



Government of Uganda

Ministry of Water and Environment



The World Bank Group

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESMENT AND
RESSETTLEMENT ACTION PLAN FOR WATER SUPPLY PROJECTS IN
EIGHT SMALL TOWNS: (BUSIA, NGORA-NYERO-KUMI, PALLISA,
RUKUNGIRI, KATWE – KABATORO AND KOBOKO).**

FINAL RESETTLEMENT ACTION PLAN

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with



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LIST OF ACRONYMS



Art.	-	Article
CAO	-	Chief Administrative Officer
Cap.	-	Caption
CGV	-	Chief Government Valuer
DLB	-	District Land Board
FSTP	-	Faecal Sludge Treatment Plant
GOU	-	Government of Uganda
IDA	-	International Development Agency
IRP	-	Involuntary Resettlement Policy
LC	-	Local Council
MLHUD	-	Ministry of Lands Housing and Urban Development
MWE	-	Ministry of Water and Environment
NEMA	-	National Environment Management Authority
PAP	-	Project Affected Persons
PDH	-	Physically Displaced Households
RAP	-	Resettlement Action Plan
RDC	-	Resident District Commissioner
SEC.	-	Section
UNRA	-	Uganda National Roads Authority
NFA	-	National Forestry Authority
MOU	-	Memorandum of Understanding
MWT	-	Ministry of Works and Transport
TOR	-	Terms of Reference
UWA	-	Uganda Wildlife Authority
WTP	-	Water Treatment Plant
MICT	-	Ministry of Information and Communications
Technology		
REA	-	Rural Electrification Agency
UBOS	-	Uganda Bureau of Statistics
DWD	-	Directorate of Water Development
WB	-	World bank
O.P	-	Operational Policy
GRC	-	Grievance Resolution Committee
NWSC	-	National Water and Sewerage Corporation
TCs	-	Town Councils
MCs	-	Municipal Councils
LGs	-	Local Governments



Glossary



Compensation	Payment in cash or in kind to which the affected people are entitled, in order to replace lost asset, resource or income.
Cut Off Date	Final date of enumeration and assessment of property and persons, entities and/or households to be affected. This is to be published to the public.
Economic Displacement	Total disruption of means of economic livelihood for a household or entity
Entitlement	Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore their economic and social base.
Entitlement Matrix	The pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
Grievance Redress Mechanism	Avenues through which disputes and grievances shall be resolved amicably before resorting to legal means.
Income Restoration	Re-establishing income sources and livelihoods of affected people. Restoration of incomes of all APs is one of the key objectives of the RAP.
Land acquisition	The process whereby a person is compelled by a public agency to alienate all or part of the land s/he owns or possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.
Livelihoods	All the various ways of subsistence, the sum of ways of making a living of an individual or a group of people, such as a household.
Project Affected Persons (PAPs)	Any person, household, firm or private institution that, on account of changes resulting from the Project, will have its a) Standard of living adversely affected; b) Right, title or interest in any house, land (including residential, commercial, agricultural, forest, Stone mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or



	temporarily; and/or c) Business, occupation, place of work or residence or habitat adversely affected, with or without displacement.
Replacement cost	The method of valuing assets to replace the loss at market value, or its nearest equivalent plus any transaction costs such as administrative charges, taxes, registration, and titling costs. Where national law does not meet this standard the replacement cost will be supplemented as necessary. Replacement cost is based on market value before the project or dispossession, whichever is higher. A compensation structure will be established that enables affected people to restore their livelihoods to levels at least equivalent to those maintained at the time of dispossession, displacement, or restricted access.
Resettlement	All social and economic impacts that are permanent or temporary and are caused by acquisition of land and other fixed assets, by change in the use of land, or; restrictions imposed on land, as a result of a project.
Resettlement Action Plan	A time-bound action plan with budget setting out resettlement strategy, objectives, entitlements, actions, responsibilities, monitoring and evaluation.
Stakeholders	Individuals, groups, or institutions that have an interest or stake in the outcome of a project. The term also applies to those potentially affected by a project. Stakeholders include land users, country, regional and local governments, implementing agencies, project executing agencies, groups contracted to conduct project activities at various stages of the project, and other groups in the civil society which may have an interest in the project.
Vulnerable persons	People who might suffer disproportionately or face the risk of being marginalized or impoverished, such as ethnic minorities, women, female-headed households, landless households, children and elderly people, without support structures, disabled persons or war invalids, people receiving social assistance from the Government, and people living below the poverty line.



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EXECUTIVE SUMMARY:

0.1 Introduction:

The Ministry of Water and Environment (MWE) through the Directorate of Water Development (DWD) is seeking funds to improve the water supply and sanitation system in 8 towns of Uganda. The proposed project is referred to as the Water Management and Development Project – Component 2.2. The 8 (eight) towns clustered as follows: Ngora-Nyero-Kumi, Busia Municipality, Rukungiri Municipality, Pallisa, Butaleja-Busolwe, Budaka-Kadama-Tirinyi-Kibuku, Katwe-Kabatooro and Koboko.

However, consultancy services for Environmental and Social Impact Assessment and Resettlement Action Plan will cover the project towns of Pallisa, Busia, Ngora-Nyero-Kumi, Rukungiri, Katwe-Kabatoro and Koboko.

The overall objective of the project is to assist the Ministry of Water and in improving the health, living standards and productivity of the population in the project towns, regardless of their social status or income through equitable provision of adequate and good quality water supply and improved sanitation services, at an acceptable cost and on a sustainable basis, through provision of the infrastructure and commercialized management of the installed facilities. This shall in turn stimulate economic growth in the small towns.

0.2 The Project, Affected Sites and Potential Impact:

Broadly, the Water Management and Development Project will construct, improve and expand existing water supply infrastructure and sanitation/sewerage services in the small towns namely Pallisa, Busia, Ngora-Nyero-Kumi, Rukungiri, Katwe-Kabatoro and Koboko.

In Rukungiri District, a total of 258 PAPs will be affected, 143 PAPs in Katwe-Kabatooro, 18 PAPs in Koboko, 152 PAPs in Busia, 126 PAPs in Ngora-Nyero-Kumi, and 91 PAPs in Paliisa District. Of these items affected include; land, structures and crops/trees.

Overall, the project will affect **788 PAPs** among them, **50** will have their land physically taken for either the water intake, reservoir or faecal treatment plants while the rest will require easements registered on their land for water pipelines. Out of this total, **18** are considered **vulnerable** and shall require special assistance as outlined in later chapters of this report.



0-3 Methodology and Approach:

This RAP has been prepared in accordance with standard RAP practice and in line with Ugandan Policies, as well as social safeguard policies of the World Bank Group largely drawing its propositions from the Operational Policy (OP) 4.12 on involuntary displacement.

In terms of stakeholder engagement, a participatory approach was employed. Throughout this process, the project-affected and affecting stakeholders were consulted and facilitated to actively participate in the process, utilising the existing social, administrative and information dissemination structures or mechanisms.

The more specific technical baseline data was collected based from field surveys using questionnaires, formal and informal interviews with project-affected persons and local council officials. In addition, resource data was obtained from reviews of concept planning data related to water supply requirements by different households and entities in the project area. Data on land and property affected was captured using instruments, documents and methodologies as approved by the relevant officials from the Ministry of Lands, Housing and Urban development.

Further still, there was a review of relevant documents on resettlement plans, legal, institutional and policy guidelines in respect to the situation for Uganda. In a specific way, the National Water Policy and the National Development Plan were studied to give a more synchronized perspective and approach to mitigation of displacement or socio-economic disruption and benefit sharing.

Through all these processes, the potential direct and indirect impacts to the PAPs were reviewed and analyzed and as such, compensation and benefit sharing options and strategies have been developed in a participatory manner.

0-4 Institutional and Legal Framework:

This RAP has been prepared in accordance with the Ugandan Laws on compensation where land is acquired and or damage is caused to land and property as well as the World Bank Safeguard policies on involuntary Resettlement. Specifically, the following Ugandan laws and regulations were adhered to and informed the legal framework of the RAP; **The Constitution of Uganda (1995), The Land Act (1998), The Land Acquisition Act (1965)**



The National Water and Sewerage Corporation Act (1995), The IDP Policy (2009), The National Environment Act Cap 153 (1995), the Uganda Water Action Plan (1995) ,The Town and Country Planning Act and the National Land Policy (2013).

Institutional Framework:

This RAP study was sanctioned by the **Ministry of Water and Environment** under the **Directorate of Water Development** (DWD) an entity mandated to regulate the use of water as a resource in Uganda. Both the ministry and the directorate provide policy guidance on modes of extracting, treating and supplying water in an environmentally friendly manner.

The other Agencies that have greatly influenced the development of this project but more specifically influenced the preparation of the RAP include the following; **Ministry of Lands, Housing and Urban Development** whose mandate was utilized in the survey and valuation of affected land and property, **The Ministry of Local Government, The National Planning Authority**, and **The Uganda National Roads Authority**.

At a lower level, the agencies involved included; **Local Council 1** for more direct contact with affected populations, mobilization, sensitization and guidance of the project team on pertinent issues as well as witnessing the enumeration of property and resolving boundary conflicts.

0-5 Community Participation and Consultation:

The approach to engage stakeholders took a Top –Down direction. The RAP team organised and participated in a number of consultative meetings and discussions with various key stakeholders and PAPs including the district officials as well as sub county officials. Later, lower levels meetings were held with residents of villages and municipal zones that shall be traversed.

These meetings were held in order to:

- Introduce the objectives and proposed activities of the project to the stakeholders,
- To involve the stakeholders in planning and the development of the RAP.
- Establish a long term relationship with the stakeholders during the study period and as well during the Implementation phase.
- Document key concerns and sensitivities for consideration during the studies and RAP implementation.



The facilitation process between the RAP team and community was conducted in the local languages while the high level meetings were conducted in English. The discussions centred on the potential disruption to be caused by the project during construction and after construction stages, other historical or legacy issues left by related projects and how the project will benefit the residents in terms of provision of clean water and sanitation services.

In all meetings, a question and answer session was included as a means of clarifying issues. The meetings and discussions were also used to gauge the attitude and feelings of the PAPs towards the project. Detailed issues emerging are presented in chapter two of the main report. Additionally, formal interviews were held with the project affected stakeholders where a questionnaire guide was administered to ascertain the nature of direct effect as well as consequential effects that shall arise out of displacement or restricted use of the land within the designated wayleaves.

0-6 Compensation Principles and Compensation strategy:

The compensation assessment procedures followed in this RAP is in line with the Land Act (Cap 227) which puts into operation the provisions of the Constitution of Uganda 1995 (under sections 43 and 78) and also complies with the provisions of the World Bank safeguard policies on involuntary resettlement. To ensure that all affected persons are catered to and that some people are not disadvantaged in the process of development, DWD will ensure financial compensation under the law is effected promptly and monitor this program for a period of six (6) months. The strategy adopted will be adequate to enable monetary compensation and resettlement assistance, including a disturbance allowance and specialised assistance to vulnerable groups.

Overall, the proposed project in all the municipalities and towns will cause minor resettlement impacts and these are related to those earning a living or residing in places where permanent land take will be required for the reservoirs, treatment plants and booster pump stations.

Additionally, because speculation is rampant in such cases, the eligibility criteria was therefore determined by a cut off date. The date of final consultations with and enumeration of the affected persons and property was established as the cut off-date and for this project it was 31st of July 2015. A person who occupies the land after the completion of inventory of affected households and assets will not be eligible for compensation for the lost assets and /or any form of assistance from the project. This will be deemed speculative.



Grievance Management Procedure:

Projects of this nature inevitably give rise to complaints and conflicts and as such this RAP has recommended a complaints management mechanism to resolve such matters. The recommendation is to set up a Grievance resolution Committee (DRC) to mediate in disagreements over the compensation values payable and additionally, assist in resolving internal family conflicts arising out of receipt of compensation of options taken by the head of household. This shall be at Municipal level or Sub County level depending on the administrative designation of the project zone.

Initially, the appeal shall be registered and discussed by the DRC in conjunction with the technocrats like the surveyors and valuers who will in turn be required to review the case and provide feedback with a view of resolving the dispute rather than clarifying a position. If the review is still not acceptable to the PAP, they shall be advised to seek the second opinion of an independent valuer/assessor. If this is still disputed, the PAP will be advised to seek legal redress. Details of the processes of grievance handling are discussed in later chapters.

0-7 Implementation of RAP:

DWD shall be responsible for the implementation of the RAP as part of the project development process but has to implement this in a participatory manner involving the affected persons directly or indirectly through their representatives. DWD shall set up a team to manage Resettlement, compensation and all ensuing issues.

Externally, DWD shall liaise with L.C officials and other local government offices during implementation and pre-construction period in addition to engaging the office of the CGV for review of compensation disputes. If required, the Municipal or Town Council planning office as well as the lands offices shall also be involved during the delineation of the way leaves.

In terms of compensation, in this RAP, we have recommended that an electronic funds transfer system through local banks be rolled out. The package will include training of PAPs in Banking as well as assisting them in opening accounts. The training will have added benefits of increasing awareness for banking and saving.

In consideration of all the activities involved in this RAP, we have estimated that DWD will need to set aside slightly over **Ugx.1,490,613,248** to cater for compensation, assistance to the vulnerable and benefit sharing Programmes as well as implementation and monitoring.



1.0 INTRODUCTION AND BACKGROUND TO THE PROJECT:

1.1 INTRODUCTION

The Ministry of Water and Environment (MWE) through the Directorate of Water Development (DWD) is seeking funds to improve the water supply and sanitation system in 8 towns of Uganda. The proposed project is referred to as the Water Management and Development Project – Component 2.2.

The 8 (eight) towns clustered as follows: Ngora-Nyero-Kumi, Busia Municipality, Rukungiri Municipality, Pallisa, Butaleja-Busolwe, Budaka-Kadama-Tirinyi-Kibuku, Katwe-Kabatooro and Koboko.

However, consultancy services for Environmental and Social Impact Assessment and Resettlement Action Plan will cover the project towns of Pallisa, Busia, Ngora-Nyero-Kumi, Rukungiri, Katwe-Kabatoro and Koboko.

The specific objectives of the project are:

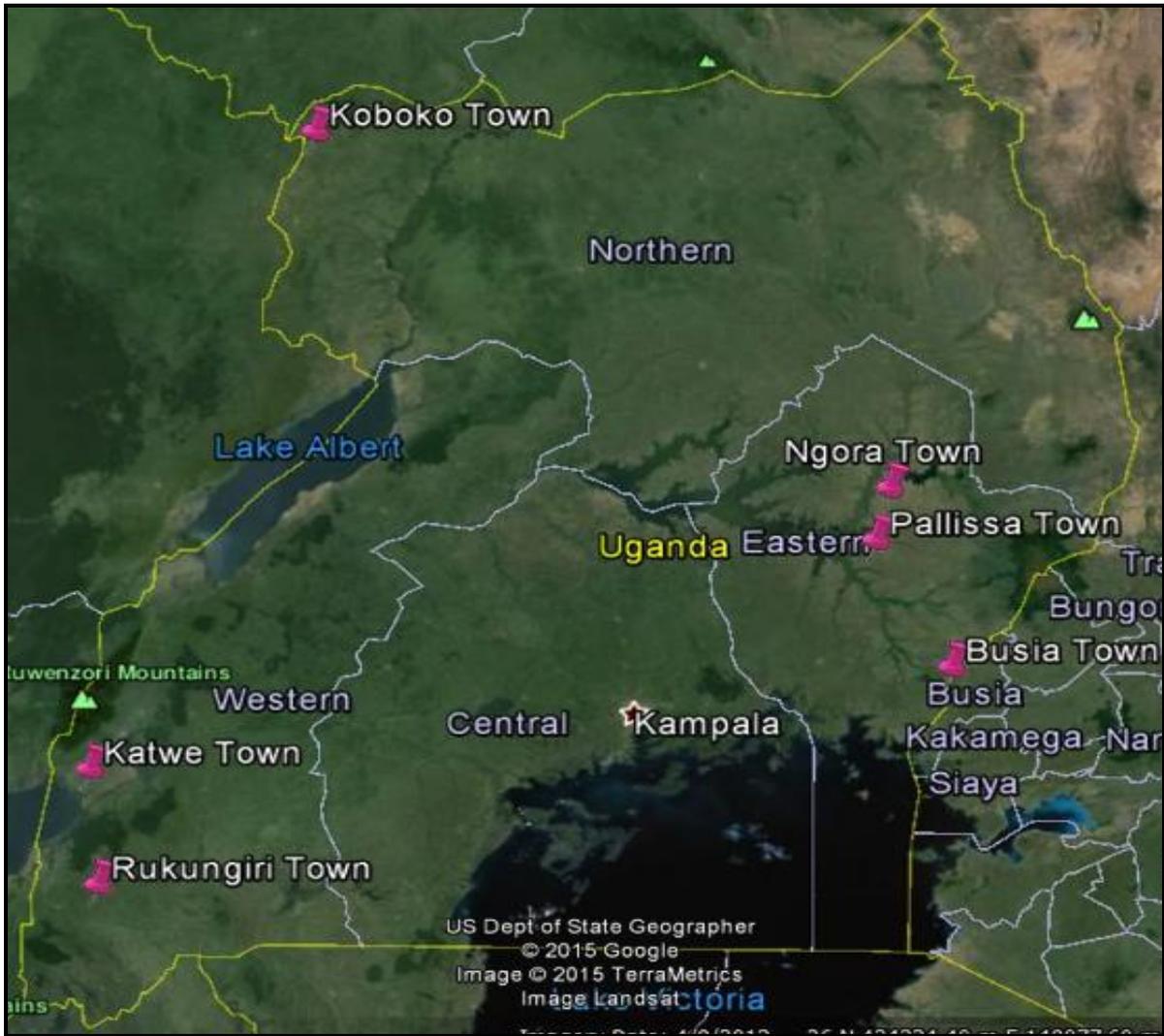
- i. To ensure adequate water provision in each of the towns by addressing the growing water supply challenges, through development of new infrastructure as well as rehabilitation and expansion of existing systems.
- ii. To improve the health and living standards of the target population, including vulnerable and disadvantaged groups, such as the urban poor, through improved access to clean water and sanitation facilities, as well as health education and communal training on the importance of safe water supply and sanitation.
- iii. To contribute to environmental protection and sustainability of water sources and their catchments through the adoption, promotion, and implementation of efficient protection strategies and management methods.
- iv. To ensure sustainability of water supply and sanitation services in the targeted towns through establishment of efficient and effective institutional support systems.

