



RESETTLEMENT ACTION PLAN 2 (RAP 2)

For the proposed
North Western Components



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LIST OF ACRONYMS AND ABBREVIATIONS

AC	Atacama Consulting
ALC	Area Land Committee
BKK	Bunyoro-Kitara Kingdom
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
CNOOC	China National Offshore Oil Corporation
CPF	Central Processing Facility
CSO	Civil Society Organisation
CUL	CNOOC Uganda Limited
DCDO	District Community Development Officer
DDP	District Development Plan
DIRCO	District Resettlement Coordination Committee
DLB	District Land Board
DLG	District Local Government
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
GCALA	Guidelines for Compensation Assessment under Land Acquisition
GIS	Geographical Information System
GLR	Global Livelihood Restoration
GM	Grievance Mechanism
GO	Grievance Officer
GoU	Government of Uganda
HH	Household

IFC PS	International Finance Corporation Performance Standard
JV	Joint Venture
KPI	Key Performance Indicator
LAR	Land Acquisition and Resettlement
LARF	Land Acquisition Resettlement Framework
LC	Local Council
M&E	Monitoring and Evaluation
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
MLHUD	Ministry of Lands Housing and Urban Development
MOU	Memorandum of Understanding
MZO	Ministerial Zonal Office
NEMA	National Environment Management Authority
NGO	Non-Governmental Organisation
PAH	Project Affected Household
PAPs	Project Affected Persons
PAU	Petroleum Authority of Uganda
PSA	Production Sharing Agreements
QA/QC	Quality Assurance and Quality Control
RAC	Resettlement Advisory Committee
RAP	Resettlement Action Plan
RAS	Rapid Aerial Survey
REA	Rural Electrification Agency
RPC	Resettlement Planning Committee
RTK	Real Time Kinematic
SHBS	Social and Health Baseline Study
SEP	Stakeholder Engagement Plan
TEP Uganda	Total Exploration and Production Uganda B.V.
ULC	Uganda Land Commission
UNGP	United Nations Guiding Principles on Business and Human Rights
UNOGP	Ugandan National Oil and Gas Policy

UNRA

Uganda National Roads Authority

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

1. INTRODUCTION

1.1. Purpose of this Document

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

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

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

The purpose of the current Resettlement Action Plan 2 (RAP 2) is to identify and outline the actions required to acquire land and relocate people affected by the North Western Components (RAP 2) of the Tilenga project.

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; and
 - PS 8 – Cultural Heritage.

As mentioned above, the current RAP only applies to the project components encompassed under the North Western Components (RAP 2) described in Section 1.2 below, as other components of the Tilenga Project, are the subject of different RAPs.

1.2. Project Description & Background

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

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

The second Resettlement Action Plan (RAP 2), the subject of the current report, comprises of eighteen (18) proposed facilities namely; six (6) well pads, six (6) flow lines, five (5) access roads and one (1) water abstraction station (see Table 1.1). The area impacted by RAP 2 is located in the district of Buliisa specifically in the administrative areas indicated in Table.1.1.

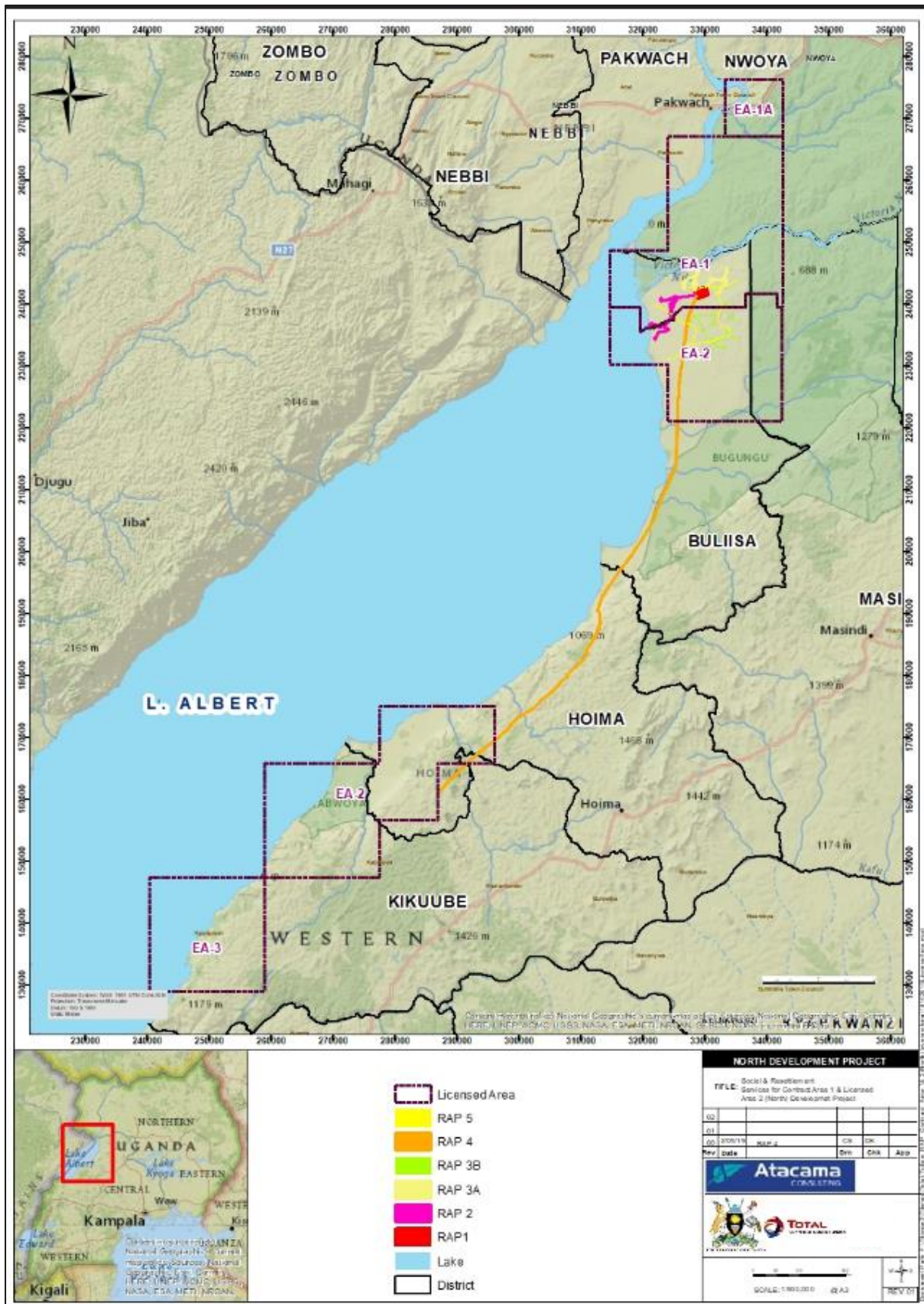


Figure 1.1: Joint Venture Partners Licence Areas

Table 1.1: Tilenga RAP 2 Project Areas

SUBJECT		DATA			
Project Name		Tilenga Project: RAP 2 (North-Western Components)			
General Project Location	Sub county	Kigwera Sub-county	Ngwedo Sub-county	Buliisa Town Council	
	Villages	Kirama, Kigwera SE & Kigwera N/E	Kasinyi	Bikongoro, Kakindo, Kizongi, Kisimo, Kisansya East & Kisansya West	
#	Proposed Facilities	Type of facility	Village	Total land take (Acres)	
1	NGR-03A	Well Pad	Kirama	16.673	
2	D3	Access Road	Kirama	1.177	
3	NGR-03A to NGR-05A	Flow Line	Kirama	16.265	
4	NGR-05A	Well Pad	Kirama	18.179	
5	NGR-05A to CPF	Flow Line	Kirama & Kasinyi	21.909	
6	NGR-06 to NGR-05A	Flow Line	Kirama	10.645	
7	D5	Access Road	Kirama	0.865	
8	D6	Access Road	Kigwera N/E	0.322	
9	NGR-06A	Well Pad	Kigwera N/E	15.749	
10	KW-02B to NGR- O6	Flow Line	Kisimo, Kigwera N/E, Bikongoro, Kisansya East	29.541	
11	N2	Access Road	Kirama & Kigwera N/E	38.752	
12	KW-2A to KW-02B	Flow Line	Kakindo	7.017	
13	KW-02A	Well Pad	Kakindo	21.619	
14	KW-02B	Well Pad	Kisimo, Kisansya West	19.627	
15	KW-01 to KW-02A	Flow Line	Kisimo, Kizongi	19.92	
16	KW-01	Well Pad	Kizongi	14.846	
17	D13	Access Road	Kakindo	3.572	
18	W3	Access Road	Kisansya West	4.383	

SUBJECT		DATA			
Project Name		Tilenga Project: RAP 2 (North-Western Components)			
General Project Location	Sub county	Kigwera Sub-county	Ngwedo Sub-county	Buliisa Town Council	
	Villages	Kirama, Kigwera SE & Kigwera N/E	Kasinyi	Bikongoro, Kakindo, Kizongi, Kisimo, Kisansya East & Kisansya West	
#	Proposed Facilities	Type of facility	Village	Total land take (Acres)	
19	WATER ABSTRACTION STATION to KW-02B	Water Abstraction	Kisansya West	21.074	
TOTAL				282.135	
Orphan Land					
1	KW-01 to KW-02A	Flow line	Kizongi	0.269	
2	KW-02B	Well Pad	Kisansya West	0.277	
3	KW-02B to NGR-06	Flow line	Kigwera N/E, Bikongoro & Kisansya East	1.838	
4	N2	Access Road	Kirama & Kigwera N/E	0.171	
5	NGR-03A to NGR-05A	Flow line	Kirama	0.381	
6	NGR-05 to CPF	Flow line	Kirama	0.128	
TOTAL				3.064	

The Tilenga project comprises of six (06) oil fields - Jobi-Rii, Ngiri, Gunya, Kasemene-Wahirindi, 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. 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 refinery at Kabaale in Buseruka Sub-county, Hoima District. From Kabaale, the planned East African Crude Oil Pipeline (EACOP) will export the crude oil via a 24-inch pipeline over about 1,450 kilometres up to Tanga on the Tanzanian coast. The EACOP system will include; associated pumping stations, electrical heating systems and an oil export terminal located at the Chongeleani peninsula near Tanga port in Tanzania.

Currently, the project concluded the Front-End Engineering Design (FEED) phase, where all necessary technical definition and cost and schedule estimates were developed. The JV Partners are currently conducting Call for Tenders (CFTs) to select the EPC Contractor who will come up with a final design informed by proposal from the FEED. The Partners will make use of this to make a recommendation for a Final Investment Decision (FID) expected for the end of ~~2019~~ 2020 which will lead to the project execution and construction phase for the upstream facilities required to produce Uganda's Oil.

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

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

- RAP 1: Priority Areas (Industrial Area and N1 Access Road);
- RAP 2: North Western Components (the subject of the current report);
- RAP 3a: North Eastern Components;
- RAP 3b: South Eastern Components;
- RAP 4: Feeder Pipeline Components; and
- RAP 5: Upgrade of Existing Access Roads.

The proposed North Western Components will occupy an area of 282.135 acres¹ and consist of the components listed in Table 1.1.

¹ Please note that this figure does not include land which has not been valued for compensation which includes- 3.0649 acres of affected land under community infrastructure and public infrastructure (thirteen (13) affected access roads and two (2) Rural Electrification Agency (REA) power lines that are crossed by the proposed RAP2 facilities) or, the 3.233 acres in the 200m buffer zone of Lake Albert traversed by the proposed RAP2 trunk line from KW02B to the Water Abstraction which would render total land-take under RAP2 (without orphan land) as 288.432 acres (see Section 5.2 in

1.3. RAP 2 Project Area

The RAP 2 Project site is in Buliisa district (Figure 1.2) south of the Victoria Nile River, east of the northern end of Lake Albert, west of Murchison Falls National Park (MFNP) and south of the Murchison Falls-Albert Delta Wetland System (Ramsar site no. 1640) ().

The development of the North Western Components requires the acquisition of **288.432** acres² (without Orphan Land) with the inclusion of land which has not been valued for compensation, specifically, **3.0649** acres of affected land under community infrastructure and public infrastructure (thirteen (13) affected access roads and two (2) Rural Electrification Agency (REA) power lines that are crossed by the proposed RAP 2 facilities) and, the **3.233** acres in the 200-meter buffer zone of Lake Albert traversed by the proposed RAP 2 trunk line from KW02B to the Water Abstraction.

Of the total land to be acquired only **282.135** acres have been assessed for compensation and will need to be acquired from **101** landowners³ including **67** individuals, **19** families, **02** clans and **13** under dispute and therefore cannot currently be placed under any landownership category. Therefore, the total land-take under RAP 2 (without orphan land) is **288.432** acres.

However, there is also an incremental land take for **15** land parcels, which are partly covered by the RAP 2 Project areas where the retained land cannot sustain the livelihoods of the Project Affected Persons (PAPs). Following consultations, **10** of the **15** landowners agreed to relinquish their land resulting in an incremental orphan land take of **3.119** acres thus giving a potential total land take (with orphan land) of **291.551** acres. The procedure for Orphan land is explained further in Chapter 8.

1.4. Impacted PAPs

For this resettlement, Project Affected Persons (PAPs) are defined as, any individual or group of persons (this constitutes a family or clan with shared interest in an asset) who, loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b) ownership of annual and/or perennial crops and trees, (c) homestead property, (d) homestead structures, (e) graves, (f) shrines, and (g) other privately held physical assets located within the development footprint of the RAP 2 Project Area. There are **327** PAPs who are displaced by the resettlement. This includes:

- 26 physically displaced⁴ (only);
- 267 economically displaced⁵ (only), and;
- 34 both physically and economically displaced.

Chapter 5 of the RAP2 Approved Valuation Report). In addition, with the incremental (orphan land) take of 3.064 acres, submitted to the CGV as a separate addendum report, the total RAP 2 Project land take will be 291.551 acres.

² Tilenga RAP 2 approved Valuation Report

³ Tilenga RAP 2 approved Valuation Report

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

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

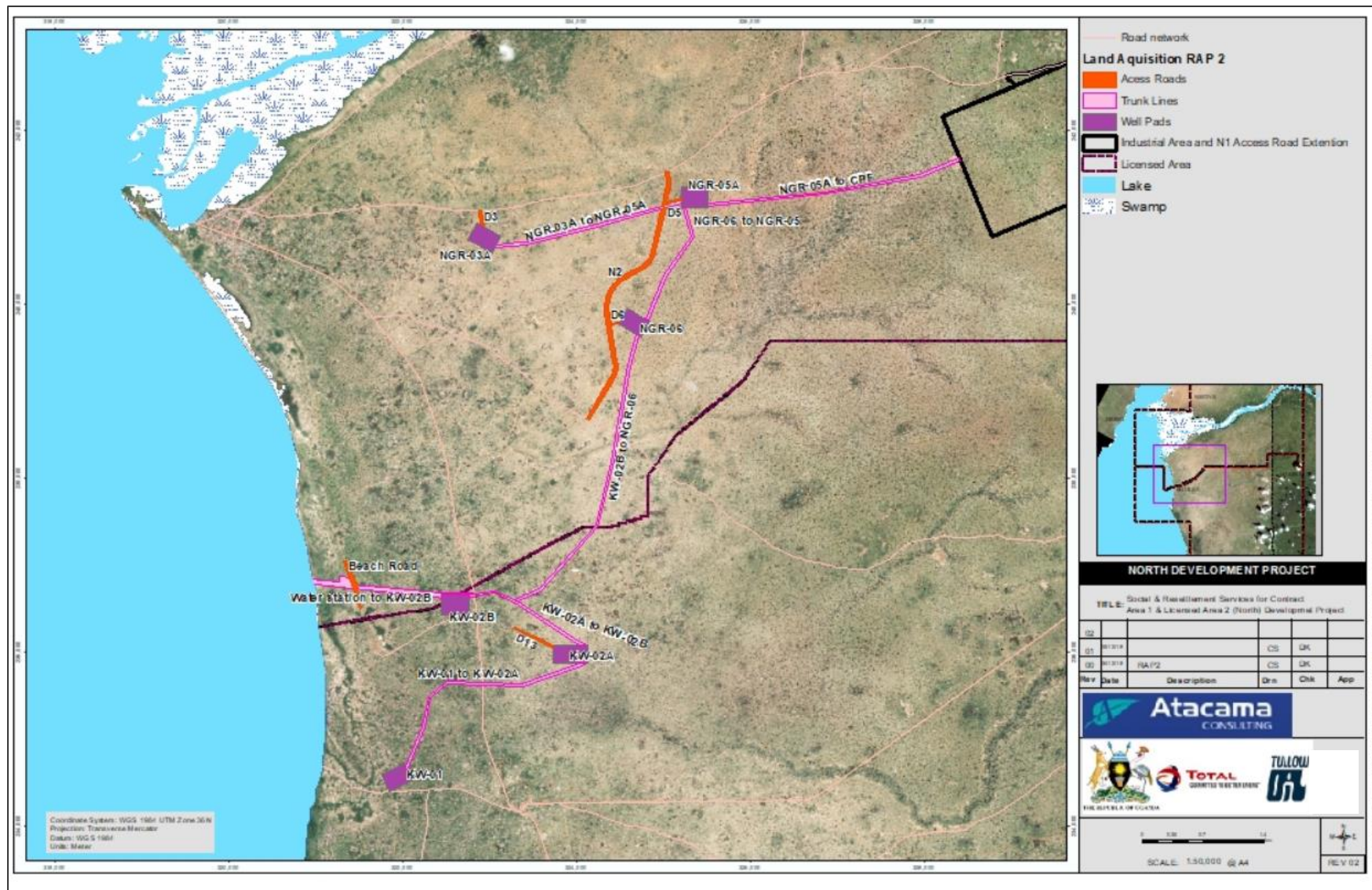


Figure 1.2: RAP 2 Project Area in the context of Lake Albert and Buliisa district

1.5. Rationale for Land Acquisition and Resettlement

1.5.1. Rationale for the Tilenga Project

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

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

1.5.2. Rationale for the North Western Components

Specific to this RAP, the rationale for land acquisition and resettlement of the RAP 2 Project Area is to secure access to land required for the construction and operation of the "North-Western Components" (comprised of well pads, flow lines and access roads) – see Table 1.1.

The location of the North Western Components has been subject to social screening and efforts to minimise resettlement.

The current locations of the facilities encompassed under RAP 2 were selected through an iterative process, which started with the social screening detailed in the *ARTELIA Social Screening for Buliisa Project Facilities report (2013)*⁷ where the social impacts of sites were compared in detail. The process was then further refined through the ESIA.

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

The current location of the RAP 2 components was subjected to minimisation measures, and the current RAP 2 location is the preferred option. The design of the RAP 2 project components was subject to refinement to minimise the footprint, in particular the well pads. The minimisation process further helped the Project to avoid negative impacts that otherwise may have occurred. The minimisation consisted of reducing footprint for the North-Western components.

The methodology and findings of minimisation efforts are further described in detail in Chapter 5.

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:

⁶ Joint Venture Partners Industrial Baseline Survey Report – November 2013

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

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

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

1.6.1. Social and Health Baseline Study (SHBS)

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

1.6.2. The Environmental and Social Impact Assessment (ESIA)

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

1.6.3. Industrial Baseline Survey

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

1.6.4. Lake Albert Regional Socio – Economic Baseline Assessment

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

1.6.5. Agricultural Value Chain Analysis in Buliisa

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

1.6.6. Market and Asset Valuation Assessment (MAVA)

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

1.6.7. Resettlement Impact Scoping

The Resettlement Impact Scoping report was completed in 2016 by Intersocial Consulting. It outlines the potential resettlement impacts of Project components, and assessed opportunities to

minimise these impacts. The report's overview of potential Project impacts guided the development of the scope of work and detailed surveys conducted for the RAP.

1.6.8. Practical Guide to Resettlement Planning and Implementation

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

1.7. Overview of Methodology for RAP Development

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

1.7.1. Literature Review

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

1.7.2. Stakeholder Engagement Planning

A stakeholder mapping exercise was undertaken to identify Interested and Affected Parties by the Project and a RAP 2 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 May 2018 for the disclosure of the resettlement planning process, was ongoing throughout the Project-planning phase, and will continue into the implementation and monitoring phase. Further details on stakeholder engagement can be found in Chapter 6.

1.7.3. Establishment of Geodetic Markers

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

1.7.4. Rapid Aerial Survey

The Rapid Aerial Survey (RAS) of the RAP 2 project area was undertaken to identify the location and extent of important types of land use. Additionally, the RAS imagery were used to identify land use categories, the location of common property resources, social services (such as health

centres), cultural property (for example, places of ritual significance, graveyards, and monuments), trading centres, road and transportation networks and, other community infrastructure within the project area.

The RAS entailed, obtaining clearance, which was secured in a letter REF: LOG/M3/113/01 dated 9th July 2018 from the Office of the Chief of Defence Forces for the Unmanned Aerial Vehicle (UAV)/Drone flight operations. Additional RAS activities included; use of Ground Control Points (GCPs), flight implementation, and data processing and data verification.

Rapid aerial flight operations were carried out between 15th and 25th July 2018 without any incident with UAV take-off and radio communications.

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

1.7.5. Cadastral Land and Asset Valuation Surveys

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

- Demarcating the RAP 2 project area and pegging the boundaries using wooden pegs;
- Identification and registering of all the affected people and affected plots of land with an identification number; recording all land owners and boundaries;
- Creating strip maps of the affected areas, showing the extents of the sites, the affected people in the area and their respective land sizes, the affected gardens, structures, graves and cultural heritage sites;
- Physically inspecting and valuing all affected assets in accordance with the Laws of Uganda and the requirements of MLHUD as well as taking into consideration the requirements of the LARF;
- Market research of land transactions, market prices for crops, construction materials, and labour costs, and;
- Recording the location of all assets with a Real Time Kinematic (RTK) machine, and photographing assets.

The surveys were carried out within the RAP 2 Project area between 26th July and 10th August 2018; 3rd November 2018 for KW02A well pad; 9th- 10th October 2018 for the W3 access road at the abstraction point; 5th January 2019 for KW01A to KW02A flow line and 6th- 8th January 2019 for the orphan land assessment.

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

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

Detailed information on the specific methodologies employed during the cadastral land and asset valuation surveys can be found in Chapter 5 and in the Tilenga RAP 2 approved Valuation Report (July, 2019) (Annexure 1).

1.7.6. Legal Due Diligence

Legal Due Diligence of land was carried out to establish true ownership of the affected parcels of land, resolve any ownership and boundary disputes, and establish unclaimed land and absentee landowners. 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), and proof of ownership and land agreements. In addition, the Legal Due Diligence exercise involved the signing of Land Acquisition Forms (containing details of the land and its ownership - confirmed by the LC III chairperson who signed as a witness), Spousal Consent Form (where the PAP was married and the land was family land) and Cut-off Date forms (once the valuation team had completed assessing one's land and assets thereon). Additionally, a Title Deed Search was also conducted.

Legal Due Diligence Field work was conducted between 26th July and 10th August 2018; 03rd November 2018 for KW02A well pad; 09th-10th October 2018 for the W3 access road at the abstraction point; 5th January 2019 for KW01A to KW02A flow line and 6th- 8th January 2019 for the orphan land assessment.

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

1.7.7. Socio-economic Household Survey

A socio-economic household census survey was undertaken over two (2) periods – the first programme extended between 1st August to 8th December 2018 and the second programme (following data QA/QC) was conducted between 19th and 21st February 2019 to gather social information pertaining to:

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

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

1.7.8. Socio-economic Interview Programme

A qualitative socio-economic interview program was carried out in parallel with the household socio-economic survey. The objective of the interview program was to support the household survey by understanding the reasons behind social trends, demographic changes, settlement patterns or changes in the communities that were identified. The interviews also assisted in understanding community perceptions of the Project and oil development in the area. A team comprising of resettlement experts, livelihood and agricultural experts, cultural heritage specialists, health and gender specialists conducted the interviews. 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 restoration options. Interviews were conducted with Local Authorities, NGOs and targeted PAP focus groups (Men, Women, and Youth etc.).

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

1.7.9. Livelihood Restoration Planning

Information regarding the current livelihoods being practiced within the RAP 2 project area was obtained primarily through the socio-economic Household Survey and Interview Program, and Institutions & Employment Study and supported by relevant information from the secondary sources listed in Section 1.6 above. The RAP 2 interview program included questions about possible Livelihood Restoration measures with local authorities and NGOs to capture their local knowledge and understanding of the feasibility of such options, and any suggestions for Livelihood Restoration Options. Further details of the methodology for Livelihood Restoration Planning can be found in Chapter 11.

2. RESETTLEMENT GOALS AND PRINCIPLES

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

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

The purpose of the LARF is to:

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

The principles of the LARF are as follows⁸.

“Principle 1 - Resettlement will be avoided and minimised

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

Principle 2 - Resettlement will be integrated into overall project planning

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

Principle 3 - Compliance with laws, standards and policies

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

Principle 4 - Active and informed stakeholder participation

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

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

Principle 5 - Cultural appropriateness

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

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

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

Principle 7 - Compensation will be based on full replacement value

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

Principle 8 - Comprehensive resettlement assistance package

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

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

Principle 9 - Informal rights will be recognised

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

Principle 10 - Vulnerable people will be provided with targeted assistance

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

Principle 11 - A grievance mechanism will be established

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

Principle 12 - Appropriate Monitoring and Evaluation will be undertaken

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

independent external evaluation, and the results will be shared with the people affected by resettlement.”

3. LEGAL AND POLICY FRAMEWORK

3.1. Introduction and Summary of Existing LARF

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

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

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

This chapter therefore aims to build on the findings included in the LARF by considering the policy, legal, institutional and administrative frameworks (See Figure 3.1) and discussing how they are relevant for the RAP 2 project.

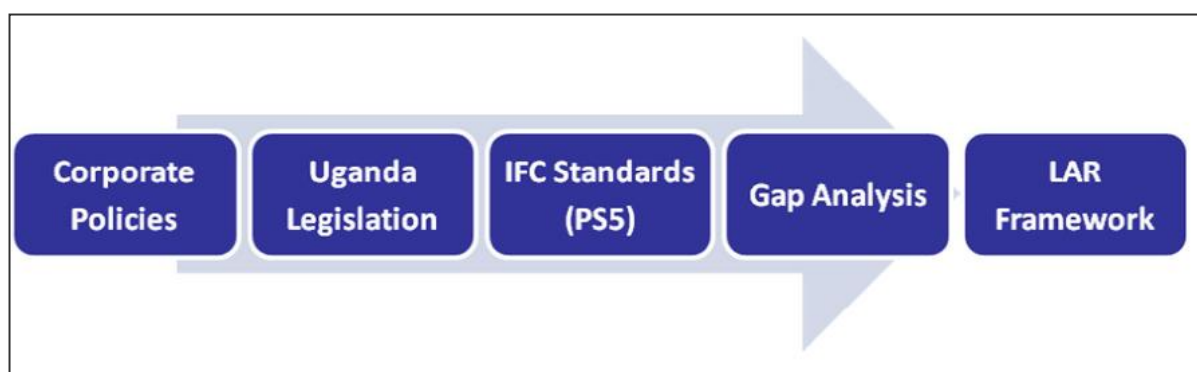


Figure 3.1: Methodology of establishing legal framework in the LARF

3.2. Corporate Policies

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

3.2.1. TEP Uganda Corporate Policies

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

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

3.3. Uganda's Legal Framework

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

- The Constitution of the Republic of Uganda, 1995 (as amended);
- The Land Act, 1998, Cap 227(as amended);
- The Land Acquisition Act, 1965, Cap 226;
- The Registration of Titles Act, 1924, Cap 230,;
- The Petroleum (Exploration, Development and Production) Act, No. 3 of 2013;
- The Water Act, 1974, Cap 152;
- The National Forestry and Tree Planting Act, No. 8 of 2003;
- The Physical Planning Act, No. 8 of 2010;
- The Survey Act, 1939, Cap 232, (as amended);
- The Roads Act, 1964, Cap 358;
- The Access to Roads Act, 1969, Cap 350;
- The Uganda National Roads Authority Act, No. 5 of 2006;
- The Local Governments Act, 1997, Cap 243 (as amended);
- The Illiterates Protection Act, 1918, Cap 78;
- The National Environment Act, No 2 of 2019;
- The Administrator General's Act, 1933, Cap 157;
- The Succession Act, 1906, Cap 162;
- The Persons with Disabilities Act, 2019;
- The Children Act, 1997, Cap 59 (as amended);
- The National Environment (Wetlands, Riverbank and Lake Shores Management) Regulations, No. 3 of 2000.
- The National Oil and Gas Policy for Uganda, 2008;
- The Uganda National Land Policy, 2013;
- The National Policy for Older Persons, 2009;
- The National Physical Planning Standards and Guidelines, 2011;
- Environmental Impact Assessment Guidelines for the Energy Sector, 2004, and;

Strategic Environmental Assessment of Oil and Gas Activities in the Albertine Graben, 2015; for this RAP, the Historical and Monuments Act, 1968 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 2 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 (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 2 Project Area, the families originate from various clans such as the Bagema, Baliba, Basambu and Basita clan. However, it was ascertained through consultations with the PAPs on site that much of the land is owned for usage by individual families. The land may still be presupposed to be for a clan, but it is the individual families who are declaring ownership. Some of these families may be large. This is discussed further in Chapter 10.
2. The rights of women, children and disabled persons to access to land are to be protected despite local customs, which might not consider these groups. This must be through equal participation/representation in Stakeholder Engagement, Interviews and Resettlement

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

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

3.3.3. The Land Acquisition Act, Cap 226

The Act makes provision for the compulsory acquisition of land for public purposes and other related matters. It makes provision for the procedures and methods of compulsory acquisition of land for national interest (defence, public safety, public order, public morality, and public health) whether for temporary or permanent use. The Minister responsible for land may authorise any person to enter upon the land and survey the land, dig or bore the subsoil or any other thing necessary for ascertaining whether the land is suitable for a public purpose. The Government of Uganda is supposed to pay compensation to any person who suffers damage because of any action. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.

3.3.4. The Historical and Monuments Act, Cap 46

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

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

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

3.3.5. The Local Governments Act, Cap 243

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

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

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

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

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

The interest in land in a development area belongs to the landowner. 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 (1) - 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 2 Project Area is also being used as a place for burial and also has cultural sites within it as described in Chapter 13 – Cultural Heritage and Archaeology.

Section 135(1) goes on to provide that:

(b) Without the written consent of the land owner -

- i. (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. (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. (iii) upon any land from which, during the year immediately preceding, agricultural crops have been reaped; or*
- iv. (iv) upon any land which is the site of or which is within **one hundred metres** of a cattle dip-tank, dam or water used by human beings or cattle¹⁰ [**Our Emphasis**]”*

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

Section 138- Acquisition of exclusive rights:

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

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

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

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

Section 139 - Compensation for disturbance of rights:

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

(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 153.¹¹”

3.3.7. The National Environment Act, No 2 of 2019

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

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

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

3.3.8. The Administrator General’s Act, Cap 157

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

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

¹¹ This Act was repealed and replaced by NEA (7th March 2019).

3.3.9. The Succession Act, Cap 162

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

Under Sections 29 and 30, the estate of a person dying intestate, except for his principal residential holding, shall be divided equally between those relatives in the nearest degree of kinship to the intestate and, if no person takes any proportion of the property of the intestate, the entire estate shall belong to the customary heir. Where there is no customary heir, the customary heir's share shall belong to the legal heir.

3.3.10. The Persons with Disabilities Act, 2019

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

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

3.3.11. Children Act, Cap 59

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

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

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

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

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

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

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

Asset recording must take cognizance of all affected privately-owned, community and public assets. While reference is made to a cut-off period, no further details are provided about its procedure. With regard to a census, this must precede the compensation and relocation process, and should identify all affected persons and their means of livelihood, as well as vulnerable

categories. The guidelines include a basic framework for a Compensation or Resettlement Plan including the provision for consultations with displaced persons, a grievance mechanism and resettlement monitoring and evaluation.

3.3.13. The National Guidelines on Valuation Assessment (2017)

The Government of Uganda through the lead ministry of Lands Housing and Urban development developed Valuation guidelines that are called ‘Guidelines for Compensation Assessment under Land Acquisition (GCALA, June 2017)’ that operationalise the LARF as signed in December 2016. The guidelines are yet to be gazetted (have no legal basis because there is no Act of Parliament operationalizing them currently) but were designed to reinforce valuation practice in Uganda, and ensure that valuations achieve the intention of the Constitution of Uganda in as far as fair and adequate compensation is concerned.

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

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

3.4. Uganda’s Institutional Framework

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

3.4.1. The Ministry of Energy and Mineral Development

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;
- To provide policy guidance in the development and exploitation of the energy, mineral Oil and Gas resources, and;
- To inspect, regulate, monitor and evaluate activities of private companies in the energy and mineral sectors so that the resources are developed, exploited and used on a rational and sustainable basis.

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

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

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

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

3.4.4. Ministry of Justice and Constitutional Affairs (MoJCA)

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

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

3.4.5. Ministry of Finance

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

3.4.6. National Environment Management Authority (NEMA)

The National Environment Management Authority (NEMA) has issued Environment Impact Assessment (EIA) regulations for the energy sector including the petroleum industry. NEMA will therefore have interest in the project's social impact assessment and social management plans including the RAP 2 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. Regulation No. 3 of 2000 stipulates the application and principles of Management of Wetlands and Wetland Resources. The Principles include, but not limited to: -

- Environmental impact assessment as required under the statute is mandatory for all activities in wetlands likely to have an adverse impact on the wetland, and;

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

- Special measures are essential for the protection of wetlands of international, national and local importance as ecological systems and habitat for fauna and flora species, and for cultural and aesthetic purposes, as well as for their hydrological functions.

3.4.7. Petroleum Authority of Uganda

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

- Ensuring that the Project is compliant with Uganda's legislation in all of its activities, , and;
- Approval of both project technical and financial planning. Since some of the activities are carried out by the Project are cost-recoverable, PAU's approval of planned and executed works is required.

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 2 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

Although the Project will not affect any refugee camps as none have been identified so far, it may encounter persons that have migrated into the impacted area to take refuge and in such cases the Project may seek guidance from the Ministry of State for Disaster Preparedness within the Office of the Prime Minister.

3.4.10. Buliisa District Local Government

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

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

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

3.4.11. 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.

3.4.12. Buliisa District Land Board

The District Land Board (DLB) facilitates 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 DLB will oversee the appropriation of public land; facilitating registration, and transfer of interests in land.

3.4.13. 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.

3.4.14. 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 (LC Is).

3.5. International Standards and Project Requirements

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

The project will be guided by Good International Industry Practices (GIIPs) that the JV Partners subscribe and are committed to for land acquisition.

3.5.1. IFC Performance Standards

The IFC is the private funding arm of the World Bank and their benchmarks for international best practice are the most extensive guides for resettlement purposes.

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

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

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

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

3.5.3. Performance Standard 5: Land Acquisition and Involuntary Resettlement

IFC PS5 states that:

“Unless properly managed, involuntary resettlement may result in long-term hardship and impoverishment for the Affected Communities and Persons, as well as environmental damage and adverse socio-economic impacts in areas to which they have been displaced. For these reasons, involuntary resettlement should be avoided. However, where involuntary resettlement is unavoidable, it should be minimized and appropriate measures to mitigate adverse impacts on displaced persons and host communities should be carefully planned and implemented. The government often plays a central role in the land acquisition and resettlement process, including the determination of compensation, and is therefore an important third party in many situations. Experience demonstrates that the direct involvement of the client in resettlement activities can result in more cost-effective, efficient, and timely implementation of those activities, as well as in the introduction of innovative approaches to improving the livelihoods of those affected by resettlement.”

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

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

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

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

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

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

3.5.4. Performance Standard 8: Cultural Heritage

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

“Performance Standard 8 recognizes the importance of cultural heritage for current and future generations. Consistent with the Convention Concerning the Protection of the World

Cultural and Natural Heritage, this Performance Standard aims to ensure that clients protect cultural heritage in the course of their project activities”

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

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

PS 8 defines cultural heritage as follows:

“Cultural heritage refers to

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

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

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

In the area, which is the focus of RAP 2, it is primarily tangible cultural heritage that is the focus of the RAP. There is no proposed use for commercial purpose of any intangible elements of cultural heritage.”

Please note that, IFC PS 7 which refers to indigenous persons¹³, is not applicable to RAP 2 of the Tilenga project given that, no such groups were identified.

3.6. 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 3.1 contains the results of this gap analysis along with project specific mechanisms for addressing gaps.

¹³ A distinct social and cultural group possessing the following characteristics in varying degrees: Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; Customary cultural, economic, social, or political institutions that are separate from those of the dominant society or culture; An indigenous language, often different from the official language of the country or region.

¹⁴ Adapted from the LARF (2016).

Table 3.1: Gap Analysis of National Laws & IFC Standards

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
Alternative project designs	Feasible alternative Project designs should be considered to avoid or at least limit physical or economic displacement.	Activities must be exercised in a manner that minimally affects land owners 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 RAP2 Project Area has been subject to minimization efforts described in Chapter 5.
Planning Instrument	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 developing Resettlement Action Plans and Livelihood Restoration Plans once impacts of proposed land acquisition and resettlement activities have been identified.	The RAP 2 Project Area causes both Physical and Economic Displacement. The RAP 2 Project Area is therefore subject to this RAP document which includes an integrated Livelihood Restoration chapter (Chapter 11).
Consultation and Information Disclosure	Resettlement activities must be planned and implemented with appropriate disclosure of information, consultation and the informed participation of those affected including host communities in decision-making. The perspectives of women, minority groups and other categories with special requirements must be obtained and their interests factored	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	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”	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,

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.

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

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
	into resettlement planning and implementation.	Lands, Housing and Urban Development must declare the location, approximate area and plan of the land required ¹⁸ . All landowners 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.	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.		namely the RAC, DIRCO and RPC(s).
Eligibility	Eligibility criteria should recognize the rights of the affected people: 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.	Uganda laws recognize land occupancy under four regimes of land tenure, namely freehold, leasehold, mailo and customary. Under these different types of land ownership, occupants and landowners are eligible for compensation for land, improvements to land, crops and structures.	Uganda laws and the IFC PS 5 are consistent in the recognition of the rights of occupants and landowners under the different land tenure regimes.	The JV Partners will recognise the rights of all affected people including those with formal legal rights; those without formal legal rights and those who have no recognisable legal right to land or assets used or occupied by them. The census to be undertaken prior to land acquisition and resettlement activities will establish the status of the displaced persons.	This RAP recognizes the rights of all affected people including those without legal rights. 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.
Cut-Off Date	In the absence of government procedures, the client will establish a cut-off date for eligibility, which will be well documented and disseminated throughout the project area.	There is no legal provision for the establishment of a cut-off date, but the EIA Guidelines for the Energy Sector make reference to the cut-off date for the determination of eligibility, but does not provide any procedural guidance ¹⁹ .	The Uganda regulations are unclear on how a cut-off date is to be enforced.	Cut off dates for eligibility will be well documented and disseminated throughout the project area, including relevant national ministries and local government.	The final Cut-off Date for the RAP 2 Project Area was announced on 24th August 2018, on 8th October 2018 for the water abstraction to KW02A facility and 6th January 2019 for additional land take at the KW02 facility.

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

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

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		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 compensated ²⁰ .			Notification for the cut-off date is explained in Chapter 6.
Census	Where involuntary resettlement is unavoidable, a census will be carried out to collect appropriate socio-economic baseline data to identify the persons who will be displaced by the project, determine who will be eligible for compensation and assistance.	Uganda laws do not require that a census be taken of the persons who will be displaced by the project. However, the EIA Guidelines for the Energy Sector refer to the census as the means to identify all affected persons and their means of livelihood. It also refers to a baseline study to identify all interests in affected assets, including the rights of tenants ²¹ .	The Guidelines require that a census be conducted in the event of compensation and resettlement.	The JV Partners commit to identifying all persons who will be displaced as a result of their development activities. This will be done in the form of a census prior to resettlement to determine who will be eligible for compensation and assistance.	A detailed Socio-Economic Census Survey was carried out to inform this RAP. PAPs were however registered with unique IDs as part of the cadastral land and asset valuation survey which the socio-economic survey followed.
Physical Displacement and Relocation	Physically displaced persons will be offered a choice of replacement property of equal or higher value, security of tenure, equivalent or better characteristics, and advantages of location or cash compensation where appropriate.	Ugandan laws do not require that physically displaced persons be offered a choice of resettlement housing (out of the options available) and relocation assistance. However, the EIA Guidelines for the Energy Sector refers	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	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

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

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

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		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 .		assistance. No forced evictions (except those that are in accordance with the law) are to be carried out.	will receive cash compensation as per the Entitlement Framework in Chapter 8.
Economic Displacement (loss of land)	Economically displaced persons will be compensated for the loss of economic assets at full replacement cost (IFC PS5, §27) and with replacement land of at least the same productive potential and location advantage (IFC PS5, §28).	Displacement resulting from development project activities is not defined in Ugandan laws. The EIA Guidelines for the Energy Sector consider compensation for the loss of land ²⁴ . The type of compensation packages that should be awarded to project affected persons is not described.	The Ugandan laws do not categorise project affected persons according to the impact 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.	The JV Partners will commit to compensating economically displaced persons: With replacement land of at least the same productive potential and location advantage, or For the loss of economic assets at full replacement cost.	This RAP commits to compensating economically displaced persons: With replacement land of equal value at full replacement cost. For the loss of economic assets at full replacement cost. As per the Entitlement Framework in Chapter 8.
Economic displacement (businesses)	Economically displaced persons will also be provided with (i) assistance to re-establish commercial activities (businesses), (ii) replacement property of equal or greater value, and will be provided with transitional support as necessary to restore their income-earning capacity and standards of living (IFC PS5, §29).	Unlike economically displaced persons who own land, commercially displaced persons only have legal claims to land by virtue of occupancy. The Ugandan laws recognize this ownership as a formal land right and such occupants must be considered under	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	The JV Partners are committed to the provision of support to commercially displaced persons, who will receive: Assistance to re-establish commercial activities;	There are no businesses being displaced as part of this RAP 2 resettlement.

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.

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

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		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”.	restore the affected person’s income earning capacity.	replacement property of equal or greater value; and Transitional support to restore their income earning capacity and standards of living.	
Full Replacement Cost	<p>Mitigation measures to remedy adverse impacts should include compensation at full replacement cost for loss of assets and other assistance to help them improve or restore their standards of living and livelihoods.</p> <p>Where livelihoods of displaced persons are land-based, or where land is collectively owned, affected persons will be offered land-based compensation where feasible.</p> <p>Land will be taken into possession only after compensation has been made available and resettlement sites and moving allowances have been provided to affected persons (IFC PS5, §2, 9).</p>	<p>The District Land Boards assess compensation based on open market value of the unimproved land; and buildings on the land are compensated at open market value (in urban areas) and depreciated replacement cost for the rural areas²⁵. Standing crops which can be harvested during the period of notice shall not be compensated. The list of compensation rates compiled by the District Land Boards is to be used in determining the rates of compensation.</p> <p>The EIA Guidelines for the Energy Sector refer to “acceptable compensation rates” which are to be established after</p>	Computation of compensation as outlined in the Land Act does not offer full replacement cost prescribed by the IFC. However, there appears to be room for reaching acceptable rates through consultation.	The JV Partners commit to mitigating the adverse impacts associated with land acquisition and resettlement by compensating affected persons at full replacement cost of the affected assets.	This RAP commits to awarding compensation at Full Replacement Cost as per the Entitlement Framework in Chapter 8.

²⁵ Section 24 of Land Regulations, 2004.

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
		consultation with representatives of the affected communities ²⁶ .			
Form of Compensation	Compensation in kind should be considered in preference over cash.	Article 26 of the 1995 Constitution of Uganda protects Ugandans from deprivation of property. Land can only be accessed once “prompt payment of fair and adequate compensation prior to the taking of possession of the property” has been undertaken.	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”.	The JV Partners commit to compensating affected persons for loss of right over land or property in kind in preference over cash.	In kind compensation is recommended where feasible in this RAP, namely for primary residences and crop land as per the Entitlement Framework in Chapter 8.
Vulnerable Groups	In resettlement planning, particular attention should be given to the poor and vulnerable, and compensation in kind should be offered to facilitate permanent relocation and establishment at an alternative location.	The 1995 Uganda Constitution stipulates that, “the State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason [...] for the purpose of redressing imbalances which exist against them. “ This regulation is not fully described in the context of resettlement and land acquisition. The EIA Guidelines for the Energy Sector require that vulnerability is established during the census ²⁷ .	The Ugandan laws offer protection of vulnerable groups from exploitation. However, this does not provide the procedure for this category of project affected persons to be consulted, engaged or further protected.	The JV Partners commit to planning with particular focus given to vulnerable project affected persons. Resettlement packages should give preference to compensation in kind with special facilitation of permanent relocation.	Vulnerable project affected persons are given a particular focus as detailed in Chapter 12.

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

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

Resettlement Topic	IFC Performance Standard	Uganda Regulation	Gaps	Proposed Mitigation Measure (as per LARF)	Project Specific Mechanism
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 lowest level of activity” ²⁹ .	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 2 Project Area. Further detail is provided in Chapter 7.
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 in Chapter 14.

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

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

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

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

4.2. Defining PAPs and Households

For this resettlement, Project Affected Persons (PAPs) are defined as, any individual or group of persons (this constitutes a family or clan with a shared interest in an asset) who loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b) ownership of annual and/or perennial crops and trees, (c) homestead property, (d) homestead structures, (e) graves, (f) shrines, and (g) other privately-held physical assets located within the development footprint of the RAP 2 Project Area. There are **327** PAPs who are affected by this definition.

The majority of this RAP, particularly sections pertaining to compensation or resettlement provisions, focuses on PAPs as recorded in the Asset Survey. It should be noted, however, that the focus of the Social Baseline survey and report is the **household** – defined as one person or a group of persons who share a dwelling unit and for a group, share one meal a day. This single residential entity, typically a family, may or may not be directly resident in the proposed North-Western component (RAP 2) footprint, but may have one or more assets in the area. Generally, this means that the total number of affected households is equal to or less than the number of PAPs defined in the Asset Survey.

The RAP 2 Project will cause the displacement (physical and economic) of **327** PAPs holding **383** assets, as confirmed by the RAP 2 approved valuation report in **296** households. Of the 327 PAPs, two (2) PAPs are also impacted by RAP 5, and another two (2) PAPs are impacted by RAP 4 (see Figure 4.1 and Table 4.1). These four (4) PAPs belong to four (4) of the 296 households.

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

Of the 296 households surveyed, 263 hosted one (1) PAP each, 29 hosted two (2) PAPs each, three (3) households hosted three (3) PAPs each, and one (1) household hosted four (4) PAPs. Generally, this means that the total number of households surveyed (296) is less than the PAPs in those households (327) defined by the Asset Survey.

The percentage socio-economic census survey coverage for RAP 2 was 100%. Please note that the socio-economic information of the four (4) RAP 2 PAPs that are also impacted by RAPs 4 and 5 has been analysed in RAP 2 and therefore, not repeated in RAPs 4 and 5.

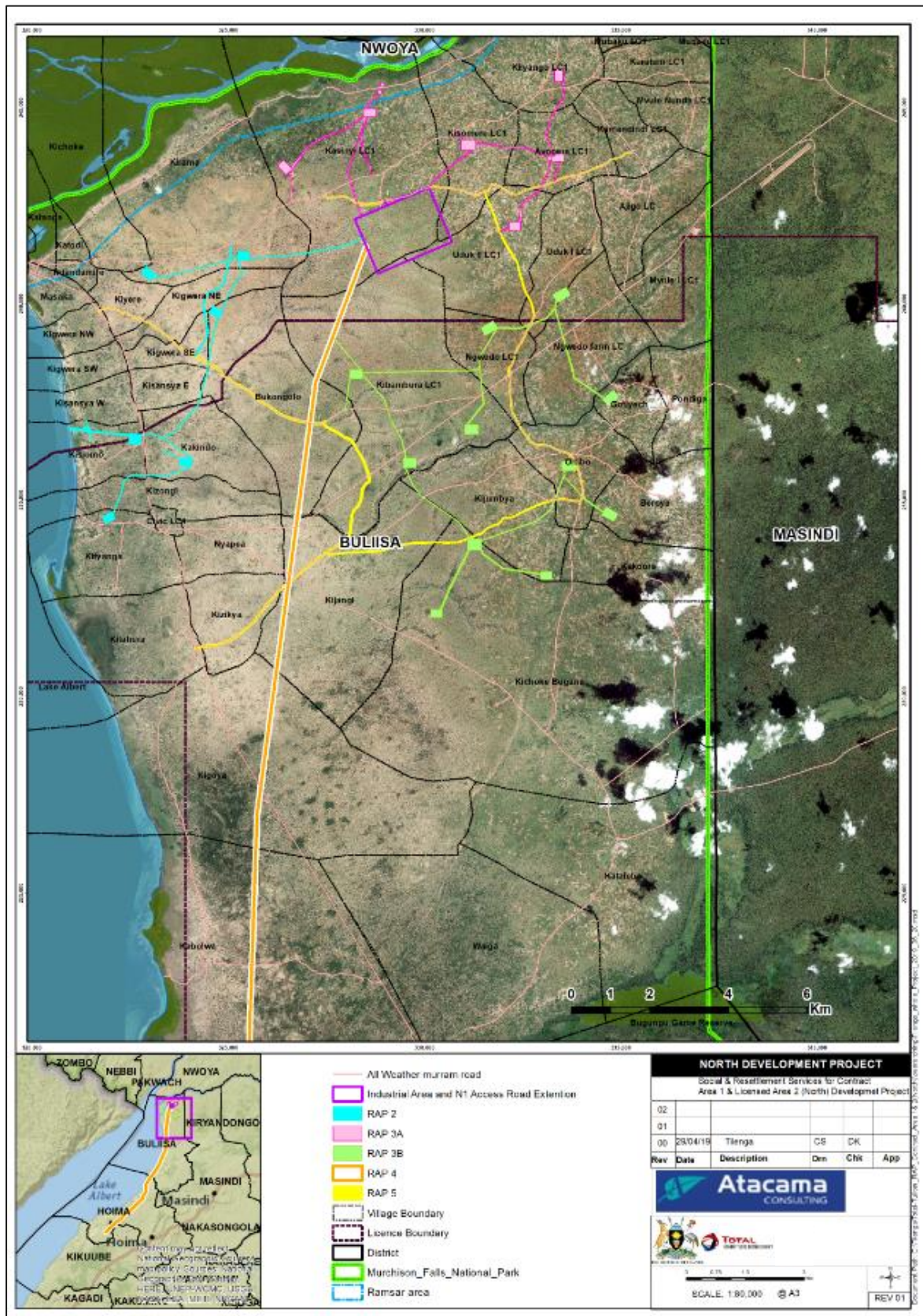


Figure 4.1: Overlaps in the Tilenga Project RAPs 1, 2, 3a, 3b, 4 & 5

Table 4.1: Summary of RAP 2 PAH composition across the Tilenga Project RAPs (excluding RAP 1)

DESCRIPTION	RAP 2		RAP 2 + RAP 4		RAP 2 + RAP 5	
	PAPs	HH	PAPs	HH	PAPs	HH
Total No of PAPs on RAP 2	323		2		2	
No of PAPs interviewed for RAP 2 in total	327					
No of PAPs interviewed in this specific RAP	327				0	
No of PAPs interviewed affected by this specific RAP only	323					
No of PAPs affected by this RAP but interviewed on RAP 2					2	
No of PAPs affected by this RAP but interviewed on RAP 5					0	
No of HHs interviewed in this specific RAP		296				
No of HHs interviewed affected by this specific RAP only		292				
No of HHs interviewed on this RAP that are affected by RAP 4				2		
No of HHs interviewed on this RAP that are affected by RAP 5						2
No of HHs affected by this RAP but interviewed on RAP 4				0		
No of HHs affected by this RAP but interviewed on RAP 5						0
PAPs yet to be interviewed	0					
% coverage (interviewed) - as a function of total number of PAPs	100%					
% coverage possible maximum to be achieved - as a function of specific RAP interviews	100%					
% coverage (interviewed) - as a function of specific RAP interviews only to date	100%					

4.3. Method

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

- Household Socio-economic Survey:** A Household Socio-Economic Survey was undertaken over two periods – the first programme extended between 1st August and 8th December 2018, and the second programme (following data QA/QC) was conducted in February 2019. The survey comprised of a questionnaire covering a range of topics. The questionnaire was administrated to 100 percent of the affected households identified by the Asset Survey (see Section 1.2.1 of Annexure 2 for further details).
- Interview Programme:** A qualitative socio-economic interview program was also carried out in parallel with the household survey. Various interviews were held with a range of individuals (Key Informant Interviews through a systematic sample) and small groups of people (Focus Group Discussions). The objective of the interview program was to support the household survey by understanding the reasons behind identified social trends (see Section 1.2.1 of Annexure 2 for further details).
- Specialist Support:** Separate specialist fieldwork and input concerning public health, gender, cultural heritage, and archaeology was included as part of the social baseline methodology (see Section 1.2.1 of Annexure 2 and Chapter 13 for further details). The fieldwork comprised of field transects to identify physical assets, as well as interviews with local cultural leaders, public health officials, and FGDs with local communities (including women).

4.4. Demographics of Surveyed Households

The total number of RAP 2 surveyed households is 296, and the place of origin of these surveyed households varies (see Table 4.2 and Figure 4.1). These can be divided into two groups – *residents* of the RAP 2 affected villages (but not necessarily the proposed RAP 2 project footprint) and *non-residents* i.e., those residing outside the RAP 2 project affected villages.

The majority (83.3%) of the surveyed population classify themselves as permanently resident in their village (Annexure 2), which indicates that there is no significant temporary movement of people from their homes³¹.

RAP 2 will affect households from twenty-four (24) villages (see Table 4.2 and Figure 4.1) however, the affected assets (land, structures, crops, etc.) are located in only ten (10) villages, with the majority (29% of the PAHs) holding assets in Kirama village (see Table 4.2) which houses 33.45% of the total surveyed households. This is because Kirama village houses eight (08) RAP 2 proposed facilities (NGR 03A, NGR 05A well pads, D3, D5 & N2 roads, NGR03a to NGR 05A, NGR 06 to NGR 05A and NGR 05A to CPF trunk lines).

In this regard, 90.9% of the total surveyed households are resident in the ten (10) villages affected by the RAP 2 project components, and the remainder (9.1%) of the PAHs, who are the majority claimants of land or other assets (as either an individual or clan members) located within the proposed RAP 2 project area, are resident in 14 villages outside the RAP 2 project area villages i.e., they are not resident in the RAP 2 affected villages. This indicates that the village boundaries are not strictly enforced.

The 296 surveyed households comprise 327 PAPs with a total household population of 2201, with males and females constituting 50.7% and 49.3% of this population, respectively, and an average household size of 7.4.

The average household size is higher than the figures of 7.0 persons/household (ARTELIA Eau et Environnement, 2015) and 5.3 persons/households for the Buliisa District as presented in the Buliisa District Development Plan (Buliisa District, 2015). The 2014 National Population and Housing census places the average household size of Buliisa District at five (5) persons, and the average household size of the RAP 2 affected sub-counties of Buliisa Town Council, Kigwera, and Ngwedo sub-counties at 4.8, 5.3 and 5.3 persons respectively.

The population in the surveyed households is predominantly young (see Figure 4.2 and Table 4.3). Children (persons aged 18 years and below) account for 60.4%, while youths (19-35 years) comprise 23.7% of the total population. Middle-aged people (Adults) (36-70 years) comprise 8.8%, while the elderly (70+) comprise only 1.36 %.

The age group of 0-5 years is relatively evenly distributed between males and females (10.31% and 8.72% of the total surveyed population), which is typical in any population. However, there is a greater percentage of children aged between 6 and 10 years (18.1%) compared to children below the age of 5 years (19.04%), which is not expected in a typical community. There is also a greater proportion of males versus females in the 11 to 25 age group; however, in the age group 26 to 30, females have slightly more numbers compared to males. This trend is often attributed to the outward migration of young males to seek labour opportunities or ongoing education.

³¹ This does not include persons whom have emigrated and established their own separate households, and therefore no longer form part of the surveyed population.

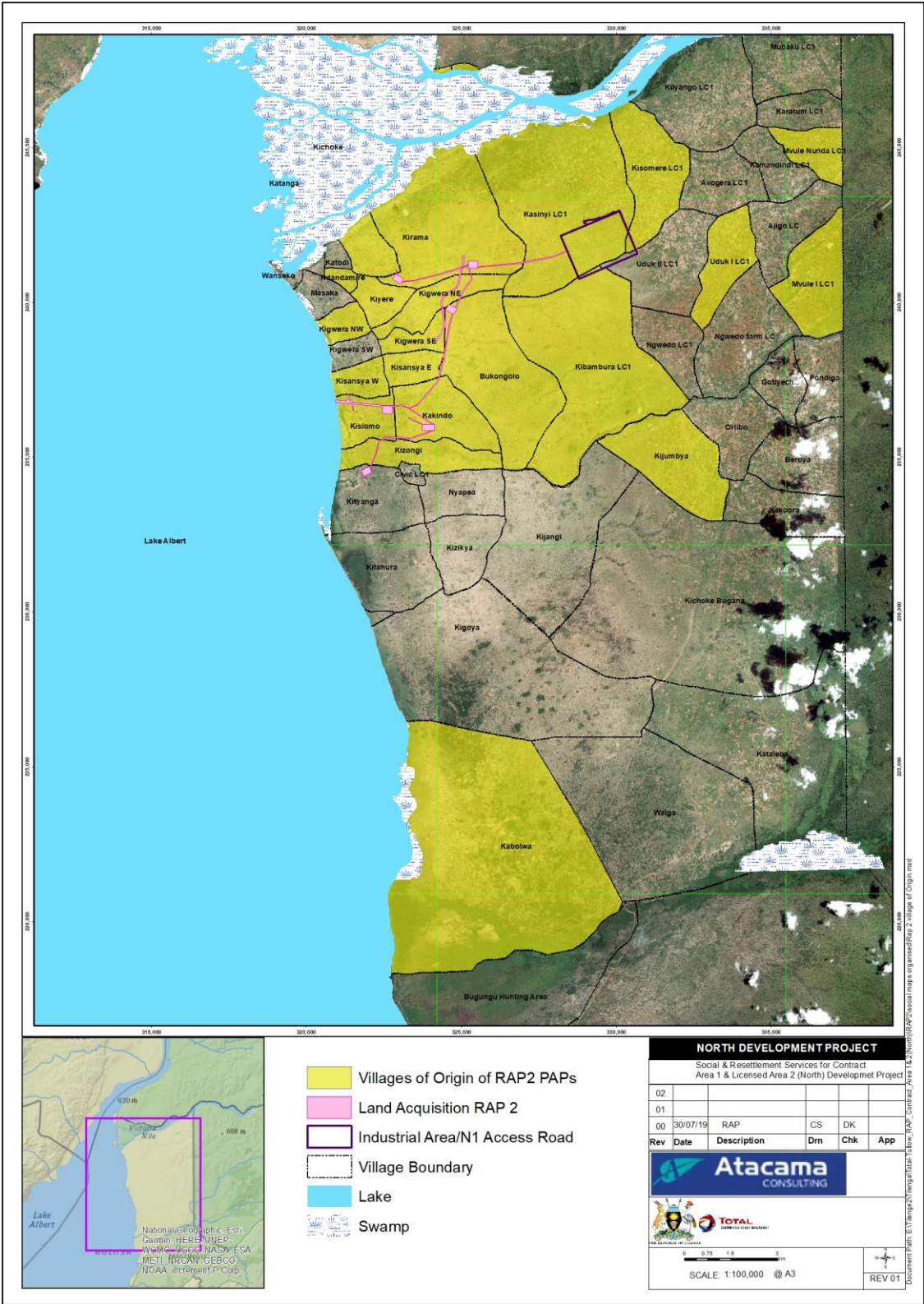


Figure 4.1: Village of residence of RAP 2 Project Affected Households

Table 4.2: Place of Origin of RAP 2 Surveyed Households

No	Parish	Asset Village	Female Head	Male Head	Total HH	%Total HH	PAPs Valuation	Resident Village	Total RV	%Village	%Total
1	Kigwera	Bikongoro	6	16	22	7.43%	19	Bikongoro	14	63.64%	4.73%
								Kimbabura	2	9.09%	0.68%
								Kisansya East	5	22.73%	1.69%
								Muvule 1	1	4.55%	0.34%
2	Northern	Kakindo	9	46	55	18.58%	63	Kabolwa	1	1.82%	0.34%
								Kakindo	51	92.73%	17.23%
								Kigwera North East	1	1.82%	0.34%
								Kigwera South East	1	1.82%	0.34%
								Kisansya East	1	1.82%	0.34%
3	Nile	Kasinyi	2	9	11	3.72%	14	Kasinyi	3	27.27%	1.01%
								Kigwera North East	1	9.09%	0.34%
								Kirama	3	27.27%	1.01%
								Kiyere	1	9.09%	0.34%
								Kizongi	1	9.09%	0.34%
								Ndandamire	2	18.18%	0.68%
4	Kigwera	Kigwera North East	5	16	21	7.09%	27	Kabolwa	1	4.76%	0.34%
								Kigwera North East	11	52.38%	3.72%
								Kigwera South East	5	23.81%	1.69%
								Kirama	2	9.52%	0.68%
								Kisansya East	1	4.76%	0.34%
								Kisimo	1	4.76%	0.34%
5	Kigwera	Kigwera South East		4	4	1.35%	2	Kabolwa	1	25.00%	0.34%

No	Parish	Asset Village	Female Head	Male Head	Total HH	%Total HH	PAPs Valuation	Resident Village	Total RV	%Village	%Total
								Kigwera South East	2	50.00%	0.68%
								Kisansya West	1	25.00%	0.34%
6	Kirama	Kirama	22	77	99	33.45%	109	Bujumbara East	1	1.01%	0.34%
								Kichoke	7	7.07%	2.36%
								Kigwera North West	1	1.01%	0.34%
								Kigwera South East	1	1.01%	0.34%
								Kijumbya	1	1.01%	0.34%
								Kijungu Cell	1	1.01%	0.34%
								Kiraira	1	1.01%	0.34%
								Kirama	79	79.80%	26.69%
								Kisomere	1	1.01%	0.34%
								Kiyere	1	1.01%	0.34%
								Kizongi	1	1.01%	0.34%
								Muvulenunda	2	2.02%	0.68%
								Ndandamire	1	1.01%	0.34%
								Uduk I	1	1.01%	0.34%
7	Kisansya	Kisansya East	2	18	20	6.76%	23	Bikongoro	2	10.00%	0.68%
								Kigwera South East	1	5.00%	0.34%
								Kisansya East	13	65.00%	4.39%
								Kisansya West	4	20.00%	1.35%
8	Kigwera	Kisansya West	12	14	26	8.45%	33	Kisansya West	26	100.00%	8.78%
9	Northern	Kisimo	7	23	30	10.14%	29	Kirama	1	3.33%	0.34%
								Kisansya West	2	6.67%	0.68%

No	Parish	Asset Village	Female Head	Male Head	Total HH	%Total HH	PAPs Valuation	Resident Village	Total RV	%Village	%Total
								Kisimo	26	86.67%	8.78%
								Kizongi	1	3.33%	0.34%
10	Northern	Kizongi	2	6	8	2.70%	8	Kirama	1	12.50%	0.34%
								Kizongi	7	87.50%	2.36%
	Grand Total		67	229	296		327		296		

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Table 4.3: Population by age groups

Age Group	Female	Male	Total
18 and below	29.21%	31.17%	60.38%
19-35	11.77%	11.90%	23.67%
36-50	4.77%	4.04%	8.81%
51-70	2.91%	2.86%	5.77%
Above 70	0.64%	0.73%	1.36%
Grand Total	49.30%	50.70%	100.00

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

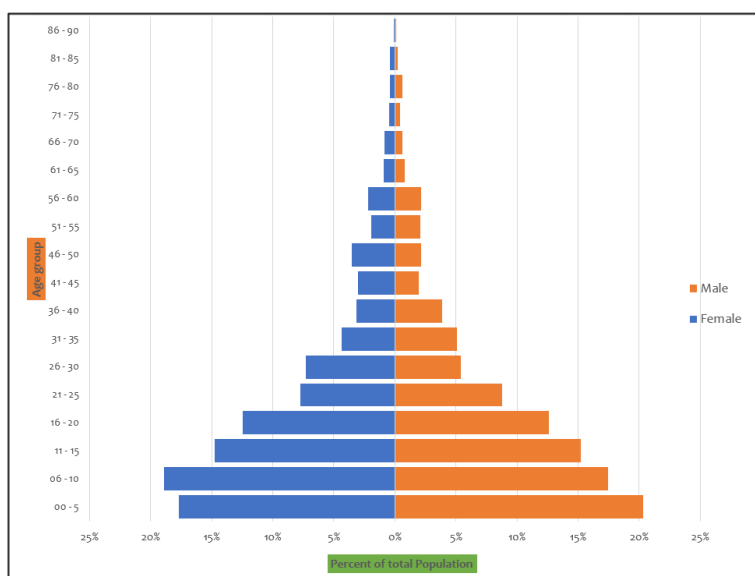


Figure 4.2: Population Pyramid

Surveyed households are predominately arranged as either a single-family residing in a compound arrangement (66.55%) or a single homestead (26.35%) or (see Table 4.5). The single families residing in a single homestead generally have smaller than the average number of household members – mostly comprised of a father, mother, and children, with an average household size of 6.10 persons. Single families in compound homesteads, however, tend to support an above-average number of members – comprising of grandfather, grandmother, father, mother, children, and other extended family members (average 7.95 persons).

Table 4.4: Household living arrangement and average household size

Living Arrangement	% Households	Average Household size
Single Family Living in a Compound	66.55%	7.95
Single Family Living in a Single House	26.35%	6.10
Polygamous Family Living in a Compound	3.04%	8.78
Polygamous Family with a Single House	2.36%	8.71
Borrowing / Caretaking / Renting Household	0.34%	2.00
Other	0.68%	7.50
Unspecified	0.68%	3.00
Grand Total		7.44

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Surveyed households are typically based on a patriarchal kinship system with the male heads constituting 77.3% of all Household Heads (see Table 4.5). Female-headed households still account for a significant portion (22.6%) of affected households (see Table 4.5). Of the female-headed households, 3.72% are single, 9.8% are headed by widows, while 3.04% are headed by women who have either divorced or separated from their male spouse.

Children of the household head constitute the largest proportion (58.9%) of the total affected population (see Table 4.5). It should be noted that the category “Son/Daughter of the household head” is not exclusively limited to persons under the age of 18, but also comprises of adult (18+) children residing at the same homestead as their parents or deliberately registered in this survey. Further analysis indicates that of the 58.9% and 9.95% household members classified as “son/daughter of Household Head” and “Grandchild of HH head” respectively, 77.46% are legally

“children,” i.e., below 18 years, while 22.54% of the individuals in these two sub-groups are adults (18 years and above) (see Annexure 2).

