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**MINISTRY OF ENERGY AND MINER
DEVELOPMENT**

BUJAGALI HYDROELECTRIC POWER PROJECT

UPDATED CULTURAL PROPERTY MANAGEMENT PLAN

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ABBREVIATIONS AND ACRONYMS

AESNP	A E S Nile Power
APRAP	Assessment of Past Resettlement and Action Plan
BEL	Bujagali Energy Limited
BEMC	Bujagali Environment Monitoring Committee
BHP	Bujagali Hydropower Project
BIU	Bujagali Implementation Unit
CPMP	Cultural Property Management Plan
GoU	Government of Uganda
HSE	Health Safety and Environment
IFC	International Finance Corporation
MEMD	Ministry of Energy and Mineral Development
MoU	Memorandum of Understanding
NAPE	National Association of Professional Environmentalists
NGO	Non Governmental Organization
PM	Project Manager
PSEAM	Project Social and Environment Assessment Manager
RCDAP	Resettlement and Community Development Action Plan
SEA	Social Environment Assessment
SEAP	Social and Environmental Action Plan
SEM	Site Environment Manager
ToR	Terms of Reference
UETCL	Uganda Electricity Transmission Company Limit

1.0 INTRODUCTION

1.1 Policy framework

This updated Cultural Property Management Plan (CPMP) for the Uganda Bujagali Hydroelectric Project is based on the Environment Management Authority Statute of 1995 which states that all projects in Uganda should have an environment assessment, including a plan for managing physical cultural resources. It is also based on the Uganda National Culture Policy (2006) and the Uganda Historical Monuments Act (Cap 46). The purpose is to develop an approach to cultural property management, including the required mitigation measures, the procedure for implementation, and estimated costs. These involved an archaeological survey, especially on the western side of the River Nile in the Kikubamutwe village most especially in the area that will be directly impacted by the construction of the Power Station. At the individual household level the issue relates to family graves and *amasabo*. Generally, there is no objection to moving either graves or shrines, as this has been done in the past as people moved into the area. It is necessary to conduct certain ceremonies, possibly at both the old and new sites.

1.2 Background

A private sponsor, Bujagali Energy Limited (BEL), is responsible for financing, constructing, and operating the project on a “build-own-operate-transfer” basis. The BHP dam and reservoir will inundate about 388 hectares, including “land take” of 238 hectares for the main BHP infrastructure, and about 52 hectares for the transmission lines and substations. This will, in turn, involve displacement and replacement of houses and lands, which already started in 2001. The BHP dam would also inundate Bujagali Falls and other natural habitat, and the transmission lines would pass through some land within the Mabira Forest Reserve. The Bujagali Falls, river, and some of the lands in and around the BHP are also sites of cultural and religious significance to the Busoga people.

A Cultural Property Management Plan (CPMP) was prepared in 2001 and was included in the Resettlement and Community Development Action Plan (RCDAP) of the project. The CPMP contained activities for addressing the cultural and spiritual aspects of the project, in particular, the customs, practices, values, and religious significance of the Bujagali Falls. Several of these activities were carried out by the project, including consultations with affected people and spiritual leaders associated with the Budhagali spirit, and several appeasement ceremonies.

The current implementation of the cultural and chance finds procedures is updated in this report and issued as a stand-alone Cultural Property Management Plan (CPMP).

More consultations were needed, including with the relevant stakeholders to ensure that there was continuous and meaningful discussion of issues related to Bujagali spirits. The additional consultations were not restricted to the project site and covered the larger surrounding communities. In this way, the project will avoid misjudging the size, location, and scale as well as the nature and magnitude of the cultural and spiritual significance of Bujagali Falls and its surrounding natural resources. The objective is to be able to determine the culturally appropriate mitigation measures.

Currently, construction of the BHP has started and BEL is implementing the CPMP as it was originally designed in 2001. The CPMP contained activities for addressing the cultural and spiritual aspects of the project, in particular, the customs, practices, values, and religious significance of the Bujagali Falls. Several of these activities were carried out by the project, including consultations with affected people and spiritual leaders associated with the Budhagali spirit, and several appeasement ceremonies.

In 2007, prior to construction, the Contractor prepared a Code of Practice for “chance finds,” which was supposed to be integrated into the CPMP. This code of practice is being implemented by the Contractor. In 2009, Government of Uganda contracted a Cultural consultant to update the CPMP and integrate the Code of practice for chance finds in the updated CPMP.

