

**MINISTRY OF ENERGY AND MINERAL DEVELOPMENT
RURAL ELECTRIFICATION AGENCY**

RESETTLEMENT ACTION PLAN

FOR

**THE PROPOSED MASINDI - WAKI - BULIISA AND NKONGE -
KASHOZI 33kV POWER DISTRIBUTION LINE AND ASSOCIATED
LOW VOLTAGE NETWORKS**

FINAL REPORT

CONSULTANT:



RESCO PROPERTY CONSULTANT SURVEYORS
CHARTERED SURVEYORS



RICS

SPAN HOUSE
Plot 1 Portai Avenue
P.O. Box 1656
Kampala - Uganda.
Tel: 031 263205
077 628545

Date: March 2013

EXECUTIVE SUMMARY

0 Introduction

0.1 Background and Project Area

The Government of Uganda has received financing from the World Bank (WB) towards the cost of the Energy for Rural Transformation (ERT) Project Phase II and has asked for Consultancy Services to Undertake a Resettlement Action Plan (RAP) covering the proposed Masindi – Waki - Buliisa and Nkonge - Kashozi distribution lines and associated low voltage networks (352km) 33kV distribution line. The project area is in western Uganda in the Districts of Masindi, Buliisa, Hoima, Ibanda, Kiruhura and Sembabule. The project consists of 33kV lines of at least a total route length of 352km and associated low voltage networks at a number of Trading Centres (TC) and Rural Growth Centres (RGC). It is in two parts as outlined below.

- Masindi – Waki – Buliisa (177Km) in Masindi, Hoima and Buliisa Districts;
- Nkonge-Kashozi (175km) in Sembabule, Kiruhura and Ibanda Districts.

The Rural Electrification Agency (REA) is the Lead Agency in the rural electrification sector and is therefore the principal arm of Government that is charged with the implementation of Rural Electrification projects. REA has contracted RESCO Property Consultant Surveyors Kampala to prepare a Resettlement Action Plan for the proposed 352km Distribution line with associated Tee-offs.

The project falls in two distinct zones where the first zone covers the so called Bunyoro axis comprising the districts of Masindi, Hoima and Buliisa. The second zone covers the Ankole axis which is located in the districts of Ibanda, Kiruhura and Sembabule. The community in the Bunyoro axis is mixed with increased migrations due to the ongoing petroleum related activities. The immigrants and the new oil related opportunities are going to increase the demand for grid electricity in the region.

Within Kiruhura, the main activity is dairy cattle rearing which has generated a lot of milk requiring milk cooling plants that operate on electricity. Subsequently this project will be critical to concretising the developments which have been planned in both zones by providing sustainable power to the area. It will enhance implementation of the Rural Electrification Program, and improve the living conditions of the affected people.

Most of the distribution line is expected to be mostly along the Road Reserve¹, where such a Reserve has been demarcated by the designated entity (Uganda National Roads Authority (UNRA) or the respective Local Governments in the five project affected Districts. It is to be noted that the Government Policy is such that the road reserve is

¹ The Road Reserve is the 15 metre corridor measured from the road centre line on either side for future expansion, road works and other infrastructure.

owned by Government and currently the Government is in the process of delineating all the road reserves in the country.

0.2 Project-Affected Areas and Potential for Resettlement

As stated above the project falls in two major zones which are the Bunyoro and Ankole zones covering a total of 352 kilometres. Within the Bunyoro zone, it covers the Districts of Masindi, Buliisa and Hoima. As for the Ankole zone, the main impacted Districts are Kiruhura and Sembabule. A small part of Ibanda District is also impacted within the Sub Counties of Ishongororo and Nyamarebe covering one parish in each.

However, the immediate impact of this project will be along the entire length of the proposed power lines which is approximately 352km in both zones of Bunyoro and Ankole. Both of these lines pass through a rural setting for most of the stretch with a few Rural Growth Centres which will be the major beneficiary of the power line.

The total number of Project Affected People is 2,814 of which 1,317 are from the Ankole Zone, while 1,497 are from the Bunyoro zone. In all there are 160 women from the Ankole zone while those from the Bunyoro zone are also 160 all of whom will lose crops, trees and in some cases fencing materials. In all a total of 202 Institutions from both zones will also lose crops and trees. The specific parcels of properties are detailed in **Volume B** which is the Valuer's report.

0.3 Legal Framework for Compensation

This RAP takes into account the Uganda Legal Framework as well as the WBG Guidelines on resettlement and compensation. The Uganda Government requires compensation to be paid if damage is caused to land and other private property. The Relevant Uganda laws on compensation and resettlement include the Constitution of the Republic of Uganda, 1995; and the Land Act, Cap 227; The Local Government Act (1997); Land Acquisition Act (1965) and The Access to Roads Act (1965).

Similar requirements are also articulated by the WB Involuntary Resettlement Policy. The WBG key concept on resettlement among others emphasizes the following: -

- **Income Restoration:** - That after resettlement, all of the affected persons should have their incomes restored to their pre-project income levels.
- **Replacement Cost:** - That all affected assets (land and structures) are compensated at their replacement cost although the bank also takes cognizance of local national laws by accepting other allowances which taken together will equate to the replacement cost of affected assets.
- **Squatters and Encroachers:** - The Bank's resettlement policy explicitly states that the affected persons cannot be denied compensation /resettlement assistance based on the lack of legal title.
- **Baseline Surveys:** - That a census of all affected persons and assets, an a survey of the socio-economic conditions of the affected persons should be conducted.