1.1 PROJECT SCOPE DESCRIPTION:

Broadly, the Water Management and Development Project will construct, improve and expand existing water supply infrastructure and sanitation/sewerage services in the small towns namely Pallisa, Busia, Ngora-Nyero-Kumi, Rukungiri, Katwe-Kabatoro and Koboko.



The project will also ensure the long-term availability and improved quality of water supply through enhanced source protection such as supporting water resources management activities and other measures to protect catchment areas. The detailed description of the proposed project works for which an ESIA is required is shown in sections 2.1 to 2.6.



1.2 PROJECT SUB-COMPONENTS DESCRIPTION AND AFFECTED AREAS:

1.3.1 Pallisa town water supply and sanitation system:

Pallisa Town is located in Pallisa County, Pallisa district. It is 196Kms from Kampala. The district borders the districts of Soroti, Bukedea and Kumi in North, Mbale, Budaka and Sironko in the East, Kaliro in the West, and Namutumba and Tororo in the South. The town is linked to the Kampala-Mbale highway by the Pallisa-Tirinyi murram road.



The district is comprised of three counties -Pallisa, Kibuku and Butebo, which contain twenty sub-counties and one town council.

The town is divided into 6 No. parishes (Local Council III) namely East, West, Kaucho, Kagwese and Supa Central Wards. In 2008, the town had a population of 23,641 of which 11,303 were male and 12,338 were female but in 2010 the population shot up to 31,200. At the moment, there is an existing piped water supply system based on the surface water from Lake Lemwa and ground water. The majority of the population use un-lined pit latrines, while a few (with house connections) have septic tanks in addition to the pit latrines.

The project intends to finance shifting the intake from Lake Lemwa and a new rapid sand filtration, treated pump station, and expansion of storage and distribution network. Safeguard and source protection measures will also be included, as well as sanitation improvements encompassing sludge management.

1.3.2 Busia town water supply and sanitation system:

Busia municipality is the administrative centre of Busia district and is divided into 2 No. Divisions (Local Council II) and in turn these are divided into 8 No. Parishes (Local Council II), which contain 25 No. Villages (Local Council I). It consists mainly of the administration centre (District Headquarters, Municipal Council Offices) a Hospital, Health Centres (grade III), lodges, milling plants, shops, secondary schools, primary schools, fuel stations, banks. The core of the municipality is in South West, South East and the Central parish where most of the commercial and administrative units are located.

There is also an en-route population surrounding the municipality that is the 12 No villages surrounding the municipality located in the parishes of Buchicha in Busitema Sub-County, Mawero in Buteba Sub-County, Busia and Nangwe both located in Busitema sub-county. In 2010, the population of the town was 45,700.

The municipality's water system was constructed in 2000 under the Small Towns Water and Sanitation Project, Phase II A – IDA funded. The system is composed of two separate systems: System A which consists of three (3) boreholes, 300m³ pressed steel reservoir while System B consists of four (4) boreholes, 100m³ pressed steel reservoir. The total installed production capacity of the system is 550m³/day. Other areas considered for supply are the areas where distribution mains have already been laid under the existing system. There is currently no central piped sewerage facility, majority of the residents about 85% use simple pit latrines.



The project intends to utilize Lake Victoria at Majanji shore as the source of water, construction of a new intake station, a new raw water pumping main and water treatment works, additional 1720m³ elevated storage reservoir, and improvements in distribution network. A mini sewerage system suitable for the high density population where pit latrines are not appropriate due to high water table and reduced plot sizes will be constructed. Safeguard and source protection measures will also be included, as well as sanitation improvements encompassing sludge management.

1.33 Ngora-Nyero-Kumi town water supply and sanitation system:

Ngora is a town in Eastern Uganda. It is the main political, administrative and commercial centre of Ngora District. It was originally part of Kumi district. Ngora is located approximately 42 kilometres (26 miles), by road, southeast of Soroti, the largest city in the sub-region. This location lies approximately 230 kilometres (140 miles), by road, northeast of Kampala. In 2004, the population of the town was estimated at about 9,200 people and was projected to be 43,600 in 2010. There is an existing water supply scheme based on surface water. There is currently no central piped sewerage facility, majority of the residents about 85% use simple pit latrines.

Nyero is also located in Eastern Uganda enroute between Kumi and Ngora towns. It is a booming rural growth centre with an estimated population of 32,400 people. There is currently no central piped sewerage facility, majority of the residents about 85% use simple pit latrines.

Kumi town, commonly referred to as Kumi, is a town in Eastern Uganda. It is the main municipal, administrative and commercial centre in Kumi District and is the location of the district headquarters. Kumi is located approximately 62 kilometres (39 miles), by road, northwest of Mbale, on the highway between Mbale and Soroti. In 2008, the Uganda Bureau of Statistics (UBOS) estimated the population of the town at 11,400 people. In 2011, UBOS estimated the mid-year population of Kumi Town at approximately 13,000 people. There is an existing water supply system based on ground water that supplies the town council.

The project will undertake major rehabilitation and expansion, including raw water abstraction from River Agu, new water treatment works in Ngora to supply both Ngora and Kumi towns, an en route pump booster pipeline to supply Kumi University and Nyero town. This is part of Kyoga basin catchment. Safeguard measures, source protection, and sanitation improvements encompassing also sludge management will also be included.



1.3.4 Rukungiri Municipality town water supply and sanitation system:

Rukungiri Municipality hosts the district headquarters of Rukungiri district in South Western Uganda, located 394 km from Kampala. The town has a piped water supply system which was constructed around the year 1996, and managed by WSS Services as the Private Operator being supervised by Rukungiri Town Water Authority and Board. The estimated 2010 population of Rukungiri municipality is 41,000 people. The existing water supply comprises of the main piped water supply for the core area of the town abstracting water from boreholes fitted with submersible pumps, 140m³ and 150 m³ storage tanks and a total house/yard connections of over 546 and 10 public stand posts. The existing boreholes water supply has had a number of problems associated with the hydro geological characteristics of the area. Water levels have continuously dropped and this has drastically affected the production of water for town consumption. The system capacity is outstripped and requires a new reliable and adequate surface water source.

WMDP will entail abstraction of water from River Kahenge, adjacent to the bridge on the border between Rukungiri and Ntungamo districts. The water source has the potential to supply the en route population in the town boards of Kebisoni and Buyanja. Safeguard measures and source protection will also be included, as well as sanitation improvements encompassing sludge management.

1.3.5 Katwe-Kabatoro town water supply and sanitation system:

Katwe-Kabatoro Town is located 54km from Kasese Town in Kasese district in South Western Uganda in the sanctuary of Queen Elizabeth National park surrounded by Lake Edward and Katwe Salt Lake. The town has a projected population of 12,700 by mid-year 2010.

The town's water system was constructed between 1985 and 1995 by Sogea Construction Company Ltd consisting of an intake on River Nyamughasani in Kyakitale about 3kms from the town, a 6" Asbestos Cement raw water transmission main 1.5km long, a water treatment plant and 100m³ clear water reservoir. The water supply system has a transmission main of 2.5km long, 300 m³ pressed steel reservoir and 20Km of water distribution network. The town currently has no central piped sewerage facilities. The common sanitation facility is the pit latrine and its derivatives. Latrine coverage is average, with 47.5% using shared latrines and 52.5% using privately owned pit latrines.



Water from the river gravitates to a sump underneath the raw water pump house through an unlined channel. The channel is regularly silted and hence does not supply the required volume of water. The water supply system is old and does not meet the water demand requirement of the town. Some of the problems with the system are siltation of the intake channel, non-functioning raw water pumps, air blowers, chlorine, alum and soda ash dozers, leaking clear water reservoir, clarifier and main reservoir due to extensive corrosion, regular leakages in the distribution system and inadequate supply to meet demand.

This project plans to utilize River Lhubirihya as the source of water, including the rehabilitation and expansion of the existing intake, a new raw water pumping main, a new treatment plant, a new reservoir tank and an expanded distribution network. Safeguard and source protection measures will also be included, as well as sanitation improvements encompassing sludge management.

1.3.6 Koboko town water supply and sanitation system:

Koboko town is located in North Western Uganda about 56km North of Arua Municipality, 19 km from the Uganda-Sudan border and 4 km from the Congo border and is a fast growing urban centre covering an area of 10.5sq.km. The current population of Koboko is 51,300 with a projected population of 75,937(2030) giving a current water demand of 928m³/day and future water demand of 1955m³/day.

The Town Council has a total of 20 boreholes although five of them have some iron in them either due to the rusty pipes or from the parent rock while others don't have enough yields to meet the water demand. There are also 17 springs within the Town Council, 15 of which are protected and 2 are unprotected. The majority of the protected springs are very close to homesteads thus raising chances of being contaminated hence unsafe for human consumption. The yield of most springs is reported to decrease in dry season and the quality to deteriorate in rainy seasons. Several streams originate in the outskirts of the Town Council contributing to three main rivers as follow:

1. Kochi River, which flows west towards Koboko Town Council,
2. Oru River which is a result of west and south streams joining together, farther away from the town council.
3. Atu River which is as a result of east streams joining together. This river is a tributary of River Oru and ultimately the Albert Nile.



The main population in Koboko town depends on the water supply system constructed under Koboko town emergency water supply project using borehole water. The scheme relies on three production wells with submersible pumps of 14m³/hr, 4m³/hr and 3.2m³/hr that are powered by diesel generators. The water pumped is however not sufficient for the current population and hence future population. There is also a mini-piped water system in the Town Council used entirely by Koboko Health Centre. The scheme draws water from Majimuzuri spring in Malenga ward of 6 cubic meter capacity.

This project plans to abstract raw water from River Kochi, full treatment and transmission, construction of a new reservoir tank and make improvements in the distribution network. Safeguard and source protection measures will also be included, as well as sanitation improvements encompassing sludge management.

1.3 OBJECTIVES OF THE RESETTLEMENT ACTION PLAN (RAP):

The objectives of the assignment are:

- i. To conduct an Environmental and Social Impact Assessment (ESIA) and prepare a Project Brief detailing the potential impacts of the project and their mitigation measures; and
- ii. To prepare a detailed Resettlement Action Plan (RAP) to determine anticipated resettlement impacts associated with the construction of water supply and sanitation systems in the project towns and put in place, measures to mitigate such impacts.

This report however is limited to the preparation of a Resettlement Action Plan (RAP). Details of the key components are given below.

1. Engagement of the potentially affected people, entities and their leaders to sensitize them and establish collaborative structures.
2. Documentation of affected land, property and households to be affected by the proposed project. (Survey, valuation and socio economic profiling)
3. Preparation of an acquisition strategy for the land required for the extraction zones, reservoirs, treatment area and way leaves for the distribution network. The strategy shall also include mechanisms to resolve disputes that shall arise.
4. Preparation of a benefits sharing strategy basing on project impacts and in line with sustainable development approaches.



The ultimate deliverable is the Resettlement Action Plan that details the baseline conditions, impacts and the proposed mitigation measures. The report is structured to present the baseline data in terms of the key aspects per geographical zones as highlighted above (**Busia, Pallisa, Ngora-Nyero-Kumi, Rukungiri, Katwe-Kabatoro and Koboko**). Recommendations for compensating for the losses as well as managing ensuing issues are also presented as per these zones. .

1.4.1 Objectives of the RAP Studies:

The overall objective of this RAP is to document all the households, entities, persons and property that will be impacted within the specified corridor and propose how this shall be mitigated. Thus, the RAP report addresses compensation issues related to the proposed project, while cognisant of the specific sensitivities and needs of the affected population.

Specifically, the RAP has been set out in order to:

1. Engage project affected persons and key stakeholders through consultations to obtain their views and suggestions regarding the impacts of the proposed project and applicable mitigation measures.
2. Identify and enumerate all affected person or entities together with associated properties and categorise them according to nature and magnitude of effect for purposes of apportioning appropriate mitigation measures.
3. Identify and document social issues related to land acquisition such as loss of economic activities related to the proposed construction of the system, Wayleaves clearance, setting of temporary and permanent camps for equipment storage and construction of offices and system stations.
4. Ascertain landownership and value of non-moveable property through conducting Land and Valuation Surveys of all affected properties in accordance with approved Government of Uganda Survey and Valuation Guidelines

1.4 METHODOLOGY AND APPROACH:

This RAP has been prepared in accordance with standard RAP practice and in line with Ugandan Policies, as well as social safeguard policies of the World Bank Group largely drawing its propositions from the Operational Policy (OP) 4.12 on involuntary displacement.



In terms of stakeholder engagement, a participatory approach was employed. Throughout this process, the project-affected and affecting stakeholders were consulted and facilitated to actively participate in the process, utilising the existing social, administrative and information dissemination structures or mechanisms.

The more specific technical baseline data was collected based from field surveys using questionnaires, formal and informal interviews with project-affected persons and local council officials. In addition, resource data was obtained from reviews of concept planning data related to water supply requirements by different households and entities in the project area. Data on land and property affected was captured using instruments, documents and methodologies as approved by the relevant officials from the Ministry of Lands, Housing and Urban development.

Further still, there was a review of relevant documents on resettlement plans, legal, institutional and policy guidelines in respect to the situation for Uganda. In a specific way, the National Water Policy and the National Development Plan were studied to give a more synchronized perspective and approach to mitigation of displacement or socio-economic disruption and benefit sharing.

Through all these processes, the potential direct and indirect impacts to the PAPs were reviewed and analyzed and as such, compensation and benefit sharing options and strategies have been developed in a participatory manner.

2.0 LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK

This RAP has been prepared in accordance with the Ugandan Laws and guidelines as well as following the OP 4.12 on involuntary displacement. The report indicates the framework under which the Client operates, including the Policy guidelines that steered the preparation of this Action Plan as well as the legal stipulations relevant to the land acquisition, compensation and benefit sharing with those affected by the project.

2.1 INSTITUTIONAL FRAMEWORK:

This RAP study was sanctioned by the **Ministry of Water and Environment** under the **Directorate of Water Development** (DWD) an entity mandated to regulate the use of water as a resource in Uganda. Both the ministry and the directorate provide policy guidance on modes of extracting, treating and supplying water in an environmentally friendly manner.



Outside the Ministry, there are other Agencies that greatly influence the development of this project but more specifically influence the preparation of the RAP and these include the higher level agencies responsible for policy guidelines as well as the middle and lower level agencies responsible for coordination, support, mobilization and trouble shooting. The relevant higher level agencies include the following;

2.1.1 Ministry of Lands, Housing and Urban Development whose mandate was utilized in the survey and valuation of affected land and property. This gives guidelines on methodology, documentation and access to private or public land/property. The Valuation division within this ministry is responsible for approving the compensation awards.

2.1.2 Ministry of Local Government which provides policy direction to lower local governments at the district and sub county. The valuation component of this RAP relied on the compensation rates passed by the respective districts and also relied on the mobilization structures at the sub county and village level to inform the PAPs about the project. In addition, the local governments provided guidance on the planning of the municipalities and towns hosting the project, including anticipated distribution networks.

2.1.3 The National Planning Authority: Documentation from the authority was reviewed for guidance on priority development areas especially in relation to clean water provision policy as well as synchronised development approaches and better coordination with other agencies.

2.1.4 The Uganda National Roads Authority This was approached for guidance on utilization of road reserves for other utilities like water supply lines and highway crossings. This was specifically in relation to requirements of user permissions of the corridor to be shared between water distributors and the roads authority.

The lower level agencies include;

2.1.5 Local Council 1 for more direct contact with affected populations, mobilization, sensitization and guidance of the project team on pertinent issues as well as witnessing the enumeration of property and resolving boundary conflicts.



2.2 LEGAL FRAMEWORK:

This being a project involving land acquisition and possible movement of persons from their homesteads, the report relied on the legal provisions within the Ugandan Law that allow such to happen with no conflict or feeling of unfair treatment by both the project developer and the affected persons. The following were reviewed for purposes of aligning the report to the legal stipulations of Uganda.

2.2.1 The Constitution of Uganda (1995): This is the overall guiding document and stipulates the rights enjoyable by every Ugandan, including the right to clean environment, right to own land and property and be compensated for any damages caused on such as well as the right to be protected. For this RAP other specific legal provisions that are relevant are outlined below;

The Constitution of the Republic of Uganda (1995) provides government and local authorities a statutory power of compulsory acquisition of land in public interest, and makes provision, inter alia, for the “prompt payment of fair and adequate compensation” prior to the taking of possession of any privately-owned property. Such compensation is assessed in accordance with the valuation principles laid out in Section 78 of the Land Act (Cap 227), briefly outlined below:

- The value for customary land is the open market value of unimproved land;
- The value of buildings on the land is taken at open market value for urban areas, and depreciated replacement cost for rural areas;
- The value of standing crops on the land is determined in accordance with the district compensation rates established by the respective District Land Board. annual crops which could be harvested during the period of notice to vacate given to the landowner/ occupier of the land are excluded in determining compensation values;
- In addition to the total compensation assessed, there is a disturbance allowance paid of 15% or, if less than six months’ notice to vacate is given, 30% of the total sum assessed.