Extended family members outside of the typical nuclear family are not prominent in the RAP 2 surveyed households. While the category “grandchild of Household Head” (9.95% of the surveyed population), “brother or sister of the household head” (1.95% of the surveyed population) and “nephew/niece of Household Head” (1.77%) of the surveyed population) are relatively notable, the other relations outside the typical nuclear family (in-laws, grandparents, cousins, and non-relatives) constitute 4.3% of the total surveyed household population.

Table 4.5: Household Relations

Relationship	Female %	Male %	Total Population%
Household Head (HH)	22.64%	77.36%	13.45%
Spouse of HH	93.66%	6.34%	9.31%
Son/Daughter of HH	48.15%	51.85%	58.97%
Son/Daughter-in-law of HH	48.65%	51.35%	1.68%
Grandchild of HH	49.77%	50.23%	9.95%
Parent of HH	100.00%	0.00%	0.50%
Grandparent of HH	100.00%	0.00%	0.14%
Brother/Sister of HH	39.53%	60.47%	1.95%
Parent-in-law of HH	0.00%	100.00%	0.05%
Brother/sister-in-law of HH	42.86%	57.14%	0.32%
Nephew/Niece of HH	46.15%	53.85%	1.77%
Cousin of HH	42.86%	57.14%	0.64%
Adopted/Foster/Step Child	0.00%	100.00%	0.05%
Other Relative	100.00%	0.00%	0.18%
Friend of HH	50.00%	50.00%	0.09%
Not Related but Dependent	50.00%	50.00%	0.73%
Renter / Tenant	60.00%	40.00%	0.23%
Grand Total	49.30%	50.70%	

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Marital Status

The marital status of household-heads indicates that 69.26% are married, while 14.19% of household heads stated that they are single/unmarried (Table 4.6). Considering the adult population exclusively (39.61% of the total population), 51.83% are married via traditional or official ceremonies or co-habiting (0.11%). Over a third of the adults (37.04%) are single/unmarried. The population below 18 years are largely single as expected (99.12%), with only 0.08% (1 male) said to be married.

Table 4.6: Marital Status Profile by Gender

Status	Percentage Household Heads			Percentage Adult Population			Percentage under 18yrs Population		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
Married	26.87	81.66	69.26	50.68	53.02	51.83	0	0.16	0.08
Cohabitant	0	0	0	0.00	0.23	0.11	0	0	0
Divorced	5.97	2.18	3.04	3.17	1.16	2.18	0	0	0

Status	Percentage Household Heads			Percentage Adult Population			Percentage under 18yrs Population		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
Separated	7.46	1.75	3.04	4.30	2.33	3.33	0	0	0
Single/Unmarried	16.42	13.54	14.19	31.22	43.02	37.04	99.02	99.22	99.12
Widowed	43.28	0.44	10.14	10.63	0.23	5.50	0	0.16	0.08
N/A	0.00	0.44	0.34	0	0	0	0.98	0.47	0.72
Grand Total	100.00	100.00	100.00	100.00	100.00	100.00	100.0	100.0	100.0

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Education Attainment

Children of school-going age

Of the total population of children of school-going age (5-18 years of age) (44.62%), approximately 92.36% are cited as being actively in school or as having attained some formal education. Reasons given for not attending school by the rest of the children (7.64%) include; children are needed to stay at home to work for the homestead (47.30%), school is too far (8.3%) and, school is too expensive (7.88%). However, according to the surveyed population, 8.71% of the children were not attending school because it was perceived by the respondents that even though in the 5-18 year -old age group, these children are not of school-going age.

Education, however, is largely limited to primary school education (70.57%) (See Table 4.7), which is expected given the prioritisation of primary school education and the range of schools available in the district (See Annexure 2) for the profile of schools attended). With respect to gender, the data indicates a fairly similar level of access to primary education by female (34.73%) and male (35.85%) children this is, however, limited to primary school education only. Despite the fact that there is limited access to secondary and tertiary education for both genders (reflected in the very low attendance rates), the number of males accessing secondary and tertiary education (7.84%) is much higher than that of girls (6.21%) (See Table 4.7).

The PAPs' children mainly attend primary school at Kisansya East P.S., Kirama P.S, Good hope Primary School in Kirama, and Treaty Junior School in Kisansya East primary school (see Annexure 2 for the profile of schools attended).

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

Maximum Level of Education	Percent of Child Population		
	Females	Males	Total Population
None	3.77%	3.87%	7.64%
Pre-Primary School	4.79%	2.95%	7.74%
Primary (P1-P4)	20.98%	22.10%	43.08%
Primary (P5-P7)	13.75%	13.75%	27.49%
Secondary (S1-S4)	5.80%	7.13%	12.93%
Secondary I (S5-S6)	0.20%	0.51%	0.71%
Tertiary Education	0.20%	0.20%	0.41%
Total	49.49%	50.51%	

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Adults

The majority (48.51%) of the adults constituting 36.01% of the total population have attained primary level education, and 26.6% have attained secondary school education (see Table 4.8). There is a significant difference in access to education between males and females. More males (45.07%) than females (38.91%) have attained any level of education. Of the 15.37% of the surveyed population who were illiterate, only 3.7% were males, while 11.58% were females. This is most likely attributed to the historical prioritisation of males over women in terms of accessing education.

Table 4.8: Education Profile of Adults

Maximum Level of Education	Percent of Adult Population		
	Males	Women	Total Population
Illiterate	11.58%	3.78%	15.37%
Pre-Primary School	0.46%	0.46%	0.92%
Primary (P1-P4)	10.55%	7.34%	17.89%
Primary (P5-P7)	14.79%	15.83%	30.62%
Secondary (S1-S4)	9.63%	12.84%	22.48%
Secondary (S1-S4)	0.00%	0.11%	0.11%
Secondary I (S5-S6)	1.15%	2.87%	4.01%
Tertiary Education	2.41%	5.62%	8.03%
No response	0.11%	0.46%	0.57%
Grand Total	50.69%	49.31%	

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Occupation Profile

Occupations, in the context of the socio-economic household survey, covered a person's *primary* day-to-day activity and was not solely limited to what is usually understood to be a person's main form of employment. Given that 63.99% of the surveyed population is aged below 18 years, it is expected that the largest daily occupation would be either as a pre-school child or a student/scholar. However, school enrolment rates are low notably after primary school (13.65%), suggesting that teenagers who should be in secondary school are either still enrolled in primary school or drop-out after primary school.

Crop farming is the primary occupation of 45% of the surveyed population (see Table 4.9), and is by far the dominant form of livelihood adopted by affected households (see Section 4.5 that follows). In comparison, livestock rearing, fishing, and casual labour is only claimed as the primary daily occupation of 4.82% of the surveyed population. This indicates that most household resources and effort is directed to crop farming, while other forms of livelihoods are undertaken as either a secondary option, supplementary livelihood activity, or by only a few members of the affected household. Of particular interest is the fact that, for the category contract worker Government, only females are involved in this, no males fall within this category (see Table 4.9). Retirees defining themselves as no longer economically active (with or without a pension income) are not prominent and account for only 1.19% of the total surveyed population, while persons over the age of 65+ years comprise only 2.09% of the total population. Among the communities, aged persons are likely to continue to provide support to their household in terms of crop farming or home-care and therefore are unlikely to define themselves as strictly retired.

Table 4.9: Daily Occupations Profile

Row Labels	Percent of Population by Gender		
	Female	Male	Percent
Crop Farmer	57.72	32.32	45.00
Student/Scholar	20.54	27.07	23.81
Fishermen/women	1.70	11.34	6.53
Own Business / Trade	3.90	6.94	5.42
Pre-school Child	4.07	4.91	4.49
Employed – Private Company	2.21	4.74	3.47
Employed – Government	1.70	1.35	1.53
Livestock Farmer	0.85	2.03	1.44
House-Worker / Care-giver	1.87	0.51	1.19
Casual Labourer	0.17	1.69	0.93
Retired (without pension)	1.02	0.85	0.93
Contract Worker – Private Company	0.17	0.51	0.34
Contract Worker – Government	0.00	0.51	0.25
Disabled and Not-Employed	0.17	0.34	0.25
Retired (with pension)	0.17	0.34	0.25
Own Business / Trade crop farming	0.17	0.17	0.17
Contract Worker – Government	0.00	0.17	0.08
Unspecified	3.57	4.23	3.39
Grand Total	100.00	100.00	100.00

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Skills

The range of skills is limited, with only 20.3% of the total surveyed population claiming to have a specific skill. However, 20% of these have a qualification to accompany the said skill (see Table 4.10). The range of claimed skills is related to common livelihoods adopted by the affected households, notably farming and fishing. While some claim to be ‘commercial’ farmers or fishers, this is likely to suggest that crop and fish are traded, and they are not true ‘commercial’ operators.

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

Medium to high-end skills are limited to 2.27% of the surveyed population (see Table 4.10) with claimed formal qualification in; administration, engineering, computer skills, nursing, business management, accounting, electrician, teaching, and construction.

Table 4.10: Claimed Skills Profile

Skill/Qualification	Members	Formal Qualifications	Average years of Experience
Accounting	5	4	4.25
Administration	12	11	6.4

Skill/Qualification	Members	Formal Qualifications	Average years of Experience
Baking and Cooking	9	5	5.4
Business Management	9	6	3.16
Carpenter	5	1	70
Commercial Farmer	166	3	12.33
Computer Skills	4	3	1.67
Construction	3	1	1
Electrician	3	2	1
Engineering	3	1	0
Hairdressing	12	5	1.75
Nurse	8	8	6
Other	108	10	
Security	6	3	7.67
Sewing / Clothes Making	6	3	2
Shop Keeper / Trader	21	2	9
Taxi Service / Driver	21	2	2.5
Teacher	20	14	6.69
Tourism / Hospitality	4	3	8
(blank)	22	3	
Grand Total	447	90	

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.5. Livelihoods of RAP 2 Project Affected Households

The livelihood base for the RAP 2 project affected households is balanced between rural family farming (generally based on low-input, low-output) and employment coupled with the collection of materials from the bush and livestock farming (See Table 4.11). Affected households adopt a variety of livelihood activities rather than relying on a single activity. 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, tree farming, fishing, and trade for household items 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 (92.5%) households (Table 4.11), while employment and collecting materials from the bush is undertaken by 88.8% and 85.4% of households, respectively. Annual crop farming is considered critical, followed by employment with 81.39% and 50.19%, respectively.

Table 4.11: Livelihoods Profile

Livelihoods	(%) Percent of Households	Level of Importance		
		High	Moderate	Low
Annual Crop Farming	92.5	81.39	15.69	1.46
Use of Trees and Tree Farming	70.2	37.98	40.38	16.83
Livestock Rearing	76.01	48.0	32.89	11.11

Livelihoods	(%) Percent of Households	Level of Importance		
		High	Moderate	Low
Fishing	65.5	42.27	40.72	9.79
Collecting Materials from the Bush	85.4	43.08	32.81	19.37
Small Businesses and Trading	46.9	46.04	36.69	12.23
Employment	88.8	50.19	29.66	16.35

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.5.1. Livelihoods - Crop Farming

The majority (92.5 %) of the affected HHs derive a livelihood from crop farming, and 81.39% ranked crop farming as being of high importance to their households' livelihoods (see Table 4.11 above).

Crop farming focuses on cassava as the primary crop (89.78% of farm plots) followed by maize at 10.58%. However, maize is an important secondary crop grown on 61.68% of the claimed farm plots, as summarised in Table 4.12.

Table 4.12: Crops Profile

Crop type	Percentage of Claimed Farm Plots		Percent of Household by use		
	Primary Crop	Secondary Crop	Household Food	Trade	Food and Trade
Cassava	89.78%	5.84%	25.18%	2.55%	72.63%
Maize	10.58%	61.68%	18.98%	1.46%	51.09%
Sweet Potatoes	6.20%	8.39%	4.74%	0.36%	11.31%
Cotton	5.11%	14.23%	0.00%	17.88%	0.00%
Pumpkin	1.82%	5.84%	1.09%	1.09%	5.84%
Ground Nuts	1.46%	3.65%	0.00%	0.00%	5.11%
Matooke	1.09%	0.73%	0.36%	0.36%	1.46%
Beans	0.73%	5.11%	1.09%	0.00%	5.11%
Carrots	0.73%	1.09%	0.00%	0.00%	1.82%
Cow-Peas	0.73%	4.01%	1.09%	0.00%	4.01%
Sim-Sim	0.73%	0.36%	0.00%	0.00%	1.09%
AloeVera	0.36%	0.00%	0.00%	0.00%	0.36%
Cabbage	0.36%	0.73%	0.00%	0.00%	0.73%
Oranges	0.36%	0.36%	0.00%	0.00%	0.73%
Other	0.36%	3.28%	0.00%	0.00%	1.09%
Potatoes	0.36%	1.46%	0.73%	0.00%	0.73%
Sorghum	0.36%	1.46%	0.00%	0.00%	1.09%
Spinach	0.36%	0.36%	0.00%	0.00%	0.36%
Tomatoes	0.36%	0.00%	0.36%	0.00%	0.00%
Lettuce	0.00%	0.73%	0.00%	0.00%	0.73%
Mangoes	0.00%	0.36%	0.36%	0.00%	0.00%
Ndemesa	0.00%	0.36%	0.00%	0.00%	0.36%
Neem Tree	0.00%	0.36%	0.00%	0.00%	0.00%

Crop type	Percentage of Claimed Farm Plots		Percent of Household by use		
	Primary Crop	Secondary Crop	Household Food	Trade	Food and Trade
Tobacco	0.00%	0.36%	0.00%	0.36%	0.00%
Water Melon	0.00%	0.36%	0.00%	0.00%	0.36%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Cassava (72.63%) and maize (51.09%) are the most important staple foods and are used by households to secure household food needs as well as trade. A relatively small proportion of households solely sell cassava (2.55%) or maize (1.46%), indicating that households will secure household food first and then sell any surplus crops to generate income.

With respect to the preparation of farmland, 94.8% of the claimed farmland is prepared using hand hoes (see Annexure 2). Hand-hoeing requires significant time and effort and is one of the more labour intensive areas for a household. The adult men and females (mainly women, in the case of Bagungu communities) of the household undertake the bulk of land preparation. However, households (which can afford) also rely on hiring local labour.

Surveyed households are almost entirely dependent on rain-fed irrigation (90.9%), with less than 9.1% of fields being irrigated with water from either a borehole or local streams (see Annexure 2). Surveyed households are predominantly dependant on buying seeds (75.18%), or utilising saved seeds (41.61%) and offcuts from the previous seasons' crop (39.78%) (See Annexure 2).

The storage of agricultural goods is a critical challenge for local households, and often produce is damaged by rot or pests. Most (67.15%) of the surveyed households store their produce in grass baskets inside their home, while 23.36% of households pile their produce inside of the house with no attempt at covered or secured storage and 2.92% store their produce outside the house in an unprotected pile (see Annexure 2).

Most surveyed households undertake a range of produce processing techniques relevant to the crop type (Table 4.13), which mainly include, sun drying (85.04%), cutting/graters/chopping (50.36%) and shelling (25.5%). Post-harvest produce handling methods are low technology, and the only mechanised form of processing used by farmers is the milling or grinding machines used for making flour.

Gender division of labour exists in the preparation, sowing, and harvesting of crops. There is a greater dependence on female labour for all stages of the farming cycle, including; land clearing, sowing, weeding, harvesting, and selling of crops (see Table 4.13).

Table 4.13: Profile of Crop Processing

Processing of Crops	Percent of Households
Shelling	25.55%
Roasting/Cooking	22.26%
Sun Drying	85.04%
Fermenting	23.72%
Juicing	5.47%
Milling	40.88%
Pressing/Grinding	16.79%
Cutting/Graters/Chopping	50.36%
Other	2.55%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Children of the surveyed households provide additional labour input into the land clearing (31.02%), sowing (35.4%), weeding (35.77%), and harvesting (37.59%) of crops (see Table 4.14). Children in this context may include teenage children (13-18 years of age), which is indicative that households still rely on support from children.

Another key source of labour used by the surveyed households is casual labourers (female and male) hired from within the village (see Table 14.4) and paid either in cash or in kind. Hired labour is used for more labour-intensive activities such as land clearing and weeding. Labour Breakdown for Crop Farming

Table 4.14: Source of Labour used by Household

Activity	Percent of Households by Source of Labour					
	Males	Women	Children	Family Member	Local Labour	Community
Clearing Land	59.49%	66.06%	31.02%	3.65%	72.63%	0%
Sowing Crop	55.84%	75.18%	35.4%	3.95%	55.47%	0.36%
Weeding	57.3%	70.44%	35.77%	4.01%	76.64%	0%
Harvesting	62.04%	73.72%	37.59%	3.28%	50%	0.36%
Selling	45.26%	58.03%	12.77%	0%	5.47%	0.36%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Sale of crops and vegetables is the commonest income source for 63.5% of the RAP 2 surveyed households (see Section 4.9.1 below). Intra-village trade is common and undertaken by 58.74% of households, while 54.85% of households also trade in neighbouring villages (See Table 4.15).

Table 4.15: Crop Trade and Market Profile

Market Location	Percent of Households	Average Number of Visits Per Month
Markets or Buyers in the Same Village	33.50%	1.31
Households in the Same Village	25.24%	0.81
Markets or Buyers in the Neighbouring Villages	44.17%	1.65
Households in the Neighbouring Villages	10.68%	0.41
Local Main Town (Buliisa)	14.56%	0
Local Main Town (Hoima)	2.43%	0
Elsewhere in Buliisa District	9.71%	0
Elsewhere in Hoima District	1.94%	0
Elsewhere in Bunyoro Region	0.97%	0
Kampala City	0.49%	0.61

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.5.2. Livelihoods – Trees

Majority (70.2%) of the affected HHs derive a livelihood from trees, and 37.98% ranked trees and their products as being of high importance to their households' livelihoods (see Table 4.11 above). The Asset Inventory established the type and number of privately-owned trees located within the proposed RAP 2 project area (see Annexure 1). The production of fruit is seasonal and used to secure household food needs but is also traded to generate an income.

Households utilise a range of tree products primarily for fruit, firewood, wooden poles, traditional building materials, seeds and medicinal purposes. Firewood is the most utilised tree product (67.31%),

followed by fruit (63.94%) (See Table 4.16). While firewood, traditional building materials and medicinal plants are principally sourced from communal lands, fruit is principally sourced from household owned trees. Most of the fruit trees, such as mango and, orange, are planted.

Table 4.16: Household Utilisation of Tree Resources

Tree Products	Percentage Households Utilising	Percentage Source of Products	
		Communal Lands	Privately Owned trees
Firewood	67.31%	42.31%	20.19%
Fruit	63.94%	14.90%	42.31%
Medicinal	55.77%	25.00%	0.00%
Wood poles	49.04%	23.56%	20.67%
Traditional building	47.60%	25.48%	17.31%
Seeds	21.63%	7.21%	12.50%
Others	2.40%	0.00%	0.00%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

The use of tree products is determined by the nature of the tree product. For example, the majority (66.83%) of the RAP 2 households use tree products for their consumption, while over half of the households (55.77%) also indicated that they use tree products for both their household consumption and trade.

Up to 146 (70.19%) of surveyed households undertake some form of informal trade of fruit or other tree products. Intra-village trade is common (99%), and households trade with either their neighbours, at village markets, or sell to buyers in their village. Such trading generally happens on a weekly basis and requires minimal effort and resources for the transport of products.

Inter-village trade is, however, not as common (43.15%) (See Annexure 2). Trade of tree products outside of neighbouring villages is limited, with only 4.79% of surveyed households claiming to trade elsewhere within the Buliisa District. This, however, does not specifically include Buliisa Town, where trade is only undertaken by 10.96% of households.

Labour for tree planting is mainly provided by males (72.6%) who are also the main players in tree harvesting, processing, and selling. However, females of the surveyed households, as well as children and casual labour from the village, are also involved in provision of labour (See Table 4.17). The use of casual labour is significantly higher for crop farming, when compared to tree farming.

Table 4.17: Labour Breakdown for Tree Farming

Activity	Percent of Household by Family Member					
	Males	Females	Children	Other Family Members	Local Labour	Community
Planting	72.6%	50.48%	32.69%	3.85%	15.38%	0.48%
Harvesting	62.98%	56.25%	36.06%	2.4%	14.9%	0.96%
Processing	45.67%	37.98%	24.04%	2.88%	9.13%	0.96%
Selling	52.4%	37.98%	16.35%	1.44%	2.88%	0%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.5.3. Livelihoods – Livestock

Majority (76.01%) of the affected HHs derive a livelihood from livestock, and 48% ranked livestock rearing as being of high importance to their households' livelihoods (see Table 4.11 above). The most common livestock kept by households include goats, chickens, and cattle (Table 4.18). Goats and

chicken are relatively low-input species and are permitted to roam around the homestead. The livestock kept are mainly local breeds due to their tolerance of local conditions.

Table 4.18: Livestock Holdings

Type	Percentage of Households	Number of Animals		Average Livestock Holdings (Number)
		Local	Exotic	
Goats	78.22%	1801	0	10.23
Chickens	71.5%	2107	324	15
Cattle	70.22%	2873	6	18.43
Ducks	22.22%	362	0	7.24
Sheep	15.56%	515	0	14.71
Pigs	9.78%	137	0	6.23
Pigeons	1.33%	11	0	3.37
Rabbits	0.89%	10	0	5

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Goats are central to the livelihoods of the surveyed households, and the majority (50.3%) were reared in the villages of Kirama, Kisimo, and Kakindo. Despite the high importance of cattle in many of the surrounding villages, only 52.7% of all surveyed households own cattle. In addition, the number of owned cattle is heavily skewed to the Bagungu community in the villages of Kirama, Kakindo, Kigwera NE, holding 62.8% of all cattle. The average cattle holding of households is around 18 heads of cattle; however, this is as high as 153 and 150 head of cattle for some households.

In general, males are more involved in livestock management (see Table 4.19). A third of the households also rely on children of the household (this may include teenagers and not exclusively small children) to assist with livestock care specifically for activities such as watering and feeding.

Some of the households rearing livestock (32.1%) are also reliant on the use of local labour in livestock rearing, particularly for herding (see Table 4.19). The herders are referred to as *Balisya* a generic word to designate cattle keepers in Buliisa. These herders are often temporary residents and may be of the Banyankole, Rwandese, or Karamojong ethnic groups and are usually paid in milk rather than receiving cash. The milk produced by the herd is split between the herdsman and the livestock owner, with the majority going to the herdsman (Birungi and Wanzala, 2014).

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

There is no systematic management of communal lands, and grazing is undertaken freely. Households with cattle, goats, and sheep predominantly rely on pasture grazing on communal land (73.77%), 2.67% utilise tethered grazing, 0.44% practice fenced grazing, and, 0.44% provide fodder to their livestock. A substantial percentage (48.19%) of the livestock keepers who graze on communal lands travel distances of over an hour to graze their livestock (Table 4.20). This suggests considerable mobility in terms of grazing. The poultry are mostly kept under the free-range system.

Table 4.19: Labour Profile for Livestock Rearing

Labour Type	Watering	Feeding	Herding	Selling & Trade
Male	49.64%	45.26%	43.80%	57.30%
Female	33.94%	31.02%	21.53%	25.91%
Children	27.37%	25.91%	21.17%	9.85%
Other family members	2.55%	3.65%	2.92%	1.09%
Hired Local Labour Male	18.61%	18.98%	23.72%	5.84%
Hired Local Labour Female	4.74%	4.38%	4.74%	0.73%
Community Members	0.36%	0.00%	0.00%	0.36%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Table 4.20: Grazing Practices and Walk-Time

Type	% of Households	Travel Time (mins)				
		At Home	0-10	10-30	30-60	>60
Communal Grazing Land	73.77%	7.23%	12.05	6.02%	25.3%	48.19%
Tethered Grazing	2.67%	66.67%	16.17%	0	16.67%	0
Fed Fodder	0.44%	0	100%	0	0	0
Fenced Grazing	0.44%	0	100%	0	0	0

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Focusing on livestock that requires substantial amounts of water (cattle, goats, sheep, and pigs), almost half (47.56%) of surveyed households source water for cattle from Lake Albert (see Table 4.21). However, communal boreholes are largely used for livestock such as goats and chickens that require smaller volumes of water (see Table 4.21). Interviews with local men and women indicate that there is usually insufficient water at the homestead for cattle, and households are therefore required to herd cattle to Lake Albert. There are also some local streams and rivers that are used by households for cattle, however, these are highly seasonal.

Given the water sources used by livestock as indicated in Table 4.21, it is not surprising that 23.56% of the households that rear livestock travel more than an hour to the nearest water source (see Table 4.22).

Table 4.21: Water Sources by Livestock

Livestock Type	Percent of Household by Livestock and Water Source							
	Shallow Open Well	Deep Open Well	Private Borehole	Communal Borehole	Streams / Rivers	Lake	Water Harvesting	Free to Roam
Cattle	4.4%	0.0	0.44	0.89%	6.22%	47.56%	0.0	0.0
Goats	2.67%	0.44%	1.33%	56.89	1.78%	12%	7.56%	0.0
Sheep	0.89%	0.0	0.89%	8%	0.44%	3.56%	9.33%	0.0
Chickens	2.22%	1.33%	1.33%	46.22%	1.33%	8%	9.33%	0.0
Pigs	0.89%	0.44%	0.44%	3.11%	0.0	1.33%	2.22%	0.0
Rabbits	0.0	0.0	0.0	0.89%	0.0	0.0	0.0	0.0
Ducks	0.44%	0.0	0.44%	12.44%	0.44%	3.11%	3.11%	0.44%
Pigeons	0.0	0.0	0.0	0.44%	0.0	0.44%	0.0	0.0

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Table 4.22: Travel time to water sources for livestock

No	Travel Time	Households	% Households	Households rearing specific livestock ³²							
				cattle	Sheep	Goats	Pigs	cattle	Sheep	Goats	Pigs
1	At Homestead	14	6.22%	3	2	8	0	1.90%	5.71%	4.55%	0.00%
2	0-10 minutes	55	24.44%	14	11	40	9	8.86%	31.43%	22.73%	40.91%
3	10-30 minutes	83	36.89%	14	13	72	4	8.86%	37.14%	40.91%	18.18%
4	30-60 minutes	104	46.22%	69	9	51	5	43.67%	25.71%	28.98%	22.73%
5	More than 1 hour	53	23.56%	49	2	15	0	31.01%	5.71%	8.52%	0.00%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Trade in livestock and livestock products is a key income source for 50.7% of the surveyed households. The most common livestock and livestock products sold/traded include; live animals (82.72%), cow's milk (41.8%), chicken eggs (18.8%), beef (13.09%), skins, hides, and wool (10.9%), goat meat (9.9%), mutton (2.6%) and pork (2%).

Households that trade in livestock commonly sell their products at markets within the same village (40.84%), to fellow households (32.46%) and Buliisa local markets (32.46%). On average, livestock traders visit the markets in the neighbouring villages 3.26 times per month (see Table 4.23). This is likely attributed to the acceptable travel time and effort required to carry goods using local transport.

The rearing of livestock is generally a livelihood that involves risk. Based on the information provided by only five of the surveyed PAHs, 44.9% of the households rearing livestock were concerned about livestock diseases and pests, and 42.9% were concerned about drought and water shortage (see Annexure 2).

Table 4.23: Livestock Markets

Market Location	Percent of Households	Average Number of Visits Per Month
Markets in the same Village	40.84%	5.13
Households in the same village	32.46%	5.18
Markets in the neighbouring villages	30.37%	3.26
Households in the neighbouring villages	7.33%	5.5
Local Main Town (Buliisa)	32.46%	1.74
Local Main Town (Hoima)	2.62%	1.0
Elsewhere in the Buliisa District	8.9%	1.53
Elsewhere in the Hoima District	1.05%	1.0
Kampala City	0.52%	1.0

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

³² This refers only to those households that specified the distances

4.5.4. Livelihoods – Fishing

Fishing is undertaken by 65.54% of the total surveyed households, of which 42.27% consider fishing to be a livelihood of high importance (see Table 4.11 above). It was ascertained during the household survey that, households do not exclusively undertake fishing, but rather, undertake this activity as a supplementary livelihood source to crop and livestock farming

Households' members are mainly involved directly in fishing (88.1%), as fish transporters (6.7%), boat owners (not directly fishing) (0.52%), as fish traders/mongers (21.13%) or as people making/mending fishing nets (1.03%) (Annexure 2).

Fishing is dominated by men (76.29% - see Table 4.24) (i.e., they undertake fishing directly (88.1%), are fish traders or mongers (36.1%), or fish transporters (6.7%). A few others own boats or mend fishing gear, as compared to the women (2.58%). However, women still play an important role, as they may be involved in activities directly related to fisheries production, processing, and marketing (see Annexure 2).

Table 4.24: Fishing Labour Profile

Description	Percentage of Households
Males	76.29%
Females	2.58%
Children in the family	3.09%
Hired Local labour (Male)	5.67%
Community Members	0.52%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Fishing is nearly exclusively undertaken on Lake Albert by 85.14% of the surveyed households; with only 0.29% of the surveyed households claiming that fishing is undertaken along rivers (see Table 4.25). The main fishing methods used are gill netting (46.9%) and purse seining (*Kokota*) (26.3%) (See Table 4.25). However, some fishing methods were reported to be exclusively undertaken on the lake and not the rivers and these include, but are not limited to (also see Table 4.25), hand line fishing, net-fishing from shore, long line and hook fishing, spar and panga fishing etc.

Table 4.25: Fishing Methods and Locations Profile

Fishing Method	% HH Fishing on Lake	% HH Fishing in River
Gill Netting (<i>Bitimba</i>)	46.91%	1.55%
Purses Seining (<i>Kokota</i>)	26.29%	1.03%
Net Casting (<i>Munjanga</i>)	12.89%	1.03%
Net Fishing from a boat	11.34%	1.03%
Long Line Fishing (<i>Malobo</i>)	7.22%	0.00%
Hand-line Fishing from Shore	5.67%	0.00%
Hand-line fishing from boat	2.58%	0.00%
Basket/Trap Fishing (<i>Migoni</i>)	2.58%	0.52%
Spear and Panga Fishing (<i>Mud Fish - Biisa/Mabike</i>)	2.58%	0.00%
Net fishing from shore	2.06%	0.00%
Line and Hook (<i>Ilobo</i>)	2.06%	0.00%
Fish Traps/Hook	1.55%	0.52%
Other (<i>Bigoro</i>)	0.52%	0.00%

Fishing Method	% HH Fishing on Lake	% HH Fishing in River
Grand Total	85.14%	0.29%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

A wide variety of fish species are caught with the most commonly caught fish species being; Tilapia (73.2%) and Nile Perch (*Mputa*) (49.48%) (See Table 4.26). The use of fish captured is dependent on the species of fish captured. For example, Tilapia and Nile Perch both generate income through trade and to supplement household food security, whereas species such as *Biisa* and *Bubu* are mainly for household food. However, in general, based on Table 4.26, very few households use the fish they capture exclusively for household food or trade, rather they use the fish for both purposes.

Table 4.26: Fish Catch Utilization

Type of Fish	% Households	Household Food Only	Trade Only	Food and Trade
Tilapia/Nzogoro	73.20%	22.68%	6.70%	55.15%
Nile Perch/Mpuuta	49.48%	13.92%	10.82%	30.93%
Lanya	15.46%	8.25%	4.64%	0.00%
Bagrus/Ngassia	14.95%	3.61%	2.06%	11.86%
Barbus/Kisinja	9.79%	2.58%	1.03%	7.22%
Gologolo	9.28%	7.73%	4.12%	7.22%
Angara/Ngara	4.12%	1.55%	1.03%	3.61%
Muziri	4.12%	2.06%	2.58%	2.06%
Ragoogi	4.12%	1.03%	0.52%	3.61%
Biisa	1.03%	0.52%	0.00%	0.52%
Bubu	1.03%	1.03%	0.00%	0.52%
Electric fish	1.03%	1.03%	1.03%	2.06%
Mud Fish	0.52%	0.52%	0.52%	0.52%
Karuka	0.52%	0.52%	0.52%	0.52%
Mad fish	0.52%	0.00%	0.00%	0.00%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

The majority (79.89%) of the PAHs involved in the fishing industry undertake some form of trade in fish. Intra-village trade is common (66.46%), where households trade at village markets or sell to buyers or other households in their village (see Table 4.27). Inter-village trade is also common; with 46.45% of households, undertaking fish trading at markets or with buyers in neighbouring villages (see Table 4.27). Of particular interest is the fact that 30.32% of the surveyed households trade their fish in Kampala City, making about three (03) trips on average per month.

Table 4.27: Fish Markets and Trade Profile

Market Location	Percent of Households	Average No of Visits Per Month
Markets or Buyers in the Same Village	40.65%	11.98
Households in the Same Village	25.81%	10.85
Markets or Buyers in the Neighbouring Villages	32.26%	11.78
Households in the Neighbouring Villages	14.19%	8.95
Local Main Town (Buliisa)	10.32%	4.82
Local Main Town (Hoima)	1.94%	4

Market Location	Percent of Households	Average No of Visits Per Month
Elsewhere in the Buliisa District	4.52%	3
Elsewhere in the Hoima District	1.29%	4
Elsewhere in the Bunyoro Region	2.58%	5
Kampala City	30.32%	3.06
Outside Bunyoro Region	3.87%	3.25

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.5.5. Livelihoods – Natural Resources

Most households (85.47%) indicated that they harvest natural resources, of which 43.08% consider such resources to be of high importance in sustaining household livelihoods. The most common natural resources that are harvested include; firewood (95.26%), grass for thatching, wild fruits and vegetables (29.64%), and medicinal plants (47.43%) (See Table 4.28). Except for wild fruit and vegetables, all other main natural resources harvested are non-food items.

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

To minimise the level of effort required to collect resources such as medicinal plants and thatching grass, households generally limit the distance within which they collect these resources to within or in close proximity (less than 1 km away) from their household. However, 45.45% of the households claimed that they collect firewood; more than 5 km away from their homes (see Table 4.29). The fact that some households are willing to walk such distances to harvest a frequently used resource such as firewood suggests that some natural resources may be becoming more difficult to source locally.

Table 4.28: Type of Collected Natural Resource

Natural Resource	Percentage of Households
Firewood	95.26%
Grass for thatching	62.06%
Wild fruits and vegetables	29.64%
Medicinal plants	47.43%
Wood for charcoal making	5.93%
Sand / Clay for construction of Bricks	12.65%
Collecting papyrus	1.58%
Hunting animals and birds	5.53%
Wood for carpentry	1.98%
Shells from the lake	1.98%
Wood for artisanal items	1.58%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Both males (91.3%) and females (87.8%) are involved in collecting natural resources (see Table 4.30). The collection of firewood, thatch grass, vegetables, lake shells, and medicinal plants are mostly undertaken by women. On the other hand, men dominate the collection of wood for charcoal making, building and fencing poles and clay and sand excavation for construction.

Table 4.29: Location of Natural Resources Harvesting

Natural Resource	Percent of Households by Location		
	Inside the Village	Within 1km of the Household	More than 5km from the Household
Firewood	40.71	28.46	45.45
Medicinal plants	31.23	21.34	8.7
Grass for thatching	28.46	19.37	23.72
Wild fruits and vegetables	9.09	11.07	11
Sand for construction	4.7	4.7	2.77
Wood for charcoal making	3.95	0.4	1.19
Hunting animals and birds	1.98	2.37	1.19
Shells from the lake	0.4	0.4	1.19
Wood for artisanal items	0	0.79	0.4
Wood for carpentry	0	0.79	1.19
Collecting papyrus	0.0	0.0	1.58
Building materials	0.0	0.4	0.0

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Table 4.30: The labour profile of collection of natural resources

Labour Type	% Households
Male	91.30%
Female	87.75%
Children	33.60%
Other family members	2.37%
Hired Local Labour Male	2.77%
Hired Local Labour Female	0.40%
Community Members	0.40%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

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

The utilisation of natural resources varies depending on the type of natural resources (see Table 4.31). Wild fruits and vegetables, firewood, and thatching grass are mostly used for domestic purposes but are also traded, while shells from the lake are traded exclusively, wood for carpentry is exclusive for household use, and medicinal plants are mainly used for traditional medicine (see Table 4.31).

Table 4.31: Natural Resources by Utilisation

Natural Resource	Percent of Households by Utilisation			
	Household Use	Trade	Food & Trade	Traditional Medicine
Wood for charcoal making	3.56	0.4	1.98	0.0
Firewood	70.36	0.4	24.11	1.19

Wild fruits and vegetables	18.58	0.4	9.88	0.4
Wood for artisanal items	0.4	0.4	0.4	0.4
Medicinal plants	16.21	1.19	11.07	19.76
Grass for thatching	33.6	0.4	27.67	1.19
Hunting animals and birds	4.35	0.0	1.19	0.0
Wood for carpentry	1.98	0.0	0.0	0.0
Sand for construction	11.07	0.0	0.79	0.0
Shells from the lake	0.0	1.98	0.0	0.0
Collecting papyrus	0.0	0.4	1.19	0.0

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.5.6. Livelihoods – Informal Trade

Small businesses and informal trade are the main livelihood source in the project area undertaken by 47% of the PAP households; with 46% ranking these high as a livelihood source (see Table 4.11 above).

PAHs engage in a range of informal trade activities within their residential structures, compounds, along roads, or in gazetted markets, mainly including agricultural produce (67%), fish (44.6%), and household goods stall/shop (18.71%) (See Table 4.32).

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

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

Table 4.32: Types of Trade Activities Undertaken by Affected Households

Type of Enterprise	Percentage of Households
Agricultural Goods Stall / Shop	67%
Fish Stall / Shop or Fish Monger	44.6%
Household Goods Stall / Shop	18.71%
Traditional Medicine	15.11%
Butchery Stall / Shop	11.51%
Taxi / Public Transportation	11.51%
Food Processing	7.91%
Construction and Carpentry	4.32%
Other	4.32%
Sewing / Weaving	2.16%
Artisanal Goods and Handcrafting	0.72%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.6. Public Health

In the last six months preceding the socio-economic HH survey, malaria and respiratory tract infections (including the flu and common cold) were the leading causes of morbidity experienced in the RAP 2 project area (see Table 4.33).

Knowledge of the causes of malaria was relatively high among the respondents, with 78.04% being aware that it is caused by mosquito bites (see Table 4.34). Indeed 93.9% of the respondents stated that all members of their households sleep under mosquito nets. However, there are still many misconceptions on causes of malaria including; drinking dirty water (8.45%), working in the sun (7.43%), getting cold (7.43%), dirty surroundings (7.43%) and being in the rain (7.43%), amongst others. 2.03% of the respondents did not know the cause of malaria.

The majority (74.32%) of surveyed households preferred to take sick persons to a medical care facility for care and treatment with 8.78% preferring to seek care from a nearby drug store/chemist/pharmacy. 0.34% of the households surveyed reported *no action* as a first step when a family member was ill.

The most commonly utilised health facilities are Kigwera HC II and Buliisa HC IV for common and serious diseases, as well as accidents and injuries, maternal health care, and child health care (see Table 4.35). Buliisa HC IV is, however, the preferred option.

The majority (94.56%) of surveyed households have heard about a disease called HIV/AIDS, and 94.5% had knowledge of a local place where to receive HIV/AIDS testing services, including counselling and lifelong treatment. Knowledge of the role of condom use in HIV prevention was also high (93.9%). However, 6.08% stated that condoms or abstinence were not effective methods for HIV/AIDS prevention (see Annexure 2).

Table 4.33: Persons affected by prominent diseases over the last six (6) months

Disease / Illness	Percentage of Total Population
Malaria	25.5%
Respiratory Infections / Flu / Cold	12.3%
Intestinal Worms	4.6%
Skin Infections	5.1%
Diarrhoea	3.9%
Bilharzia	1.5%
Typhoid	1.8%
High Blood Pressure (Hypertension)	1.4%
Yellow Fever	1.0%
Tuberculosis (TB)	0.9%
Diabetes	0.5%
Headache	0.3%
Others (broken Bone, accidents)	3.2%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Table 4.34: Household Perception on the Causes of Malaria

Causes of Malaria	Percent of Households
Mosquito Bites	78.04%
Drinking dirty water	8.45%

Causes of Malaria	Percent of Households
Dirty surroundings	7.43%
Getting Cold	7.43%
Being in the Rain	7.43%
Working in the Sun	7.43%
Insect Bites	6.42%
Transmitted from another person with Malaria	5.74%
Don't Know	2.03%
Drinking Alcohol	0.68%
Eating too much junk food	0.65%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Table 4.35: Profile of Health Facilities Used by Surveyed Households

Health Facility	Common Diseases (%)	Serious Diseases (%)	Accidents and Injuries (%)	Maternal Health Care (%)	Child Health Care (%)
Buliisa HC IV	54.06	53.38	52.02	48.65	47.3
Kigwera HC II	18.92	20.61	15.87	20.26	27.37
Avogera HC III	3.38	3.04	2.03	2.71	2.71
Private Clinics/Drug shop	2.71	2.37	0.34	0.34	0.34
Buliisa General Hospital/Kigoya	2.37	3.05	3.39	3.73	3.72
Ndandamire Health centre	0.68	0.68	0.68	0.68	0.34
Pakwach Hospital	0.68	0.34	0.34	0.34	0.34
Abok Dispensary	0.34	0.34	0.34	0.34	0.34
Biiso Health Center III	0.34	0.34	0.34	0.68	0.68
Bugoma H/C II	0.34	0	0.34	0.34	0.34
Hoima Hospital	0.34	0.68	4.05	0.34	0.34
Kigoroby H/C IV	0.34	0.34	0.34	0.34	0.34
Kisansya	0.34	0.34	0.34	0	0.34
Masindi Hospital	0.34	0.34	0.34	0.34	0.34
Angal Hospital	0	0	1.01	0.34	0
Kisomsere HC II	0	0	0.34	0.34	0
None/Not applicable	0	0	0.34	0	0

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.7. Food Security

Hunger was described as experiencing scarcity of food at least once a month. More than half (57.09%) of the households reported experiencing hunger in some months of the year 2017, whereas 42.91% of the households stated they did not experience hunger in 2017. The hunger climax was experienced in the months of June, July, and August 2017. October, November and December 2017 are the months when the least number of households experienced hunger (see Table 4.36 and 4.37). Buliisa has a bimodal rainfall pattern with most rains experienced from April to May (short rains) and August to

November with a peak in October (long rains) – with the exception of some months in the long rains period (specifically October and November), hunger is most experienced in the dry months of June and July. However, despite this, the majority (20.27%) of the surveyed households mainly attributed hunger to lack of money to buy food (see Table 4.37), meaning that, regardless of seasonality, if one has money, they should not experience hunger.

Table 4.36: Profile of Households that Experienced Hunger in a Given Month the previous year (2017)

Hunger Month	Percent of Households
January	9.8%
February	11.15%
March	11.49%
April	10.81%
May	13.18%
June	22.64%
July	21.96%
August	15.54%
September	9.12%
October	6.76%
November	7.77%
December	8.11%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

Table 4.37: Causes of Hunger in the RAP 2 surveyed households in 2017

Reason for Hunger	% Households
No money to buy food	20.27%
Natural Calamities (bushfire, drought, disease, and pests)	11.15%
Others (Fasting, Long Distance where food is)	2.03%
Could not produce enough food	16.89%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

The surveyed households have good access to protein, with 34.46% reporting that they ate fish daily in the six months preceding the socio-economic HH survey, 36.49% and 19.26% eating fish and meat respectively more than once a week. However, 1% of the households surveyed claimed not to have accessed meat in the last (6) months, but no households claimed they had no access to fish in the six months preceding the socio-economic HH surveys. Access to fruits and vegetables was reported daily by 10.81% of the surveyed households, with 21.96% of the households having access to fruits and vegetables more than once a week (see Table 4.38). Only ten households (3.38%) reported a total lack of fruits/vegetables.

Table 4.38: Profile of Household Nutrition

Frequency	Percentage Household consuming		
	Meat (Chicken, Beef, Pork)	Fish	Fruits and Vegetables
Daily	2.03	34.46	10.81
More than once a week	19.26	36.49	18.24

Frequency	Percentage Household consuming		
	Meat (Chicken, Beef, Pork)	Fish	Fruits and Vegetables
Once a week	41.22	15.88	21.96
Once a month	22.97	3.38	22.30
Uncertain	8.11	3.04	17.91
Never	1.01	0.00	3.38

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.8. Public Services

4.8.1. Water

The majority of the project-affected households are mainly dependent on community boreholes (83.1%) and rivers/streams/Lake Albert (10.1%) to secure their domestic water needs (Table 4.39), and dependence on these two water sources is higher during the dry season than the wet season. Only 1% of the surveyed households are dependent on tap water.

Table 4.39: Profile of Domestic Water Sources by Season

Row Labels	% Households	% Wet Season	% Dry Season
Community Borehole	83.11%	82.77%	83.11%
River/Stream/Lake	10.14%	4.05%	10.14%
Rain Water	5.07%	5.07%	0.34%
Private Boreholes	2.70%	2.70%	2.70%
Tap	1.01%	1.01%	1.01%
Protected Well	0.68%	0.68%	0.00%
Hand Dug Well at Home	0.34%	0.34%	0.34%
Bottled Water	0.34%	0.34%	0.34%
Local wells	0.34%	0.34%	0.00%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.8.2. Household Energy

Affected households are reliant on locally sourced fuel wood, and charcoal for cooking (see Table 4.40). Wood is harvested by 91.55% of the households, generally from bushes around the homestead, and is the primary fuel source. Charcoal is used by 15.54% 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 (46.28%) as their primary source of lighting.

Solar torches and paraffin lamps are the main sources of lighting used by 46.28% and 36.82% of the surveyed households, respectively (see Table 4.40). Only 2.03% of the PAHs use formal electricity (national grid) connections for lighting.

Table 4.40: Profile of Energy Sources for Cooking and Lighting

Battery and Torch	Households	Percentage
Cooking energy source		
Collected Wood	271	91.55
Charcoal	46	15.54
Bought wood	32	10.81

Battery and Torch	Households	Percentage
Paraffin	4	1.35
Lighting energy sources		
Solar and Torch	137	46.28
Paraffin	109	36.82
Battery and Torch	93	31.42
Candle	10	3.38
Formal Electricity Connection	6	2.03
Private Generator	4	1.35

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.8.3. Sanitation

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

Only 1.35% of affected households reported having access to water-borne sewerage, the rest (89.52%) mostly use pit latrines. The majority of the surveyed households use a covered pit latrine, without a slab (52.7%) or uncovered pit latrine with a slab (18.5%) (See Table 4.41). Of particular importance to note is the fact that 10.47% of surveyed households have no facility (use the bush and dig a hole). Additionally, 1.35% of the surveyed households have a flush toilet.

Table 4.41: Profile of Household Sanitation

Toilet System	% Households
Covered Pit Latrine Without Slab	52.70%
Uncovered Pit latrine Without Slab	18.58%
Covered Pit latrine With Slab	15.20%
No facility Bush Bucket	10.47%
Uncovered Pit latrine With Slab	3.04%
Flush Toilet	1.35%
VIP Latrine	1.01%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

There is no formal waste collection or communal waste dump available to surveyed households. The majority (63.51%) of the surveyed households dispose of waste using a waste pit at the homestead, while a sizeable proportion (26.35%) dispose of waste into the bush (see Table 4.42).

Table 4.42: Profile of Household Waste Disposal Methods

Waste disposal system	Percent of Households
Private Waste Pit at the Homestead	63.51%
Throw in bushes	26.35%
Burn waste	27.7%
Communal Waste Pit/ Landfill	1.69%
Bury waste	5.41%
Compost waste	0.68%

Waste disposal system	Percent of Households
Feed waste to animals	1.4

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.8.4. Access to Public Facilities

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

Based on Table 4.43, there are several primary schools used by surveyed households. Kisansya East was the most commonly cited primary school used by surveyed households. Other primary schools (Asaba Model, Kigwera Nursery) that are actively used by affected households are generally within a 0.6km radius of the proposed RAP2 project area (Figure 4.3). However, in general, the use of public facilities is largely dependent on the presence of those facilities in the villages. There are thirteen (13) access roads and two (2) power lines affected by the proposed RAP 2 project area (see Chapter 5).

Table 4.43: Primary/ranked 1st 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	Kisansya Primary School	Kirama Primary School	Kisansya East Primary School	Ndandamire Primary School	Buliisa TC Primary School
Secondary School	Buliisa Secondary School	Kisansya South West Secondary School, Nyapeya Secondary School, Kizongi Secondary School	Kiyera		
Open Markets	Wanaseko	Buliisa TC, Kijangi TC, Kisomere, Panyimur	Kabolwa, Kisimo, Kalolo		
Informal Shops	Kirama	Kakindo	Kisansya Trading Centre	Buliisa, Kasinyi, Kichoke, Kigwera NE, Kisimo	Bikongoro, Kabolwa, Mvule Nunda, Wanaseko
Formal Shops	Kisansya	Kirama, Kisansya West	Kakindo, Kisimo	Buliisa TC	Biiso, Civic cell, Kichoke, Kijumbya, Hoima, Kiyere
Small Government Clinic	Kigwera, Ndandamire	Buliisa	Kiyere	Kizongi	Avogera, Kigoya, Ndaragi, Kirama, Kityanga, Kizongi, Packwach
Large Hospital	Buliisa HCIV, Kizongi	Kigoya/Buliisa General Hospital, Kityanga			
Police Station	Buliisa	Wanaseko			
Church / Place of Worship	Kisansya	Kirama, Ndandamire	Buliisa, Kibambura, Kichoke		

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.9. Income, Expenditure and Asset Holdings

4.9.1. Household Income Sources

Surveyed households have a diversity of income sources, with the primary income sources being the sell of crops and vegetables (63.51%), and the sell of livestock (live animals) (50.68%) and sell of fish (48.31%) (see Table 4.44) which is expected as crop cultivation is the primary livelihood for nearly 92.6% of surveyed households (see Table 4.11 above). Income from wage (formal) employment is negligible, with both local and migrant labour contributing an income for only 14.8% of affected households. Rather, a greater proportion (6.4%) of households generate cash income from informal trading and basic services (baking, boda-boda riders, etc.).

Table 4.44: Profile of Household Income Sources

Income Source	Households%
Sale of Crops and Vegetables	63.51%
Sale of Livestock (Live)	50.68%
Sale of Fish	48.31%
Sale of Fruit	26.35%
Sale of Animal Products	23.31%
Sale of Livestock Meat	15.88%
Trade Shop	15.54%
Migrant Remittances – Within Uganda	14.53%
Other Self Employed	11.49%
Informal Trading/Hawking	6.42%
Salaries (Government)	6.42%
Salaries (Any Other Companies)	6.08%
Casual Worker	5.74%
Credit or Loans	4.39%
Rental of Property/Land	3.38%
Sale of firewood/trees/poles/wood	2.7%
Craftsman	2.36%
Boda-Boda/Driver/Transport Business	1.69%
Sale of Bush Meat	1.35%
Donations	1.35%
Sale of food	1.35%
Pensions / Social Grants	0.68%
Salaries (Oil and Gas Companies)	0.68%
Bar	0.34%
Baking	0.34%
Migrant Remittances – Other Countries	0.34%
Sale of Shells	0.34%
Witch Doctor	0.34%
Photography	0.34%
Sale of drugs & medicine	0.34%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.9.2. Household Expenditure

Most of the surveyed households use generated income to buy food for their families (89.68%), on the telephone (cellular) bills (81.42%), and medical expenses (76.01%) (See Table 4.45).

Table 4.45: Profile of Household Areas of Expenditure

Expenditure	Households%
Food	89.86%
Medical expenses	76.01%
Clothes	68.92%
School fees, uniforms, books/equipment	72.64%
Transport	76.69%
Agricultural expenses –seeds	67.23%
Water	70.27%
Telephone (cellular)	81.42%
Household energy	45.61%
Personal Items	58.11%
Furniture/household equipment	31.08%
Agricultural expenses –livestock	51.35%
Savings society	27.7%
Rent (housing/accommodation)	5.74%
Alcohol	27.36%
Repairs and maintenance	0.68%
Salaries for labour/herdsmen	0.68%
Nets for fishing	0.34%
<i>Boda boda</i>	0.34%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

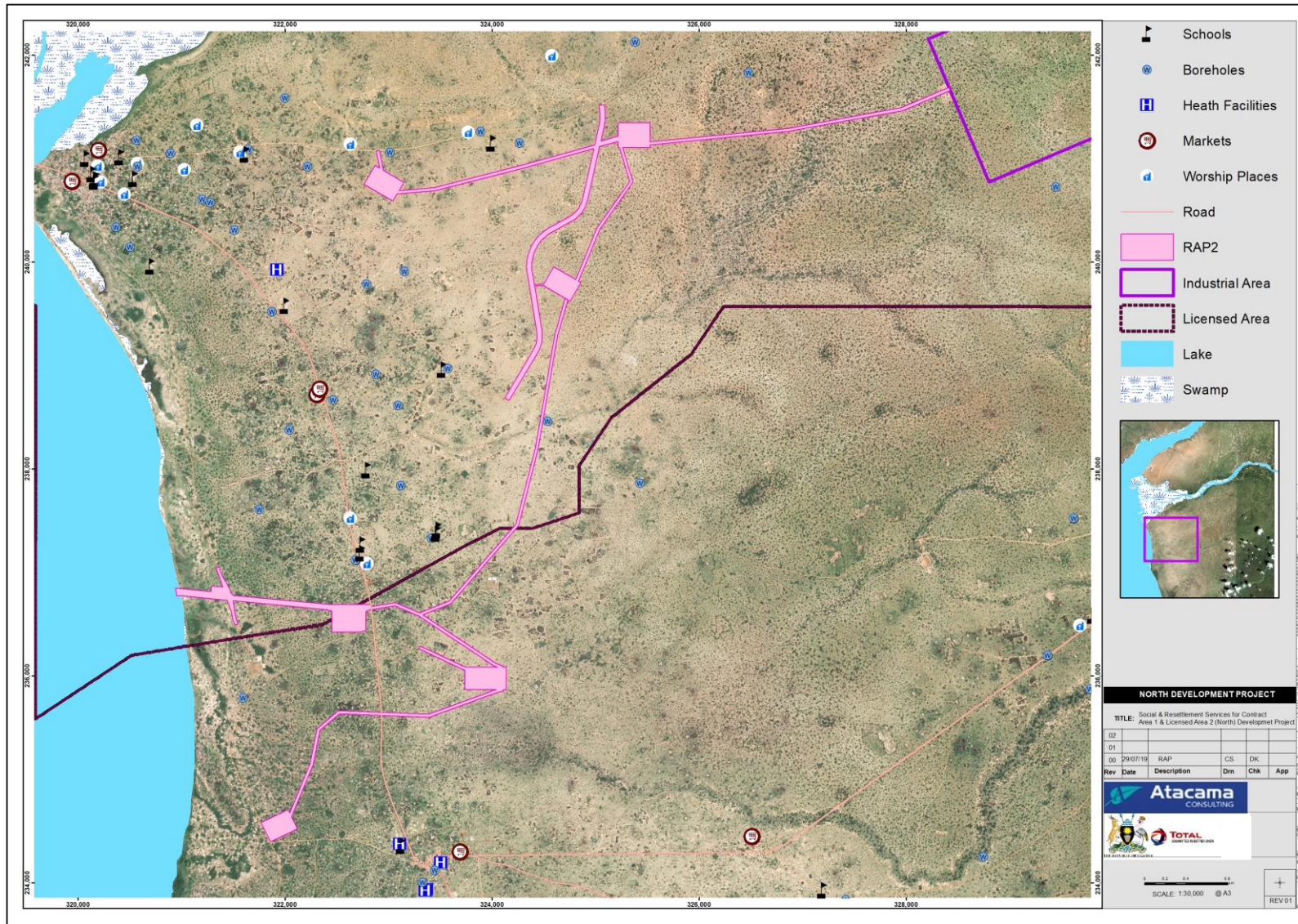


Figure 4.3: Location of Public Facilities

4.9.3. Moveable Assets

During the socio-economic HH survey, respondents were asked whether they owned a pre-determined list of moveable assets in working condition. The majority of the surveyed households had the following moveable assets; mosquito nets (90.88%), beds and mattresses (86.82%), mobile phones (85.14%) and bicycles (77.36%) (See Table 4.46).

Table 4.46: Moveable assets owned by the Households

Assets available in Working Condition	% Households
Mosquito Nets	90.88%
Bed with Mattress	86.82%
Mobile Phone	85.14%
Bicycle	77.36%
Wooden Furniture	76.01%
Plastic Chairs	72.30%
Radio	71.96%
Motorcycle (Boda Boda)	26.69%
Television	11.49%
Paraffin Cooker	8.78%
Satellite Dish	5.41%
Fridge	5.07%
Motor Car	2.70%
Sewing Machine	2.70%
Generator	2.36%
Tractor	0.34%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.10. Cultural Heritage

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

The first peoples of the area were hunter-gatherers related to the “Pygmy”³³ 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 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.

³³ The term pygmy is used in its generic ethnographic sense.

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

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

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

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

Currently, the Bunyoro-Kitara Kingdom consists of six districts; (see Figure 4.4):

- Buliisa district;
- Hoima district;
- Kikuube district (Kikuube district was established on 1st July 2018) - prior to that, it was part of Hoima District
- Kibaale district;
- Kakumiro District (Kakumiro district was established on 1st July 2016) - prior to that, it was part of Kibaale District;
- Kagadi district (Kagadi district was established on 1st July 2016) - prior to that, it was part of Kibaale district;
- Kiryandongo District (Kiryandongo District was established on 1st July 2010) - prior to that, it was part of Masindi District; and
- Masindi District³⁴.

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, moved along the Nile, and settled in other parts of East and Central Africa; thus, the Luo of Kenya, Tanzania, Congo, and Uganda. This is because; in the course of migration, they settled in various places. For the Alur in the project area, they are said to have migrated mainly from Congo and West Nile.

4.10.1. Language

Language is the means of expressing the creative arts of orator and literature (Uganda Cultural Policy, 2006), and Uganda has a variety of languages where some are dominant and others not. The dominant languages spoken by household heads and their spouses/next-of-kin in the RAP 2 surveyed households are Lugungu followed by Alur while Kinyarwanda and Luganda are minority languages (see Table 4.47). Despite the dominance of Lugungu as the main language, there is a higher proportion of spouses that speak Lugungu as well, and the proportion of spouses that speak Alur is small, which could be attributed to spouses learning the Household Head's language or fewer inter-marriages between the Alur and the Bagungu.

³⁴ The map and the District information were accessed from the website: <http://www.bunyoro-kitara.org/5.html> on 23 August 2017.

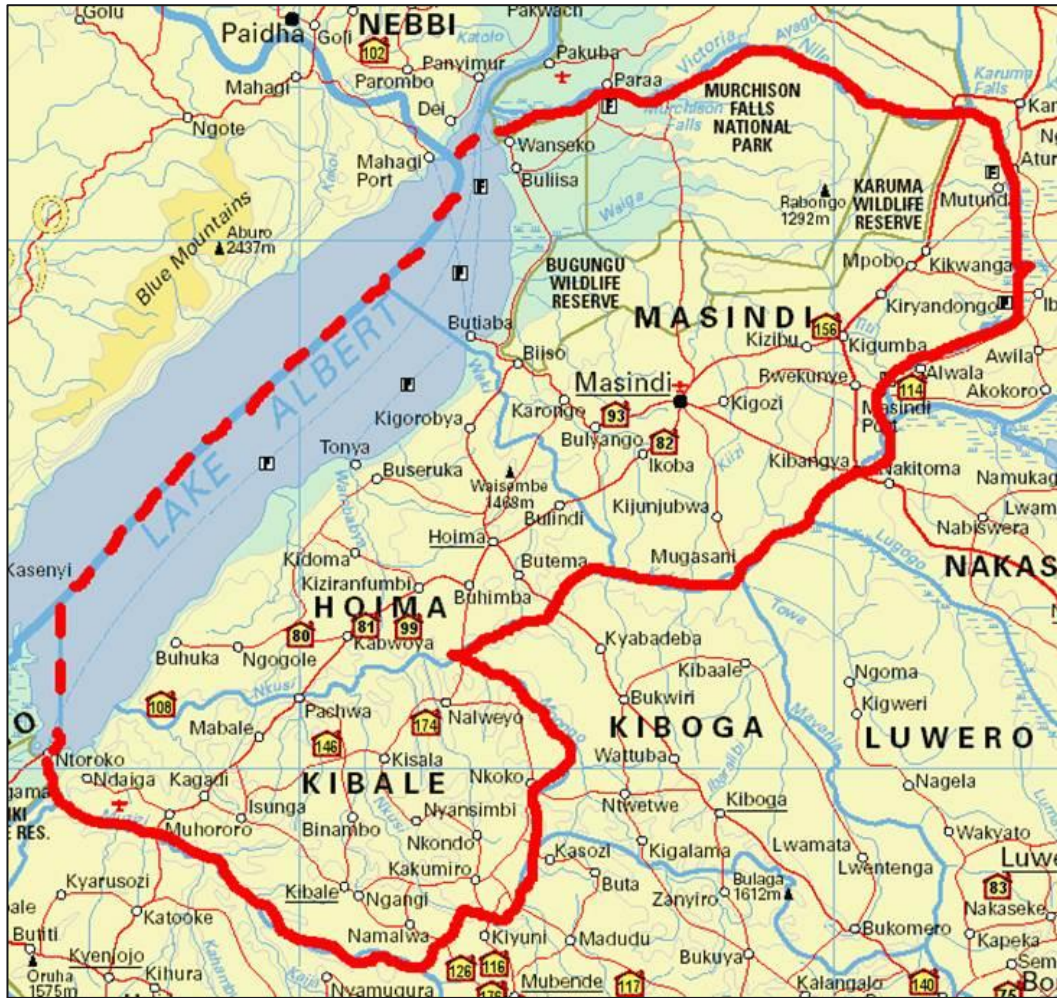


Figure 4.4: Bunyoro-Kitara Kingdom

Table 4.47: Primary Languages of the Household Head and Spouse

Language	Percent of Household Heads	Percent of Spouse of the Household Head
Alur	2.03%	5.07%
Luganda	0.0	0.34%
Lugungu	96.62%	75.68%
Kinyarwanda	0.34%	0.0
Not Specified	1.01%	18.92%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.10.2. Ethnicity

Ethnicity is associated with an individual’s cultural background. The RAP2 project area is located at the border of two ethnic groups – the Nilotic and Bantu. Based on the ethnic backgrounds of the household heads and their spouses/next-of-kin as established during the household socio-economic survey (see Table 4.48), the Bagungu, who are Bantu speakers comprise the highest ethnicity. Much like language, there is a similar representation of the Bagungu ethnic group for the spouse of the household head - this again supports the understanding that the spouses learn the Household Head’s language or that are fewer inter-marriages between the Alur and the Bagungu.

Table 4.48: Ethnic background of the Household Head and Spouse

Ethnic Background	Household Head	Spouse of the Household Head
Alur	0.2%	6.08%
Baganda	0.0	0.34%
Bagungu	96.62%	73.99%
Banyoro	0.0	0.34%
Banyarwanda	0.34%	0.0
Other	1.01%	18.92%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.10.3. Religious Profile

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

Based on Table 4.49, the RAP 2 surveyed households mainly belong to the modern religion denominations mainly the Anglican Church (53.07%) and the Roman Catholic Church (27.8%) irrespective of gender. There were no places of worship within the RAP 2 project area.

Table 4.49: Religious Profile by Gender

Religion	Percent of Population by Gender	
	Males	Women
Catholic	13.81%	13.99%
Anglican	27.08%	25.99%
7 th Day Adventist	3.82%	4.41%
Pentecostal	3.13%	2.54%
Muslim	1.91%	1.36%
No Religion	0.05%	0.05%
Not Specified/other	0.86%	0.95%

Source: RAP 2 socio-economic HH survey (August – December 2018, February 2019)

4.10.4. Graves, Shrines, and Archaeology

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

5. PROJECT IMPACTS

The purpose of this Chapter is to outline the potential project impacts, the efforts taken to minimise displacement and propose further mechanisms to minimise potential impacts during RAP implementation. The information in this Chapter is based on a document review and surveys carried out as part of the resettlement planning process for RAP 2. It should however be noted that, this Chapter only focuses on direct impacts in relation to resettlement and does not consider wider impacts that were subject to the Tilenga project Environmental and Social Impact Assessment (ESIA).

Due to the sensitive environment within which the Tilenga project is based, the Project Proponents have considered potential environmental and social impacts as a key factor in the decision-making process as the design of the Project has evolved. The design of the Tilenga Project has been developed with the IFC mitigation hierarchy (Figure 5.1) being prominent in the decision-making process of the FEED engineers, where the preference is the avoidance of negative environmental and social impacts and then to minimise before restoring and finally offsetting. Avoidance and minimisation efforts for the RAP 2 footprint are discussed in Sections 5.1 and 5.2 that follow respectively.



Figure 5.1: Mitigation Hierarchy

5.1. Avoidance

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

5.1.1. W3 Access Road - Diversion Avoidance Mapping

In a bid to avoid physical displacement, the W3 road diversion from the initial design is a few meters from the existing Class C gravel road (Figure 5.2). The landscape comprises of seasonally flooded grassland with semi-permanent swampy patches and scattered thicket.