In this project however there will be no relocation except for the compensation of lost assets which are crops, trees and some cases fencing materials in addition to a disturbance allowance of 15% of the value of the affected crops/trees/ Properties.

0.5 Field Survey Findings

The proposed Masindi – Waki - Buliisa and Nkonge - Kashozi distribution lines and associated low voltage networks (352km) 33kV distribution lines are composed of two sets of distribution lines. The first one starts in Masindi, goes through part of Hoima district and ends in Wanseko – Bulisa district. The second part starts in Ibanda district, goes through Kiruhura District and ends in part of Sembabule District. Most of affected persons will be positively impacted by receiving the much awaited for electric power.

The dominant economic activity within the Bunyoro zone project area is subsistence agriculture. Beyond Biiso in Buliisa District, livestock is also a major source of livelihood. Goats and sheep are also a source of income especially within Buliisa District. The major agricultural crops in Hoima District (which are also a source of income to many of the communities) include bananas, beans, Soya beans, rice, sweet potatoes, cassava, ground nuts, and maize as well as Fruit trees which include jack – fruits and mangoes. The traditional cash crops include cotton, tobacco, tea and coffee. Forestry is an important industry in Hoima district and along the project Road; there are numerous woodlots of pine and eucalyptus trees. Similarly, the major agricultural crops in the Masindi part of the project area (Budongo Sub County) include banana, sugarcane, Soya beans, rice, sweet potatoes, cassava, ground nuts, and maize

Comparable to Bunyoro, the dominant economic activity within the Ankole Zone project area is also subsistence agriculture with substantial livestock rearing especially dairy cattle. From the field survey among the Project Affected people, Banana (71%) was the most common food crop grown within the households of the respondents followed by cassava and beans (28%), sweet potatoes followed (11.8%). Since only a few respondents in the Ankole zone project area were engaged in cash crop growing, the growing of fruits (31%) is reflected as a major cash crop followed by those who grew coffee (25%), 7% grew Eucalyptus trees.

The dominant land tenure system in in both zones of the project area is mostly customary land tenure and most of the communities live on Kibanja land. Under this project however, no land take is anticipated and hence the issues of land tenure will play a minor role in this study.

Although the districts of Masindi, Hoima and Buliisa comprise a cross section of ethnicities, which include the Banyoro, Bagungu, Banyoro and Alur the most dominant tribe vary according to the district. While in Hoima and Masindi, Banyoro are the dominant ethnic group, within Buliisa District which was formally part of Masindi District, the characteristics of the population tend to change such that the dominant

tribes can be described as Bagungu, Banyoro and Alur. The other migrants into the area are Lugbara and some tribes from Democratic Republic of Congo (DRC).

Within the Ankole zone Project Area, the dominant ethnic composition in Sembabule, Kiruhura and Ibanda Districts are the Banyankore. There is an increasing number of Bakiga in both Ibanda and Kiruhura Districts most of whom have come as workers on farms. Within Lwemiyaga in Sembabule District the number of Banyankore is lower with Baganda providing over 40% of the population.

0.6 Implementation Plan

0.6.1 Relocation and Compensation Impacts

Implementing the Masindi – Waki - Buliisa and Nkonge - Kashozi distribution lines and associated low voltage networks (352km) 33kV distribution lines will lead to neither “Physical Displacement” nor “Economic Displacement” of people. In other words there will be no loss of structures, livelihood or employment. This will be because of the line design which has ensured that the Distribution line remains along the Road Reserve following the present Road alignment and not encroaching on people’s property except for the crops / Trees and in some cases fencing materials within the Road Reserve. This is the case for both lines.

0.6.2 Compensation and compensation Strategy

Being a Donor-funded development project, it means that the compensation / resettlement would have to comply with two sets of requirements, the *Ugandan Law and the Safeguard Policies of the World Bank*. The latter are more advantageous to PAPs, especially with regard to the valuation at “full replacement cost” as opposed to the depreciated value taken into consideration by Ugandan valuation methodologies. For this project however, the activity will be limited to compensation. Affected persons will be compensated for all the trees, crops and fencing materials that are likely to be destroyed during the construction and those that were destroyed during the survey.

As part of the strategy all stakeholders will be involved through consultations, and payments of compensation will be independently monitored. All affected people will be adequately and equitably compensated.