The Constitution also recognizes land tenure regimes and rights discussed below.

i) Land tenure regimes and transfer of land:

Article 237 of the Constitution, 1995, vests land in citizens of Uganda and identifies four land tenure systems, namely: customary; freehold; Mailo; and leasehold. For this project, the customary, freehold and leasehold tenure systems were encountered.



These systems are detailed under Section 4 of the Land Act (Cap 227) and outlined below:

- a) **Customary Tenure;** 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. 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.
- b) **Freehold Tenure;** this tenure derives its legality from the Constitution of Uganda and its incidents from the written law. It enables the holder to exercise, subject to the law, full powers of ownership. It involves the holding of land in perpetuity or for a period less than perpetuity fixed by a condition.
- c) **Leasehold Tenure;** this tenure system is created either by contract or by operation of the law where the tenant has security of tenure and a proprietary interest in the land. It is a form under which the landlord of lesser grants the tenant or lessee exclusive possession of the land, usually for a period defined and in return for a rent;
- d) **Mailo Tenure;** the Mailo land tenure system is a feudal ownership introduced by the British in 1900 under the Buganda Agreement. "Mailo" is a Luganda word for "mile" as the original grants under the agreement were measured in square miles. Prior to the 1975 Land Reform Decree, Mailo land was owned in perpetuity by individuals and by the Kabaka (hereditary King of Buganda). All Mailo land parcels have title deeds. Persons who buy portions (kibanja) on Mailo land are protected by Ugandan law to live on and use the land, but they are obliged to pay certain annual royalties to the Mailo owner. No title deed is associated with kibanja purchase: In cases of compensation, an apportionment of land value of 70% and 30% share of the market value is given to the Kibanja and land owners respectively, regardless of any developments invested on the affected land. This is in line with national guidelines and requirement of the Chief Government Valuer.

This project did not encounter the mailo land tenure system and therefore limited the relevance of this legal stipulation to the Customary, Freehold and Leasehold interests with isolated cases of tenancy on those.



ii) Rights of spouse and children:

In compensation and resettlement, rights of spouses and children are protected under the Constitution of Uganda and the Land Act (Cap 227).

The consent of spouse and children must be acquired prior to any transaction by head of households on land on which the family lives. Section 40 of the Land Act, 1998 requires that no person shall:

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

2.2.2 The Land Act (1998): The Act has stipulations on ownership of land in Uganda but more importantly, land is vested to the citizens of Uganda. The Land Act principally addresses four issues namely; holding, control, management and land disputes. As regards tenure, the Act repeats, in Section 3, provisions of Article 237 of the Constitution which vests all land in the citizens of Uganda, to be held under customary, freehold, Mailo or leasehold tenure systems.

However, the Land Act provides for acquisition of land or rights to use land for execution of public works. Regarding control of land use, the Act reaffirms the statutory power of compulsory acquisition conferred on the government and local authorities under articles 26 (2) and 237(2) (a) of the Constitution (Section 43). Since the Act does not repeal the Land Acquisition Act No. 14 of 1965, it is assumed that this legislation, meets requirements of Article 26(2) of the Constitution that requires a law to be in place for the payment of compensation and access to the courts. The Act also requires that landowners manage and utilize land in accordance with regulatory land use planning (Sections 44 and 46).



Section 77(2) of the revised edition (2000) of the Land Act 1998 provides for a disturbance allowance on top of the computed compensation amount as follows:

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

For this project, the Land Act will govern all aspects related to land taken by the Water works systems by guiding on compensation issues either by replacement with physical land parcels or through cash payments and how various land uses and tenures systems shall be compensated

2.2.3 The Land Acquisition Act (1965). This has been referred to for purposes of elaborating land acquisition procedures for early entry into the delineated land as compensation matters are finalised. This is with the objective of timely project delivery. Reference to this Act has been made while proposing strategies for dealing with unreasonable speculative persons who may jeopardize the delivery of the project by demanding exorbitant compensation levels.

2.2.4 The National Water and Sewerage Corporation Act (1995): This was relied on in this RAP for guidance on the establishment and management of water supply systems especially in the municipalities and small towns.

2.2.5 The IDP Policy (2009): This provided reference material on policy guidelines for persons displaced voluntarily or involuntarily in Uganda. The proposals in this RAP have been aligned to the policy as passed in 2009.

2.2.6 The National Environment Act Cap 153 (1995): The National Environment Management Authority (NEMA) is under the Ministry of Water and environment and has cross sectoral mandate to review and approve EIA and also ensure that where a RAP is required, sustainable environment practices are integrated. In addition, extraction of water for domestic and industrial use from water bodies has to be done as per the regulations of NEMA. This was therefore referred to for purposes of ensuring compliance to social and Environmental stipulations.

2.2.7 The Uganda Water Action Plan (1995) which was referred to for guidance on the development plans for extraction, treatment and supply of water as well as management of water resources in a sustainable way including all the attendant requirements for players in the sector.



2.2.8 The Town and Country Planning Act: This Act was reviewed for purposes of obtaining guidance on planning parameters for the local governments especially in relation to infrastructure development for Service Delivery.

2.2.9 National Development Plan (NDP), 2010; In February 2010, the Government of Uganda finalized a new five-year National Development Plan (NDP) spanning FY2011-2015. The NDP's main theme is "Growth, Employment and Socio-Economic Transformation for Prosperity," with the aim to raise growth and living standards. The NDP is the first in a series of six plans intended to transform Uganda over 30 years into a modern and prosperous nation.

Based on economic forecasts, the GDP growth rate over the National Development Plan (NDP) period is projected at an average of 7.2 per cent per annum. At this GDP growth rate, nominal per capita income is projected to increase from USD 506 in 2008/09 to about USD 850 by 2014/15. During the same period, the proportion of people living below the poverty line is expected to decline from the level of 31 % in 2005/06 to about 24.5 % in 2014/2015, above the MDG target of 28 %. The NDP also addresses structural bottlenecks in the economy in order to accelerate socio-economic transformation for prosperity and key among these is low access to grid electricity which government plans to reduce by increasing expansion of the national transmission grid. The proposed project will contribute to implementation of the Plan, increasing power available to the Ugandan people, leading to improved economic development.

2.2.10 National Water Policy, 1999; The objective of the policy is to provide guidance on development and management of the water resources of Uganda in an integrated and sustainable manner. Especially related to the project, the policy demands control of contamination that could affect nature watercourses. It also requires water abstraction (as would be required by workers camp during line construction) to be guided by permits issued by Directorate of Water Resources Management. Impact on community water sources, especially where no alternative sources exist, would pose long-term social impact of "water poverty" in affected communities. This policy allows for monitoring and controlling potential contamination of water for human consumption and associated risks.

2.2.11 National Land Policy, 2013; The policy rests of key premises which include equitable access to land for all citizens regardless of gender, age, disability or any other reason created by history, custom or tradition.

Among the key objectives of the policy include the following;

- Ensure sustainable utilisation, protection and management of environmental, natural and cultural resources on land for socio-economic development



- Ensure planned environmentally-friendly , affordable and orderly development of human settlements for both rural and urban areas, including infrastructure development
- Harmonise all land related policies and Laws and strengthen institutional capacity at all levels of Government and cultural institutions for sustainable management of land resources.

This RAP has related to this policy in terms of guidance on treating land owners with equity regardless of gender or disability or customs. This will also form part of the sensitization messages throughout the project lifecycle.

2.3 OTHER POLICY GUIDELINES:

As much as this RAP is aligned to the institutional and legal provisions of Uganda, efforts have also been made to ensure that this RAP conforms to the safeguard guidelines of the World Bank on Involuntary Displacement. This is largely for purposes of setting the standard to best international practice following the sustainable development tenet. In particular, OP 4.12 has been triggered.

Overall, the policy ensures that the affected persons are left better off than before the project, following a development oriented approach. The basic principles of the policy are;

- 1) To avoid or at least minimize involuntary resettlement wherever feasible by exploring alternative project designs,
- 2) To mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of land 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,
- 3) To improve or at least restore the livelihoods and standards of living of displaced persons,
- 4) To improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites.

Following these clear-cut objectives, this RAP is committed to the following;

- 1) Carried out a census with appropriate socio-economic baseline data to identify the persons who will be displaced by the project, to determine who will be eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits. The developer thus established a cut-off date for eligibility. Information



regarding the cut-off date will be well documented and disseminated throughout the project area.

- 2) Offer displaced persons and communities compensation for loss of assets at full replacement cost and other forms of assistance to help them improve or at least restore their standards of living or livelihoods.
- 3) Where livelihoods of displaced persons are land-based, or where land is collectively owned, the developer will offer land-based compensation, where feasible,
- 4) Consult with and facilitate the informed participation of affected persons in decision-making processes related to resettlement. Consultations will continue during the implementation, monitoring, and evaluation phase of the project.
- 5) Establish a grievance mechanism consistent with the safeguard Policy to receive and address specific concerns about compensation and relocation that are raised by displaced persons including a recourse mechanism designed to resolve disputes in an impartial and non-coercive manner.
- 6) Compensate economically displaced persons who are without legally recognizable claims to land for lost assets (such as crops and other improvements made to the land) other than land, at full replacement cost. However, the implementer will not be obliged to compensate or assist opportunistic settlers who encroach on the project area after the cut-off date
- 7) Provide additional targeted assistance (e.g., credit facilities, training, or job opportunities) and opportunities to improve or at least restore their income-earning capacity, production levels, and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected
- 8) Provide transitional support to economically displaced persons, as necessary, based on a reasonable estimate of the time required to restore their income earning capacity, production levels, and standards of living.

Where gaps have been noted between the national guidelines and the safeguard policies, this RAP proposes adoption of the WBG policies. The table below presents the noted gaps and recommended approaches.



TABLE 1: GAPS AND REMEDIES:

Category of PAP Type of lost assets	Ugandan Law	WBG requirements	Recommend d approach
OWNERS – Land	<p>The Constitution of Uganda, 1995 vests all land directly in the Citizens of Uganda, and states that every person in Uganda has the right to own property. Ugandan law recognizes four distinct land tenure systems, customary tenure, freehold tenure, leasehold tenure, and mailo tenure.</p> <p>Customary land is owned in perpetuity and is governed by the customary laws by the peoples who have customary tenure. These people have propriety interest in the land in perpetuity and can acquire a certificate of customary ownership or a freehold certificate of title by requesting one through the Parish Land Committee (which will then be granted by the District Land Board).</p> <p>Customary land owners are entitled to compensation based on the open market value of the unimproved land</p> <p>For Land, Cash compensation based upon market value of unimproved land + disturbance allowance (15/30%)</p>	<p>Through census and socio-economic surveys of the affected population, identify, assess, and address the potential economic and social impacts of the project that are caused by involuntary taking of land (e.g., relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected person must move to another location) or involuntary restriction of access to legally designated parks and protected areas</p> <p>Land-for-land exchange is the preferred option; compensation is to be based on replacement cost.</p>	<p>Adapt WBG Safeguards and offer additional option for in kind replacement of lost land</p>
TENANTS – Land	<p>Entitled to compensation based upon the amount of rights they hold upon land. Compensation is split between land lord and tenant but no stated percentage split.</p>	<p>Must be compensated whatever the legal recognition of their occupancy</p>	<p>Adapt WBG Safeguards and compensate in cash or replace in kind as the previous tenure at the bare minimum</p>
SHARECROPPERS – Land	<p>Not entitled to compensation for land, entitled to compensation for crops and other fixtures</p>	<p>No specific provision as to land compensation, but income and means of production must be restored.</p>	<p>Restore livelihood as per the WBG guidelines.</p>
OWNERS – “Non permanent” Buildings	<p>Mailo tenure involves the holding of land in perpetuity. It was established under the Uganda Agreement of 1900. It permits the separation of ownership of land from the ownership of developments</p>	<p>For those without formal legal rights to lands or claims to such land or assets that could be recognized under the laws of the country, Bank</p>	<p>Cash compensation based upon rates per sq.m. established at District level + disturbance</p>



	on land made by a lawful occupant. Owners of non-permanent buildings are entitled to compensation based on rates set by District Land Boards.	policy provides for resettlement assistance in lieu of compensation for land, to help improve or at least restore their livelihoods.	allowance (15/30%) - Also offer option for in-kind replacement of the dwelling places in better state.
OWNERS – “Permanent” Buildings	Law permits the separation of ownership of land from the ownership of developments on land made by a lawful occupant. Owners of permanent buildings are entitled to compensation based on rates determined by the professional valuer but relying on property rates	For those without formal legal rights to lands or claims to such land or assets that could be recognized under the laws of the country, Bank policy provides for resettlement assistance in lieu of compensation for land, to help improve or at least restore their livelihoods. Also entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement as well as compensa	Cash compensation at full replacement cost + disturbance allowance (15/30%) - Also offer option for in-kind replacement of the dwelling places in better state.
PERENNIAL CROPS	Cash compensation based upon rates per sq.m./bush/tree/plant established at District level + disturbance allowance (15/30%) - Rates are calculated as the one year net agricultural income - Disturbance allowance is meant to take care of the re-establishment period for these crops with establishment more than one year.	Transition period should be taken into account. This period may be more than one year for some crops.	Compensate as per Ugandan Law and apply 15 or 30% disturbance allowance. Damages during studies to be paid at replacement cost.
ANNUAL CROPS	No compensation. The 6 month notice is supposed to allow people to harvest their annual crops. However, those damaged during works are compensated.	No specific provision but minimum is Income restoration. Land for land compensation allows people to re-establish annual crops immediately.	Damages and other losses during studies and land take to be paid at replacement cost
Calculation of compensation and valuation required.	According to the Land Act, Cap 227 (section 77), the value of customary land shall be the open market value of the unimproved land. Value of the buildings shall be at open market value for urban	Bank policy requires: (a) prompt compensation at full replacement cost for loss of assets attributable to the project; (b) if there is relocation, assistance during relocation, and	Compensation shall be calculated at full replacement cost. Assistance for relocation shall be offered where



	areas and depreciated replacement cost for rural areas. The crops and buildings of a non-permanent nature are compensated at rates set by District Land Boards.	residential housing, or housing sites, or agricultural sites of equivalent productive potential, as required; (c) transitional support and development assistance, such as land preparation, credit facilities, training or job opportunities as required, in addition to compensation measures; (d) cash compensation for land when the impact of land acquisition on livelihoods is minor; and (e) provision of civic infrastructure and community services as	applicable
BUSINESS INCOME	No compensation. The 6 month notice is supposed to allow people to re-establish their business	Establish access to similar opportunities	Assistance to restore business income shall be offered

3.0 COMMUNITY AND STAKEHOLDER CONSULTATIONS:

The approach to engage stakeholders took a Top –Down direction. The RAP team organised and participated in a number of consultative meetings and discussions with various key stakeholders and PAPs including the district officials as well as sub county officials. Later, lower levels meetings were held with residents of villages and municipal zones that shall be traversed. These meetings were held in order to:

- Introduce the objectives and proposed activities of the project to the stakeholders,
- To involve the stakeholders in planning and the development of the RAP.
- Establish a long term relationship with the stakeholders during the study period and as well during the Implementation phase.
- Document key concerns and sensitivities for consideration during the studies and RAP implementation.

3.1 TOP LEVEL CONSULTATIONS:

This involved issuance of notices to the district and sub county officials communicating presence of the team for the various project activities and requesting for a meeting to enable further deliberations.

The top officials included the following;

- The Chief administrative Officers (CAOs)
- District Water Engineers



- District Environment Officers
- District Community Development Officers
- The Resident District Commissioners (RDCs)

3.2 LOWER LEVEL CONSULTATIONS:

This level involved meeting the sub county/Town Council technical planners who are more attached to the project in terms of its implementation and later operation. The key stakeholders included the following;

- The Town Clerks/Sub County Chiefs
- The Community Development Officers
- Town Engineers
- Secretary for Environment
- Secretary for Production

For purposes of effective mobilisation and in the spirit of inclusive participation, the political offices were also consulted. These included the office of the L.C 5/Mayor and the L.C 3 chairpersons. Their views were also noted and incorporated in this RAP.

The facilitation process between the RAP team and community was conducted in the local languages while the high level meetings were conducted in English. The discussions centred on the potential disruption to be caused by the project during construction and after construction stages, other historical or legacy issues left by related projects and how the project will benefit the residents in terms of provision of clean water and sanitation services..

In all meetings, a question and answer session was included as a means of clarifying issues. The meetings and discussions were also used to gauge the attitude and feelings of the PAPs towards the project. Detailed issues emerging are presented in chapter two of the main report.

Additionally, formal interviews were held with the project affected stakeholders where a questionnaire guide was administered to ascertain the nature of direct effect as well as consequential effects that shall arise out of displacement or restricted use of the land within the designated wayleaves.

3.3 SUMMARY OF PERTINENT ISSUES:

- From the consultations with PAPs and other key stakeholders, some issues came up and will need careful study in order to manage the expectations and anxiety of the PAPs and the public. These are bulleted below; All the proposed sites for faecal treatment have



generated negative sentiments from host communities. More sensitisation on mitigation measures for pollution is needed.

- PAPs are concerned on whether they will be connected to the system and whether the rates shall be lowered. This matter needs to be discussed at length with MWE and DWD in terms of benefit sharing for the communities affected.
- Due to the nature of land take, compensation levels are bound to be low but the communities expect high levels of compensation. More participatory engagement with PAPs through their representatives is needed more so on the technical aspects of the project. The feeling of unfair compensation can be balanced with other forms of benefit sharing.
- There are concerns related to pricing of water for household use. This needs to be included in the information package during group disclosures.
- The municipal and town officials are concerned about the management of the system and its sustainability. MWE and DWD need to have clear procedures of takeover by the local governments with clearly outlined responsibilities.
- Communities demanded for Provision of taps/water kiosks in the communities affected to ease accessibility

All the meetings were documented with minutes and photographs by a designated rapporteur. These are attached as appendices to this report but a few are presented here;



Meeting at Kasodo Sub County



Meeting at Midia Sub County

To effectively manage the above issues, this RAP proposes a long term approach to stakeholder engagement. This shall involve establishment of Water User Committees (WUCS) at the sub county or Town Council and Municipal level to guide on Implementation issues, trouble shoot on matters that may hinder smooth project implementation as well as participate in the management and rehabilitation of the system in a sustainable way.