Completed Anthropological and Archaeological Studies

The terms of reference for the two studies of culture and traditional religion on the east and west banks within the project area were as follows:

- To provide a summary migration history of the inhabitants of the sample villages as well as a control village in each sub-county,
- To identify the traditional religious beliefs of the inhabitants of the villages and how these beliefs are manifested in their daily lives,
- To show how the identified religious beliefs are related to the physical and ecological environment of the inhabitants of the villages,

- To demonstrate how religious beliefs are related to the health and general well-being of the inhabitants of the villages,
- To identify religious and quasi-religious sites,
- To identify traditional religious leaders, their hierarchy and means of livelihood,
- To assess the impact of potential violation of sites, quasi sites and beliefs,
- To propose measures to mitigate / minimize potential outcomes of any violated sites, quasi sites and beliefs.

Focus group discussions were held in Malindi, Kikubamutwe, Buloba and Naminya villages on the west bank and in Bujagali, Ivunamba, Namizi, Buyala and Kyabirwa villages on the east bank. Separate focus groups for men and women were held and a control group from a village which would not be affected by the project was used for comparative purposes on each bank. In total twenty focus groups were held. In addition on the east bank interviews were held with the two diviners with interests at the Bujagali site: Nabamba Bujagali and Lubaale Nfuudu. Local council leaders were used to select senior citizens for participation in focus groups. The composition of focus groups consisted of: (a) traditional religious practitioners, guardians of religious sites and traditional healers; (b) local council officials responsible for culture, social welfare and environment; and (c) representatives of caucus groups of modern religions. The study confirmed that the population of the area is ethnically diverse with no single dominant ethnic group.

Cultural sites and traditional beliefs appear to be closely associated with ecological features like the river Nile, large trees and boulders. Each has a resident spirit which is worshipped, respected and feared. These attitudes are manifested through rituals, sacrifices and observation of taboos. There are four categories of religious and quasi-religious features: (a) Natural ecological objects such as islands, the Nile, streams, trees and rocks; (b) Religious structures / Amasabo; (c) Burial places; (d) Animate objects like strange snakes, leopard, and tortoise. All sites which were identified by the focus groups in and around the project area are listed in the following table.

Spiritual sites in the project area

VILLAGE	Shrines	Trees	Burial Grounds	Stones	Islands	Fireplaces
Buloba	5	1	1	1	3	0
Naminya	4	1	1	2	5	2
Malindi	12	4	1	3	3	0
Kikubamutwe	5	0	7	1	0	0
Namizi (1)	2	1	5	0	3	0
Kyabirwa	2	2	4	0	0	0
Bujagali	3	0	4	0	0	0
Total	33	9	23	7	14	2

2.0 CURRENT CONDITIONS AS AT THE TIME OF THE CPMP UPDATE

As of August 2009, BEL continued to implement the initial Cultural management plan formulated by AESN. The updated plan therefore builds upon the 2001 plan. The consultant carried out fieldwork and confirmed the findings of the background studies of the 2001 CPMP on the traditional religion and clans of the Basoga people, the ethnic group concerned with the community spiritual aspects of Bujagali falls. Confirmation was provided by corroborative evidence by documentation of the Cultural research centre in Jinja and Prince Izimba Gologolo of Kigulu Chiefdom. Since the studies are valid, they still form the background perspective of the management plan together with the 2001 CPMP and are attached in the annex.

The Government of Uganda's (GoU) approach to cultural property management at Bujagali was to address culture and traditional religion at three levels: (a) The individual or household; (b) The local community; and (c) The wider (national and International) community.

At the individual household level, the cultural issues related to family graves and Shrines (amasabo). There was no objection to the moving of graves and family shrines. However it was necessary to conduct certain ceremonies both at old and new sites. The implementation of the project caused the displacement of eighty six households. Of the eighty six households thirty four were resettled at Naminya a new area. Fifty two households opted to relocate on their own using the compensation given to them by the project implementers.

The compensation together with the relocation of graves and shrines of the individual household level was effected smoothly by AESNP the first implementer to the satisfaction of all interested parties. Services of Spiritual specialists (Synergy Group) were procured by AESN and these specialists carried out the relocation ceremonies at both the old and new sites. This was also witnessed by Interaid the witness NGO. The Assessment of past resettlement activities and action plans report, Bujagali implementation unit and the field visit of the contractor confirmed that issues at the individual household had been concluded satisfactorily.