0.6.3 Payment Procedure

No gardens (crops and trees) may be removed before compensation has been concluded and grievances attended to where they exist. It is important that the key stakeholders (PAPs, LCs, and REA) agree fully with the compensation packages and schedule. At all times the PAPs must be kept informed of the evolution of the resettlement schedule and should agree to it before implementation. The Public disclosure strategy so proposed will ensure that the process is transparent and all stakeholders can verify the actions being taken.

o.6.4 Proposed Time Schedule

A resettlement/ compensation - implementation and monitoring program which has been proposed will be implemented. Because this project is in two different zones, it has been proposed the two can take place concurrently. The program covers resource mobilisation, formation of relevant implementation committees, payment of disturbance allowances and compensation as well as the monitoring of the exercise. This will be concluded within a period of about 4 Months for each of the zones.

o.6.5 Summary of the costs that will be involved

Based on the findings of the study carried out, the total package to meet compensation need for the Bunyoro zone (including both the 15% disturbance allowance and 15% implementation costs) is Three hundred and thirty six million, Twenty five thousand, Seven hundred and Fifty nine Uganda Shillings (UGX 336,025,759/=). The compensation need for Ankole Region is Five hundred and Thirty two million, Five Hundred and Eighty Nine thousand, Four hundred and Sixty Nine Uganda Shillings (UGX 532,589,469/=). The grand total for both zones is therefore UGX868, 615,225/=. This amount is inclusive of 15% disturbance allowance and 15% implementation costs.

Table 06-1: Summary of Compensation amounts for the PAP

No.	Valuable	Number	Market value (Ug. Shs)	Total Amount (Ug. Shs)
Bunyoro Zone	Crops, trees and fencing materials	Number of Crops and trees or metres of fencing materials	292,196,313/=	336,025,756/=
Ankole Zone	Crops, trees and fencing materials	Number of Crops and trees or metres of fencing materials	463,121,273/=	532,589,469/=
Total for both zones			755,317,586/=	868,615,225/=
	Equivalent In USD \$ Dollars		\$290,507.0	\$334,083.0

NB. Please note that the market value amount includes the 15% disturbance allowance while the total amount includes the 15% RAP implementation costs.

o.8 Grievance Management and Redress

The project developer (REA) shall put in place an extra-judicial mechanism for managing grievances and disputes based on explanation and mediation by a third party, preferably a committee comprising local leaders, trusted citizens and independent of the project. This mechanism must and will be in place prior to implementation of the RAP. Every aggrieved person shall be able to trigger this mechanism, while still being able to resort to the judicial system. Procedures relevant to this amicable mechanism are detailed below, and will include three different levels:

- i) Registration by REA, or its agent, of the complaint, grievance or dispute;
- ii) Processing by REA, or its agent, of the grievance or dispute until closure

- is established based on evidence that acceptable action was taken; and
- iii) In the event where the complainant is not satisfied with action taken by the valuer or REA (or its agent) as a result of the complaint, an amicable mediation can be triggered involving a mediation committee independent of the project.

0.9 Monitoring, Evaluation and Completion Audit

It will be important to carry out a monitoring, evaluation and Audit exercise to determine the progress and effectiveness of the RAP. This will establish among others: -

- Amounts of compensation paid in a given month,
- Compliance with eligibility criteria as described in this RAP,
- Actual delivery of compensation packages,

REA will therefore monitor the following: -

- Total amount paid out and the rate at which it is being paid;
- Number of grievances recorded settled and those that resorted to court action;

For this purpose, REA will put in place a consultant to effect the monitoring.

0.10 Conclusions

In this RAP a number of key principles have been followed which include the following:

- Minimising compensation needs by ensuring that the Distribution Line is confined to the Road Reserve and along the present Road alignment;
- Avoiding relocation of people by passing the line through the Road Reserve;
- Where the line targets a cultural site or grave, it has been diverted to avoid impacting on cultural sites;
- Key stakeholders have been involved in the study and will continue to be involved in the compensation exercise;
- Prompt compensation is recommended for successful implementation of the project.

LIST OF ACRONYMS

CBO	Community Based Organisation
DLB	District land Board
EIA:	Environmental Impact Assessment
ERA:	Electricity Regulatory Authority
ERT:	Energy for Rural Transformation
HV:	High Voltage
IR	Involuntary Resettlement
LC:	Local Council
LGA	Local Government Act
LOU	Laws of Uganda
LV	Low Voltage
MEMD:	Ministry of Energy and Development
MLHUD	Ministry of Lands, Housing and Urban Development
MWE	Ministry of Water and Environment
NEMA:	National Environment Management Authority
OD	Operational Directive
OP	Operational Policy
PAP:	Project-affected person(s)
PB:	Project Brief
RAP:	Resettlement Action Plan
REA:	Rural Electrification Agency
REF	Rural Electrification Fund
RGC	Rural Growth Centres
ROW:	Right-of-Way
RMDV:	MASINDI - WAKI - BULIISA AND Millenium Development Kashozi
TC	Trading Centres
UEDCL	Uganda Electricity Distribution Company
ULC	Uganda land Commision
UNRA	Uganda National Roads Authority
WB	World Bank

Measures and units:

km:	Kilometre (= 1 000 metres)
kv:	Kilovolt (= 1000 volt)
KVA:	Kilovolt Amperes
m:	Meters

