		✓	✓	✓	✓	
7	Livelihood Restoration Programs	Provision of sufficient financial, staff and other resources to plan, implement and monitor a resettlement programme.					✓	✓	
		Implementation of Livelihood Restoration Plans.	✓				✓	✓	92
		Provision of direction to Resettlement Planning Committee (RPC) on issues to do with implementation of livelihood strategies.	✓				✓	✓	✓ 93
		Facilitation of all consultation and engagement activities with affected communities.	✓	✓	✓		✓	✓	✓

⁹¹ Witness organization

⁹² Witness organisation and relevant NGO/CSO

⁹³ PAPs

		Capacity building activities especially in line with livelihood restoration programs.			✓	✓	✓	✓	94
		Monitor and supervise project activities.	✓				✓	✓	✓ 95
8	Monitoring and Evaluation	Provision of guidance in line with resolution of problems or disputes associated with the project activities.	✓	✓	✓	✓	✓	✓	✓ 96
		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.			✓	✓	✓	✓	97
9	Submission of RAP/LRP Implementation Completion Report					✓	✓	✓	

⁹⁴ Witness Organisation

⁹⁵ Witness Organisation

⁹⁶ Witness Organisation

⁹⁷ Witness organisation

14.10. Entities responsible for delivery of each item/activity in the entitlement matrix

Table 404 lists entities responsible for delivery of each item/activity included in the entitlement matrix.

Table 404 - Entities responsible for delivery of the Entitlement Framework

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
1	Dwelling used as primary residence	Option 1: 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	
		Allowances for transport costs to new place of abode for all movable assets.	TILENGA Project through RAP Implementation team	
		OR Option 2: In kind Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use at location of owners own choice but within a defined project area .	TILENGA Project through RAP Implementation team and Construction Contractor.	
		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.	TILENGA Project through RAP Implementation team	
		OR Option 3: 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 identified by the RPC.	TILENGA Project through RAP Implementation team and Construction Contractor.	
		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.	TILENGA Project through RAP Implementation team	
2	Dwellings used for secondary purposes (rental houses, free accommodation for relatives, etc.)	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	
		Allowance for transport costs to new place of abode for all movable assets.	TILENGA Project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
3	Sanitation facilities (Pit Latrines & Bath Shelters)	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	
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	
		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	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
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	
		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	TILENGA Project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		include provisions to provide access to alternative resources (such as seedlings).		
12	Vulnerable Support Programme	Transitional 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	
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	

14.11. Institution(s) responsible for implementation and coordination of livelihood restoration programs

Institutional arrangements for Livelihood Restoration are discussed in Chapter 11 section 11.9. A detailed matrix of possible partners for Livelihood Restoration schemes is included in Annexure 4.

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

4. Table o - 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 assessments^[1] 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.

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 study^[2] approach with the RAP Implementation Consultant who will be responsible for all components of the training including; the training needs analysis^[3], development of the training package and delivery of the training sessions.

^[1] An assessment of the knowledge, skills, and abilities that influence one's job.

^[2] This means that a particular instance/case of a project will be used to illustrate RAP Implementation.

^[3] It is important to note that the training needs analysis will be done before the training programme/materials can be developed.

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 RPC) 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.

15. MONITORING & EVALUATION

Consistent with the requirements of the LARF and IFC PS5, the Resettlement Team in collaboration with TEP UGANDA and TUOP will establish and implement a monitoring and evaluation system based on two levels.

The internal monitoring has the objective of informing the Project Management Team of the progress in the implementation of the RAP 1 Project to identify corrective actions, modify procedures and additional resources. It comprises monitoring the day-to-day resettlement activities and tracking the progress in meeting predicted or scheduled resettlement milestones. The monitoring parameters are included in Table 414.

The external monitoring will be undertaken to obtain an independent assessment of the effectiveness of the RAP implementation. The monitoring parameters are included in Table 414. 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.

15.1. Organisational Responsibilities

The RAP 1 Project 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 1 Project may appoint an external expert to support the monitoring process.