At the community level, the services of the spiritual specialists (Synergy Group) were contracted by AESNP to carry out the relocation of the community spirits. A consultative approach was employed and consultations were held with Uganda government authorities, the kingdom of Buganda which is on the west bank and the Kingdom of Busoga on the east bank of the river Nile.

Three interested stakeholders in the issue of the Bujagali spirits were identified as: Prince Ntembe Waguna the traditional chief of the area of the project site, Lubale Nfuudu the custodian (ekuni) of the spirit of the ruling clan of Ntembe chiefdom and Nabamba Bujagali the medium of the spirit at Bujagali.

An appeasement ceremony financed by AESNP was held on 28th September 2001 with the three stakeholders and their followers in attendance. The three stakeholders received the compensation for relocation and signed statements acknowledging acceptance of the community spirits to relocate and stating that the compensation had been adequate. This was given media publicity both on TV and the print media. Interaid an NGO officially acted as the witness party.

3.0 CULTURE PROPERTY MANAGEMENT MEASURES

3.1 Background

Building on the 2001 CPMP, the cultural property issues at the household or individual level of the project area were finalised. The cultural property management plan 2010 addresses the following outstanding issues:

1. The cultural property management at the community level.
2. The concerns of the (national and international) community on compliance with guidelines.
3. The cultural property management during the construction phase of the project.

At the community level, extensive studies have been undertaken on the traditional religion, clans and chiefdoms of Busoga kingdom. It is generally agreed that spirits can relocate after necessary transfers and settlement rituals are carried out. The plan will propose how this can be concluded at the community level.

At the Wider national and international level, the concern is that the rapids at Bujagali will be largely inundated and that this will lead to the demise of the Bujagali spirit worship activities. This in turn translates into a loss in the cultural heritage of the Basoga ethnic group. The plan will propose how the Bujagali spirit worship activities will continue and also demonstrate acceptance of the project by the community which worships the Bujagali spirit thereby showing compliance with the funders' operational guidelines.

At the construction phase of the project, the plan is directed at the preservation of cultural property. This is defined as sites having archaeological (prehistoric), historical, religious and unique natural values. The aim is to preserve and protect any remains of cultural significance left by previous human inhabitants found during the excavation and earth moving during the construction of the dam. The contractor code of practice for chance finds will be incorporated in the updated CPMP.

3.2 .THE CULTURAL PROPERTY MANAGEMENT AT THE COMMUNITY LEVEL

It was established that the dwelling places of a number of spirits would be relocated before the commencement of the construction and before the area was inundated. All affected sites were mapped out and no site can be destroyed or damaged until the necessary ceremonies and rituals have been carried out.

Transfer rituals were then carried out followed by settlement rituals for each spiritual site. Documentation was signed by all parties upon the performance of the transfer rituals.

The contractor shall ensure that the relocation site has been prepared and finalized to host the relocated spirits in order to complete the relocation exercise.

In the case of people who were buried in the Nile islands to be inundated by the project, the contractor shall organize and carry out an inter-denomination service before the Islands are inundated.

3.3. COMPLIANCE WITH NATIONAL AND INTERNATIONAL GUIDELINES.

The contractor signed a Memorandum of Understanding (MoU) with the Kingdom of Busoga on the relocation of the community spirits at Bujagali hydroelectric project site. This was done so as to provide documentary evidence of acceptance by the concerned community of the relocation of the community spirits.

The MoU was witnessed by the Division of Culture in the Ministry of Gender, Labour and Social Development as evidence of acceptance by national authorities.