The above pertinent issues will need to be followed up and addressed during RAP implementation. Below is a matrix of the issues and responsible entities that will follow up. DWD being the project proponent will take primary responsibility

ISSUE	REQUIRED INTERVENTION	RESPONSIBILITY
Proposed sites for faecal treatment have generated negative sentiments from host communities.	<ul style="list-style-type: none"> • More sensitisation on mitigation measures for pollution is needed. • Monitor treatment measures as per EMMP 	DWD
PAPs are concerned on whether they will be connected to the system and whether the rates shall be lowered.	Establish mechanism of subsidies for a period	DWD/MWE/TCs/MCs
Low compensation levels but the communities expect high levels of compensation.	<ul style="list-style-type: none"> • More participatory engagement with PAPs through 	DWD/MLUD/LGs



	<p>their representatives is needed more so on the technical aspects of the project.</p> <ul style="list-style-type: none"> The feeling of unfair compensation can be balanced with other forms of benefit sharing. 	
There are concerns related to pricing of water for household use	Outcome of discussions on subsidies to be included in the information package during group disclosures.	DWD/TCs/MCs
The municipal and town officials are concerned about the management of the system and its sustainability	MWE and DWD to have clear procedures of takeover by the local governments with clearly outlined responsibilities	DWD/TCs/MCs
Provision of taps/water kiosks in the communities affected to ease accessibility	DWD/MWE to initiate programme as part of Community development/Benefit sharing	DWD/TCs/MCs

4.0 SOCIO - ECONOMIC PROFILING:

4.1 BUSIA:

ITEM	BUSIA DISTRICT	SUBCOUNTIES	PARISHES	VILLAGES
TOTAL NO:		4	6	26
PAH'S	155			
Land Owners	150			
Tenants	4			
Licensees	1			
Vulnerable Group	4			
PDP'S	0			
Minors	0			
Female Headed	19			



HH'S				
Public Institutions	15			

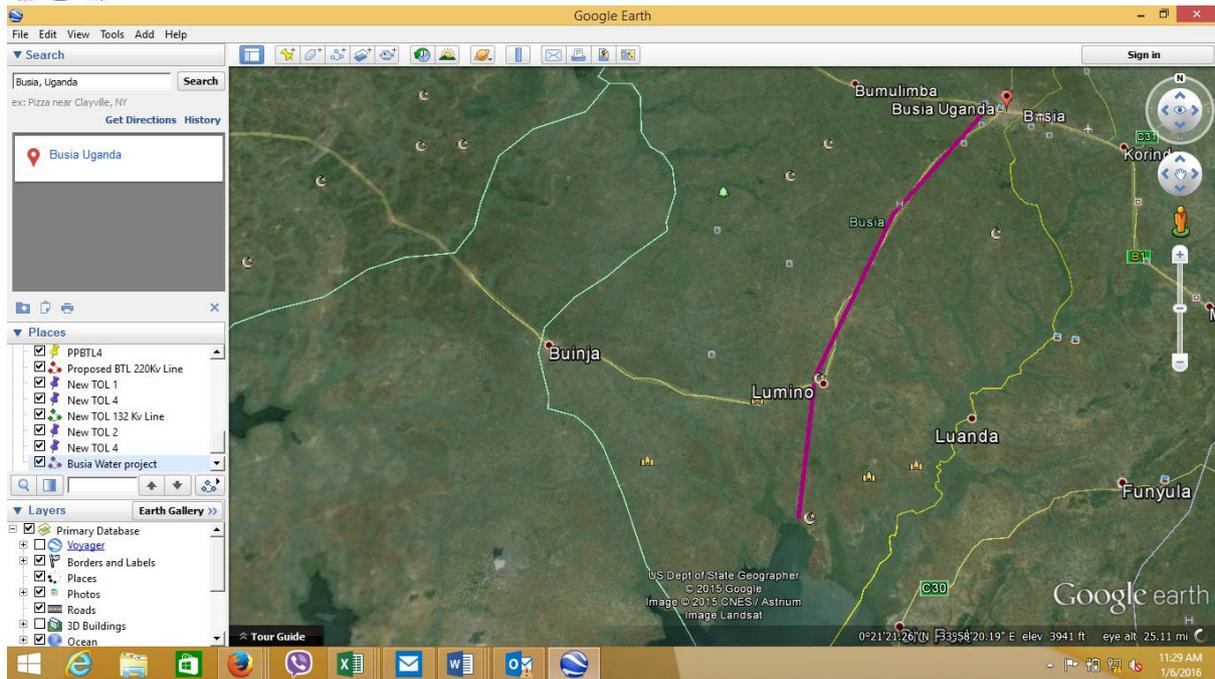
4.1.1 General Project Area:

Busia municipality is the border town between Kenya and Uganda and is the administrative centre of Busia district and is divided into 2 Divisions, 8 Parishes and 25 Villages/cells. The Municipal is the administration centre of the district and houses the District Headquarters, Municipal Council Offices, a major Hospital and grade III, lodges, milling plants, shops, secondary schools, primary schools, fuel stations and banks. On the peripherals of the municipality, there is also a fluid population that is mostly comprised of people in transit between Kenya and Uganda.

The current configuration of the proposed project is to utilize the shores of Lake Victoria at Majanji as the source of water and construct a new intake station, a new raw water pumping main and water treatment works, additional 1720m³ elevated storage reservoir, and improvements in distribution network.

In addition, a mini sewerage system suitable for the high density population where pit latrines are not appropriate due to high water table and reduced plot sizes will be constructed. Safeguard and source protection measures will also be included, as well as sanitation improvements encompassing sludge management.

General project mapping:



4.1.2 Populations Affected:

From available statistics, the population of Busia town is in the region of 45,700 (2010 Statistics). It is largely of urban characteristics but eases into peri-urban and semi rural as one leaves the Municipality. Largely, the affected population is of Samia origin although a few other groups exist due to the fluidity of the trading population. The details of the administrative zones are presented later in Chapter 3.

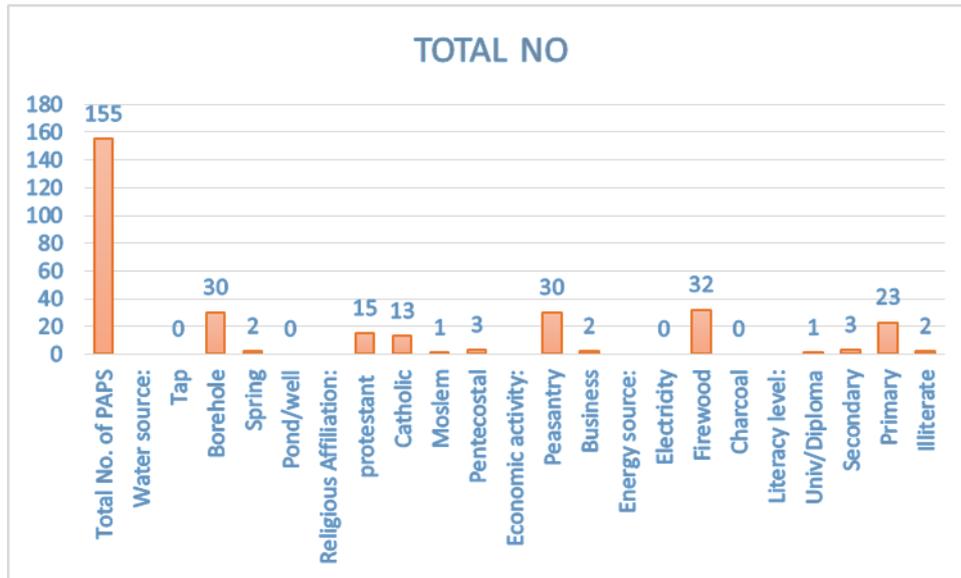
In terms of number of households affected, the data gathered indicates that a total of **155** households and parcels of usable land will be affected by the installation of the pipelines and establishment of the intake, treatment plant as well as the reservoir. Of these, 15 are public institutions (**1** parcel is under the management of Uganda People's Defence Forces (UPDF) and designated as a military detach, **1** is a hospital, **3** local government establishments and **10** schools). **4** cases have been determined to be vulnerable and will need special assistance. The impact is however limited to wayleaves acquisition.

4.1.3 Economic Activities:

The set off point at Majanji is largely a mix of crop farming of subsistence nature as well as some rice fields in the marshes. The wayleaves have a mix of petty road side kiosks extending all the way the centre of the Municipality. Along the road reserves within the municipality, there is a mixture of owner occupied residential houses and commercial rental premises as well as tenements commonly known as mizigo.



The general socio-economic profiling of the directly affected persons (PAPS) is as presented below;



The Municipality as earlier mentioned is a very busy border town and is a hub of cross border trading with its attendant demands for accommodation and sanitation facilities. A combination of these forms the justification for the project.

4.1.4 Land ownership/Tenure:

For the most part of the project area in Busia Municipality leasehold tenure system is predominant while the periphery has customary tenure dominating. The portion of the system that lies under the management of UPDF shall be dealt with in terms of user permissions rather than compensation for land for transfer and ownership purposes. The lease hold tenure system will be handled in a multi-layered way to cater for the parent lesser, the lessee and sub lessee interests.

4.2 PALLISA:

ITEM	PALLISA DISTRICT	SUBCOUNTIES	PARISHES	VILLAGES
TOTAL NO:		4	7	13
PAH'S	98			
Land Owners	98			
Tenants				
Licensees				



ITEM	PALLISA DISTRICT	SUBCOUNTIES	PARISHES	VILLAGES
Vulnerables	2			
PDP'S	2			
Minors	0			
Female Headed HH'S	13			
Public institutions	2			

4.2.1 General Project Area:

Pallisa Town is located in Pallisa County, Pallisa district. It is 196Kms from Kampala. The district borders the districts of Soroti, Bukedea and Kumi in North, Mbale, Budaka and Sironko in the East, Kaliro in the West, and Namutumba and Tororo in the South. The town is linked to the Kampala-Mbale highway by the Pallisa-Tirinyi murram road.

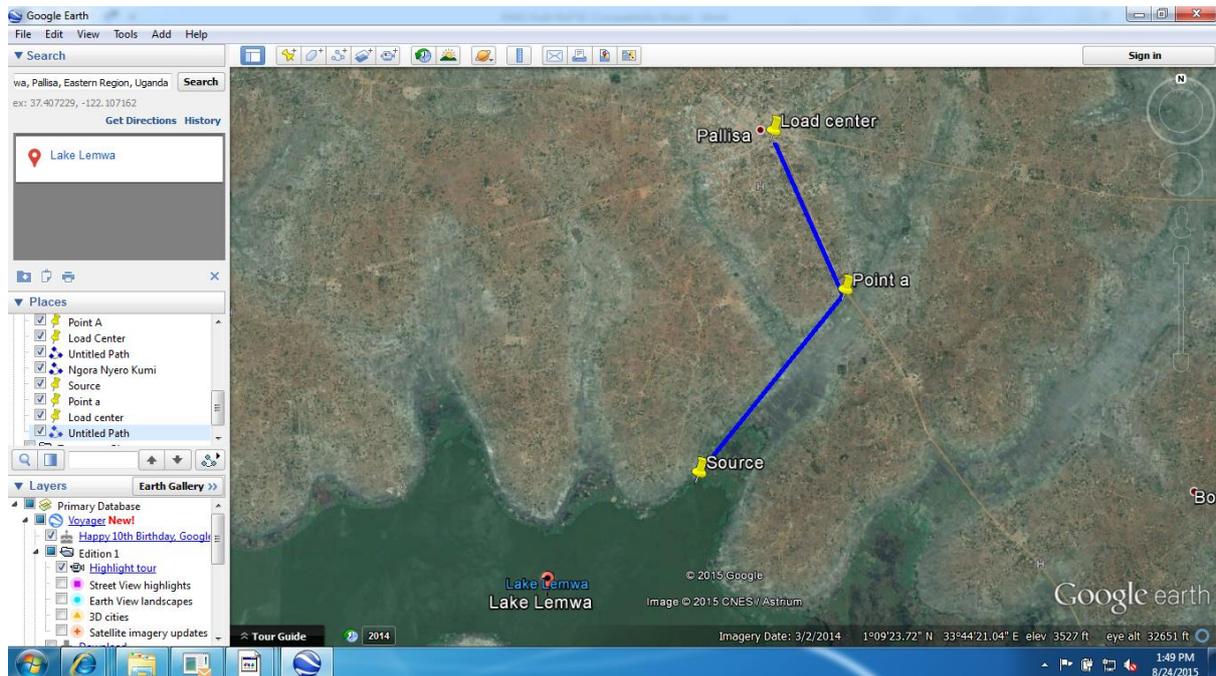
The district is comprised of three counties -Pallisa, Kibuku and Butebo, which contain twenty sub-counties and one town council. The town is divided into 6 No. parishes (Local Council III) namely East, West, Kaucho, Kagwese and Supa Central Wards.

In 2010, the town had a population of 31,200 which was being serviced by piped water supply system based on the surface water from Lake Lemwa and ground water. The majority of the population use un-lined pit latrines, while a few (with house connections) have septic tanks in addition to the pit latrines.

The current configuration of the proposed project intends to shift the intake from Lake Lemwa, add a new rapid sand filtration and treatment pump station as well as expand water storage and distribution network. Safeguard and source protection measures will also be included, as well as sanitation improvements encompassing sludge management.



General project mapping



4.2.2 Populations Affected:

From available statistics, the population of Busia town is in the region of 31,200 (2010 Statistics). It is largely of peri-urban characteristics but eases into rural as one leaves the Town Council. Largely, the affected population is of Gwere origin although Gishu are also many. This is the expected number of persons to benefit from a revamped water supply and sanitation system.

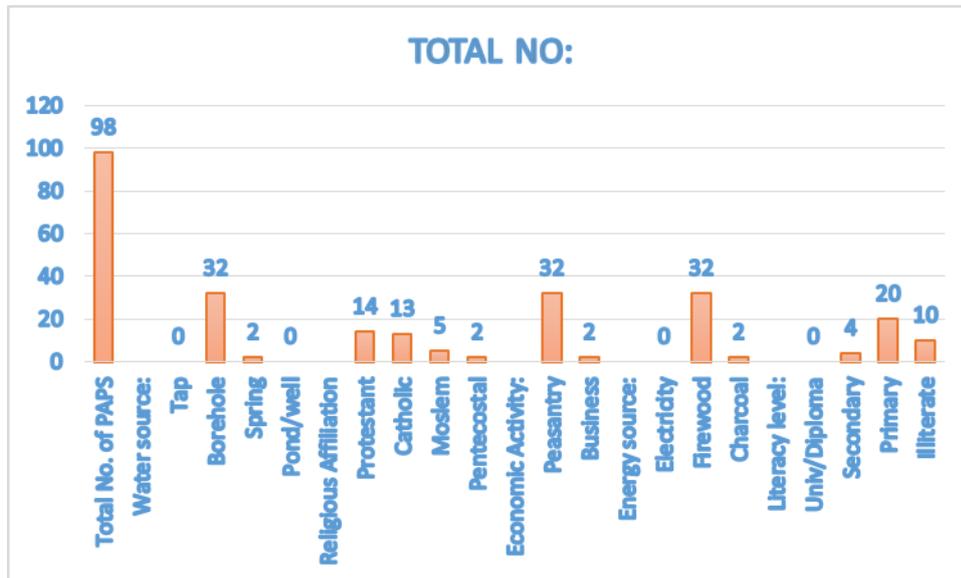
In terms of number of households to be affected by the current works, the data gathered indicates that a total of **98** households and parcels of usable land will be affected by the installation of the pipelines and establishment of the intake, treatment plant as well as the reservoir. Of these, **2** are public institutions (all schools), **2** are vulnerable cases and **2** have residential premises that will be impacted. The rest however have their impact limited to wayleaves acquisition.

4.2.3 Economic Activities:

The project area is a mix of both subsistence farming as well as cash crop farming mainly dealing in cereals (maize, rice nuts and beans). Pallisa town provides a business hub between these traders and the farmers. Along the road reserves within the town council, there is a mixture of owner occupied residential houses and commercial rental premises.



The general socio-economic profiling of the directly affected persons (PAPS) is as presented below;



With the robust trading and increased cereal production, the population is expected to rise sharply as more traders come in. This will push up demand for housing which comes along with its associated need for reliable water supply and better sanitation facilities which is the core justification for the project.

4.2.4 Land ownership/Tenure:

For the most part of the project area in Pallisa Town Council customary tenure is dominant although very few pockets of leasehold exist especially in the centre of the town. The lease hold tenure system will be handled in a multi-layered way to cater for the parent lesser, the lessee and sub lessee interests. Customary interests shall be dealt with using the existing land management structures.

4.3 NGORA-NYERO-KUMI:

ITEM	NGORA DISTRICT	SUBCOUNTIES	PARISHES	VILLAGES
TOTAL NO:		2	6	9
PAH'S	76			
Land Owners	76			
Tenants				
Licensees				
Vulnerables Group	1			
PDP'S				
Minors	0			
Female Headed HH'S	4			
Public Institutions	3			



ITEM	KUMI DISTRICT	SUBCOUNTIES	PARISHES	VILLAGES
TOTAL NO:		3	6	7
PAP'S	33			
Land Owners	33			
Tenants				
Licensees				
Vulnerables Group	0			
PDP'S	0			
Minors	0			
Female Headed HH'S	4			
Public Institutions	5			

4.3.1 General Project Area:

Ngora is a town in Eastern Uganda. It is the main political, administrative and commercial centre of Ngora District which was originally part of Kumi district. Ngora is located approximately 42 kilometres (26 miles), by road, southeast of Soroti, the largest city in the sub-region. This location lies approximately 230 kilometres (140 miles), by road, northeast of Kampala. In 2004, the population of the town was estimated at about 9,200 people and was projected to be 43,600 in 2010. There is an existing water supply scheme based on surface water. There is currently no central piped sewerage facility, majority of the residents about 85% use simple pit latrines.