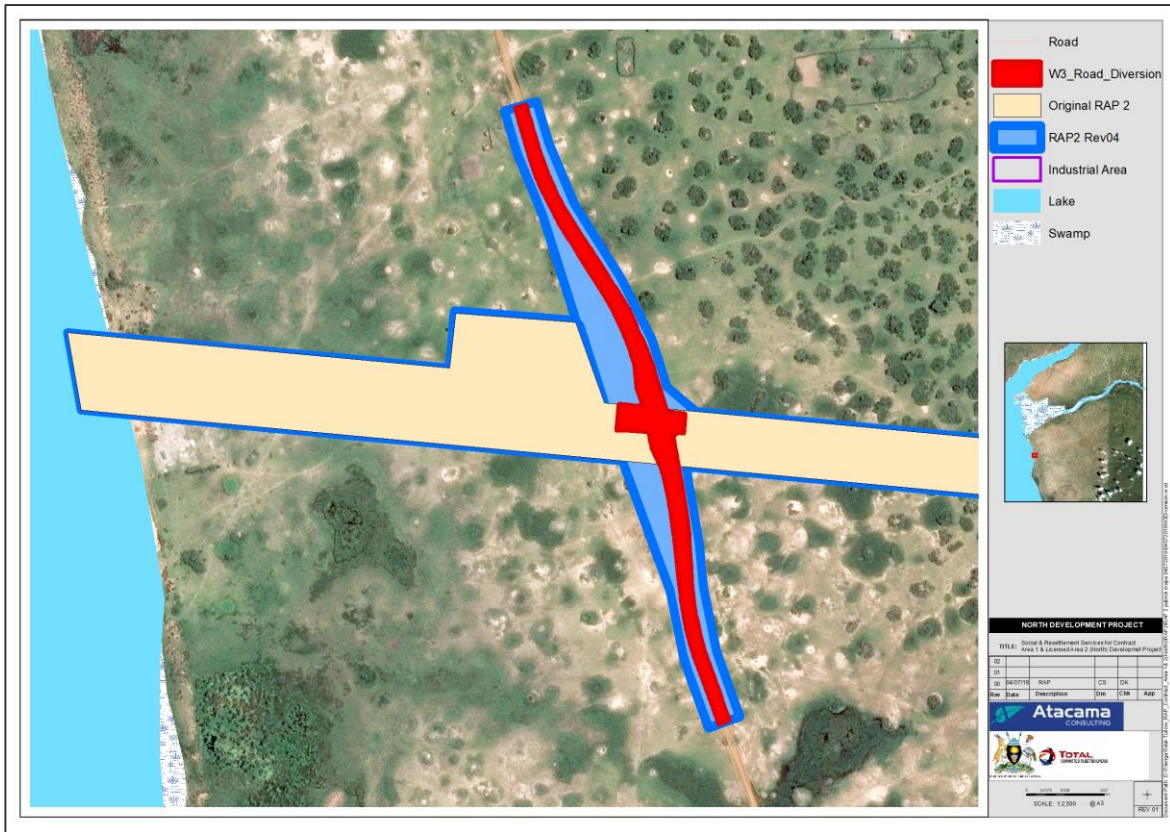


Figure 5.2: Map of the W3 Access Road Diversion

5.1.2. Environment Features and Diversion Implication

The general landscape is flat and seasonally flooded with small satellite semi-permanent waterlogged patches (Figure 5.3). These swampy patches are distributed evenly within the landscape. The diversion joins an existing class C gravel road at a point located opposite a cassia tree woodlot.

5.1.3. Social Features and Diversion Implication

The proposed diversion traverses a green belt and it crosses a footpath connecting the existing Class C gravel road to homesteads. This footpath is located at GPS coordinate 36N 0321428 UTM 0236882.

During construction, road works are anticipated to partly affect the cassia woodlot and an alternative footpath to enable people access their homesteads needs to be provided. Approximately two footpaths and part of the fence will be affected by RAP 2, specifically the access required (see Figure 5.3). These can easily be restored after the works. No homestead will be affected.

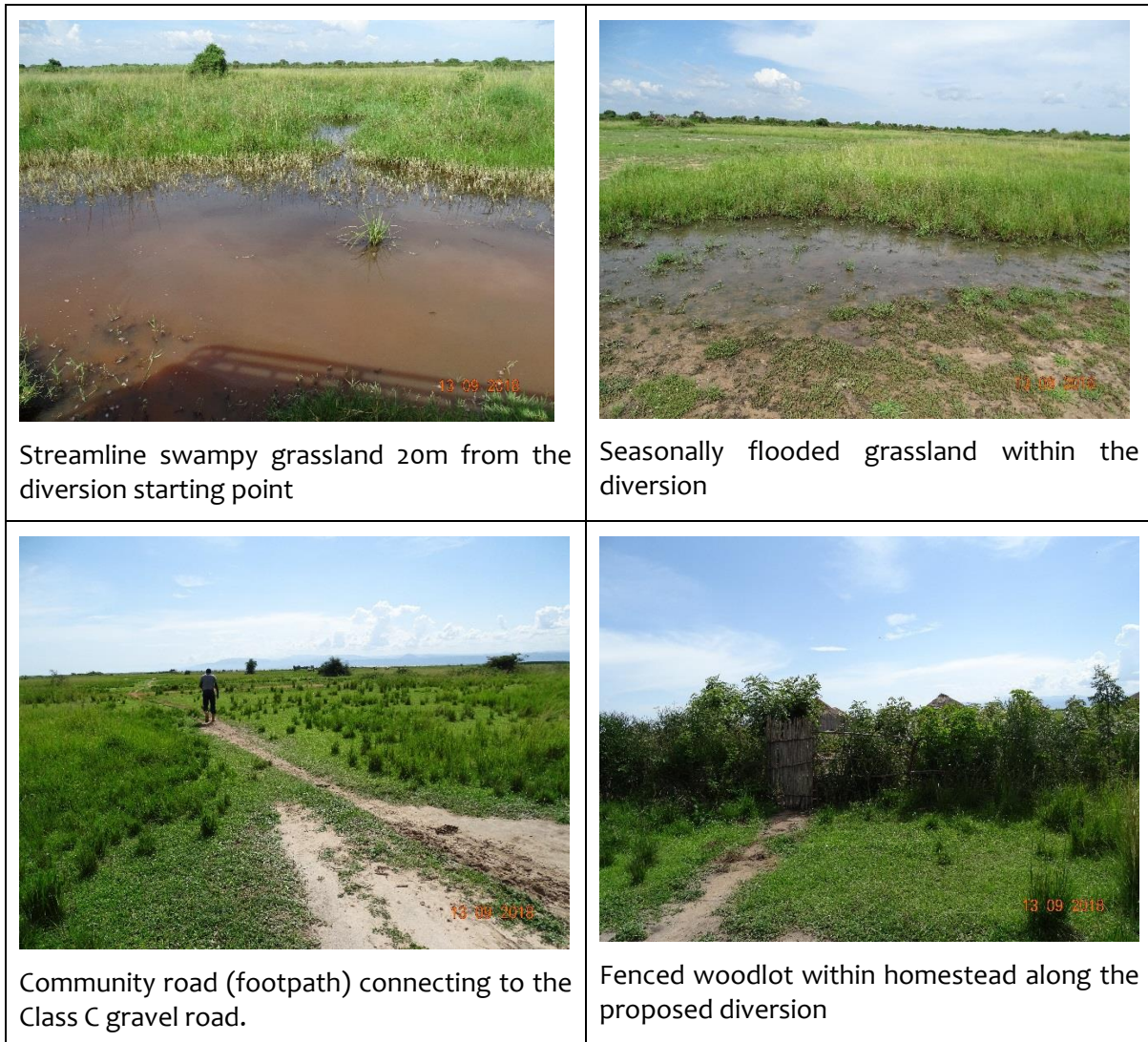


Figure 5.3: Land features within the W3 road diversion

5.2. Efforts to Minimise Displacement

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

This is also echoed in the LARF:

“Principle 1 - Resettlement will be avoided and minimised

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

The ESIA study provides recommendations regarding the most appropriate project layout and sites for the Exploration Area, located in Buliisa district of Uganda. The Artelia social screening (2013) characterised the societal context of the proposed sites in order to provide a better understanding of the sensitivities of the receiving communities. The study consisted of a combination of desktop studies and site visits. A 10-day field visit was conducted in August 2013, during which the Artelia

team visited a total of 27 villages in Buliisa district that may be affected by proposed locations for Tilenga Project facilities. The site visits also included engagements with community representatives to build an understanding of the local context.

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

5.2.1. Water Abstraction Facility

Initially, three locations for the Water Abstraction System at Lake Albert were assessed (Figure 5.4). The chosen option was selected in consideration of environmental and social sensitivities. The footprint of the pipeline transferring water from the Water Abstraction System to the CPF was designed to utilise the existing Production and Injection Network RoW from the nearest well pad.

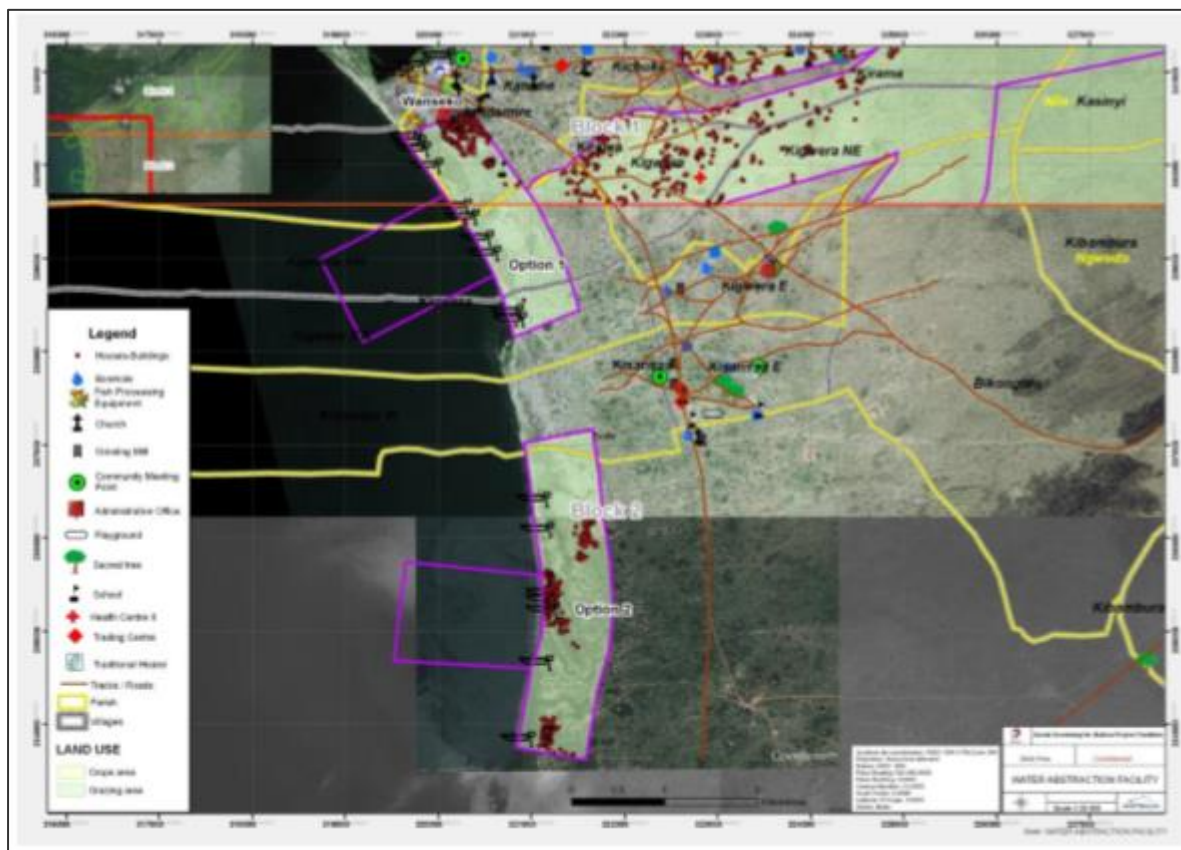


Figure 5.4: Study Area for Water Abstraction Facility Options 1 and 2

Option 1 was located at the limit of Block 1 and Block 2 near Wanseko, and covered Ndandamire, Kigwera North West and Kigwera South West villages. **Option 2** was located in Block 2 specifically in Kisansya parish and covered Kisansya West and Butiaba villages. Proposed locations were evaluated according to three main screening criteria, as described below:

- Exposure (physical proximity to project facilities)

Sensitivity (the degree to which receiving /host environments are likely to experience social impacts, considering population/demographics, infrastructure and access to social services, land tenure and use, conflict and security, and cultural resources).

- Coping capacity (ability of the receiving environment to accommodate or cope with impacts)

The screening determined that Water Abstraction Facility Option 1 featured a densely populated sub-urban area near Wanseko, with settlements located North East of the area of study. Land in the Option 1 area consisted of landing sites, grazing areas and a source of natural resources (sand, shells, and plants) scattered in the area and some settlements along the lakeshore. Land in the area is dedicated to grazing activities with several landing sites and sources of natural resources (sand, shells, reeds, plants). The Option 2 area featured very limited social services infrastructure compared to Option 1. Therefore, livelihood and food security sensitivity was established to be lower for Option 2 than Option 1.

Ultimately, the screening concluded that Water Abstraction Facility Option 2 was the more favourable location since it would result in less physical and economic displacement compared to the Option 1 location.

5.3. Approach and Methodology used to Identify Impacts

The project impacts and numbers of displaced PAPs were established primarily through a Cadastral Land and Asset Valuation Survey of the RAP 2 project area, followed by a Legal Due Diligence survey of land claims and ownership.

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

Prior to the Cadastral Land and Asset Valuation survey, an initial round of stakeholder engagements took place from 04th to 14th May 2018 with the ten (10) RAP 2 affected villages, Ngwedo, Kigwera and Buliisa Town Council sub-county leaders, Buliisa District Local Government, Bunyoro Kitara Kingdom (BKK), local Community Based Organisations (CBOs)/Civil Society Organisations (CSOs) in Buliisa district, GoU ministries and CSOs/NGOs at national level (see Chapter 6 – Stakeholder Engagement for a detailed list of stakeholders engaged). The purpose of the engagements was to disclose the project and inform the stakeholders of the upcoming surveys.

The detailed due diligence surveys for the RAP 2 project area commenced with the densification exercise which was undertaken between 21st May 2018 and 12th June 2018. This was followed by, the Rapid Aerial Surveys (RAS) conducted between 15th and 25th July 2018; cadastral land, asset inventory/valuation, legal due diligence, cultural heritage and archaeological surveys as well as other specialist socio-economic baseline studies (public health, gender) conducted between 26th July 2018 and February 2019 (for extra land take on the KW02A well pad & KW02B). The socio-economic PAH census surveys were undertaken over two periods – the first programme extended between 1st August to 8th December 2018, and the second programme (following data QA/QC) was conducted in February 2019. Due diligence surveys for KW01A –KW02A trunk line were conducted on 5th January 2019 and a valuation survey of RAP 2 orphan land took place on 6th January 2019. A rolling development moratorium (cut-off date) was established as PAPs signed the cut-off date forms.

The methodologies for the Cadastral land, Asset inventory/valuation and Legal Due diligence surveys are summarised below, however, further detail can be found in the Tilenga RAP 2 approved Valuation Report (Annexure 1).

5.3.1. Cadastral Land Survey Methodology

The objectives of the Cadastral Land Survey were to:

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

The assumptions for this project were:

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

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

- To appreciate and understand the project affected area which assisted in proper conduct of the surveys. This also included checking if there were any nearby National Grid Survey Points;
- Meeting and consulting with the local leaders, land and property agents and other stakeholders;
- Raising and spreading awareness of the project among the communities affected by the project; and
- Carrying out analysis to identify Project Affected Persons and developing mitigation measures for risks identified.

The equipment and data included:

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

The Cadastral Land Survey scope of work included:

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

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

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

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

Local Datum:	WGS84
Semi major axis:	6378137.000m
Semi minor axis:	6356752.314m
Projection Grid:	UTM 36North
Longitude of origin:	33° East
Latitude of origin:	0° (Equator)
False Easting:	500,000
False Northing:	0
Scale factor:	0.9996

Setting out involved line staking and pegging of the outer extents of the proposed RAP 2 project footprint. Intermediate wooden pegs were fixed at 30m intervals to guide the rest of the field teams on the extents of the RAP 2 footprint. The survey data collected in the process of marking out of the boundaries was used in the production of strip maps which were used to compute the affected land areas.

For further detail on Cadastral Land Survey methodology, see the Tilenga RAP 2 Approved Valuation Report (Annexure 1).

5.3.2. Asset Survey Methodology

The Asset survey commenced at the same time as the Cadastral Land Survey, the overall objective of the study was to prepare a detailed report with comprehensive valuation of the affected assets

for the different PAPs in line with the existing legal framework and International Best Practice prior to the implementation of project activities.

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

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

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

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

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

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

The consultation process had already been initiated by TEP Uganda.

A critical component of the site visits was the asset valuation data collection exercise which covered the entire RAP 2 project area. Section 4.5.1 of Annexure 1 provides a detailed description of the asset inventory data collection exercise, and this has therefore not been repeated here.

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

The RAP asset inventory team completed a Property Assessment Form (Appendix 8.2 in Annexure 1) and Table 5.1 lists the signatories to the property valuation assessment form. Of particular relevance to note is that, the asset assessment exercise was witnessed by GoU representatives from the office of the Chief Government Valuer of the MLHUD, PAU and MEMD, as well as representatives from TEP Uganda.

The role of the Legal Due Diligence was to determine the true ownership of land (by carrying out in-depth verification of land ownership in the area), land users and their interests on land affected by RAP 2 in accordance with the stipulated Laws of Uganda on land law and land acquisition.

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

In addition to the above, a market research was carried out on land, structures, crops and economic trees in Buliisa District in June 2018. This exercise was primarily aimed at, attaining

relevant and reliable information about market transactions within and near the RAP 2 project area. Section 8.4 provides a detailed description of the market research survey objectives, geographic scope, target respondents, methodology and findings and these have therefore, not been repeated here.

Table 5.1: Signatories to the Property /Asset Inventory Assessment form³⁵

#	Signatory
1	PAP
2	PAP's Spouse
3	PAP's Witness ³⁶
4	LC 1 Chairperson ³⁷
5	Valuer
6	TEP Uganda Representative
7	MLHUD/CGV Representative
8	MEMD Representative

Source: RAP 2 Approved Valuation Report

5.3.3. Legal Due Diligence Methodology

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

- How long has the PAP owned the land?
- What was the name of the previous landowner?
- 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 ownership of each affected plot of land, collected data was used to complete the following forms (see Appendix 1 of Annexure 1):

- Land Owner Identification Form;
- Land User Identification Form;

³⁵ The translator or RAP Team Community Liaison Officer (CLO) used during the process also witnessed the form in order to confirm that they duly translated the content of the form to the PAP and ensured that PAPs signed documents that they fully understand.

³⁶ The witness was a spouse to the affected person or child who must be above 18 years of age or, any other member of the community selected by the PAP.

³⁷ In addition to signing the form, the LC1 representative was also required to stamp the form.

- Spousal Consent Form; and
- Absentee Land owner Form.

The Land Owner Identification Form (Annexure A of Appendix 1 of the RAP 2 approved valuation report), designed to identify landowners, was signed by each landowner in the affected areas (also see Table 5.2). It contained details of the land including; location, tenure, size, boundaries and the details of land ownership. This information was confirmed by the respective Local Council 1 Chairperson who signed as a witness verifying the information from the landowner.

Through the legal due diligence process, the RAP team also established that there were land users; that is, PAPs who did not own land but owned assets (crops, economic trees, structures) on another person’s piece of land. The Land User Identification Form (Annexure B of Appendix 1 of the RAP 2 approved valuation report), which has all the details of the land user, was signed by all land users with assets on the affected land (also see Table 5.2). It was also signed, verified and witnessed by the Local Council 1 Chairperson (LC1) of the village where the affected land is located and the landowner on whose land one is a land user.

Table 5.2: Signatories to the Landowner identification, Land user identification and the spousal consent forms

	#	Land Owner Identification Form	Land User Identification Form	Spousal Consent Form
SIGNATORY	1	Landowner/ Land User	Land User	PAP's Spouse
	2	Translator ³⁸	Land Owner	Attesting Witness ³⁹
	3	Lc1 Chairperson	Translator	Translator

Source: RAP 2 Approved Valuation Report

Where the PAP ordinarily resided or derived their sustenance with his or her spouse on the affected land, the PAP and their spouse would then sign (also see Table 5.2) a Spousal Consent Form (Annexure C of Appendix 1 of the RAP 2 approved valuation report) as consent to have their land acquired for the purposes of RAP 2 of the Tilenga Project. This is in accordance with the Land Act Cap 230. However, for avoidance of doubt and future conflicts that may arise out of the acquisition, the RAP Legal Team ensured that, where the landowner had more than one spouse, all the spouses to the landowners signed the Spousal Consent forms. This also catered for PAPs that would provide contradicting information as to whether their land is the family or not.

During the legal due diligence surveys, the RAP team consulted the LC3 chairperson and the neighbours in order to locate absentee PAPs (i.e. PAPs that could not be located) and where all efforts were futile, the team would proceed and complete an absentee land owner form (Annexure F1: District Land Board Verification and F2: Area Land committee verification of Appendix 1 of the RAP 2 approved valuation report).

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

³⁸ The translator or RAP Team Community Liaison Officer (CLO) used during the process also witnessed the form in order to confirm that they duly translated the content of the form to the PAP and ensured that PAPs signed documents that they fully understand.

³⁹ The witness was a spouse to the affected person or child who must be above 18 years of age or, any other member of the community selected by the PAP.

5.3.4. Development Moratorium/Cut-off Date

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

A rolling cut-off date⁴⁰ starting 26th July 2018 to 06th January 2019 was established for each individual PAP as at the date of assessment. The census and inventory of affected assets and property was completed and the final RAP 2 Cut-off date was declared on 24th August 2018, on 08th October 2018 for the water abstraction to KW02A facility and 06th January 2019 for additional land take at the KW02 facility.

To this effect, any further developments on land within the surveyed plots of land will not be considered for compensation by the Project. Any new persons occupying the land after the cut-off date are not eligible for compensation for the lost assets and /or resettlement and rehabilitation. The RAP team also made it clear during the stakeholder engagements and on the cut-off date posters erected in and around the RAP2 project area (see Figure 5.5) that, people cultivating their land can still go ahead to cultivate crops, bury the dead, graze their animals or construct structures before or after assessment, however any new developments or crops established after the cut-off date will not be eligible for compensation.

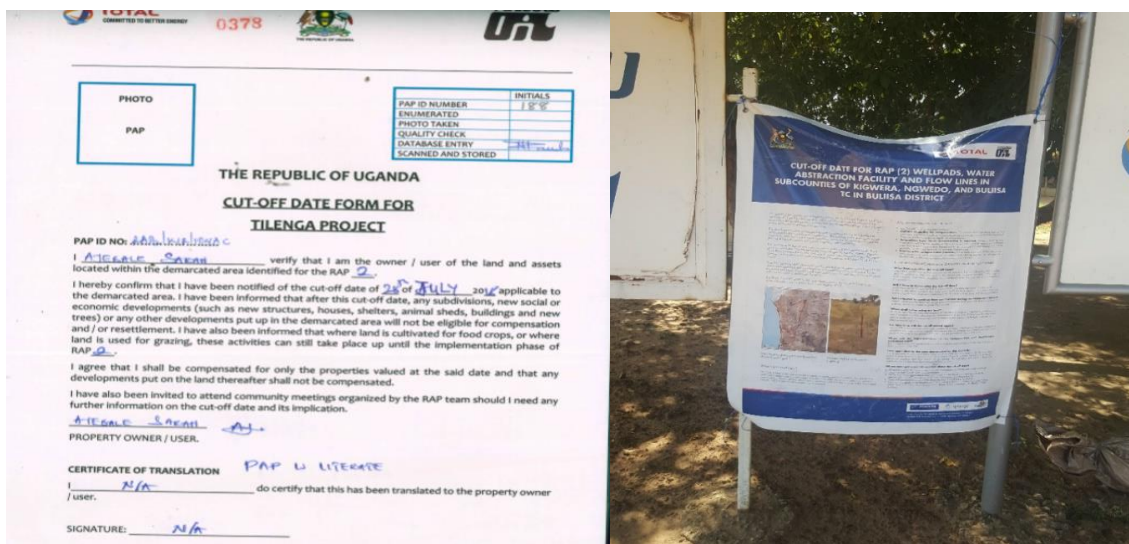


Figure 5.5: Copy of a signed Cut-off date form and poster

5.4. Impacted PAPs

The data collected in the above surveys was cleaned to establish the number of physically and economically displaced PAPs. The data was used to develop strip maps which were put on display at selected venues within the affected villages, at sub-county headquarters and at Buliisa district offices between 29th October and 2nd November 2018 (see Section 6.5.5 and Table 5.3). This enabled PAPs to verify this data.

⁴⁰ The Cut-off date is the date after which any new structures, trees, crops and other immovable assets will no longer be counted or measured for compensation purposes. From the provisions of paragraph 12 of PS5 and principle 3 of the GCALA, every PAP signed a cut-off date form after assessment of their affected assets hence the “rolling cut-off date” which refers to the different dates when each individual PAPs signed the cut-off date forms after assessment of affected assets.

The proposed North Western components are located on a landscape that is typified by linear rural and semi-urban settlements, with a dispersed and clustered distribution of homesteads and trading centres (see Figure 5.6). The homesteads are typically established on a single plot or property, or may comprise of a cluster of separate homesteads that have formed a small *hamlet*.

Table 5.3: Venues for strip map display at village level

District	Village	Place/Venue	Dates	Time
Buliisa	Kigwera NE & Kigwera SE	Kilima P/S	Monday, 29 th Oct 2018	9am -5pm
			Tuesday 30 th , Oct 2018	
	Kisiimo	Community Meeting Point near the Borehole	Monday, 29 th Oct 2018	9am -5pm
			Tuesday, 30 th Oct 2018	
	Kisansya West	Near LCV's home (Kisansya West) Kisansya East Near Bugungu Sec. School	Monday, 29 th Oct 2018	9am -5pm
			Tuesday 30 th , Oct 2018	
	Kisansya East & Bikongoro		Wednesday, 31 st October 2018	9am - 5pm
			Thursday, 1 st November 2018	
Kakindo		Next to Kasemene 1 Well pad	Wednesday, 31 st October 2018	9am - 5pm
			Thursday, 1 st November 2018	
Kirama		Kirama Primary	Wednesday, 31 st October 2018	9am - 5pm
Kasinyi		Tamarind/Munonde Tree	Thursday, 1 st November 2018	
			Friday 2 nd November 2018	
Kizongi		Community Meeting Place	Friday, 2 nd November 2018	9am -5pm

As stated in Chapter 4, the RAP 2 Project will cause the displacement (physical and economic) of 327 PAPs. The 327 PAPs hold 383 assets and hail from 296 households. All 296 household heads (HHs) (100%) were interviewed/captured in the RAP 2 socio-economic household survey. Forty four (44) PAPs hold multiple assets (100 assets) (*please note however that three of these PAPs own multiple assets at the same facility and also hold multiple assets at different facilities (103 assets)*) as detailed in the RAP 2 approved Valuation Report (Annexure 1). Four (4) RAP 2 PAPs are also impacted by Tilenga Project RAPs 4 and 5.

5.4.1. Impact on Land and Major Land Use (crop farming)

The Asset Inventory determined the total land-holdings (or parcels) located within the proposed RAP 2 project area. The total size of the land affected by RAP2 of the Tilenga Project is 288.432 acres (without the 3.064 acres of incremental land take/orphan land) (Table 5.4). Please note however that, of the total 288.432 acres affected by RAP 2 of the Tilenga Project, only 282.134 acres have been assessed for compensation because the remainder of the affected land is under (a) community and public infrastructure - 3.0649 acres (thirteen (13) access roads and two (2) Rural Electrification Agency (REA) power lines – see Section 5.4.3 that follows) or, (b) protected areas – 3.233 acres (a trunk line from KW02B to the Water Abstraction extends up to the 200 metre buffer zone of Lake Albert) and has therefore not been assessed for compensation.

Table 5.4: RAP 2 Project Land Take

Land Take	Land Size (Acres)
Affected Land Assessed for Compensation (see Table 5.5)	282.134
Affected land under Access Roads and Power lines	3.065
Affected land under Protected areas (lake buffer zone)	3.233

Land Take	Land Size (Acres)
Total Land take	288.432

The total land assessed for compensation (282.134 acres), is composed of 132 distinct parcels claimed by 102 land owners⁴¹. The average landholding per affected household is 2.79 acres while the minimum and maximum landholding of the affected household is 0.04 and 18.18 acres respectively (see Chapter 4 of Annexure 2). Land acquisition for the Project will be limited to land only within the proposed RAP2 project area, which the Asset Inventory totals as 288.432 acres (without the 3.064 acres of incremental land take/orphan land).

This land take (without orphan land) represents 0.68% of the total land in the RAP 2 affected parishes of Northern Ward, Kirama, Kigwera, Kisansya, Central Ward and Nile (Table 5.6).

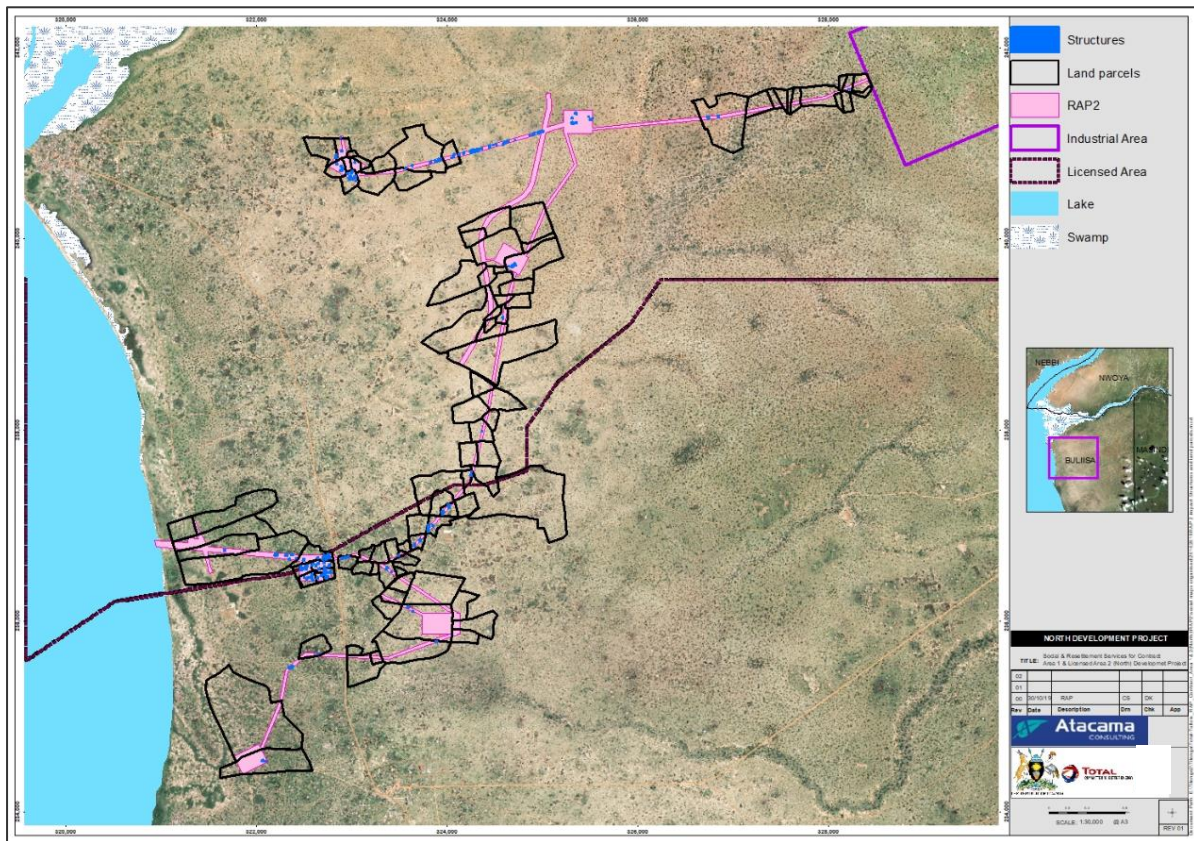


Figure 5.6: Impacted Structures and Land Parcels

Table 5.5: RAP 2 land take assessed for compensation

#	Proposed Facilities	Type of facility	Village	Total land take (Acres)
1	D13	Access Road	Kakindo	3.572
2	D3	Access Road	Kirama	1.177
3	D5	Access Road	Kirama	0.865
4	D6	Access Road	Kigwera N/E	0.322
5	KW-01	Well Pad	Kizongi	14.846

⁴¹ Land owners in this case refers to, individuals or groups of individuals (i.e. families or clans) that have customary rights and historical access to specific portions of land.

#	Proposed Facilities	Type of facility	Village	Total land take (Acres)
6	KW-01 to KW-02A	Flow Line	Kizongi	19.92
7	KW-02A	Well Pad	Kakindo	21.619
8	KW-02A to KW-02B	Flow Line	Kakindo	7.017
9	KW-02B	Well Pad	Kisansya West	19.627
10	KW-02B to NGR- O6	Flow Line	Kigwera N/E, Bikongoro, Kisansya	29.541
11	N2	Access Road	Kirama & Kigwera N/E	38.752
12	NGR-03A	Well Pad	Kirama	16.673
13	NGR-03A to NGR-05A	Flow Line	Kirama	16.265
14	NGR-05A	Well Pad	Kirama	18.179
15	NGR-05A to CPF	Flow Line	Kirama & Kasinyi	21.909
16	NGR-06 to NGR-05A	Flow Line	Kirama	10.645
17	NGR-06A	Well Pad	Kigwera N/E	15.749
18	W3	Access Road	Kisansya West	4.383
19	Water Abstraction to KW-02B	Water Abstraction	Kisansya West	21.074
Total				282.134

Source: RAP 2 Approved Valuation Report

Table 5.6: RAP 2 land take by Parish

RAP No.	Parish	Sub-county	District	Project land take (acres)	Parish land size (acres) (based on UBOS data)	Percentage
RAP 2	Nothern ward	Buliisa TC	Buliisa	76.542	7129.161	1.07%
	Kirama	Kigwera	Buliisa	87.154	7999.654	1.09%
	Kigwera	Kigwera	Buliisa	59.800	4959.766	1.21%
	Kisansya	Kigwera	Buliisa	38.406	6691.635	0.57%
	Central ward	Buliisa TC	Buliisa	16.569	4602.779	0.36%
	Nile	Ngwedo	Buliisa	9.938	11284.831	0.09%
	Total			288.408	42,667.83	0.68%

Source: RAP 2 Socio-Economic Household Survey (August to December 2018 and February 2019)

The dominant land use within the proposed RAP 2 project area is grazing. A few areas are under housing, scattered settlements and cultivated land. Farming is mainly comprised of small-scale farm plots used for household subsistence and a relatively small portion of farming for sale of crops (see Figure 5.7).

A total of 10.07 hectares of land were being actively farmed (gardens) at the time of the Asset Survey. Two hundred eighteen (218) gardens were registered during the asset survey (26th July – 24th August 2018) and 8th October 2018 and 4th – 6th January 2019 for the water abstraction to KW02A facility and additional land take at the KW02 facility, respectively⁴²) (see Figure 5.7), four times increment in the number of fields captured during the Rapid Aerial Survey (RAS) conducted

⁴² PAPs signed a rolling COD form.

between 15th and 25th July 2018 which indicated 47 fields (see Chapter 4 of Annexure 2). The average farmed area at the time of the Asset Survey was 0.046 hectares while the minimum and maximum farmed area was 0.00074 and 0.49 hectares respectively.

Crop farming is an important livelihood strategy and, according to the Household Survey, is undertaken by up to 92.5% of the RAP 2 surveyed PAHs with 81.39% ranking crop farming as being of high importance to their households' livelihoods (see Chapter 4 above). Crop farming focuses on cassava as the primary crop (89.8%) on farm plots and there is a greater dependence on family labour for all stages of the farming cycle. Cassava (72.6%) and maize (51.1%) are the most important staple food crops and are used by households to secure household food needs as well as trade. 94.8% of the claimed farmland is prepared using hand hoes and surveyed households are almost entirely dependent on rain fed irrigation (93%). Most of the surveyed households (67.15%) store their produce in grass baskets inside their household. The sell of crops and vegetables is the commonest income source for 63.5% of the RAP 2 surveyed households with intra-village being the most common and undertaken by 58.74% of the surveyed households.

Loss of 10.07 hectares of farmland has the potential to impact on the major livelihood activity of the RAP 2 households.

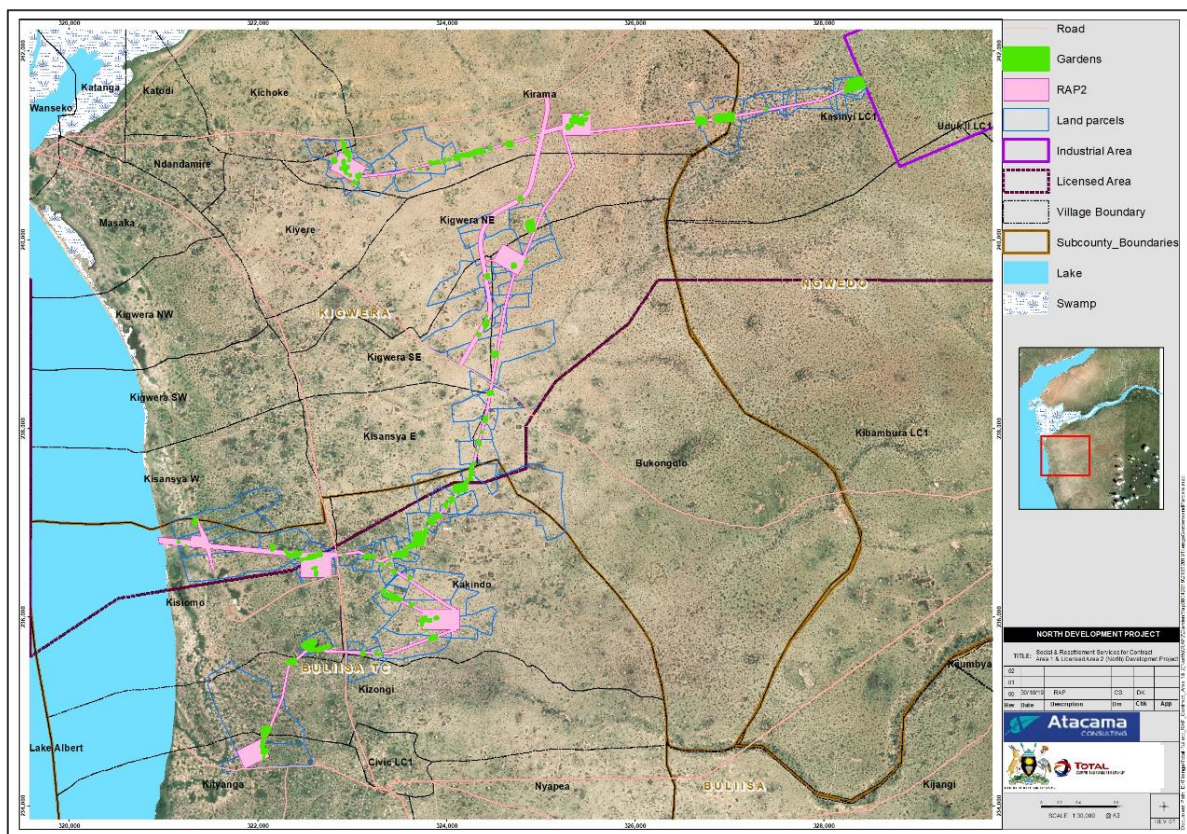


Figure 5.7: Farmland / Gardens in Relation to the Land Parcel

5.4.2. Displaced Businesses

During the onsite surveys and interviews, it was established that there are no displaced businesses in the RAP 2 project area.

5.4.3. Project Affected Public Facilities

During the onsite surveys and interviews, it was established that there are two (02) public facilities (power lines) affected in the RAP 2 Project Area as summarised in Table 5.7.

Table 5.7: Affected community/ public facilities

POWERLINES	#	Name	Class	Village	Facility	Easting	Northing	Land take (Acres)
	01	Power line	REA	Kakindo	KW O2B - NGR O6	322854	236665	N/A
	02	Power line	REA	Kakindo	KW O1 - KW O2A	322950	235644	N/A

5.4.4. Project Affected Public Access

During the onsite surveys and interviews, it was established that thirteen (13) public access roads are impacted by the RAP 2 project area. The affected public roads are summarised in Table 5.8.

Table 5.8: Affected Public Access roads

#	Name	Class	Village	Facility	Coordinates (WGS 84, UTM 36N)		Land take (Acres)
					Easting	Northing	
1	Wanseko-Bugungu Road	UNRA	Kirama	N2-Access Road	325063	241522	0.3138
2	Wanseko-Bugungu Road	UNRA	Kirama	D3-Access Road	322898	241074	0.174
3	Ngwedo-Kigwera North East Road	Community	Bikongoro	D3-Access Road	324147	238675	0.095
4	Ngwedo-Kigwera North East Road	Community	Bikongoro	KW O2B-NGR O6	324485	238477	0.1063
5	Kasemene Road	Town Council	Kakindo	D13-Access Road	323295	236276	0.038
6	Kasemene Road	Town Council	Kakindo	KW O2A-KW O2B	323495	236465	0.078
7	Buliisa-Wanseko Road	UNRA	Kakindo/ Kisimo	KW O1-KW O2A	322927	235641	0.3707
8	Buliisa-Wanseko Road	UNRA	Kakindo/ Kisansya West	KW O2B-NGR O6	322828	236658	0.3863
9	Buliisa-Wanseko Road	UNRA	Kisansya West	Water Abstraction - KW O2B	322825	236677	0.134
10	Buliisa-Wanseko Road	Town Council	Kisansya West	Water Abstraction - KW O2B	321429	236768	0.992
11	Unknown Road	Community	Kisansya West /Kisimo	KW O2B	322680	236637	0.2718
12	Unknown Road	Community	Kisansya West/ Kisimo	KW O2B-NGR O6	322787	236628	0.012
13	Unknown Road	Community	Kakindo	KW O2B-NGR O6	323626	23678	0.093

5.4.5. Loss of Grazing Areas

Livestock rearing is an important livelihood strategy and, according to the Household Survey, is undertaken by up to 76.01% of the RAP 2 surveyed PAHs with 48% ranking livestock rearing as being of high importance to their households' livelihoods (see Chapter 4). The most common livestock kept by households include goats, chickens and cattle (see Chapter 4). While several of the livestock reared as indicated in Chapter 4 are confined to the compound, households with cattle, goats and sheep predominantly rely on pasture grazing on communal land (73.77%) – only 2.67% utilise tethered grazing, 0.44% practice fenced grazing and, 0.44% provide fodder to their livestock. A substantial percentage (48.19%) of the livestock keepers who graze on communal lands travel distances of over an hour to graze their livestock (see Chapter 4), and almost half (47.56%) of surveyed households source water for cattle from Lake Albert (see Chapter 4) with 17.91% of the households that rear cattle travelling more than an hour to the nearest water source, and communal boreholes are largely used for livestock such as goats and chickens that require smaller volumes of water (see Chapter 4).

Trade in livestock and livestock products is a key income source for 50.7% of the surveyed households and households that trade in livestock commonly sell their products at markets within the same village (40.84%), to fellow households (32.46%) and Buliisa local markets (32.46%). On average, livestock traders visit the markets in the neighbouring villages thrice a month (see Chapter 4).

In summary, the proposed RAP 2 project area impacts key grazing areas, particularly to the South and East away from the established crop gardens. Loss of this grazing area will impact cattle owners, registered PAHs as well as other households from the villages surrounding the RAP 2 project area who were used to grazing cattle in these areas. It is however impossible to provide an accurate figure of the total number of households indirectly affected although, twelve (12) kraals made of barbed wire are impacted in the RAP 2 project area. Grazing grounds are also seasonal so that land is kept in reserve for the dry season, therefore grazing land may appear to be unused for part of the year. Impacting this 'reserve' however, creates potential impacts for pastoralists, especially in drought years.

5.4.6. Loss of Access to Natural Resources

The Household Survey results (see Social Baseline Report in Annexure 2) indicated that 85.4% harvest natural resources, of which 43.08% consider such resources to be of high importance in sustaining household livelihoods. It is also probable that other non-PAP households beyond the geographical extent of the RAP 2 project area harvest natural resources from the communal lands in the RAP 2 project area.

The most common natural resources that are harvested include; firewood (95.26%), grass for thatching (62.06%), wild fruits and vegetables (29.64%) and medicinal plants (47.43%) (See Chapter 4). Except for wild fruit and vegetables, all other natural resources harvested are non-food items.

As the affected households reside in a number of villages, there is no single specific area from which natural resources are collected. Most natural resources are harvested from within the village or in proximity to the village of the household (see Chapter 4). For the most part, such resources are collected frequently and would need to be carried to the households; therefore, households generally limit the distance within which they collect natural resources to within or in close proximity (less than 1km away) of the household. However, 45.45% of the households claimed that they collect firewood, more than 5km away from their homes. The fact that some households are willing to walk such distances to harvest a frequently used resource such as firewood, suggests that some natural resources may be becoming more difficult to source locally. The utilisation of natural resources varies depending on the type of natural resources (See Chapter 4). Wild fruits and vegetables, firewood and thatching grass are mostly used for domestic purposes but are also

traded, while shells from the lake are traded exclusively, and medicinal plants are mainly used for traditional medicine (see Chapter 4).

In summary, the collection of natural resources is a very important component of rural livelihoods, and natural resources play a significant role in reducing vulnerability and providing safety nets and subsistence (food, firewood and income) for women who depend on natural resources for livelihoods and in fulfilling their gender roles (provision of food, collection of water and firewood, child care and health care) – 87.75% of the households indicated that it is females who collect natural resources (see Chapter 4). The proposed RAP 2 project area is an important source of these items for residents of both PAHs and non-PAP households.

5.4.7. Loss of Graves, Burial Sites and Sacred Sites

During the asset surveys, it was established that one hundred twenty-nine (129) graves, seven (07) clan sacred sites and eight (08) family shrines will be affected within the RAP 2 project area.

6. STAKEHOLDER ENGAGEMENT

6.1. Introduction

This Chapter provides an outline of the main engagement activities carried out during the RAP 2 planning process, a summary of key issues identified during the RAP 2 engagement process, and a list of activities to be carried out during the RAP 2 implementation process.

In order to guide the design and schedule of activities, the RAP Team developed the *Tilenga RAP 2 Stakeholder Engagement Plan* (“RAP 2 SEP”) specific to the resettlement process – an internal document, setting out the overarching engagement principles and approach alongside ‘live’ detailed action plans for engagement between TEP Uganda and national, regional and local stakeholders during the resettlement process. The RAP 2 SEP guided the team and relevant TEP Uganda project team in the stakeholder engagement activities during the planning phase. The RAP 2 engagement process has been and will continue to be used for:

- Identifying and prioritising stakeholders affected by and interested in, the RAP 2 project area; and,
- For establishing and managing relationships with those stakeholders throughout the resettlement process.

The RAP 2 SEP is a ‘living’ document, which is continually updated during the resettlement process, including the RAP 2 implementation phase.

The RAP 2 SEP included the principles and objectives identified in the *Tilenga RAP 2 Project Stakeholder Engagement Plan* (2018). This SEP framework (as indicated in Figure 6.1:) aims to ensure that the planned engagements with external stakeholders during the resettlement activities, the Environmental Social Impact Assessment (ESIA) processes, and other development related studies and surveys associated with the Tilenga Project are performed in a consistent manner in compliance with the project standard. The approach set out in the SEP drew on the experience of stakeholder engagement and understanding of the stakeholder concerns which TEP Uganda and the Atacama RAP Team have gained during previous activities in and around the Tilenga project area, as well as engagement and consultation standards and best practices.

The RAP 2 SEP was prepared following:

- The review of the project documentation, including the *Tilenga RAP 2 SEP* (2018), *RAP 1 Planning SEP* (2017) and *Tilenga ESIA socio-economic baseline report* (2019);
- The initial resettlement disclosure activities related to the RAP 2 Project undertaken during May 2018; and
- RAP Contractor Team and TEP Uganda staff inputs developed during a stakeholder engagement training held in Hoima between 19th and 21st July 2018.

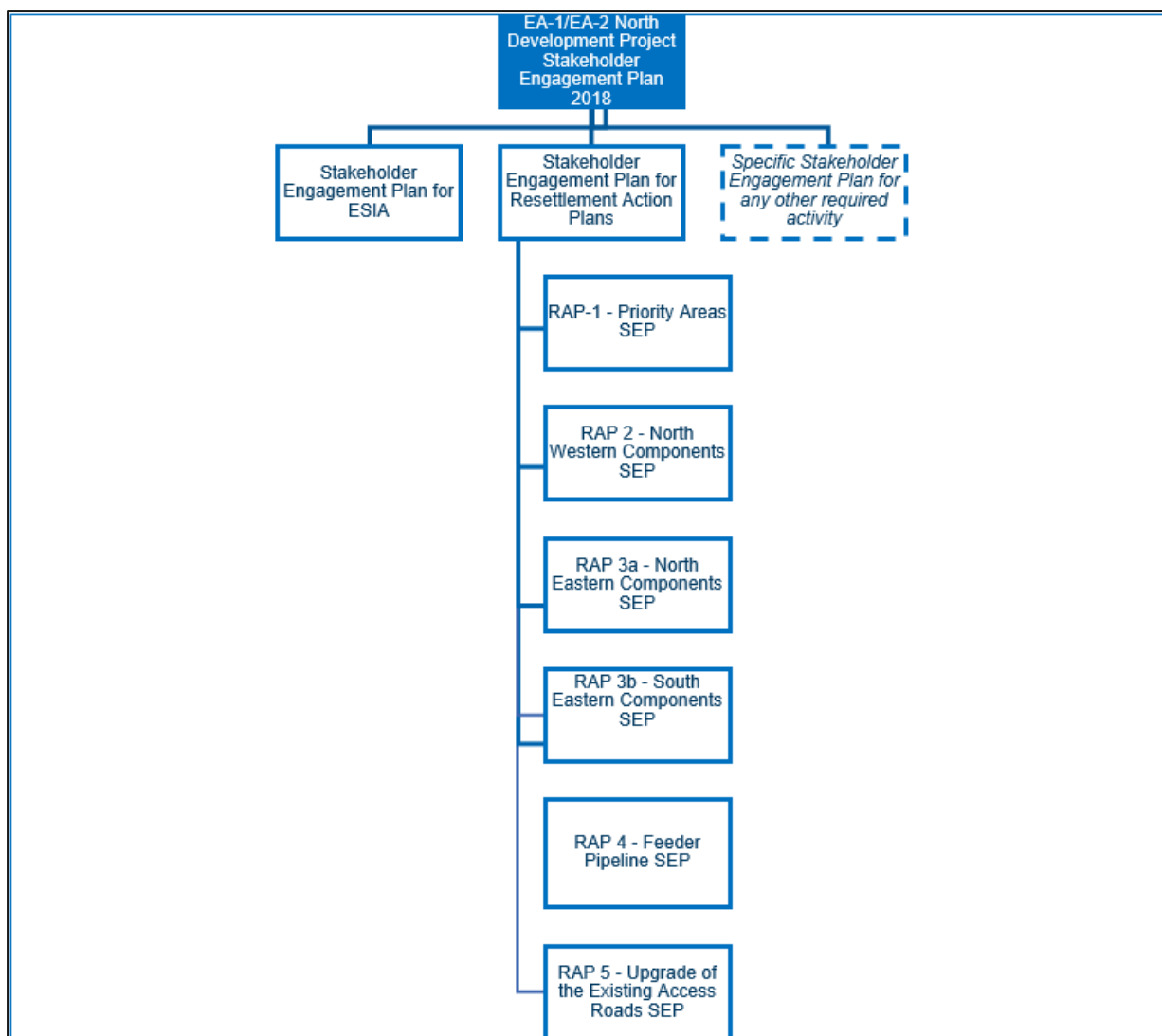


Figure 6.1: Tilenga Project Stakeholder Engagement Framework

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

The policies, regulations, requirements and principles set out in Table 6.1 underpin all engagement activities related to RAP 2.

Table 6.1: Policies, regulations, requirements and principles for resettlement engagement

National	The National Constitution (1995) Environmental Impact Regulations (1998) Environmental Impact Assessment Guidelines for the Energy Sector (2004) The Land Act (1998) The National Development Plan II 2015/2016 - 2019/2020 (NDP) National Gender Policy (1997) National Plan of Action for Women The Local Government Act (1997) Illiterate Protection Act (1918)
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MEMD, MLHUD and Joint Venture Partners	The Lake Albert Basin (Albertine Graben) Land Acquisition and Resettlement Framework (LARF) for upstream oil and gas activities
TEP corporate standards Uganda	Tilenga Project Stakeholder Engagement Plan 2018. TEP Uganda Practical Guide to Resettlement Planning and Implementation
International standards	International Finance Corporation (IFC): <ul style="list-style-type: none"> Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts Performance Standard 5: Land Acquisition and Involuntary Resettlement IPIECA social responsibility guidelines.

6.3. Principles and Approach to Stakeholder Engagement

Stakeholder engagement is essential during the resettlement process in order to ensure the success of projects, provide input into project decision making, building and sustaining healthy trusting relations with stakeholders that support the project’s social licence to operate⁴³. Engagement is particularly important in the context of Tilenga RAP 2 project area of operations where preliminary assessment (see Chapter 12) indicates that 6.76% of Project Affected Households (PAHs) based on the current 100% RAP 2 PAH socio-economic census survey, are considered vulnerable. This percentage is however subject to update and verification through stakeholder engagement with household heads and persons included in the list as well as key stakeholders from the village and district during RAP Implementation.

Notably, for the RAP 2 project, identified principles of stakeholder engagement and good practice strategies intersect with issues and concerns specific to the resettlement process (Table 6.2).

Table 6.2: Intersection between principles, strategies and key issues

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

Principles & Additional Strategies	Key issues						
	Limited time to build trust	Bribery & Corruption	Stakeholder hostility / disengagement	Stakeholder Perceptions	Challenges of engaging some vulnerable PAPs	Land disputes and speculation	Concurrent field studies
Operator Principles							
Consultation & Timely disclosure							
Inclusive engagements							
Joined Up							
Use of appropriate platforms & methods of communication							
Grievances recorded, tracked and effectively closed out							

⁴³ A detailed discussion on the importance of stakeholder engagement, the principles and approach during the RAP 2 planning process is included in the SEP.

Principles & Additional Strategies	Key issues						
	Limited time to build trust	Bribery & Corruption	Stakeholder hostility / disengagement	Stakeholder Perceptions	Challenges of engaging some vulnerable PAPs	Land disputes and speculation	Concurrent field studies
Regularly review stakeholder groups and views							
Respect & integrity							
Continuous engagement							
Supplementary Principles							
Free prior and informed - disclose early, with objectives, 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							

6.4. Resettlement Stakeholder Engagement Aims and Objectives

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

The **core objectives** of stakeholder engagement during the resettlement planning process for the RAP 2 Project were to:

- Identify and map all relevant stakeholders, their context, interests and concerns;
- Establish a two-way dialogue to understand concerns, management options and external perspectives for incorporation into resettlement design and decision making;
- Proactively inform all potential affected and interested stakeholders about the resettlement process (including the schedule, grievance mechanism, rights and responsibilities), process status and feedback and opportunities to provide input;

- Promote and secure participation of PAPs by building their capacity for informed participation with special attention given to vulnerable PAPs in key decision making;
- Build and maintain trust between stakeholders, TEP Uganda, including national and local authorities, support the resolution of emerging tension and maintain the project’s social licence to operate;
- Promote and strengthen internal engagement with the Joint Venture partners and other Tilenga project contractor teams in support of the resettlement process;
- Manage stakeholders’ expectations, especially those related to resettlement and compensation;
- Support consistent project level engagement in relation to the project land acquisition and resettlement processes;
- Facilitate the collection of quality primary and secondary baseline information relevant to the resettlement and livelihood restoration processes including monitoring;
- Triangulate data collected and enable data analysis to inform resettlement decision making;
- Document information disclosed and public consultation efforts;
- Comply with regulations and Tilenga project requirements on disclosure and consultation; and,
- Build positive, long term relationships with stakeholders that will help lay the groundwork for social acceptance of future RAPs and the overall Tilenga Project.

6.5. Stakeholder Identification, Analysis and Prioritisation

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

Table 6.3: Tilenga Project SEP Framework Stakeholder categories

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

Business	<ul style="list-style-type: none"> • Suppliers and contractors • Financial and industrial partners • Professional organizations • TEP Uganda staff • Local businesses and cooperatives • Tourism investors, operators
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Source: EA-1/EA-2 North Development Project Stakeholder Engagement Plan 2018

Following the completion of field studies conducted for RAP 2 between June 2018 and February 2019 (rapid aerial survey, socio-economic, legal due-diligence, asset inventory, cadastral, cultural heritage & archaeology and livelihoods studies), the stakeholder engagement team identified and regrouped the RAP 2 stakeholders into categories as per Table 6.3 above. The socio-economic survey team in collaboration with the stakeholder engagement team developed a set of context specific criteria to support the grouping of PAPs, in particular vulnerable PAPs as well as PAPs who are less readily accessible for engagement. Chapter 12 provides the categories of vulnerable people identified in the RAP 2 project affected area and further discussion on the subject.

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

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

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

The RAP Contractor stakeholder engagement team worked closely with members of this group to obtain input and guidance on key decisions, and support in ensuring that critical information was passed onto PAPs. The RAP 2 Team Community Liaison Officers (CLOs) were based in Buliisa making regular visits to the project affected villages of Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE, Kigwera SE at least 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 2 process. The CLOs also provided support during the detailed due diligence surveys.

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

High influence/Low impact. This group includes organisations at national and local level that have a greater influence in the progress of the project because of their legal regulatory powers,

traditional authorities/Kingdoms, media, religious institutions and the strong NGOs' interests on the social and environmental issues raised by the project. This group has the capacity to provide baseline information, influence choices and public support, as well as participate in livelihood restoration activities of the project.

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

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

Table 6.4: Stakeholders' influence and project impact analysis (RAP 2 Project Area)

Stakeholders' influence on Resettlement Project Resettlement Project impact on stakeholders	Authorities	Civil Society	Communities	Business	Committees/Boards
High/High	Kasinyi LCI Kisiimo LCI Bikongoro LCI Kizongi LCI Kakindo LCI Kisansya East LCI Kisansya West LCI Kirama LCI Kigwera NE LCI Kigwera SE LCI Kigwera LCIII (sub-county) Ngwedo LCIII Buliisa Town Council LCIII Buliisa District Local Government (BDLG) Ministry of Lands Housing and Urban Development (MLHUD)	Bugungu Heritage Information Centre (BHIC) Buliisa Initiative for Rural Development (BIRUDO) Civic Response on Environment and Development (CRED) Bagungu Community Association (BACA) Religious and Cultural Leaders (Project Affected Area) National Association Program for Environment (NAPE Uganda) Community Empowerment and Development (CED)	PAC Kasinyi Village PAC Kisiimo Village PAC Bikongoro Village PAC Kizongi Village PAC Kakindo Village PAC Kisansya East Village PAC Kisansya West Village PAC Kirama Village PAC Kigwera NE Village PAC Kigwera SE Village PAPs from the affected communities	Fishermen/Fish mongers	Buliisa District Land Board Buliisa District Resettlement Committee (DIRCO) RAP 2 affected sub-county Resettlement Planning Committees

<p>Stakeholders' influence on Resettlement Project</p> <p>Resettlement Project impact on stakeholders</p>	<p>Authorities</p>	<p>Civil Society</p>	<p>Communities</p>	<p>Business</p>	<p>Committees/Boards</p>
	<p>Ministry of Energy and Mineral Development (MEMD)</p> <p>Petroleum Authority of Uganda (PAU)</p>				
<p>High/Low</p>	<p>National Environment Management Authority (NEMA)</p> <p>Uganda Human Rights Commission</p> <p>Bunyoro Kitara Kingdom (BKK)</p> <p>Ministry of Gender Labour and Social Development (MoGLSD)</p> <p>Parliamentary Committee</p> <p>Ministry of Water and Environment (MWE)</p> <p>Ministry of Agriculture, Animal Industry and Fisheries (MAAIF)</p>	<p>Albertine Graben Oil and Gas Districts Association (AGODA)</p> <p>Coalition of Civil Society Organisation (CISCO)</p> <p>MUNGU MIYO Functional Adult</p> <p>Africa Institute for Energy Governance (AFIEGO)</p> <p>Advocate Coalition for Development and Environment (ACODE)</p>			<p>Resettlement Advisory Committee (RAC)</p> <p>Parliamentary Committees</p>

<p>Stakeholders' influence on Resettlement Project</p> <p>Resettlement Project impact on stakeholders</p>	<p>Authorities</p>	<p>Civil Society</p>	<p>Communities</p>	<p>Business</p>	<p>Committees/Boards</p>
	<p>Directorate of Water Resource Management (DWRM)</p> <p>Uganda National Roads Authority (UNRA)</p> <p>Uganda Wildlife Authority, Ministry of Tourism, Wildlife and Antiquities</p> <p>Ministry of Health</p>				
<p>Low/High</p>	<p>Ministry of Works and Transport</p> <p>Ministry of Education and Sports</p> <p>Ministry of Internal Affairs</p> <p>Ministry of Justice and Constitutional Affairs</p>	<p>Kakindo Integrated Women Development Agency</p> <p>Lake Albert Children and Women Advocacy for Development (LACWADO, CBO-Buliisa)</p> <p>Soft Power Education</p> <p>Justice Centres Uganda</p>	<p>Buliisa Cattle keepers</p> <p>Unregistered immigrants</p> <p>Health Centre III (Avogera)</p> <p>Health Centre II (Kigwera)</p> <p>Buliisa Health Centre IV</p> <p>Buliisa General Hospital</p> <p>Buliisa All Saints Church</p> <p>Kakindo Miracle Centre</p> <p>Kigwera Miracle Centre</p> <p>Buliisa mosque</p> <p>Faith of Unity(Kigwera)</p> <p>Ndandamire Catholic Church</p>	<p>Wanseko Business</p> <p>Community (WABUKO) SACCO</p> <p>Kakindo Integrated Women Development Agency (KIWDA)</p> <p>Buliisa District Livestock Association</p>	

<p>Stakeholders' influence on Resettlement Project</p> <p>Resettlement Project impact on stakeholders</p>	<p>Authorities</p>	<p>Civil Society</p>	<p>Communities</p>	<p>Business</p>	<p>Committees/Boards</p>
			<p>Buliisa Catholic Church Wanseko Mosque St. Paul Church of Uganda (Kisansya) Kirama Primary School Wanseko Primary School Kisansya Primary School Bugungu Secondary School Kilima Primary School Buliisa Primary School Divine Secondary School Treaty Junior School</p>		
<p>Low/Low</p>	<p>Affected sub-county Police station/post Uganda Wildlife Authority (UWA), Department of Museums Ministry of Justice & Constitutional Affairs Ministry of Local Government (MoLG)</p>	<p>World Bank (Albertine Region Sustainable Development Project) Uganda Red Cross Society AMAARI Community Development Organization Hoima CARITAS Development Organisation (HOCADAO) Buliisa Boda Association Living Earth Uganda</p>	<p>Village Saving and Loans Association (VSLA) Wanseko SACCO Wabuko SACCO Kisansya West SACCO Private Nursery School (Kisomere) Public Primary School (Kisomere)</p>	<p>Buliisa Taxi Drivers and Owners Association. Buliisa Dairy Farmers Association Buliisa Traders Association Buliisa District Chamber of Commerce</p>	

<p>Stakeholders' influence on Resettlement Project</p> <p>Resettlement Project impact on stakeholders</p>	<p>Authorities</p>	<p>Civil Society</p>	<p>Communities</p>	<p>Business</p>	<p>Committees/Boards</p>
<p></p>	<p>Ministry of Tourism, Wildlife and Heritage (MTWH) Ministry of Education and Sports</p>	<p>Buliisa NGO Forum Buliisa Youth Volunteers World Vision Uganda</p>	<p>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)</p>	<p></p>	<p></p>

6.6. Stakeholder Engagement Activities and the Resettlement Planning Process

The RAP 2 Stakeholder Engagement Team carried out several activities throughout the resettlement process in collaboration with TEP Uganda staff and representatives from the MEMD and MLHUD. The engagement activities were carried out with the wider affected communities, individual PAPs and, through the Buliisa District Resettlement Committee (DIRCO) and, RAP 2 Resettlement Planning Committees (RPCs).

The engagement related activities for the RAP 2 planning phase are summarised in Figure 6.2. The remainder of this section provides further detail about each of the engagement interventions undertaken during the RAP 2 planning phase.

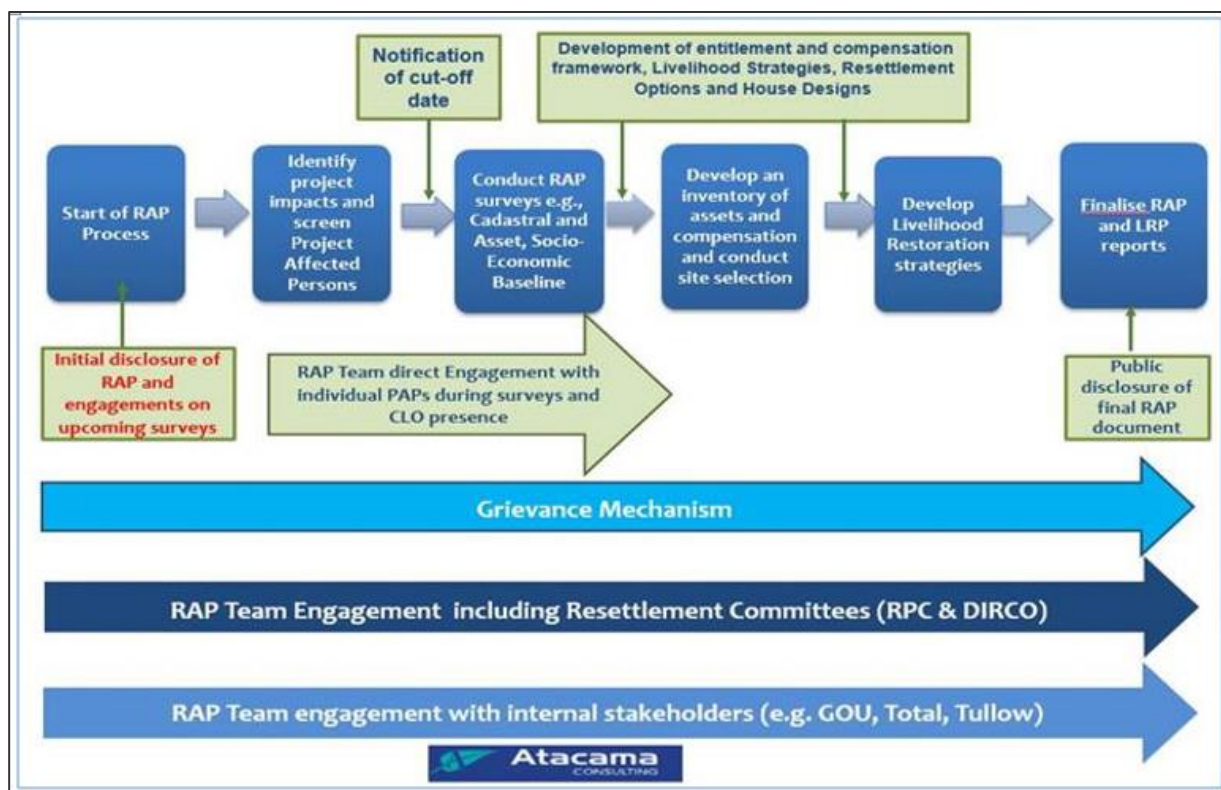


Figure 6.2: RAP 2 planning process stakeholder engagement activities

6.6.1. Initial disclosure of the RAP process

Between 4th and 14th May 2018, the RAP Team held a series of meetings with national, district and local government representatives, NGOs and CBOs at national and local level and potentially preliminarily identified affected villages to disclose the resettlement process for RAP 2 of the Tilenga project in Buliisa district (Table 6.5).