4.0 THE CULTURAL PROPERTY MANAGEMENT DURING THE CONSTRUCTION PHASE OF THE PROJECT

4.1 IDENTIFICATION AND PROTECTION OF POTENTIAL CULTURAL PROPERTY.

As noted in the Contractor's Terms of Reference and contract, "all cultural property must be respected and preserved throughout the project activities in order to avoid damage to sensitive areas or receive complaints from the local communities." For this purpose:

- Prior to construction, the project's social and environment assessment manager (PSEAM), in collaboration with the site client representative, produced an environmental mapping of the hydropower facility site and borrow pits in order to map and tag all cultural property and sensitive areas to be avoided.
- In mapping the area, the PSEAM consulted with the competent Authorities (e.g. Department of Museum and Monuments, District Environment Officer) as well as the project study report made with the 2001 CPMP showing sites of cultural significance also in consultation if necessary with the cultural specialists or representatives.
- The PSEAM informs the Construction Manager, supervisors, and subcontractors, and others on mapped /tagged sites in order to avoid potential damage to cultural and archaeological features during the construction activities.
- In case of any new findings being made during construction activities, the PSEAM coordinates with the site client representative in order to minimize the impacts and implement protection measures.
- Cultural awareness training is conducted by the PSEAM to all new employees and visitors based on the code of practice developed by BEL.

4.2 ARCHAEOLOGICAL ARTIFACTS DISCOVERY

The unearthing of archaeological remains, if any, is monitored during the operations of excavation, topsoil removal, or land restoration. Any discovered or suspected archaeological features are thoroughly excavated and studied under the Ugandan competent authorities' supervision.

For this purpose:

- The PSEAM informs the Construction Manager, Supervisors, and subcontractors on mapped/tagged sites in order to avoid potential damage to archaeological features during construction activities.
- The construction workers must remain vigilant to any relics during excavation.
- Workers report to the designated foreman /supervisor any suspected findings.

- The designated foreman /supervisor must stop immediately the work and communicate the findings to the Site Environmental Manager who reports it to the project Social and Environment Assessment Manager.
- The PSEAM must contact the Department of Museum and Monuments in order to gain advice on measures to be taken to ensure preservation /correct handling of archaeological remains.

No unearthing was undertaken without the department of museum and monuments authorization/instructions. In case of any suspected findings, works proceeded so as to avoid damages to the relics. Touching and moving the relics must be minimized to the extent possible. Removal of suspected relics is strictly forbidden.

The Site Environmental manager verifies that workers receive training by the Environmental Officer on the importance of archaeological sites and how to identify them. The eventual findings must be included in the Monthly Environmental report. Archaeological findings records, if any, must be kept.

4.3 AWARENESS AND TRAINING

BEL and the EPC contractor continue to train its staff and that of the subcontractors to ensure that they have knowledge of sound cultural property management principles. This training is part of the orientation that new employees and staff from outside the project who are unfamiliar with local conditions receive. The Site Environmental Manager, with the Environmental Officer support, provides information regarding the following main matters:

- Introduction to natural and cultural resources present within the project area.
- Applicable legislation and standards.
- BEL's Code of practice.
- Local customs and traditions to be respected.

Advice on related activities is also provided on the following:

- Visiting /bathing in the river.
- Removing vegetation.
- Protection of wildlife on site property.
- Driving in populated areas.
- Preparing and consuming food.
- Respecting local shrines and
- Sexual behaviour and other forms of personal behaviour.

Before starting work, construction workers have been briefed on:

- Type of relics that might be found in the area, based on the advice of the department of Museum and Monuments.
- Operative instructions on how to recognise archaeological remains, sand the procedure to be followed in the event of a discovery being made.

Subcontractors are responsible for training personnel under their supervision on the BEL code of practice general principals and specific precautions to be adopted during their work.

4.4. DOCUMENTATION AND COMMUNICATION.

Relevant records related to this procedure include:

- Environmental map with cultural and archaeological sites;
- Training records.

5.0 PROGRAMME AND RESPONSIBILITIES

BEL, in conjunction with Busoga Kingdom, ensures the completion of activities as regards the relocation of the Bujagali spirits. BEL, the developer, is to carry out an interdenominational remembrance service for the people buried in the Nile islands before the inundation of the islands.

For these ceremonies, the Witness NGO will observe the process and ensure fairness and openness.

To oversee the CPMP, BEL appointed an in-house Task Manager, who is in charge of the following:

- The preparation of a memorandum of understanding with Busoga Kingdom on undertaking relocation of the community spirits and certification of completion of the relocation process.
- Liaise with Busoga Kingdom on the completion of the relocation site for the Bujagali spirits.
- Prepare with all relevant religious authorities the interdenominational service to be performed in memory of those buried in the islands.

Ministry of Energy and Minerals Development coordinates the various stakeholders involved in the implementation of the CPMP activities.