The RAP 1 Project will appoint an independent and competent specialist to undertake the external monitoring and the final Completion Audit.

15.2. Schedule

Internal monitoring of the progress of implementing the RAP will be undertaken monthly and quarterly (See Table 415) 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 buildings.

External monitoring will be undertaken annually at a minimum, this is in line with the LARF 2016. The Completion Audit for RAP 1 will be undertaken after the resettlement process is deemed to have been finalised and is a “once off” task.

Table 415 – Monitoring and Evaluation Framework

Focus Area	Objective	Indicators	Method of Monitoring	Frequency
PERFORMANCE MONITORING (Input Monitoring)				
<p>Programme Management</p> <p><i>Is the RAP 1 project on track and within the budget agreed?</i></p>	<p>Ongoing high-level monitoring of the overall implementation of the RAP 1 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>Actual versus budgeted cost expenditure.</p>	<p>Project Management Team provides monthly reporting to TEP UGANDA and TUOP giving an overview on the progress of implementation against 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</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; 	<p>% of schedule 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>Check Stakeholder Engagement Plan</p> <p>Check Stakeholder Engagement Plan</p> <p>Check Stakeholder Engagement Plan</p>	<p>Monthly</p>

Focus Area	Objective	Indicators	Method of Monitoring	Frequency
<i>vulnerable and marginalised groups?</i>	<ul style="list-style-type: none"> 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 activities carried out with RPC (Target 80%).</p> <p>% of scheduled engagement activities carried out with DIRCO (Target 80%).</p>	<p>Check Stakeholder Engagement Plan</p> <p>Check Stakeholder Engagement Plan</p>	
<p>Concerns and Grievance Mechanism</p> <p><i>Is the concerns and grievance mechanism known in the affected community</i></p> <p><i>Have all concerns and grievances been captured?</i></p> <p><i>Have grievances been resolved successful and in a timely manner?</i></p>	Ongoing monitoring of the number of grievances to identify any gaps in the implementation process and PAP satisfaction with the implementation process	<p>No. of grievances and complaints received / month.</p> <p>No. of active grievances currently within each step of the Concerns and Grievance Mechanism (at a set point in each month).</p> <p>Nature of grievances currently within each step of the Concerns and Grievance Mechanism (at a set point in each month).</p> <p>Number of resolved grievances that PAPs have appealed.</p>	<p>Check grievance log</p> <p>Check grievance log</p> <p>Check grievance log</p> <p>Check grievance log</p>	Monthly

Focus Area	Objective	Indicators	Method of Monitoring	Frequency
		<p>Nature of appealed grievances.</p> <p>For active grievances - Time period since grievance receipt. (Target: 14 days)</p> <p>For closed out grievances - time period from grievance from receipt to close out for all resolved RAP 1 related grievances. (Target: 30 days)</p> <p>Number of times the Concerns and Grievance Mechanism has been communicated (e.g. through presentation and other communication material)</p>	<p>Check grievance log</p> <p>Check grievance log</p> <p>Check grievance log</p> <p>Check Stakeholder Engagement Plan</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</p>	<p>Number of outstanding legal land disputes involving PAPs and identified land within the RAP 1 project area.</p> <p>Number of PAPs who have not been consulted regarding compensation agreement (and given the options of replacement housing or full compensation).</p> <p>Number of identified PAPs who have not signed a compensation agreement. Logged reasons for lack of agreement.</p> <p>Number of identified PAPs who have signed compensation agreement for replacement housing but have not been</p>	<p>Legal register compiled and managed monthly.</p> <p>Check engagement database Analysis of new and/or outstanding grievances.</p> <p>Consult the compensation database; check all PAPs have a signed compensation agreement</p> <p>Analysis of the extent that all replacement housing has been assigned - % assigned (Target 100%).</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	Indicators	Method of Monitoring	Frequency
	compensation under LARF and IFC PS5.	<p>assigned a specific replacement housing.</p> <p>Number of identified PAPs who have signed compensation agreement for replacement land but not been assigned replacement land for primary residential plot.</p> <p>Number of identified PAPs who have signed a compensation agreement for cash but have not been paid cash compensation.</p> <p>Number of incidences of stakeholders who have not been identified during the asset cadastral survey.</p> <p>Number of people who are satisfied with the administration, process of allocating replacement housing.</p> <p>Number of people who are satisfied with the administration, process of allocating replacement of land for primary residential plot.</p>	<p>Compare the actual with the planned %.</p> <p>Log receipts of all MoAs, 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 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>Conduct quarterly survey Monitor Grievance log</p> <p>Conduct quarterly survey Monitor Grievance log</p>	