Nyero is also located in Eastern Uganda and lies between Kumi and Ngora towns. It is a booming rural growth centre with an estimated population of 32,400 people. There is currently no central piped sewerage facility, majority of the residents about 85% use simple pit latrines.

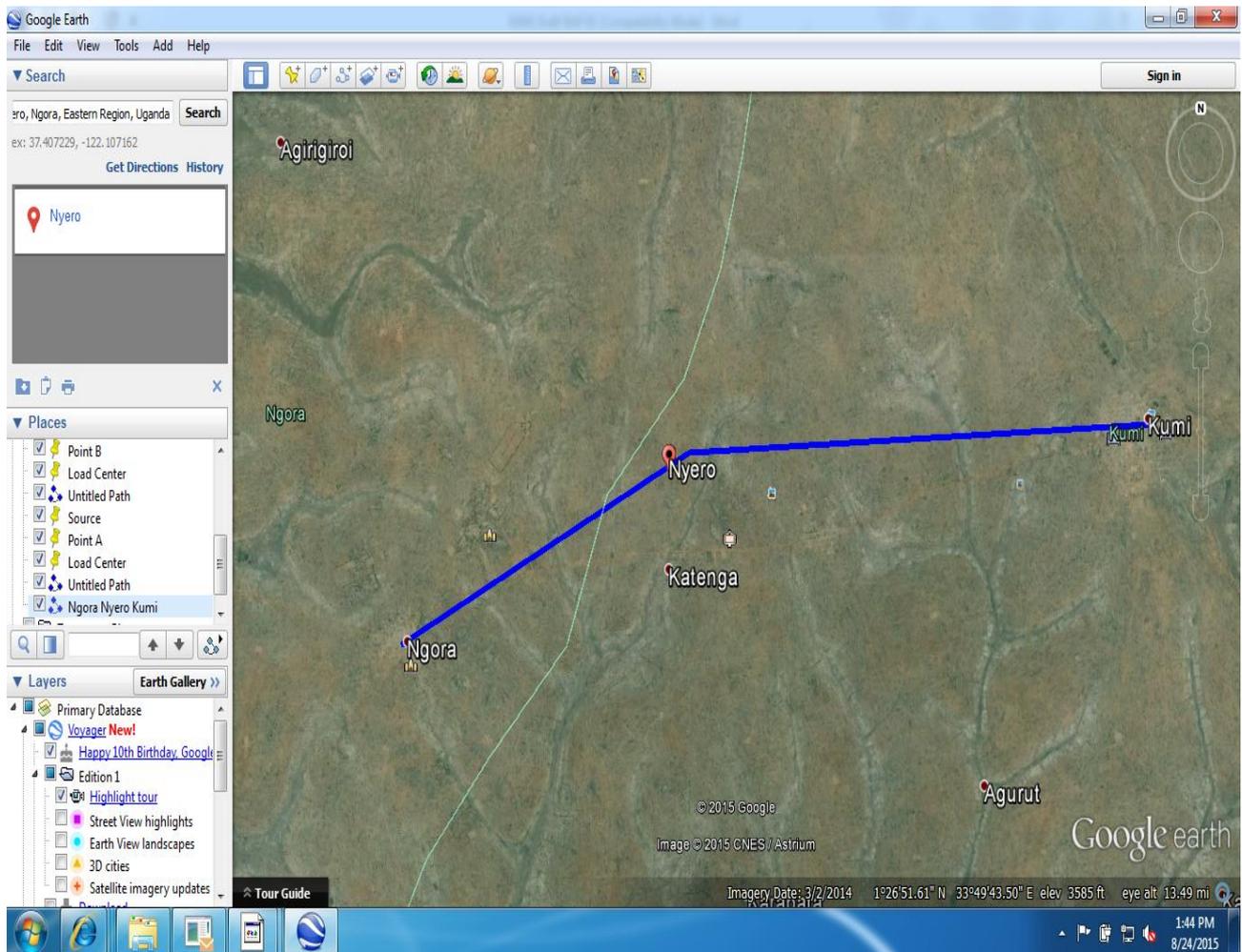
Kumi Municipality is in Eastern Uganda and it is the main municipal, administrative and commercial centre for Kumi District and is the location of the district headquarters. Kumi is located approximately 62 kilometres (39 miles), by road, northwest of Mbale, on the highway between Mbale and Soroti. In 2008, the Uganda Bureau of Statistics (UBOS) estimated the population of the town at 11,400 people. In 2011, UBOS estimated the mid-year population of Kumi Town at approximately 13,000 people. There is an existing water supply system based on ground water that supplies the town council.

The proposed configuration of the project is to rehabilitate and expand raw water abstraction from River Agu (which is part of the Kyoga basin



Catchment), including new water treatment works in Ngora to supply both Ngora and Kumi towns with a pump booster pipeline to supply Kumi University and Nyero town. The proposed works also include installation of Safeguard measures, source protection and sanitation improvements encompassing sludge management.

General Project Mapping:



4.3.2 Populations Affected:

From available statistics, the combined population of the project area is in the region of 89,000 people (2010 Statistics). It is largely of peri-urban characteristics within the towns but sharply turns into rural as one leaves the Town centres. Largely, the affected population is of Iteso origin mixed with the Kumams and few other tribes like Gwere and Gishu. Although the expected number of persons to benefit from the revamped water supply and sanitation system is 89,000, almost three quarters are within the towns.

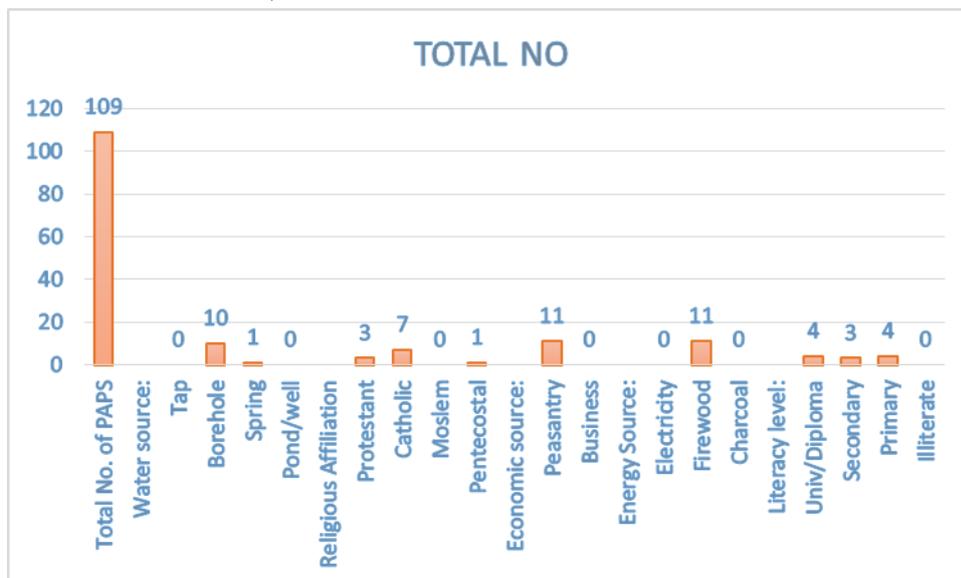


In terms of number of households to be affected by the current works, the data gathered indicates that a total of **109** households and parcels of usable land will be affected by the installation of the pipelines and establishment of the intake, treatment plant as well as the reservoir. Of these, **8** are public institutions (1 church, 1 local government establishment and 6 schools) and **1** is a vulnerable case. No residential premises will be impacted. The rest however have their impact limited to wayleaves acquisition.

4.3.3 Economic Activities:

The project area is a mix of both subsistence farming as well as cash crop farming mainly dealing in cereals (sorghum, millet, maize, nuts and beans). Additionally, there has been noted fruit harvesting as well as mechanised orchards. Kumi and Ngora Town provide a business hub between traders of the agricultural products and the farmers. Along the road reserves within the town council, there is a mixture of owner occupied residential houses and commercial rental premises.

Graphically, the socio-economic profile of this part of the project area is as illustrated below;



With the robust trading, increased agricultural production, creation of new districts and planning zones as well as the expansion of the Kumi University the population is expected to rise sharply as more traders and students come in. This will push up demand for housing which comes along with its associated need for reliable water supply and better sanitation facilities which is the core justification for the project.



4.3.4 Land ownership/Tenure:

For the most part of the project area customary tenure is dominant although in Kumi most people have leases especially in the centre of the Municipality. The lease hold tenure system will be handled in a multi-layered way to cater for the parent lesser, the lessee and sub lessee interests. Customary interests shall be dealt with using the existing land management structures.

The distribution network has been designed to follow the road reserves and as such user rights and permissions will be discussed with local governments and UNRA. Installation of the facilities will need to be carefully coordinated with other agencies like MICT and REA to avoid later disruptions in the system should these agencies implement their own projects without reference to this project.

4.4 RUKUNGIRI:

ITEM	RUKUNGIRI TOWN	SUBCOUNTIES	PARISHES	VILLAGES
TOTAL NO:		4	13	34
PAH'S	269			
Land Owners	30			
Tenants				
Licensees				
Vulnerable Group	9			
PDP'S	1			
Minors	1			
Female Headed HHs	45			
Public institutions Affected	9			

4.4.1 General Project Area:

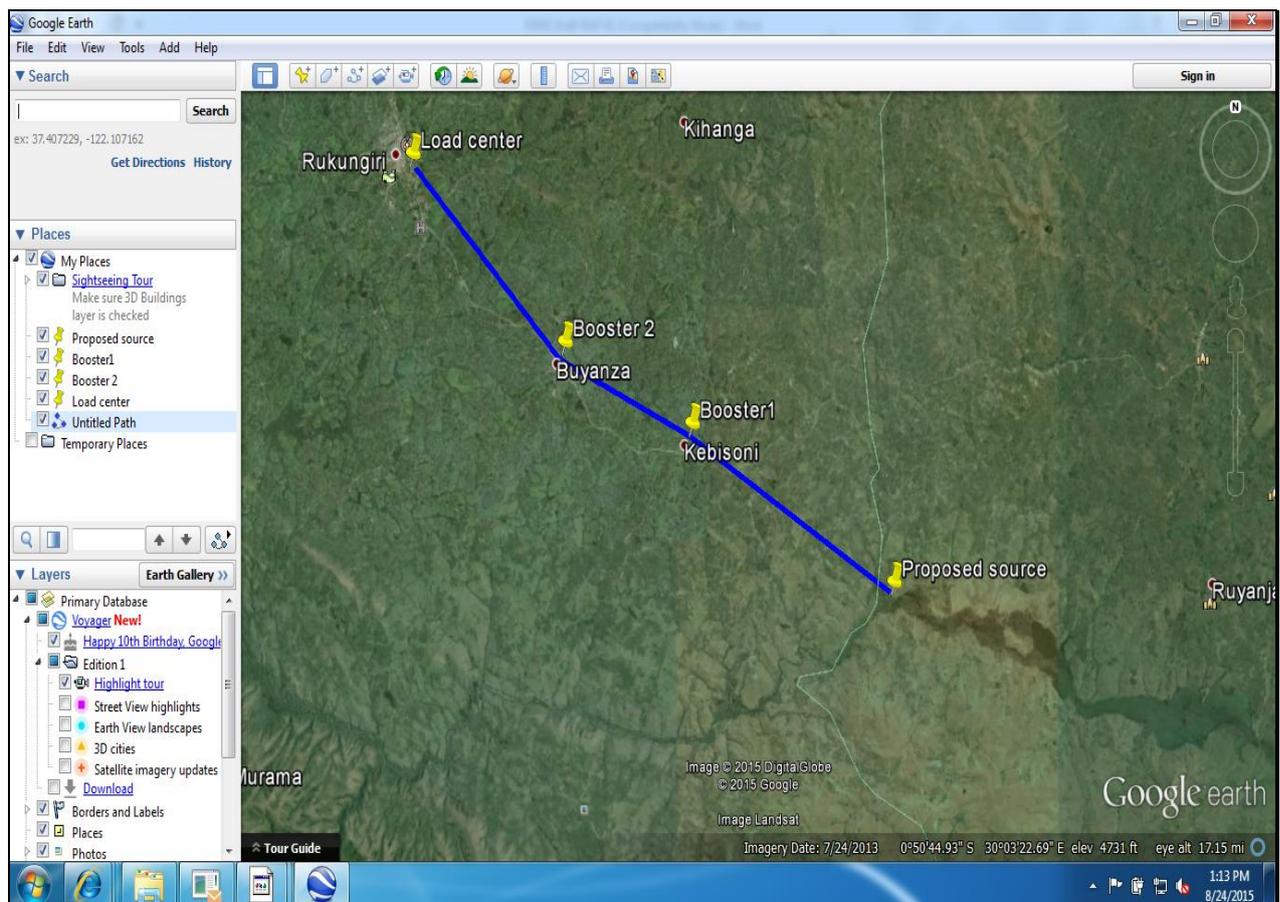
Rukungiri Municipality hosts the district headquarters of Rukungiri district in South Western Uganda, about 394 km from Kampala. The town has a piped water supply system which was constructed around the year 1996, and managed by WSS Services as the Private Operator being supervised by Rukungiri Town Water Authority and Board.



The existing water supply comprises of the main piped water supply for the core area of the town abstracting water from boreholes fitted with submersible pumps, 140m³ and 150 m³ storage tanks and a total house/yard connections of over 546 and 10 public stand posts. The existing boreholes water supply has had a number of problems associated with the hydro geological characteristics of the area. Water levels have continuously dropped and this has drastically affected the production of water for town consumption. The system capacity is outstripped and requires a new reliable and adequate surface water source.

The proposed project will entail abstraction of water from River Kahenge, adjacent to the bridge on the border between Rukungiri and Ntungamo districts. The water source has the potential to supply the en route population in the town boards of Kebisoni and Buyanza. Safeguard measures and source protection will also be included, as well as sanitation improvements encompassing sludge management.

General project mapping:





4.4.2 Populations Affected:

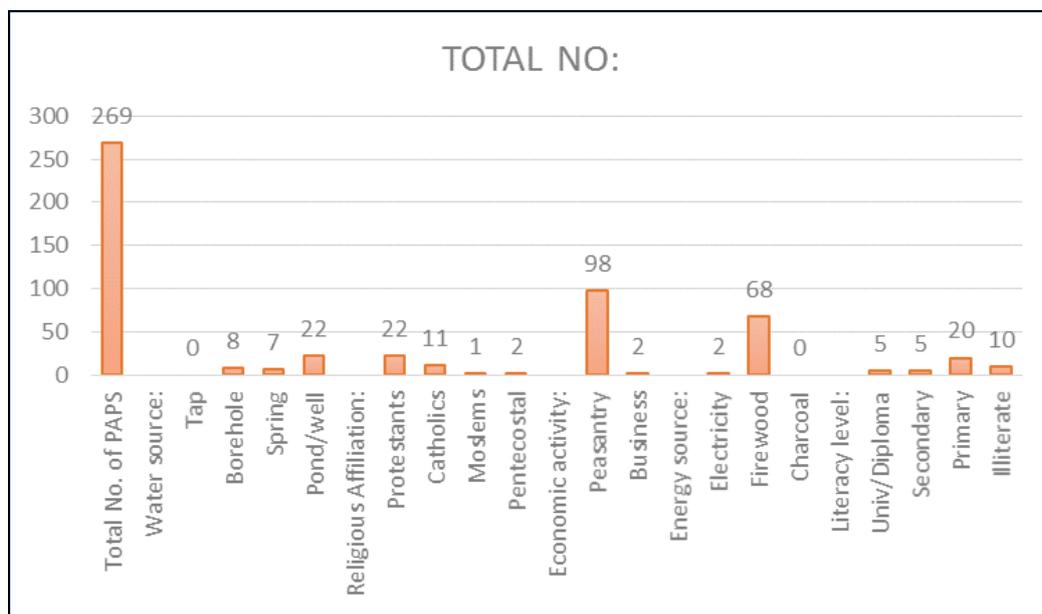
The estimated 2010 population of Rukungiri municipality is 41,000 people (2010 statistics) the majority of whom are of Kitara origin with Kiga and Nkole dialects. Few people trace their origin from Rwanda. While the current connection is for about 546 households, based on the level of development and increasing population, the number of connections is expected to double hence the need for the proposed project.

In terms of number of households to be affected by the proposed works, a total of **269** households will be affected by the installation of the pipelines and establishment of the intake, treatment plant as well as the reservoir. However, the total number of parcels of usable land is 280. Of these, **9** are public institutions **9** are vulnerable cases and **1** residential premise will be impacted. The rest have their impact limited to wayleaves acquisition. Of the 269 households, **45** are female headed.

4.4.3 Economic Activities:

Rukungiri is within a belt that is known for growing of plantain (Ebitookye) irish potatoes and vegetables on a large scale. Mixed with these is the extensive cattle keeping in the immediate and wider vicinity of the municipality which in itself provides a business hub for the collection and trading of the produce. Along the road reserve from River Kahenge there is largely subsistence farming of potatoes, maize and beans while within the municipal road reserves there is a mixture of commercial and rental premises.

The Socio-economic terrain of this part of the project is diagrammatically presented below;





With the increased agricultural production and trading, and subsequent elevation of the socio-economic profile, the population and associated development in terms of housing and commercial ventures is expected to rise sharply. This will push up demand for housing which comes along with its associated need for reliable water supply and better sanitation facilities which is the core justification for the project.