TABLE OF CONTENT

LIST OF ACRONYMS viii

Measures and units: viii

1.0 INTRODUCTION 1

 Overview..... 1

 Background..... 1

2.0 PROJECT DESCRIPTION 4

 2.1 Project Objective 4

 2.2 Project Area..... 4

 2.3 Project Description 7

 2.4 Purpose and Scope of the Resettlement Action Plan (RAP)..... 7

3.0 POTENTIAL IMPACTS (PROJECT AFFECTED AREAS AND POTENTIAL FOR RESETTLEMENT) 9

 3.1 Bunyoro Zone 9

 3.1.1 Category and Impact on Land Affected By the Project..... 9

 3.1.1.1 Categories of Land..... 9

 3.1.1.2 Impact on Structures..... 10

 3.1.1.3 Impact on People and Livelihoods 10

 3.1.1.4 Impact on Graves and Cultural Sites 10

 3.1.1.4.1 Graves 10

 3.1.1.4.2 Places of Worship and Cultural Sites 10

 Crops and Trees..... 10

 Summary of the Impacts within the Bunyoro Zone 11

 3.2 Ankole Zone..... 23

 3.2.1 Category and Impact on Land Affected By the Project..... 23

 3.2.1.1 Categories of Land..... 23

 3.2.1.2 Impact on Structures..... 23

 3.2.1.3 Impact on People and Livelihoods 23

 3.2.1.4 Impact on Graves and Cultural Sites 24

 3.2.1.4.1 Graves 24

 3.2.1.4.2 Places of Worship and Cultural Sites in the Ankole Zone 24

 3.2.1.6 Crops and Trees 24

 Summary of the Impacts within the Ankole Zone 24

4.0 SOCIO ECONOMIC STUDIES (LIVELIHOOD INFORMATION)..... 51

 4.1 Overview of the meetings 53

 4.1.1..... Timetable
54

 4.1.2..... Notification of meeting dates and venues
55

 4.1.3..... Meetings
55

 4.1.4..... Stakeholder Analysis
57

 4.2.1..... Social Economic Conditions / Activities of the Project Area
59

 4.2.2..... Land tenure

4.2.3	Population Dynamics.....	61
4.3	Socio Economic considerations – Ankole Zone	66
4.3.1.....	Social Economic Conditions / Activities of the Project Area	66
4.3.2.....	Land tenure	66
4.3.3	Population Dynamics.....	67
5.0	POLICY, INSTITUTIONAL AND LEGAL FRAMEWORK (IMPLEMENTATION ARRANGEMENTS)	72
5.1	Policy Framework	72
5.2	Institutional Framework	72
5.3	Legal Framework.....	73
5.4	Donors’ Safeguard Policies on Resettlement.....	78
5.5	Differences between Uganda Laws and the World Bank/Donor Policy	79
6.0	VALUATION OF AND COMPENSATION FOR LOSSES	76
	Source: Adapted from the Land Act, the Constitution of Uganda and Donor Safeguard Policies.....	76
6.1	Estimated Compensation Amounts	76
6.2	Payment Procedure	77
7.0	RESETTLEMENT AND COMPENSATION MEASURES	78
7.1	Methodology	78
7.2	Design Considerations to Minimize Resettlement	78
7.3	Strategy	78
7.4	Overview of Entitlements	79
7.4.1	Land Titles	79
7.4.3	Cash Compensation	80
7.5	Compensation Rates for Crops and Trees	80
7.6	Disturbance Allowance	80
8.0	SITE SELECTION, SITE PREPARATION AND RELOCATION Error! Bookmark not defined.	
9.0	GRIEVANCE PROCEDURES.....	81
9.1	Likely Types of Grievances and Disputes	81
9.2	Management Mechanism	81
10.0	.....ORGANISATIONAL RESPONSIBILITIES	85
10.1	Ministry of Energy and Mineral Development and REA	85
10.2	Ministry of Lands, Housing and Urban Upgrading	85
10.3	Local Government.....	85
11.0	.....IMPLEMENTATION SCHEDULE	86
11.1	Proposed Time Schedule	86
11.2	Compensation Agreement.....	86
11.3	Entitlement Cut-Off.....	86
11.4	Rehabilitation of Income	87
11.5	Implementation Strategy.....	87
11.6	Costs of implementation of the compensation exercise.....	87
11.7	Total cost estimates.....	87

12.1	General Objectives and Approach.....	89
12.2	.....RAP Audit and Implementation of Completion Report	90
12.3.1	Compliance Reviews.....	90
12.3.2	Completion Audit.....	90
13.0	..... RAP BUDGET	92
14.0	..... CONCLUSION	93
ANNEXES		
	Annex1: Line map showing Rural Growth Centres with Transformers	Error! Bookmark not defined.
	Bookmark not defined.	
	Annex 1a: The Bunyoro Zone Interconnector	Error! Bookmark not defined.
	Annex 1b: The Ankole zone interconnector.....	Error! Bookmark not defined.
	Annex2: Lists of Project Affected Persons and the affected crops with compensation .. amounts for both Bunyoro and Ankole Zones.....	Error! Bookmark not defined.
	Annex 3: Strip maps of the affected areas (Surveyor's report).	Error! Bookmark not defined.
	Annex 4: Sample of the approved Districts Compensation Rates	Error! Bookmark not defined.
	Annex5: Minutes of the sensitisation meetings Bunyoro Zone (Masindi, Hoima and Buliisa)	Error! Bookmark not defined.
	Annex 6: Minutes of the sensitisation Meetings for Ankole Zone. ...	Error! Bookmark not defined.
	Annex7: Schedule of sensitization and consultative meetings for the EA and RAP in respect of Masindi - Waki - Buliisa 33kVDistribution Line,.	Error! Bookmark not defined.
	Annex 8: Schedule of sensitization and consultative meetings for the EA and RAP in respect of -Nkonge - Kashozi 33kVDistribution Line	Error! Bookmark not defined.
	Annex9: List of Contacted people in Bunyoro Zone	Error! Bookmark not defined.
	Annex 10: List of contacted people in Ankole Zone...	Error! Bookmark not defined.
	Annex 12: The list of identified people who are 70 years or older...	Error! Bookmark not defined.
	Annex 13: The list of the affected women for both Bunyoro and Ankole zones	Error! Bookmark not defined.