Focus Area	Objective	Indicators	Method of Monitoring	Frequency
		Number of people who are satisfied with the administration, process of allocating cash compensation.	Conduct quarterly survey Monitor Grievance log	
<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>Number of outstanding legal land disputes (border disputes or ownership disputes etc.) involving PAPs and the identified land within the RAP 1 project area.</p> <p>Number PAPs that have not been consulted and given the options of replacement land or full compensation.</p> <p>Number of identified PAPs who have not signed a compensation agreement. Logged reasons for lack of agreement.</p> <p>Number of identified PAPs who have signed compensation agreement for replacement agricultural land but have not been assigned specific replacement land.</p> <p>Number of identified PAPs who have signed compensation agreement for cash but not been paid cash compensation.</p>	<p>Legal register compiled and managed monthly</p> <p>Check engagement database Analysis of new and/or outstanding grievances.</p> <p>Consult the compensation database; check all PAPs have a signed compensation agreement</p> <p>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 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</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	Indicators	Method of Monitoring	Frequency
		<p>Number of incidences of stakeholders who have not been identified during the asset cadastral survey.</p> <p>Number of people who are satisfied with the administration, process of allocating replacement land.</p> <p>Number of people who are satisfied with the administration, process of allocating cash compensation</p>	<p>100). Compare the actual with the planned %. 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>Conduct quarterly survey Monitor Grievance log</p> <p>Conduct quarterly survey Monitor Grievance log</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>Progress on replacement housing / and handover.</p> <p>Progress on replacement land preparation and handover.</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, final contracts and hand over of title deeds documentation.</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	Indicators	Method of Monitoring	Frequency
		<p>Number of PAPs that have been relocated against predicted schedule.</p> <p>Number of housing maintenance issues reported</p>	<p>Monitor Relocation logs 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>Conduct quarterly survey. Check grievance log.</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 1 project area.</p>	<p>Number of signed agreements on the relocation of cultural assets.</p> <p>Number 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 Monitor Relocation logs</p> <p>Monitor Relocation logs Monitor Grievance log</p> <p>Monitor Relocation logs Monitor Grievance log</p> <p>Monitor Relocation logs Monitor Grievance log</p>	<p>Monthly</p>
<p>Vulnerable Groups</p> <p><i>Have all vulnerable groups been identified and supported?</i></p>	<p>Ensuring that the needs of vulnerable stakeholders are addressed during the resettlement implementation to</p>	<p>Number of households that have not been identified as vulnerable.</p> <p>Number of PAPs who are members of identified vulnerable groups but have</p>	<p>Check final asset surveys and socio-economic surveys. Monitor Grievance log</p> <p>Analysis of % of identified vulnerable PAPs who have received</p>	<p>Monthly</p>

Focus Area	Objective	Indicators	Method of Monitoring	Frequency
	ensure they are not adversely affected by the change in circumstances brought about by the resettlement project.	not been given assistance vacating the land. Number of vulnerable households supported during the implementation period (3 years period). Type of support given to vulnerable households.	assistance for vacating land. Compare the actual with the planned %. Consult the compensation database Consult the Livelihood Restoration database	
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.	Number of livelihood restoration and development programmes initiated. Number of actual versus predicted project beneficiaries. % of PAPs eligible for participation in Livelihood Restoration Schemes who are part of these schemes. Number of PAPs enrolled for vocational training course. Number 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-economic change in the affected community?</i>	Ongoing monitoring of the social well-being of the PAPs to identify areas of potential direct intervention and/or collaboration with third parties (e.g. national	Demographic profile Education levels Skills levels	Quantitative and qualitative assessment, including a repeat of the household survey to determine longitudinal (over-time). (this should ideally be full or substantial sample households for the first year at least).	Annually for 3 years (or until completion audit is passed).