The objectives of the disclosure engagements were to:

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

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

Table 6.5: Stakeholders engaged in the Initial RAP 2 disclosures

Stakeholders engaged during the Initial RAP 2 disclosures	Date
Ministry of Tourism, Wildlife and Antiquities (MTWA), Department of Museums and Monuments, Ministry of Agriculture, Animal Industry and Fisheries, Ministry of Works and Transport, Ministry of Justice & Constitutional Affairs, Ministry of Education and sports, Office of the Auditor General, National Forestry Authority, the Inspectorate of Government, Petroleum Authority of Uganda	4 th /May/2018
Civic Response on Environment & Development (CRED), Inter Religious Council of Uganda (IRCU), Advocates Coalition for Development and Environment (ACODE), Land and Equity Movement of Uganda (LEMU)	4 th /May/2018
Buliisa District Technical Planning Committee, Sub-county chiefs & LCIII Chairpersons of Ngwedo, Kigwera, Biiso, Kihungya, Butiaba, and Buliisa Town Council.	8 th /May/2018
BIRUDO, BULOGA, LACWADO, Kakindo Finance Trust, Buliisa Oil & Gas Task Force, Bugungu Community Association, Buliisa NGO Forum.	8 th /May/2018
LC II Chairpersons of RAP 2 affected parishes in Buliisa Town Council, Kigwera and Ngwedo Sub-Counties	9 th /May 2018
LCI Chairpersons of RAP 2 affected villages of Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE and Kigwera SE.	
Community engagements with RAP 2 affected villages of Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE and Kigwera SE.	10 th -12 th May 2018
Bunyoro-Kitara Kingdom representatives (BKK).	14 th /May/2018

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

6.6.2. Engagement during detailed due diligence surveys (Rapid Aerial, Asset Inventory, Cadastral land, legal due diligence and socio-economic surveys)

Members of the stakeholder engagement team carried out several activities during the period of the cadastral and asset inventory surveys, legal due diligence and socio-economic baseline and household census surveys.

The objectives of this engagement were to:

- Update the community on the progress of the resettlement process and the implications of the various surveys;

- Gather any concerns and grievances raised during the survey period; and,
- Establish a two-way dialogue in order to understand concerns, management options and external perspectives for incorporation into resettlement design and decision-making.

In order to achieve the outlined objectives, the RAP 2 Contractor team first held community meetings (Figure 6.3) to inform local residents of the forthcoming RAP activities, explaining how each survey fit into the resettlement planning process and how the surveys would be conducted. The meetings took place in the following villages, on the following dates:

- Kirama (25th July 2018);
- Kigwera NE (26th July 2018);
- Kigwera SE (27th July 2018);
- Kisansya East (30th July 2018);
- Kisansya West (30th July 2018);
- Kizongi (31st July 2018);
- Kakindo (1st August 2018); and,
- Kisimo (2nd August 2018).

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

CLOs engaged the Kibambura LC 1 chairperson about the rapid aerial survey flight activities that were to be launched in their village. The CLOs obtained a verbal consent from the landowner, where the survey flights were launched.

Throughout the survey period, the RAP 2 Contractor team CLOs provided support to the various survey teams operating in the area (i.e. valuers, surveyors, lawyers, RAS team etc.) in their direct engagement with PAPs answer questions PAPs had about the surveys and, gather any grievances.



Figure 6.3: RAP 2 Team CLO (far right) and Legal team member (centre), engage PAPs before the legal due diligence survey

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

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

6.6.4. Cut-off Date Announcement

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

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

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

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

A final Cut-off Date for the RAP 2 was declared on 24th August 2018, on 08th October 2018 for the water abstraction to KW02A facility and 06th January 2019 for additional land take at the KW02 facility for the RAP 2 affected villages of Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE, Kigwera SE (Figures 6.4 and 6.5).

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 PAPs (see Appendix 4 of Annexure 1). Posters were displayed at various strategic centres around the community such as trading centres, churches, health centres and schools. Leaflets were also developed, translated and shared with all PAPs and the wider community. Both the posters and leaflets included some Frequently Asked Questions (FAQs) (see Appendix 4: Communication Material for the Disclosure of the Cut-off date of Annexure 1).

Additionally, public notices were lodged on notice boards around Buliisa and signage posts (see Figure 6.6) were placed around the RAP 2 Project Area to discourage speculative development whilst allowing access for ongoing local farming activities.



Figure 6.4: Community meeting at Kirama explaining the cut-off date (24th August 2018)



Figure 6.5: Community meeting explaining the cut-off date (24th August 2018)



Figure 6.6: Cut-off Date poster displayed near the TEP Uganda office in Buliisa

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

- Announce the cut-off date to the wider community in order to reach out to residents who make use of the resources and assets in the RAP 2 project area; and,
- Identify any absentee landowners who had not been identified during the cadastral land and asset valuation surveys.

The cut-off date radio announcements were presented in English, Runyoro, Lugungu and Alur and were run for three consecutive days between 24th and 26th August 2018.

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

6.6.5. Strip Map Disclosure and PAPs Verification

Display of RAP 2 strip maps and verification of the list of registered PAPs was conducted from 29th October to 2nd November 2018 after compilation of draft valuation schedules. To encourage maximum participation in the display of strip map exercise, radio announcements were organised for the duration of the strip map display exercise on local radio stations such as Kings FM Masindi (in English and Runyoro) and Radio Biiso (in English, Alur and Lugungu).

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

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

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

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

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

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

- Details of each PAP (Names, RAP Number),
- Plot details (Plot Number where applicable),

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

Venues for strip map display were selected in consultation with Local Council 1 Chairpersons and Project Affected Communities. Strip maps were displayed in the following villages on these dates; Kigwera NE & Kigwera SE (29th and 30th October 2018 respectively), Kisimo (29th and 30th October 2018), Kisansya West (29th and 30th October 2018), Kisansya East & Bikongoro (31st October to 1st November 2018), Kakindo (31st October-1st November 2018), Kirama (31st October 2018), Kasinyi (1st October -2nd November 2018) and Kizongi (2nd November 2018) (Figures 6.7 and 6.8). The strip maps were also displayed at the Buliisa district and RAP 2 affected Sub-county (Kigwera, Ngwedo and Buliisa TC) offices. The stakeholder engagement team were present at the designated strip map display venues to assist with translation into local languages as well as record PAP concerns and/or grievances. Any issues collected during the strip map display exercise (comments and concerns of PAPs attending the disclosure and verification exercise were captured – see Annexure 4) and these were addressed and changes incorporated in the RAP 2 valuation report prior to submission to the office of the CGV for review and approval.

It is important to note that the compensation values for the PAPs were not disclosed. The PAPs will be informed of their compensation values (awards) at the individual disclosures that will be conducted at commencement of RAP Implementation based on the approved RAP 2 valuation report.



Figure 6.7: PAPs checking their details on strip map displayed at Kigwera North East village



Figure 6.8: RAP 2 CLO assisting PAPs to check their details during the strip map display

6.6.6. Community meetings on Entitlement Matrix, Resettlement Options, Livelihood Restoration Options and Replacement House Design Model

Three meetings were held with the RAP 2 established Resettlement Planning Committees (RPCs) of Buliisa Town Council (31st July 2019), and with Kigwera and Ngwedo Sub-Counties on 3rd August 2019 to disclose the entitlement matrix, resettlement options, proposed Livelihood Restoration (LR) options and replacement house design model and obtain feedback on the same.

In addition to the above, engagements were also held between 03rd and 11th August 2019, with the PACs in the RAP 2 affected villages. Comments raised during the consultation meetings on the Entitlement Matrix, Resettlement Options, Livelihood Restoration options and replacement house design model were captured, and are included in Annexure 4 of this RAP Report.

6.6.7. Engagement through the Buliisa DIRCO and RAP 2 RPCs

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

These resettlement bodies play an important part in the dissemination of project information to PAPs, participating in the development of the entitlement and compensation frameworks, and providing input in the resettlement process generally. According to the LARF (2016), resettlement projects in the Albertine Graben would need to follow the framework in Figure 6.9.

- The **Resettlement Advisory Committee (RAC)** at the national level – this was already established and several meetings have been held since the inaugural meeting in June 2015;
- One **District Resettlement Coordination Committee (DIRCO)** for RAP planning and Implementation at the district level was created for Buliisa District during RAP 1 Planning in April 2017, and this DIRCO will serve other Tilenga project components in Buliisa District, and;
- **Resettlement Planning Committees (RPCs):** For RAP 2, three RPCs have been set-up at sub-county level covering the RAP 2 affected villages in Ngwedo and Kigwera sub-counties and

Buliisa Town Council on 26th June 2019. The Terms of Reference (ToRs) for the Buliisa DIRCO and the RPCs as generated during the RAP1 Planning phase were updated (Annexure 3).

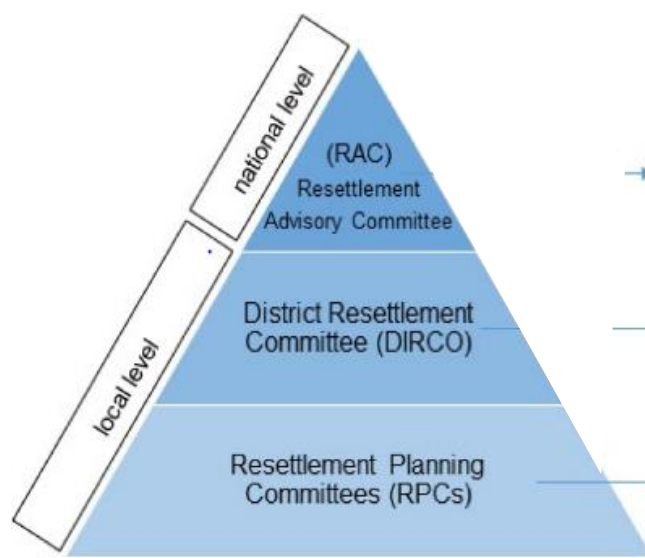


Figure 6.9: Resettlement Consultation Framework

DIRCO and RPC meetings are scheduled to take place on a quarterly basis or when required. The first DIRCO meeting was held on 22nd June 2018 as indicated in Table 6.6.

Table 6.6: Buliisa DIRCO Meetings Summary

Objective of the Buliisa DIRCO meetings	Date
<ul style="list-style-type: none"> • Presentation of RAP 2 resettlement process and methodologies • Presentations on the forthcoming asset and cadastral surveys, legal due diligence and Socio-Economic surveys • Implication of the cut-off date announcement in the project area 	22 nd June 2018
Update on the progress of the RAP 2 activities	21 st November 2018 15 th May 2019
RAP 2 RPC Election process	5 th June 2019

6.6.7.1. Buliisa DIRCO

The DIRCO for Buliisa District was created during the RAP 1 Planning phase on 11th April 2017, and this same DIRCO is used during the RAP 2 planning phase. The DIRCO is composed of representatives from the Buliisa district technical and political authorities, civil society representative and other stakeholders in Buliisa District who will support and advise on resettlement planning and implementation activities at district level. The DIRCO meetings are open to the wider public but only members of the DIRCO have consultative rights.

The roles and responsibilities of the DIRCO include:

- Support the RAP team for the declaration of the public ‘cut-off date’ for eligibility and establishment of a moratorium;
- Assistance the RAP team in the legal due diligence of the land register and identification of informal land rights;
- Provide inputs into the determination of livelihood restoration packages;
- Participate in the selection, planning and permitting of resettlement sites (including housing and infrastructure);

- Assist and support the mediation of grievances that cannot be resolved at the second level of the concerns and grievance mechanism (i.e. through Resettlement Planning Committees); and
- Support the resettlement implementation.

During the RAP 2 planning process, the Buliisa DIRCO was engaged a number of times in different engagement activities, as indicated in Table 6.6 above.

6.6.7.2. RAP 2 RPCs

The roles and responsibilities of the RAP 2 RPCs include:

- Represent and discuss the interests of all PAPs;
- Provide regular feedback to PAPs on the progress of the RAP activities, they shall be assisted by the Resettlement CLOs;
- Support TEP Uganda and RAP Contractor information sharing activities to improve general knowledge of the project planning; and,
- Raise awareness of the grievance mechanism, channel dissenting options (majority and minority) to the mechanism, and assist in addressing grievances that cannot be resolved at Level 2 of the grievance mechanism.

6.6.7.2.1. Nomination Process for RPC Members

The establishment of the RAP 2 RPCs followed the completion of due diligence surveys (cadastral land, asset valuation/inventory, legal due diligence, socio-economic baseline and PAH census surveys) during which the full list of PAPs (PAP Master list), including persons in vulnerable groups, was collated and confirmed.

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

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

Nominations were conducted at village level between 1st and 10th June 2019, where PAPs from impacted villages nominated fellow PAPs whom they trusted could make good leaders. Among others, they were guided by the following criteria:

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

- **Knowledge of community affairs** – The RPC member has demonstrated knowledge of PAPs and community concerns, and, is willing to share these with the RPC.

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

Table 6.7: The nomination process for RPC members

Nomination Process
<p>The aim of the nomination process was for all PAPs to nominate candidates for each RPC member category</p> <p><u>RPC member categories</u></p> <ul style="list-style-type: none"> • General PAP representation • Female representative • Youth representative • Elderly representative • Disabled person’s representative <p>More specifically</p> <ul style="list-style-type: none"> • Each affected village, <u>with more than 60 PAPs</u> was represented by three or more PAPs; one of whom was either female, or youth, or disabled and/or elderly. • Where the affected village had <u>60 PAPs or less but more than 30 PAPs</u>, the village was entitled to representation by two (2) elected PAP representatives; one of whom was either female, or youth, or disabled and/or elderly. • Where the affected village had <u>less than 30 PAPs</u>, it was entitled to representation by one (1) elected PAP representative, who may or may not be a vulnerable PAP. <p>Representation was allocated according to the following order of priority:</p> <ul style="list-style-type: none"> • Project Affected Person (General PAP Representative) • Female Project Affected Person • Youth Project affected Person • Elderly and, • Disabled person. <p>Based on the number of PAPs in each affected village, PAPs were divided into four groups;</p> <ul style="list-style-type: none"> • Group 1 - All PAP Representation-01 rep • Group 2 - Female Vulnerable-01 rep • Group 3 - Youth Representative-01 rep • Group 4 - Elderly or disabled Representative-01 rep <p>PAPs nominated one PAP in each category.</p> <p><u>Nomination process</u></p> <ul style="list-style-type: none"> • Each PAP submitted one nomination form per category under which they belonged. • PAPs nominated individuals on the nomination form by providing the name/details of the nominated individual. • PAPs nominated up to a maximum of three persons who had consented to the nomination. • A maximum of 10 nominations (those with the highest counts) made it to the ballot paper. <p><u>Nomination dates</u></p> <ul style="list-style-type: none"> • Buliisa Town council: 1st to 2nd June 2019

Nomination Process

- Kigwera Sub-county: 2nd to 4th June 2019
- Ngwedo Sub-county: 5th to 10th June 2019

Summary of Nomination Results

No.	Sub-county	RAP	No. of nominations per Sub-county
1	Buliisa Town Council		
	Kakindo	RAP 2	4
	Kizikya	RAP 4 & 5	2
	Kizongi	RAP 2 & 4	2
	Kisiimo	RAP 2	1
	Kitahura (was merged with Kizikya because it has one PAP)	RAP 5	0
	Total		9
2	Ngwedo Sub-County		
	Kilyango	RAP 3a	5
	Kasinyi	RAP2, 3a, 4 & 5	12
	Kisomere	RAP 3a & 5	6
	Avogera	RAP 3a & 5	8
	Kamandindi	RAP 5	5
	Uduk I	RAP 3b & 5	3
	Uduk II	RAP 3a, 3b & 5	6
	Ngwedo Centre	RAP 3b & 5	5
	Ngwedo Farm	RAP 3b	3
	Kibambura	RAP 3b, 4 & 5	7
	Total		60
3	Kigwera Sub-County		
	Kigwera NE	RAP 2, 4 & 5	6
	Kigwera SE	RAP 2, 4 & 5	3
	Kirama	RAP 2	4
	Bikongoro	RAP 2, 3b, 4 & 5	6
	Kiyere	RAP 5	3
	Kisansya East	RAP 2	2
	Kisansya West	RAP 2	1
	Total		25

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

6.6.7.2.2. Election Process for RPC Members

Ballot papers of shortlisted candidates were prepared for use in the election process between 6th and 8th June 2019 for Buliisa Town council, 6th and 9th June 2019 for Kigwera Sub-county and, 11th and 13th June 2019 for Ngwedo Sub-county.

The election of the RAP 2 RPCs took place between 10th and 14th June 2019 in the sub-counties of Kigwera and Ngwedo and Buliisa Town Council. Radio announcements were run throughout the election period to encourage the participation of the local community. The election process was as per Table 6.8 (also see Figure 6.10).

Table 6.8: RPC Members Election Process

Election Process					
The aim of the election process was for PAPs to elect RPC members for each nominated category					
<u>Election process</u>					
<ul style="list-style-type: none"> Elections were held in specific project affected villages of each RAP. Independent observers (LC1, LCIII and a DIRCO representative) were invited to witness the election process. All PAPs signed an attendance register upon arrival at the electoral centre. Voting for the members was by secret ballot with ballot papers placed in a sealed box. The counting of the votes was done in the presence of all members present at the electoral centre. The top candidates with majority votes were considered successful to represent PAPs on the RPC. Results were declared by the Buliisa DIRCO representative in each affected village in the presence of all PAPs and other community members. The RAP Contractor team notified the elected members of the date of the first RPC /Inaugural meeting. 					
<u>Election dates</u>					
<ul style="list-style-type: none"> Buliisa Town Council: 10th June 2019 Kigwera Sub-county: 12th June 2019 Ngwedo Sub-county: 14th June 2019 					
<u>Summary of Election Results</u>					
No	Sub county	RAP	No. Electe d	Fixed Rep (LC1 and LCIII Chairpersons)	Total RPC member s per SC
1	Buliisa Town Council			1 (LC 3 Chairperson)	
	Kakindo	RAP 2	3	1	
	Kizikya	RAP 4 & 5	1	1	
	Kizongi	RAP 2 & 4	1	1	
	Kisiimo	RAP 2	1	1	
	Kitahura (was merged with Kizikya because it has one PAP)	RAP 5	0	1	
	Total		6	6	12
2	Ngwedo Sub-County			1 (LC 3 Chairperson)	
	Kilyango	RAP 3a	3	1	
	Kasinyi	RAP2, 3a, 4 & 5	4	1	
	Kisomere	RAP 3a & 5	3	1	
	Avogera	RAP 3a & 5	3	1	
	Kamandindi	RAP 5	3	1	
	Uduk I	RAP 3b & 5	3	1	
	Uduk II	RAP 3a ,3b & 5	3	1	
	Ngwedo Centre	RAP 3b & 5	3	1	

Election Process					
	Ngwedo Farm	RAP 3b	3	1	
	Kibambura	RAP 3b, 4 & 5	3	1	
	Total		31	11	42
3	Kigwera Sub-County			1 (LC 3 Chairperson)	
	Kigwera NE	RAP 2,4&5	3	1	
	Kigwera SE	RAP 2,4&5	1	1	
	Kirama	RAP 2	3	1	
	Bikongoro	RAP 2,3B,4&5	3	1	
	Kiyere	RAP 5	2	1	
	Kisansya East	RAP 2	1	1	
	Kisansya West	RAP 2	1	1	
	Total		14	8	22



Election Venue





Casting the Ballot



Sealed boxes into which ballots were cast



DIRCO member counting votes

Figure 6.10: Election of RPC members

The elected representatives will assume all responsibilities of the RPC overseeing all RAP activities. A final list of elected members was displayed on 15th June 2019 in Kigwera South East, Kigwera North East, Bikongoro, Kirama, Kisansya East and Kisansya West in Kigwera Sub-county, Kasinyi in Ngwedo sub-county and Kisiimo, Kizongi and Kakindo in Buliisa Town Council.

6.6.7.2.3. RAP 2 RPCs

The three RAP 2 RPCs consist of the following:

1. Kigwera sub-county with representation from the impacted villages of Kirama, Kigwera North East, Kigwera South East, Kisansya East, Kisansya West and Bikongoro comprising of 12 elected and 07 fixed representatives.
2. Ngwedo sub-county with representation from the impacted village of Kasinyi comprising of 04 elected and 02 fixed representatives.
3. Buliisa town Council with representation from the impacted villages of Kisiimo, Kakindo and Kizongi comprising of 05 elected and 05 fixed representatives.

The elected RPC members included representation of PAPs as well as those from vulnerable categories such as; Female, Youth, Elderly and Disabled Project Affected Persons.

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

At the individual Sub-county level, the RAP 2 RPC composition is as follows:

- Ngwedo Sub-county RPC: 42 members in total of whom 05 members are specifically from the RAP 2 impacted village of Kasinyi (inclusive of the respective LC 1 Chairpersons), 36 members are from RAPs 3a, 3b, 4 and 5 impacted villages (inclusive of the respective LC 1 Chairpersons) while 01 is the LC III chairperson of Ngwedo Sub-county.
- Kigwera Sub-county RPC: 22 members in total of whom 18 members are specifically from the RAP 2 impacted villages of Kirama, Kigwera North East, Kigwera South East, Bikongoro, Kisansya East and Kisansya West (inclusive of the respective LC 1 Chairpersons), and 03 are from the RAP 5 impacted village of Kiyere (inclusive of the respective LC 1 Chairperson) while 01 is the LC III chairperson of Kigwera Sub-county.
- Buliisa Town Council RPC: 12 members in total of whom 08 members are specifically from the RAP 2 impacted villages of Kakindo, Kizongi and Kisiimo (inclusive of the respective LC 1 Chairpersons), 03 from the RAP 4 and RAP 5 impacted villages of Kizikya (RAPs 4 and 5) and Kitahura (RAP 5 only) (inclusive of the respective LC 1 Chairpersons) while 01 is the Mayor of Buliisa Town Council.

Where applicable, the committees will co-opt members:

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

RPCs for Kigwera sub-county and Buliisa Town Council were inaugurated on 19th June 2019 and that for Ngwedo sub-county on 20th June 2019 (Figure 6.11).



Inaugural meeting of RAP2 Resettlement Planning Committee Kigwera sub county (19th June 2019).



Inaugural meeting of RAP2 Resettlement Planning Committee Buliisa Town Council (19th June 2019).



Inaugural meeting of RAP 2 Resettlement Planning Committee Ngwedo Sub county (20th June 2019).

Figure 6.11: Inaugural meeting for the different RPCs for RAP 2

6.6.7.2.4. RPC Meetings

Similar to the Buliisa DIRCO, the meetings of RAP 2 RPCs are open to the wider public but only members of the committee have consultative and decision-making rights. To date, the RAP 2 RPCs have met twice (see Table 6.9), and for the RAP implementation phase, meetings will be scheduled to take place on a quarterly basis or more frequently, if and when required.

Table 6.9: RPC Meetings

Objective of the meeting	Date
RPC Inaugural meeting for Kigwera Sub-county and Buliisa Town Council	19 th June 2019
RPC Inaugural meeting for Ngwedo Sub-county	20 th June 2019
Presentation and discussion on entitlement matrix, Resettlement options, Livelihood Restoration programs and House Design options	31 st July 2019 and 3 rd August 2019

6.6.8. Disclosure Engagements of the Draft RAP 2 report contents

The objectives of the disclosure engagements were to:

- Communicate the contents of the draft RAP 2 report, and;
- Gather input from stakeholders regarding the RAP report content.

The RAP 2 disclosure engagements took into account restrictions set by the Government of Uganda and the Ministry of Health concerning public gatherings during the COVID-19 pandemic, as well as, those encompassed in the Interim Advice provided by the IFC on safe stakeholder engagement in the Context of Covid-19, which document recognised that, it may not be possible for companies to conduct stakeholder engagement as they would under normal circumstances.

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

In adherence with all of the above, the RAP2 disclosure engagements were held using a number of remote communication methods rather than engaging with stakeholders in person (Table 6.10).

Table 6.10: Disclosure of findings in the draft RAP2 Report

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

Activities	Date
Association of Women Organisations (NAWO), National Organisation of Trade Unions (NOTU), Action Aid, Minerals and Oil workers union, National Association of Professional Environmentalists (NAPE), Advocates Coalition for Development and Environment (ACODE), Citizens Concern Africa, Democratic Governance Facility, Friedrich Ebert Stiftung, Green Watch Uganda, Human Rights Network Uganda, Living Earth Uganda, Maendeleo Ya Jamii, National NGO Forum, Oxfam Uganda, Pro-Biodiversity Conservationists in Uganda, Transparency International, Uganda Chamber of Mines and Petroleum, World Wildlife Fund Uganda, Navigators of Development Association (NAVODA), Network on Environment and Petroleum (NANEP), Advocats Sans Frontiers (ASF), Fit Insights, Albertine Graben Oil and Gas Districts Association(AGODA), and Initiative for Social and Economic Rights (ISER)	
<ul style="list-style-type: none"> RAP report disclosure Webinars at District level (Buliisa District Local Government, Buliisa Town Council and Kigwera, and Ngwedo sub-county representatives,) 	18 th September 2020
<ul style="list-style-type: none"> Follow-up engagement via Webinars with National level NGOs and CSOs (Inter-Religious Council of Uganda, Civic Response on Environment and Development (CRED), Civil Society Coalition on Oil and Gas (CSCO), Maendeleo Ya Ja, Albertine Graben Oil and Gas Districts Association(AGODA), World Wildlife Fund Uganda, Uganda Consortium on Corporate Accountability (UCCA), Transparency International, Citizens Concern Africa, Global Rights Alert, National NGO Forum, LAND net, Land Equity Movement Uganda, Uganda Land Alliance, National Organisation of Trade Unions (NOTU), Minerals and Oil workers union, Network on Environment and Petroleum (NANEP), Fit Insights, Green Watch Uganda, Action Aid, Advocates Coalition for Development and Environment (ACODE), Advocats Sans Frontiers (ASF), and Uganda Fisheries and Fish Conservation Association (UFFCA). 	8 th October 2020
2. Disclosure of findings in the draft RAP 2 report- Scripted Radio Dialogue	
<ul style="list-style-type: none"> RAP report disclosure radio dialogues via Spice FM, Biiso FM & Kings FM at Community level (affected communities, DIRCO, RPCs, Sub county leaders among others) in the four (04) languages of English, Alur, Runyoro and Lugungu. 	07 th October to 05 th November 2020
<ul style="list-style-type: none"> Community Drives, through the RAP 2 affected villages of; Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE, and Kigwera SE 	30 th October to 8 th November 2020
3. Disclosure of findings in the draft RAP 2 report- Printed materials	
<ul style="list-style-type: none"> RAP disclosure flyers (see Annexure 3) with the contents of the RAP 2 report were printed and distributed in all project affected villages. The distribution of flyers targeted PAPs, RPC executive committee, Buliisa DLG and local NGOs among others. The RAP report flyers were translated in 03 languages (Lugungu, Alur and Runyoro) to support community understanding. The flyers were summarized into five (05) themes, namely; Introduction, Cadastral & asset inventory, Concerns & grievances, Cultural Heritage & Archaeology and Vulnerability. 	9 th November to 13 th November 2020

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

6.7. Capacity building and training

6.7.1. Capacity Building and Training of the RAP 2 Team and Company Representatives

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

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

To date, with the exception of the training undertaken during RAP1 planning, training of the RAP Contractor team and TEP Uganda project staff during RAP 2 Planning specifically included:

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

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

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

- Project Background information on RAP 2 and the overall Tilenga Project and related Resettlement Activities;
- The Role and mandate of the RPC chairperson, secretary and members;
- Standard practices for organising, conducting meetings and taking decisions;
- Record keeping, follow-up and feedback practices;
- Governance, code of conduct of RPC members during meetings;
- RAP Grievance mechanism and the Role of the RPC;
- Asset Identification and Valuation Principles being followed (in order to ensure fair & adequate compensation i.e. full replacement cost), including:
 - Procedure for identifying, contacting and registering absentee land owners
 - What is an asset (and what is not an asset)?
 - Difference between annual crops and perennial crops
 - Difference between temporary and permanent assets
- Defining Entitlements and Eligibility
 - Types of Displacements: Physical, Social and Economic displacement
 - Different types of entitlements e.g., the difference between in-kind compensation and cash compensation?
 - Identification, selection and availability of replacement land, security of tenure (individual, communal) and the role of DIRCO

- Understanding livelihood restoration and alternative options for livelihood restoration
 - Vulnerable social groups or PAPs and the need for protection and special assistance for vulnerable social groups.

6.8. RAP implementation engagement responsibilities and activities

The RAP Contractor stakeholder engagement team will be responsible for the management, coordination and execution of engagement activities related to the implementation of RAP 2. During the implementation phase, a clear engagement plan will be developed to support compensation, resettlement and Livelihood Restoration (LR) including:

- CLOs presence in the affected villages at least twice a week;
- CLOs presence at the TEP Uganda Liaison Office in Buliisa Town;
- Ongoing quarterly meetings (or when required) for the Buliisa DIRCO and RAP 2 RPCs;
- Regular community meetings providing updates on the progress of the resettlement process; and,
- One-on-one engagement with PAPs to disclose compensation and support packages.

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

- Engagement with potential implementing partners) to put in place a high-level Memorandum of Understanding (MoU) with each partner, where not already established during RAP1 Implementation. The MoUs will capture the principles, scope, commitments and any other general legal parameters that will guide the relationship;
- Engagement to support the completion of feasibility studies for LR options (where required) and preparation of detailed initiative implementation plans including roles, responsibilities etc.;
- Initiative based agreements will be developed with single or multiple partners which set out clearly, the detailed scope of work related to the initiative including the role/responsibilities of each partner, tasks, schedule, deliverables and budget;
- Direct engagement with PAPs to discuss LR options followed by on-going engagement during LR initiative implementation;
- Provide support during the selection and enrolment process of PAPs in the LR programs;
- Ongoing monitoring and evaluation related engagement with PAPs, partners and other stakeholders.

The level of effort and time required to engage LR partners, PAPs and other stakeholders related to LR is not to be underestimated. Potential implementing organisations are provided in Chapter 14 to provide an indication of the extent of engagement that will need to take place in order to engage and work on LR with these organisations. Engagement will be designed to support the resettlement and LR process to allow PAPs to move and regain access to food and income as swiftly as possible as well as, provide early evidence of LR support within the Project Affected Communities. For complex LR initiatives, agreements may take up to twelve months to finalise and sign.

6.8.1. Associated obligations and special considerations to vulnerable PAPs

(a) Women and Children

The entitlements for PAPs should consider the wider legal perspective in terms of certain obligations for the PAPs, which should be recognised and upheld where they apply especially

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

(b) Vulnerable groups

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

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

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

(c) Special assistance program areas for vulnerable groups

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

- (i) Specifically targeted sensitisation for the vulnerable PAPs and other household members who cannot easily come to pre-arranged venues during pre-payment and post payment consultations.
- (ii) Priority consideration in processing resettlement compensation payments and specialised assistance in filling out compensation payment forms especially for vulnerable PAPs.
- (iii) Special arrangements to deliver compensation payment to the residences of PAPs that cannot easily move to arranged venues and involve next of kin in processing and delivering such payments.

- (iv) Training on proper use and management of resettlement compensation payments to vulnerable PAPs and responsible next of kin. At least two people from each of the vulnerable PAPs households will be considered.
- (v) Other livelihood skills development interventions will be considered and implemented for vulnerable PAP households in line with local livelihood economic opportunities. At least two people from each of the vulnerable PAPs households will be considered.
- (vi) Counselling and psycho-social support for members of vulnerable PAPs households where the head is living with multiple disabilities and chronic illness, widow or child household head.
- (vii) Priority consideration for employment in project related activities for some of the members of the vulnerable PAP households.

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

7. CONCERNS AND GRIEVANCE MECHANISM

This Chapter outlines the Concerns and Grievance Mechanism for the development and implementation of the RAP 2 Project. The mechanism is in line with the Tilenga Project SEP and grievance mechanism as well as requirements set out in the LARF.

7.1. Purpose

The purpose of the Concerns and Grievance Mechanism is to create, a systematic process for recording, processing and resolving grievances raised during the resettlement planning phase by PAPs and other stakeholders. The mechanism serves as an important input channel to help inform RAP implementation decisions and detailed design of activities.

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

7.2. Scope

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

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

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

7.3. Definitions

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

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

7.4. Principles

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

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

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

7.5. Issues that were considered in the Development and Management of the Concern and Grievance Mechanism

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

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

Potential Issues	Management Approach
Stakeholders not aware of the Tilenga Project Concerns and Grievance Mechanism	Project team consistently share the procedure to increase awareness of stakeholders on the Concerns and Grievance Mechanism and how to access it through engagement and engagement tools.
The presence of different contractors working near or in communities greatly increases the likelihood of concerns / grievances being lodged by stakeholders.	Project team continue to work with project contractors to build awareness of different Grievance Mechanisms, and their role in concerns/ grievance management (passing them to the appropriate person).
Stakeholders’ concerns are not always channelled through the existing grievance system	Project team to encourage use of toll free line (0800216500) by stakeholders to share concerns / grievances with CLOs.

Potential Issues	Management Approach
When communities lose trust in the national judicial system. The role of resettlement committees in the management of grievance and the role of the judicial system needs to be clarified.	Make stakeholders aware of project Concerns and Grievance Mechanism and how it relates to the national judicial system.
Some grievances may take a very long time to resolve because of their complexity and the fact that they are often beyond the control of the project.	<p>Ensure stakeholders are regularly updated on the status of their concerns/ grievance and the expected time for the different stages of the process e.g. investigation, review, final decision etc.</p> <p>Ensure information provided on the Concerns and Grievance Mechanism includes realistic time frames and internal resources to meet these timeframes.</p> <p>Ensure stakeholders are made aware of other grievance redress mechanisms (Court)</p>
Vulnerable PAPs especially women, elderly, persons with disability and children may often have difficulty accessing the RAP team or project meeting venues.	Ensure regular visits or special assistance extended to vulnerable PAPs who may not move to the meeting venues to place/lodge or express a concern or grievance against the project.
Mechanism abuse by the stakeholders. Most of the stakeholders report concerns/grievances that they are not willing to close (They rarely want a solution)	Project team consistently conducts awareness sessions on the benefits of the mechanism to increase awareness of its proper application.

Source: TEP Uganda feedback on existing JV Partner Grievance Mechanism during Stakeholder Engagement Training, July 2018

7.6. Concerns and Grievance Mechanism for the RAP 2 Project

7.6.1. Roles and Responsibilities

The management, coordination and implementation of the Concern and Grievance Mechanism related tasks are the responsibility of the personnel set out in Table 7.2.

It should be noted that the Grievance Mechanism is managed by the project proponents and its contractors and runs separately from any Ugandan national legal options for redress. All parties lodging a concern or grievance through the Grievance Mechanism have the right to also access any national legal mechanisms for redress at any point.

Table 7.2: Roles and responsibilities for the management of concerns and grievances related to land acquisition and resettlement activities

Promote Awareness and Understanding of grievance mechanism procedure	
RAP team Community Liaison Officer (CLO)	<ul style="list-style-type: none"> Train RAP team members on the procedure.
RAP Team Stakeholder Engagement Coordinator	<ul style="list-style-type: none"> Share the procedure with stakeholders at all meetings.
Receive, Acknowledge & Register Grievances	
RAP Team Community Liaison Officer (CLO)	<ul style="list-style-type: none"> Receive the grievances Register the grievance on the grievance form & issue a copy to the complainant Write the acknowledgement letter to the complainant
RAP Team Grievance Officer	<ul style="list-style-type: none"> Enter the grievance into the database system Monitor grievance resolution
Investigate, Resolve & Close out Grievances	
RAP Team CLO	<ul style="list-style-type: none"> Investigate grievances for immediate solution

RAP Team Stakeholder Engagement Coordinator RAP Team Project Manager RAP Team Grievance Officer TEP Uganda Social Affairs Manager Other sectors & departments within Tilenga project team where relevant	<ul style="list-style-type: none"> Investigate & follow up on the resolution of the grievances that go on to the levels 2 & 3 as set out below. Close out Grievances
Mediation & Follow Up	
RPCs and DIRCO Buliisa district senior leadership (MP, LCV, CAO) Tilenga Project legal services Individual team leaders of the Social Resettlement Team	<ul style="list-style-type: none"> For all mediations that take place at levels 2 & 3 For all grievances that move on to level 4
Monitoring, Reporting & Feedback	
RAP Team Stakeholder Engagement Coordinator RAP Team CLO	<ul style="list-style-type: none"> Share weekly reports of the grievance received and the status Prepare the Monthly Grievance report Share the grievance log sheet on a weekly basis
RAP Team Grievance Officer RAP Team Social Data Administrator	<ul style="list-style-type: none"> Quality control of the progress and generate reports on a monthly basis. Monthly and Quarterly reports to PAU.

7.6.2. Tools

The following are tools, which are used in the ongoing management, coordination and implementation of the Social & Resettlement Concern and Grievance Mechanism:

Avenues through which a complainant may report a grievance

- **Email address:** ep.sacbugungu.ugep@total.com
- **Toll Free number:** 0800216500
- **Postal address:**
 - *In Kampala:* Atacama Consulting, Plot 22B, Lower Naguru East Road, Naguru, Kampala, Uganda
 - *In Kampala:* Total E&P Uganda, Plot 15 Yusuf Lule Road, Kampala Uganda
 - *In Buliisa:* Social & Resettlement Services Community Liaison Officer (CLO) Desk, TEP Uganda Liaison Office, Buliisa district

Resettlement Committees (DIRCO and RPCs): Stakeholders can submit their concerns and grievances during committee meetings; resolutions may also be presented at the meetings.

Grievance Form: See Annexure 5. These are available from the RAP Team CLOs and filled in whenever a grievance is received.

Action Form: See Annexure 5 (Grievance Log).

7.6.3. How the Grievance Mechanism Process works

There are four (4) major steps followed in resolution of a grievance as indicated below (Figure 7.1). At all times, any grievance once received, should be acknowledged and registered within 24 hours and legitimized once investigated. A response should be given when available to close any

grievance out at the first level where applicable. Where the resolution availed to the complainant is not accepted at the first level, it is escalated to levels 2, 3 and 4. At each level steps, 3 (Investigate and Respond) & 4 (Close Out) are repeated.

On receipt of any grievance, a grievance form must be completed to indicate:

- A. Details of the complainant;
- B. Details of the witness if any;
- C. Grievance category, description, provision of a solution, indication of solution acceptance or not;
- D. Acknowledgement of receipt of grievance and further investigations for levels 2 to 4 where applicable; and,
- E. Formal close out and an indication of complainants' satisfaction with the resolution process.

Each form has six pages, five of which are carbonated and only the second page of the form in the book is given to the complainant while the rest of the copies remain with the CLO and should be stored safely and in an organised manner. Only sections A-D of page 1 of the forms are given to the complainant once the CLO has signed.

Step 1 – Receipt & Acknowledgement. A complaint may be reported through the channels above with evidence to the CLO or any other recipient. Anonymous grievances are also received and subjected to the same process of resolution although feedback to the complainant may be difficult.

Complainants should have as much evidence as possible to support investigations and these may include witnesses, photographs, and others.

The complainant should fill out **the Grievance Form**, with the support of CLO if required, take the second page and retain the rest of the copies with the CLO. If the CLO receives a grievance orally e.g. by phone, or in the case where the complainant cannot write, the form has to still be completed in front of the complainant and signed by a witness.

Step 2 – Record, Assess & Assign. The uniquely numbered and complete Grievance Form, is dated and signed by the Complainant with the guidance of the CLO which creates the record of the grievance. The CLO ensures that in all cases, the complainant is aware of the contents of the form and if need be, the form can be scrutinised by a person (witness) nominated by the complainant to check that the information recorded is correct.

At this point, the CLO should explain the subsequent steps to the complainant to let him/her know the possible outcomes of a recorded grievance.

The CLO has to make sure enough information is acquired to make an assessment of the grievance and where possible, provide an immediate response or solution, the complainant can then acknowledge that they agree with the solution proposed by signing Section E to close out the grievance.

Whether the solution is accepted or not, the Acknowledgement of Grievance Section D is to be signed off and the second page of the form in the Grievance book issued to the complainant. This is what would constitute a **Level 1** solution as elaborated below.

All grievances are to be handed over to the Grievance Officer (GO) by the CLO for recording into the database within **24 hours of the grievance being received**, and in the absence of the GO, the CLO has a responsibility to ensure this is done within the same timeframe. The goal is to ensure that a log of all grievances received is updated daily in the Grievance Log Sheet.

Step 3 – Investigate & Respond. The purpose of the investigation is to verify the validity and assess the significance of the grievance. During the investigation, the CLO provides regular status updates to the complainant in an appropriate form. The responses must be given to the Complainant in a timely manner and all efforts should be made to ensure that the Complainant documents their response to the suggested solution. If the Complainant agrees to the solution, then the issue is closed out. If not, then escalation is triggered.

There are 4 escalation levels in the resolution process; as outlined in the Client’s Grievance Procedure (see Figure 7.1):

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

- The objective is to resolve issues immediately and efficiently when they arise at the time they are received or reported. On receipt, the CLO assesses the legitimacy of the grievance and provides an immediate solution. If the solution is accepted by the complainant, the **Grievance acknowledgement and Close Out sections are signed** and registered in the **Grievance Database** managed by the **Grievance Officer**.
- *On occasions where the Complainant fails to provide evidence for a grievance or complaint raised, 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-maximum 14 days after the grievance receipt

- If the first solution is not accepted by the Complainant, an investigation needs to be undertaken within seven (7) days of lodging the grievance and a solution provided within 14 days.
- The CLO mobilises, according to the category of the grievance, the necessary resources within the RAP Team and with Tilenga Project Social Affairs team, to investigate and develop a solution which shall be shared with Tilenga Project Head of Social Affairs and, once approved, shared with the Complainant.
- The CLO informs the Complainant of the proposed solution and coordinates with him/her if they have suggested modifications to the proposed approach. Upon acceptance of the solution by the Complainant and implementation of the corrective measures, the Complainant shall sign the “Close Out” section of the Grievance Form.

Level 3: Solution requiring the intervention of a third party [maximum 30 days after the grievance deposit]

- If the complainant does not accept the solution at Level 2, the CLO and Grievance Officer initiate the following steps; this should be closed out within a maximum period of 30 days from initial receipt of the grievance.
- In consultation with the Head of Social Affairs, Responsible for Safety & Environment on Site (RSES), other relevant staff and relevant third party’s such as the RPC or DIRCO to come up with solutions.
- Proposed solutions that are recommended shall be documented via (letters, Minutes of meetings and email) to the Grievance Officer and CLO copying in the Community Liaison Supervisor and RSES.
- The CLO informs the complainant of the proposed solution and coordinates with him/her if they have suggested modifications to the proposed approach. Upon acceptance of the solution by the Complainant and implementation of the corrective measures, the

Complainant shall sign the “Close Out” section of the Grievance Form. The Grievance Officer should ensure these updates are made in the database management system.

Level 4: Escalation of a grievance to legal

- If the Level 3 mechanism fails to provide an acceptable solution to the complainant, the grievance shall be directly handled by the Head of Social Affairs of Tilenga project who will brief and follow up the matter with the respective legal departments.
- When a solution is agreed and the corrective measure implemented, the case is closed out, and the grievance is immediately registered as resolved in the grievance database by the Grievance Officer.

NOTE: The Grievance Officer should communicate with Complainants who have open grievances at least once a week to check in with them and inform them on the progress of their grievance.

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

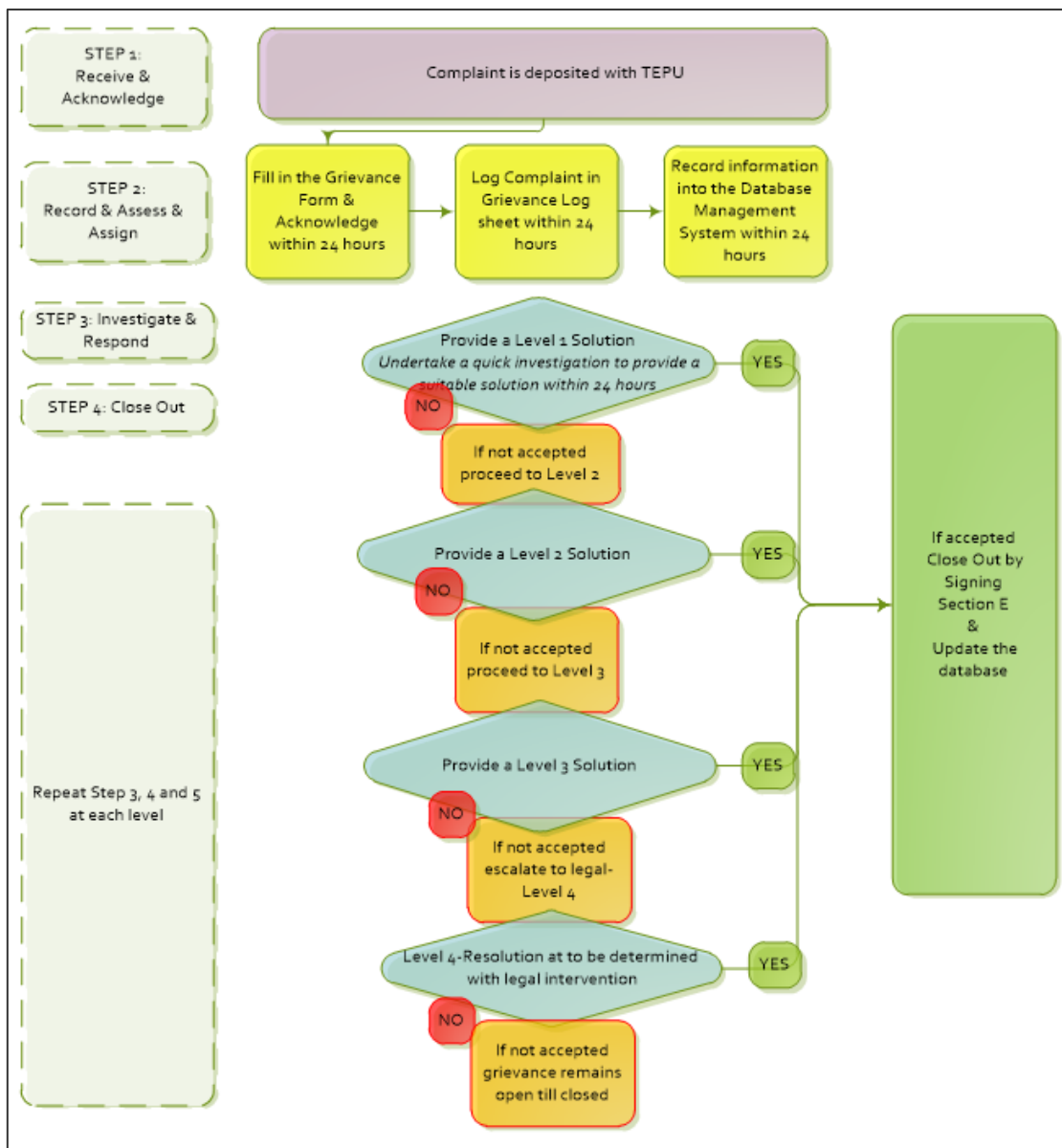


Figure 7.1: Grievance flow chart

7.7. Reporting

The RAP contractor team ⁴⁴ reports weekly on information regarding the management, coordination and implementation of the concerns and Grievance Mechanism to ensure transparency and accountability.

The RAP team ensures internal monitoring, reporting and analysis of concerns and grievances, and how the information is applied to strategic planning and decision-making.

The RAP team also provides regular feedback at DIRCO and RPC meetings (to clarify expectations on the scope of the Mechanism, to encourage PAPs to use it and to gather comments for its improvement). The team also discusses the results of concerns and/or grievances that may have a community-wide remit.

7.8. Summary of Grievances under RAP 2 Planning

At the time of submission of the RAP 2 Valuation report, twenty-one (21) grievances had been recorded. Of the 21 grievances, eighteen (18) cases had been resolved and three (03) cases were pending. Additionally, after CGV approval of the RAP 2 Valuation report, ten (10) new grievances were registered between 16th and 18th September 2020.

Based on the above, thirty-one (31) grievances have been recorded on RAP 2 in total pertaining to the categories indicated in Table 7.3 and Figure 7.2 and of these, eighteen (18) grievances have been resolved and thirteen (13) cases are pending.

Table 7.3: RAP 2 recorded grievances by Category as of 18th September 2020

Category	Resolved	Unresolved	Total
G1- Land and Resettlement	01	06	07
G2-Other economic loss	16	07	23
G3-Employment and Supply chain	0	0	0
G4- Environment and Health	0	0	0
G5- Safety	0	0	0
G6- Social conduct and security	0	0	0
G7- Cultural Heritage	0	0	0
G8- Social investment projects	0	0	0
G9- Engagement and Communication	0	0	0
G10-Other	01	0	01
Total	18	13	31

⁴⁴ 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.

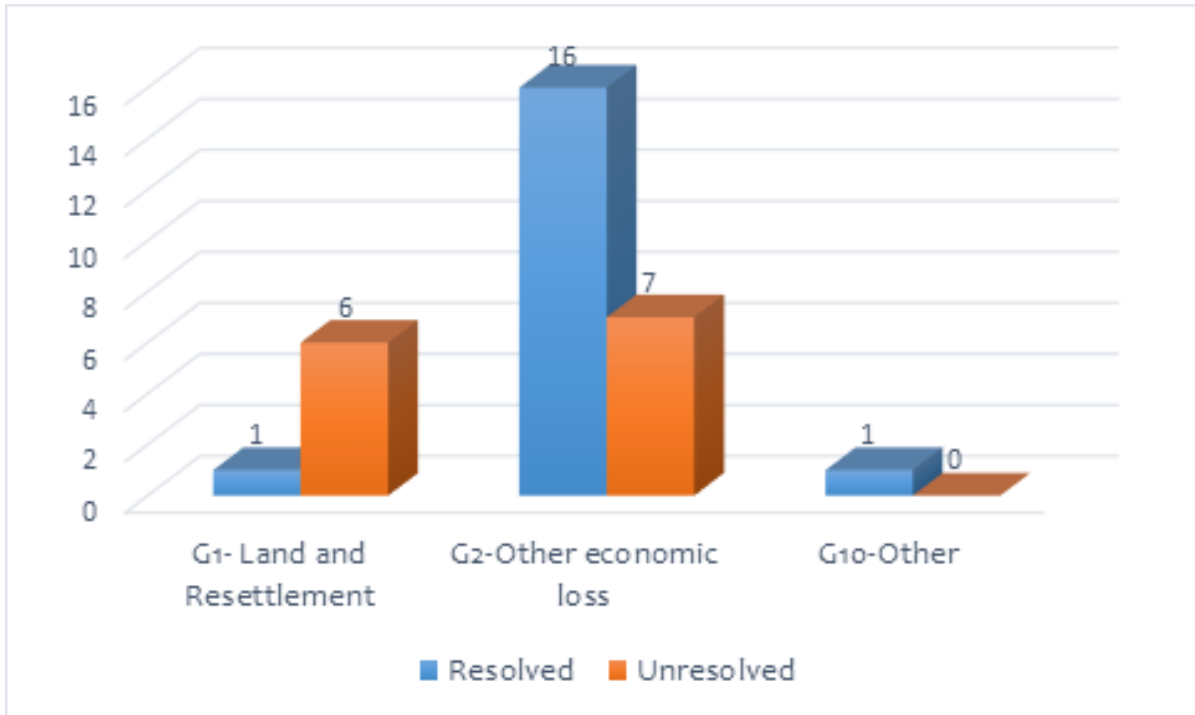


Figure 7.2: Summary of RAP 2 recorded grievances as of 18th September 2020

8. ENTITLEMENT & COMPENSATION FRAMEWORK

8.1. Introduction

Eligibility, entitlements, and compensation are generally the most scrutinised components of resettlement because of the cost implications for the project proponent and the livelihood implications for PAPs. Therefore, the processes, procedures, and methods used to determine each of these components must be transparent. This includes all matters related to valuation, the determination and application of rates, and how outcomes were derived.

The purpose of this Chapter is to understand who was eligible (i.e. qualified) under national legislation, IFC PS5 and the LARF to be regarded as a PAP. The entitlements that these PAPs will qualify to receive, are considered in an entitlement matrix.

With regards to Eligibility, Entitlement, and Compensation, the IFC PS5 states the following:

“When displacement cannot be avoided, the client will offer displaced communities and persons compensation for loss of assets at **full replacement cost** and other assistance to help them improve or restore their standards of living or livelihoods, as provided in this Performance Standard. Compensation standards will be **transparent** and **applied consistently** to all communities and persons affected by the displacement. Where livelihoods of displaced persons are land-based, or where land is collectively owned, the client will, where feasible, offer the displaced **land-based compensation**. The client will take possession of acquired land and related assets **only after compensation has been made available** and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons **in addition to compensation**. The client will **also** provide opportunities to displaced communities and persons to derive appropriate **development benefits** from the project.” (Our emphasis)⁴⁵

Payment of cash compensation for lost assets may be appropriate where: (a) **livelihoods are not land-based**; (b) livelihoods are **land-based but the land taken** for the project is a **small** fraction of the affected asset and the **residual land is economically viable**; or (c) **active markets** for land, housing, and labour **exist**, displaced persons use such markets, and there is **sufficient supply** of land and housing. Cash compensation levels should be **sufficient to replace** the lost land and other assets at **full replacement cost** in local markets.

Under IFC PS5 it is therefore preferable to issue affected people with replacement land which should be “like for like” as far as possible or an improvement on the existing land. All other assets should be compensated at full replacement cost. This is also echoed in the LARF, which states:

Principle 7 - Compensation will be based on full replacement value

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

Principle 8 - Comprehensive resettlement assistance package

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

- Is culturally appropriate;
- Offers PAPs a choice of compensation packages of equal or higher value, equivalent or better characteristics, and advantages of location;

⁴⁵ IFC PS 5, Land Acquisition and Involuntary Resettlement – Page 3

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

8.2. Eligibility

The Eligibility Criteria being used in this RAP is in line with the introductory summary of various applicable policies including the IFC PS5 as discussed in Section 8.1 above.

There are four variables to consider regarding Eligibility:

- **Who** is eligible – this is established through the definition of PAP and their relationship to the project-affected-area determined through the census.
- **How** are they deemed eligible - this is established in the eligibility criteria.
- **When** are they eligible - this is defined by the Development Moratorium (Cut-off Date).
- **What** are they eligible for (entitlement) – this is defined in the Draft Entitlement Matrix.

The applicability of the variables with respect to categories of PAPs is set out in the Eligibility Framework in Table 8.1.

Table 8.1: Eligibility Framework

Category	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 2 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 24 th August 2018, on 08 th October 2018 for the water abstraction to KW02A facility and 06 th January 2019 for additional land take at the KW02 facility)
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 (this constitutes a family or clan with shared interest in an asset) who, loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and

trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b) ownership of annual and/or perennial crops and trees, (c) homestead property, (d) homestead structures, (e) graves, (f) shrines, and (g) other privately held physical assets located within the development footprint of the RAP 2 project area.

For this RAP, all assets and land have been recorded against PAPs and each PAP (individual or group of persons the latter, constituting a family or clan with shared interest in an asset) has been given a PAP ID number. Therefore, Entitlement and Eligibility is considered for each PAP with an ID as opposed to individuals, households or groups. The ID number is unique to the PAP, even when multiple assets are owned which are then differentiated by village and the specific asset. 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. It is therefore important to note this distinction between PAPs and Households.

8.2.2. Eligibility Criteria

PAPs eligible for compensation/replacement include:

- (a) Those who have formal legal rights (Certificate of Title) to land⁴⁶. This is established through the Legal Due Diligence Survey (see Section 5.3.3 for the methodology of this survey).
- (b) Those who do not have formal legally certified rights to occupy or use the land or other assets but have a claim to the land under the Land Act, Cap 227. The ownership of the land is established as part of the Cadastral Survey and verified by the Legal Due Diligence Survey (see Sections 5.3.1 and 5.3.3).
- (c) Those who have a claim to assets (e.g. structures or crops) on the land to be acquired. This includes land owners/claimants with assets on their own land and also those who claim assets on land they do not own/claim. The Asset Survey records all displaced assets, their owner details, the dimensions of the assets, the number of assets and the use and condition of the assets (see Section 5.3.2).
- (d) Those who have no recognisable legal right or claim to the land they are occupying (i.e. tenants). These were recorded as part of the Cadastral & Asset survey.

PAPs covered under (a), (b) and (c) are provided compensation and resettlement assistance for lost land, and other assets. PAPs covered under (d) are provided compensation for any assets they lose, and other assistance, as necessary, to achieve the objectives set out in this RAP and the LARF.

8.2.3. The Development Moratorium

The Development Moratorium determines that further developments on land within the surveyed plots of land will no longer be considered for compensation by the project, and is an outcome of the cut-off date. The principle of the cut-off date was disclosed to the community prior to the surveys (see Section 6.5.4).

The cut-off date form was issued by the legal due diligence team and signed by the land owner at the time of the valuation of assets. The census and inventory of lost assets and property was completed and the final RAP 2 Cut-off date was established and declared on 24th August 2018, 08th

⁴⁶ As confirmed by the Legal Due Diligence survey, there were no Certificates of Title in the RAP2 Project Area.

October 2018 for the water abstraction to KW02A facility and 06th January 2019 for additional land take at the KW02 facility).

The RAP team clarified that PAPs could still access their residences, structures and land, grow crops, harvest crops, and graze animals until compensation awards were made. However, it was also made clear during the CoD engagements that any investments (e.g. new structures, new trees/crops) made after the cut-off date would not be eligible for compensation for the lost assets and /or resettlement and rehabilitation and all assets improved or added by recorded persons are likewise not considered; as these would not be part of the assessed property and included in the budget for compensation awards.

The disclosure of the Development Moratorium was detailed in Section 6.5.4 above.

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 RAP2 specific entitlement framework was developed based on the guidance provided in the LARF and the eligibility criteria in Section 8.2.2.

The framework established the specific rights per the type of loss, as well as differentiating the potential compensation entitlement granted to physically and/or economically displaced PAPs.

8.3.1. Stakeholder Participation in Defining Entitlement Framework

The overarching entitlement framework provided in the Draft LARF was first reviewed by the members of the Resettlement Advisory Committee during the RAC meetings in 2015. The Draft LARF was later disclosed to Buliisa District Local Government and district leadership as well as to the representatives of Bunyoro-Kitara Kingdom, Members of Parliament of Buliisa district, Uganda Human Rights Commission and NGOs & CSOs during LARF meetings and workshops in October and November 2016. The final LARF was endorsed by MEMD and MLHUD in December 2016.

The RAP 2 specific Entitlement Framework developed based on the findings of the RAP 2 resettlement planning surveys (Table 8.2) was presented for consultation to the RAP 2 RPCs on 31st July 2019 (Buliisa Town council), 3rd August 2019 (Kigwera and Ngwedo sub-counties) and between 03rd and 11th August 2019 with the PACs in the RAP 2 affected villages of; Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE and Kigwera SE (see Section 6.5 for further details).

Table 8.2: RAP 2 Entitlement & Eligibility Framework

Row No.	Type of loss	Category of Affected Person	Entitlement	Eligibility
1	Dwelling used as primary residence	Owners who live in the affected house and structures	<p>Option 1: In kind Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use at location of owner’s choice but within a defined project area. Choice of standardized replacement house designs that comply with building/ planning standards and that take spatial and cultural function into consideration. House constructed from durable wall and floor materials and with permanent roof.</p> <p><i>A standard 2 bedroom house to be constructed as a minimum replacement house.</i></p> <p>Materials from the affected structure may be salvaged at the owner’s expense within the notice period to vacate defined by the project schedule and prior to demolition.</p> <p>Allowance for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p> <p>OR</p> <p>Option 2: In kind- Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use but in host resettlement areas. Choice of standardized replacement house designs that comply with building/ planning standards and that take spatial and cultural function into consideration. House constructed from durable wall and floor materials and with permanent roof. Materials may be salvaged at the owner’s expense within the notice period to vacate defined by the project schedule and prior to demolition.</p> <p>Allowances for transport costs to new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure.</p> <p>OR</p> <p>Option 3: Cash compensation for all structures at replacement cost, based on professional valuation.</p>	<p>All affected people must prove ownership which is established through the final asset surveys.</p> <p>Options 1 and 2: owners will be allocated a new built house for the primary residence* if the affected structure is complete and present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p> <p>*indicated as primary residence in the asset survey</p> <p>Option 3: Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p>

			<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>	
2	Dwellings used for secondary purposes (rental houses, free accommodation for relatives, etc.)	Owner of residential structure	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p>	<p>Ownership established through final asset surveys.</p> <p>Cash option is available to owners of affected structures that are present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p> <p>The owner must indicate that the dwelling is not his/her primary residence in the asset survey.</p>
3	Sanitation facilities (pit latrines & bath Shelters).	Owners of buildings (residential, commercial and other)	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory Disturbance Allowance of 30% of compensation amount.</p> <p>Materials from the affected structure may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p> <p>NB: Owners already awarded a replacement house that already includes these facilities will not receive additional cash compensation.</p>	<p>Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p>
4	Moveable and other structures such as fences, livestock enclosures, livestock water points, etc.	Owner of structures	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Materials may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.</p>	<p>Cash option is available to owners of affected structures that are either complete or incomplete (e.g. without a roof). All structures must be present within the boundary of the project site at the time of the cut-off date and identified through final asset surveys.</p>
5	Incomplete buildings and structures	Owners of incomplete structures	<p>Cash compensation for all structures at replacement cost, based on professional valuation.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p>	<p>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>

			Materials may be salvaged at the owner's expense within the notice period to vacate defined by the project schedule and prior to demolition.	
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 project Identifies and negotiates replacement land for a new Resettlement Village (in conjunction with the RPC). The project buys the new land for the village.</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>NB: Owners already awarded a replacement house will not receive additional compensation for loss of residential plot.</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>
7	Permanent loss of agricultural land/ crop land	Registered owners or claimants of customary held lands	<p>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.</p> <p>Provision of support registration cost and required formalities to ensure security of tenure.</p> <p>OR</p> <p>Option 2: Cash compensation for land, at replacement cost</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p>	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	<p>Registered owners or claimants:</p> <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. 	For cash compensation, persons must prove ownership and interest (not necessarily through title) at the time of final asset surveys.

		Other users of grazing land within the surrounding villages	Other users - Provision for Livelihood Restoration support.	
9	Annual Crops	Owners of crops on farm land	<p>Where project gives at least 90 days' notice to farmers to harvest their annual crops: owner receives no compensation.</p> <p>Where insufficient notice period was given (less than 90 days) Crop Owners receive:</p> <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. • Statutory disturbance allowance of 30% of compensation amount. • Access to Livelihood Restoration Program. 	<p>Crops 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 owners identified through final asset surveys</p>
10	Perennial Crops (Including fruit and economic trees)	Owners of crops on farm land	<p>Option 1. Cash compensation at replacement cost at agreed rates determined annually by the District Land Board based on replacement cost determined by formal market studies.</p> <p>Statutory disturbance allowance of 30% of compensation amount.</p> <p>Access to Livelihood Restoration Program.</p> <p>OR</p> <p>Option 2. Where cash compensation is not preferred for fruit and economic tree, two (2) replacement saplings for every damaged tree of a crop variety suitable for the identified replacement farm land.</p> <p>NB: Only applicable to fruit and economic trees. No replacement fruit and economic tree saplings will be planted within infrastructure corridor with land-use restrictions.</p> <p>Access to Livelihood Restoration Program.</p>	<p>Crops or trees in place (rooted) at cut-off date and identified through final surveys.</p> <p>Compensation according to defined growth stage or size categories.</p> <p>Crop and tree owners identified through final asset surveys.</p>
11	Restricted access to natural resource areas	Natural Resource Users within the surrounding villages	Project to address access restrictions through improved access to alternative natural resource areas or substitute resource base.	Persons from the surrounding villages who gather natural resources such as medicinal herbs/trees, thatching grass, timber or mushrooms.

			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).	
12	Vulnerable Support Programme	Vulnerable individuals and families who may find it difficult to cope with the transition e.g. These vulnerable groups are described in Chapter 12.	<p>In-kind 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; • 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>	Identified through final census survey based on agreed vulnerability criteria relevant to Project.
13	Graves/cemeteries	Family and community members	<p>Complete relocation of graves (exhumation, transportation and reburial) in designated cemetery or replacement land.</p> <p>Provision of in kind agreed customary ceremonial assistance per family.</p>	<p>Familial graves identified during asset Surveys and/or confirmed through the Cultural Heritage survey.</p> <p>Unmarked graves identified through chance-find do not qualify for ceremonial assistance and will be dealt with in accordance with the Chance Finds Procedure in the Cultural Heritage Management Plan.</p>
14	Shrines	Family and community members	<p>Complete relocation of shrines in designated area around the project area.</p> <p>Provision of in kind agreed customary ceremonial assistance per family.</p>	<p>Shrines identified during asset surveys and/or confirmed through the Cultural Heritage survey.</p> <p>Cultural Heritage Management Plan to be adhered to.</p>

16	Loss of infrastructure (Roads and drainage, and pathways)	District and local government, communities	In kind replacement of affected district and local roads where applicable. In kind provision of access roads to resettlement sites where applicable. In kind provision of drainage in accordance with statutory road safety requirements. In kind replacement of pathways.	Community roads and drainage and community pathways in place at cut-off date and identified through community asset surveys. Owners of displaced residential, commercial and other buildings identified through census and asset surveys.
17	Re-establishment allowance	All households that are being physically resettled	Cash – Transition allowance per individual to allow households to cover basic living expenses during early transition period.	Individuals identified through final census survey.
18	Social networks	Physically displaced households	In kind – Allocation of replacement residential plots based on household preferences to the extent possible in order to maintain or re-establish social networks.	Physically displaced households who choose to resettle on a replacement plot identified by the Project.
19	Financial transition	Individuals and families who will be receiving cash compensation.	In kind – Money management training will be provided. Assistance with the opening of bank accounts.	All persons receiving a form of cash compensation identified through final census surveys.

8.4. Valuation Methodology & Market Research

Summarised in this section is the valuation methodology, the details of which are contained in the Tilenga RAP 2 approved Valuation Report (see Annexure 1).

The valuation of affected assets (crops/trees and structures) has been carried out using the approved Buliisa District Compensation Rates FY2018/2019 as required by the Constitution of the Republic of Uganda 1995, the Land Act 1998 and other relevant legislation. The affected assets have been valued at replacement cost.

To help establish the replacement cost, the valuation team carried out market research for land, structures, crops and trees in Buliisa District in June 2018. This exercise was primarily aimed at attaining relevant and reliable information about market transactions within and near the RAP 2 Project Area.

The information collected through the site visits and the market research, was shared with the office of the Chief Government Valuer for purposes of establishing fair and adequate compensation as required by the Constitution of the Republic of Uganda, in line with the LARF, 2016 and GCALA (June 2017).