RESETTLEMENT ACTION PLAN FOR THE PROPOSED MASINDI – WAKI - BULIISA AND –NKONGE - KASHOZI 33kV DISTRIBUTION LINE AND ASSOCIATED LOW VOLTAGE NETWORKS

1.0 INTRODUCTION

Overview

This Resettlement Action Plan report is based on the findings of the RAP team which included the Survey Team, the Valuers Team and the Sociologist's Team who conducted field assessment from the preliminary survey that was conducted in March 2012. It also is compliant with the terms of the contract agreement signed between the Government of the Republic of Uganda represented by the Rural Electrification Agency of the Ministry of Energy and Mineral Development on one hand and the appointed consultant - RESCO Property Consultant Surveyors Kampala to provide consultancy services for the Resettlement Action Plan (RAP) for the proposed 33 kv proposed Masindi – Waki - Buliisa and Nkonge - Kashozi distribution line and associated low voltage networks Rural Electrification Project Under Energy For Rural Transformation Phase II.

This RAP statement summarises the reports of the three teams and brings into focus the Compensation/Resettlement requirements for the Project Affected People (PAP) due to the construction and operation of the proposed Masindi – Waki - Buliisa and –Nkonge - Kashozi distribution line and associated low voltage networks Rural - Electrification - Project (352km) 33kV distribution line. It provides the guidelines and actual compensation amounts for the Project Affected People.

Background

The Government of Uganda has received financing from the World Bank (WB) towards the cost of the Energy for Rural transformation Project Phase II and has asked for Consultancy Services to undertake a Resettlement Action Plan (RAP) covering the proposed 33kV Distribution Lines of Masindi – Waki - Buliisa and –Nkonge - Kashozi. This is expected to cover the 33kV electricity distribution grid – extension lines and the associated low voltage networks. The project area is in western Uganda in the Districts of Masindi, Buliisa, Hoima, Ibanda, Kiruhura and Sembabule. The project consists of 33kV lines of at least a total route length of 352km and associated low voltage networks at a number of Trading Centres (TC) and Rural Growth Centres (RGC). It is in two parts as outlined below.

- Masindi – Waki – Buliisa (177Km) in Masindi, Hoima and Buliisa Districts;
- Nkonge-Kashozi (175km) in Sembabule, Kiruhura and Ibanda Districts.

The Masindi – Waki - Buliisa and –Nkonge - Kashozi project involves construction of a 177 km long 33 kV overhead line using AAAC100 mm² conductor from Bulindi to Wanseko and Environs and installation of associated distribution substations and low voltage networks.

The Nkonge-Kashozi section involves construction of about 175 km long 33kV overhead line using AAAC100 mm² from Nkonge substation to Mugore Trading Centre with spurs to Tangiriza (5.2km), Keintanturegye (33.5km), Kabagole (8.6km) and Kashozi (48.9km) trading centres and installation of associated distribution substations and low voltage networks.

The key activities associated with the construction of the two sets of Distribution lines is associated with: -

- Construction of line structures, accessories and conductors;
- Construction of the 33 kV Distribution Lines
- Clearing of Right-Of-Way (ROW) as necessary along the Road Reserve;
- Construction or renting storage area/ facilities for the project materials

The proposed 33kV Masindi - Waki - Buliisa and –Nkonge - Kashozi Distribution lines project is in line with the National Rural Electrification Programme. Currently the affected parishes have no source of electricity apart from occasional generators and solar power among a few rich people and entertainment centres. In a place like Kiruhura district where there is a relatively high number of Milk Cooling plants, the generators are the only sources of energy to operate the milk cooling plants. Most of the people in the Bunyoro zone use paraffin for lighting with a significant number still using fuel wood to provide lighting. Although in the Ankole zone, there is an increasing population using solar energy for lighting, the general situation is not that different.

The project falls in two distinct zones where the first zone covers the so called Bunyoro axis comprising the districts of Masindi, Hoima and Buliisa. The second zone covers the Ankole axis which is located in the districts of Ibanda, Kiruhura and Sembabule. The community in the Bunyoro axis is mixed with increased migrations due to the ongoing petroleum related activities. The immigrants and the new oil related opportunities are going to increase the demand for grid electricity in the region.

Within Kiruhura, the main activity is dairy cattle rearing which has generated a lot of milk requiring milk cooling plants that operate on electricity. Subsequently this project will be critical to concretising the developments which have been planned in both zones by providing sustainable power to the area. It will enhance implementation of the Rural Electrification Program, and improve the living conditions of the affected people.

This RAP study has been carried out in accordance with National Policies and Guidelines on RAP as well as the Safeguard Policies of the World Bank (WB).