6.0 MANAGEMENT PLAN COSTS.

The costs of the updated Cultural management plan will include the following items:

- Costs for preparation of the relocation site;
- Costs for the completion of the relocation of the Bujagali spirits.
- Costs for the holding of the interdenominational ceremony in memory of people buried in the islands.

Estimates for the completion of the relocation site have been derived from those presented by Busoga Kingdom to BEL dated 10th June and discussions thereafter to define scope of works, with estimates to be provided by BEL's contractor.

Estimates for the completion of relocation of the community spirits are based on a budget presented by Busoga Kingdom having consulted with the key mediums involved, including Lubaale Nfuudu and Jjaja Nabamba Budhagali.

Estimates of the Interdenominational remembrance service are based on the estimates in the 2001 CPMP and will be updated accordingly.

Therefore the estimated budget for implementation of remaining activities under the Updated Cultural property Management Plan (CPMP) is shown below:

DESCRIPTION	Amount USD
Costs for completion of relocation site	¹ To be provided by BEL's contractor
Costs of final relocation of community spirits	² To be discussed with stakeholders
Interdenominational remembrance service	³ 2000

7.0 MONITORING AND EVALUATION.

¹ Significant amounts of funds have already been spent by the EPC Contractor Salini as a part of their contract with BEL on CPMP activities. Further BEL and Busoga kingdom have agreed to complete the relocation of the spirits and hold the interdenominational service. Negotiations with the relocation site contractor, relevant stakeholders, etc, will determine the cost of these 3 activities.

² “

³ “To be updated based on the prevailing circumstances.

The Project Monitoring Committee (PMC) shall monitor the progress of the CPMP implementation along side the other components of the project. Progress reports shall be issued to the PMC on the prescribed period of receiving the progress reports. All the pending cultural management activities are supposed to be implemented in the 2010-2011 financial year.

Implementation Schedule for the CPMP

Task Name	Period					
	Oct'10	Nov'10	Decl'10	Jan'11	Feb'11	Mar'11
Completion of relocation site	X					
Final relocation of community spirits		X				
Interdenominational remembrance service			X			

Annex1: Cultural Property Management Plan (2001)

CULTURAL PROPERTY MANAGEMENT MEASURES

This section sets out the AESNP commitment and approaches to cultural property management, the mitigation measures required the procedure for implementation and estimated costs.

AESNP APPROACHES TO CULTURAL PROPERTY MANAGEMENT

Culture and traditional religion will be addressed at three levels:

- The individual or household
- The local community
- The wider (national and international) community

At the individual household level the issue relates to family graves and amasabo. Generally, there is no objection to moving either graves or shrines, as this has been done in the past as people moved into the area. It is necessary to conduct certain ceremonies, possibly at both the old and new sites. These must be carried out to the satisfaction of all interests and the measures for implementation are explained below.

At the local community level extensive studies have been undertaken to obtain a detailed understanding of the workings of the spirit world and to identify all features of spiritual importance within the area. An independent audit of these studies has been carried out. It is generally agreed that it is possible to move the dwelling places of spirits as long as the necessary transfer and settlement rituals are carried out. Detailed proposals are set out below and further information on specific ceremonies and requirements will be forthcoming as the implementation process proceeds.

AESNP is committed to the implementation of mitigating measures at the household and community levels in accordance with normal practice in Uganda, the recommendations of specialists and in agreement with the affected spiritual entities. The methodology that has been used in the various surveys and studies and the extensive consultations that have been undertaken have ensured that all proposals for mitigation have emanated directly from the affected persons themselves.

AESNP is also committed to the preservation of cultural property wherever possible. To this end, the contractor will undertake transect walks through the site with cultural representatives and specialists to map and tag all cultural property prior to the commencement of any works on site.

At the level of the wider community AESNP acknowledges that the rapids at Bujagali Falls will be largely inundated and that this is an unavoidable impact with this project configuration. However, it is considered by the parties involved with the spiritual value of the site – namely Nabamba Bujagali, Lubaale Nfuudu and the Leader of the Ntembe Clan that the issue is a local one and the impact is acceptable. These parties have given their consistent support to the project, as long as the necessary ceremonies, to ensure the spirits are satisfied, are carried out.

Furthermore the preliminary baseline socio-economic survey revealed that the spiritual value of the Falls is not an over-riding issue to the majority (83%) of the local community. The Ministry of Culture at the national level and the Kyabazinga (cultural minister of Basoga Government) have also supported the project.