Focus Area	Objective	Indicators	Method of Monitoring	Frequency
<i>Have some households become more vulnerable?</i>	government, aid agencies, NGOs)	<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>Each assessment should be compared with the original baseline survey for reference but also wider influences (climatic, economic, 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>	
Livelihood Change	Monitoring the outcome of the implementation of Livelihood restoration	Size of replacement land compared to land lost (only applicable to those who found replacement land).	Quantitative and qualitative assessment, including a tailored household survey that investigates	Annually for 3 years

Focus Area	Objective	Indicators	Method of Monitoring	Frequency
	<p>over time to ensure that PAPs are not worse off as a result of the resettlement project</p>	<p>Number of replacement tree crops compared to those lost.</p> <p>Size of horticultural gardens compared to what was lost.</p> <p>Number of households engaged in crop farming (or alternative livelihoods).</p> <p>Number of households engaged in fishing (or alternative livelihoods).</p> <p>Number of re-established and new business enterprises.</p> <p>Number of local people directly or indirectly employed by the project or third-parties linked to vocational training.</p> <p>Number of beneficiaries included in local content plans.</p> <p>Level of livelihood improvement or socio-economic improvement of vulnerable groups.</p>	<p>in depth livelihood restoration to determine longitudinal (over-time) change</p>	

15.3. Evaluation and Reporting

Once the monitoring & evaluation management system is set-up and implemented, the RAP 1 Project team will prepare monthly and quarterly internal reports which will be distributed to senior management for evaluation and review as well as summarised and provided to the RAP 1 Resettlement Committees (PRC, DIRCO and RAC) for consultation and input. The aim and objective of review will be:

- To confirm that due process has been followed in the implementation of the RAP;
- To track performance/progress against the RAP requirements and timeframes;
- To highlight key non-compliances/issues that need to be resolved; and
- To recommend solutions with respect to non-compliance/issues.

Allied to the above, the RAP 1 project team, in consultation with the RAP 1 resettlement committees will establish formal mechanisms in terms of the reporting and correction of any non-compliance issues. Corrective action reporting should include:

1. identification and investigating of the non-compliance,
2. responsible parties,
3. agreed correction actions/remediation, and
4. closure of remediation.

A major review of the RAP, associated plans, programmes, and operational controls is to be undertaken annually. This should coincide with the independent external monitoring and be based on the findings and recommendations made in the monitoring report.

In addition, the RAP 1 project will make the finding 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.

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 **28 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 industrial area and N1 access road. It currently excludes:
 - a. Cost of contractor fees for RAP implementation and disbursements.
 - b. Cost of training and capacity building.
 - c. Cost of legal support and grievance management.

16.3. Implementation costs

The costs to implement this plan are summarized in Table 46.

Table 426 – RAP 1 Implementation Costs

	Item	Total (USD)
1	Cash Compensation	
	Sub-Total	2,001,464
2	Physical Resettlement	
	Sub-Total	1,590,000
3	Other Costs (implementation)	
	Sub-Total	330,000
4	Livelihood Restoration	
	Sub-Total	2,086,915
	10% Contingency	600,838
	COMBINED TOTAL (USD)	6,609,217

16.4. Implementation schedule

A high-level schedule is presented in the following table. A start and end date are not proposed at this stage; implementation is presented over a 12-month period. Activities including but not limited to Stakeholder Engagement, Livelihood Restoration and Monitoring & Evaluation will continue beyond this 12 month period.

The following table shows the tasks and timing for the following 12 months. The schedule will be updated as required and additional tasks will be added where necessary.