4.4.4 Land ownership/Tenure:

Rukungiri district is largely characterised by customary land tenure system although the municipality has numerous leases issued by the Municipal Land Board. In total, **22** leaseholders were enumerated out of which only **5** are females. The rest of the area with land customarily held has majority of land in the control of men, many of whom are absentees.

This RAP proposes to handle leased land in a multi-layered way to cater for the parent lesser, the lessee and sub lessee interests. Customary interests shall be dealt with using the existing land management structures but with deliberate efforts to safeguard the interests of women who utilise the land.

The distribution network has been designed to follow the road reserves and as such user rights and permissions will be discussed with local governments and UNRA. Installation of the facilities will need to be carefully coordinated with other agencies like MICT and REA to avoid later disruptions in the system should these agencies implement their own projects without reference to this project.

4.5 KATWE – KABATORO:

ITEM	KASESE DISTRICT	SUBCOUNTIES	PARISHES	VILLAGES
TOTAL NO:		4	8	15
PAH'S	146			
Land Owners	44			
Tenants				
Licensees				
Vulnerable Group	5			
PDP'S				
Minors	0			
Female Headed HH'S	21			
Public institutions Affected	5			



4.5.1 General Project Area:

Katwe-Kabatoro Town is located 54km from Kasese Town in Kasese district in the South Western region of Uganda. It lies in the sanctuary of Queen Elizabeth National park surrounded by Lake Edward and Katwe Salt Lake. The town had a projected population of 12,700 by mid-year 2010. It is the main border town between Uganda and eastern DRC in the region.

The town's water system was constructed between 1985 and 1995 by Sogea Construction Company Ltd consisting of an intake on River Nyamughasani in Kyakitale about 3kms from the town. It entails a 6" Asbestos/Cement raw water transmission main 1.5km long, a water treatment plant and 100m³ clear water reservoir. The water supply system has a transmission main of 2.5km long, 300 m³ pressed steel reservoir and 20Km of water distribution network.

The current mechanism is that water from the river gravitates to a sump underneath the raw water pump house through an unlined channel. The channel is regularly silted and hence does not supply the required volume of water. The water supply system is old and does not meet the water demand requirement of the town. Some of the problems with the system are siltation of the intake channel, non-functioning raw water pumps, air blowers, chlorine, alum and soda ash dozers, leaking clear water reservoir, clarifier and main reservoir due to extensive corrosion, regular leakages in the distribution system and inadequate supply to meet demand.

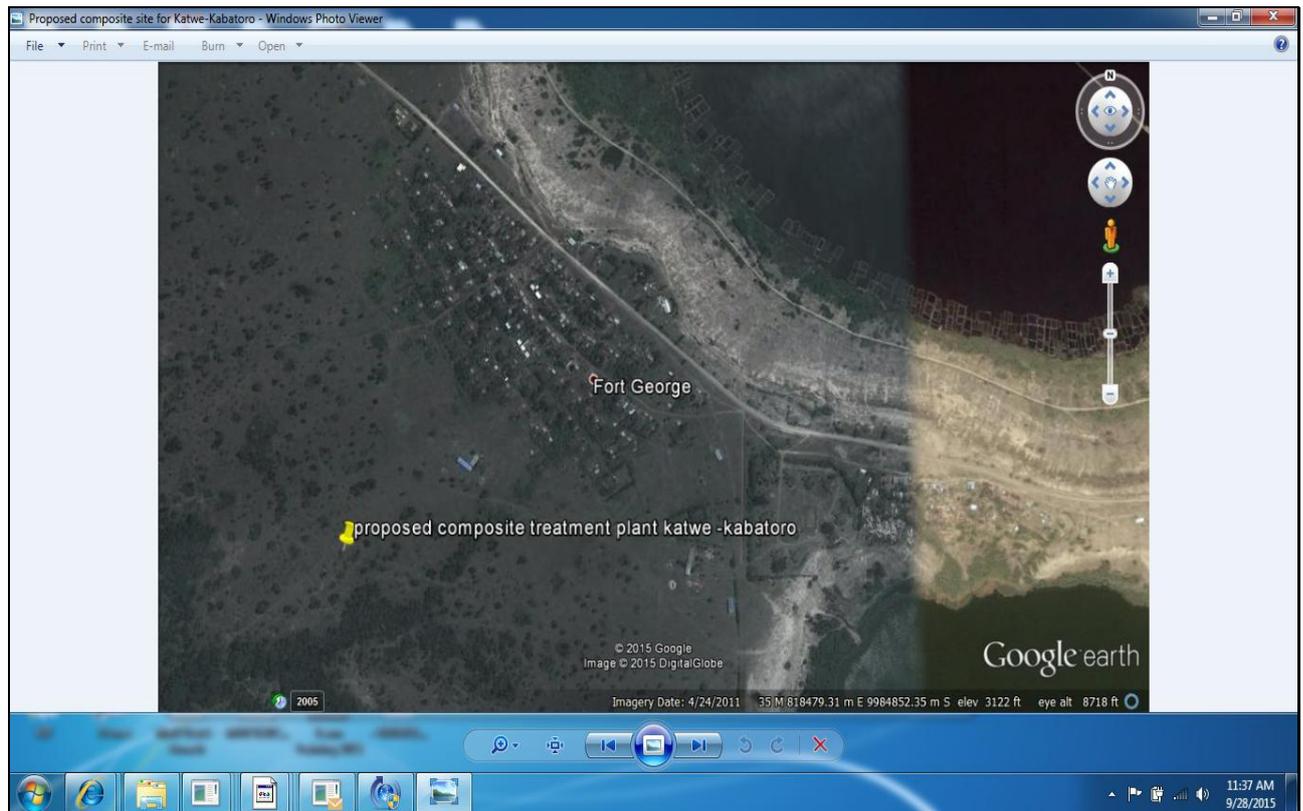
The proposed water intake is River Lhubirihya located at 807395E 10141N (Arc 1960), Kihondo village, Kikyoo parish, Ihandiro sub-county 40 kilometres away from Katwe-Kabatoro Town Council. The proposed water treatment plant is located at 806187E 8317N (Arc 1960), Kanyamunyu village, Bikunya parish, Karambi sub-county. The treatment plant is located in a customary privately owned land within an upcoming Trading Centre. The land is along a road and is directly affected by a sharp bend.

In terms of sanitation, currently, the town has no central piped sewerage facilities. The common sanitation facility is the pit latrine and its derivatives. Latrine coverage is average, with 47.5% using shared latrines and **52.5%** using privately owned pit latrines.

The current project proposes to utilize River Lhubirihya as the source of water, including the rehabilitation and expansion of the existing intake, a new raw water pumping main, a new treatment plant, a new reservoir tank and an expanded distribution network. Safeguard and source protection measures as well as sanitation improvements encompassing sludge management will also be included.



General project mapping



4.5.2 Populations Affected:

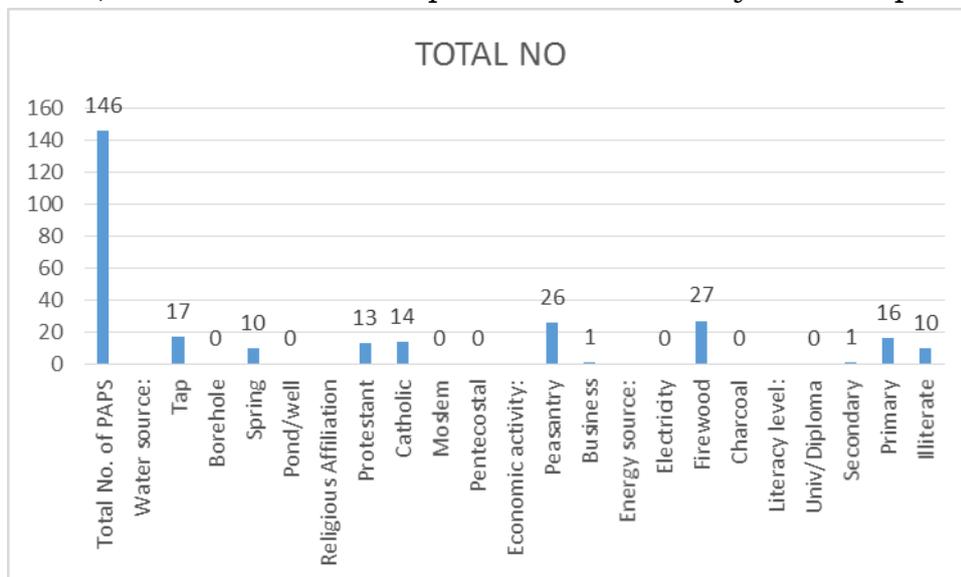
The major town of Kasese has a population of about 12,700 people but this is about 54 kilometers away from the project site. It however provides a large volume of fluid population that passes through Katwe-Kabatoro while seeking business opportunities with neighbouring Congo. The population is largely of urban characteristics within the town center but gradually turns into peri – urban and semi rural as one heads out of Katwe. Largely, the affected population is of Konzo origin mixed with Lendu of Congolese origin and few other tribes like the Basongora, Batooro and Bakiga. Although the expected number of persons to benefit from the revamped water supply and sanitation system is in the region of 13,000 actual commercial house connection may be less.



In terms of number of households to be affected by the current works, the data gathered indicates that a total of **146** households will be affected by the installation of the pipelines and establishment of the intake, treatment plant as well as the reservoir. However, the total number of parcels of usable land is 160. Of these, **5** are public institutions (1 church, 1 health centre and 3 schools) and **5** are vulnerable cases who will need special assistance. No residential premises will be impacted. All the households have their impact limited to wayleaves acquisition.

4.5.3 Economic Activities:

The project area is dominantly a stop over of traders from eastern DRC and Kasese Municipality. The periphery is a combination of upcoming residential houses and maize farmlands as well as other seasonal crops. In general terms, the socio-economic profile of the directly affected persons is as below;



With the robust trading, increased interaction with the neighbouring Congolese immigrants as well as increased tourism activities, the population is expected to rise sharply. This will push up demand for housing which comes along with its associated need for reliable water supply and better sanitation facilities which is the core justification for the project.



4.5.4 Land ownership/Tenure:

Kasese municipality is largely characterised by lease hold tenure systems with leases being issued by the Municipal Land Board. The larger part of the project from Katwe –Kabatoro is however public land within the queen Elizabeth belt. Few pockets of customary tenure are evident. The lease hold tenure system will be handled in a multi-layered way to cater for the parent lesser, the lessee and sub lessee interests. Customary interests as well as those lying on the public block shall be dealt with using the existing land management structures.

The distribution network has been designed to follow the road reserves and as such user rights and permissions will be discussed with local governments (in this case the municipal council) and UNRA. Installation of the facilities will need to be carefully coordinated with other agencies like MICT and REA to avoid later disruptions in the system should these agencies implement their own projects without reference to this project.

4.6. KOBOKO:

ITEM	KOBOKO DISTRICT	SUBCOUNTIES	PARISHES	VILLAGES
TOTAL NO;		2	2	3
PAH'S	22			
Land Owners	18			
Tenants				
Licensees				
Vulnerable Group	0			
PDP'S	1			
Minors	0			
Female Headed HH'S	0			
Public Institutions	1			



4.6.1 General Project Area:

Koboko town is located in North Western Uganda about 56km North of Arua Municipality, 19 km from the Uganda-Sudan border and 4 km from the Congo border. It is a fast growing urban centre covering an area of 10.5sq.km. The current population of Koboko is estimated at 51,300 people but projected to grow higher giving a current water demand of 928m³/day and future water demand of 1955m³/day.

The Town Council has a total of 20 boreholes although five of them have some iron in them either due to the rusty pipes or from the parent rock while others don't have enough yields to meet the water demand. There are also 17 springs within the Town Council, 15 of which are protected and 2 are unprotected. The majority of the protected springs are very close to homesteads thus raising chances of being contaminated hence unsafe for human consumption. The yield of most springs is reported to decrease in dry season and the quality to deteriorate in rainy seasons. Several streams originate in the outskirts of the Town Council contributing to three main rivers as follow:

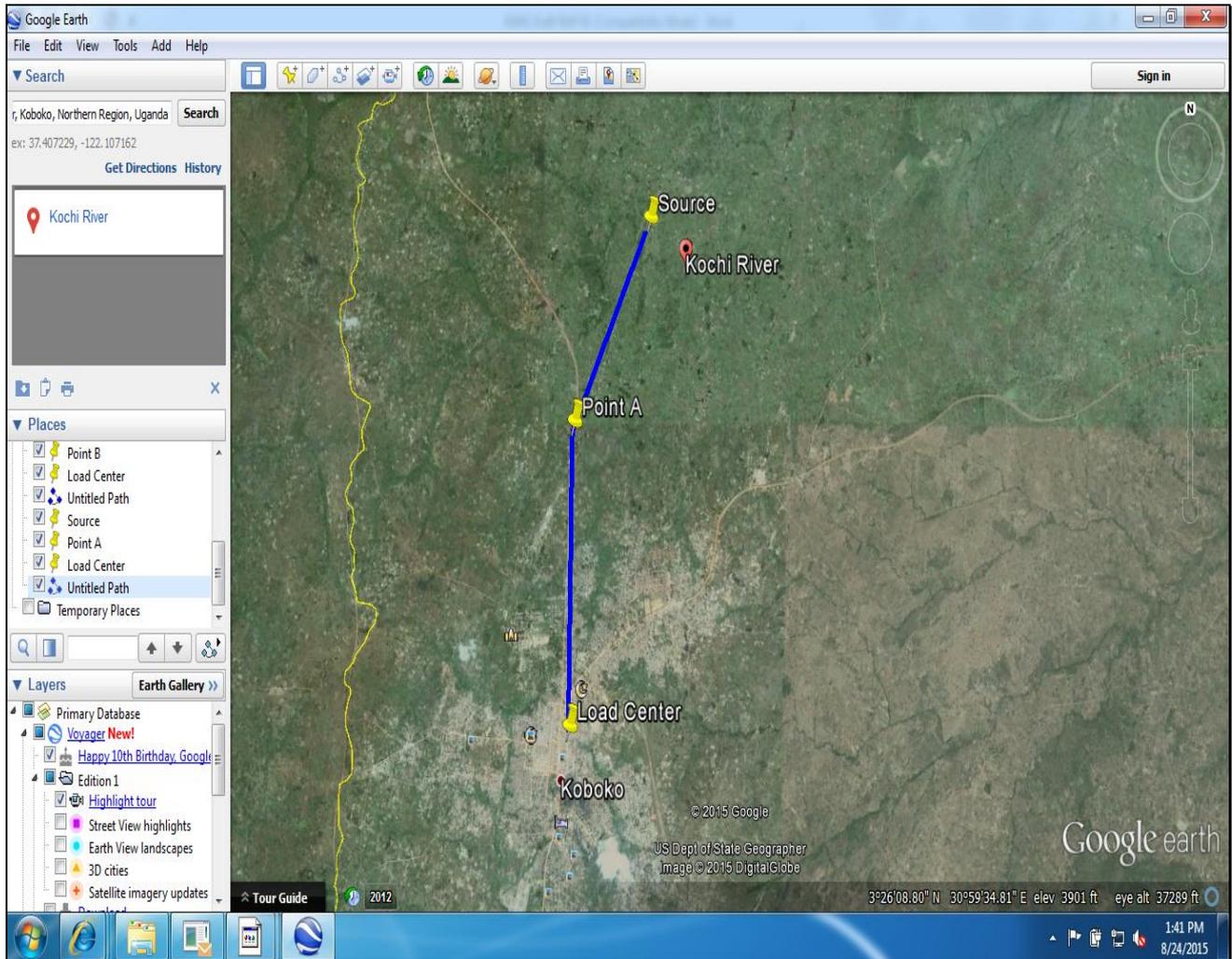
1. Kochi River, which flows west towards Koboko Town Council,
2. Oru River which is a result of west and south streams joining together, farther away from the town council.
3. Atu River which is as a result of east streams joining together. This river is a tributary of River Oru and ultimately the Albert Nile.

The main population in Koboko town depends on the water supply system constructed under Koboko town emergency water supply project using borehole water. The scheme relies on three production wells with submersible pumps of 14m³/hr, 4m³/hr and 3.2m³/hr that are powered by diesel generators. The water pumped is however not sufficient for the current population and hence future population. There is also a mini-piped water system in the Town Council used entirely by Koboko Health Centre. The scheme draws water from Majimuzuri spring in Malenga ward of 6 cubic meter capacity.

The current proposal is to abstract raw water from River Kochi install full treatment and transmission equipment, construct a new reservoir tank and make improvements in the distribution network. Safeguard and source protection measures as well as sanitation improvements encompassing sludge management will also be included.



General project mapping



4.6.2 Populations Affected:

Koboko town has an estimated a population of about 51,300 people but projected to grow higher in the next five to ten years as people interact in business. The population is largely of urban characteristics and dominantly of Kakwa dialect although other tribes like the Madi, Lugbara and Alur exist. There is also a mixture of the Lendu from Congo and the Dinka from southern Sudan.

Although the expected number of persons to benefit from the revamped water supply and sanitation system is in the region of 51,300 projected demand is higher than this in the next five to ten years.