8.4.1. Land

8.4.1.1. Land - Market Research and Valuation

The valuation team carried out research to elicit comparable value for land within and near the RAP 2 project area. The exercise was carried out together with the market research for crops and trees.

8.4.1.2. Land Market Research - Objectives

The market research study was primarily aimed at attaining relevant reliable information about market transactions for the land within and near the project area, and the different factors influencing land values. The information gathered provided insight into the valuation of the affected land in the different affected villages and sub-counties (refer to Section 8.4.1.6 below) using the comparison method.

8.4.1.3. Land Market Research - Geographic scope

The market research on land was conducted in the following villages of Kasinyi, Kibambura, Kilyango, Kisomere, Ajigo and Avogera in Ngwedo sub-county, Bikongoro in Kigwera sub-county, Kijangi, Kigoya and Kabolwa in Buliisa sub-county, and Bugoigo, Sonsio, Walukuba, Nyamukuta, Kamagongolo, Kisinja and Booma in Butiaba sub-county.

8.4.1.4. Land Market Research - Target Respondents

The market research study targeted different land owners in the villages indicated under the geographic scope in Section 8.4.1.3 above and involved interviewing at least five (5) respondents per village targeting community members who were recently involved in land transactions. The research on land also targeted key respondents such as; CGV's Office, Local council chairpersons, Area land committees for the different sub-counties, Buliisa District Land Board (DLB) officials (the custodians of records on land transactions in their respective area) specifically the Chairperson and Secretary, Buliisa District Technical Planning Committee (DTPC) particularly the Chief Administrative Officer (CAO), District Community Development Officer (CDO), and District Commercial Officer (DCO), and; Uganda National Roads Authority (UNRA) particularly the valuation Officers.

8.4.1.5. Land Market Research - Methodology

Land/interest in land is generally heterogeneous (i.e. has different characteristics). Even if the subject land parcel has identical physical characteristics to other lands being exchanged on the

market, the location will be different. For this reason, the market research study focused on the affected villages as well as those villages with relatively similar characteristics neighboring the affected villages.

Information / data were collected through interviews with community members and other targeted respondents using a data collection tool/ questionnaire (see Appendix 9.1 of Annexure 1) for easy guidance and consistence. Transaction evidence/ records of the transactions such as land sales agreements and other documented proof were sought for/ collected from the respondents as a way of eliminating biased responses.

The data collected included clear details of the land transaction evidence provided such as; the location details, size of land, land use, land tenure, payment terms and parties to the transaction.

Some of the land use types included but are not limited to:

- Undeveloped land / Grazing land;
- Subsistence Crop farming land;
- Commercial agricultural land;
- Village Residential land;
- Village trading centre land; and
- Urban land.

In carrying out the market research (see detailed methodology for the market research in Appendix 9.2 of Annexure 1), the appropriate unit of comparison adopted was per acre. This was because it is a standard unit of measurement and is commonly used in the locality. This is the unit that was consistently selected and applied to the subject property and the comparable properties in each analysis of the potential land values as encompassed in the proposed land values report (Appendix 9.3 of Annexure 1) that was submitted to the CGV on 1st February 2019.

8.4.1.6. Market Research Findings and Valuation of Land at Replacement Cost

The affected land has been valued at replacement cost and the valuation is based on pre-project or pre-displacement market value of land of equal productive potential or use located in the vicinity of the affected land plus statutory disturbance allowance and Land Transaction costs⁴⁷.

In summary:

$\text{Replacement cost of land} = \text{Pre-project Market Value (market value + all transaction costs)} + \text{Statutory Disturbance Allowance}$

Note: The market value of land presented in this section does not include the statutory disturbance allowance

Table 8.3 indicates the proposed land values for the affected areas in Buliisa under RAP 2. These were to be ideally based primarily on recent land transactions undertaken within the villages covered by RAP 2. However, there was no documented and reliable evidence of land purchases – most land was either inherited or sub-divided amongst families with no formal purchase or sale. Therefore, the values for land proposed in Table 8.3 by the RAP valuation team, were based on the comparison method of valuation which entails, review of market information (transactions that are considered to be reliable)⁴⁸ – and in this case, the information used⁴⁸ was from neighbouring villages that are not the actual property that is being valued. This therefore required the valuers to

⁴⁷ The costs other than the market price that are incurred in trading goods, such as brokerage fees.

⁴⁸ This however was not the case for the RAP 2 project area.

undertake adjustments basing on the different factors pertaining to the subject property (see Section 8.4.1.5) – therefore, the figures obtained were used as a bench mark e.g. if land values were obtained for a trading centre where land values are considered to be the highest, and RAP 2 covered a remote area within the same village, the valuation team ensured that the value attached to the RAP 2 affected land did not exceed the highest possible land value (i.e. the land value attached to the trading centre). Similar units of comparison were also used for example, never comparing the land price of an acre against that of a hectare. Villages with similar land use, also influenced the land value attached e.g. if two villages had a similar set-up (similar distance from roads, both had a Heath Centre II (and not one having a Heath Centre I and the other village a Health Centre III) – then the land value was expected to be within the same range. Furthermore, the further one moves away from a trading centre or roads, the lower the land value – and this is attributed to the fact that the trading centres and roads have higher demand for land, a situation similar to landing sites. The findings of the land market research were submitted to the CGV.

Table 8.3: Proposed values for RAP 2 affected land

#	Village	Proposed Land Value (UGX)
1	Kasinyi	4,000,000
2	Kirama	4,500,000
	Kirama (along the road)	5,500,000
3	Kigwera NE	4,500,000
4	Kigwera SE	4,500,000
5	Bikongolo	4,500,000
6	Kisansya East	5,500,000
7	Kakindo	15,000,000
8	Kisansya West	15,000,000
	Kisansya West (along the road)	20,000,000
9	Kisimo	15,000,000
	Kisimo (along the road)	20,000,000
10	Kizongi	15,000,000

8.4.1.7. Identification of Orphan land⁴⁹

Orphan land is the residual (remaining) land following land acquisition by the project that cannot be sustainably utilized or developed by the PAP i.e. the PAP's livelihood on the residual land is not sustainable or as a result of land acquisition by the project, the remaining portion is rendered non-economically viable. Therefore, for these special cases, there was a case by case analysis to determine the ability of the retained land to sustain the PAP's livelihood. Where the retained land was unable to sustain the PAP's livelihood, the retained part of the land was assessed for compensation as an incremental land take. This is in line with the LARF.

In identifying PAPs with orphan land on RAP 2, the RAP team adopted three pillars for the criteria as elaborated below;

⁴⁹ Orphan land is the residual (remaining) land following land acquisition by the project that cannot be sustainably utilized or developed by a PAP i.e. the PAP's livelihood on the residual land is not sustainable, or as a result of land acquisition by the project, the remaining portion is rendered non-economically viable. Therefore, for these special cases, there was a case by case analysis to determine the ability of the retained land to sustain the PAP's livelihood.

a) PAPs with land take of more than 80% of the total land

First priority was given to PAPs losing more than 80% of their land to the project. This implies that, such PAPs retained less than 20% of their original land size. The remaining portions of land were therefore identified as orphan land regardless of size (*See Parcel A in Figure 8.1 below for an illustration of this scenario*). The above is in line with, WB OP4.12, which requires that, affected persons losing 80 percent or more of their total agricultural land are to be given an option allowing them to relinquish the remainder at replacement cost, acquire replacement land equivalent in size or productive value to their entire holdings, or opt for other rehabilitation measures, as appropriate. However, in cases in which acquisition of less than 80 percent of the landholding renders the remainder of the landholding no longer viable, World Bank Environmental and Social policy recommends that the entire parcel of land be acquired or if the residual holding of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.

b) PAPs with land take of less than 80% but retaining land that is less than or equal to 0.3 acres

The size of land is one of the factors that determine the land use of a given land parcel. Some parcels of land are too small to be utilized for any given economic activities and as such, cannot sustain the PAP's livelihood. In the RAP 2 project area land normally transacts in terms of 'musiri' (gardens). This is the standard garden size in the project area measuring approximately 0.25 acres. On this basis, the project has adopted 0.3 acres as the standard size of a retainable parcel of land, and, this is also in line with the precedent set in the RAP1 (Industrial Area) orphan land take assessment, where all retained land, under 0.3 acres was identified as orphan land (*see Portion X of Parcel B in Figure 8.1 for an illustration of this scenario*).

It is important to note that, some PAPs had a total land size of less than 0.3 acres even before their land was affected by the Project. These have been analyzed on a case by case basis in line with criterion (c) below.

c) PAPs with land take of less than 80% and retaining land that is more than 0.3 acres but, which land is considered to be unable to sustain their livelihoods following a case by case analysis

(i) Shape and layout of the remaining portion of land

Some of the remaining portions of land are 'poorly shaped' and laid out. This renders the land less useful to the PAP. As such, land under this category was identified as orphan land (*see Portion S of Parcel C, and Portions Y and Y of Parcel C in Figures 8.1 and 8.2 respectively for illustrations of this scenario*).

(ii) Possible access restrictions

It was noted that some portions of remaining land will not be directly accessible at points with Above Ground Installations (AGIs). There is land that has been affected by the AGIs and the retained land may be restricted access. Such land has been identified as orphan land.

(iii) Terrain and nature of the retained land

Where the terrain and nature of the retained land does not favor utilization of the land for the intended land use, the land cannot support or sustain the PAP's livelihood. The retained land with such terrain (e.g. the remaining portion of land is rocky or water logged, and therefore may not support activities such as agriculture or settlement – especially if the project acquired the portion of this land that was supporting these activities), such land has been identified as orphan land.

Below is a presentation of how the different land parcels are affected by the proposed facilities and cases that have resulted into potential orphan land. Specifically, Figure 8.1 illustrates how different land parcels have been affected by flow lines under RAP 2.

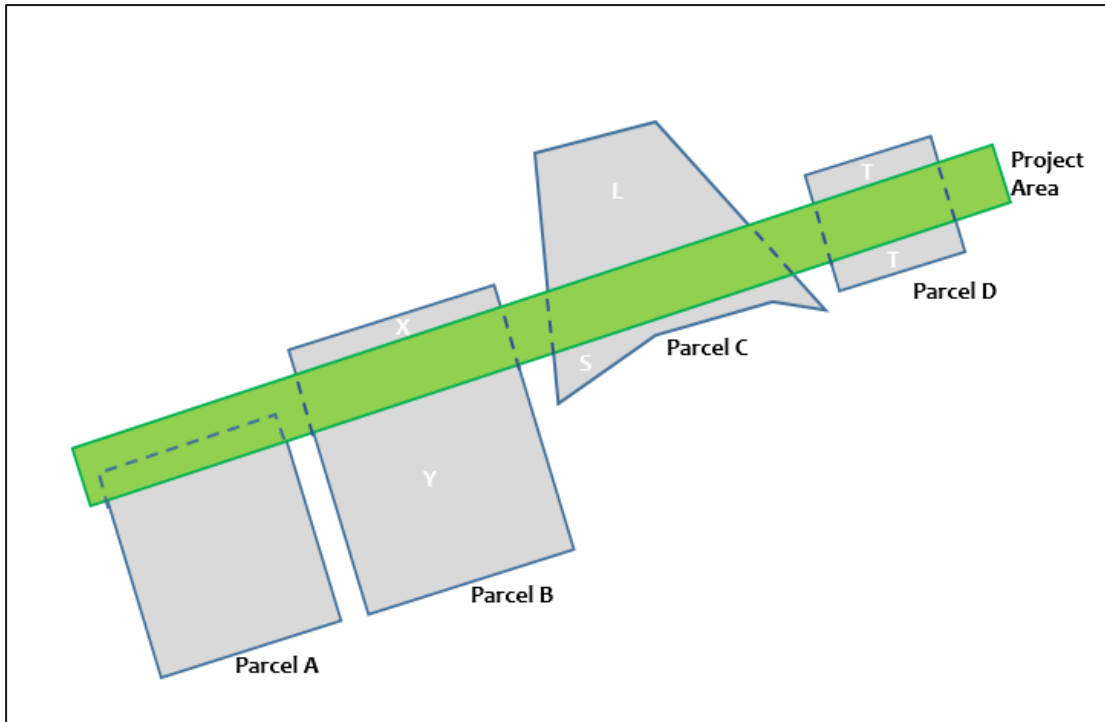


Figure 8.1: An illustration of how different parcels of land are affected by the proposed flowlines

From the above illustration:

- Land parcel A: A small percentage of the total land size is affected by the project. The retained land is large enough (*less than 80% land take and more than 0.3 acres*) The PAP is considered highly impacted in line with WB OP4.12 and as such, only the project affected land has been considered for compensation.
- Land parcel B: A small part of the percentage of the total land size is affected by the project however, the retained land has been split into two (2) parcels X and Y. Parcel Y is large enough (*more than 0.3 acres- refer to (b) above for an explanation of why this size of land was selected*) to sustain the PAP's livelihood and as such, is not considered for compensation as orphan land, but, parcel X is too small (*less than 0.3 acres*) and not sufficient to sustain the PAP's livelihood and as such, considered for compensation as orphan land after obtaining written consent from the land owner, that they would like to relinquish parcel X.
- Land parcel C: This land parcel has also been split into two (2) land parcels L and S. Parcel L is large enough (*more than 0.3 acres*) to sustain the PAP's livelihood and as such, is not considered for compensation as orphan land and Parcel S is also large enough in terms of land size (*more than 0.3 acres*) however, the case by case analysis reveals that its shape may not be suitable for the intended land use and as such, it cannot sustain the PAP's livelihood and thus, this land is considered for compensation as orphan land after careful analysis of its ability to sustain the PAP's livelihood and consent from the land owner on their willingness to relinquish this land.
- Land parcel D: Part of the land parcel is affected by the project however; the retained land has been split into two (2) parcels T and T. Each of the two parcels is too small (*less than 0.3 acres*) to sustain the PAP's livelihood separately and as such, each parcel has been identified as orphan land to be considered for compensation.

Figure 8.2 below illustrates how different land parcels were affected by well pads under RAP 2.

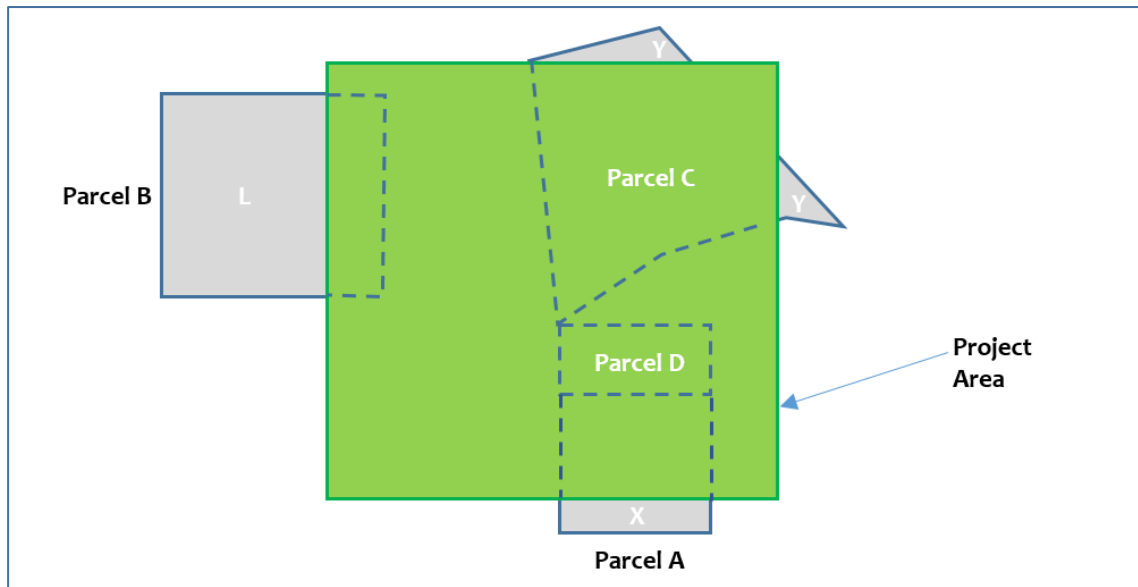


Figure 8.2: An illustration of how different Parcels are affected by the proposed well pads under RAP 2

From the above illustration:

- Parcel A: A large percentage of the total land size is affected by the project and a small parcel (*less than 20% of the original total land size and less than 0.3 acres*) has been retained. The PAP is considered highly impacted in line with WB OP4.12⁵⁰ and as such, this is assessed for compensation, subject to obtaining written consent on whether they want to retain or relinquish this parcel of land prior to asset assessment.
- Parcel B: A small percentage of the total land size is affected by the project. The retained land is large enough (*more than 20% of the original total land size and more than 0.3 acres*) to sustain the PAP's livelihood and as such, only the affected land has been considered for compensation subject to obtaining written consent on whether they want to retain or relinquish this parcel of land.
- Parcel C: Part of the land parcel is affected by the project however; the retained land has been split into two (2) parcels Y and Y. Each parcel is not large enough to sustain the PAP's livelihood. Furthermore, the parcels cannot be jointly used and their shapes cannot be used for intended land use. In such scenarios, each parcel (Y) would be considered for compensation as orphan land subject to obtaining written consent on whether they want to retain or relinquish this parcel of land.
- Parcel D: This land parcel has been completely affected by the project. Under such scenarios, the whole land parcel is assessed for compensation as directly project affected land, and therefore not been considered as orphan land.

⁵⁰WB ES policy requires that, affected persons losing 80 percent or more of their total agricultural land are to be given an option allowing them to relinquish the remainder at replacement cost, acquire replacement land equivalent in size or productive value to their entire holdings, or opt for other rehabilitation measures, as appropriate. However, in cases in which acquisition of less than 80 percent of the landholding renders the remainder of the landholding no longer viable, World Bank ES policy recommends that the entire parcel of land be acquired or if the residual holding of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.

8.4.2. Structures - Market Research & Valuation

8.4.2.1. Objectives:

The main objective of the research was to obtain reliable information about the source of building materials, market prices of building materials, construction and labour costs for the different structures to enable the development of Bills of Quantities (BoQs) for the respective structures.

8.4.2.2. Geographic scope:

The market research on structures was conducted in the villages of Kasinyi, Kibambura, Kilyango, Kisomere, Ajigo and Avogera in Ngwedo sub-county, Bikongoro in Kigwera sub-county, Kijangi, Kigoya and Kabolwa in Buliisa sub-county, and Bugoigo, Sonsio, Walukuba, Nyamukuta, Kamagongolo, Kisinja and Booma in Butiaba sub-county.

In addition, a number of different local hardware shops/stalls in Buliisa district were visited to obtain the market prices of construction materials.

8.4.2.3. Categories of Structures

For purposes of the market research, the structures were categorised according to construction details as described in Table 8.4.

Table 8.4: Categories of structures for the market research

1	Houses
a	Mud and wattle, Grass thatched roof
b	Mud and wattle, Galvanized corrugated iron sheet roof
c	Mud and wattle, iron sheet roof house and cement floor
2	Kitchen
a	Mud and wattle, Grass thatched roof
b	Mud and wattle, Galvanized corrugated iron sheet roof
3	Pit latrine
a	Mud and wattle, Grass thatched roof
b	Mud and wattle, Galvanized corrugated iron sheet roof
4	Bath shelters
a	Poles & reeds
5	Other structures
a	Plate/drying racks
b	kraals
c	Fence

8.4.2.4. Results of Market Research and Valuation of Structures at Replacement Cost

The buildings and structures have been categorised into permanent, semi-permanent and temporary structures.

Permanent structures were identified by the type of construction and construction details such as, burnt clay bricks and iron sheets. Semi-permanent and temporary structures on the other hand were identified by materials such as, timber, mud, and wattle among others.

8.4.2.4.1. Valuation of Temporary Structures

For most of the temporary structures/ houses in the project area, the ground plan is the usual circular or square without any support pillars. The walls are of mud and wattle reinforced with poles and reeds with small windows that are built into the wall on either side of the entrance to let in sufficient light and cool air. Inside some structures, partitions of mud walls are used to divide the house into rooms. Bamboo/ reeds, eucalyptus and reeds are used to make the frame of the roof that is thatched with grass. Hard wood is preferred for the construction of these structures because it is resistant to termite attacks. The floor is lavished with a layer of cow dung mixed with earth which seals off the dust.

The affected structures within the project area (semi-permanent and temporary structures including pit-latrines) were valued using the Approved Buliisa District Compensation Rates FY2018/2019 in order to arrive at the compensation values⁵¹.

Coordinates, construction details, built up areas, accommodation details, and occupancy status of the different structures were noted during the data collection exercise. This was aimed at establishing the replacement cost of the different structures for compensation purposes. Due to limited reliable market information within and near the project area, a sales comparison approach could not be applied in the valuation of the affected structures. As a result, the structures have been valued based on the 'reproduction cost' i.e. the cost of reconstructing an identical structure by using the same materials and design at the time of appraisal without depreciation. More specifically, the design, standard of construction, fittings and finishes were also taken into consideration in arriving at property values.

Incomplete structures

Incomplete temporary structures/ buildings were valued as per the approved district compensation rates. However, percentage levels of completion were applied to the various structures (see Figure 8.3) depending on their level of completion (Tables 8.5 and 8.6). This is because, due to the high level of influx of people which took place between the RAP 2 initial disclosure process in May 2018 and the beginning of the land and asset surveys in July 2018, a number of the assessed structures were established very recently. Some of these 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, and, the compensation rates have been adjusted to reflect the levels of completion of the different structures. It is important to note however that, the structures without doors have been categorised as complete since these are considered to be complete by the local community within and near the project area.

Table 8.5: Levels of Completion for Temporary structures/ houses and kitchen structures

Structure description	% of completion
Structure with a roof, walls and floor, with or without a door	100%
Structure with walls and an incomplete roof	70%
Structure with a roof and partly complete walls (partly mud and wattle walls)	70%
Structure with a roof and only poles	50%
Structures with only pole or reeds	20%

⁵¹ Land Act Cap 227 (1998)

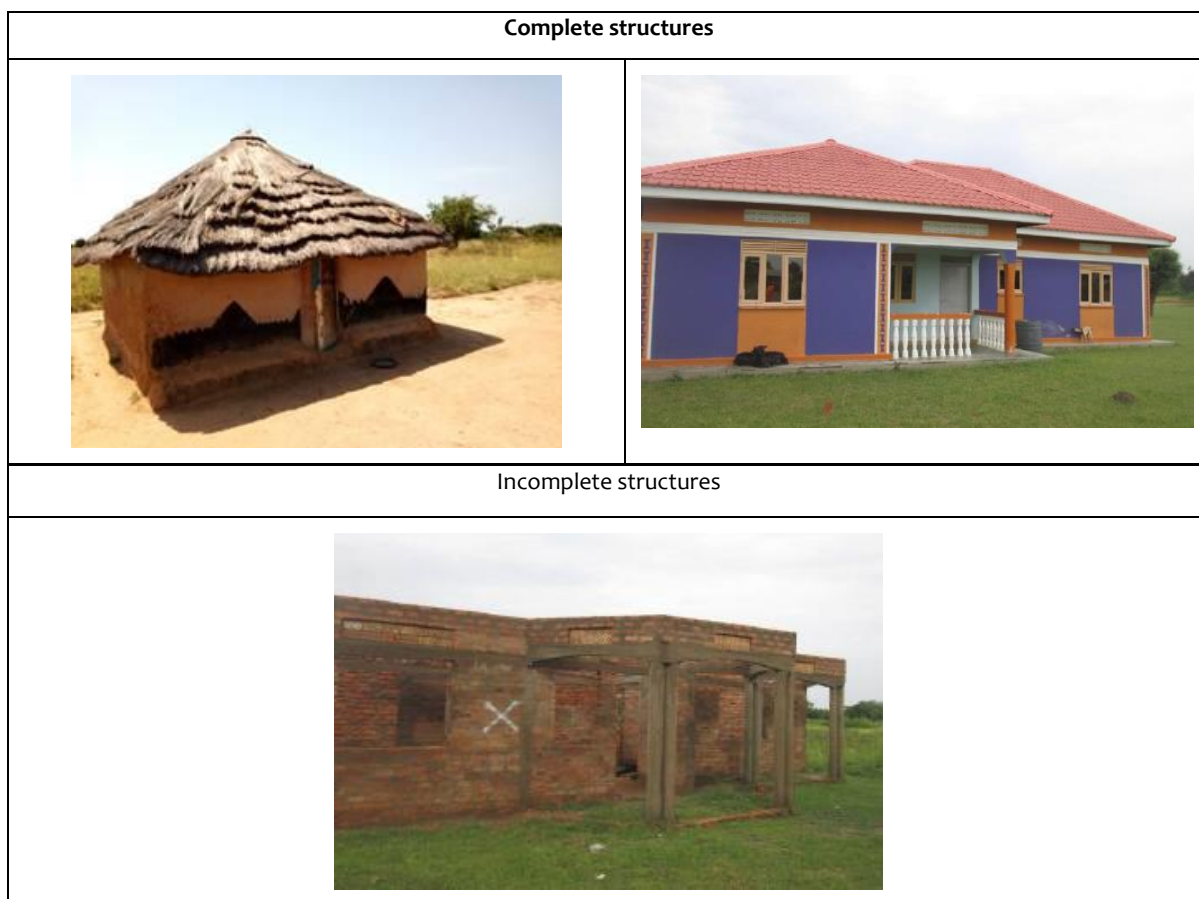


Figure 8.3: Sample structures in the RAP 2 project area

Table 8.6: Levels of completion for the Temporary Pit Latrines

Structure description	% of completion
Structure with a roof, walls, a pit and floor. with or without a door	100%
Structure with a roof and partly complete walls (partly mud and wattle walls), a pit and a floor	70%
Structure with no roof but have built walls, and a pit.	70%
Structure with a roof on poles, a pit and a floor but without built walls	50%
Structure with no roof or wall but with a pit and floor.	30%

**It is also important to note that the levels of completion for the different structures may vary depending on the quality of building materials used.*

8.4.2.4.2. Valuation of Permanent Structures

Permanent structures are buildings constructed with durable materials such as burnt clay bricks, mortar, and iron sheets.

Unlike temporary and semi-permanent structures which were valued using the 2018/2019 approved Buliisa district compensation rates, permanent structures were valued at replacement cost. This has been achieved using Bill of Quantities that have been developed by a registered quantity surveyor (see Appendix 10 of Annexure 1).

In arriving at the applicable rate per square metre for such structures, the categories of permanent structures were classified based on the different construction details. The construction costs for the different categories of structures were generated from a Bill of Quantities (BoQs) formulated by a registered quantity surveyor and a valuation surveyor (see Appendix 10 of Annexure 1).

In summary⁵²:

Replacement cost of Structure = Cost of Construction + Statutory Disturbance Allowance

*The construction costs will vary from one structure to another depending on the built-up area and the construction details.

8.4.3. Crops and Economic Trees - Market Research and Valuation

The market research for crops and trees was carried out over a 14-day period from 12th to 25th June 2018 by a team of two valuation surveyors and two agronomists who were supported by Community Liaison Officers (CLOs). The market Research team also reviewed the market study 2017, to ensure consistency and check trends.

8.4.3.1. Objectives

The specific objective of the study was to collect sufficient and reliable information about agronomic practices and market prices for crops and crop produce within and around the RAP 2 project area to facilitate the computation of the Replacement Costs of the affected annual and perennial crops for compensation purposes.

Other objectives of the study included:

- Understanding the input cost incurred in growing the different types of crops from land preparation to harvesting, and;
- Understanding the yields and income generated by farmers growing the different crops.

8.4.3.2. Geographic Scope

The market research on crops and economic trees was conducted in the villages of Kasinyi, Kibambura, Kilyango, Kisomere, Ajigo and Avogera in Ngwedo sub-county, Bikongoro in Kigwera sub-county, Kijangi, Kigoya and Kabolwa in Buliisa sub-county, and Bugoigo, Sonsio, Walukuba, Nyamukuta, Kamagongolo, Kisinja and Booma in Butiaba sub-county.

In addition, a number of local markets namely; Kisomere, Ngwedo, and Buliisa in Buliisa district were visited to obtain the market prices of the different agricultural produce.

8.4.3.3. Sample Size, Respondents and Methodology

The market research for crops and trees in Buliisa district covered 28 annual crops, 11 perennial crops, 25 fruit trees and 19 timber trees (see Appendix 9.2 of Annexure 1).

The research targeted farmers who were growing the different crops on a large scale and those who had been growing them for a period of more than three years. The research aimed at attaining responses through focus group discussions that were conducted in each village. The focus groups were composed of a minimum of five (5) famers per village in Buliisa district. There was one focus group discussion per target village.

Key personnel interviews were also conducted. These targeted individuals and institution stakeholders that possess knowledge and information about the produce market and different agronomic practices. These included; National Forestry Authority (NFA), Ministry of Agriculture, Animal Industry and Fisheries (MAAIF), National Agricultural Research Organisation (NARO) – specifically the Bulindi Zonal Agricultural Institute, District Production Officers, District Veterinary Officers, District Forestry Officers, District Land Board Officials, Area Land Committee Members, District Commercial Officers, Commercial farmers, any identified Farmers cooperatives and

⁵² As per the Guidelines for Compensation Assessment under Land Acquisition.

associations and agricultural support organisations, different product dealers and produce vendors in markets, Info Trade Uganda⁵³, and the Chairperson Livestock Association Buliisa.

The research did not focus on plants/ trees which are primarily used as local herbs/ medicinal purposes as most of them grow naturally and the communities tend to lack sufficient knowledge about their related agronomic practices, yields and market prices.

The detailed methodology of the crops and economic trees market research is provided in Appendix 9.2 of Annexure 1 and the agronomist's report is provided in Appendix 9.4 of Annexure 1.

8.4.3.4. Market Research Findings and Valuation of Crops & Economic Trees at Replacement Cost

8.4.3.4.1. Correctly Propagated Crops/Trees

The different types of trees and crops within the RAP 2 project area have been valued using the 2018/2019 Approved Buliisa District Compensation Rates as required by the Ugandan legal framework.

The crops and trees within the project area were categorised into two (2) major categories i.e. annual crops and perennial crops:

- Annual crops are defined as crops that complete their growing season within one year.
- Perennial crops are crops that go through their entire life cycle (germination, vegetative stage, seed production and maturity or harvesting) in two or more years. Perennial crops are harvested multiple times before their death.

Information regarding annual crops/ seasonal crops such as; type, age, and numbers were captured during the field work and data collection exercise.

These crops will be compensated for as the PAPs will not have sufficient time (mandatory 3 months' notice) to harvest these crops (see Appendix 11 of Annexure 1). This is in accordance with valuation principles of the LARF endorsed by the JV Partners, Ministry of Energy and Mineral Development (MEMD), and Ministry of Lands Housing and Urban Development (MLHUD) in December 2016.

The method of ascertaining the number of crops/trees was by counting each crop/tree identified. However, in cases where large numbers of the same crop were identified, not intermixed/intercropped, measurements were taken and the area covered by the crops was considered in the valuation.

The compensation values for annual crops/seasonal crops have also been computed as the PAP will not have sufficient time to harvest these crops. This is in accordance with the Ugandan compensation regulations that require annual crops which can be harvested during the period of notice to vacate given to land owners / users are excluded in determining compensation wards.

The annual crops have all been valued as mature crops. This is attributed to the fact that these crops complete their growing season within a short period of time.

Intercropping

Intercropping is a multiple cropping practice involving growing two or more crops in proximity. The most common goal of intercropping is to produce a greater yield on a given piece of land by

⁵³ InfoTrade market reports 2018 - FIT Uganda's MIS division (a platform built to integrate, collect, analyse and disseminate agricultural and other market information in Uganda currently extending to all regions in Uganda covering a total of 22 major markets countrywide and 46 commodities from all food categories including cereals, animal products, poultry and food crop) - web site <http://www.infotradeuganda.com>.

making use of resources or ecological processes that would otherwise not be utilized by a single crop. Where the crops/ trees were intercropped, to determine the distribution of compensation for the different crops, one of the following approaches were adopted:

a) Physical count of each type of crops to establish their number

The valuers physically counted each plant for a given type of crop. This enabled them to capture the correct quantity of each crop type affected in an intercropped garden. This exercise was conducted in the presence of, and with the consent of the PAP.

b) Determining plant ratio per acre for each crop

This was conducted onsite by the valuers and involved the following steps:

- A standard sample area of 4 or 9 square metres within the affected garden was set up;
- Each type of the affected crop in the set out (sampled) area was physically counted;
- The plant ratio in percentages per acre was established as illustrated below:

Plant Ratio for Plant A =	$\frac{\text{Number of Plants (A) in set-out area}}{\text{Total No. of crops (A+B) in the set-out area}} \times 100$
Plant Ratio for Plant B =	$\frac{\text{Number of Plants (B) in set-out area}}{\text{Total No. of crops (A+B) in the set-out area}} \times 100$

Following determination of the plant ratio in an intercropped garden, the compensation was computed as illustrated below:

Compensation = Plant A ratio (%) * Plant A compensation rate per acre + Plant B ratio (%) * Plant B compensation rate per acre

Crops arising out of speculative practices

It is common practice in Buliisa District that the communities/ PAPs tend to plant crops/ trees during the valuation exercise speculatively with an aim of benefiting from the compensation packages.

The valuation team together with the agronomist only considered correctly propagated crops/ trees. However, these were recorded as ‘as is’ (*just planted crops*) and considered as seedlings/ suckers.

Just Planted – Speculative crops

These were newly planted crops (less than two weeks old) that were identified within the project area. These were planted due to speculative motives by the PAPs with a view of benefiting through compensation.

These were either:

- Newly established/ planted seedlings often planted following poor agronomic practices (with densities much higher than the recommended spacing), or
- Mature transplanted crops (such as for Aloe Vera).

Perennial just planted crops have been valued as young crops irrespective of their actual growth stage.

8.4.3.4.2. Herbal/Medicinal Plants

In the case of affected natural resources such as herbal and medicinal plants with no economic value, these will be compensated using in kind compensation as recommended in the LARF (2016) but more specifically, in line with the Buliisa DCR FY2018/2019 which state that, “*lack of evidence of price market data hindering valuation. Project proponent to propose in-kind compensation*”, and additionally, the Project will endeavour to find resettlement sites (where applicable) that maintain access to natural resources. If these resources cannot be replaced, communities will receive additional livelihood improvement or alternative livelihood support. These plants have therefore not been valued, and the mitigation measures are included in the project Global Livelihood Restoration Plan (GLRP) – Chapter 11 of this RAP document.

9. RESETTLEMENT AND RELOCATION PACKAGES

9.1. Role of Stakeholder Engagement and Surveys in Defining Resettlement Packages

The entitlement framework and resettlement provisions are primarily adapted from those provided in the LARF (2016). However, the socio-economic, cadastral land and asset inventory/valuation survey findings have been used to tailor these specifically to RAP 2. This is particularly true for the resettlement options, which have been amended from the LARF in light of information gathered during the socio-economic interview program. The entitlement matrix, resettlement options, replacement house design model and livelihood restoration options were all presented to the RAP 2 RPCs of Buliisa Town Council on 31st July 2019, Kigwera and Ngwedo Sub-Counties on 3rd August 2019 and the PACs in the RAP 2 affected villages of; Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE and Kigwera SE between 03rd and 11th August 2019.

9.2. Categories of Structures

The type and number of structures affected by the RAP 2 project as detailed in the Tilenga RAP 2 approved Valuation Report are summarised in Table 9.1.

Table 9.1: Type and numbers of affected structures

#	Type of Structure/Building	Number
1	Ablution Block	1
2	Bathroom Enclosure	8
3	Dilapidated / Abandoned Structure	2
4	Fence	59
5	Goats Pen	2
6	Incomplete Building	5
7	Kitchen	15
8	Kraal made off Barbed Wire	12
9	Newly Constructed & Incomplete Building	66
10	Newly Constructed Structure	6
11	Pig Sty	1
12	Pit Latrine	23
13	Poultry House	9
14	Rack	6
15	Residential House	71
16	Store	1
Grand Total		287

9.3. Loss of Dwellings Used as Primary Residence

The proposed RAP 2 Project Area will displace 60 primary residences belonging to 60 PAPs as per the records of the asset inventory.

The project proponent will provide PAPs who have an affected primary residence, with the choice of a replacement house or cash compensation at replacement value as required by IFC PS 5, Principle 7 and, Section 8.6.2 of the LARF.

Replacement houses will either be built on a new plot identified by the PAP following set site selection criteria or in a resettlement village secured by the Project. The Project will cover transport costs to the new place of residence for all moveable assets as part of this option. The procedure for PAPs identifying replacement residential land is included in Section 9.6.1 below.

PAPs who choose cash will be paid out an amount based on the replacement land calculation with a 30% statutory disturbance allowance. The valuation procedure for all assets including houses is described in Chapter 8 - Section 8.4.2.

Majority of the existing dwellings impacted by the resettlement are typically less than 20m² and comprise of one or two rooms. There is a limited range of materials with which the houses are constructed, and this is largely limited to locally sourced natural materials (typically termed traditional materials). The floor is nearly exclusively made of compacted earth, while the walls are constructed of either mud or wattle or mud blocks with mud cladding. Roofs are made of either grass thatch or corrugated iron sheets. The type of residential structures recorded are shown in Figure 9.1.

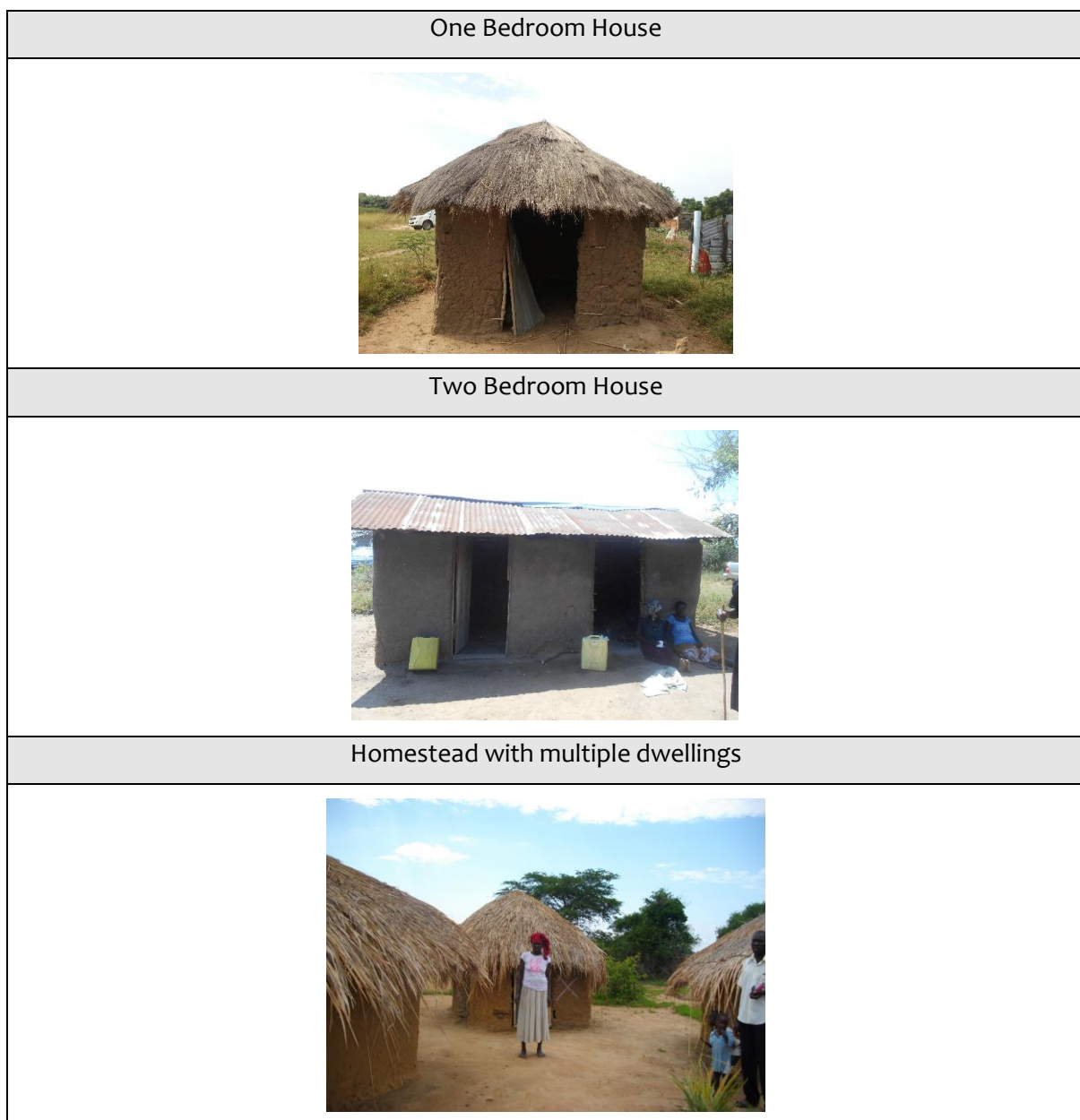


Figure 9.1: Residential Structures existing at the RAP 2 project site

9.3.1. Replacement of Primary Residence

The size of the replacement house will be equal to that of the existing house based on the asset inventory survey data. The number of rooms will also be the same as those found in the existing house(s) and the size of the rooms proposed will be in line with the requirements of the national building standards and regulations of Uganda⁵⁴. Homesteads that have multiple residential structures will receive one replacement house with the total number of rooms equivalent to the rooms in the affected structures. The replacement houses will be of an equivalent or better standard when compared to the existing ones. In compliance with the National Physical Planning Standards and Guidelines (2011), the following durable materials will be used in the construction of the replacement houses: concrete blocks for walls, cement screed for the floors and corrugated iron sheets for the roofs.

All designs include a separate pit latrine, a separate kitchen and a water tank within the residential plot. The replacement houses themselves will have different features depending on the number of bedrooms required. Table 9.2 indicates what will be included in each house.

Table 9.2: Rooms and features of House design

	2 Bed Design	3 Bed Design	4 Bed Design
Sitting room	Yes	Yes	Yes
Master bedroom	Yes	Yes	Yes
Veranda	Yes	Yes	Yes
Other Bedrooms	1	2	3
Passage	Yes	Yes	Yes

The proposed design and its growth patterns (expansion of a two bedroom to a four-bedroom house) are illustrated in Figure 9.2. However, the heaped roofs (*Mwamba*) as preferred by PAPs in Buliisa during RAP 1 implementation do not easily allow for expansion and would therefore require modification.

The replacement house design model was presented to the RAP 2 RPCs of Buliisa Town Council on 31st July 2019, Kigwera and Ngwedo Sub-Counties on 3rd August 2019 and the PACs in the RAP 2 affected villages of; Kasinyi, Kisiimo, Bikongoro, Kizongi, Kakindo, Kirama, Kisansya East, Kisansya West, Kigwera NE and Kigwera SE between 03rd and 11th August 2019.

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

- Designs adhere to the relevant planning legislation and building standards, namely the National Housing Policy (May 2016);
- Building materials and the skills necessary to construct with these materials are available locally;
- Materials selected are based on availability, sustainability, and performance;
- Designs provide for residents to change uses over time (e.g. change in function of rooms);
- Designs provide for residents to expand house size over time;
- Both designs and plot layout provide the potential to add new rooms, and;
- Design take into account the seismic risk specific to the Albertine Graben⁵⁵.

The materials used for the construction of the houses are detailed in Figure 9.3.

⁵⁴ Rooms must be over 9m² with no sides being less than 2.7 meters.

⁵⁵ Designs must make reasonable provisions for seismic risks however not all scenarios can be catered for particularly extraordinary natural events cannot be accounted for.

Two-bedroom

Three-bedroom

Four-bedroom

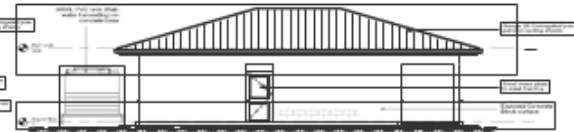
Floor Plan



Front Elevation



Side Elevation



Site Layout

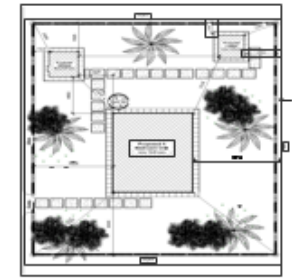
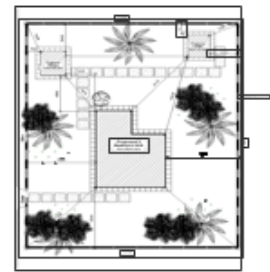
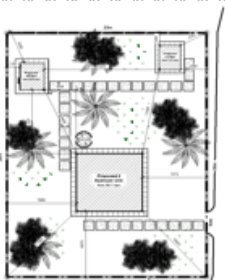


Figure 9.2: House Design Models and Site Layout




WALLS	CONCRETE BLOCKS	
FLOOR	CEMENT SCREED	
ROOF	CORRUGATED IRON SHEETS	

Figure 9.3: Materials for replacement houses

9.3.2. Allowances

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

- 30% statutory disturbance allowance, this is provided as part of cash compensation only.
- The Project will directly cover transport costs to the new place of residence for all moveable assets as part of the replacement option.
- Registration cost and required formalities to ensure security of tenure of the replacement land will be borne by the project developer as part of the replacement option only.

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 2 project will displace forty-seven (47) dwellings used for secondary purposes.

As stated in the entitlement framework (see Section 8 above), the project will provide cash compensation at replacement cost for all dwellings identified in the asset survey as being used for secondary purposes. The impact on PAPs with primary residences is significantly greater than those with secondary dwellings and therefore, the Project has taken the approach to provide for in priority, those with affected primary residences to exercise the option of a replacement house to be built for them. This is in keeping with the provisions of Section 8.6.2 of the LARF. Those who have impacted secondary residences will only qualify for cash compensation.

9.4.1. Allowances

The Company will provide the following allowances as part of cash compensation:

- 30% statutory disturbance allowance, this is provided as part of cash compensation.

9.5. Loss of Secondary Structures

All structures on the site that were incomplete or that were not recorded as “House” in the asset survey, are regarded as secondary structures. This includes the following categories from the entitlement framework: dwellings used for secondary purposes, sanitation facilities, and moveable structures.

As stated in the entitlement framework, all secondary structures will be compensated in cash at replacement cost with the exceptions of those being replaced as part of a replacement residential plot (pit latrine & kitchen). The valuation methodology for assets including structures is described in Section 8.4.

9.5.1. Provision of New Sanitation Facilities

As shown above in Table 9.1: there are 23 pit latrines, 1 ablution block and 8 bath enclosures that will be displaced by the RAP 2 project. The project will provide cash compensation at replacement cost for all pit latrines, ablution blocks, and bath enclosures lost because of the RAP 2 project. In kind replacements in the form of an external toilet block which includes a ventilated pit latrine and bathroom are also being provided as part of replacement housing plot. This is included in the designs illustrated in Figure 9.2 above. Those entitled to compensation for a pit latrine who are being relocated to a replacement house will not receive additional compensation for a lost pit latrine unless they had more than one. Replacement of sanitation facilities will be built from the materials described in Section 9.3 above and will follow the same design principles.

9.6. Loss of Residential Land

Households which will be losing residential land (that is, land with a structure recorded as primary residence) are eligible for replacement land or they may choose cash compensation at replacement value as per the Entitlement Framework (see Table 8.2 in Chapter 8 above). 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 9..

Option 2 – The project will endeavour to identify land available and suitable for the development of a resettlement village (including the option of the resettlement village established as part of RAP1 Implementation). Households that are to be relocated will be provided with a replacement homestead plot at the resettlement village(s). The homestead plot will be proportional to the size of the replacement structures.

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

The process for the project identifying land for any additional required resettlement village is described below in Section 9.13.

9.6.1. Secure Replacement Land at Host Sites

The procedure for PAPs identifying replacement residential land is detailed below in Table 9. and Figure 9.4.

Table 9.3: Procedure for PAPs identifying replacement residential land

1. Confirm PAPs' eligibility
Confirm that each PAP who is eligible for replacement land as per the Replacement Entitlement Framework is identified and determine vulnerable PAPs who are candidates for additional support and or advice.
2. Engage with PAPs & sign Minutes of Attendance. (MoA)
Engage with PAPs and present and explain the available options i.e. either cash compensation or replacement land. Create and keep a record of the meeting(s) that documents the PAP's choice between compensation by way of cash/ money and replacement land. If the PAP chooses cash/money, confirm that they have been advised to open a joint bank account preferably with a spouse where the PAP is married and compulsorily where the PAPs are married and

joint owners of the land in question and that the PAPs have been offered financial training. MoA in simple plain English 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, the spouse, and all the parties that have been in attendance including the Government and Project representatives, and the leaders of local government or an entity with in the MEMD.
3. PAPs Choose Between Cash Compensation and Replacement Land
a. Cash Compensation Option
i. Document land and cash in MoA
Where a PAP chooses cash compensation, the MoA should include the details of the PAPs land that is to be acquired by the project and the amount of cash compensation for that land as per the approved valuation of Chief Government Valuer. A copy of the Cadastral survey should be appended to the MoA. The MoA will include a statement confirming that Vulnerable PAPs have been advised accordingly and will also include provisions for financial management training.
ii. Sign Final Contract
The PAP, the spouse, the Government representative and the project representative will sign a final contract documenting the transfer of cash to the PAP in exchange for land to be registered in the names of Government.
iii. Payment of Compensation
Where necessary, bank accounts for the PAP will be set up to accommodate cash compensation as per step 2. Once payment is received by the PAP a receipt should be signed by the PAP and the company and the signed receipt stored in the resettlement database.
4. Replacement Land Option
i. MoU of Land Criteria
In the event that the PAP chooses the replacement land option, a Memorandum of Understanding (MoU) shall be signed between the PAP, the spouse (where applicable), Government representative, and the Project representative. This MoU shall include the criteria to be followed by the PAP in the identification of the replacement land and the following terms shall be included: <ul style="list-style-type: none"> • The replacement land should not be located in gazetted areas. • The replacement land should be within a 10-kilometre radius of the RAP 2 project area. PAPs choosing replacement land outside this 10 km radius risk limited participation in the proposed LR programmes. • The land should not have any developed structures which would cause further displacement. • The land should not have any subsisting encumbrances such as a legal ownership dispute, mortgage (whether registered, unregistered, legal or equitable), caveat or any other third party claim that affects the validity of title. • The price of replacement land should not be more than cash compensation being offered to the PAP for the affected land. • The PAP shall have a maximum of two (2) months upon choice of option to identify suitable land, on which to construct the replacement house for primary residences, following which land in the resettlement village will be triggered. • In the event that the PAP fails to locate suitable land within these 2 months, their offer will by default become cash compensation (with possible exceptions for vulnerable people on a case by case basis) OR to they may receive a replacement house in a resettlement village secured by the company. • The land should not have any physical constraints to inhibit construction of replacement houses and associated buildings, including the sanitation option. • The land should provide similar access to social facilities and public infrastructure as the existing sites.
5. PAP to Notify RAP Implementation team of Land Choice
Once the PAP has identified an area of land, they must notify the RAP Implementation team of their choice with details of the location, seller, and the price.
6. Site Checks

<p>The RAP implementation team shall make the following checks on the proposed land:</p> <ol style="list-style-type: none"> a. The legal due diligence team should ensure that the seller is legitimate and there are no outstanding disputes; b. 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; c. Warrant that the land will <u>not</u> be subject to future development by the project or is not currently designated for future development by the government or other entities; and d. 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 MoUs
a. Prepare MoU with Site Plan
If the site is suitable, a MoU should be prepared between the PAP, his or her spouse (where applicable) and the Government and Project representatives that confirms the suitability of the site. This MoU should include a site plan of the replacement land, the site suitability report and the previous MoU concerning the PAP's choice to pursue the land replacement option. The agreement should include a clause noting that the project wishes to ensure that the PAP has security of tenure. This clause 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 MoU with Seller
If the site is suitable, a MoU 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 MoU.
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 villages within which the PAPs are required to acquire replacement land is majorly customary land.
NOTE: The transfer of replacement property to the PAP should occur at the same time or before the land acquisition of project land from the PAP to GoU. However, in some cases it may be necessary for the GoU to acquire the project land before replacement land is secured or transferred. If this need arises, each instance must be reviewed on a case

by case basis to ensure all provisions are provided to the PAP for the duration of any transient period in line with the principles of the LARF and IFC PS5.

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 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 6(1) the Chairperson of the Area Land Committee shall ensure publication of notice of application in a prominent place area of the land and require any person whose claim is affected by the application to attend a meeting of the committee at a specified date and time to put forward their claims;
- iv. On the date specified, the Committee shall hold a meeting to be attended by all concerned parties to hear and determine any claims made on the said land;
- v. The Committee shall compile a report on the application and forward it to the District Land Board;
- vi. The Board shall consider the application and may confirm the recommendations of the Committee and either issue a certificate of customary ownership with or without conditions, restrictions or limitations, or refuse to issue a Certificate, or return the report to the Committee with directions on further investigations required;
- vii. Any person aggrieved by a decision by the Board may appeal to the Land tribunal against that decision; the Land tribunal may confirm, vary, reverse or modify the decision of the board; and
- viii. Under Section 8 (2), a certificate of customary ownership confers on the holder the right to undertake, subject to the conditions, restrictions and limitations contained in the certificate, any transactions in respect of that land, which may include leasing or selling the land, in part or in whole.

a. Freehold Tenure

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

- i. Section 9 of the Land Act, Cap 227, Laws of Uganda provides for the conversion of customary tenure to freehold tenure stating that any person, family, community or association holding land in customary tenure may convert it into freehold tenure in accordance with the Act;
- ii. An application to convert shall be in a prescribed form (Form 4 in the Land Regulations, 2004) and shall be submitted together with the prescribed fee to the area land committee in which the subject land is situated. According to the second schedule of the Land Regulations, the fee is 0.75 currency points, which is equivalent to **Ug. Shs 15,000** (Fifteen Thousand Uganda Shillings);
- iii. Upon receipt of the committee's report and regulations, the District Land Board shall order the land to be surveyed; and
- iv. Where the District Land Board approves an application, it shall send a copy of its decision to the Registrar of Titles to enable him/her to issue a certificate of title.

It should be noted that under section 12 of the Land Act, Cap 227, a person who possesses a certificate of customary ownership is not required to go through the whole process of converting customary tenure into freehold, but only seeks a recommendation of the District Land Board (which recommendation shall take into consideration any new or additional matters not dealt with in the report submitted under the application for a certificate of customary ownership that should be brought to the attention of the board to the Registrar of titles to issue a free hold certificate of title.

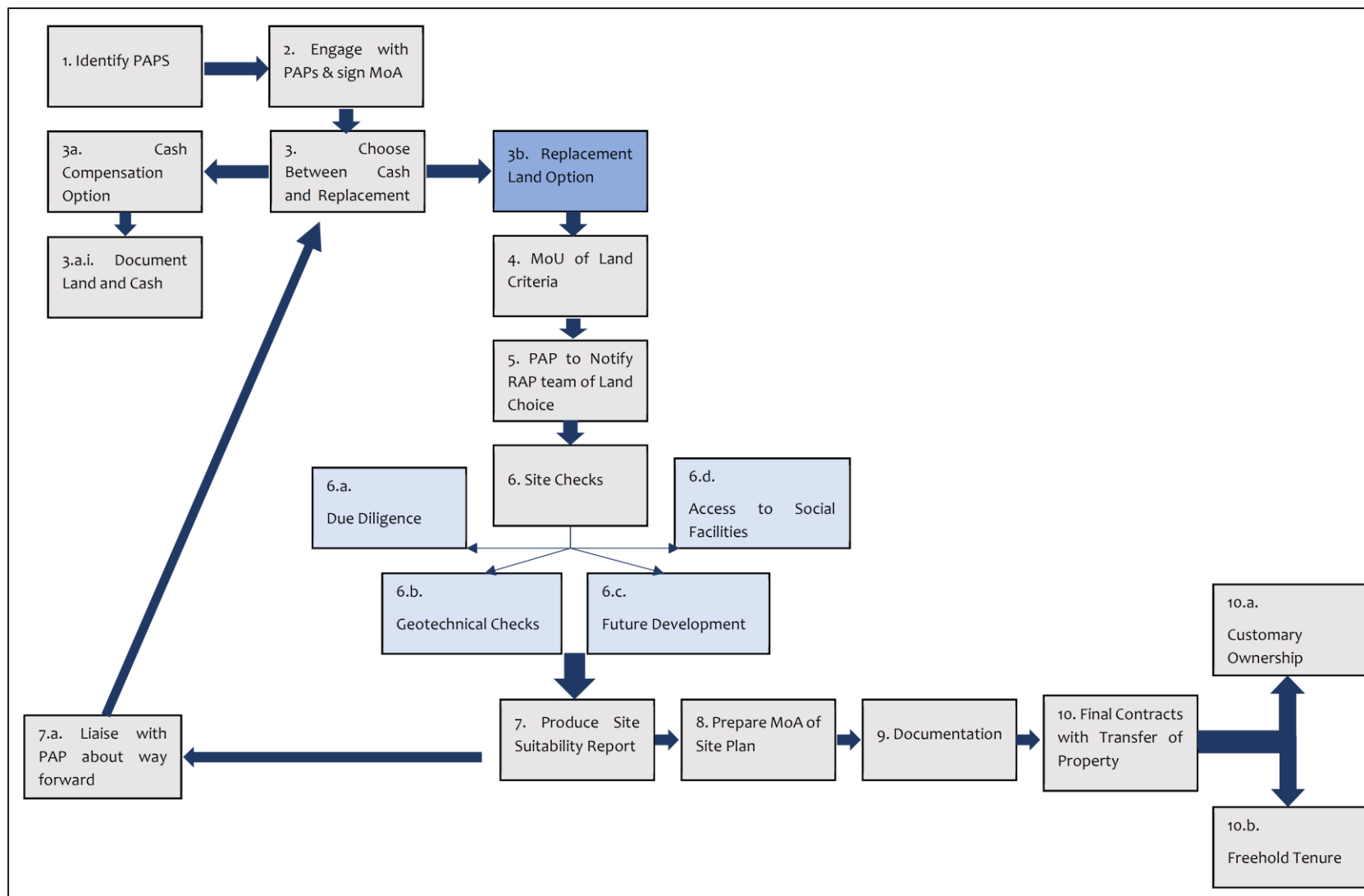


Figure 9.4: Procedure for PAPs locating replacement residential land

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

The valuation methodology for land is described in Chapter 8 – Section 8.4.

9.6.3. Allowances

The project will provide the following allowances:

- 30% statutory disturbance allowance, as part of cash compensation only.
- The Project will directly cover transport costs to the new place of residence for all moveable assets for the 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

The process for PAPs identifying replacement crop land is described in Table 9.4 and Figure 9.5.

Table 9.4: The process for PAPs identifying replacement crop land

1. Confirm PAPs' eligibility
Confirm that each PAP who is eligible for replacement land as per the Replacement Entitlement Framework is identified and determine vulnerable PAPs who are candidates for additional support and or advice.
2. Engage with PAPs & sign Minutes of Attendance (MoA)
Engage with PAPs and present and explain the available options i.e. either cash compensation or replacement land. Create and keep a record of the meeting(s) that documents the PAP's choice between compensation by way of cash/ money and replacement land. If the PAP chooses cash/money, confirm that they have been advised to open a joint bank account preferably with a spouse where the PAP is married and compulsorily where the PAPs are married and joint owners of the land in question and that the PAPs have been offered financial training. MoA in simple Plain English 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 MEMD.
3. PAPs Choose Between Cash Compensation and Replacement Land
a. Cash Compensation Option
i. Document land and cash in MoA
Where a PAP chooses cash compensation, the MoA should include the details of the PAPs land that is to be acquired by the project and the amount of cash compensation for that land as per the Chief Government Valuer approved valuation report. A copy of the Cadastral survey should be appended to the MoA. The MoA will include a statement confirming that Vulnerable PAPs have been advised accordingly and will also include provisions for financial management training.
ii. Sign Final Contract
The PAP, the spouse, the Government representative, and the project representative will sign a final contract documenting the transfer of cash to the PAP in exchange for land to be registered in the names of Government.
iii. Payment of Compensation
Where necessary, bank accounts for the PAP will be set up to accommodate cash compensation as per step 2. Once payment is received by the PAP a receipt should be signed by the PAP and the company and the signed receipt stored in the resettlement database.

4. Replacement Land Option
<p>In the event that the PAP chooses the replacement land option, a Memorandum of Understanding shall be signed between the PAP, the spouse (where applicable), Government representative, and the project representative. This MoU shall include the criteria to be followed by the PAP in the identification of the replacement land and the following terms shall be included:</p> <ul style="list-style-type: none"> • The replacement land should not be located in gazetted areas; • The replacement land should be within a 10-kilometre radius of the RAP 2 project area. PAPs choosing replacement land outside this 10 km radius risk limited participation in the proposed LR programmes; • 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); and • The land should not have any physical constraints to the re-establishment of previous agricultural activities.
5. PAP to Notify RAP implementation team of Land Choice
<p>Once the PAP has identified an area of land, they must notify the RAP Implementation team of their choice with details of the location, seller, and the price.</p>
6. Site Checks
<p>The RAP implementation team should make the following checks on the proposed land:</p> <ol style="list-style-type: none"> a. The legal due diligence team should ensure that the seller is legitimate and there are no outstanding disputes. b. For farmland, a number of technical checks should be undertaken to ensure the land is of equal productive capacity to the land being lost. <ol style="list-style-type: none"> i. This includes a visit by an agricultural technician to ensure that the land has no major limiting factors to sustainable production, such as high-water table, very thin top soil layer, bare or rocky soil, steeply sloping land, liability to flood or landslide, liability to invasion by wild animals (near to Park boundary), or is crossed by a major cattle corridor, and that the land is accessible for bringing in inputs and taking out harvested produce, and any other checks deemed necessary for that site. c. Warrant that the land will <u>not</u> be subject to future development by the project or is not currently designated for future development by the government or other entities. <p>Assess access to social facilities and this should inform Livelihood Restoration measures.</p>
7. Produce Site Suitability Report
<p>All of the above information should be put together into a site suitability report which confirms the suitability of the site. This will need to be reviewed by the RAP implementation team leader before submission to client for sign off.</p>
a. Liaise with PAP about way forward
<p>If the site is deemed to not be suitable, the RAP implementation team will liaise with the PAP to determine a way forward. The PAP will again choose between cash compensation or continue to look for a replacement land option if still within the two (2) month time outlined in the MoU (step 4).</p>
8. Prepare MoUs
a. Prepare MoU with Site Plan
<p>If the site is suitable, a MoU should be prepared between the PAP, his or her spouse (where applicable), and the Government and Project representatives that confirms the suitability of the site. This MoU should include a site plan of the replacement land, the site suitability report and the previous MoU concerning the PAP's choice to pursue the land replacement option. The agreement should include a clause noting that the project wishes to ensure that the</p>

PAP has security of tenure. This clause would state that while it is not mandatory for a customary land owner to obtain a certificate of title, it is agreed that the project should go ahead to obtain a certificate of customary ownership for the PAP to ease future transactions.

b. Prepare MoU with Seller

If the site is suitable, a MoU should be prepared between the replacement site owner (the seller) and project representative that states that the project wishes to acquire the land on behalf of XXXX (name of the PAP) and offers to pay XXXX Uganda shillings for the land. It should also state that the Seller authorizes the project to—at all costs—instruct the required specialists to undertake all the legal steps necessary for the transfer and registration of land title of the replacement property in the name of the PAP. The site plan must be attached to the MoU and there must be witnesses to the signing of the MoU.

NOTE: The transfer of the replacement property to the PAP should occur at the same time or before acquisition of the project land from the PAP to GoU. However, in some cases it may be necessary for the GoU to acquire the project land **before** replacement land is secured or transferred. If this need arises each instance must be reviewed on a case by case basis to ensure all provisions are provided to the PAP for the duration of any transient period in line with the principles of the LARF and IFC PS5.

9. Documentation

Scanned copies of the 8a documentation are to be distributed to each PAP for their records and recorded into a resettlement database. The same is to be done with the 8b documentation. Original signed copies are to be placed in a fireproof safe within Company HQ in Kampala. Scanned copies of the documentation are to be loaded into the database against the unique identifier of each of the signatories (PAP and Seller). Thus the documentation will be retained and can be made accessible in the event of any legal issues, grievances investigations, and for audit purposes.

10. Transfer Property to PAP

Once the land is approved by the Tilenga project team and the MoA is signed as per 8b above, the Company will instruct its legal officer to undertake expeditiously all required actions to achieve all necessary steps to transfer the property to the PAP. All associated replacement costs are to be borne by the company. The Tilenga project team and PAP will sign a contract formalizing the transfer of land. Upon execution of the agreement, the Tilenga project will commence the process of securing tenure, either by acquiring **Certificate of Customary Ownership** or **Certificate of Freehold**. It is important to note that the land in the villages within which the PAPs are required to acquire replacement land is majorly customary land.

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 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; and

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.
b. 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; and
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.	

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

The detailed valuation methodology is described in Section 8.4. Crops were categorised into annual and perennial. Crops are valued according to their net forgone income and the net re-establishment cost.

9.7.3. Allowances

The Company will provide the following allowances:

- Statutory disturbance allowance, as part of cash compensation or included in the budget for replacement land.
- The Project will directly cover transport costs to the new place of abode for all movable assets as well as registration cost and required formalities to ensure security of tenure, for the replacement land option only.

9.8. Loss of Grazing Land

PAPs who own grazing land as established in the asset surveys are entitled to cash compensation for the land due to the limited availability of replacement grazing land in accordance with the LARF.

Transitional support should be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

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

The valuation methodology for all land is described in Section 8.4 above.

9.8.2. Allowances

The Company will provide the following allowances:

- Statutory disturbance allowance, as part of cash compensation.