It is therefore considered that whilst the Falls will be inundated this is not seen as a cultural or spiritual issue of over-riding significance by the majority of people who will be directly affected, at the individual, household, local community or national level. On balance, then,

the project is judged to comply with WB/IFC policy note OPN 11.03 in the context of the pressing need for additional electricity in the country and other benefits from the project.

MEASURES FOR COMPENSATION FOR LOSS OF INDIVIDUAL GRAVES AND SHRINES

Compensation will be paid to allow graves to be relocated in accordance with normal practice in Uganda. Households will be offered compensation as per Ugandan law using applicable rates for the cost of graves. In addition, as an AESNP uplift, compensation will be paid for performance of appropriate transfer ceremonies. This will be agreed through negotiation in accordance with the procedures and programme set out in the Resettlement Action Plan (Part 1 of this plan).

The preliminary baseline socio-economic survey indicated that 54 plots contained ancestral sites (amasabo). Not all the owners however requested that they be relocated. Amasabo will be compensated at rates for non-permanent structures in accordance with normal practice in Uganda.

Many graves have been destroyed by cultivation within the area. Therefore as a further mitigation measure AESNP is proposing that an interdenominational remembrance service be carried out in the project area (probably on one of the islands) to commemorate all those buried in the area in the past, some of whom may have been buried on the islands to be inundated. A structure or monument may be erected either at the site of the remembrance service or elsewhere, in accordance with the wishes expressed by the local communities.

MEASURES FOR APPEASEMENT AND RESETTLEMENT OF SPIRITS AT THE COMMUNITY LEVEL

It has been established that the dwelling places of a number of spirits will require relocation either before construction commences or before the area is inundated. The contractor will not mobilise on site until all affected sites have been accurately mapped and no site can be destroyed or damaged until the necessary ceremonies and rituals have been carried out. The following steps will be taken:

- Local consultants will be appointed to manage the entire cultural mitigation programme in association with AESNP. The same consultants will be used for both the east and west banks to ensure issues are handled in a consistent way.

- Village committees will be set up to oversee the process. The consultants who undertook the preliminary studies have already made recommendations regarding the individuals to sit on these committees. These committees will include government representatives in accordance with the recognition in OPN 11.03 that management of cultural property is the responsibility of governments. Committees will consist of 4 or 5 persons in each village. At this stage the local branch of the Uganda Traditional Healers and Herbalists Association will be invited to participate in the implementation process.
- Committees will then meet to determine the number of spiritual sites / dwelling places to be relocated, what has to be done in terms of ceremonies, who should conduct the ceremonies, when they will be carried out, what will be required in terms of physical items and approximate costs of these items. To ascertain these details, diviners will need to consult with the spirits and then report back to the committee. It is therefore envisaged that a number of preliminary meetings will be required before a detailed implementation programme can be drawn up.
- Transfer rituals will then be carried out followed by settlement rituals for each spiritual site. Documentation is to be signed by all parties upon completion.

CODE OF PRACTICE ON CULTURE AND TRADITIONAL RELIGION

A large number of instances were cited during the focus groups meetings of unfortunate and undesirable happenings as a result of the spirits being upset by certain forms of behaviour. AESNP proposes to prepare a code of practice which gives guidance and advice to all persons involved in the construction and implementation of the project on customs and traditions to be respected. Advice will relate mainly to the following:

- Visiting / bathing in the river
- Removing vegetation
- Preparing and consuming food
- Respect for local shrines
- Sexual behaviour and other personal behaviour such as whistling.

The Code of Practice will be prepared in draft by local specialist consultants. The draft will then be discussed with village committees before being finalised, prior to any construction work commencing.

The EPC contractor will be required to carry out cultural awareness training for all employees from outside the project area who are unfamiliar with local conditions. The Code of Practice will be used during training sessions.

Annex 2: Approaches Adopted in 2001 for the CPMP

At the individual household level the issue relates to family graves and amasabo. Generally, there is no objection to moving either graves or shrines, as this has been done in the past as people moved into the area. It is necessary to conduct certain ceremonies, possibly at both the old and new sites. These must be carried out to the satisfaction of all interests and the measures for implementation are explained below.