This consultancy assignment is financed from the Rural Electrification Fund (REF) under the Rural Electrification Agency (REA). A Resettlement Action Plan for the proposed development is a prerequisite prior to the construction of the proposed line.

Most of the distribution line is expected to be mostly along the Road Reserve, where such a Reserve has been demarcated by the designated entity (Uganda National Roads Authority (UNRA) or the respective Local Government Authorities of Masindi, Hoima, Buliisa, Ibanda, Kiruhura and Sembabule). Where the Road Reserve has not been identified, the line will still follow as closely as possible the current Road alignment for the respective distribution and low voltage network. It is to be noted that the Government Policy is such that the road reserve is owned by Government and currently the Government is in the process of delineating all the road reserves in the country. The road reserve space is 15 metres on either side of the road centreline.

This will minimise the possibility of land take and subsequent relocation/displacement of people. It is expected that there will be no displacement of Project Affected People (PAP) under this Project.

The construction of the 33kV Masindi - Waki - Buliisa and -Nkonge - Kashozi Distribution lines will lead to mostly loss of crops trees and in some cases fencing materials , most of which will be within the Road Reserve. This report constitutes a Resettlement Action Plan (RAP) to minimise the negative impacts to the Project Affected People (PAP) along the entire stretch of the line.

2.0 PROJECT DESCRIPTION

2.1 Project Objective

The main objective of this project is to provide electricity to rural areas in parts which this report has classified as the Bunyoro zone (sections in Masindi, Hoima and Buliisa Districts of western Uganda) and the Ankole zone (in sections of Ibanda, Kiruhura and Sembabule Districts of South Western Uganda) which have hitherto not received grid electricity. In this regard, Trading Centres (TC) and Rural Growth Centres (RGC) along the Road will be supplied with transformers of different capacities based on the projected power consumption of the area. This will be done in the context of the Energy for Rural Transformation Project (Phase II) under the Rural Electrification Agency (REA) in the Ministry of Energy and Mineral Development (MEMD).

2.2 Project Area

As stated above the project falls in two major zones which are the Bunyoro and Ankole zones. Within the Bunyoro zone, it covers the Districts of Masindi, Buliisa and Hoima. As for the Ankole zone, the main impacted Districts are Kiruhura and Sembabule. A small part of Ibanda District is also impacted within the Sub Counties of Ishongororo and Nyamarebe covering one Parish in each.

However the immediate impact of this project will be along the entire length of the proposed power lines which is approximately 352km in both zones of Bunyoro and Ankole. The Line Diagram for the Bunyoro zone 33kV Interconnector is attached as Annex 1a while that for the Ankole zone interconnector is attached as Annex 1b. The respective maps are shown in Fig 1-1 and fig 1-2.

Fig 1-1: Map of Masindi – Buliisa - Hoima zone

Fig 1-2: Map of Ibanda – Kiruhura (Ankole Zone)



2.3 Project Description

The total length of the proposed power line is 352 Km, running from Masindi –Waki-Buliisa (177Km) and Nkonge - Kashozi (175Km).

The Masindi-Waki-Buliisa RE project involves construction of a 177 km long 33 kV overhead line using AAAC100 mm² conductor from Bulindi to Wanseko and environs and installation of associated distribution substations and low voltage networks.

The Nkonge-Kashozi section involves construction of about 175 km long 33kV overhead line using AAAC100 mm² from Nkonge substation to Mugore Trading Centre with spurs to Tangiriza (5.2km), Keintanturegye (33.5km), Kabagole (8.6km) and Kashozi (48.9km) trading centres and installation of associated distribution substations and low voltage networks.

The key activities associated with the construction of the two sets of Distribution lines is associated with: -

- Construction of line structures; accessories and conductors;
- Construction of the 33 kV Distribution Lines
- Clearing of Right-Of-Way (ROW) as necessary along the Road Reserve;
- Construction or renting storage area/ facilities for the project materials

As stated above, the purpose of the proposed 33 kV Masindi - Waki - Buliisa and – Nkonge - Kashozi Electrification - Project (352km) Distribution Line is to provide electricity to rural areas in parts of western and South Western Uganda (Covering the selected areas in the Ankole and Bunyoro zones) which have hitherto not been on the Grid. In this regard, Trading Centres (Rural Growth Centres (RGC)) along the Road will be supplied with transformers of different capacities based on projected power consumption of the area.

This RAP study has been conducted in accordance with National Policies and Guidelines on RAP as well as the Safeguard Policies of the World Bank (WB).

2.4 Purpose and Scope of the Resettlement Action Plan (RAP)

Under this project, relocation of persons is unlikely because the distribution line is designed to be within the demarcated Road Reserve. It is also recommended that workers camps will not be constructed since this is a small size project requiring a relatively small workforce. Nevertheless compensation is likely to arise due to the

following: -

- Destruction of crops, particularly perennial crops that may fall within the Way leave or Right of Way (ROW);
- Crops destroyed during the survey for the line;
- Removal of fencing materials that may be impacted; and

It is against this background that a RAP is being prepared.

The goal of the RAP is to minimize the negative economic and social impacts that arise from either Involuntary Resettlement (IR) or loss of property / livelihood for the Project Affected/Impacted Persons resulting in:

- Relocation or loss of shelter;
- Loss of assets or access to assets; and
- Loss of income sources and livelihood.