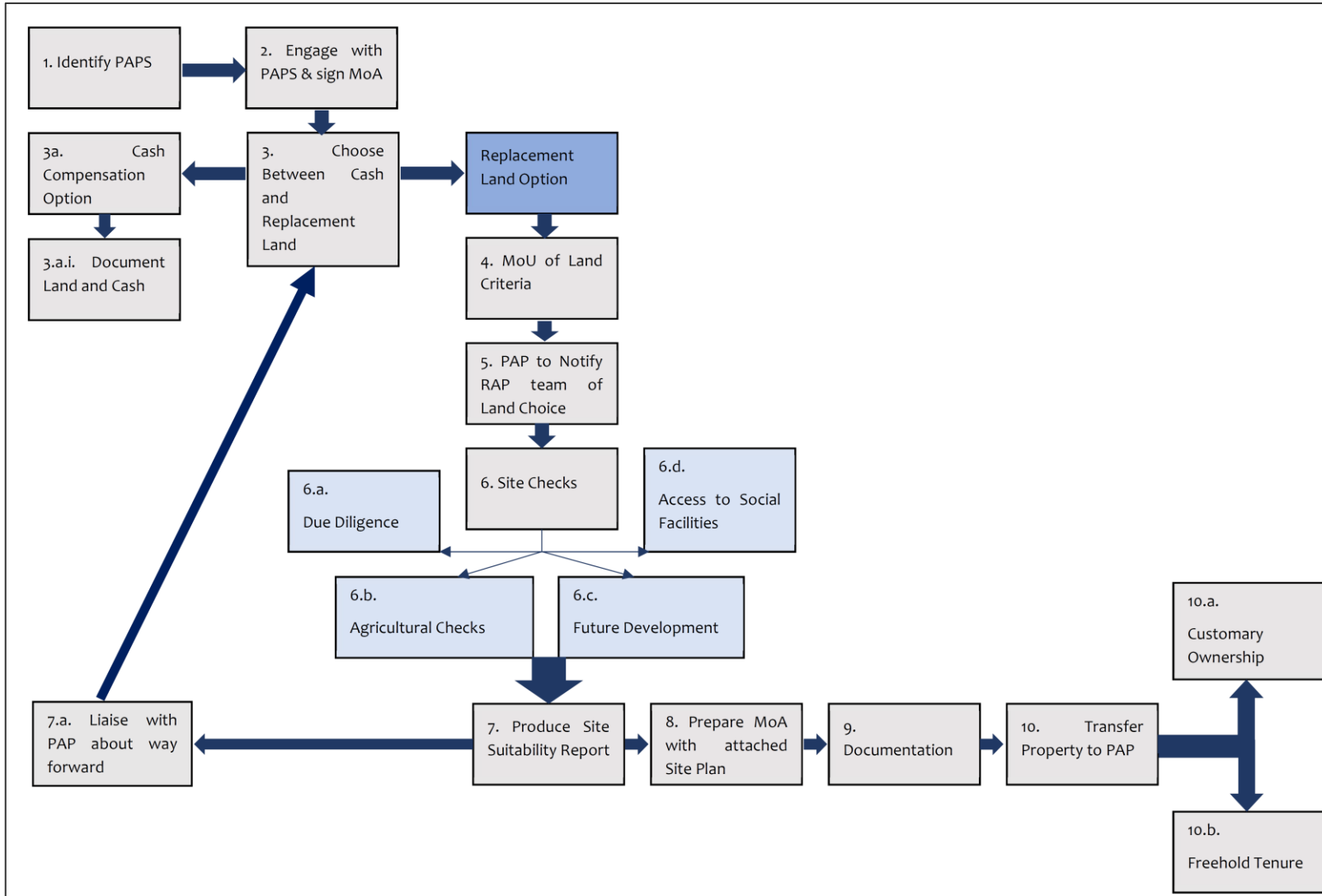


Figure 9.5: Procedure for PAPs locating replacement agricultural land

9.9. Loss of Communal Resources

The RAP 2 project will cause the loss of access to communal resources. This is described in Chapter 5.

Because of the nature of communal resources, the definition of impact should not be limited to the PAPs who were surveyed and as such, have a household ID. Communal resources are used by the wider community and it is impossible to determine and verify who exactly used communal resources in the RAP 2 project area in any given time period. Therefore, it is more effective to address the loss of communal resources through restoring these resources and making them available to the wider community.

The Company will make provisions for the loss of communal resources through Livelihood Restoration as detailed in Chapter 11.

Specific livelihood schemes will be available to the wider community (see Chapter 11).

9.10. Loss of Graves and Sacred Sites

There were 129 graves, 07 (seven) clan sites and 08 (eight) family shrines within the RAP 2 Project Area. Where the project will disturb graves and sacred sites, the project will make provisions for either the physical or symbolic relocation of graves or sacred sites (see Chapter 13).

9.10.1. Allowances and traditional ceremonies

Allowances for traditional ceremonies will be provided in-kind (see Chapter 13).

9.11. Procedures for the Removal of Archaeological Finds

During the archaeological surveys, there were no significant archaeological items found that would require salvage/rescue excavation type intervention. However, the Chance Finds Procedure (CFP) found as part of the Cultural Heritage Management Plan (CHMP) (Annexure 6) should be followed if any items of significance are found during construction or operation.

9.12. Vulnerable Support Programme

The socio-economic baseline identified a number of vulnerable households including 31 elderly headed, 4 elderly (65+) dominated (with high elderly-dependency ratio), 36 with high child dependency, 67 female headed and 78 households which support a member with a physical or mental disability or long term illness (see Chapter 12).

The provisions for vulnerable households are included in Chapter 12.

9.13. Host Sites for Replacement Village

As described above, the options that shall be given to those who lose a primary residence, include finding their own residential plot or be relocated to a resettlement village (including an option for relocation to the resettlement village established during RAP1 Implementation) secured by the Company. This section addresses the second option and securing land for a resettlement village.

9.13.1. Methodology

Before setting out to find the replacement land, the RAP Contractor team ensured that the characteristics of the parcels of land to be replaced were thoroughly and comprehensively understood. These characteristics are provided in the socio-economic baseline section (Chapter 4) of this RAP.

However, the available data and information for replacement land was rather general and thus an inferential and extrapolative approach was taken.

It is also important to know that speculation is a significant challenge for this resettlement and, as such, any search for replacement land must be done with this risk in mind. The study that was undertaken in this planning phase had the simple objective of identifying potential sites but also establishing the feasibility of finding such sites. The objective was not to identify the final sites. Identifying final sites too early in the resettlement process would trigger speculative acquisition of these sites.

The implementation phase will include locating further sites (other than the resettlement village site established during RAP1 Implementation) and swift acquisition of the final resettlement sites to avoid speculation.

9.13.2. Participatory Process

Preliminary identification of replacement land was based on consultations with the RPCs and also consultations with local leaders.

The objective of the consultations was to ascertain the following information, at a minimum:

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

Eight (08) potential sites were identified, geo-referenced and the characteristics of each were studied and enumerated. Generally, all sites appeared suitable for farming and housing.

9.13.3. Resettlement Site Selection Criteria Used For Initial Feasibility Ranking

The criteria for replacement land identification were in line with the LARF (2016). The criteria outlined in the LARF include:

- Distance from the 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; and
- Acceptance by receiving communities.

These criteria have now been expanded upon in the procedure for Company location of resettlement sites as indicated in Section 9.13.4 that follows.

9.13.4. Site Feasibility Ranking

Eight (08) sites were visited and subjected to a preliminary GIS/Mapping and basic visual site suitability assessment, based on the following criteria:-

- The land should not be located in gazetted areas;
- The land should not have any developed structures which would cause further displacement (currently based on 2015 satellite imagery), and;
- The land should provide similar access to social facilities and public infrastructure as the existing sites.

Table 9.5 presents the results of the initial assessment. The results of this study indicate that locating land for a resettlement village is feasible and that based on the preliminary GIS

assessment, seven (07) of the eight (08) sites identified may be suitable (see Table 9.5). In addition, these results indicate that the sites are also suitable for replacement farmland. Further site identification should commence in the implementation phase with caution taken to prevent speculation and the basis, for the site suitability will be as indicated in Table 9.6.

The procedure in Table 9.7 and Figure 9.6 indicate how the Company should identify and secure land for replacement villages.

9.13.5. Relocation of Religious Buildings

The RAP 2 Project will not displace any religious buildings.

As stated in the entitlement framework (see Section 8 above), the Company will provide cash compensation for structures identified in the asset survey as privately owned religious buildings.

9.13.6. Allowances

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

- 30% statutory disturbance allowance, provided as part of cash compensation.

Table 9.5: Site Feasibility⁵⁶

Site No.	Area (acres)	Affected by future Tilenga developments	Located in gazetted area	Road (Km)	Commercial (Km)	Education (Km)	Water (Km)	Health (Km)
Site 1	4.14	NO	NO	1.31	1.8	2.3	2.3	6.0
Site 2	1.61	NO	NO	0.00	0.9	1.5	0.9	6.9
Site 3	38.49	NO	NO	0.00	2.2	2.3	1.9	1.2
Site 4	9.31	NO	NO	0.20	0.7	1.8	0.6	6.5
Site 5	44.51	NO	NO	0.00	2.8	2.7	2.8	1.3
Site 6			YES	Inside Bugungu Wild life Reserve				
Site 7	1.75	NO	NO	1.44	1.6	1.6	2.1	1.4
Site 8	1.22	NO	NO	1.25	1.4	1.4	2.1	1.4

Source: UBOS (<https://ubos.geo-solutions.it/layers/?limit=20&offset=0>)

⁵⁶ Owing to potential speculative activity, the coordinates of the proposed resettlement sites have not been provided in this RAP Report even though readily available.

Table 9.6: Basis for rating of replacement site suitability selection criteria for preliminary analysis

Rating	Colour Code	Interpretation	Terms in the selection criteria	Option
Unacceptable	RED	Non-compliance with specific requirements/selection criteria; No further assessment/action required.	<ul style="list-style-type: none"> The price of replacement land is more than cash compensation being offered to the PAP for the affected land. The replacement land is located in gazetted areas; The land has developed structures which would cause further displacement. The land is subject to future development by the project or is currently designated for future development by the government or other entities. The land has physical constraint to inhibit construction of replacement houses and associated buildings, including the sanitation option; 	<ul style="list-style-type: none"> PAP must provide another piece of alternative land within the period of the M.O.U (specifically, two (2) months from the date of signature of the M.O.U), upon choice of option to identify suitable land; OR in the event that the PAP fails to locate suitable land within these 2 months, their offer will by default become cash compensation (with possible exceptions for vulnerable people on a case by case basis) OR they may receive a replacement house in a resettlement village secured by the Company.
May be acceptable following further site suitability assessment	Orange	Partial compliance with specific requirements/selection criteria.	<ul style="list-style-type: none"> The replacement land is not located within a 10-kilometre radius of the RAP 2 project area⁵⁷. Minimum land size required by the proposed house designs is 75*100 feet (696.8 square meters). The land does not provide similar access to social facilities and public infrastructure as the existing sites. 	<ul style="list-style-type: none"> Further assessment/action required to determine suitability of the site (Legal due diligence and site checks e.g. geotechnical checks).
Acceptable	Green	Compliance with requirements/selection criteria.	XXX-	<ul style="list-style-type: none"> PAP receives a replacement house constructed on the piece of alternative land they provided.

⁵⁷ This can also be defined as a term or site location that does not breach a legislation, but could result into breach of RAP guidelines; (other locations within Buliisa District may be considered on a case-by-case basis provided that all of the other criteria have been fulfilled).

Table 9.7: Procedure for Project to Identify Replacement Villages

1. Identify number of PAPs and sign MoAs
<p>Confirm the number of PAPs who opt for replacement residential land in a resettlement village. Create and keep a record of the meeting(s) that documents the PAP’s choice between compensation by way of cash/ money and replacement land. If the PAP chooses cash/money, confirm that they have been advised to open a joint bank account preferably with a spouse where the PAP is married and compulsorily where the PAPs are married and joint owners of the land in question and that the PAPs have been offered financial training. MoA in simple Plain English 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 MEMD. The MoA should include details regarding the size and design of the house to be built. These details would have been established during the compensation negotiations.</p>
2. Calculate the size of land take
<p>The RAP Implementation team should calculate how much land take is required for the resettlement village. This should be done with the input of a settlement planner. Consideration should be given to the spacing between housing and any other settlement facilities that may be required to accompany the village, either built as part of this resettlement or for future expansion (both natural expansion and expansion as a result of later phases of the project). In addition, the settlement planner should take into account the number and location of the host community as potential beneficiaries of community services and facilities to be provided as part of the new settlement.</p>
3. Identify Land
a. Further develop the Land Criteria
<p>For all replacement land the following criteria must be observed.</p> <ul style="list-style-type: none"> • The land should not be located in gazetted areas. • The land should not have any developed structures which would cause further displacement. • The land should not have any subsisting encumbrances such as a legal dispute, mortgage and caveat. • The land should not have any physical constraints to inhibit construction of replacement houses and associated buildings, including the sanitation option. • The land should provide similar access to social facilities and public infrastructure as the existing sites. <p>The following aspects should also be considered when identifying land:</p> <ul style="list-style-type: none"> • Access by both foot and other means of transport currently used to facilities and services such as, inter alia, markets, shops, places of worship, schools, health posts, & clinics. • Access and proximity to social networks such as those of friends and family. • Local conflicts need to be taken into account Example: the dispute between the Bagungu and the Alur may make certain areas off limits for members of the one group. Similarly, there may be inter-clan or inter-family disputes and these need to be identified through engagements with the PAPs and the local leaders. • Feasibility of delivery of infrastructure and engineering services to/from the site during construction. • Topography – for example there may be sloping land that enables water to flow to and across the site or that contains a stream. • Proximity to farmland to be used by the PAPs. • Proximity to Lake Albert and water resources.
b. Engagement to find land
<ul style="list-style-type: none"> • The RAP implementation team should engage with various stakeholders to identify land parcels. Stakeholders that should be engaged include but may not be limited to: <ul style="list-style-type: none"> ○ RPC Members ○ Village Leaders LC I ○ The Land Board

<ul style="list-style-type: none"> Care should be taken to avoid speculation and a non-disclosure agreement with stakeholders should be signed if possible.
4. Site visit and Checks
<p>The RAP implementation should conduct a visit to the site and make the following checks on the proposed land:</p> <ol style="list-style-type: none"> The legal due diligence team should ensure that the seller is legitimate owner of the land parcel and there are no outstanding disputes. A number of checks on Geotechnical conditions should be undertaken by a civil engineer and architect to ensure the land is suitable for a replacement house to be constructed. They should evaluate the site for topographical constraints, founding conditions, and soils suitability for chosen sanitation provisions. Site proportions should be checked to ensure that the chosen house option can be accommodated within the site. This should include being able to position the house to maximize natural ventilation and sun penetration to rooms. The Company shall warrant that the land will <u>not</u> be subject to future development by the project or is not currently designated for future development by the government or other entities. Assess access to social facilities and this should inform Livelihood Restoration measures.
5. Produce Site Suitability Report
<p>All of the above information should be put together into a site suitability report which confirms the suitability of the site. This will need to be reviewed by the RAP implementation team leader before submission to client for sign off.</p>
6. Prepare MoA with Seller
<p>If the site is suitable, a MoA should be prepared between the replacement site owner (the seller), the PAP and the Government and Project representatives stating that the project wishes to acquire the land on behalf of the PAP and offers to pay XXXX Uganda shillings for the land. It should also state that the Seller authorizes the project to - instruct the required specialists to undertake all the legal steps necessary for the transfer and registration of land title of the replacement to the PAP. The site plan must be attached to the MoA and there must be witnesses to the signing of the MoA.</p>
7. Sign Final Contract with Transfer of Property
<p>Once the land is approved by the Project and the MoA is signed, the project will instruct its legal officer to undertake expeditiously all required actions to achieve all necessary steps to acquire the land. The Government and project representatives and the PAP (and spouse) will sign a contract formalizing the transfer of land. Upon execution of the agreement, the project will commence the process of securing tenure, either by acquiring Certificate of Customary Ownership or Certificate of Freehold. It is important to note that the land in villages within which the PAPs are required to acquire replacement land is majorly customary land.</p> <p>NOTE: The transfer of replacement property to the PAP should occur at the same time or before the land acquisition of project land from the PAP to GoU. However, in some cases it may be necessary for the GoU to acquire the project land before replacement land is secured or transferred. If this need arises each instance must be reviewed on a case by case basis to ensure all provisions are provided to the PAP for the duration of any transient period in line with the principles of the LARF and IFC PS5.</p>
a. Customary Ownership
<p>Under Section 3(1) of the Land Act, Cap 227 of the Laws of Uganda, transfer of land under customary tenure must be in accordance with the governing rules and customs of a particular class of persons to which it belongs. Furthermore, it is not mandatory for a customary land owner to obtain a certificate of title to that effect; however, a customary owner may obtain a certificate of customary ownership to easier future transactions under the following procedure:</p> <ol style="list-style-type: none"> Application for a certificate of customary ownership made to Area Land Committee in prescribed form under Rule 3 form 1 of the first schedule to the Land Regulations Statutory Instrument No. 100/2004, Laws of Uganda. The Area Land Committee will determine and mark the boundaries of all interests in the land, demarcate the rights of way and other easements over the subject land plus other adjacent land. Under Section 61, the Chairperson of the Area Land Committee shall ensure publication of notice of application in a prominent place area of the land and require any person whose claim is affected by the application to attend a meeting of the committee at a specified date and time to put forward their claims.

- 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.

b. 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:

- 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.

8. 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.

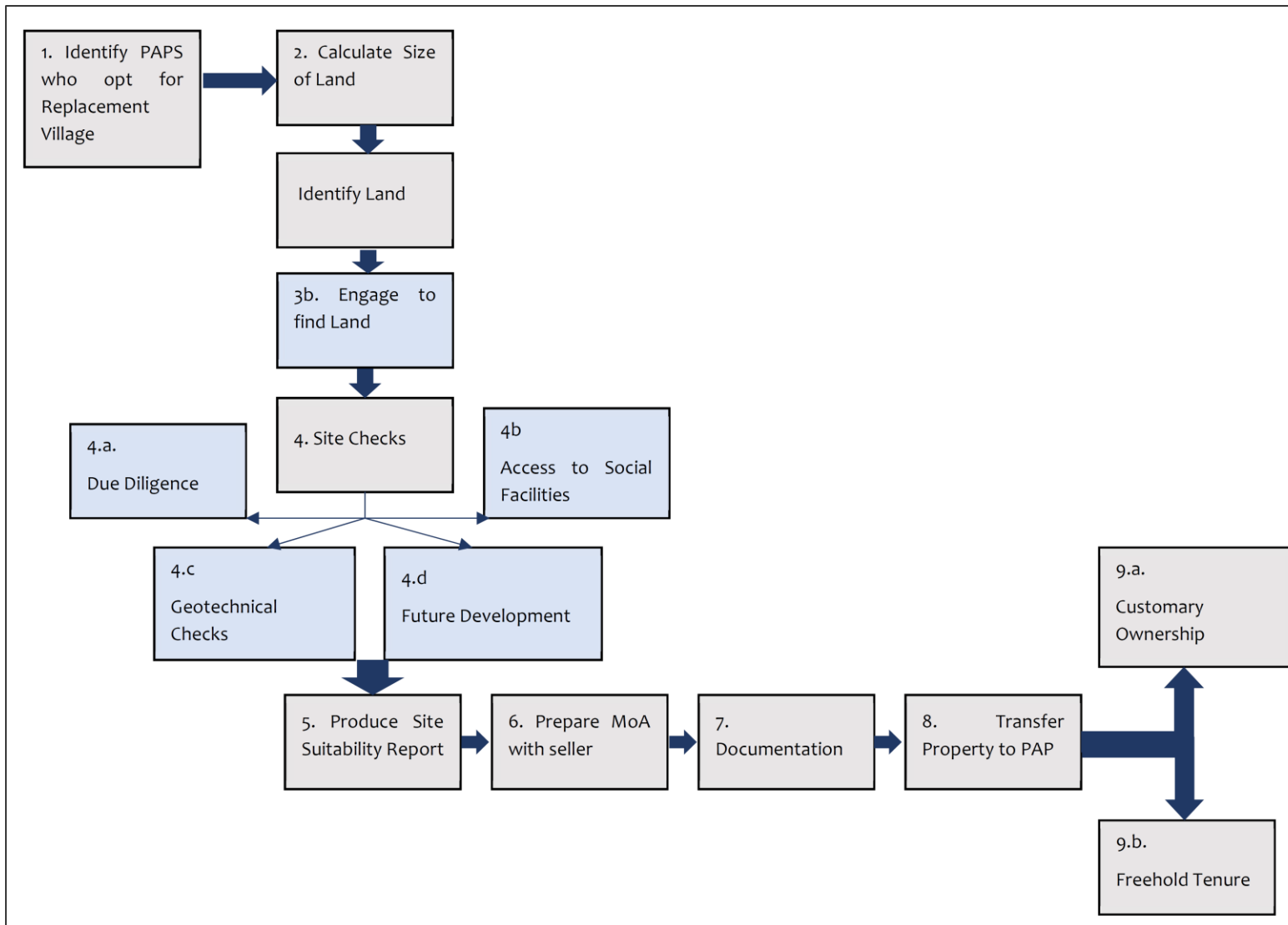


Figure 9.6: Procedure for the Project to identify land for resettlement village(s)

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.⁵⁸ This, therefore, informs the need for land to be acquired permanently on behalf of the Government for the proposed RAP 2 project area. The UNOGP further stipulates the need for agreements to be entered into with landowners to cover aspects such as compensation for their land surface rights.⁵⁹ It is for this purpose that different forms namely the land acquisition form, the spousal consent form and the cut-off date form were used during the preparation of the process for land acquisition.

The Land Owner Identification Form (Appendix 1 of Annexure 1) was signed by each landowner in the affected areas. It contained details of the land including; location, tenure, size, boundaries and the details of land ownership. This information was confirmed by the respective Local Council 1 Chairperson who signs as a witness verifying the information from the landowner. This form was designed to identify landowners.

Through the legal due diligence process, the RAP team also established that there were land users; that is, PAPs who did not own land but owned assets (crops, economic trees, structures) on another person's piece of land i.e. were using the land. The Land User Identification Form (Appendix 1 of Annexure 1) was signed by all land users with assets on the affected land. The Form has all the details of the land user. It was also signed, verified and witnessed by the Local Council 1 Chairperson (LC1) of the village where the affected land is located and the landowner on whose land one is a land user.

Where the PAP was married and the land was matrimonial property, each PAP and their spouse would then sign a Spousal Consent Form (Appendix 1 of Annexure 1) as consent to have their land acquired for the purposes of RAP 2 of the Tilenga project. This is in accordance with the Land Act⁶⁰. However, for avoidance of doubt and future conflicts that may arise out of the acquisition, the RAP Contractor legal due diligence team ensured that, all the spouses to the landowners signed the spousal Consent forms. This also catered for PAPs that would provide contradicting information as to whether their land is matrimonial or not. In instances where the landowner had more than one spouse, both spouses would sign the spousal consent forms.

In accordance with IFC PS 5 under Guidance Note 5, Paragraph 32 which provides for a Cut-off Date (CoD) to be set once a PAP's assets have been valued, the RAP Contractor legal due diligence team instituted a rolling individual CoD where each PAP would sign-off the CoD form (see Appendix 1 of Annexure 1) on completion of the valuation and assessment of their affected land and assets⁶¹, until the final CoD for the RAP 2 footprint was announced at the completion of the valuation exercise on 24th August 2018, and for the water abstraction to KW02A facility, and additional land take at the KW02 facility, on 8th October 2018 and 6th January 2019 respectively.

All forms were translated before execution (i.e. signing) and their meaning explained to the PAP in their respective local languages (mainly Lugungu and Alur) by either the Community Liaison Officer (CLO) on ground or a translator from the local community well versed with both the local language and English. A certificate of translation was also signed by the translator or the CLO. This ensured that PAPs signed documents that they fully understand. IFC PS5 requires that in the event

⁵⁸Paragraph 6.1.1 National Oil and Gas Policy for Uganda, 2008

⁵⁹Ibid.

⁶⁰ Land Act cap. 230

⁶¹ This means PAPs had varying Cut-off Dates as each PAP signed off the cut-off date form as and when their assets were valued or assessed.

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”*⁶².

This Chapter therefore, addresses the form of tenure within the RAP 2 Project area and associated rights as well as the statutory procedures for acquiring replacement land and secure tenure.

10.2. Land Tenure Arrangements

With the exception of the **3.0649** acres of affected land under community infrastructure and public infrastructure and the **3.233** acres in the 200 meter buffer zone of Lake Albert⁶³, which were not assessed for compensation, based on currently available data, majority of the land assessed for compensation under the proposed RAP 2 Project footprint, is held under customary tenure subject to confirmation from the Uganda National Roads Authority (UNRA), Rural Electrification Agency (REA) and Buliisa District Local Government (DLG) of the land tenure (possibly freehold and/or leasehold) under which already surveyed land on which affected community and public infrastructure specifically, the thirteen (13) affected access roads and two (2) Rural Electrification (REA) power lines crossed by the proposed RAP 2 facilities is held (see Appendix 1 in Annexure 1).

Under the customary tenure system, land is owned in perpetuity and is governed by rules generally accepted as binding and authoritative by the class of persons to which it applies as defined by the Land Act Cap 227. In other words, customary regime is not governed by written law. Customary occupants are occupants of former public land and occupy land by virtue of their customary rights; they have proprietary interest in the land and are entitled to certificates of customary ownership, which may be acquired through application to the Parish Land Committee and eventual issuance by the District Land Board.

The Land Act⁶⁴ stipulates the nature of rights that arise out of customary ownership of land and these are:

- a. Lease the land or part of it;
- b. Permit a person usufructuary rights over the land or part of it for a limited time;
- c. Mortgage or pledge the land or part of it;
- d. Subdivide the land or part of it;
- e. Create an easement with the consent of the person entitled to the benefit;
- f. Sell the land or part of it;
- g. Transfer the land or part of it; and
- h. Dispose of the land by will.

Therefore, the PAPs under the Land Act, in executing the Legal Identification Forms are exercising their right under (f) and (g) above. This implies that they have a right to transact/ or use their land in accordance with the rights highlighted.

⁶²Para 3, page 1, IFC Performance Standard 5 Land Acquisition and Involuntary Resettlement, January 1, 2012

⁶³ Traversed by the proposed RAP2 trunk line from KWozB to the Water Abstraction.

⁶⁴ Section 8 of the Land Act Cap 227 Laws of Uganda.

During interactions with the PAPs, the RAP Contractor legal due diligence team established that this customarily owned land had no evidence of land titles or of the land being surveyed despite the presence of a fully constituted Area Land Committee in the Sub-counties where the proposed RAP 2 facilities are to be situated. The PAPs also did not hold Certificates of Customary Ownership as defined by the Land Act, Cap 227 despite the presence of fully constituted Area Land Committees in Ngwedo and Kigwera sub-counties as well as, the Buliisa town council where the RAP 2 project area is located. It is with the Area Land Committee that an applicant for a Certificate of customary ownership lodges an application. It is upon the approval by 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 land⁶⁵ 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 6⁶⁶, 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 whose 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 6.6⁶⁷, consider the application and may confirm the recommendations of the Committee and where those recommendations are to issue a Certificate of customary ownership with or without conditions, restrictions or limitations issue a Certificate of Customary ownership or return the report with directions on further investigations required;
- h. Any person aggrieved by a decision of the Board under this section may appeal to the land tribunal against that decision; and the land tribunal may confirm, vary, reverse or modify the decision of the board, and;
- i. Under Section 8⁶⁸, the effect of a Certificate of customary ownership is that it confers on the holder the right to undertake, subject to the conditions, restrictions and limitations contained in the certificate, any transactions in respect of that land which may include leasing or selling the land or a part of it, where a customary certificate of customary ownership does not restrict it.

⁶⁵Former public land is land that was administered under the 1969 Public Land Act.

⁶⁶Land Act, Cap 227, Laws of Uganda.

⁶⁷Land Act, Cap 227, Laws of Uganda.

⁶⁸Ibid.

The PAPs stated that, they either had agreed orally or had lost their respective Land Sale agreements. Therefore, verification of the sale of land and in effect, ownership was done through consultation with the seller. Where the seller either was deceased or could not be located, verification of ownership was done by consulting the local council area representative and the neighbours.

The above findings (absence of titled land) were further confirmed following a formal Title Deed Search conducted by the RAP Team (see Appendix 1 of Annexure 1 – which also provides the detailed description of the Legal Due Diligence surveys). However, please note that, following the due diligence procedure at the Masindi Zonal Office (MZO) in Masindi, it was established that there is a surveyed piece of land in Kisansya West village.

10.3. Land Ownership and Ties to Clans

As highlighted under Section 10.2 above, land in the RAP 2 project area is customarily owned. It is further noted that, some families in this RAP 2 project footprint originate from clans and, although much of the land may be presupposed to be owned by the clan, individual PAPs and families clearly stated that it is either individually or family-owned and used on an individual or family basis. The clans encountered in the RAP 2 project footprint are indicated in Table 10.1.

Table 10.1: List of clans encountered in the RAP 2 area

#	Clan Name	Facility	Village	RAP No.
1	BAGEMA	NGR-03A, NGR-05A, NGR-03A to NGR-05A, NGR-05A to CPF, NGR-06 to NGR-05A, D3 (Land Ownership still disputed)	Kirama	RAP2/KIR/104
2	BALIBA	Water abstraction point, W3	Kisansya West	RAP2/KIW/021
3	BASAMBU	Water abstraction point, W3	Kisansya West	RAP2/KIW/018
4	BASITA	NGR-06 to NGR-05A, D3	Kigwera	RAP2/KIR/104

10.4. Management of Speculation

Whereas there has been land speculation in Buliisa district over the last few years, speculation was managed through the execution of the different forms. By execution of the Legal identification and cut-off date forms, the PAP as an actual land owner/ land user committed himself/herself not to offer the land to third parties so as to curb further transactions such as land sales to speculators not within the affected area who would have only wanted to benefit from the project after gaining knowledge of the project footprint. After signing the cut-off date forms, the PAP would not be assessed for any other developments in the affected land other than those already assessed before the individual cut off-date.

As discussed in Chapter 5, the Legal due diligence team instituted a rolling Cut-off Date⁶⁹ where each PAP would sign-off the Cut-off Date Form upon completion of the valuation of their assets. Following individual signature of the rolling cut-off date forms, each PAP was explained to that after this date, they would not be considered for compensation for any additional developments taking place after the cut-off date, more specifically, it was emphasised that PAPs could still access their residences, structures and land, grow crops, harvest crops, graze animals until compensation awards were made. However, it was also made clear that any investments (e.g. new structures, new trees/crops) made after the cut-off date would not be eligible for compensation; as these would not be part of the assessed property and included in the budget for compensation awards. Additionally, the final general cut-off date for RAP 2 was announced on 24th August 2018 and for the water abstraction to KW02A facility, and additional land take at the KW02 facility, on 8th

⁶⁹ 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.

October 2018 and 6th January 2019 respectively. During these announcements, meetings were conducted in the affected villages by the stakeholder engagement team. The team would inform the PAPs that they can continue using their land in the manner they deem fit but their assets would not be eligible for assessment and valuation after the announcement.

10.5. Land Titling

It was confirmed from the Department of Surveys and Mapping of the MLHUD that, at the time the field surveys were carried out (26th July – 24th August 2018, and for the water abstraction to KWo2A facility, and additional land take at the KWo2 facility, on 8th October 2018 and 4th – 6th January 2019 respectively), there were no Certificates of Title in the proposed RAP 2 Project area. Additionally, following further consultations with the PAPs and respective Area Land Committees, it was discovered that there were no landowners with certificates of customary ownership. The implication of this finding was that, the land had no known encumbrance at the time of filing this report. However, following a due diligence procedure at the Masindi Zonal Office (MZO) in Masindi, it was established that there is a surveyed piece of land in Kisansya West village. The same surveyed piece of land was not registered under the Registration of Titles Act. It should be noted that under that Registration of Titles Act,⁷⁰ conclusive proof of ownership of land is by a Certificate of Title. Merely surveying land is not proof of ownership of land.

10.6. Absentee Land Owners

During the legal due diligence surveys, absentee landowner forms (see Appendix G1 and G2 of Annexure 1 for District Land Board Verification and Area Land Committee Verification forms) were used for affected landowners that could not be located. Flowcharts (Figure 10.1 (for registered land) and Figure 10.2 (for unregistered land)) were also prepared indicating the procedure to be followed if a landowner is not located. However, by the time the RAP 2 surveys were completed, all PAPs (including those who had disputes) had been identified through consultation with the LC I chairperson and the neighbours. This implies that no absentee land owners were identified in the RAP 2 project area.

The procedure outlined in Figure 10.1 will still however be followed if a land owner becomes absent during the RAP implementation phase, following RAP 2 approval by GoU.

10.7. Family Owned Land – vs – Private Ownership

During the surveys, there were many situations where the land was claimed as family owned land. For example, there were situations where a family owned a piece of land for a number of years, and the head of that family produced children and now the children 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 resolved through mediation wherever possible to arrive at an amicable solution for the families but at the same time within the confines of the law.

⁷⁰ Section 59.

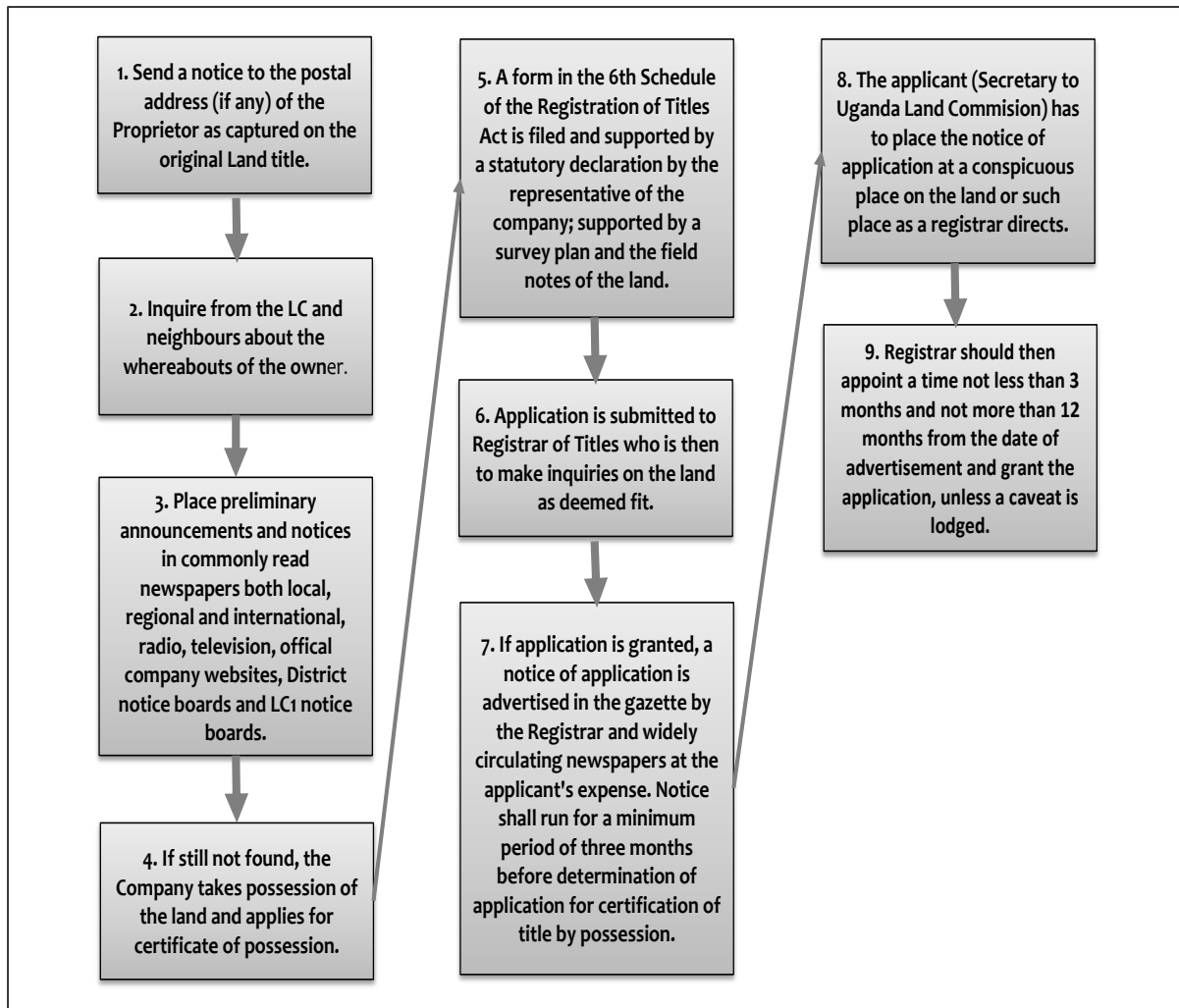


Figure 10.1: Absentee Landlord Flow-Chart for Registered Land (Sections 78 and 79 of the Registration of Titles Act)

10.8. Drafting Family Committee Agreement

Disagreements arising from land sharing by family members were resolved by drafting Family Committee Agreements (see Appendix 1 of Annexure 1). These agreements were drafted where it was clear that the family was large and dealing with the entire family would create complexities for the family when it comes to sharing compensation entitlements and complexities as to who should represent the family to sign project documents. In the agreement it was agreed that the family nominates representatives that would interface with the project whenever need arose.

These agreements were translated to the PAPs and their appointed representatives before execution to ensure that they understood the nature of the agreement and the duties and obligations that arise from it. A certificate of translation was signed to this effect. The execution of the agreement was additionally witnessed by the area LC I Chairman.

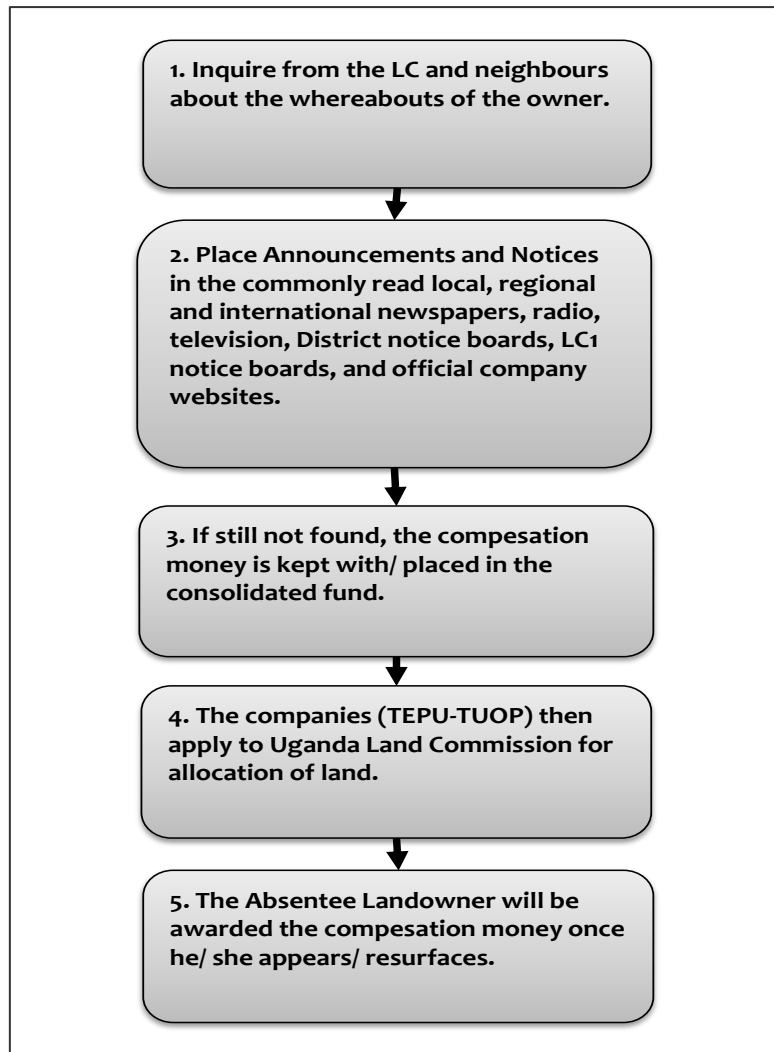


Figure 10.2: Absentee Landlord Flow-Chart for Unregistered Land

10.9. Undertaking Agreements

a) *Elderly Landowners and Land users*

These undertakings were made on behalf of elderly landowners and land users that informed the RAP team that they would not be in position to follow-up the compensation process. The PAPs in this category nominated someone for example, a family relative or a trusted guardian who executed an undertaking to that effect (see Appendix 1 of Annexure 1 for a copy of the undertaking appointing a guardian). There was one (1) PAP in this category.

b) *Minors*

The undertakings were also signed by guardians in respect of PAPs that are minors. Minors as defined by the Contracts Act, 2010 are persons below (18) eighteen years of age. They do not have legal capacity to transact⁷¹. The team encountered six (6) minors affected by the RAP 2 project. In such cases, the guardians of such minors made undertakings to follow/ transact on their behalf.

These Undertakings (for elderly landowners, land users and minors) were translated to the PAPs and their appointed representatives before execution to ensure that they understood the nature

⁷¹ Section 11 of the Contracts Act 2010, Laws of Uganda

of the agreement and the duties and obligations that arise from it. A certificate of translation was signed to that effect. The execution was witnessed by the area LC I Chairman.

c) *Deceased PAPs*

In the event that a project affected person passes on, the family members seeking to benefit from the estate of the deceased are required to provide a short death certificate from the sub-county or a letter from the LC I chairman verifying that the PAP passed on.

Additionally, the family of the deceased is required to provide the minutes of the meeting where a representative was chosen and consented to by all the meeting attendees. The meeting minutes should contain a fully signed attendance register of all attendees who in this case must include the LC I chairman.

Therefore having obtained proof of death of the deceased and a record of the family meeting’s minutes , the project will liaise with the appointed representatives for all purposes pertaining to the land acquisition process including; signing documents, receiving compensation for and on behalf of the family and any other duties that may be required of them.

As of 13th October 2020, 04 RAP 2 PAPs had passed away.

10.10. Communal Land Associations

These are associations formed by a group of people for purposes connected with communal ownership and management of land under customary law or otherwise⁷². At the beginning of the field work, it was also presumed that the land in the RAP 2 project area 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 such committees. However, best industry practice shall be adopted when dealing with communal land associations if found to exist during RAP implementation

10.11. Land under Public Facilities (not assessed for compensation)

10.11.1. Land take under Access Roads and Power lines

The proposed RAP 2 project affects a number of community and public infrastructures such as roads and power lines. These were identified during the data collection exercise and are presented in Table 10.2.

Table 10.2: RAP 2 Affected Access Roads and power lines

	#	Name	Class	Village
ROADS	1	Wanseko-Bugungu Road	UNRA	Kirama
	2	Wanseko-Bugungu Road	UNRA	Kirama
	3	Ngwedo-Kigwera North East Road	Community	Bikongoro
	4	Ngwedo-Kigwera North East Road	Community	Bikongoro
	5	Kasemene Road	Town Council	Kakindo
	6	Kasemene Road	Town Council	Kakindo
	7	Buliisa-Wanseko Road	UNRA	Kakindo/ Kisimo
	8	Buliisa-Wanseko Road	UNRA	Kakindo/ Kisansya West
	9	Buliisa-Wanseko Road	UNRA	Kisansya West

⁷² Section 15 of the Land Act Cap 227

	#	Name	Class	Village
	10	Buliisa-Wanseko Road	Town Council	Kisansya West
	11	Unknown Road	Community	Kisansya West /Kisimo
	12	Unknown Road	Community	Kisansya West/ Kisimo
	13	Unknown Road	Community	Kakindo
POWER LINES	14	Power line	REA	Kakindo
	15	Power line	REA	Kakindo

10.11.2. Land take under protected areas

One of the proposed RAP 2 sites (a trunk line from KW02B to the Water Abstraction) extends up to the 200-metre buffer zone of Lake Albert.

10.11.3. Land affected by other Tilenga Project RAP footprints

RAP 2 Project area land that is affected under other Tilenga project RAP footprints is indicated in Table 10.3 – please note that this land has only been assessed once for compensation and not under each RAP.

Table 10.3: RAP 2 Intersection with other RAP Foot prints.

#	Intersection Point (Village)	Description
1	Bikongoro and Kigwera South East.	RAP 2 intersects RAP 5 (upgrade of existing access roads)
2	Kigwera South East	RAP 2 intersects RAP 5 (upgrade of existing access roads)

10.12. Land Ownership/Boundary Disputes in Court

As pertains to the RAP 2 project area, the team encountered 26 land disputes (see Appendix 1 of Annexure 1). Seven (7) disputes were resolved and nineteen (19) are still pending. Of these 19 pending disputes, three (3) land disputes are pending in the High Court at Masindi.

These disputes relate to ownership and land boundaries.

The RAP team obtained memorandum of Appeals, record of proceedings and Notice of Appeals in respect to the above-mentioned court disputes. Copies obtained of the memoranda of Appeal, letters requesting for record of proceedings and Notices of Appeal are hereto attached in Appendix 1 of Annexure 1.

These disputes are about determination of true ownership of the land. The disputing parties did not allow the RAP team to map out the land or even execute any documentation relating to the identification of land owners pending the determination of the disputes. The parties even threatened violence to the RAP team if it attempted to map out the land stating that, it is only court that can follow up their issues. However, assessments and valuations of assets on the land was allowed and hence undertaken.

The land shall be fully dealt with upon the conclusion of the disputes.

10.13. Land Ownership/ Boundary Disputes not filed in Court

As stated earlier, the RAP 2 project area had no land titles and this caused the lack of clarity on boundaries of the land. Identification of boundaries during the survey process was therefore with the assistance of elders, LC executive leaders and landowners. As a result of lack of clear boundaries, there were instances during the survey process where individuals disagreed on the boundaries. Where the parties disagreed on boundaries, a dispute was registered. Through the

intervention of village LC Executive and elders, seven (7)⁷³ of these disputes were settled amicably. Where a settlement was reached, the RAP Contractor legal team drafted a Memorandum of Understanding (MoU) which was signed by the disputing parties and witnessed by the parties present and the village LC Executive Committee.

However, there were sixteen (16) pending disputes and the land owners of the disputed land thereof were not verified because the disputing parties did not allow the land to be mapped out.

These disputes (see Appendix 1 of Annexure 1) have not been filed before any entity with capacity to determine disputes and make a binding decision. As such, their resolution shall depend on the good will of the parties to allow informal mediation by different stakeholders for example, the LC executive committee.

Compensation for disputed land will only be issued to the rightful owners after proper resolution of the disputes. The RAP Contractor team will continue to monitor and track the progress of the resolution of these disputes for purposes of the acquisition of the land.

10.14. Cut-off Date Implementation

The Cut-off Date process involved valuation of the PAPs assets and signing-off of the Cut-off Date forms. The Cut-off Date process was implemented by having both land owners and land users execute the Cut-off Date form. A final Cut-off Date for the RAP 2 was declared on 24th August 2018, on 08th October 2018 for the water abstraction to KW02A facility and 06th January 2019 for additional land take at the KW02 facility. The RAP team clarified that PAPs could still access their residences, structures and land, grow crops, harvest crops, graze animals until compensation awards were made. However, it was also made clear that any investments (e.g. new structures, new trees/crops) made after the cut-off date would not be eligible for compensation as these would not be part of the assessed property and included in the budget for compensation awards.

10.15. Statutory Procedures for Land Acquisition

The Constitution of the Republic of Uganda entitles every citizen to own land either individually or in association with others and that such land shall not be compulsorily acquired unless prompt and fair compensation is made and the acquisition is for public use⁷⁴.

The Ugandan National Oil and Gas Policy, 2008⁷⁵, is to the effect that agreements have to be entered into with landowners to cover aspects such as compensation for their land surface rights.

Section 135 (1) (b) of the Petroleum Exploration, Development and Production Act⁷⁶ 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 (PAU) considers the matter taking into consideration the concerns of both parties.

The issue of consent was discussed in Uganda National Roads Authority (UNRA) vs. Asuman Irumba and another (2014),⁷⁷ 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

⁷³ These were documented, mainly by the CLO's who filled in the grievance mechanism forms. There also land dispute agreements that were signed by the PAPs.

⁷⁴ Article 26 of the 1995 Constitution of the Republic of Uganda

⁷⁵ Ibid

⁷⁶ Act no 3 of 2013

⁷⁷ Supreme Court Constitutional Appeal No.2 of 2014

by government. This judgment was in respect to Section 7 of the Land Acquisition Act⁷⁸, where land declared as that for public purposes was compulsorily acquired by the Uganda Land Commission (ULC).

Thus, the subject of consent in RAP 2 was dealt with by holding community engagements through which the PAPs were duly informed of the Project. For instance, during the final CoD announcements, a stakeholder engagement with the PAPs was conducted and the PAPs were extensively addressed on the following matters;

- The importance of the Project to the Country,
- The reason why their land was required,
- The steps that would be involved in acquiring the land, and
- The documentation required from the PAPs.

The Process was also participatory enabling PAPs to express themselves and raise questions, which were duly addressed. The purpose of having these engagements before the identification and verification process was to ensure that each PAP fully understood the purpose for which they would be giving up their land. The outcome of these engagements was the ability of each PAP to give informed consent to the RAP activities.

Section 135 of the Petroleum Exploration, Development and Production Act, further, requires written consent to be attained from landowners whose;

- a. House or building is within two hundred (200) metres,
- b. Land prepared for growing of agricultural crops or on which agricultural crops are growing within fifty metres, and
- c. Cattle dip-tank, dam or water used by human beings or cattle is within one hundred (100) metres from the land, which is the site of the proposed activities. As regards to this, in response to a request for interpretation of this section of the Act by TEP Uganda, the Petroleum Authority of Uganda confirmed during the Tilenga Project RAP 1 planning process that it would be required for the Licensee to obtain this consent as per Section 135 above. This consent will therefore be attained during the RAP implementation phase (see Appendix 1 of Annexure 1 for a copy of the consent form).

10.16. Statutory Procedures in Case of Expropriation

The Project must explore all opportunities to reach an agreement with PAPs before initiating an expropriation process, which should be considered as a last resort for the Project as per the requirements of IFC PS5, which states:

“In cases where affected persons reject compensation offers that meet the requirements of this Performance Standard and, as a result, expropriation or other legal procedures are initiated, the client will explore opportunities to collaborate with the responsible government agency, and if permitted by the agency, play an active role in the resettlement planning, implementation, and monitoring.”

As indicated, Article 26 of the 1995 Constitution of the Republic of Uganda⁷⁹ provides for the protection of citizens from deprivation of property. The article is to the effect that every citizen has a right to own property either individually or in association with others. This implies that no person shall be deprived of his or her property or any interest or right over the property unless there is a due process followed.

⁷⁸ Ibid

⁷⁹ Ibid

The conditions, which must be satisfied for a person to be compulsorily deprived of their property or their right/interest in the property are;

- I. That the possession or acquisition is necessary for public use or in the interest of defence, public safety, public order, public morality or public health,
- II. The compulsory acquisition is made under a law that provides for prompt payment of fair and adequate compensation prior to acquisition, and
- III. The compulsory acquisition is made under a law that provides for a right of access to a court of law by any person who has an interest or right over the property. The law in this aspect is the Land Acquisition Act.⁸⁰

This process should therefore only be considered after initial compensation negotiations fail.

10.17. Securing Replacement Land

The tasks of securing replacement land have been divided into three categories:

- Securing replacement farmland – This is to be done in partnership with the PAP losing land who will locate replacement farmland for the project to acquire on their behalf;
- Securing replacement residential plots - This is to be done in partnership with the PAP losing land who will locate the replacement residential plot for the project to acquire on their behalf; and
- Securing land for replacement village – This will be carried out by the project.

Procedures for these three categories are provided in Chapter 9.

⁸⁰ibid

11. LIVELIHOOD RESTORATION

Refer to the Global Livelihood Restoration Plan (Annexure 7).

12. VULNERABLE HOUSEHOLDS

12.1. IFC Guidance & Uganda's Requirement

Within the context of resettlement and land acquisition the term “vulnerable groups” is given to individuals, households, or groups of people that may be disproportionately affected by the resettlement process based on their gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status within their community.

In Uganda there is a constitutional imperative to protect those defined as marginal and the 1995 Constitution states that “*the State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason [...] for the purpose of redressing imbalances which exist against them*”. This commitment is not specific to the context of resettlement and land acquisition but may be read as applying.

More specifically the IFC defines vulnerable people as, “those who by virtue of gender, ethnicity, age, physical or mental disability, economic or social status may be more adversely affected by displacement than others, and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.” Within the context of the LARF is a commitment to resettlement planning with a focus on vulnerable project affected persons. To this end, the LARF requires that the census be used to identify those households or individuals that might be regarded as vulnerable. Following identification, there is a requirement to ensure that consultation and engagement is targeted to include the vulnerable and that support via a Vulnerable People Programme (VPP) is set out in resettlement planning. In regards to treatment of vulnerable people, the IFC guidance states that, “compensation and restoration packages for vulnerable people should include additional forms of support, and should favour the lowest risk mitigation options wherever possible.”

The census, or more specifically the socio-economic baseline survey component included a set of questions aimed at identifying potentially vulnerable households and individuals within households.

The Interview Programme, through Focus Group Discussions (FGDs) and Key Informant Interviews (KIIs), also explored who the vulnerable people are in the villages within the RAP 2 project area, and some of the ways in which they might be affected.

12.2. Project Responsibilities

The LARF requires the development of a Vulnerable People Programme. This requires the identification of vulnerable groups (as above) and the development of measures to support them during resettlement planning, agreement negotiation, compensation disbursement, physical relocation, and livelihood restoration where needed.

The responsibility of the project proponents during RAP implementation is as follows:

- Understand the presence of vulnerability in the area;
- Identify and list which households and individuals are vulnerable to negative interactions with the resettlement processes, and;
- Develop or adjust activities to manage (avoid, minimise, compensate) displacement's particular impacts on vulnerable households and individuals, as a result of the interactions between vulnerable households and the resettlement processes.

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

Section 12.7 sets out the programmes of interventions that should be adopted during the implementation phase of resettlement to ensure that the vulnerable are offered the protection necessary to ensure that they do not suffer disproportionately during the process.

12.3. Identifying Vulnerable People Groups

Implementation of projects that leads to loss of assets and livelihood disruption usually affects some people more than others; these categories of people are known as potentially vulnerable. Since the overall objective of resettlement is to restore or improve the living standards and livelihoods of displaced people, it is important to identify groups that are particularly at risk. The groups below are potentially vulnerable and may require special assistance during RAP implementation.

Supporting information that will help determine if a household or person possesses the characteristics described in the categories below can be found in the socio-economic survey data. It should be noted that forms of vulnerability do overlap (e.g. women in general are vulnerable, but female-heads of households have an added layer of vulnerability. Similarly, children are generally vulnerable, but orphaned children have an added layer of vulnerability).

12.3.1. Elderly Headed Households

These are defined as, households in which the head is over 65 years of age. These heads of households may be frail, heavily dependent on extended family and/or government for support, or have no support group at all (i.e., live alone).

The elderly are particularly vulnerable in resettlement processes because they often lack the physical capacity or economic opportunity to transition to new sources of income after resettlement due to their age.

While elderly headed households are potentially defined as vulnerable, other factors such as support from family members or assistance/allowance from government should be taken into account when assessing their vulnerability. For instance, elderly headed households comprising of large families where the head is the elderly patriarch or matriarch, who has considerable support from the children and grandchildren may not be vulnerable due to the presence of a strong support system.

12.3.2. Elderly Dominated Households

These are defined as, households comprised mostly of the elderly (ratio greater than 1 per working age household member). These may have less recourse to support by younger family members and are susceptible to the impacts of resettlement in much the same way as elderly headed households.

12.3.3. Female headed households and women

Female-Headed Households are defined as, households where the female is recognised as the sole or main income earner and decision maker in areas concerning the welfare of the members of the household. Also, the state of a woman being a household head may derive from being unmarried, divorced, separated, or widowed. However, women in general are traditionally more vulnerable than men in countries like Uganda where inequalities persist between genders. For example, customary practices in terms of land rights are biased against women making them less economically independent. Customary marriages only give women access rights to land, but do not protect their land rights leaving them vulnerable to losing access to land in case of polygamy, marriage breakdown or widowhood.

The 2015 and 2016 baseline surveys in the project area revealed cash compensations during the exploration phase had a negative impact on families (increased separation, divorce) and

contributed to an increase in domestic violence against women (cases of husbands or male relatives threatening women to get the money that women obtained from compensations of damages in their crop fields). Domestic violence is one of the commonest forms of crime in Buliisa district, though under-reported in official records.

Upon the death of the husband, the husband's family in many cases deny land rights to widows, and this can render the household destitute. Where the head of a household is female, the household can be disadvantaged in that gender discrimination may limit women's access to resources, opportunities and public services that help women improve their standard of living. In addition, when a female is the only productive adult in the household, they must manage the household livelihood and act as caregiver to any children which makes them vulnerable to shocks and changes.

12.3.4. Child headed households and orphans

Child-headed households are defined as, households where the head is younger than 18 years of age or a household solely comprised of children under the age of 18, who have no support from an adult family member (i.e. orphaned or abandoned).

According to the **Uganda National Household Survey 2016/17**, 11 percent of the children younger than 18 years were orphaned i.e. they have lost one or both parents.

This category is considered vulnerable because ideally they should be dependent on others for support. In some households orphan hood leads to child-heads of households that face increasing household adversity and rising levels of responsibility for their family members during and after resettlement.

12.3.5. Households with members living with disability or serious health conditions

These are households where one or more household members suffer from a physical disability, mental disability, or long-term/chronic illness. Serious health conditions subject the households to financial burdens since disabled or sick family members are not able to work or help contribute to the household income.

The presence of family members who are disabled or chronically ill places a strain on family finances needed for their medication as well as emotional burden to family members who are assigned to care for them. It could also imply a reduction in the labour/income producing potential of the household.

According to the Uganda Social Development Programme⁸¹, households where at least one member has severe or partial disability have a poverty rate of 30%, compared to the national average of 22%.

12.3.6. Households with majority of dependents that are below the legal working age

These are households that have majority of their dependents below the age of 14 years. It is assumed that the head of household and other adult productive members of the household have a large population of unproductive individuals to fend/care for that may take their time away from focusing on improving or sustaining their livelihood (e.g., time for farming, selling/trading, etc.).

Additionally, children below the age of 14 years require additional resources for education, healthcare and feeding, yet they are not directly contributing to production or income-generation in the household. Children in homes with many dependants are likely to be involved in child labour to meet household livelihood needs.

⁸¹ <http://socialprotection.go.ug/newwebsite2/wp-content/uploads/2016/07/National-Social-Protection-Policy-uganda.pdf>

Young girls in such households have an added layer of vulnerability: they face risks of defilement, child marriage, and early pregnancy. Early pregnancy and marriage often results in girls leaving school, which limits their capacity to meaningfully participate in decision making. Increased expendable cash in the project area plus increased “foreign” workers attracted by the oil and gas industry could contribute to the increased rates of defilement and child mothers. In cases where cash compensation leads to domestic violence and family breakup, or where parents squander cash compensation, children are at risk of destitution.

12.3.7. Households that are considered ‘poor’ as per national definition

The National Development Plan (II) defined the poor as, people living on less than 1.25 dollars per day (the poverty line). This translates into monthly living expenses of 37.5 dollars, equivalent to 138,500 Uganda Shillings as of August 2019. More locally, a poverty study (World Bank, 2018) revealed that Buliisa district has the Western region’s highest poverty rates at 14 percent for the total population and 16 percent among children. Buliisa district houses four of the Western region’s poorest sub-counties. More specifically, Buliisa sub-county has the highest poverty rate in the Western region, which reaches 18.5 percent for the general population and 20.7 percent for the child population⁸².

Households living below the poverty line are vulnerable because they do not have the income or assets that will assist them in coping through the effects of resettlement. Children living in poor households often do not attend school and are more likely to engage in child labour.

For instance, the poor are reliant on cash making them vulnerable to changes in prices of everyday commodities. They may live a hand-to-mouth existence with very little or no secondary income and have less ability to cope with shocks or changes. Thus, loss of their main source of income (i.e., land) makes them more vulnerable than the rest of the community and they may have more difficulty recovering.

However, the socio-economic data collected relating to household income and expenditure is deemed unreliable because there was a tendency for respondents to over-state their income and expenditures, and many respondents included periodic or seasonal income and expenditure (agricultural inputs and sales, school/educational expenses) in monthly figures. However, on-the-ground verification during RAP Implementation will identify such households.

12.3.8. Other groups

Other groups or individuals may also be exposed to the risk of displacement-induced vulnerability. This risk condition exists for these other vulnerable groups because they are unlikely to cope with external shocks resulting from displacement:

- **Landless Households** – The Tilenga project ESIA documented that oil developments in the region and the associated resettlement and compensation process are likely to create incentives for increased land speculation and commercialisation of land, leading to increased transition from customary land ownership and communally held land to privatisation and individualisation of land.
- Unfarmed communal land is the main source of pasture and natural resource harvesting, especially in the Bagungu-dominated villages. The commercialisation of land will lead to loss of customary tenure rights and increasing risk of landlessness for some individuals and groups due to sale of clan land without their knowledge or consent. Land grabbing by local and non-local elites is an added risk factor. This will lead to destitution of women, children

⁸² World Bank, 2018. Poverty Maps of Uganda - Mapping the Spatial Distribution of Poor Households Based on Data from the 2012/13 Uganda National Household Survey and the 2014 National Housing and Population Census Technical Report

and the next generation because oil-related inflation will make it harder for younger people to acquire land for settlement and farming.

- Agriculture is central to securing household food security and forms the basis for most trade. As such, access to land for farming is critical in minimising household vulnerability.
- **Herdsman (also known as *Balisya*)** – These are individuals hired by cattle-owning households to care for their animals either on a temporary or full-time basis. The loss of grazing land may lead to the reduction of cattle stock numbers, and a commensurate reduced need for herdsman. This may undermine the livelihoods of herdsman without recourse to compensation or resettlement benefits. This vulnerable group is not specifically included in the household of the cattle-owner (as a renter) and they are likely to be established as separate households. As such, they are not necessarily reflected in the socio-economic baseline of the affected households unless they are also directly affected asset owners. For RAP 2, loss of grazing land is expected to be minimal. The percentage land take of RAP 2 as a function of the total land area in Buliisa district is 0.05%. *Balisya* affected in their capacity as employees of cattle owning PAPs will be given special consideration during the development of household specific livelihood plans.

12.4. Developing the Vulnerable Peoples List

Based on the categories in Table 12.1, of the 296 PAHs affected by RAP 2, 152 households (51.35%) of the total number of 296 surveyed PAHs based on 100% socio-economic census coverage affected by the RAP 2 are considered potentially vulnerable (in the case of the female-headed households, only those without adult males are considered).

From the list of vulnerable households, individuals who are registered as PAPs under each household and possess specific vulnerability characteristics related to their gender, marital status, age, and health status (i.e., physical or mental disability or long-term illness) were subjected to a scoring criteria (See Table 12.2) and a Vulnerable Project Affected Households (VPAH) list developed for RAP 2 (See Annexure 8 for a detailed list of vulnerable PAP households) as of 17th November 2020.

Table 12.1: Summary of Potentially Vulnerable Households in RAP 2

Vulnerability Category	No. of Households	No. of Household Heads who are PAPs	Percentage of Total Households surveyed
Elderly Headed Households	31	31	10.47%
Elderly Dominated Households	4	4	1.35%
Female Headed Households	66	66	22.30%
Child Headed Households	0	0	0.00%
Households with members living with mental disability	21	1	0.34%
Households with members living with physical disability	36	11	3.72%
Households with members living with long-term illness	26	7	2.36%
Households with majority of dependents that are below the legal working age	36	35	11.82%
Households that are considered 'poor' as per district definitions			0.00%

Vulnerability Category	No. of Households	No. of Household Heads who are PAPs	Percentage of Total Households surveyed
Households that are landless	0	0	0.00%
Herdsmen/Balisya	To be determined (See note 1)*	N/A	N/A
Child Bride/Groom <18	0	0	0

***Note 1:** The number of 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 likelihood assistance programmes may need to be developed.

Table 12.2: Scoring criteria for developing the VPAH list

No.	Vulnerability Category	Criterion	Vulnerability Score
1	Sex and gender of Head of Household (Female Headed Household)	Female head of household with an economically active adult man in the household	5
		Female head of household without an economically active man in the household	25
		Female head of household who is a PAP	15
		Female head of household who is Not a PAP	5
2	Age of Head of Household (Elderly Headed Household)	65+ years	10
		65+ years with number of dependants 7+	15
3	Elderly Dominated Households	Ratio of number of HH members aged 65+ years over number of HH members of working age being greater than 1	15
4	Child Headed Households	Age of head of HH less than 18 years	30
5	Households with members living with Disability	Mental disability	10
		Physical disability	10
		Long term illness	15
6	Households with major dependents below legal working age	HH with child dependency ratio equal or greater than 3; (Child dependency ratio equals No. of children 0-13yrs over No. of working age 14-64 yrs.)	25
		Total Score	180*

* A PAP with a score 50 is a VPAH and above qualifies to be listed as Vulnerable

Based on the scoring criteria in Table 12.2 above, 6.76% (20) of the RAP 2 PAHs are categorised as Vulnerable.

The RAP 2 VPAH list is subject to update and verification through stakeholder engagement with household heads and persons included in the list as well as key stakeholders from the village and district during RAP implementation.

12.5. Update and Verification of Vulnerable Peoples List

Given the potential for delay between RAP planning and implementation, the vulnerability status of individuals and PAHs may have changed. Furthermore, based on experience engaging with PAPs and informal field observations during RAP1 implementation, it was observed that many PAP households who belonged to one of the above groups (i.e. were categorised as vulnerable during

RAP 1 planning) were, in actuality, equipped with support or coping mechanisms that make them resilient.

For RAP 2, implementation will begin with an intensive round of stakeholder engagement to set the stage for formal disclosure and agreement signing. During this round of engagement, variables to be used for validating vulnerability will be discussed with key stakeholders (DIRCO, RPC, etc.). The SE team will visit all households on the VPAP list in order to confirm their vulnerability status, generate an updated VPAP list, and to outline the planned support. Management of vulnerability in the context of the Global LR will be managed by the LR team.

12.6. Changes in Vulnerability Status during Implementation

Over the course of RAP implementation, the team will scan for emerging cases of vulnerability as part of the M&E activities. Additions or subtractions from the list may be recommended. The criteria for removing an individual or a household from the list will be based upon any changes in their condition and situation that result in them no longer meeting the vulnerability criteria and confirmation by the SE, LR teams and the Buliisa DCDO.

12.7. Vulnerable Peoples Programme (VPP)

While vulnerability may be prevalent in the project area, the VPP is concerned with the **interactions** between resettlement processes and potentially vulnerable people (Table 12.3). The project is not responsible for reducing general levels of vulnerability in society. In general, vulnerability manifests as an issue during implementation through:

- Ability to access / participate in resettlement processes; and
- Consequences of the design of processes.

Table 12.3: Interaction between Vulnerability and Resettlement Processes

Resettlement Process	Target participants	Interaction with vulnerability
Disclosure and agreement signing	<ul style="list-style-type: none"> • PAPs and interested HH members (disclosures) 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to access or attend events or are disadvantaged by doing so (e.g. a single HoH having to stop working in order to attend an event).
Payment (including consequences of cash)	<ul style="list-style-type: none"> • PAPs 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to access or attend events, travel to the bank, or are disadvantaged by doing so (e.g. a single HoH having to stop working in order to attend an event). • Liquidating assets may change individuals' behaviour that can have negative consequences on VPAPs (poor HH women, and elderly may be affected by breakup of families, decisions about use of cash, and emigration of adults).
Relocation	<ul style="list-style-type: none"> • HH 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to move their assets to their new location. • Location or resettlement home, in kind plot, or purchased replacement plot may be significantly farther from critical resources (water supply, clinic, market) and support (family, relatives, clan). • House design may not accommodate disabilities.
Cultural Heritage	<ul style="list-style-type: none"> • Group 	<ul style="list-style-type: none"> • People with mobility issues (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) may not be able to access or attend events.