At the local community level extensive studies have been undertaken to obtain a detailed understanding of the workings of the spirit world and to identify all features of spiritual importance within the area. An independent audit of these studies has been carried out. It is generally agreed that it is possible to move the dwelling places of spirits as long as the necessary transfer and settlement rituals are carried out. Detailed proposals are set out below and further information on specific ceremonies and requirements will be forthcoming as the implementation process proceeds.

AESNP is committed to the implementation of mitigating measures at the household and community levels in accordance with normal practice in Uganda, the recommendations of specialists and in agreement with the affected spiritual entities. The methodology that has been used in the various surveys and studies and the extensive consultations that have been undertaken have ensured that all proposals for mitigation have emanated directly from the affected persons themselves.

AESNP is also committed to the preservation of cultural property wherever possible. To this end, the contractor will undertake transect walks through the site with cultural representatives and specialists to map and tag all cultural property prior to the commencement of any works on site.

At the level of the wider community AESNP acknowledges that the rapids at Bujagali Falls will be largely inundated and that this is an unavoidable impact with this project configuration. However, it is considered by the parties involved with the spiritual value of the site – namely Nabamba Bujagali, Lubaale Nfuudu and the Leader of the Ntembe Clan that the issue is a local one and the impact is acceptable. These parties have given their consistent support to the project, as long as the necessary ceremonies, to ensure the spirits are satisfied, are carried out.

Furthermore the preliminary baseline socio-economic survey revealed that the spiritual value of the Falls is not an over-riding issue to the majority (83%) of the local community. The Ministry of Culture at the national level and the Kyabazinga (cultural minister of Basoga Government) have also supported the project.

It is therefore considered that whilst the Falls will be inundated this is not seen as a cultural or spiritual issue of over-riding significance by the majority of people who will be directly affected, at the individual, household, local community or national level. On balance, then, the project is judged to comply with WB/IFC policy note OPN 11.03 in the context of the pressing need for additional electricity in the country and other benefits from the project.

Measures for compensation for loss of individual graves and shrines

Compensation will be paid to allow graves to be relocated in accordance with normal practice in Uganda. Households will be offered compensation as per Ugandan law using applicable rates for the cost of graves. In addition, as an AESNP uplift, compensation will be paid for performance of appropriate transfer ceremonies. This will be agreed through negotiation in accordance with the procedures and programme set out in the Resettlement Action Plan (Part 1 of this plan).

The preliminary baseline socio-economic survey indicated that 54 plots contained ancestral sites (amasabo). Not all the owners however requested that they be relocated. Amasabo will

be compensated at rates for non-permanent structures in accordance with normal practice in Uganda.

Many graves have been destroyed by cultivation within the area. Therefore as a further mitigation measure AESNP is proposing that an interdenominational remembrance service be carried out in the project area (probably on one of the islands) to commemorate all those buried in the area in the past, some of whom may have been buried on the islands to be inundated. A structure or monument may be erected either at the site of the remembrance service or elsewhere, in accordance with the wishes expressed by the local communities.

Measures for appeasement and resettlement of spirits at the community level

It has been established that the dwelling places of a number of spirits will require relocation either before construction commences or before the area is inundated. The contractor will not mobilise on site until all affected sites have been accurately mapped and no site can be destroyed or damaged until the necessary ceremonies and rituals have been carried out. The following steps will be taken:

Local consultants will be appointed to manage the entire cultural mitigation programme in association with AESNP. The same consultants will be used for both the east and west banks to ensure issues are handled in a consistent way.

Village committees will be set up to oversee the process. The consultants who undertook the preliminary studies have already made recommendations regarding the individuals to sit on these committees. These committees will include government representatives in accordance with the recognition in OPN 11.03 that management of cultural property is the responsibility of governments. Committees will consist of 4 or 5 persons in each village. At this stage the local branch of the Uganda Traditional Healers and Herbalists Association will be invited to participate in the implementation process.

Committees will then meet to determine the number of spiritual sites / dwelling places to be relocated, what has to be done in terms of ceremonies, who should conduct the ceremonies, when they will be carried out, what will be required in terms of physical items and approximate costs of these items. To ascertain these details, diviners will need to consult with the spirits and then report back to the committee. It is therefore envisaged that a number of preliminary meetings will be required before a detailed implementation programme can be drawn up.

Transfer rituals will then be carried out followed by settlement rituals for each spiritual site. Documentation is to be signed by all parties upon completion.