This RAP therefore, is to provide guidance on how the Project Affected Persons (PAP) along the 33kV Masindi - Waki - Buliisa and Nkonge - Kashozi Distribution lines will be equitably compensated.

In view of the foregoing, the main objectives of this RAP are:

- To raise awareness of the project and its consequences among affected communities;
- To survey the route line and demarcate the position of the electricity poles;
- To establish the actual compensation costs necessary for those who may lose crops, trees and fruits and **in some cases fencing materials** ;
- To prepare strategies to mitigate adverse socio-economic impacts and grievances; and
- To ensure a smooth implementation of the RAP and overall electrification project in general.

3.0 POTENTIAL IMPACTS (PROJECT AFFECTED AREAS AND POTENTIAL FOR RESETTLEMENT)

A list of Project Affected Persons and the affected crops have been provided in Annex 2 and also in the detailed Valuers report which is Volume B. In addition, Strip maps of the affected areas are provided in Annex 3 which is the Surveyors Report Volume C.

The project area covers the entire stretch of the 352 kilometres in the two zones of Bunyoro and Ankole and will not lead to land take because the proposed 33kV Distribution Line will be confined within the Road Reserve. Houses, structures and Institutions have also been avoided although they will benefit from the power supply.

3.1 Bunyoro Zone

3.1.1 Category and Impact on Land Affected By the Project

3.1.1.1 Categories of Land

Land to be affected by construction and operation of the 33kV Masindi - Waki - Buliisa and Nkonge - Kashozi Distribution lines Rural Electrification Project will be mainly within the existing Road Reserve. Secondly, the approved Compensation Rates for the respective Districts have been attached for ease of reference (Annex 4). These rates are the ones which were used to establish the compensation amounts. The Road Reserve has not been officially acquired by Government (Neither UNRA nor the respective Local Governments). While it is understood that the Road Reserve is owned by the Government, they have yet to compensate the landowners to legally own it. It is to be noted that the Government Policy is such that the road reserve is owned by Government and currently the Government is in the process of delineating all the road reserves in the country. The road reserve space is 15 metres on either side of the road centreline.

Discussions with the Local Government Authorities indicated that the dominant land tenure in the project area is customary land tenure system. Within the project area, it is the practice that for communal land owners and Bibanja holders, inheritance of land is usually passed on to a male heir.

Earlier studies within the Bunyoro zone indicated that "Most land in the rift valley after the escarpment is under communal land tenure system. It is owned communally by the major clans of **Basimo, Basansye and Bagana** among others. In recent times there are upcoming Communal Land Associations which have recently registered land. Even within Buliisa Town Council, 90% of the land is communal. Those who possess leasehold land in the Town Council bought it from clans and then leased it".

3.1.2 Impact on Structures

Although there is no demarcated Road Reserve within the Bunyoro zone of the project, the line is going to follow the present Road alignment and within the space which is to be demarcated as the Road Reserve. Subsequently, no structures / buildings will be affected negatively. For this reason there will be no relocation of people. On the other hand the developments within close proximity of the line will be impacted positively through receipt of electricity. The main beneficiary will be the RGCs and towns / Trading centres along the Road.

3.1.3 Impact on People and Livelihoods

Discussions with the local community showed that the communities along the proposed line have been waiting and expecting the introduction of Electric Power in their respective Sub Counties and Parishes. They are eager to have the electricity because of the many developmental opportunities it comes along with.

3.1.4 Impact on Graves and Cultural Sites

3.1.4.1 Graves

The directly impacted area is along the current Road alignment, and no graves or burial grounds were identified there within. According to the policy if such a grave or burial site is encountered, then the location of the electricity infrastructure will be changed so as to avoid such a place of cultural significance.

3.1.4.2 Places of Worship and Cultural Sites

No place of worship will be negatively impacted by the line. On the other hand they will benefit from the electric power provided under this project. A few listed under institutions will however lose some crops and trees as shown under Table 2 below. A few will lose some **fencing materials**.

No cultural sites were found within the Road Reserve along the current Road alignment.

Crops and Trees

Although the Road Reserve is supposed to be free of developments, there were many agricultural activities in most places along the Road Reserve and often within a few feet of the actual Road. The seasonal crops are usually not compensated. The perennial crops which included Fruit Trees (e.g mango, Guava, oranges etc,) Commercial trees (especially Eucalyptus, Graveria, etc...), Coffee trees, food crops (e.g. bananas, Cassava ...) and other trees will be compensated. It is also the policy that crops that were destroyed

during the surveying exercise (although no reports of such crops were made) are compensated. In a few cases fencing materials are also impacted.

Summary of the Impacts

In summary: No other assets will be affected except crops, fruits, herbal trees, Bananas and other trees of either economic or cultural importance such as the bark cloth tree. There will be High Tropical Forest trees that will be impacted within the Budongo CFR stretch that fall within the Road Reserve. In principle, land will be affected but this land is located within the prescribed Road Reserve area for which no compensation would normally be applicable. No land take is envisaged.