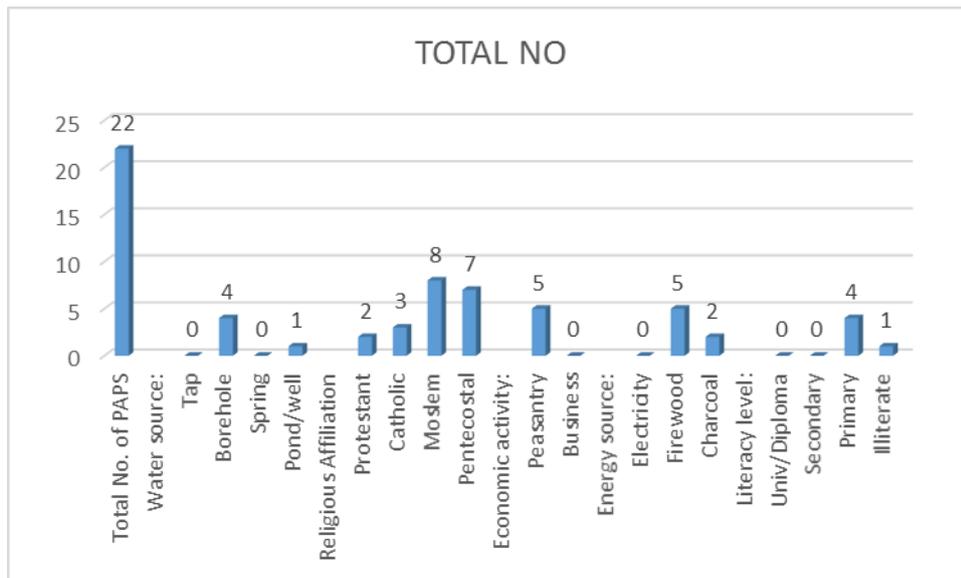
In terms of number of households to be affected by the current works, the data gathered indicates that a total of **22** households and parcels of usable land will be affected by the installation of the pipelines and establishment of the intake, treatment plant as well as the reservoir. Of these, **1** is a public institution and **1** is residential case. All the other households have their impact limited to wayleaves acquisition.



4.6.3 Economic Activities:

The project area is dominantly a business hub collecting traders from eastern DRC and southern Sudan as well as refugees from both Sudan and Congo. There is limited commercial farming although large expanses of cassava gardens can be seen in the vicinity of the project area.

Socio-economically and restricting the information to the directly affected persons, the terrain is as illustrated below;



With the robust trading, increased interaction with the neighbouring Congolese and Sudanese immigrants the population is rising sharply, pushing up demand for housing which comes along with its associated need for reliable water supply and better sanitation facilities which is the core justification for the project.

4.6.4 Land ownership/Tenure:

Koboko town is largely characterised by customary tenure systems with few leases being carved out by private persons as well as business entities. The lease hold tenure system will be handled in a multi-layered way to cater for the parent lesser, the lessee and sub lessee interests. Customary interests shall be dealt with using the existing land management structures.

The distribution network has been designed to follow the road reserves and explains why few households are impacted. In this scenario, user rights and permissions will be discussed with the Town Council. However, Installation of the facilities will need to be carefully coordinated with other agencies like MICT and REA to avoid later disruptions in the system should these agencies implement their own projects without reference to this project.



5.0 IMPACTS AND MITIGATION MEASURES:

Overall, the proposed project in all the municipalities and towns will cause minor resettlement impacts and these are related to those earning a living or residing in places where permanent land take will be required for the reservoirs, treatment plants and booster pump stations. There are however several economic activities that will be disrupted as highlighted above, especially at the intake, treatment and reservoir areas. This Chapter presents the details of impacts and the proposed mitigation measures to minimise such minor impacts.

In terms of geographical impact, the project affects 7 districts of Busia, Pallisa, Kumi, Ngora, Rukungiri, Kasese and Koboko. The earlier mentioned small towns targeted by the project fall in these districts, various municipalities and town councils/Sub counties. The table below summarises the impact per zone.

Table 2: Summary of impacts per zone

RUKUNGIRI DISTRICT

FACILITY	NO. PAPS	TOTAL LAND VALUE	TOTAL CROPS & STRUCTURES	TOTAL VALUE	DIST ALLOW 30%	GRAND TOTAL
WATER INTAKE	1	1,660,000	730,000	2,390,000	717,000	3,107,000
WATER TREATMENT PLANT	1	33,970,000	1,338,925	35,308,925	10,592,678	45,901,603
WATER RESERVOIR (Mukazi Hill, Matebe, Buyanja, Rwanyakashesha, Bwoma, Rwere)	10	63,465,000	2,305,000	65,770,000	19,731,000	85,501,000
TRANSMISSION MAIN	268	49,690,000	86,785,250	136,475,250	40,942,575	177,417,825
TOTAL	280	148,785,000	91,159,175	239,944,175	71,983,253	311,927,428

**KASESE-KATWE-KABATORO**

FACILITY	NO. PAPS	TOTAL LAND	TOTAL CROPS & STRUCTURES	TOTAL PAYMENT	DIST.ALLOW. 30%	GRAND TOTAL
WATER INTAKE	0	0	0	0	0	0
WATER TREATMENT PLANT	6	2,370,000	2,223,000	4,593,000	1,377,900	5,970,900
WATER RESERVOIR (Katholhu, tankhill, and Mweya)	3	3,248,000	0	3,248,000	974,400	4,222,400
TRANSMISSION MAIN	151	13,953,000	72,959,000	86,912,000	26,073,600	112,985,600
TOTAL	160	19,571,000	75,182,000	84,384,331	28,425,900	123,178,900

KOBOKO DISTRICT

FACILITY	NO. PAPS	TOTAL LAND VALUE	TOTAL CROPS & STRUCTURES	TOTAL PAYMENT	DIST. ALLOW. 30%	GRAND TOTAL
WATER INTAKE	1	1,690,000	108,000	1,798,000	539,400	2,337,400
WATER TREATMENT PLANT	2	32,740,000	949,500	33,689,500	10,106,850	43,796,350
WATER RESERVOIR (Teremunga Hill and Apar police station)	2	142,240,000	0	142,240,000	42,672,000	184,912,000
TRANSMISSION MAIN	17	39,418,000	14,583,000	54,001,000	16,200,300	70,201,300
TOTAL	22	216,088,000	15,640,500	231,728,500	69,518,550	301,247,050



BUSIA DISTRICT

FACILITY	NO. PAPS	TOTAL LAND	TOTAL CROPS & STRUCTURES	TOTAL VALUE	DIST.ALLOW. 30%	GRAND TOTAL
WATER TANK RESERVIOR	3	18,687,000	-	18,687,000	5,606,100	24,293,100
WATER INTAKE & WATER TREATMENT PLANT	3	107,565,000	390,000	107,955,000	32,386,500	140,341,500
FSTP	1	20,000,000	-	20,000,000	6,000,000	26,000,000
TRANSMISSION MAIN	147	4,760,000	43,951,590	48,711,590	14,613,477	63,325,067
TOTAL	154	151,012,000	44,341,590	195,353,590	58,606,077	253,959,667

NGORA-NYERO-KUMI DISTRICT

FACILITY	NO. PAPS	TOTAL LAND	TOTAL CROPS & STRUCTURES	TOTAL PAYMENT	DIST. ALLOW. 30%	GRAND TOTAL
FSTP	3	19,884,000	0	19,884,000	5965200	25,849,200
WATER INTAKE/WTP	3	22,104,000	1,325,000	23,429,000	7028700	30,457,700
WATER RESERVOIR (Kumi water offices, Nyero S/C and Kobuku hill)	3	64,875,000	295,000	65,170,000	19551000	84,721,000
TRANSMISSION MAIN	100	0	19,152,000	19,152,000	5745600	24,897,600
TOTAL	109	106,863,000	20,772,000	127,635,000	38,290,500	165,925,500



PALLISA DISTRICT



FACILITY	NO. PAPS	TOTAL LAND	TOTAL CROPS & STRUCTURES	TOTAL PAYMENT	DIST. ALLOW. 30%	GRAND TOTAL
WATER INTAKE	0	0	0	0	0	0
WATER TREATMENT PLANT	5	9,912,000	21,820,000	31,732,000	9,519,600	41,251,600
RESERVIOR TANKS (Kasodo S/C and Pallisa hospital)	2	8,132,000		8,132,000	2,439,600	10,571,600
FSTP	2	15,672,000	0	15,672,000	4,701,600	20,373,600
TRANSMISIION MAIN	89		7,602,000	7,602,000	2,280,600	9,882,600
TOTAL	98	33,716,000	29,422,000	63,138,000	18,941,400	82,079,400

5.1 OTHER IMPACTS:

Positively, the line will facilitate extraction of water from the identified water sources, improve the treatment and supply system, including better storage for water security (reservoir) as well as provide better sanitation infrastructure in the targeted towns and municipalities. Other associated supply points are planned at strategic en route locations within the project areas and this will facilitate supply of cleaner and safer water that will lead to socio-economic transformation and meting targets for the Millennium Development Goals. Additionally, there will be direct employment opportunities for the locals during the construction phase.

Other resultant effects may include changes in land use from cash crop and commercial tree farming to subsistence within the wayleaves as restrictions are imposed by DWD on usage of land in the way leaves of water pipelines as well as permanent land take for permanent installations. Such impacts have been separately assessed in detail in the ESIA.

Nonetheless, this RAP proposes mechanisms of compensating those who have been using the affected land.

To ensure that some people are not disadvantaged in the process of development, DWD will ensure financial compensation under the law is effected promptly and monitor this program for a period of six (6) months.



Special attention will be given to the vulnerable group identified in all the project zones. It is our recommendation that the client puts more efforts in assisting this group to access their compensation and benefits from the RAP scheme but more specifically to educate them on public health and sanitation issues to avoid a spill over of diseases to the water system.

Below is a summary of the possible losses that need mitigation measures:

Table 3 General Summary of Impacts:

Type of Impact	Mitigation Measures
<p>Loss of productive assets, including land, businesses, income and livelihood</p>	<p>AGRICULTURAL LAND (RURAL):Farmer/ title holder Cash compensation for affected property equivalent to market value No displacement : Cash compensation for affected land equivalent to market value. If less than 20% of land holding affected, the remaining land remains economically viable Tenant/ lease holder Cash compensation for the harvest of the affected land equivalent to average market value of last 5 years, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater. Farmer/title holder Land for land replacement where feasible, or compensation in cash for the entire landholding according to PAP's choice. Land for land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to the PAP. Transfer of the land to the PAP shall be free of taxes, registration & other costs.</p> <p>Relocation assistance (costs of shifting + assistance in reestablishing economic trees + allowance up to a maximum of 12 months while short-term crops mature) Relocation assistance (costs of shifting + assistance in reestablishing economic trees + allowance up to a maximum of 12 months while short-term crops mature)</p> <p>Displacement: More than 20% of land holding lost OR Less than 20% of land holding lost but remaining land not economically viable</p> <p>Tenant/ lease holder Cash compensation equivalent to average of last 5 years' market value for the mature and harvested crop, or market value of the crop for the remaining period of tenancy/lease agreement, whichever is greater.</p> <p>Relocation assistance (costs of shifting + allowance). Cash compensation equivalent to local average of 6 months' salary Relocation assistance (costs of shifting + allowance) Assistance in getting alternative employment.</p> <p>RESIDENTIAL LAND (URBAN): Title holder Cash compensation for affected land. No displacement: Land used for residence partially affected, limited loss, and the remaining land remains viable for present use</p> <p>Rental/lease holder Cash compensation equivalent to 10% of lease/rental fee for the remaining period of rental/lease agreement (written or verbal). Displacement: Premise used</p>



Type of Impact	Mitigation Measures
	<p>for residence severely affected, remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning law/s</p> <p>Rental/lease holder: Cash compensation equivalent to 3 months of lease/rental fee Assistance in rental/lease of alternative land/property Relocation assistance (costs of shifting + allowance)</p> <p>COMMERCIAL LAND (URBAN & RURAL): No displacement: Land used for business partially affected, limited loss</p> <p>Title holder/business owner Cash compensation for affected land Opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year (or tax records) from comparable business, or estimates where such records do not exist). Business owner is lease holder Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist)</p> <p>Title holder/business owner Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP. Transfer of the land to the PAP shall be free of taxes, registration & other costs.</p> <p>Relocation assistance (costs of shifting + allowance) Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates).</p> <p>Displacement: Premise used for business severely affected, remaining area insufficient for continued use Business owner is lease holder Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher.</p> <p>Relocation assistance (costs of shifting) Assistance in rental/lease of alternative land/property (for a maximum of 6 months) to re-establish the business</p>
<p>Loss of other assets like buildings (commercial etc)</p>	<p>Owner Occupied: Cash compensation for affected building and other fixed assets Cash assistance to cover costs of restoration of the remaining structure. No displacement: Structure partially affected but the remaining structure remains viable for continued use</p> <p>Rental/lease holder: Cash compensation for affected assets (verifiable improvements to the property by the tenant – e.g. a fence) Disturbance compensation equivalent to two months rental costs</p> <p>Option of alternative structure of equal or better size and quality in an available location which is acceptable to the PAP. Right to salvage materials without deduction from</p>



Type of Impact	Mitigation Measures
	<p>compensation Relocation assistance (costs of shifting + allowance) Rehabilitation assistance if required (assistance with job placement, skills training)</p> <p>Squatter/ Informal dwellers: Cash compensation for affected structure without depreciation Right to salvage materials without deduction from compensation Relocation assistance (costs of shifting + assistance to find alternative secure accommodation preferably in the community of residence through involvement of the project CBO. Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available)</p> <p>Rehabilitation assistance if required (assistance with job placement, skills training) Street vendor (informal without title or lease to the stall or shop) Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher. Relocation assistance (costs of shifting) Assistance to obtain alternative site to re-establish the business</p>
Loss of community resources, habitat, Forests, cultural sites, grave yards and goods	Replacement, if possible, or compensation at replacement, rates and or restoration measures may be considered under the works contract
Loss of crops/trees	<p>Crops affected by land acquisition or temporary acquisition or easement, whether owner, tenant, or squatter: Cash compensation equivalent to average of last 3 years market value for the mature and harvested crop</p> <p>TREES : Trees lost Title holder Cash compensation based on type, age and productive value of affected trees PLUS 10% premium</p> <p>NW&SC should consider funding environmental enhancement initiatives under the community development plan for replacement of tree cover</p>
Disruption of social networks	Not anticipated at the permanent land take zones but Relocation within the same vicinity and supporting PAPs to create new support systems for those impacted by the reservoir is prudent.
Anxiety due to perceived project benefits	Comprehensive information campaign, continuous stakeholder engagement and harnessing opportunities for employment on non-technical jobs.

5.2 COMPENSATION AND RESETTLEMENT STRATEGY:

5.2.1 COMPENSATION FRAMEWORK:

Following international best practice and current legal stipulations, PAPs, irrespective of their status, are eligible for some kind of assistance if they occupied the land or properties, before the entitlement cut-off. This Rap has assumed the position of the World Bank and as such has enumerated all



persons, households and entities falling with wayleaves and water works sites as eligible for compensation provided they present proof of ownership, usage or representation at the time of verification.

Specifically, the following categories will be eligible for compensation:

- Those with formal legal rights to land (including customary and traditional rights recognized under the Laws of Uganda) and can produce satisfactory evidence of this;
- Those who do not have formal legal rights to land, but have a claim to such land or assets provided that such claims are lawfully recognized in Uganda or become recognized through a process identified during the RAP.
- They have no legal or traditional claim to the land, but are occupying or using the land prior to the cut-off date and can be consented to by community consensus
- Those licensed by holders/owners to use the land either for cropping or for brick making or for clay mining.
- People who loose productive assets, including land and permanent crops;
- People whose houses/structures will be delineated as being in the proposed project area and therefore need to be demolished before the implementation of the project.

For all the above categories mentioned above, evidence acceptable within the laws of Uganda and acceptable by community consensus can be adduced, provided that the person has not assumed this ownership or occupancy in a speculative fashion.

Determination of the legibility of the bona fide occupants of the properties to be compensated shall be done through a transparent and legal process, taking into consideration all the existing laws of Uganda and policies of the World Bank and local customs. For tenants, criteria shall follow section 34 of the Land Act while for family property; criteria shall follow section 39 of the Land Act.

As a principle, exercising transparency and garnering the confidence of affected persons must be upheld. Affected persons must be invited to participate throughout the various stages of the planning and implementation of the resettlement activities. Particular care must be taken to ensure that the interests of vulnerable groups such as women and children, the disabled, the elderly and the sick are appropriately addressed.

5.2.2 Support to the Vulnerable Group:



The vulnerable group of **18 PAPs** identified in the entire project area will need special assistance to access their compensation and also restore their petty businesses or livelihood activities. The project foot print has minimal impacts in terms of land take but will have disruptions of economic activities during construction, especially for the distribution network. From the socio-economic profiling, the following are the proposed interventions;

- Each vulnerable case shall be entitled to additional 300,000 UGX to assist in re-establishing activities during and after the disruption. The funds can either be channelled to boosting business ventures, buying improved seeds, farm implements or tools as well as assisting in medicare. The final allocation will depend on the extreme needs as shall be identified by the households. This figure was arrived at after consultations and assessments of household expenditure streams.
- Each PAP has been allowed 2,500 UGX for Bank charges when opening accounts or drawing compensation money from their accounts.
- Special efforts shall be made by the implementing agency to reach out to the vulnerable group for purposes of disclosures of compensation options and banking services. This will be in form of transportation means and specialised advice on use of compensation funds.

5.2.3 Eligibility for Compensation and “cut-off” date:

The date of final consultations with and enumeration of the affected persons and property was established as the cut off-date and for this project it was 31st of July 2015. A person who occupies the land after the completion of inventory of affected households and assets will not be eligible for compensation for the lost assets and /or any form of assistance from the project. This will be deemed speculative.

Prior to commencement of RAP implementation, the cut off date shall be published in all media and at all points of information reference including the local leaders. It is however recommended that DWD inbuilds a mechanism of handling genuine cases that may arise. This should be done on merit and case by case.

5.2.4 Entitlement Measures:

5.2.4.1 Compensation for Loss of Land:

Compensation for the loss of land will be provided to all PAPs who currently own land (whether kibanja or Mailo) regardless of land size, current use or legality of tenure. Under the Primary Entitlement Measures, cash compensation will be provided, based on government valuation amount, and disturbance allowance of 15%. This is considered adequate for replacement value.