Resettlement Process	Target participants	Interaction with vulnerability
Livelihood restoration	<ul style="list-style-type: none"> • HH 	<ul style="list-style-type: none"> • People with mobility or health issues (elderly PAP, single PAP, disabled PAP or PAPs with dependents in the HH) may not be able to access or attend events. • HHs with high number of dependants (vulnerable, elderly, children) and few 'productive' members may not be able to commit the time to participate in intensive projects. • Projects that favour certain vulnerable groups (in particular women) can trigger reactionary consequences if they overtly challenge or seek to change the status quo.

The management of vulnerability will be undertaken via a structured programme that is part of the implementation process and will be tracked through the RAP implementation M&E process.

In the context of physical and economic displacement, vulnerability management planning follows the principles of impact and risk management. Activities will be designed to manage the consequences (impacts and risks) of the interactions between project activities (resettlement processes) and vulnerable groups (See Table 12.4). Activities are targeted and designed in line with the mitigation hierarchy.

Table 12.4: Proposed Vulnerable People Support Programmes and Interventions

Resettlement Process	Target participants	Support Programme / Interventions
Disclosure and agreement signing	<ul style="list-style-type: none"> • PAPs with mobility issues (elderly PAP, disabled PAP) who cannot physically travel to the disclosure site. • PAPs with dependents that they care for and cannot leave them in the house alone to attend the events. • PAPs who are single HoH who may have difficulty attending events. • PAPs HoH who may have to stop working in order to attend the disclosure. 	<ul style="list-style-type: none"> • Provide transportation for all VPAPs to disclosure and signing events. • Disclosure and signing team to establish a unit to visit VPAP HHs for disclosure and signing (including support for illiterate VPAPs in signing of agreements (i.e. translation and finger printing).
Payment (including consequences of cash compensation)	<ul style="list-style-type: none"> • PAPs with mobility issues (elderly PAP, disabled PAP) who cannot physically travel to the bank. • PAPs HoH who may have to stop working in order to travel to the bank. • PAPs with dependents that they care for and cannot leave them in the house alone so they can go to the bank. • Female PAPs who may encounter challenges in accessing the cash. • Elderly PAPs who may be affected by breakup of families, decisions about the use of cash or emigration of adults. 	<ul style="list-style-type: none"> • Provide transportation for all VPAPs to payment events. • Provide 5 trips to the bank for VPAPs to support access to their compensation and to encourage them to keep their money in the bank. • Consider a mobile bank system with the Bank. • M&E to closely track family status of significantly impacted VPAP HH and to encourage immediate repurchase of land. • Remaining individuals in HH where a HoH / PAP has emigrated are eligible for intensive LR projects. • M&E to reinforce financial literacy training and to discuss use of cash as a livelihood resource.
Relocation	<ul style="list-style-type: none"> • PAPs with mobility issues (elderly PAP, disabled PAP) who may not be able to move their assets to their new location and/or those who encounter difficulty living in traditionally designed houses (people using wheelchairs). • PAPs with dependents that they care for who may not be able to move their assets to their new location. 	<p>Relocation assistance will include:</p> <ul style="list-style-type: none"> • Providing vehicle, driver and facilitation for transportation of assets from primary and secondary structures to new location. • Transportation support for access to primary health care / water during transition period. <p>Secondary structure re-establishment:</p> <ul style="list-style-type: none"> • Provide assistance in re-establishing structures including planning, acquisition (not payment for) and transportation of materials and workforce, supervision <p>Viable relocation:</p>

Resettlement Process	Target participants	Support Programme / Interventions
		<ul style="list-style-type: none"> Support VPAPs to identify, purchase and title plots (regardless of whether they chose cash or in-kind compensation) that are close to critical resources and/or support. <p>Accessible house design:</p> <ul style="list-style-type: none"> For primary resident VPAPs: Ensure house design accounts for mobility challenges (i.e., wheelchair access).
Cultural Heritage	<ul style="list-style-type: none"> PAPs (elderly PAP, single PAP, disabled PAP, or PAPs with dependents in the HH) who are members of a family or clan that need to access or attend the ceremonies or events during relocation of their cultural heritage assets. 	<ul style="list-style-type: none"> Provide transportation for all VPAPs for cultural heritage ceremonies.
Livelihood restoration	<ul style="list-style-type: none"> PAPs with mobility or health issues (elderly PAP, single PAP, disabled PAP) who may not be able to physically access or attend events. HHs with high numbers of dependants (vulnerable, elderly, children) and few 'productive' members who may not be able to commit the time to participate in time-intensive projects. PAPs who may be discriminated against and unable to find new land to use. Female PAPs who may face Gender Based Violence (GBV) due to household stresses of transition or if they are deemed to be breaking family and traditional norms. 	<p>General:</p> <ul style="list-style-type: none"> All VPAP HH are prioritised for selection in livelihood restoration projects based on the HH Livelihood Plan; M&E field officers to closely monitor status of VPAPs during transition period. HH Livelihood Restoration Plan to outline reasonable support needed (transportation, child minding) for VPAP HH to access their chosen projects. Global LR project design to consider needs of VPAP HH when selecting locations and setting schedule for projects; consider evening training. M&E field officers support HH to participate in external ongoing development sector and government programmes. For example, help elderly people apply for Senior Citizens Grants (SCG) under the Ugandan government's Social Assistance Grants for Empowerment (SAGE) programme. <p>To support vulnerable land users and tenants:</p> <ul style="list-style-type: none"> M&E field officers will actively support significantly impacted vulnerable HH to identify new land to use / accommodation to rent.

Resettlement Process	Target participants	Support Programme / Interventions
		<ul style="list-style-type: none"> • Transitional support for land users who are unable to find new land to use resulting in a missed crop cycle⁸³. <p>To support role of women in livelihood restoration and mitigate risk of increase in GBV:</p> <ul style="list-style-type: none"> • M&E field officers to work with HH to identify roles for all productive household members in agreement with the entire HH and to identify HH at risk of GBV to refer to appropriate channels (such as local NGOs or local authorities). • Detailed project design to consider equitable programming⁸⁴ for men and women to avoid men feeling left out in favour of women. • Avoid projects and language that overtly appear to challenge the gender status quo.

⁸³ The RAP Contractor team will set criteria to ensure that the HH made active documented efforts and that the transitional support is not an incentive to not seek to restore livelihood restoration. For example, the PAP cannot participate in LR projects until they have secured land to use.

⁸⁴ This does not mean each training has seats for 50% men and 50% women. Rather, if there is a special project / activity that targets women, then there must be an equitable project that targets men.

12.8. Monitoring and Evaluation of Vulnerable Peoples

Vulnerability will be one of the cross-cutting issues for implementation and post implementation phase monitoring. The monitoring plan will ensure that vulnerable categories have been appropriately disaggregated, considered and treated and form part of the monitoring process and ensure that any additional monitoring measures required are put in place. This may mean undertaking individual consultations with these groups to ensure they are receiving the appropriate levels of compensation and support. Independent verification may be required to be put in place.

As with all aspects of the M&E system, care should be taken to keep it as simple as possible. This monitoring is to ensure that requirements are met, and that any shortfalls are identified and addressed. The M&E third party contract, should therefore include provision for necessary interventions, provided that any potential conflict of interest is avoided (whereby the sub-contracted entity might seek to expand its operational role unnecessarily).

Monitoring and evaluation activities will consider the indicators included in Table 12.5 and will scan for emerging vulnerability issues that may be direct or indirect results of project induced displacement.

The Vulnerable Peoples list will be updated formally on a quarterly basis by the RAP Contractor M&E team with input from both the RAP Contractor SE and LR teams based on their ongoing interaction with PAPs. Any increase or decrease in the number of VPAPs will be noted in progress reports and confirmed with the Buliisa DCDO. Key Performance Indicators (KPIs) will still be tracked as a percentage of identified VPAPs.

Table 12.5: Proposed Monitoring & Evaluation Activities for Vulnerable People

Activity	VP-Specific Support / Intervention	Output Indicators	Outcome Indicators
Disclosures and agreement signing	<ul style="list-style-type: none"> • Transportation to disclosure and signing events. • Home visits for disclosure and agreement signing. 	<ul style="list-style-type: none"> • # of trips arranged for VPAPs to participate in disclosure/ signing activities. • # of home visits made to VPAPs for disclosure/agreement signing. 	<ul style="list-style-type: none"> • VPAPs have copies of their completed and signed compensation agreements that triggers payment of their compensation (either monetary or in-kind).
Compensation Payment	<ul style="list-style-type: none"> • Transportation to payment events • Transportation to the bank for VPAPs to support access to their compensation. • Establishment of mobile bank system. • Various M&E support activities as outlined in M&E. 	<ul style="list-style-type: none"> • # of trips arranged for VPAPs to open accounts in the bank. • # of trips arranged for VPAPs to access compensation money in the bank. • # of home visits made to VPAPs to deliver payments in cash. • # of VPAPs who accessed compensation money through the mobile bank system. • # of VPAPs actively participating in the M&E. 	<ul style="list-style-type: none"> • VPAPs that have been fully compensated. • VPAPs have used their compensation money to repurchase land, save or invest.
Relocation (Housing)	<ul style="list-style-type: none"> • Transportation to move to new location. • Transportation support for access to primary health care / water during transition period. • Assistance in re-establishing structures and transportation support for materials. • Availability/choice of house designs that account for mobility challenges. 	<ul style="list-style-type: none"> • # of trips arranged for VPAPs to move to their new homes. • # of trips arranged for VPAPs to access primary health care / water during transition period. • # of VPAPs who received assistance in re-establishing their structures in their new homes. • # of trips arranged for VPAPs to transport materials to the new location. • # of VPAPs with physical disabilities who receive improved house designs. • # of elderly VPAPs with mobility issues who receive improved house designs. 	<ul style="list-style-type: none"> • VPAPs have successfully relocated and are well-adjusted in their new homes.

Activity	VP-Specific Support / Intervention	Output Indicators	Outcome Indicators
		<ul style="list-style-type: none"> # of VPAPs who receive transportation assistance in relocating to their new home. 	
Relocation (Cultural Assets)	<ul style="list-style-type: none"> Transportation to attend cultural heritage relocation ceremonies. 	<ul style="list-style-type: none"> # VPAPs who were provided transportation to attend CH relocation ceremonies. # of trips arranged for VPAPs to be transported to/from the new GH site. 	<ul style="list-style-type: none"> Cultural assets owned by the VPAPs or their families or clans are successfully moved to the new location of their choice or the resettlement cemetery (for the individual graves)
Livelihood restoration	The indicators for the various livelihood restoration programs will developed upon the approval of the Global Livelihood Restoration (GLR) Plan by GoU and once the individual project designs are finalised.		

13. CULTURAL HERITAGE

13.1. Introduction

As per IFC Performance Standard 8, Cultural Heritage is defined as, “*properties and sites of archaeological, historical, cultural, artistic and religious significance as well intangible forms of culture embodying traditional lifestyles that should be preserved for the current and future generations*”.

The purpose of this Chapter therefore is to document the potential impacts on cultural heritage as a result of implementation of the proposed RAP 2 project and to outline how such impacts are to be mitigated through a Cultural Heritage Management Plan (CHMP) and Chance Finds Procedure (CFP).

13.2. Legal and Policy Considerations

The legal and policy framework that applies to the RAP 2 resettlement planning and implementation process was presented in Chapter 3 above, and therefore, the current Chapter only focuses on the legal and policy framework relevant to cultural heritage.

At the national level, the following are relevant:

- The Ugandan Constitution (1995) as amended addresses the protection, conservation, promotion and management of culture and monuments. More specifically, The Constitution of the Republic of Uganda lays the premise for all the laws that have a bearing on culture by:
 - Obligating the State and citizens to preserve and protect the culture of preservation of public property and Uganda’s heritage (Principle XXV);
 - Obligating the State to promote and preserve those cultural values and practices which enhance the dignity and well-being of Ugandans (Principle XXIV);
 - Mandating the central Government to manage national monuments, antiquities and archives as parliament shall determine (189(1) schedule 6(10); and
 - Requiring districts to cooperate to promote cultural and traditional lands (Fifth Schedule article 178).

The Constitution (Amendment) Article 3 of the Constitution (Amendment) (No.2) Act 2005 mandates Regional Assemblies under the Regional tier system of governance to handle cultural matters relating to the traditional or cultural leaders, clan and sub-clan leadership, cultural and traditional practices (cultural funeral rites) and cultural institutions by establishing specialized committees for them.

- The National Environment Act Cap. 153, as repealed and promulgated in 2019 provides for sustainable management of the environment, the continuation of an Authority (*that was established under the National Environment Act, Cap. 153*) as a coordinating, monitoring and supervisory body for this purpose (the National Environment Management Authority). It provides provisions relevant to cultural heritage as follows:
 - Conservation of cultural heritage and use of the environment and natural resources of Uganda for the benefit of both present and future generations are one of the principles of environmental management (Section 2).
 - NEMA with the assistance of Local Environment Committees, District Environment Committees, and the lead agency must identify those elements, objects and sites in the natural environment, which are of cultural importance to the various peoples of Uganda.

- NEMA is required to maintain a register of all elements, objects and sites identified in consultation with the lead agency, issue guidelines and prescribe measures for the management or protection of cultural elements, objects and sites registered (Section 49)
- The Historical Monuments Act (Cap 46) makes provisions for the preservation and protection of historical monuments and objects of archaeological, paleontological, ethnographical and traditional interest.
- The National Culture Policy (2006) of Uganda currently under review (as of the year 2020 aims to promote aspects of Uganda’s cultural heritage that are cherished by its people. The policy recognizes that Uganda has several cultural sites and monuments. Some of them are man-made while others are natural. These sites, monuments, and antiquities are important for socio-cultural and educational purposes. The natural sites also enhance the protection of the environment. The cultural beliefs, traditions, and values are core to a community’s mechanism for survival. These beliefs and values enhance social cohesion and sustain an acceptable moral fabric.
- The National Oil and Gas Policy (Uganda) (2008) places the responsibility on oil companies to protect the environment in which they work and any areas impacted by their operations.
- The Local Government Act (LGA) (1997) provides for decentralized governance and devolution of central government functions, powers, and services to local governments including cultural affairs.

At the international level, resettlement is guided by conventions and performance standards including but not limited to:

- IFC Performance Standards (IFC PS): Of relevance is PS 8 (2012) which, “*aims to ensure that clients protect cultural heritage in the course of their project activities*”. This is done by guiding companies in protecting cultural heritage from the adverse effects of project activities and supporting its preservation. In the area which is the focus of RAP 2, it is primarily tangible cultural heritage that is the focus of the RAP. There is no proposed use for commercial purpose of any intangible elements of cultural heritage.
- UNESCO Conventions: Uganda is a signatory to a number of UNESCO conventions that appeal to the safeguarding of cultural heritage. Among these is the 1972 UNESCO Convention concerning the preservation and protection of World cultural and natural heritage ratified in 1987, the 2003 UNESCO convention on the Safeguarding of the Intangible cultural heritage ratified in 2009 and the 2005 UNESCO convention on the protection and promotion of the diversity of cultural expressions that was ratified in 2015.
- World Bank Environmental and Social Policy (2016) 4.11 (Physical Cultural Resources): The Banks’ general policy regarding cultural properties is to assist in their preservation and to seek to avoid their elimination. This normally includes declining to finance projects that will significantly damage non-replicable cultural property and assisting only those projects that are sited or designed so as to prevent such damage. The Banks also assist in the protection and enhancement of cultural properties encountered in Bank-financed projects, rather than leaving that protection to chance. In some cases, the project is relocated in order that sites and structures can be preserved, studied, and restored intact *in situ*. In other cases, structures can be relocated, preserved, studied, and restored on alternate sites. Deviations from this policy may be justified only where expected project benefits are great, and the loss of or damage to cultural property is judged by competent authorities to be unavoidable, minor, or otherwise acceptable.

- International Human Rights Instruments: Uganda is a signatory to the Universal Declaration of Human Rights (UDHR) and therefore has a moral obligation to advance the Rights spelled therein. Under Article 17 of the UDHR, everyone has the right to own property alone as well as in association with others and no one shall be arbitrarily deprived of his property. This includes cultural property. In addition, Uganda is bound by the International Covenant on Economic, Social and Cultural Rights (ICESCR), which it ratified in 1987. Article 27 of UDHR and Article 15 of ICESCR recognize everyone's right to freely participate in cultural life.

A number of institutions are responsible for safeguarding cultural heritage, at different levels ranging from national to regional and local institutions. Those applicable to the RAP 2 project area include:

- Ministry of Gender, Labour & Social Development (MGLSD): MGLSD is the leading and coordinating agency for the Social Development Sector. In collaboration with other stakeholders, MGLSD is responsible for enforcing the National Culture policy (2006) and coordinating Cultural Institutions in Uganda. The Department of Family and Culture is mandated to ensure the protection of Uganda's cultural resources.
- Ministry of Tourism, Wildlife, and Antiquities: This is the Ministry with the responsibility to sustain tourism, Wildlife and Cultural heritage in Uganda. It also formulates and implements policies for Tourism, Wildlife and Cultural heritage. Through the Department of Museums and Monuments, the ministry undertakes the following key functions:
 - Conservation and maintenance of important physical cultural resources;
 - Provision of professional knowledge and information regarding the archaeology and paleontology of Uganda;
 - Monitoring the implementation of policies and strategies of historical and cultural heritage conservation and development;
 - Promotion of public awareness about cultural and natural heritage through formal and informal education;
 - The department will review the CHMP and undertake salvage excavations in the project area.
- Buliisa District Local Government Administration: The Local Governments Act, Cap 243 provides for decentralized governance and devolution of central government functions, powers, and services to local governments that have their own political and administrative structures. Districts have powers to oversee implementation of development activities under the supervision of their relevant departments such as environment, lands and water resources. District and Local Council administrations are stakeholders in the Project and will have a role in reviewing the CHMP and subsequent monitoring.
- The Uganda National Museum: The management of heritage resources in Uganda is under the Department of Museums and Monuments in the Ministry of Tourism, Wildlife, and Antiquities. It operates through the Historical Monuments Act of 1967 and Amendment Decree of 1977.
- Bunyoro-Kitara Kingdom (BKK) is a traditional institution recognized by the 2011 Institution of Traditional Leaders Act to operationalize Article 246 of the Ugandan Constitution which provides for traditional leaders to promote and preserve cultural values, norms, and practices which enhance the dignity and wellbeing of the people where they are recognized as such. In this case, the Bunyoro-Kitara Kingdom is recognized in Buliisa district where the RAP 2 project is to be located and thus, BKK is a key stakeholder in this project.

- Bugungu Heritage and Information center: This is based in Buliisa district and is a member of the Uganda Community Museum Association. The information center is mainly used as a collection of heritage artefacts found within the district, it is also a source of information about the cultural heritage and sites within the district.

13.3. Methodology

The CH assessment was undertaken by first ascertaining the existing baseline conditions in the RAP2 project area in regard to cultural heritage. The potential impact of the project on the cultural heritage resources was then determined for each category of cultural resource(s), and thereafter the plan (CHMP incorporating CFP) was designed to mitigate any potential negative impacts. More specifically, the methods and strategies used for the CH assessment included the following:

a) Literature reviews

This involved the reviewing of relevant documents including but not limited to; previous ESIA studies undertaken in the project area, literature on the history of Bunyoro-Kitara Kingdom, literature on the Culture and traditional religion of the Bagungu people, recent local government and other social and demographic reports on the region.

b) Stakeholder consultations

A number of stakeholders were consulted as indicated in Table 13.1. The data collected was analysed using the qualitative method. This provided information on the perception and attitudes of the stakeholders as to the proper procedures in the conduct of the resettlement operations and actions to be taken (e.g. requirements when relocating CH sites) where ever cultural property was encountered.

Table 13.1: Stakeholders consulted

No	Institution/Individual	Location	Date of Consultation
1	Hon Ochaya Orach Vincent, Alur Kingdom Prime minister	Kampala	26 th July 2018
2	Hajji Bruhan Kyakuhaire, Bunyoro Kingdom Minister of Culture	Hoima	31 st August 2018
3	Buliisa District Community Development Officer	Buliisa	6 th August 2018
4	Bugungu Cultural Heritage Information Center	Buliisa	6 th August 2018
5	Hon. Blasio Mugasa, former Bunyoro Kingdom Deputy Katikiro	Buliisa	8 th August 2018
6	Hon. Margret Byarufu , member Bunyoro kingdom assembly	Buliisa	8 th August 2018
7	Mr. Alex Wakitinti, Chairman Cultural leaders (priests)	Buliisa	31 st July 2018
8	Mr. Richard Kajura, Hereditary priest of the Babukwa clan	Buliisa Town	8 th August 2018
9	Mr.Kaliisa Stephen Munange LCIII Chairman Ngwedo Sub-County	Kasinyi Village	6 th August 2018
10	Mr.Kyomuhendo Richard LC I Chairman Kirama Village	Kirama village	27 th July 2018
11	Mr. Babyenda Josephat LC I Chairman Kisansya west	Kisansya Village	30 th July 2018
12	Mr.Busobozi Kankabi LCI Chairman Kisimo cell	Kisimo Village	1 st August 2018
13	Mr.Bazale Seremoth LC I Chairman Kigwera North East	Kigwera Village	3 rd August 2018
14	Mr.Byaruhanga Charles LC I Chairman Kigwera South East	Kigwera village	10 th August 2018
15	Mr.Kwolekya James LC I Chairman Kakindo cell	Kakindo village	12 th August 2018

c) Site visits

The archaeology and cultural heritage specialist team undertook transect walks together with available cultural elders in the RAP 2 project area. Cultural elders were specifically required for the identification of cultural sites and medicinal plants used by the communities. Field verification of reported cultural sites was undertaken to distinguish the clan sites from family shrines and identify the location of reported grave/burial sites in the RAP 2 project area.

The archaeological surveys in particular were unsystematic given the nature of the terrain and vegetation cover. Thus, the CH team examined the impacted areas to check for clear visibility, low or no vegetation, footpaths and erosion gullies among others.

The CH survey employed the use of a Geographical Positioning System (GPS) to mark all areas found with CH materials e.g. archaeological material, graves, shrines etc. Some diagnostic and portable findings were collected, bagged and transported to the laboratory at the Uganda Museum and Kyambogo University history department laboratory for further analysis while the un-diagnostic materials and non-portable samples were examined *in situ*⁸⁵, recorded, photographed and left in the field.

Specific to archaeology, the collected samples were analysed using various attributes based on the material types. For pottery, analysis was centred on the decorative elements, temper, colour, surface finishing and pottery tradition. While in the case of lithics (stone) artefacts, morphological attributes were analysed and these included raw material type, lithic artefact type, lithic technology, and modifications. In the case of metallurgical objects, metal type and magnetism were the key attributes analysed. Faunal remains' attributes included animal type and skeletal part in order to identify the animal species. For the analysis of medicinal plants emphasis was placed on the name of the plant and its use or, how it is utilized by the communities.

In term of limitations during the field surveys, the archaeology survey was restricted to the ground surface and in some areas, thick vegetation limited visibility of archaeological materials.

d) PAH socio-economic census survey

The socio-economic team conducted a household survey (see Chapter 4 above) in which a survey questionnaire was administered to RAP 2 project affected households. The questionnaire was also designed to capture CH data on aspects such as, details on CH sites (including graves), religious affiliation, language and ethnic groups of the surveyed population.

13.4. Cultural Heritage directly affected by land access, acquisition and resettlement

There are a number of cultural heritage sites within the proposed RAP 2 project area that will potentially be impacted by the project. These include; graves, shrines (both clan and family owned) as well as archaeological items as presented in Table 13.2. Please note that the CH presented in Table 13.2 is that which will be directly impacted for example as a result of land clearing, as this CH is located within the actual footprint of the RAP 2 project area. Indirect impacts may however result from noise and a range of activities within the RAP 2 project area that will disturb the use of these CH sites (particularly the shrines) some of which were likely chosen for, and have, quiet and seclusion qualities. Interviews with the priests of such sites confirmed that they require privacy

⁸⁵ **In situ** refers to an artefact that has not been moved from its original place of deposition.

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 RAP 2 project area would disturb them. It should however be noted that, the proposed RAP 2 project area already includes a buffer area to mitigate such impacts. Therefore, the nature of the residual impacts on sites outside of the RAP 2 project footprint should be confirmed on a case-by-case basis.

Table 13. 2: Cultural Heritage Items in the RAP 2 Project area

Item	Number
Family shrines	08
Clan shrines	07
Graves	129
Pottery	84
Lithics	12
Faunal remains	113
Daub	5
Charcoal mounds	22
Metal Objects	2
Medicinal plants	194

13.4.1. Graves

In simple terms, a grave is a location where dead people are buried. During the RAP 2 survey exercise, a total number of 129 graves were identified in the RAP 2 project area (Annexure 6). The location of the grave(s) were marked and the names of the dead recorded where possible (Annexure 6). The graves identified could be categorized into two categories: cemented graves (Figure 13.2) and un-cemented ordinary graves, the latter (made of mud) were mostly invisible since the soil easily falls off after the burial (Figure 13.3). Such graves therefore usually have mounds to show their existence while others do not have any features to distinguish them.

13.4.2. Sacred Sites

13.4.2.1. Clan Sites

The CH field surveys and associated consultations with stakeholders ascertained that the proposed RAP 2 project area houses seven (07) sacred clan sites within its boundaries (Annexure 6). Each of these is discussed below.

13.4.2.1.1. Bamwori Clan Cultural Site (Tamarind Tree)

The site is located in Kirama village at the proposed NGR 05A well pad location (Annexure 6). The clan cultural site belongs to the Bamwori clan who visit it in case of problems and to ask for blessings. At this site (see Figure 13.5), the Bamwori clan worship a spirit known as Kihala Wamara Muchwezi and the custodian of the site is Kitoki Charles Nyangabyaki.

13.4.2.1.2. Wansamba Sacred Water Well

The site is located in Kisiimo village at the proposed KW-02B well pad location (Annexure 6). The clan cultural site (see Figure 13.6) is shared between two clans, the Basansya and Baliba. The two clans convene at the site mostly during the dry season (February specifically) and offer sacrifices and libation to ask for rain and for their deity to avert measles outbreaks. Kiiza Aloni and his wife Tezira are the custodians of this site.

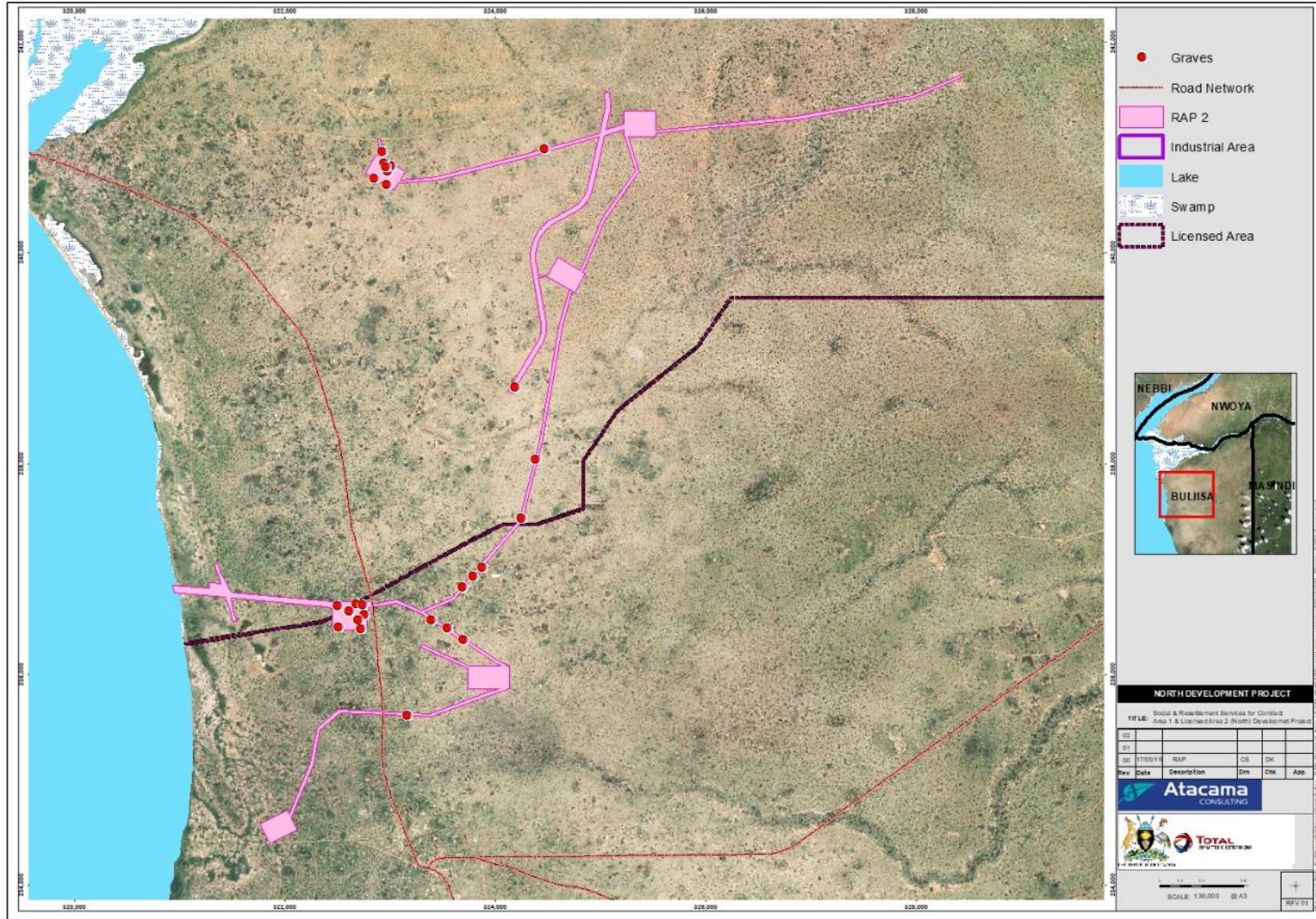


Figure 13.1: Location of Graves in the RAP2 Project Area



Figure 13.2: Some of the cemented graves within the project area at Kirama village



Figure 13.3: A resident stands in front of their ordinary graves.

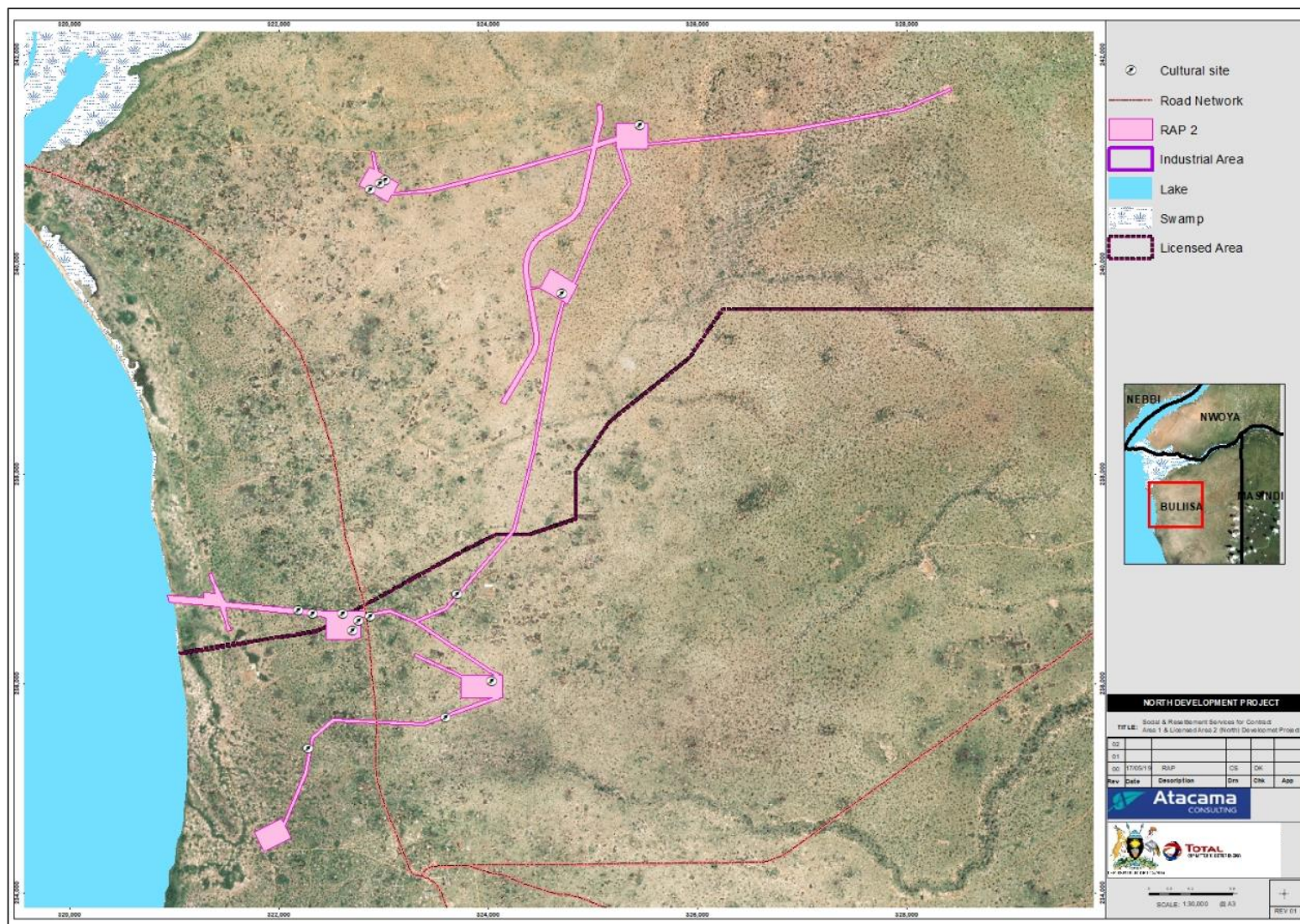


Figure 13.4: Location of Sacred sites in the RAP 2 Project Area



Figure 13.5: Cultural site of the Bamwori



Figure 13.6: Wansamba Sacred Water Well

13.4.2.1.3. Wansu Swamp

The site is located in Kakindo village along the proposed Kwo1 to Kwo2a flow line location (Annexure 6). This swamp (see Figure 13.7) is used to perform the first rituals before the final sacrifices are offered at the nearby Mulolo tree. Sacrifices are offered to welcome the Sambiye stream before final sacrifices are offered by the Tulewa family. Byegarazo Wilson is the custodian of this site.



Figure 13.7: Wansu swamp

13.4.2.1.4. Sambiy Stream

The site (Figure 13.8) is located in Kisimo village along the proposed Kwo1 to Kwo2a flow line location (Annexure 6). Sambiy Stream is a seasonal stream that flows from the areas of Murchison Falls National Park (MFNP) and it splits into two streams when it reaches Kizongi village in Buliisa town council, and rituals which are the responsibility of the Basiimo clan are performed to welcome it. Four families all belonging to Basiimo clan, are responsible for welcoming Sambiy Stream among the Bagungu. They are of Tulewa (Mujumuzi Richard- Murubi Byegarazo Wilson, Kokolo Baruzalire Eriakimu, and Ntebe Bigirwenkya Atwani) families.



Figure 13.8: Sambiy seasonal stream

13.4.2.1.5. Bamwori Clan Site (Mutura/Marula Tree)

The site is located in Kakindo village at the proposed KW02A well pad location (Annexure 6). The clan cultural site belongs to the Bamwori clan. The site (Figure 13.9) is home to a spirit known as Kihala kya Ndahura muzikya and is useful in case of sickness among the clan members where rituals are performed to appease the spirits, for healing, in cases of difficulty in giving birth and, for general blessings.



Figure 13.9: Bamwori clan site (Mutura/Marula Tree)

13.4.2.1.6. Sacred Site for Omuchwezi Kagoro

The site is located in Kakindo village along the proposed KW02B-NGR06 flow line location (Annexure 6). The clan cultural site belongs to the Basansya clan. The name of the spirit worshiped at this site (Figure 13.10) is Kagoro and rituals which include; sacrifices, libation and incantations are performed at this site before they go fishing, hunting, before a woman goes to deliver a baby and asking for the blessings by the clan members. Patrick Mugume Kagoro of the Basansya clan, is the custodian.



Figure 13.10: Kagoro site

13.4.2.1.7. Sacred Tree of Baliba Clan

The site is located in Kisansya West village along the proposed water abstraction point to KW02B flow line location (Annexure 6). The clan cultural site (Figure 13.11) belongs to the Baliba clan. This site is labeled as a “kibali” a rank of less status than Empoloma. This site is useful in case of sickness among the clan members and rituals are performed at the site to appease the spirits and to heal the community of the diseases. The traditional priests (Baramansi) rest at this site when conducting rituals before they continue to the lake. This site is under the custodianship of Francis Byarufu.



Figure 13.11: Sacred tree of the Baliba clan

13.4.2.2. Family Shrines

Family or household shrines called Kibila (Figure 13.4 above) were found in the compounds of some of the households in the RAP 2 project area (A total of eight (8) family shrines were observed during the surveys and their locations logged (Annexure 6 and Figure 13.12). These family shrines serve purposes of averting evil, asking for blessings, safe delivery, safe and productive hunting and fishing expeditions, productivity among family members among others.



Figure 13.12: A Kibila (family shrines) in the RAP 2 project area

13.4.3. Archaeology

Archaeological evidence identified during RAP 2 fieldwork established that, the proposed project area depicts a chronological sequence from the Middle Stone Age to the Later Stone Age, Iron Age and Neolithic period. This indicates that the area has been inhabited since the Middle Stone Age period as identified from the *levallois* lithic technology from some of the sites. This shows that the area could be dated roughly about 40,000 years ago. This was followed by the Later Stone Age and the Iron Age technologies mainly depicted from the metal objects and pottery.

13.4.3.1. Archaeological items

A number of archaeological items in the following categories, and which are described further in the sections that follow were identified during the RAP 2 archaeological surveys. These were:

- Ceramics and pottery
- Lithics
- Faunal objects
- Daub
- Metal objects

13.4.3.1.1. Ceramics (Pottery)

Ceramics are any material made out of clay and fired. While all pottery is ceramic not all ceramic is pottery. Pottery identified was mainly in the form of potsherds as no complete pot was identified in the various sites indicated in the map in Figure 13.13 (Annexure 6). The potsherds were either decorated or plain. The latter are as depicted in Figure 13.14. In one instance in Kisansya East village, near complete pots were identified in situ as shown in Figure 13.15.

Pottery analysis

Pottery was analysed based on the following attributes; surface finishing, temper⁸⁶ or inclusions to establish the nature of the fabric, colour⁸⁷, ceramic forming methods⁸⁸, decoration to determine the motif and tradition and then the shape of the vessel.

(a) Surface Finishing

Analysis of surface finishing indicated that, the potters in the RAP 2 project area used burnishing and slipping as the major surface finishing techniques. In terms of temper, the main inclusions in the clay were; sand, grog (broken pieces of crushed pottery), mica and to a limited extent grass.

(b) Colour

It was realised that the ceramics were well fired as they had brownish red colours apart from a few that were smudged indicating that they were fired under reduced temperatures while others had soot due to being used for cooking. The brown potsherds also showed the dominance of storage pots in the area. In some instances, some potsherds had signs of abrasion especially in the interior, characteristic of the preparation of African grains an indirect indicator of agriculture in the project area.

(c) Pottery forming methods

In the RAP 2 project area, the ceramologists formed pottery using the coiling method, one of the traditional pottery forming methods in Africa and Uganda in particular.

(d) Pottery decoration

Of special interest was the decoration on the pottery. Pottery decoration is crucial as it is used in archaeology as a relative dating technique. As such, from pottery decoration three pottery

⁸⁶ Temper refers to the inclusions added to clay to improve its plasticity. Plasticity like porosity was a key aspect ceramologists in the past took into consideration while making pottery.

⁸⁷ Colour was analyzed in order to establish the level of firing conditions the ceramics were subjected to.

⁸⁸ Pottery forming methods are important in understanding prehistoric technology.

traditions were identified in the order of sequence from the old to the young as follows: Early Iron Age (EIA), Middle Iron Age (MIA) and Late Iron Age (LIA)⁸⁹.

(i) *Early Iron Age (EIA) pottery*

The Early Iron Age also termed as Urewe pottery is mainly characterised with cross hatching, incisions and grooves. This is also referred to as dimple based or Urewe ware/ Early Iron Age (EIA) pottery. Posnansky *et al* (2005) dated Urewe in the Great Lakes region to have span from 500BC to AD 800. This is the oldest type of Iron Age pottery.

(ii) *The Middle Iron Age (MIA) pottery*

The MIA is also termed as bourdine or Chobe ware. Bourdine was a name given by Hiernaux following his findings in Rwanda/Burundi, which is the same as Soper's (1971) Chobe ware⁹⁰. Bourdine refers to the finger marked ware distinguished by one or more irregular horizontal ridges or finger pinching or channeling with no other decoration apart from occasional rows of finger-nail impressions (Soper, 1971: 56) and exposed coils on the vessel body that were not smoothed properly. This could be close to what Ashley (2010) regards as, contact Urewe, which is an emulation of typical Urewe but lacking its details. No emphasis was placed on quality and surface finishing for this pottery tradition. Bourdine pottery is heavily tempered with irregular inclusions implying that they were used between agriculturalists and hunter-gatherers (Ashley, 2010)⁹¹.

(iii) *Late Iron Age pottery*

The Late Iron Age pottery is also referred to as roulette. This entails using a decorating tool that is either rolled or impressed onto a wet surface of a clay vessel (Haour *et al*, 2010: 193)⁹². Roulette or Late Iron Age (LIA) pottery tradition is dated about A.D 800-1100 identified from the 11th century. Roulette has forms of decoration such as, twisted string roulette, knotted grass roulette, curved wooden roulette and mamillated roulette. Mamillated roulette is as illustrated in Figure 13.16. This was the most dominant pottery tradition in the RAP 2 project area.

13.4.3.1.2. Lithics

Lithics refer to any archaeological material that was made out of stone. A total of 12 sites with lithic artefacts were identified in the RAP 2 project area (Annexure 6 and Figure 13.13). Analysis of the lithics emphasised the following attributes; lithic raw material, lithic type, and lithic tradition.

(a) Lithic raw materials

Lithic raw materials refer to the type of stone from which the lithic artefact was made. Raw material is vital because raw material sourcing provides clues on mobility systems, settlement patterns and, social interactions. These imply the human ranging patterns and social exchange systems. Based on the analysis of lithics as presented in Annexure 6, it is clear that the dominant lithic raw materials were quartz and basalt. This indicates that the prehistoric humans utilised the locally available raw materials.

⁸⁹Kyazike (2016), Archaeological examination of cultural interactions in the Upper Nile Catchment areas; 6000-1500BP

⁹⁰ Soper R. C. (1971b), "Iron Age Archaeological sites in the Chobi sector of Murchison Falls National Park, Uganda", *Azania VI* (1): 53-87.

⁹¹ Ashley, C. Z. (2010), "Towards a socialised archaeology of ceramics in the Great Lakes Africa". *African Archaeological Review* 27: 135-163

⁹² Haour, A. *et al*, (2010), *African pottery roulettes, past and present; techniques, identification and distribution*, Oxford: Oxbow books, glossary.

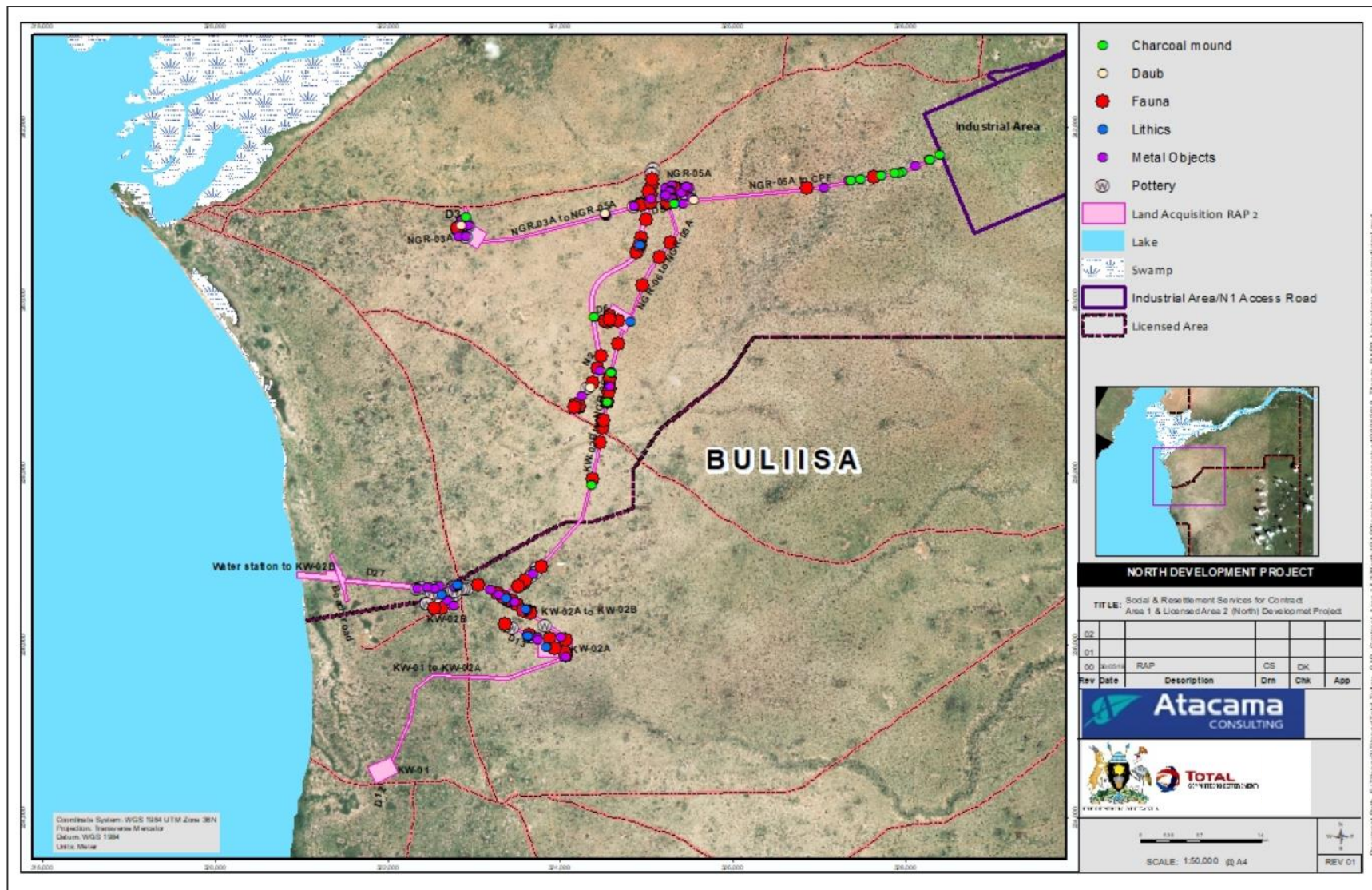


Figure 13.13: Map showing location of archaeological sites in the RAP 2 project area



Figure 13.14: Plain potsherds in situ



Figure 13.15: Pottery in situ



Figure 13.16: Mamillated roulette

(b) Lithic artefact Type

Two types of lithic types were identified and these were cores, non-flaked stones (grinding stone) and flakes (Annexure 6). Cores are the mother stones especially river cobbles that were flaked to make other tools. Two types of cores were identified and these are the multiplatform core and pyramidal core types and in one instance, a core fragment. In terms of functionality, the lithic artefacts identified were mainly used for fishing. They are usually attached to fishing nets as floats. The fishing stone floaters are as illustrated in Figure 13.17. These are said to be made in Panyimur, where the holes are drilled in them. Despite the continued use of stone floaters, there is a shift to the use of plastic floaters as shown in the Figure 13.18.



Figure 13.17: Stone finishing floater



Figure 13.18: Plastic net floaters
(c) Lithic Artefact tradition

The lithic artefact tradition is crucial in dating the site. Lithic analysis aimed at examining the lithic typology and technology and this involved examination of typological variability and technological aspects that would trace human behavior and organization. The Lithic industry within the RAP 2 project area is that of the Late Stone Age from the lithic materials identified. The Late Stone Age occurred in Eastern Africa between 50,000-39,000 years ago.

13.4.3.1.3. Faunal Remains

Faunal remains in the RAP 2 project area were in two categories of bones and shells, although the dominant finds were bones. A total of 112 sites with faunal remains were identified in the RAP 2 project area (see Table A-2 in Annexure 6 and Figure 13.13). Bones were dominant accounting for 96% of the faunal assemblage while shells accounted for 4% (Figure 13.19). The dominance of bones is not surprising given the fact that Buliisa is a cattle-grazing area where it is common to find an entire carcass of a cow. This could be responsible for the scatters as shown in Figure 13.20. In one instance, fish bones were also identified which is in line with the main economic activities of the area (fishing and cattle keeping).

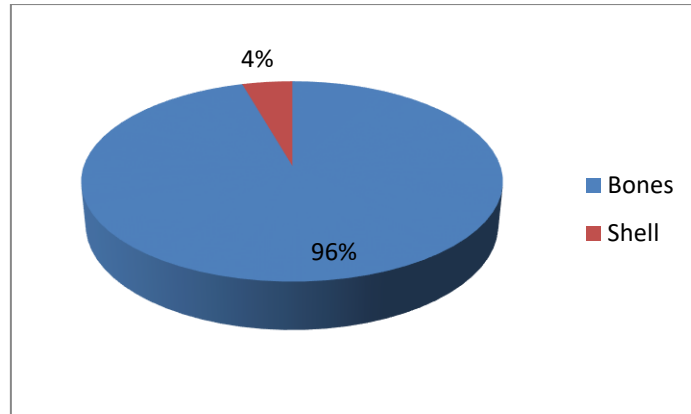


Figure 13.19: Faunal Remains in the RAP 2 project area



Figure 13.20: Bones of cows

i. Bones

In the analysis of faunal remains some of the bone parts identified were; teeth (incisors), scapula and a skull. The animals identified from the faunal remains are, dog, goat and cow, which are all domestic animals. Some of the bones were too abraded and fragmented to be associated with any animal. This does not rule out the existence of wild taxa from the faunal assemblage since the analysis was mainly morphological. As earlier noted, fish bones were identified as well (Figure 13.21), more specifically; this was a Nile perch fish bone, one of the common fish species in the project area.



Figure 13.21: Fish bones

ii. Shells

Shells were identified at five (5) sites (Figure 13.13 above). The shells were mainly for land snails. Shells are archaeologically important as they demonstrate diet in the past but more importantly, the environmental conditions of the area. The types of shells identified belong to the *Pila ovata* species of snails (Figure 13.22).



Figure 13.22: Shells identified in the RAP 2 project area

13.4.3.1.4. Daub

Daub is archaeological material that is as a result of building. The existence of daub among the archaeological findings suggests settlement in houses made of daub and wattle in the area.

Daub was identified at five sites (See Table 4.2 in Annexure 6 and Figure 13.13 above) from only the two villages of Kirama and Kigwera North East specifically at the proposed locations for well pad NGR-05A, the flow line to well pad NGR-03A, flow line from NGR-06A, flow line from NGR-05A to NGR-03A and along the N2 access road.

13.4.3.1.5. Metal Objects

Two metal objects were identified at two sites in Kirama and Kakindo (see Table 4.3 in Annexure 6 and Figure 13.13 above) along the proposed flow line connecting well pad KW-02A and KW-02B and then at the proposed location for the NGR-3A well pad.

13.4.3.1.6. Charcoal Mounds

A total of 22 sites were recorded with charcoal mounds (Figure 13.13 above). The villages with the dominant mounds were Kasinyi (11), followed by Kigwera North East and Kirama with 3 charcoal mounds each, (Figure 13.23). The existence of the charcoal mounds was of archaeological interest because in most cases, they were associated with pottery and charcoal mounds are an indicator of human activities in the area.

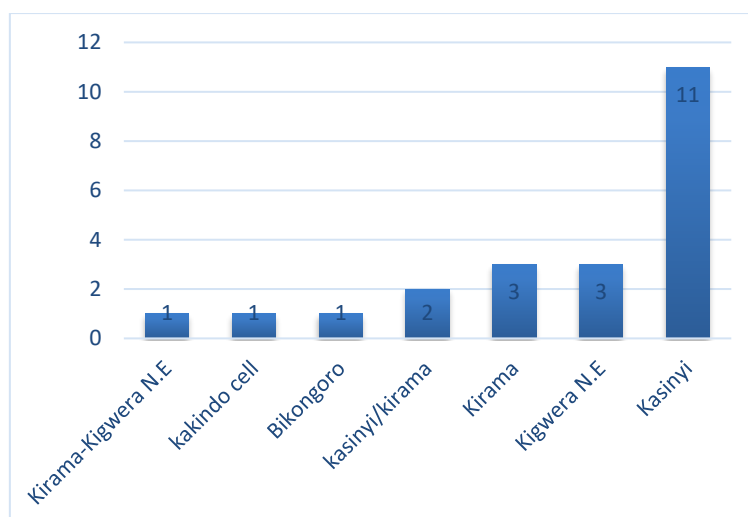


Figure 13.23: Charcoal mounds

13.4.4. Medicinal Plants

A total of 194 medicinal plants were identified in the RAP 2 project area (See Table A-3 in Annexure 6 and Figure 13.24). The dominant medicinal plants identified and their uses are as included in Table 13.3. An extensive list of all medicinal plants identified in the RAP 2 project area as well as their locations is provided in Annexure 6.

Table 13.3: Dominant medicinal plants in the RAP 2 Project Area

Name	Use
Mukondwe	Headache
Mabaale	<i>Ettalo (Cellulitis)</i>
Orange	Fruit, cough
Mango	Fruit, cough
Neem	Malaria
Musingabakazi	An aphrodisiac and stomach pain reliever, when combined with <i>mutoola</i> and <i>musomo</i> they cure barrenness
Mudendemule	For building <i>abira</i>
Mulolo	High blood pressure
Kigaawe	<i>Ttalo (Cellulitis)</i>
Muzoroyi (Cactus)	Treats young calf with false teeth
Aloevera	Malaria and body cleansing
Uduk	Materials for building, cleaning milk gourds
Mutete	Stomach ache
Acacia	Construction
Lukoni/Luyenje	Fencing
Kulumbero	Eyes
Mukwakwa	Wounds
Thorny cactus (Ngabo ya ddungu)	Obesity, cleansing etc.

Name	Use
Mukonkolo	If one has a discharge, in the ear, it is warmed and squeezed and the liquid acts as an eardrop to treat ears. It is also used for cleaning armpits
Alongo	Flue
Moringa	Malaria
Mukwakwa	In case of bone dislocation, the leaves are warmed and used to massage the hurting area/part.

Some of the prominent medicinal plants include but are not limited to:

(a) *Aloe vera*

Aloe Vera has several uses some of which include; digestive help, treating constipation, skin conditions, reducing itchiness and inflammation. Some of the *Aloe vera* in the project area occurred naturally and had not been planted by anyone Figure 13.25.

(b) Common Asparagus Fern (*Kulumbero*)

Another common medicinal plant in the area is the common Asparagus Fern also called *Kulumbero* (Figure 13.26). This plant is used for treatment of eyes and as soap for washing.

(c) Cactus

Two types of cactus were identified in the area. There is a type that is thorny (Figure 13.27) and the one that is not (Figure 13.28). The thorny cactus (Figure 13.27) despite its spikes and bristles is used in homes as a flower and is associated with food and medicinal value. Cactus can be crushed to make juice, which is used to treat wounds, stomach swellings, digestive problems and urinary tract infections. The juice is also used as a weight loss aid to treat obesity. The natural extract is a useful remedy for alcohol hangovers, and the plant's gel-like sap is often used as a hair conditioner⁹³. The cactus without thorns (Figure 13.28) are used by cattle keepers to treat calves especially when they develop false teeth.

(d) Mabaale

The medicinal plant locally called mabaale is illustrated in Figure 13.29. This is well known for the treatment of cellulitis also known as *ettalo* (*Luganda dialect*).

⁹³ Victoria Nampala, 'Cactus can be good for food', in the New Vision Wednesday, 15th August 2017, TILENGA PROJECT –RESETTLEMENT ACTION PLAN 2



Figure 13.25: Aloe vera



Figure 13.26: Kulumbero



Figure 13.27: Cactus without thorns



Figure 13.28: Thorny cactus (*ngabo ya ddungu*)



Figure 13.29: Mabaale

13.5. Impacts & Mitigation

Table 13.4 presents the impact assessment of RAP 2 project area Cultural Heritage Resources.

Table 13.4: Potential Impact on Cultural Heritage Resources in RAP 2 project area

No.	Item	Number	Impact Assessment
1	Graves	129	High <i>Graves cannot remain in area once infrastructure development commences.</i>
2	Cultural Sites	16	High <i>Cultural sites cannot remain in area once infrastructure development commences.</i>
3	Pottery	84	Medium <i>Pottery can co-exist with infrastructure development.</i>
4	Lithics	12	Medium <i>Lithics can co-exist with infrastructure development.</i>
5	Faunal remains	113	Low <i>These are of negligible value to the community and project.</i>
6	Daub	5	Low <i>These are of negligible value to the community and project.</i>
7	Charcoal mounds	22	Low; <i>These are of negligible value to the community and project.</i>
8	Metal Objects	2	Low; <i>These are of negligible value to the community and project.</i>
9	Medicinal Plants	194	High; <i>These are of high value to the community and although some medicinal plants can be propagated, or found in other locations within the project area, there are medicinal plants which cannot be propagated and which will need to be cleared during infrastructure development.</i>

Archaeological materials

The archaeological materials observed in the RAP 2 project area were surface scatters since no subsurface survey was undertaken to identify materials within the stratigraphic context, and they were not in any site of significance. However, analysis of these items and the fact that they did not occur in a stratigraphic context of archaeological significance, does not rule out the existence of significant materials in the subsurface or indications of the need for any rescue archaeology investigations or excavations in the future at the time of operations as detailed in the CHMP and CFP (Annexure 6). This does not mean however, that no such sites may be revealed during RAP 2 construction activities. In any such instance, the CFP of the CHMP must be activated. It is recommended that test pits be established to check any stratigraphic occurrence and actual absolute dating of the materials. In addition, the ceramic and lithic items should be collected under the supervision of a qualified archaeologist in the presence of an official from the Uganda National Museum prior to the commencement of development works in the RAP 2 project area as part of the implementation of the CHMP. Any collected ceramic and lithic items should be collected and handed over to the relevant entity as guided by the department of museums and monuments.

Sacred sites

Specific to sacred sites, the intrinsic qualities of these sites are often the quiet and peaceful nature of the context in which they are located. These may be impacted in that, these sites may lose their sacred status of seclusion due to the potential noise from traffic on the nearby access roads to and from and, operations within the RAP 2 project area.

Clan sites

To address the potential impacts on the sacred clan sites, a case-by-case analysis will have to be performed to identify if such residual impacts would trigger the relocation of the sites or not. This relocation will not be physical but spiritual and undertaken using a traditional ceremony. Continued access to the sacred sites is important to the community. If the sites are to be relocated, the selection of replacement sites should take into consideration linkages with the affected and relocated households. The responsibility for selecting the relocation site is that of the priest, in terms of clan sites. Depending on the outcomes of the case-by-case analysis, consultations with the PAPs as well as with the priests for the selection of the new sacred sites will need to be held so as to establish the timing of the relocation as well as to confirm and detail the requirements for the relocation ceremonies so as to ensure continued accessibility to these sites by the clan members. The recommended mitigation measure is to relocate (see details of relocation in the CHMP – Annexure 6) the sacred sites to a new site to be chosen in close consultation with the site's custodian.

Family shrines

These are the personal property of the households, and therefore they will need to be relocated, together with the other assets of the households, during resettlement implementation. The relocation of these family shrines follows the procedures outlined for this specific CH resource in the CHMP (Annexure 6).

Graves

In the case of modern graves made of cement, these usually contain coffins. In this case the coffins are exhumed and transferred to the new locations after the rituals and prayers by the priests. This is in contrast to the ordinary mud graves where the corpses are left in situ and a symbolic transfer of the bodies is undertaken. If the mud grave sites are going to be disturbed by land clearing and site levelling works, the PAPs advised in consultations that the ancestors would have to be relocated using traditional means. The customs that will need to be performed during the traditional relocation of family graves and in case of a single grave, are detailed in the CHMP (Annexure 6) and have therefore not been repeated here.

In the event that human remains are discovered in the course of development works and subsequent maintenance & operations works, then the Chance Finds Procedure will be applied to handle these remains.

Medicinal Plants

The Tilenga project will compensate for medicinal plants in-kind based on the fact, the medicinal trees are largely communally freely accessed by the community despite their being located on individually owned land, and therefore, can be considered communal assets and not household assets. Additionally, International standards give preference to in-kind compensation over cash compensation. International standards also state that, when the standards and national laws are different, then the 'more stringent' (read: beneficial to PAPs long-term sustainability) should be used.

The medicinal trees have two forms of value: as lumber OR as a source of herbal remedies.

- Where trees are considered lumber, then PAPs will be allowed to harvest their trees for wood or be compensated for the value of the lumber.
- Where the trees are considered as a source of medicinal herbs, then the source of herbs will be immediately replaced, or an interim measure put in place to provide herbs while new trees are grown. The current Tilenga project's plan provides a mechanism to provide replacement trees,

as well as measures to provide access to medicinal herbs during the period before the new trees can be harvested (approximately 3-5 years⁹⁴).

Therefore, the Tilenga project will:-

- Allow harvesting of trees within a set deadline. A facility to support cutting of trees, pruning and transport to a salvage area can be considered if households are able to reliably identify and later collect their property.
- Ensure people's need for medicinal herbs is not interrupted. This means that in the period between the harvesting of the trees in the RAP 2 project area and the tree nursery that is proposed for establishment under RAP 1 Implementation being able to provide adequate supplies, other sources (such as, seedling distribution based on the theory of change exercise that will be undertaken during RAP implementation) must be found and made available. Options for how this can be accomplished (identifying and confirming access to alternative sources of medicinal herbs⁹⁵, supporting the harvesting, drying, and storage of medicinal herbs from trees before they are cut, etc.) will be developed. TEP Uganda is committed to ensuring communities have access to medicinal herbs until the new trees are ready or seedlings distributed.

The Tilenga project will also issue out, to all PAPs, a key messages document responding to, but not limited to the following:-

- How will the Tilenga project compensate medicinal trees?
- Why in kind compensation and not cash like other projects in Uganda?
- TEP Uganda consultation with the PAPs on their opinion regarding cash or in-kind compensation for medicinal trees?
- Can the plants be sourced locally?
- Can PAPs harvest their trees?
- Is it possible to actually cultivate nurseries of beneficial plants that occur in the RAP 2 project area before site clearance occurs?
- How will PAPs get herbal remedies after the medicinal trees/plants are felled/harvested?

⁹⁴ Time period will vary depending on the species of tree.

⁹⁵ This would entail establishing, by the process of mapping out, whether similar trees are available in the area around the RAP 2 project and whether the PAPs can access these trees. Furthermore, it would need to be assessed whether this might work without triggering speculation. In addition, it needs to be established whether there is a market for harvested / dried herbs, as well as whether the PAPs consider these dried herbs effective. If yes, the RAP team would then need to devise ways for PAPs to harvest and dry their herbs for future use during the time gap (of when the new trees can be harvested) or create a small project to provide herbs during the time gap similar to the RAP 1 Implementation dry rations project.

14. INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION

This Chapter of the RAP outlines the organisational framework for implementing resettlement, including identification of the agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer and hand-over to local authorities or resettlers themselves, the responsibility for managing facilities and services provided under the project and, for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

14.1. Organisational Framework for Implementing the Resettlement Action Plan

The IFC PS5 acknowledges the fact that, resettlement requires a team of skilled and experienced individuals to provide direction during the planning stages of the Project, and to manage and support the implementation of the negotiated resettlement plans. More specifically, the IFC Handbook for preparing a Resettlement Action Plan (2012) requires that, a RAP must identify and provide details on the roles and responsibilities of all organisations - public or private, governmental or nongovernmental - that will be responsible for resettlement activities.

Therefore, in line with the above, and with reference to IFC PS5, the Government plays a central role in the land acquisition and resettlement process, including the determination of compensation, and is therefore an important third party. Described in the sections that follow are the roles and responsibilities of the GoU as per the specific mandates allocated to various GoU agencies (Table 14.1), including under specific Ugandan Legislation (Table 14.2). In addition to the above, Table 14.3 summarizes the chronological steps that will be involved in the implementation of the RAP 2, including the agencies responsible for each activity, as guided by Table 14.1 and Table 14.2.

It is important to note however that, GoU involvement in RAP implementation will be fostered through the RAC at the national level as elaborated below and through the institutional roles and responsibilities described in Table 14.1 to Table 14.3.

Moreover, local government will also be directly involved through the District Resettlement Coordination Committee, and through the institutional roles and responsibilities described in Table 14.1.

14.2. Resettlement Committees and Forums

Activities associated with the RAP require regular engagement with key stakeholders where advice and support will be sought. Three (3) Resettlement Committees have been established for RAP 2 at various levels of Government including Central and Local Governments, and some non-government participants namely:

1. The RAC at the national level.
2. The DIRCO at the district level, and;
3. The RPC at the community level.

14.3. The Inter-Ministerial Resettlement Advisory Committee (RAC)

The Inter-Ministerial RAC was established in 2015 by MEMD and the Joint Venture (JV) Partners comprising of TEP Uganda and 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 monitoring resettlement progress with affected communities.

14.3.2. Roles and responsibilities of the RAC

Key specific responsibilities of the RAC in RAP implementation (also refer to the specific roles and responsibilities of the GoU institutions that sit on the RAC as outlined in Table 14.1 and Table 14.2) include:

- Coordinate efforts and provide technical support and recommendations on how GoU agencies can support the land access and acquisition process for the Project;
- Ensure alignment in respect of the LARF (2016);
- Providing advice and guidance on GoU requirements for Land Acquisition and Resettlement (LAR), resettlement packages, resettlement housing and communication strategy (at national and local level), and provide technical support/guidance to the DIRCO and Local RPCs;
- Ensure the development of a holistic approach to resettlement aiming at the restoration and improvement of community wellbeing and livelihoods;
- Support LAR implementation including but not limited to:
 - Review the JV Partners' proposed footprint of petroleum production surface facilities and advise on their integration in physical planning documents;
 - Consultation on the status of LAR activities linked to the JV Partners' project operations including adherence to LARF principles;
 - Advice in respect of the eligibility criteria, resettlement site preference and livelihood restoration and alternative livelihood options;
 - 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 RPCs on LAR issues such as but not limited to; consultation/grievances with affected and host communities, implementation of livelihood strategies etc.