Table 47 – Implementation Schedule

No	Activity / Task	S	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	Month 13	Month 14	Month 15	
	PROJECT MANAGEMENT & ADVICE	S e r v i c e O r d e r I s s u e d	Kick off meetings															
	DATA VERIFICATION & ALIGNMENT																	
	CONTINUOUS STAKEHOLDER ENGAGEMENT & GRIEVANCE MANAGEMENT																	
	COMPENSATION																	
	Cash Compensation agreements including written consents required by PAU)																	
	Agreement and Cash Compensation Delivery Report														MILESTONE			
	Facilitating Payment																	
	Individual notice to vacate period + salvaging of materials																	
	Replacement land identification and PAP agreements for physical relocation																	
	Legal procedures where PAPs reject compensation																	
	LAND ACQUISITION																	
	Identification. Confirmation of availability and purchase of replacement land including survey of new land and village land																	
	Identification of land for resettlement villages																	
	Notarizing & conveyancing																	
	Final Signed land access forms for the Project																	
	Replacement land registration and titles (dependant on sign off by relevant authorities with GoJ)																	
	PHYSICAL RELOCATION																	
	Finalisation of house designs (including consultation with PAPs)																	
	Town planning																	
	Construction management (including sign off of houses and snag list issues)																	
	Hand-over of replacement land / houses																	
	CULTURAL HERITAGE MANAGEMENT																	
	Relocation of graves and sacred sites																	
	LIVELIHOOD RESTORATION																	
	Oversight																	
	Management																	
	Preparation of ToRs																	
	Engagement																	

17. 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. Persons occupying the Project Area after the Cut-off Date shall not be eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built permanent structures, crops, fruit trees, and woodlots) established after proper disclosure of the date of completion of the assets inventory shall not be compensated. 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	Three oil and gas companies, CNOOC Uganda Ltd (CUL), Total E&P Uganda B.V. (TEP UGANDA) and Tullow Uganda Operations Pty Limited (TUOP) 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 1 project, 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. In the case of the RAP 1 project this is when the border of the impact area passes through a parcel of land leaving an area that may be too small to be economically useful to the owner. 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.
Priority Areas	Project Components including the Industrial Area (CPF and associated infrastructure and the N1 Access Road.
Production	All activities relating to recovering oil and gas from a reservoir and preparing it for evacuation from the field area.
Project	One or more aspects of the development of the four licence areas which are collectively known as the "Lake Albert Development Project". The Lake Albert Development Project is expected to contain two Central Processing Facilities (CPFs) located in the Buliisa-Nwoya Area, and the Kingfisher Area respectively. Each Operator is leading (in its designated area of operations) the development of the infrastructure required for the Project.
Project Affected Persons	For this resettlement, Project Affected Persons (PAPs) is defined as any individual or group of persons (this constitutes a family or clan with shared interest in an asset) whom have legal or customary rights to assets that may be lost because of the project activities, as solely determined by the Cadastral Land and Asset Valuation Survey. A PAP may have a right to one or more groups of assets including (1) rights to land, (2) ownership of annual and perennial crops, (3) ownership of trees, (4) homestead property, (5) homestead structures, (6) graves, (7) shrines, and (8) other privately held physical assets located within the development footprint of the Project Industrial Area and access road.

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 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.

18. ANNEXURES

Annexure 1 – TILENGA PROJECT – RAP 1 (Industrial Area and N1 Access Road) Valuation Report

Annexure 2 - Social Baseline Report

Annexure 3 - Potential Contribution of Organisations to LR Programme Components

Annexure 4 - Consultations with Stakeholders for the LR Programme

Annexure 5 - Implementation Schedule for Livelihood Restoration Activities

Annexure 6 - Interview Programme Comments and Response Trail

Annexure 7 - List of Issues Raised by Stakeholders During Engagement

Annexure 8 – Stakeholder Engagement Materials

Annexure 9 - Cultural Heritage Management Plan

Annexure 10 - Property Valuation Assessment Form

Annexure 11 - Land Survey Form

Annexure 12 - Land Acquisition Form

Annexure 13 - Spousal Consent Form

Annexure 14 - Cut-Off Date Form

Annexure 15 - Absentee Landowner Form

Annexure 16 - Socio Economic Household Survey Form