In cases of compensation for Kibanja on Mailo land, an apportionment of land value of 70% and 30% share of the market value will be given to



kibanja owners and landlord respectively, regardless of any development on that land. In project areas with such tenure interests, valuation for land compensation apportioned 70% of cash payment to kibanja owner and 30% to Mailo owner. This is in line with national guidelines and requirement of the Chief Government Valuer. It should be noted that structures and crops on such land are valued separately from land and full compensation is awarded to the owner of affected assets without sharing.

5.2.4.2 Compensation for Loss of Crops:

a) Perennial Crops:

Cash compensation will be provided for the loss of perennial crops, calculated using the approved district rates (considered adequate for replacement value). In addition, a transitional allowance will be provided to cover any loss of livelihood during the period between the loss of crops and the availability of income from new crops.

b) Annual (seasonal) Crops:

The project will provide all compensation under the entitlement matrix six months prior to the commencement of construction. At the time of payment, the timing of the project will be made clear and instruction provided as to how crops will be managed during this time. This timeframe provide adequate opportunity for all seasonal (or “annual”) crops to be harvested, and thus there is no impact to annual crops. As such, no direct compensation will be paid for annual crops.

c) Unintentional Damage to Crops:

If there is unintentional damage to crops during line construction whether owned by PAPs or not, compensation will be paid for both annual and perennial crops, based on approved district rates.

5.2.4.3 Compensation for Loss of Structures:

a) Owners of Permanent Structures (Residential and Commercial)

For current owners (Mailo/Freehold/Leasehold and kibanja), under the primary entitlement measures (Option 1), cash compensation for permanent structures will be provided, calculated based on replacement value and a disturbance allowance of 15% added (as required by Uganda Government).

b) Tenants of Permanent Structures (Residential and Commercial)

Under the primary entitlement measures tenants of permanent affected structures will be provided with cash compensation for any fixed assets that cannot be relocated. It is however unlikely that these will exist since tenants are not usually allowed to develop permanent assets on rented premises. They will also be assisted to find alternative rental premises.

This will be of similar size and condition to the current premises. MWE will also facilitate the negotiation of a similar lease (both in terms of cost and timeframe).



For renting persons, transport will be provided to move households or business goods and if necessary. This will be provide on a case-by-case basis to tenants found in rented premises for the reason that by the date of compensation payment, tenants met during RAP preparation might have moved and replaced by other people. Budget for this is provided in a the 15% contingency to RAP implementation budget.

c) Owners and Tenants of Temporary Structures

Here, building materials may be salvaged from old structures to be utilised again, at their own cost. Also, for people moving to a new settlement, or non-adjacent land, transport assistance will be provided for households or business goods.

d) Damage to Structures (Permanent and Temporary)

If there is unintentional damage to structures during construction, compensation will be paid for all losses. This will be calculated on the basis replacement value for structures, or district rates for crops.

5.2.4.4 Compensation For Loss Of Business (Owners And Tenants):

Here, compensation will be paid to business owners and tenants for the potential loss of business income using the income approach and investment approach to both owners and tenants respectively.

5.2.4.5 Compensation For Loss Of Communal Facilities:

Compensation for affected schools or places of worship (church land, mosques, etc) will be to the board of trustees overseeing the worship facility or school administration. For cases that need management committees to sit, MWE shall facilitate such sittings to authorise the recipient of funds and transfer of interests.

5.2.4.6 Compensation For Loss Of Graves Or Cultural Sites:

If graves are required to be relocated, cash compensation will be paid on the basis of approved Uganda's district rates. Facilitation shall also be offered for transportation of remains and appeasement of spirits. The amount shall be determined on a case by case basis, and in consultation with the affected households.

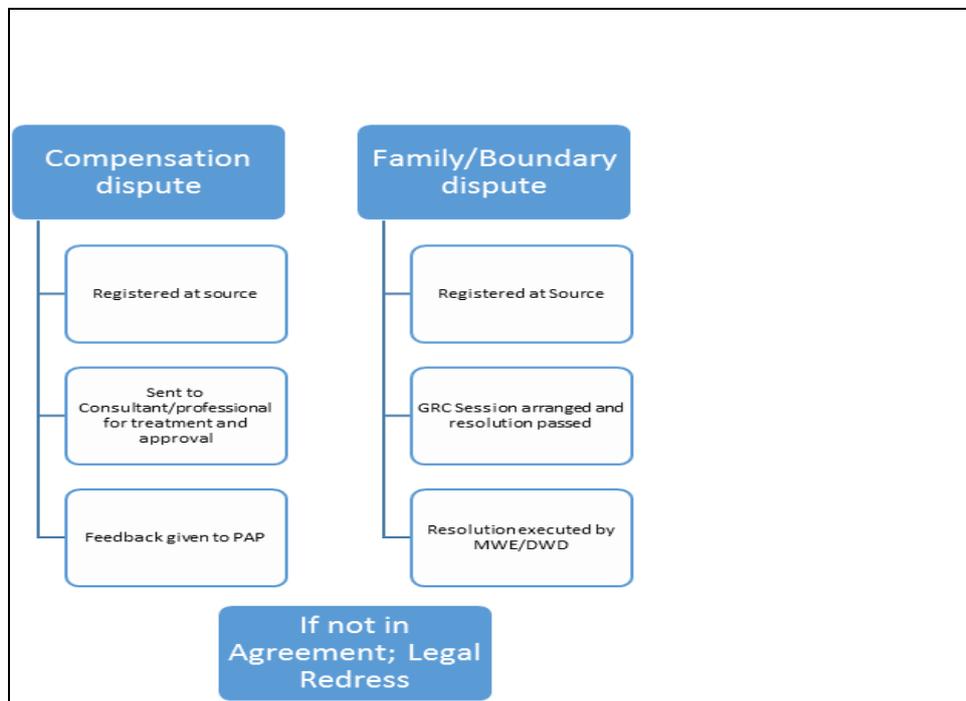
5.3 GRIEVANCES MANAGEMENT SYSTEM AND PROCEDURE:

Projects of this nature inevitably give rise to complaints and conflicts and as such this RAP has recommended a complaints management mechanism to resolve such matters. The recommendation is to set up a Disputes resolution Committee (DRC) to mediate in disagreements over the compensation values payable and additionally, assist in resolving internal family conflicts arising out of receipt of compensation of options taken by



the head of household. This shall at Municipal level or Sub County level depending on the administrative designation of the project zone.

Initially, the appeal shall be registered and discussed by the DRC in conjunction with the technocrats like the surveyors and valuers who will in turn be required to review the case and provide feedback with a view of resolving the dispute rather than clarifying a position. If the review is still not acceptable to the PAP, they shall be advised to seek the second opinion of an independent valuer/assessor. If this is still disputed, the PAP will be advised to seek legal redress. In a special way, if MWE feels unfairly treated by a PAP either due to speculation or unreasonable compensation demand, MWE shall also put the matter before the DRC and if unsatisfied with the outcome, shall also be entitled to legal redress. The flow of the appeals handling procedure is diagrammatically presented below;



5.3.1 Capacity Building for the Grievance Officer and Grievance Committee

All persons engaged in management of grievances shall be oriented in the process as well as conflict management procedures.

Grievances will be recorded in a grievance log which will be held at by a designated Grievance Officer whose role is outlined below;

- Recording the grievances, both written and oral, of the affected people, categorizing and prioritizing them and providing solutions within a specified time period.
- Act as grievance Committee Chairman



- Discussing grievances on a regular basis with the Working Group and coming up with decision/actions for issues that can be resolved at that level.
- Informing the Steering Committee of serious cases within an appropriate time frame.
- Reporting to the aggrieved parties about developments regarding their grievances and decisions of the Steering Committee.
- Providing inputs into the Monitoring and Evaluation process

The Specific tasks of the Grievance Committee shall be to;

- Set up a systematic process of recording grievances in a register (“Grievance Book”) as well as electronically. The register should be located in the implementation team office and should be accessible to residents.
- Both written and verbally communicated grievances should be recorded.
- Categorize issues in 3-4 broad categories in order to review and resolve them more efficiently. Suggested categories are grievances regarding:
 1. Survey issues
 2. Valuation Issues
 3. Legal Issues
 4. Social Issues (Family wrangles etc)
- Prepare a database for recording and keeping track of the grievances and how they were resolved. The database should be a ‘living’ document, updated weekly. It should also record the status of each grievance. Access to making entries into the database should be restricted to the implementation team, but the general community should be able to use Grievance Book”/ register to see the status of their complaints.
- Communicate the grievance procedure to the people, the process for recording their complaints and the timelines for redress. Communication should be done through a community meeting involving the resettled community.
- Pamphlets outlining the procedures and commitments of the grievance mechanism should be distributed to all households.
- Raise grievances at the regular implementation team meeting for discussion. Some resolutions will require coordination/ interaction with the local authorities, which the GO should follow up, while some would require intervention from UETCL.
- Provide a regular update on the status of grievances via the database, including reasons for delay, if any. This update needs to be provided on a weekly basis. Also clearly define grievances that will not be



entertained by the GO. These could be related to issues other than those linked to the resettlement and rehabilitation process.

6.0 IMPLEMENTATION OF THE RAP:

DWD shall be responsible for the implementation of the RAP as part of the project development process but has to implement this in a participatory manner involving the affected persons directly or indirectly through their representatives. DWD shall set up a team to manage Resettlement, compensation and all ensuing issues.

The team shall be established within DWD and shall consist of the following role players

1. A Programme Manager specialised in Resettlement and Rehabilitation issues
2. A Lawyer
3. A Grievance Officer
4. A communications Specialist with good command of rural communication and outreach methods
5. An Accountant
6. An Information Management specialist
7. An officer specifically designated to handle the vulnerable group.

Externally, DWD shall liaise with L.C officials and other local government offices during implementation and pre-construction period in addition to engaging the office of the CGV for review of compensation disputes. If required, the Municipal or Town Council planning office as well as the lands offices shall also be involved during the delineation of the way leaves. On a quarterly basis, the team shall be required to interface with the WUCs for consultations on the progress of the RAP process as well as iron out any issues that will need resolution and get the team back on track (In case of non-compliance issues)

It will be necessary for DWD to develop terms of reference for the external players, conduct induction sessions and officially serve appointment letters for the role players. These will include the local government witnesses, the WUCs and those involved in the Grievance Resolution process.

In terms of compensation, in this RAP, we have recommended that an electronic funds transfer system through local banks be rolled out. The package will include training of PAPs in Banking as well as assisting them in



opening accounts. The training will have added benefits of increasing awareness for banking and saving.

6.1 SCHEDULE OF IMPLEMENTATION:

The project foot print in all the highlighted areas is reasonably small with minimal impacts. Additionally, the numbers involved are few and therefore RAP implementation should ideally take a short time. It is also prudent to fast track its implementation to allow meaningful use of the compensation funds before inflation affects the value of proceeds.

The tentative schedule is as outlined below:

Table 4: Schedule:

PROJECT ACTIVITIES	RESPONSIBILITY	COMMENCEMENT DATE	MONTHS						
			October	Nov	Dec	Jan	Feb	March	
			1	2	3	4	5	6	
Mobilization	MWE/DWD / L.G	1 st Oct-2015							
Group Disclosures and formation of WUCs (District/Sub county)	MWE/DWD / L.G	1 st Nov-2015							
Group Disclosures (Village Level), Pap Verification	MWE/DWD / L.G	15 th Nov-2015							
Individual Disclosures And Agreements	MWE/DWD / L.G	1 st Dec-2015							
Payments And Dispute Resolution	MWE/DWD / L.G	15 th Dec-2015							
Support to Vulnerables	MWE/DWD	15 th Dec-2015							
Site Clearance	MWE/DWD / L.G	2 nd Feb-2016							



PROJECT ACTIVITIES	RESPONSIBILITY	COMMENCEMENT DATE	MONTHS							
Row Titling And Registration Of Easements	MWE/DWD	2 nd Feb-2016								
RAP Audit	Independent Evaluator	15 th March 2016								

6.2 RAP BUDGET:

6.2.1 Overall Rap Budget:

In consideration of all the activities involved in this RAP, we have estimated that DWD will need to set aside slightly over **Ugx.1,490,613,248** to cater for compensation, assistance to the vulnerable and benefit sharing Programmes as well as implementation and monitoring. DWD should secure these funds in an escrow account to be managed by DWD authorised persons. The idea is to ring fence the funds and ensure smooth implementation to the end with no risk of shortage of funds. Below is a breakdown of the costs (general and per project zone):

OVERALL BUDGET	
ACTIVITY/ITEM	ESTIMATED COSTS (UGX)
Compensation for land	686,584,914
Compensation for Crops & Developments	278,744,265
Disturbance Allowance (30%)	289,598,753.7
Support to Vulnerable Group	7,500,000
Implementation, Monitoring & Evaluation	33,757,500
Sub Total	1,296,185,432.7
Contingency (15%)	194,427,814.9
TOTAL	1,490,613,248



Breakdown per project zone

BUSIA	
ACTIVITY/ITEM	ESTIMATED COSTS (UGX)
Compensation for land	151,012,000
Compensation for Crops & Developments	44,341,590
Disturbance Allowance (30%)	58,606,077
Support to Vulnerable Group	1,200,000
Implementation, Monitoring & Evaluation	5,840,000
Sub Total	260,999,667
Contingency (15%)	39,149,950.05
TOTAL	300,149,617

PALLISA

ACTIVITY/ITEM	ESTIMATED COSTS (UGX)
Compensation for land	35,716,000
Compensation for Crops & Developments	29,422,000
Disturbance Allowance (30%)	19,541,400
Support to Vulnerable Group	1,200,000
Implementation, Monitoring & Evaluation	5,497,500
Sub Total	91,376,900
Contingency (15%)	13,706,535
TOTAL	105,083,435

NGORA-NYERO-KUMI

ACTIVITY/ITEM	ESTIMATED COSTS (UGX)
Compensation for land	122,906,000
Compensation for Crops & Developments	23,099,000
Disturbance Allowance (30%)	43,801,500
Support to Vulnerable Group	300,000
Implementation, Monitoring & Evaluation	5,332,500
Sub Total	195,439,000
Contingency (15%)	29,315,850
TOTAL	224,754,850



RUKUNGIRI

ACTIVITY/ITEM	ESTIMATED COSTS (UGX)
Compensation for land	133,294,654
Compensation for Crops & Developments	91,159,175
Disturbance Allowance (30%)	67,336,149
Support to Vulnerable Group	3,000,000
Implementation, Monitoring & Evaluation	6,332,500
Sub Total	301,122,478
Contingency (15%)	45,168,372
TOTAL	346,290,850

KATWE – KABATORO

ACTIVITY/ITEM	ESTIMATED COSTS (UGX)
Compensation for land	9,202,331
Compensation for Crops & Developments	75,182,000
Disturbance Allowance (30%)	25,315,299
Support to Vulnerable Group	1,500,000
Implementation, Monitoring & Evaluation	5,665,000
Sub Total	116,864,630
Contingency (15%)	17,529,695
TOTAL	134,394,325

KOBOKO

ACTIVITY/ITEM	ESTIMATED COSTS (UGX)
Compensation for land	234,453,929
Compensation for Crops & Developments	15,540,500
Disturbance Allowance (30%)	74,998,329
Support to Vulnerable Group	300,000
Implementation, Monitoring & Evaluation	5,090,000
Sub Total	330,382,758
Contingency (15%)	49,557,414
TOTAL	379,940,172

7.0 MONITORING, EVALUATION SYSTEM AND COMPLETION AUDIT:

Monitoring and evaluation of the programme will be carried out in order to assess the effectiveness of the RAP. Monitoring will cover disbursement of compensation, settlement of disputes and support to the vulnerable group and inclusion of the marginalised in decision making and benefit sharing.



Evaluation on the other hand will cover livelihood restoration as well as the ultimate objective of the project which is to improve access to clean water and better sanitation facilities.

7.1 GENERAL OBJECTIVES OF M&E:

The specific objectives are:

- To monitor progress of compensation by tracking numbers of settlements made as well as disputes registered and resolved
- To identify non-compliance issues which need addressing.
- To monitor the progress of wayleaves acquisition and advise on modalities of contractor entry to site
- To assess the impacts and effects of compensation and displacement
- To assess achievement of the overall objective of the project and advise on remedial actions where problems are encountered as well as document lessons learnt for purposes of enriching knowledge in the field of RAP implementation and service delivery.

7.2 EXTERNAL EVALUATION:

The primary responsibility for M&E rests with DWD but it is prudent that at the end of the project, an independent firm is commissioned to carry out an audit of the processes, compliance issues as well as outcome. In line with participatory approaches, it is advisable that the PAPs are included in the monitoring and evaluation scheme either directly or through their chosen representatives.

7.3 RAP AUDIT AND COMPLETION REPORT:

At the end of the implementation phase, there will be need to conduct an audit of the processes and outcome to majorly document lessons learnt and add to the general body of Knowledge in the management of displacement.

The matrix below presents the issues to analyse at the closing stage.

Activity	Required Data	Source	Responsibility
Performance Monitoring	Measurement of Input indicators Against proposed implementation schedule and budget including procurement and physical delivery of goods,	M&E Reports, Quarterly Reports, On spot checks	MWE/DWD Implementation Unit



Activity	Required Data	Source	Responsibility
Impact monitoring	Tracking effectiveness of Inputs against baseline indicators. Assessment of PAP satisfaction with inputs	Quarterly quantitative and qualitative surveys Regular public meetings and other consultation with people affected by the project, review of grievance mechanism	MWE/DWD Implementation Unit
Evaluation	Measurement of output indicators such as income levels, livelihood restoration, availability of shelter and replacement of infrastructure	Assessment report based on performance and impact monitoring reports, independent surveys and consultations with affected	Contracted external evaluation agency

Adapted from IFC Handbook for Preparing a Resettlement Action Plan.