14.4. The District Resettlement Coordination Committee (DIRCO)

The Buliisa DIRCO was established during RAP1 Planning 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 meets quarterly (or more frequently when

required) since its establishment during the planning phase of RAP 1: Industrial Area and N1 Access Road.

The DIRCO is composed of Buliisa district technical and political authorities, a civil society representative and other stakeholders in Buliisa district to support and provide advice on resettlement implementation activities at district level.

The permanent members of the DIRCO are:

- Chief Administrative Officer (CAO) of Buliisa district;
- Resident District Commissioner (RDC) of Buliisa district;
- District Council Chairperson of Buliisa district;
- District Land Officer (DLO) of Buliisa district;
- Representative of DLB of Buliisa district;
- Representative of the relevant Ministerial Zonal Office (when MZO in Masindi is established to represent the interests of MLHUD on the DIRCO);
- District Valuer of Buliisa district;
- LCIII Chairpersons of Ngwedo, Kigwera, Buliisa, Biiso, Kihungya, Butiaba and Buliisa town council;
- Cultural representative (representative of Bunyoro-Kitara Kingdom);
- Chairperson of the Resettlement Planning Committee;
- Buliisa district Community Development Officer (CDO);
- Representative from Buliisa District NGO Forum;
- District Secretary (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 the Tilenga project team from TEP Uganda.

The DIRCO reserves the right to formally invite other district authorities and expert third parties to provide technical support at the DIRCO meetings. The parties that may be invited to the DIRCO may include but shall not be limited to; District Engineer, District Production and Marketing Officer, District Natural Resources Officer, District Physical Planner, representative of the Survey Team from MLHUD attached to the project, District Gender, Youth and Probation Officer, member(s) from the faith based organisations and Community Based Organisations and NGOs.

14.4.1. Key Objectives of the DIRCO

The DIRCO ensures members will advise and support the local project implementation process. Such activities include but are not limited to:

- Participating in the selection, planning and permitting of resettlement sites, housing and infrastructure;
- Providing inputs and support livelihood restoration packages;
- Supporting the mediation of grievances that cannot be resolved at the second level of the Concerns and Grievance Mechanism, and;
- Supporting resettlement implementation.

14.4.2. Roles and Responsibilities of the DIRCO

Key responsibilities of the DIRCO in RAP Implementation include:

- Building trust and relationships with PAPs and authorities;
- Acting as the primary district level interface between Tilenga project team, PAPs, and the RAC;
- Building awareness of the resettlement requirements and, fostering greater cooperation; and
- Playing a primary role in dissemination of information to affected communities.

14.5. The RAP 2 Resettlement Planning Committees (RPCs)

The RAP 2 RPCs were elected between 10th and 14th June 2019 in the sub-counties of Kigwera, Ngwedo and Buliisa town council. RPCs for Kigwera sub-county and Buliisa town council were inaugurated on 19th June 2019 and that for Ngwedo sub-county on 20th June 2019.

The RPCs act as the primary local interface between Tilenga project team, PAPs, and the DIRCO and are composed primarily of representatives from the PAPs and affected communities (refer to Chapter 6, for the specific RAP 2 RPCs composition) and were established once the cadastral and asset valuation survey team had identified and issued a list of registered Project Affected Households (PAHs).

14.5.1. Key Objectives of the RPCs

The objectives of the RPCs are to:

- Represent the interests of PAPs and obtain their input in the discussions on the project and obtain consensus;
- Provide regular feedback to PAPs on the progress of the RAP and RAP consultations, assisted by the RAP Contractor Team CLOs;
- Seek support and approval in decision-making processes during RAP implementation, and;
- Assist in mediating and reconciliation of/about grievances that cannot be resolved at the second level of the grievance mechanism.

14.5.2. Roles and responsibilities of the RPCs

Key responsibilities of the RPC in RAP Implementation include:

- Building trust and relationships with PAPs and local authorities, building awareness of the resettlement requirements and, fostering greater cooperation.
- Facilitating the land acquisition and resettlement implementation process, consulting the communities and agreeing on resettlement measures and other entitlements. The RPCs include; representatives from vulnerable social groups such as women, youth, single-headed households, elderly, disabled, etc.

14.6. Tilenga Project Land Acquisition and Resettlement (LAR) Management Team

The Tilenga project LAR management team, to an extent, will be the face of the resettlement process for the affected people and communities and will be primarily responsible for the on-the-ground coordination of the RAP implementation process.

Key responsibilities will include:

- Coordinating and overseeing the resettlement process and all those participating in it;
- Interfacing with the project in relation to engineering options, the timing/phasing of the resettlement process etc.;
- Facilitating all consultation and engagement activities with affected communities;
- Finalising the resettlement packages;
- Budget control and formulating and operating compensation disbursement mechanisms;
- Ensuring conflict resolution, addressing grievances and alerting the DIRCO and RAC to any additional problems;
- Providing particular support and assistance to vulnerable groups;
- Facilitating resettlement assistance provisions and livelihood restoration programmes to ensure that local needs are met, and;
- Guiding the resettlement monitoring and evaluation process and reporting to the resettlement committees.

14.7. Private Sector Entities

RAP implementation will entail involvement of private sector consultants for various implementation activities (refer to Table 14.3).

Third party Witness Organisation: In particular, the witness organisation should lead the capacity building processes in the affected community, build trust with the affected communities and play a central role in the implementation of the livelihood restoration and development programmes committed to in the RAP. Therefore, the selection of a witness organisation will have to look into elements such as the following:

- Integrity, fairness, transparency and accountability;
- Code of conduct and avoidance of conflict of interest (members of the witness organisation should not include PAPs or project staff for example);
- Evidence (or at least an indication) of experience in participating in such an activity before and in reporting;
- Knowledge and understanding of the land acquisition and resettlement process, livelihood restoration processes, national requirements and international standards;
- Assessment of available skills, capacity and resources including recognized experts in the various fields required for this activity; and
- Availability of a national office and preferably a regional office.

Civil Society Organisations and Human Rights Institutions are fundamental in the success of any resettlement process. Ideally, the project should specifically employ such an organisation to contribute to the resettlement process and ensure its effective delivery.

The Witness Organisation's roles in RAP implementation include the following:

- Gathering and sharing information (on investment option for the compensation money, savings and credit trainings etc.), which may help to avoid potential problems when implementing the RAP;
- Providing information that may be useful for the RAP monitoring and evaluation process;
- Developing information dissemination materials and promoting effective community participation;

- Strengthening local institutions;
- Delivering services to inaccessible communities and vulnerable groups in a cost-effective manner; and
- Assisting in implementing livelihood restoration and development plans in a sustainable manner.

14.8. Roles and Responsibilities of Government

Roles and responsibilities of government agencies in the implementation of RAP 2 are defined in Table 14.1.

Table 14.1: Roles and responsibilities of GoU in RAP 2 and LRP Implementation⁹⁶

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 2018/2019) used for calculations of compensations.</p> <p>Furthermore, the office of the CGV was responsible for authenticating and approving the final Valuation report, which is to be used as a basis for compensating PAPs during RAP Implementation.</p> <p>The CGV's office is also involved in resolving public complaints and disputes that arise from valuation for land acquisition and compensation payments through timely written responses with official positions</p> <p>It is further anticipated that, the Land Administration, Land Registration, and the Surveys and Mapping Departments, as well as the Ministry Zonal Offices at regional level (for RAP 2 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)⁹⁷ in the registration and transfer of land.</p>
Ministry of Local Government (MLG)	<p>Ministry of Local Government oversees the decentralisation and devolution of functions, powers and services and ensures good governance and democratic participation in, and control of decision making by the people.</p> <p>The Local Government will primarily review the progress of the land acquisition and resettlement process implementation, and make decisions regarding actions to resolve disputes relating to the amount of compensation to be paid for land acquired on a compulsory basis and designate officers to carry out</p>

⁹⁶ All interactions with PAPs (formal or spontaneous) will be reported in a timely manner to all implementation parties.

⁹⁷ The MLHUD has the responsibility to train and build the capacity of the District Land Board.

GoU Agency	Roles and Responsibilities in RAP Implementation
	these actions. The Local Governments also assist with the resettlement process through the District Land Board and Resettlement Planning Committees.
Department of Community Development in the Ministry of Gender, Labour and Social Development	Promotion of participation of communities in Community Development and Literacy initiatives, which is achieved through Community Development Officers (CDOs) at District and Sub-county levels. The CDOs are responsible for imparting non-formal skills to communities, disseminating information on available services (health, education) and employment opportunities as well as organizing communities to form development groups to engage in development ideas such as Operation Wealth Creation (OWC) and Savings and Credit Cooperatives (SACCOs). In addition, CDOs support engagement and dispute resolution related to RAP implementation and provide support to LR project detailed planning, implementation and M&E.
Operation Wealth Creation (OWC) Welfare Program of the Ministry of Defence and Veteran Affairs	<p>OWC aims at improvement of household incomes for poverty eradication, wealth creation and overall prosperity of Ugandans through facilitation of sustainable commercial agricultural production and enhancing household participation in commercial agricultural production through community mobilization, equitable and timely distribution of agricultural inputs, and facilitation of agricultural production chains.</p> <p>Therefore, the guidance of OWC will be very applicable in line with livelihood restoration activities that involve the agriculture sector.</p>
Ministry of Education and Sports	<p>This Ministry is mandated to ensure universal and equitable access to quality basic education for all children, to improve the Quality of Education in the following levels, to ensure equal access by Gender, District and Special Needs at all levels of Education and to build capacity of districts by helping Education Managers acquire and improve on their knowledge, skills and attitudes to be able to plan, monitor, account and perform managerial functions.</p> <p>Therefore, in line with improvement of quality of basic education, guidance will be sought from this Ministry for those livelihood restoration activities that involve the education sector.</p>
Rural Water Supply and Sanitation Department of the Ministry of Water and Environment	<p>This department mainly coordinates utilization of district water and sanitation grants that involves resource mobilization and allocation, technical support to districts, monitoring compliance and capacity building to the district local governments. In addition to that, the department supports planning and development of water schemes that traverse local government boundaries, largely gravity flow schemes and large motorized piped water schemes.</p> <p>Guidance will be sought from this Department in line with rural water supply and sanitation activities that are encompassed in the livelihood restoration program and these include provision of water for irrigation to the most affected households.</p>
Office of the Prime Minister (OPM)	<p>The OPM has the following functions that are relevant to the RAP implementation activities:</p> <ul style="list-style-type: none"> • Coordinate the monitoring and evaluation of the implementation of Government Policies and Programmes; • Coordinate the implementation of Government Policies, Programmes and Projects through National Institutional Coordination Framework; • Coordinate development of capacities for prevention, preparedness, and response to natural and human induced Disasters and Refugees; and • 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</p>

GoU Agency	Roles and Responsibilities in RAP Implementation
	process, management of refugees (if 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 RAP 2 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.
Ministry of Energy Mining and Mineral Development (MEMD)	Provides oversight over RAP implementation activities. 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.
<i>Ministry of Justice and Constitutional Affairs (MoJCA)</i>	Provision of legal advice and legal services to GoU on land matters through the Attorney General's office, especially when compulsory land acquisition is triggered. The Ministry of Justice and Constitutional Affairs (MoJCA) is responsible for promoting and facilitating efficient and effective machinery capable of providing laws for good governance to both GoU and the public.
Buliisa District Local Government (DLG)	All districts have four levels of local councils (LCs), and these LCs are responsible for local policy matters, economic development, resolving local conflicts and providing orderly leadership. In the RAP 2 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. The DLG includes the District Land Office, District Land Board and Area Land Committees whose responsibilities are stated below.
<i>District Land Office (DLO)</i>	The DLO includes the District Physical Planner, District Land Officer, District Valuer, District Surveyor, District Registrar of Titles and District Cartographer, which provides technical services to the DLB through its own staff or arranges for external consultants to facilitate the Board in the performance of its functions.
<i>District Land Board (DLB)</i> ⁹⁸	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> ⁹⁹	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

⁹⁸ The DLB rescinded all land applications between 2010 and 2017.

⁹⁹ The Ngwedo ALC was "re-established" in 2017.

GoU Agency	Roles and Responsibilities in RAP Implementation
	an advisory capacity on matters relating to land including ascertaining rights in land boundaries and disputes.

Table 14.2: Institutional Arrangements for RAP Implementation as per Ugandan Legislation

Ugandan Legislation	Institutional Arrangements in RAP Implementation
Land Act, 1998	<p>The Land Act, 1998 makes provision for the following institutional arrangements:</p> <p><u>Uganda Land Commission (ULC)</u></p> <ol style="list-style-type: none"> 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; Procure Certificates of Title for any land vested in or acquired by the GoU. <p><u>District Land Boards (DLBs)</u></p> <ol style="list-style-type: none"> Facilitate the registration and transfer of interests in land; Cause surveys, plans, maps, drawings and estimates to be made by or through, its officers or agents; 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; Review every year, the list of rates of compensation referred to in (c) above; and 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> <ol style="list-style-type: none"> The <u>Minister (of the MLHUD)</u> by statutory instrument may, make a declaration on use and acquisition of land by the GoU for a public purpose, which declaration will include the location of the land, and the approximate area of the land, among others. 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. 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. <u>Attorney General</u> - any disputes as to the compensation payable shall be referred by the Attorney General to the court for decision.
Registration of Titles Act (Cap 230) 1924	<p>The Act makes for provision of appointment of Registrars of Titles, who upon receipt of any application (under Section 29), shall bring the land under this Act by registering in the name or names of such person or persons as may be entitled to it, a certificate or certificates of title to the land in the form in the Third Schedule to this Act.</p>
The Physical Planning Act, 2010	<p>This Act establishes the <u>District Physical Planning Committee</u> which has the following functions as directly applicable the resettlement services in this Project:</p> <ol style="list-style-type: none"> 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 To ensure integration of social, economic and environmental plans into the physical development plans.
	<p>This Act makes provision for the following:</p>

Ugandan Legislation	Institutional Arrangements in RAP Implementation
Local Government Act, Cap 243	<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> <ol 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>
Survey Act (Cap 232), 1939 (as amended);	<p><u>Government Surveyor</u></p> <ol style="list-style-type: none"> 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. 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><u>Chiefs</u></p> <p>The Act mandates Chiefs (this Act does not specify which Chiefs, however the Land Act refers to Parish and Sub-county Chiefs) to prevent the destruction, injury or alteration of any survey or boundary mark within the local limits of their jurisdiction. Furthermore, whenever they shall become aware that any such mark has been destroyed, injured or altered, they shall report immediately to the nearest <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

Ugandan Legislation	Institutional Arrangements in RAP Implementation
	<ul style="list-style-type: none"> • 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</u>, the <u>District Commissioner</u> or the <u>Curator of the National Museum of Uganda</u>.</p>

14.9. RAP Implementation Team Structure

Figure 14.1 provides an overview of the RAP Implementation Team Structure. An overview of the roles and responsibilities of each entity indicated has already been provided in Tables 14.1 and 14.2.

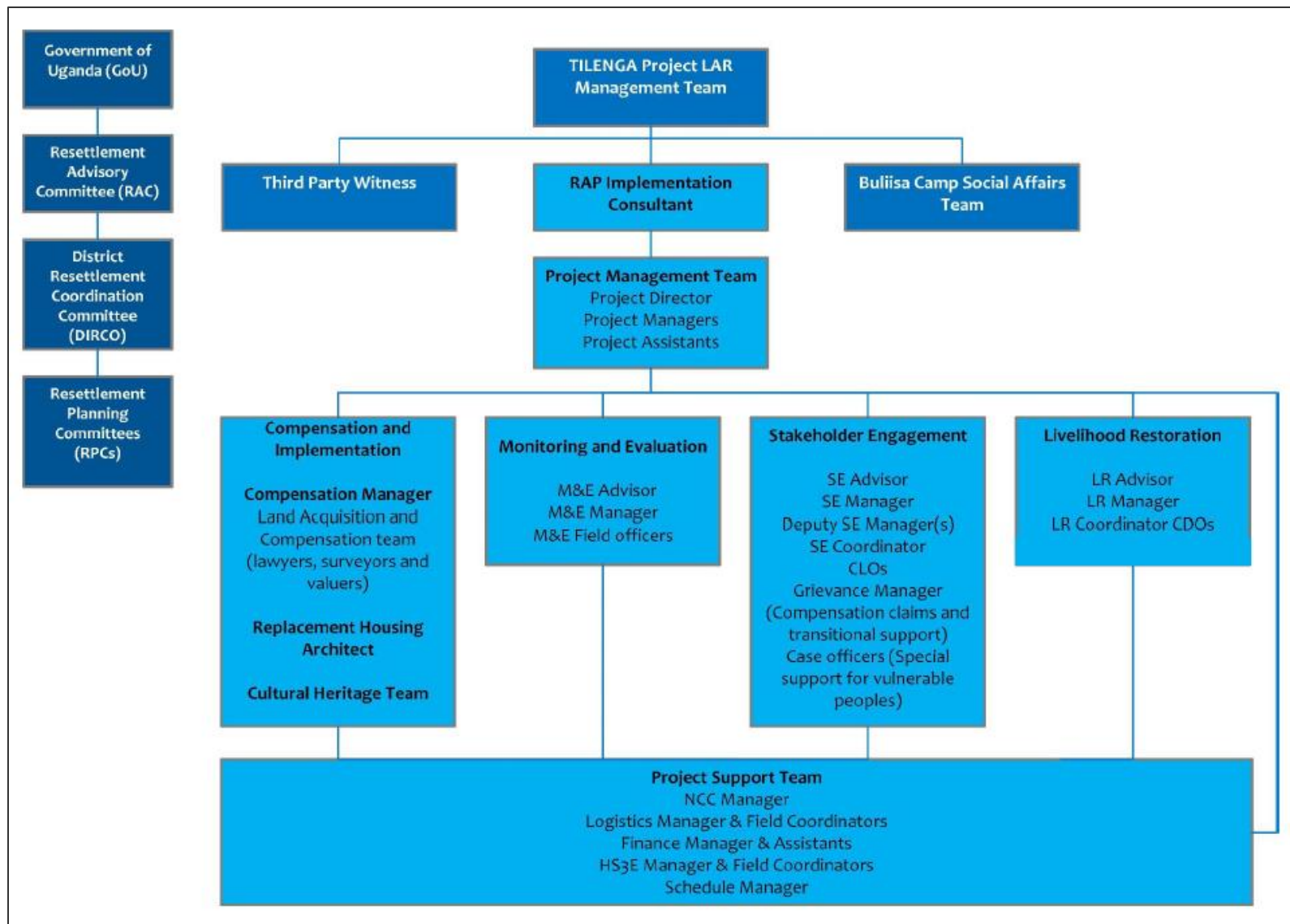


Figure 14.1: RAP Implementation Team Structure

Table 14.3: List of the activities that will be involved in the RAP 2 Project Area RAP implementation, as well as the responsible agencies

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party witnesses
				RAC	DIRCO	RPCs			
1	Disclosure, Sign-off and delivery of compensation	Provision of guidance for resettlement packages.	✓	✓	✓	✓	✓		✓ ¹⁰⁰
		Notification of PAPs of the compensation offer.	✓				✓	✓	
		Capacity building activities especially in line with financial/investment literacy, and money management.	✓				✓	✓	✓ ¹⁰¹
		Opening of bank accounts.					✓	✓	✓ ¹⁰²
		Provision of signed land purchase, lease, easement, and compensation agreements and written consents.	✓				✓	✓	✓ ¹⁰³
		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.		✓	✓	✓	✓	✓	

¹⁰⁰ PAPs

¹⁰¹ Witness Organisation and PAPs.

¹⁰² Financial Institution and PAPs.

¹⁰³ PAPs

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party witnesses
				RAC	DIRCO	RPCs			
		Resolution of public complaints and disputes that arise out of the compensation payments.	✓	✓	✓	✓	✓	✓ ¹⁰⁴	
		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.				✓	✓	✓ ¹⁰⁵	
		Preparation of Monitoring Reports of issuance of notices to vacate for each PAP.	✓			✓	✓	✓ ¹⁰⁶	
		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.	✓			✓	✓		

¹⁰⁴ Witness Organisation.

¹⁰⁵ Witness organisation.

¹⁰⁶ Witness organisation.

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party witnesses
				RAC	DIRCO	RPCs			
		Make a declaration on use and acquisition of land by the GoU for a public purpose.	✓				✓	✓	
		Forward to Registrar of Titles, a copy of the declaration above.	✓						
		Registration of the land declaration in the Register of Books.	✓						
		Procure certificates of title for any land vested in or acquired by the GoU.	✓						
		Facilitate the registration and transfer of interests in land.	✓				✓	✓	
		Conduct negotiations and prepare all documentation for the acquisition of land for resettlement sites.	✓				✓	✓	✓ ¹⁰⁷
4	Process of replacement land titles	Provision of guidance in line with resettlement site preference.	✓	✓	✓	✓	✓	✓	✓ ¹⁰⁸
		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	✓						✓ ¹⁰⁹

¹⁰⁷ PAPs

¹⁰⁸ PAPs

¹⁰⁹ Witness Organisation

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party witnesses
				RAC	DIRCO	RPCs			
		Provision of guidance for resettlement housing.					✓	✓	✓ ¹¹⁰
5	Resettlement construction	Interface with the RAP Implementation Consultant in line with engineering options and the timing/phasing of the resettlement process.	✓	✓	✓	✓	✓	✓	✓
		Approve development applications (e.g. construction permits) relating to the construction activities.			?		✓		
		Implementation of the replacement housing and infrastructure programme.	✓		✓				Construction Contractor
		Inform impacted farmers when their farms are required for project activities.					✓	✓	
6	Moves, salvages, demolition	Facilitate resettling households to inspect and verify that their resettlement house(s) are complete and acceptable before moving.	✓		✓	✓	✓	✓	✓ ¹¹¹
		Maintenance of law and order.	✓				✓	✓	✓
		Prevent the destruction, injury or alteration to survey/boundary marks.	✓						
		Management of concerns and grievances.	✓	✓	✓	✓	✓		✓

¹¹⁰ PAPS

¹¹¹ Witness organisation

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party witnesses
				RAC	DIRCO	RPCs			
7	Livelihood Restoration Programs	Preparation of detailed terms of reference for community development and livelihood restoration programs.	✓		✓	✓	✓	✓	
		Provision of sufficient financial, staff and other resources to plan, implement and monitor a resettlement programme.					✓	✓	
		Implementation of Livelihood Restoration Plans.	✓				✓	✓	✓ ¹¹²
		Provision of direction to Resettlement Planning Committees (RPCs) on issues to do with implementation of livelihood strategies.	✓				✓	✓	✓ ¹¹³
		Facilitation of all consultation and engagement activities with affected communities.	✓	✓	✓		✓	✓	✓
		Capacity building activities especially in line with livelihood restoration programs.			✓	✓	✓	✓	✓ ¹¹⁴
		Monitor and supervise project activities.	✓				✓	✓	✓ ¹¹⁵

¹¹² Witness organisation and relevant NGO/CSO

¹¹³ PAPs

¹¹⁴ Witness Organisation

¹¹⁵ Witness Organisation

Step	RAP Implementation Activity	Description of Activity	Responsible Agency						
			GoU	Resettlement Committees			Tilenga Project LAR Management team	RAP Implementation Consultant	Other third party witnesses
				RAC	DIRCO	RPCs			
8	Monitoring and Evaluation	Provision of guidance in line with resolution of problems or disputes associated with the project activities.	✓	✓	✓	✓	✓	✓	✓ ¹¹⁶
		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.			✓	✓	✓	✓	✓ ¹¹⁷
9	Submission of RAP/LRP Implementation Completion Report					✓	✓	✓	

¹¹⁶ Witness Organisation

¹¹⁷ Witness organisation

14.11. Entities responsible for delivery of each item/activity in the entitlement matrix

Table 14.4 lists entities responsible for delivery of each item/activity included in the entitlement matrix.

Table 14.4: Entities responsible for delivery of the Entitlement Framework

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
1	Dwelling used as primary residence	OR Option 1: In kind Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use at location of owners own choice but within a defined project area . <i>A standard 2 bedroom house to be constructed as the minimum replacement house.</i> <i>However, on a case by case basis and based on HH socioeconomic data, the number of rooms may be adjusted upwards based on household size. Following review, the same treatment will be applied to RAP 1 although already under implementation.</i>	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 2: In kind Replacement house of equivalent size (measured floor area or number of rooms) with consideration of functional spatial use but in host resettlement areas 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	
		OR Option 3: Cash compensation for all structures at replacement cost based on professional valuation. Statutory disturbance allowance of 30% of compensation amount.	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	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		Allowance for transport costs to new place of abode for all movable assets.	Tilenga project through RAP Implementation team	
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	Tilenga project through RAP Implementation team	RPC
		Option 2: The Resettlement Planning Committee (RPC) identifies and negotiates replacement land for a new Resettlement Village.		
7	Permanent loss of agricultural (crop) land	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	
		Owner identifies and negotiates the purchase of replacement land at agreed value and within agreed area. The Tilenga Project buys the new land for the owner.	Tilenga project through RAP Implementation team	PAP
		Provision of support registration cost and required formalities to ensure security of tenure.	Tilenga project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		OR Cash compensation for land, at replacement cost.	Tilenga project through RAP Implementation team	
		Statutory Disturbance Allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
8	Permanent loss of grazing land	Registered owners or claimants - Cash compensation of the value of the land at replacement cost.	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
		Other users - Provision for Livelihood Restoration support.	Tilenga project through RAP Implementation team	
9	Annual Crops	Where insufficient notice period is given (less than 90 days) Owners receive:		
		Cash: damaged crops will be compensated in cash as mature crops at agreed rates determined annually by District Land Board.	Tilenga project through RAP Implementation team	
		Statutory disturbance allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
		Access to Livelihood Restoration support.	Tilenga project through RAP Implementation team	
10	Perennial Crops (Including fruit and economic trees)	Option 1. Cash compensation at replacement cost agreed rates determined annually by the District Land Board or based on replacement cost determined by formal market studies.	Tilenga project through RAP Implementation team	
		Statutory Disturbance Allowance of 30% of compensation amount.	Tilenga project through RAP Implementation team	
		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 farmland.	Tilenga project through RAP Implementation team	

No.	Type of Loss	Entitlement	Primary Entity	Other (where applicable)
		Access to Livelihood Restoration support.	Tilenga project through RAP Implementation team	
11	Restricted access to resource areas	Tilenga project to address access restrictions through consolidated and improved access to alternative resource areas or substitute resource base.	Tilenga project through RAP Implementation team	
		Participation in Livelihood Restoration Programmes to restore livelihoods to pre-resettlement levels. This may include provisions to provide access to alternative resources (such as seedlings).	Tilenga project through RAP Implementation team	
12	Vulnerable Support Programme	In-kind hardship assistance program appropriate to specific cases and based on Project assessment, including: <ul style="list-style-type: none"> • Priority in physical mobilisation and transfer to resettlement plot; • Special assistance transit to resettlement plot; • Additional moving, loading and unloading assistance, if necessary; and • Assistance from support caseworkers during transit process. 	Tilenga project through RAP Implementation team	
		Other specific support related to moving process (e.g. medical assistance) identified by support caseworkers.	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	

14.12. Institution(s) Responsible For Implementation and Coordination of Livelihood Restoration Programs

Institutional arrangements for Livelihood Restoration are discussed in Annexure 7. A detailed matrix of possible partners for Livelihood Restoration schemes is also included in Annexure 7.

14.13. 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 needs analysis (note that the undertaking of this activity will be informed by the results of the staffing needs study) specifically aimed at, but not limited to:

1. Person analysis: By definition, this form of analysis deals with potential participants and instructors involved in the RAP Implementation process. The important questions being answered by this analysis are:
 - Who will receive the training?
 - What is their level of existing knowledge on the subject (RAP Implementation)?
 - What is their learning style?
 - Do the persons in these institutions that will be involved in RAP Implementation have the required skills?
 - Are there changes to RAP Implementation related policies or procedures that require or necessitate further training?
2. Work/task analysis: This is an analysis of the tasks that will need to be performed by each institution during RAP implementation and the requirements for performing the task. This analysis seeks to specify the main duties and skill levels required. This helps ensure that the training that will be developed will include relevant links to the requirements of the roles and responsibilities of the specific institution during RAP Implementation. However, it is important to note that comprehensive task analysis can only be completed following finalization of all the specific procedures of the RAP Implementation.
3. Job descriptions: Specifically, the accuracy and effectiveness of current job descriptions to ensure effective use of staff in RAP Implementation (more specifically, to verify that job descriptions are representative of the roles in place as required during RAP Implementation) and, how can these be integrated into staffing needs during the RAP Implementation. For example, at the Buliisa District Level, it will be important to ascertain if the respective institutions of interest such as the Buliisa District Land Board, District Technical Planning Committee, the District Lands Office and Area Land Committees have the required personnel (or not) for them to be functional/operational in line with the specific responsibilities they have in RAP Implementation – as identified in Table 14.2.
4. In the event that a government position is vacant, the project team will consult the relevant resettlement committees (RAC, DIRCO) to best allocate responsibilities within current staffing. However, if through consultation a role is still vacant then it is the responsibility of the GoU to fill the vacancy in consultation with JV Partners. Competency assessment will be carried out and training will be provided as required.
5. Performance management: A review of the nature, extent and effectiveness of performance management systems in place (if any), and any improvements that may be

required and, how these improvements will contribute to RAP Implementation - is the performance management system in place robust enough to meet the requirements for RAP Implementation.

6. Competency assessments¹¹⁸ 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.

14.14. 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 study¹¹⁹ approach with the RAP Implementation Consultant who will be responsible for all components of the training including; the training needs analysis¹²⁰, development of the training package and delivery of the training sessions.

A highly participatory training process involving staff from the respective institutions and supplemented with individual and group exercises will ensure staff contribution and understanding of RAP Implementation activities.

Participants are more receptive to training materials that include a combination of theoretical information and practical examples that illustrate the potential application of the knowledge in the real-world context.

Another method that has been proven to enhance the learning experience is to actively engage participants in discussions during the training sessions rather than encouraging passive intake of information. The length of the training sessions shall be ideal (not too long, such that participants are worn down and not too short; such that a training session is ended prematurely. In addition, the sessions will allow for tea/lunch breaks, and group or individual exercise/discussion breaks) and provide sufficient time to present the theoretical component and then still include material for discussion. These discussions may revolve around real or hypothetical case studies or simply be

¹¹⁸ An assessment of the knowledge, skills, and abilities that influence one's job.

¹¹⁹ This means that a particular instance/case of a project will be used to illustrate RAP Implementation

¹²⁰ It is important to note that the training needs analysis will be done before the training programme/materials can be developed.

initiated through some questions. Inclusion of photographs and case studies from real projects will also enhance the learning experience.

There have already been a series of capacity building sessions for the resettlement committees (DIRCO and RPCs) to better equip the members on understanding resettlement activities and the wider process and to gain their constructive input. The objective of capacity building for these committees was to increase understanding about their roles and mandates. Further information on the trainings conducted during RAP planning for the DIRCO and RPC members, and that to be conducted during RAP implementation is provided in detail in Chapter 6 and therefore not repeated here.

15. MONITORING & EVALUATION

Consistent with the requirements of the LARF and IFC PS5, the RAP Team in collaboration with TEP Uganda will establish and implement a monitoring and evaluation system (i.e., framework) to measure outputs and outcomes of the different aspects of resettlement implementation. The project activities during implementation will be monitored and evaluated based on two levels:

1. **Internal monitoring** – comprises of Pre-implementation visits and monitoring the day-to-day resettlement activities and tracking the progress in meeting predicted or scheduled resettlement milestones. The objective of internal monitoring is to aid in verification and classification of HHs based on the severity of the project impacts and also inform the Project Management Team (PMT) of the progress in the implementation of the RAP 2 project; to identify gaps in the processes affecting the implementation and recommending corrective actions through the modification of procedures and adjustments in resources. Internal monitoring will also include; preliminary evaluation of conditions in displacement-affected communities on an annual basis.
2. **External monitoring** – will be undertaken to obtain an independent assessment of the effectiveness of the RAP implementation. Upon conclusion of the resettlement, a Completion Audit is to be prepared by an external specialist. The overall aim of the audit will be to verify that resettlement and livelihood restoration activities have been undertaken in line with the requirements of the RAP, the LARF and IFC PS5.

Monitoring will be undertaken using systematic data collection for specified output indicators to provide the project and project affected households with timely, accurate, transparent and indicative information. Monitoring will help determine if those affected persons and communities whose assets or access to livelihood resources were displaced by the project are currently on track to achieving sustainable restoration and improvement of their quality of life or whether adjustments to the resettlement process are needed.

Monitoring will be conducted to verify whether; -

- Policies for compensation, assistance and resettlement are being implemented sufficiently and completely.
- Compensation, assistance and livelihood programmes are achieving sustainable restoration of Livelihoods and are improving the welfare of project affect persons and communities.
- Vulnerable people are being tracked and necessary assistance provided (including the effective identification and inclusion of vulnerable people in intervention programmes).
- Complaints and grievances from affected persons are followed up with timely and appropriate action.

The potential indicators to be used to assess the outputs of resettlement and livelihood restoration options are included in Table 15.1.

Evaluation is to be done through a systematic and objective assessment of ongoing or completed resettlement and livelihood activities taking into account its design, implementation and results. The aim is to, determine the relevance and fulfilment of the objectives, development efficiency, effectiveness, impact and sustainability. The purpose of evaluation is to assess program implementation and to track emergent, mid and long term impacts of the project and the welfare of PAPs and communities.

The monitoring parameters that will be used to assess the outputs and outcomes of resettlement and livelihood restoration activities are also included in Table 15.1. Monitoring and Evaluation timelines cannot be provided at this stage but rather during RAP implementation.

15.1. Organisational Responsibilities

The RAP 2 project team will undertake internal monitoring, as part of their internal performance monitoring system. The needed systems and resources will be established to ensure that internal monitoring is effectively performed. Where deemed necessary, the RAP 2 project team may appoint an external expert to support the monitoring process. Additionally, they will be responsible for leading the internal reporting on the periodic basis specified below

The RAP 2 project will appoint an independent and competent specialist to undertake the external monitoring and the final Completion Audit.

15.2. Reporting

The RAP 2 project team will carry out *internal monitoring* of the progress of RAP implementation on a monthly and quarterly basis to the Project Management Team. The reports produced from the internal monitoring activities will be summarized and provided to the RAP 2 Resettlement Committees (RPCs, DIRCO and RAC) for consultation and input during the routine monthly meetings.

Reporting will commence from the establishment of the cut-off date/moratorium until the conclusion of the relocation of PAPs, replacement of land and payment of compensation, and conclusion of the construction defects liability period on replacement houses. The following reports will be prepared and shared with the relevant stakeholders:

- *Monthly* – includes progress made on the implementation of project activities (actual versus target), updates on key meetings and outcomes, engagement with project affected persons and communities as well as other key stakeholders, and concerns, grievance and issue tracking.
- *Quarterly* – includes status of milestone project activities, progress updates against RAP requirements and timeframes, summary of engagement (including grievance management) with project affected persons and communities as well as other key stakeholders, assessments of the effectiveness of implementation of mitigation programming and livelihood restoration programmes, updates on vulnerable households, identification of potential gaps in implementation or non-compliance issues that need to be resolved, and proposed corrective actions to close the identified gaps or non-compliance issues. This report will take the place of the monthly reports on the third, sixth, and ninth project calendar months.
- *Annual* – a major review of the RAP project activities, associated plans, programmes, and operational controls covering a 12-month period. This report will take the place of the monthly reports on the month that it is to be submitted.

Allied to the above, the RAP 2 Project Team, in consultation with the RAP 2 resettlement committees, will establish formal mechanisms in terms of the reporting and correction of any non-compliance issues. Corrective action reporting should include:

- Identification and investigating of the non-compliance,
- Responsible parties,
- Agreed correction actions/remediation, and
- Closure of remediation.

In line with the LARF 2016, *external monitoring* will be undertaken annually at a minimum. This should coincide with the internal monitoring and focus on findings and recommendations on identified gaps in implementation or non-compliance issues. In addition, the Project will make the findings of the external monitoring report available to the funders on request. Where required by any permit/authorisation, the monitoring report will be submitted to the authorities as an independent audit report.

15.3. Completion Audit

A completion audit will be undertaken after all the actions and development initiatives of RAP 2 are concluded. The audit will determine if the provisions of the RAP have been met. It will also provide in-depth analysis that compares planned versus actual achievements in line with the requirements of the RAP, the LARF and IFC PS5 and, identify issues of ongoing risk or impacts on affected communities as well as make recommendations if needed. Depending on results of completion audits there may be a need for continuous monitoring and support to further complete and monitor identified gaps.

The completion audit will be conducted by a different consultant than that who developed and implemented the RAP.

The list of indicators in Table 15.1 are preliminary and will be finalized at the outset of implementation. It will be updated as the project evolves to ensure relevance of the Monitoring and Evaluation Framework. Primary stakeholders will be consulted regularly to confirm the continued importance of monitoring identified areas. In addition to the traditional quantitative and qualitative data collection methods to be used in monitoring, data about the changes in the demographics and livelihood condition of the PAPs will be supplemented by information obtained through the Monitoring and Evaluation (M&E), which is connected to the Global Livelihood Restoration Program. Monitoring and Evaluation timelines cannot be provided at this stage but rather during RAP implementation.

Table 15.1: Monitoring and Evaluation Framework

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
PERFORMANCE MONITORING (Input Monitoring)				
<p>Programme Management</p> <p><i>Is the RAP 2 project on track and within the budget agreed?</i></p>	<p>Ongoing high-level monitoring of the overall implementation of the RAP 2 Project against set targets (e.g. budget, schedule) to ascertain the progress of the resettlement project.</p>	<p>Actual versus predicted RAP implementation schedule.</p> <p>Actual versus predicted compensation schedule.</p> <p>Actual versus predicted household relocation implementation schedule.</p> <p>Actual versus predicted replacement land implementation schedule.</p> <p>Actual versus predicted project-spend on livelihoods restoration programmes.</p>	<p>Project Management Team provides monthly reporting to TEP Uganda giving an overview on the progress of implementation against the set schedule, budgeting and other targets on key implementation of the RAP (see entries below).</p>	<p>Monthly</p>
<p>Stakeholder Engagement</p> <p><i>Have affected communities been engaged and informed of the resettlement process?</i></p> <p><i>Have all identified PAPs been engaged on their entitlement and compensation packages?</i></p> <p><i>Has the Team made all efforts to engage vulnerable and marginalised groups?</i></p>	<p>Ongoing monitoring of engagement activities to ensure all stakeholders are identified and engagement approaches designed and implemented that:</p> <ul style="list-style-type: none"> • Drive effective communication of resettlement information; • Support confirmation that information has been understood; • Facilitate feedback from stakeholders; and • Enable stakeholder input and participation in 	<p>% of scheduled engagement meetings held as planned during the set period (target 80%).</p> <p>% of MoM (Minutes of the meeting) and attendance lists submitted for meetings held during the set period. (Target 100%).</p> <p>% communication materials developed / translated / distributed in line with the agreed deadline and targets. (Target 100%).</p> <p>% of scheduled engagement activities carried out with RPCs (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>Check Stakeholder Engagement Plan</p> <p>Check Stakeholder Engagement Plan</p>	<p>Monthly</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
	decisions affecting their lives.			
<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 and registered per month.</p> <p>No. of active grievances (i.e., unresolved) currently within each step of the Grievance Mechanism (at a set point in each month).</p> <p>Nature of grievances currently within each step of the Grievance Mechanism (at a set point in each month).</p> <p>No. of resolved grievances that PAPs have appealed.</p> <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 receipt to close out for all resolved RAP 2 related grievances. (Target: 30 days)</p>	<p>Check grievance log</p> <p>Check grievance log</p> <p>Check grievance log</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	Potential Indicators	Method of Monitoring	Frequency
		<p>No. of times the Concerns and Grievance Mechanism have been communicated (e.g. through presentation and other communication material).</p> <p>No. of concerns registered per month.</p> <p>No. of concerns addressed through engagement per month.</p>	<p>Check Stakeholder Engagement Plan</p> <p>Check concerns log</p> <p>Check concerns log</p>	
<p>Eligibility & Compensation (Physical Resettlement)</p> <p><i>Has everyone who is eligible for replacement or compensation been identified?</i></p> <p><i>Have all identified eligible parties been awarded the compensation they are due?</i></p>	<p>Continuous monitoring of eligibility, even after replacement assets and cash compensation has been carried out to the majority of PAPs, to ensure all affected parties receive their due compensation.</p> <p>Particular attention should be given to any absentee PAPs identified during the final asset surveys.</p> <p>Eligible parties are awarded their due compensation under LARF and IFC PS5.</p>	<p>No. of outstanding legal land disputes involving PAPs and identified land within the RAP 2 project area.</p> <p>No. of PAPs who have not been consulted (i.e., those who have not been disclosed to) regarding compensation agreement (and given the options of replacement housing or full compensation).</p> <p>No. of identified PAPs who have not signed a compensation agreement. Logged reasons for lack of agreement.</p> <p>No. of identified PAPs who have signed compensation agreement for replacement housing but have not been assigned a specific replacement housing.</p> <p>No. of identified PAPs who have signed compensation agreement for replacement</p>	<p>Legal register compiled and managed monthly.</p> <p>Legal register compiled and check engagement database.</p> <p>Analysis of new and/or outstanding grievances.</p> <p>Consult the compensation database; check all PAPs have a signed compensation agreement.</p> <p>Analysis of the extent that all replacement housing has been</p>	<p>Reviewed monthly until all replacements and cash compensations are made and then revisited quarterly against new grievances for a period of 3 years.</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<p>land but not been assigned replacement land for primary residential plot.</p> <p>No. of identified PAPs who have signed a compensation agreement for cash but have not been paid cash compensation.</p> <p>No. of incidences of stakeholders who have not been identified during the asset cadastral survey.</p> <p>No. of people who are satisfied with the administration, process of allocating replacement housing.</p> <p>No. of people who are satisfied with the administration, process of allocating replacement of land for primary residential plot.</p> <p>No. of people who are satisfied with the administration, process of allocating cash compensation.</p>	<p>assigned - % assigned (Target 100%). Compare the actual with the planned %.</p> <p>Log receipts of all MoUs, final contracts and hand over of title deeds documentation. Analysis of the extent that all replacement land has been assigned - % assigned (Target 100%). Compare the actual with the planned %.</p> <p>Log receipts of all MoUs, final contracts and hand over of title deeds documentation</p> <p>Analysis of the extent that all cash compensations have been distributed - % distributed (Target 100%). Compare the actual with the planned %.</p> <p>Log receipts of all MoUs, bank transfers and final contracts.</p> <p>Check grievances that have been logged during the implementation of the resettlement, and check if complainant has a ground for eligibility</p> <p>Monitor Grievance log</p>	

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
			<p>Monitor Grievance log</p> <p>Monitor Grievance log</p>	<p>As part of a quarterly survey</p> <p>As part of a quarterly survey</p> <p>As part of a quarterly sample survey on PAPs who received cash compensation.</p>
<p>Eligibility & Compensation (Economic Resettlement)</p> <p><i>Has everyone who is eligible for replacement or compensation, and livelihood restoration been identified?</i></p> <p><i>Have all identified eligible parties been awarded the compensation they are due?</i></p> <p><i>Have Livelihood Restoration Options been allocated?</i></p>	<p>Continuous monitoring of eligibility, even after land replacement and cash compensation has been paid to the majority of PAPs, to ensure all affected parties receive their due compensation.</p> <p>Particular attention should be given to any absentee landowners identified during the final asset surveys.</p> <p>Eligible parties are awarded their due compensation under LARF and IFC PS5.</p>	<p>No. of outstanding legal land disputes (border disputes or ownership disputes etc.) involving PAPs and the identified land within the RAP 2 project area.</p> <p>No. of PAPs that have not been consulted and given the options of replacement land or full compensation.</p> <p>No. of identified PAPs who have not signed a compensation agreement. Logged reasons for lack of agreement.</p> <p>No. of identified PAPs who have signed compensation agreement for replacement</p>	<p>Legal register compiled and managed monthly.</p> <p>Legal register compiled and check engagement database</p> <p>Analysis of new and/or outstanding grievances.</p> <p>Consult the compensation database; check if all PAPs have a signed compensation agreement</p>	<p>Reviewed monthly until all payments are made and then revisited quarterly against new grievances for a period of 3 years.</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
	Ensure that Livelihood Restorations options have been awarded and set up.	<p>of agricultural land but have not been assigned specific replacement land.</p> <p>No. of identified PAPs who have signed compensation agreement for cash but not been paid cash compensation.</p> <p>Number of incidences of stakeholders who have not been identified during the asset cadastral survey.</p> <p>No. of people who are satisfied with the administration, process of allocating replacement land.</p> <p>No. of people who are satisfied with the administration, process of allocating cash compensation</p>	<p>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>Monitor Grievance log</p> <p>Monitor Grievance log</p>	<p>As part of a quarterly survey</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
				As part of a quarterly survey
Asset Replacement <i>Is the replacement of individual resettlement houses and/or the resettlement village on track and within the budget agreed?</i>	Ongoing monitoring of the construction of resettlement housing against set targets (e.g. budget, schedule)	<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>No. of PAPs that have been relocated against predicted schedule.</p> <p>No. of housing maintenance issues reported</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>Monitor Relocation logs</p> <p>Log receipts of all MoAs, final contracts and hand over of title deeds documentation.</p> <p>Monitor Relocation logs. Log receipts of all MoAs, final contracts and hand over of title deeds documentation.</p> <p>Check grievance log.</p>	<p>Reviewed monthly until all constructions are completed and then revisited quarterly against new grievances for a period of 2 years.</p> <p>As part of a quarterly survey</p>
Cultural Assets <i>Have all cultural assets been identified?</i>	Ongoing monitoring of the identification and relocation of all cultural assets from the RAP2 project area.	No. of signed agreements on the relocation of cultural assets.	<p>Check final asset surveys and socio-economic surveys.</p> <p>Monitor Grievance log</p>	Monthly

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
<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>No. of cultural assets (e.g. graves) that have not been identified. (either assets already recorded, or new assets declared via the grievance mechanism)</p> <p>Progress on the establishment of replacement cemeteries.</p> <p>Progress on the exhumation and relocation of graves.</p> <p>Progress on the re-establishment of Sacred Sites.</p>	<p>Monitor Relocation logs</p> <p>Monitor Relocation logs</p> <p>Monitor Grievance log</p> <p>Monitor Relocation logs</p> <p>Monitor Grievance log</p> <p>Monitor Relocation logs</p> <p>Monitor Grievance log</p>	
<p>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 ensure they are not adversely affected by the change in circumstances brought about by the resettlement project.</p>	<p>No. of households that have not been identified as vulnerable.</p> <p>No. of PAPs who are members of identified vulnerable groups but have not been given assistance vacating the land.</p> <p>No. of vulnerable households supported during the implementation period (3 years period).</p> <p>Type of support given to vulnerable households.</p>	<p>Check final asset surveys and socio-economic surveys.</p> <p>Monitor Grievance log</p> <p>Analysis of % of identified vulnerable PAPs who have received assistance for vacating land. Compare the actual with the planned %.</p> <p>Consult the compensation database</p> <p>Consult the Livelihood Restoration database</p>	<p>Monthly</p>
<p>Livelihood Restoration</p>	<p>Monitoring of the sustainability and viability of the livelihood restoration options for individual PAPs groups and</p>	<p>No. of livelihood restoration and development programmes initiated.</p>	<p>Consult the compensation database</p> <p>Check compensation database</p>	<p>Monthly for 6 months then quarterly for 2 years</p>

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
<p>Have the Livelihood Restoration Options been implemented?</p> <p>Are the identified options sustainable and viable as a suitable form of livelihood restoration?</p>	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.	<p>No. of actual versus predicted project beneficiaries.</p> <p>% of PAPs eligible for participation in Livelihood Restoration Schemes who are part of these schemes.</p> <p>No. of PAPs enrolled for vocational training course.</p> <p>No. of PAPs attending and completing vocation training courses.</p>	<p>Check Livelihood Restoration attendance logs</p> <p>Check Livelihood Restoration attendance logs</p> <p>Check Livelihood Restoration attendance logs</p>	
IMPACT MONITORING (Output Monitoring)				
<p>Demographic Change</p> <p>Has the project resulted in a drastic socio-economic change in the affected community?</p> <p>Have some households become more vulnerable?</p>	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 government, aid agencies, NGOs).	<p>Demographic profile</p> <p>Education levels</p> <p>Skills levels</p> <p>Changes to status of women, children and vulnerable groups</p> <p>Access to primary and other healthcare services</p> <p>Access to potable water</p>	<p>Quantitative and qualitative assessment, including a repeat of the household survey to determine longitudinal (over-time) change. (this should ideally be full or substantial sample households for the first year at least).</p> <p>Each assessment should be compared with the original baseline survey for reference but also wider influences (climatic, economic, 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>	Annually for 3 years (or until the completion audit is passed).

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
		<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>		
Livelihood Change	Monitoring the outcome of the implementation of Livelihood restoration over time to ensure that PAPs are not worse off as a result	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 in depth livelihood restoration to	Annually for 3 years

Focus Area	Objective	Potential Indicators	Method of Monitoring	Frequency
	of the resettlement project.	<p>No. of replacement tree crops compared to those lost.</p> <p>Size of horticultural gardens compared to what was lost.</p> <p>No. of households engaged in crop farming (or alternative livelihoods).</p> <p>No. of households engaged in fishing (or alternative livelihoods).</p> <p>No. of re-established and new business enterprises.</p> <p>No. of local people directly or indirectly employed by the project or third-parties linked to vocational training.</p> <p>No. of beneficiaries included in local content plans.</p> <p>Level of livelihood improvement or socio-economic improvement of vulnerable groups.</p>	determine longitudinal (over-time) change.	

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 **Sixty (60) replacement houses**; any changes during implementation in view of the final choice made by PAPs could influence the cost.
2. The compensation amounts contained in the government-approved valuation report are the numbers that will be used to direct compensation payments and other entitlements. Any disputes may delay the process and could necessitate a revision of the estimate.
3. The budget is focused only on the compensation of resettlement impacts, including livelihood restoration, for the proposed RAP 2 project area. It currently excludes:
 - a. Cost of contractor fees for RAP implementation and disbursements;
 - b. Cost of training and capacity building; and
 - c. Cost of legal support and grievance management.

16.3. Implementation costs

The costs to implement this plan are summarised in Table 16.1.

Table 16.1: RAP 2 Implementation Costs

#	Item	Unit Cost (USD)	Units	Total (USD)
1	Cash Compensation	1,322,134	1	1,322,134
	Uplift 15% per year (2 years)			396,640
	Provision of bank accounts	50,000	1	50,000
	Sub-Total			1,768,774
2	Physical Resettlement (Replacement houses)	40,000	62	2,480,000
	Titling of replacement land	1,265	161	203,665
	Housing Construction & Transport related costs (inspection fees, approval of building plans and issuance of construction permits)	484	62	30,008
	Sub-Total			2,713,673
3	Other Costs (implementation)			
	Relocation of Family Graves Ceremony	1,400	17	23,800
	Relocation of Individual Graves Ceremony	1,130	9	10,170
	Exhumation and Reburial Cost	947	129	122,163
	Relocation of Clan Shrine Ceremony	3,600	7	25,200
	Relocation of Family/Individual Shrine Ceremony	1,436	8	11,488
	Chance Finds activities & reburials in common cemetery (Lumpsum)	20,000	1	20,000

#	Item	Unit Cost (USD)	Units	Total (USD)
	<i>Monitoring & Evaluation at least 3 years (excluding LR includes Pre Implementation monitoring, Pre and completion audit)</i>			130,000
	Sub-Total			342,821
4	Livelihood Restoration	3197.9	296	946,578
	Sub-Total			946,578.40
	Total			5,771,846
	10% Contingency			577,185
	COMBINED TOTAL (USD)			6,349,031

16.4. Implementation schedule

A high-level schedule is presented in Figure 16.1 with implementation presented over an 18-month period. Please note however, that specific start and end dates cannot be indicated at this stage, as the provision of specific RAP implementation timelines is entirely dependent upon the approval of RAP 2 planning reports by PAU.

Figure 16.1 nevertheless indicates the tasks and timing for the subsequent 18 months of RAP 3a implementation. The schedule will be updated, as required and, additional tasks added as and when necessary.

Figure 16.1 shows the tasks and timing for the subsequent 18 months of RAP 2 implementation. The schedule will be updated as required and additional tasks will be added where necessary.

No	Activity/Task	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	month 16	month 17	month 18	month 19
1 PROJECT MANAGEMENT & ADVICE																				
1.1	Project oversight																			
1.2	Implementation management																			
1.3	Technical advice																			
1.4	Project finance management																			
1.5	Logistics and administration management																			
1.6	Implementation set-up and mobilisation																			
1.7	Internal engagement																			
1.8	Contracts management																			
1.9	Scheduling																			
1.10	Handover and close-out																			
2 DATA VERIFICATION & ALIGNMENT																				
2.1	Review final sets of PAPs numbers and entitlements																			
2.2	Analysis of conflicting data sets																			
2.3	Identify methods of rectifying any conflicts or anomalies																			
2.4	Resolution of inconsistencies that can be addressed without fieldwork																			
2.5	Presentation of analysis and plan to TEPU																			
2.6	Fieldwork for resolution and confirmation of any remaining inconsistencies &																			
2.7	Seek consensus on final data set																			
2.8	Issue final data set																			
3 CONTINUOUS STAKEHOLDER ENGAGEMENT & GRIEVANCE MANAGEMENT																				
3.1	Develop SEP to support implementation																			
3.2	Provide daily management, training, and mentoring of team																			
3.3	Develop and manage the commitments register, concerns and grievance regis																			
3.4	Develop and produce engagement materials																			
3.5	Carryout engagement activities																			
4 MONITORING & EVALUATION																				
4.1	Design M&E Framework																			
4.2	Present M&E Framework to TEPU and agree on potential indicators to be mon																			
4.3	Prepare monthly and quarterly monitoring reports																			
4.4	Prepare annual M&E report																			
4.5	Completion Audit																			
5 COMPENSATION																				
5.1	Individual Negotiations of Compensation agreements																			
5.2	Finalise compensation agreements and written consent																			
5.3	Signing of compensation agreements																			
5.4	Facilitate opening of Bank accounts as required																			
5.5	Payment administration																			
5.6	Information management and record keeping																			
5.7	Reporting																			
6 LAND ACQUISITION																				
6.1	Engagement																			
6.2	Identification of resettlement plots by PAPs																			
6.3	Confirmation of land availability																			
6.4	Administrative duties in the land acquisition process																			
6.5	Survey new land portions																			
6.6	Registration of land/Titling																			
7 PHYSICAL RELOCATION																				
7.1	Finalisation of house designs																			
7.2	Construction management																			
7.3	Handover of replacement land/house																			
8 CULTURAL HERITAGE MANAGEMENT																				
8.1	Relocation of shrines and sacred sites																			
8.2	Relocation of graves																			
8.3	Report on effective relocation of cultural assets																			
8.4	Cultural Heritage Training																			
8.5	Archeology																			
9 LIVELIHOOD RESTORATION																				
9.1	Oversight																			
9.2	Monitoring & Management of LR Programs																			
9.3	Preparation of Terms of reference																			
9.4	Training																			
9.5	Engagement																			

Figure 16.1: RAP 2 Implementation Schedule

GLOSSARY

Asset Inventory or Asset Tables	A record of lost and affected assets at the household, enterprise and community level. This information is collected by means of a detailed survey and should be at a minimum account for land area and improvements, loss of physical assets, as well as loss of income, the duration of loss (temporary or permanent), and ownership details. Assets surveys should be signed by household heads to minimize future claims to ownership. Collectively held assets should be recorded separately.
Associated Facility	Facilities that are essential to the construction or operation of the Project, but that are not necessarily developed by the JV Partners.
Buffer Area	Area that extends beyond the boundaries of the installation but which is nevertheless affected to some extent either permanently by normal operation of the facility (noise, radiation, etc.) or exceptionally by the consequence of an emergency situation caused by a major failure. The buffer area is not under control of the company but is subject to agreement with local authorities to minimise the presence of the public within this area.
Communal Land Association	An association of persons formed under the Land Act, Cap 227(laws of Uganda 2000), for any purpose connected with communal ownership and management of land, whether under customary law or otherwise
Community Development	Community development refers to a program of interventions that contribute to both economic and social development of communities who are considered stakeholders. The area of intervention may extend beyond the people who experience physical or economic displacement. The specific objectives and modes of implementation may vary, and are subject to negotiation with stakeholders, including communities and government.
Compensation	Payment in cash or in kind for an asset or a resource that is acquired or affected by the Project.
Compulsory Acquisition	Also known as Expropriation or Eminent Domain. According to the Constitution of the Republic of Uganda (1995) as amended “no person shall be compulsorily deprived of property or any interest in or right over property” except under the condition that it is necessary for public use and made under a law that makes provision for prompt payment of fair and adequate compensation prior to taking of possession or acquisition of the property, etc. (see article 26 (2) and article 237 (2) (a)).The process for expropriation should be considered a measure of last resort to obtain permanent entry onto land.
Consultation and Disclosure	Resettlement planning requires that affected persons are informed early on in the planning process about their options and rights regarding displacement and compensation. Affected persons should also have the opportunity for informed and meaningful participation in the key phases of planning, so that mitigation of adverse project impacts is appropriate, and the potential benefits of resettlement are sustainable. Disclosure

includes, the disclosure of information about displacement eligibility and entitlements, as well as compensation and livelihood packages, with the aim to allow potentially displaced people sufficient time to consider their options (see also IFC PS5 5 and 10 and GN28).

Cut-off Date	Designated date of completion of the census and assets inventory of persons affected by the Project. Similarly, PAPs can still access their residences, structures and land, grow crops, harvest crops, graze animals until compensation awards are made. However, new fixed assets (such as built permanent structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory (i.e. the cut-off date) shall not be eligible for compensation; as these would not be part of the assessed property and included in the budget for compensation awards. For avoidance of doubt, the cut-off date is not the same as a declaration or notice issued under the Land Acquisition Act (sections 3 and 5).
Development	The planning, placement, construction and installation of facilities needed for production of petroleum.
Development Area	An area constituted by a block or blocks which, following a commercial discovery of petroleum, has been delineated for production according to the terms of the petroleum agreement.
Discovery Area	The block or blocks in an exploration area comprising the geological feature as outlined by the relevant geological or geophysical data in which a discovery is located.
Dwelling	A structure occupied by one or more households as their residence. A dwelling may be a primary or secondary residence.
Easement	An easement is a non-possessory right of use, entry or way onto the property of another. It is used by a Project Operator to allow its personnel to enter private land to inspect and maintain its infrastructure. It is a proprietary form of right on the land of another and is thus enforceable. A legal contract (easement agreement) is concluded between the parties that sets out the mutual rights and obligations of the parties, including the determination of an easement fee as form of compensation for the disturbance associated with the enforcement of the “right of way” and any limitations on the owner’s continued use of the land in question.
Economic Displacement	Loss of income streams or means of livelihood caused by land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of the project or its associated facilities. For example, economic displacement can result from loss of access to farm land and can occur without physical displacement occurring.
Encroacher	Loss of income streams or means of livelihood caused by land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of the project or its associated facilities. For example, economic displacement

	can result from loss of access to farm land and can occur without physical displacement occurring.
Entitlement	Methodology to determine the compensation, rights, and assistance measures offered by the Project according to identified impacts and displaced assets.
Eligibility	A set of criteria or conditions to determine who is entitled.
Export Pipeline	The pipeline that shall be used to export crude oil from Kabaale to an export facility in Chongoleani of Tanga in Tanzania.
Feeder Pipeline	This pipeline will connect the Central Processing Facility to a delivery point to be located near the refinery in Kabaale.
Fixed Development Plan	A prerequisite condition for an application for the grant of a petroleum production licence. It includes proposals for the development and production of the resource relating to the spacing, drilling and completion of wells and the facilities required for the petroleum production. (See Petroleum (Exploration, Development and Production) Act, Act 3 of 2013, Section 71).
Forced Eviction	Defined by the United Nations Office of High Commissioner for Human Rights as the permanent or temporary removal of individuals, families and/or communities against their will from homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.
Grievance	A grievance is a concern or complaint raised by an individual or a group of individuals affected by company operations. Both concerns and complaints can result from either real or perceived impacts of a company's operations, and may be filed in the same manner and handled with the same procedure. The difference between responses to a concern or to a complaint may be in the specific approaches and the amount of time needed to resolve it.
Host Community	People living in areas to which the people physically displaced by the Project will be resettled, and who in turn may be affected by the resettlement.
Household	An individual or group of persons living together, who share the same cooking and eating facilities, and operate as a single socio-economic and decision-making unit.
Household Census	The enumeration of affected people; their registration according to location and collection of basic information before the Project starts to establish a list of legitimate beneficiaries. A census may include data variables that seek to determine socio-economic conditions of affected people and their households as baseline information for monitoring and evaluation. On large projects, the baseline survey is done on a representative sample and thus not done as part of the census.
Involuntary Resettlement	Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement. This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use, and (ii)

	negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.
JV Partners	Two oil and gas companies, CNOOC Uganda Ltd (CUL) and Total E&P Uganda B.V. (TEP Uganda) entered into a Joint Operating Agreement (JOA) to develop the petroleum resources in the Lake Albert Rift Basin. JV Partners are also referred to as Operators.
Land Acquisition	This includes both outright purchase of property and acquisition of rights such as easements or rights of way. It enables the temporary or permanent entry of land and the consequential removal of all assets on the land for a project-related activity. Where land is registered under some form of title, land acquisition requires the transfer of landownership to the Project in order to secure an unencumbered right to entry. Where land ownership is vested in the Government, the right of entry may be established by means of long-term leasehold.
Land Acquisition and Resettlement Framework	The voluntary approach that outlines the terminology, objectives, policies, principles and organizational arrangements that will govern land access, acquisition and resettlement activities related to the project. This is to meet the needs of the people who may be affected by Project activities resulting in land access and acquisition, loss of shelter, loss of assets or livelihoods, and/or loss of access to economic resources.
Land Grabbing	Refers to an unprotected practice of obtaining interests in or rights over unregistered land without full disclosure to the unregistered owner(s) of that land. A term used in the Uganda National Land Policy.
Land Tenure	The Uganda National Land Policy recognises three land use classifications namely Private, Public and Government and four land tenure classifications namely customary, freehold, mailo, and leasehold.
License Area	Refers to Exploration Area 1, 1A, 2, and the Kingfisher Development Area, and thereafter the whole or any part of such area which, at any particular time remains subject to a petroleum exploration licence and/or a petroleum production licence.
License Operator	The designated Partner that will lead the development and operation of facilities in one or more licence areas.
Livelihood	Refers to the full range of means comprising of capabilities, assets (including both material and social resources), and activities required for individuals, families, and communities to generate an income to secure the necessities of life.
Livelihood Improvement	Livelihood improvement refers to programs or measures designed specifically to improve the assets, levels of economic productivity, and/or standards of living to above pre-project levels. Livelihood improvements in the context of this document are targeted to displaced people whose livelihoods are affected by the project. Livelihood improvements are required as part of the resettlement

	action plan to conform to the spirit and intent of IFC Performance Standard 5.
Network Pipelines	Pipelines that will connect the well pads to the CPF (also referred to as flow lines).
Orphan Land	For this RAP, Orphan land is described as land that is not directly affected by the project area but the project may limit the usefulness of this land. More specifically, Orphan land is the residual (remaining) land following land acquisition by the project that cannot be sustainably utilized or developed by a PAP i.e. the PAP's livelihood on the residual land is not sustainable, or, as a result of land acquisition by the project, the remaining portion is rendered non-economically viable. These small, uneconomic areas have been named 'orphan land'.
Permanent Displacement	Physical or economic displacement for the development of the Project that does not foresee the return of the land and its assets to its original state within a reasonable period (e.g. at the end of construction); as a result, affected persons are required to relocate to a new location to re-establish their livelihoods and asset base.
Production	All activities relating to recovering oil and gas from a reservoir and preparing it for evacuation from the field area.
Project	The Project refers to the Tilenga Project – the project name for the development of petroleum production facilities in Contract Area 1 and License Area 2.
Project Affected Households	For this resettlement, a Project Affected Household (PAH) is defined as one person or a group of persons who share a dwelling unit and for a group, share at least one meal a day.
Project Affected Persons	For this resettlement, Project Affected Persons (PAPs) are defined as, any person or group of persons who loses the right to own, use or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset either in full or in part, permanently or temporarily. A PAP may have a right to one or more groups of assets including (a) rights to land, (b) ownership of annual and/or perennial crops and trees, (c) homestead property, (d) homestead structures, (e) graves, (f) shrines, and (g) other privately-held physical assets located within the development footprint.
Public Disclosure	Dissemination of information about the Project in a public forum allowing public access to reports and documents which contain (among others) the description of: projects, potential impacts, mitigation plans and other information that may have an effect on the public. Public disclosure of resettlement plans refers to the making available of non-financial information about the planned resettlement to affected communities.
RAP 1 project	The resettlement and land acquisition for the Priority Areas (Industrial Area and N1 Access Road) as components of the overall Tilenga project

RAP 2 project	The resettlement and land acquisition for the North Western Components of the overall Tilenga project
RAP 3a project	The resettlement and land acquisition for the North Eastern Components of the overall Tilenga project
RAP 3b project	The resettlement and land acquisition for the South Eastern Components of the overall Tilenga project
RAP 4 project	The resettlement and land acquisition for the Feeder oil Pipeline Components of the overall Tilenga project
RAP 5 project	The resettlement and land acquisition for the Upgrade of Existing Roads Components of the overall Tilenga project
Replacement Cost	The rate of compensation for lost assets, which shall be calculated at full cost of replacement; that is, the market value of the assets in addition to all transaction costs. In applying this method of valuation, depreciation of structures and assets are not taken into account. Market value is defined as the value required to enable affected communities and persons to replace lost assets with assets of similar value.
Replacement Land	A form of compensation for the loss of agricultural or pasture land. It is land of equal productive use or potential, located in the vicinity of the affected land or the new housing site, and the cost of its preparation to levels similar or better than that of the affected land.
Resettlement	Resettlement refers both to physical and economic displacement as a result of Project related land acquisition, and the process by which these impacts are mitigated and addressed.
Resettlement Action Plan	The document which specifies the plan and procedures that the JV Partners will follow, and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by the project. The RAP shall be consistent with this Framework.
Resettlement Package	The compensation, benefits and other assistance provided by the Project to displaced households and businesses.
Restricted Area	An area of land in which the level of prevailing risk is not compatible with the presence, even temporarily, of members of the public. Onshore, the restricted area is required to be within the security zone of the facility.
Security of Tenure	Means that resettled individuals or communities are resettled to a site that they can legally occupy, and where they are protected from the risk of eviction.
Speculation	Individuals that intentionally move to a project site, purchase land, build or plant assets in an opportunistic way to 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.