Table 1 shows the proportion of the people who will be directly impacted by the power line (there is a bit of duplication since one person could be having as many plots or pieces of land). Table 2 shows a summary of the Institutions that will be directly impacted by the power line in the Bunyoro Zone. The details of this compensation are included in the attached Valuers' report .

Table 1: Proportion of Affected People and Institutions

S/No	Affected peoples/ categories	Number impacted	Remarks
1	Male	1229	These will lose crops and trees
2	Females	160	These will lose crops and trees
3	Institutions and Groups	108	These will lose crops and trees

The above table is graphically presented in Fig 2-1 below

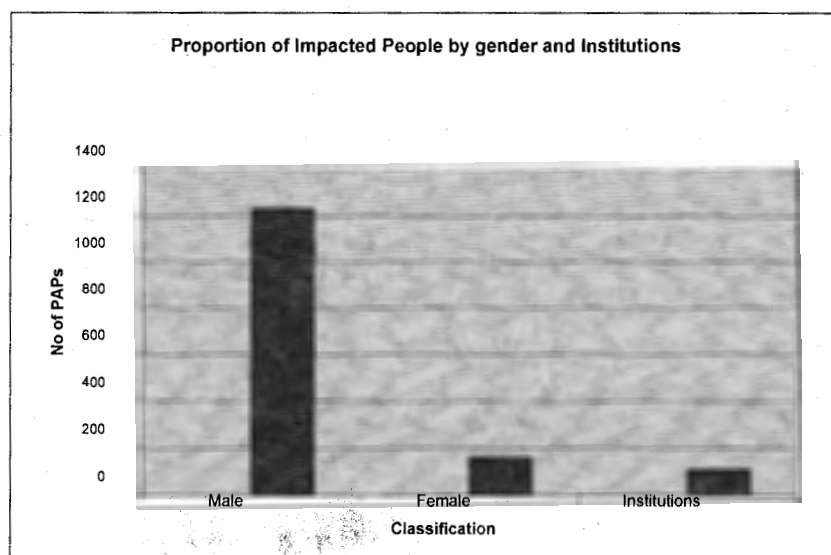


Figure 1: Proportion of Affected People and Institutions in the Bunyoro zone

Most of the people who will lose crops and trees are men followed by a significant proportion of women. Institutions and groups/associations will also lose crops and trees. In some cases PAPs will lose fencing materials that will fall within the ROW of the line. On the other hand they will benefit from the introduction of the power. A list of the Institutions, Schools/churches as well as associations that will be directly impacted by the development within the Bunyoro Zone is provided under Annex 14. They will all be compensated for the lost assets which are mainly trees, ornamental trees / shrubs, crops, fruits and in some cases fencing materials. No structures will be impacted.

3.2 Ankole Zone

3.2.1 Category and Impact on Land Affected By the Project

3.2.1.1 Categories of Land

As was the case for Bunyoro zone, land to be affected by construction and operation of the 33kV Masindi - Waki - Buliisa and Nkonge - Kashozi Distribution lines Rural Electrification Project in Ankole zone will also be mainly within the existing Road Reserve. Secondly, the approved Compensation Rates² for the respective Districts of Ibanda, Kiruhura and Sembabule have been used to establish the compensation amounts. The Road Reserve has not been officially acquired by Government (Neither UNRA nor the respective Local Governments). While it is understood that the Road Reserve is owned by the Government, they have yet to compensate the landowners to legally own it. It is to be noted that the Government Policy is such that the road reserve is owned by Government and currently the Government is in the process of delineating all the road reserves in the country. The road reserve space is 15 metres on either side of the road centreline. The dominant land tenure in the project area is customary / Kibanja tenure system. The project Affected people (PAPs) however tend to confuse customary with freehold as they assume that customary land is "free". There are no buildings/structures within the land where the line will pass. The community is also aware that the Road Reserve is normally available for community infrastructure and to be used for the common good.

3.2.2 Impact on Structures

Although there is no demarcated Road Reserve as was the case in the Bunyoro zone, the line is going to follow the present road alignment and within the space which is to be demarcated as the Road Reserve. Subsequently, no structures / buildings will be affected negatively. For this reason there will be no relocation of people. On the other hand the developments within close proximity of the line will be impacted positively through receipt of electricity. The main beneficiary will be the RGCs and towns / Trading centres along the road.

3.2.3 Impact on People and Livelihoods

Although there are no major negative impacts, there will be loss of assets (trees and crops). The communities along the proposed line have been waiting and expecting the

² Every year each District Land Board (DLB) is required to set and approve /update compensation rates. These rates are the ones used for valuation when compensation is required.

introduction of Electric Power in their respective Sub Counties and Parishes. They are eager to have the electricity because of the many developmental opportunities it comes along with. This is apparent especially in Kiruhura and Sembabule Districts where many homesteads are using solar power for lighting.

These are all positive impacts and the community is expecting to have improved levels of livelihood due to the introduction of electricity in their local areas. These expectations are yet to be realised and one of the constraints will be the cost of electricity. In the ESIA study the community have asked government to reduce the cost of electricity.

3.2.4 Impact on Graves and Cultural Sites

3.2.4.1 Graves

The directly impacted area is along the current road alignment, and no graves or burial grounds were identified there within. If such a grave or burial site is encountered, then the location of the electricity infrastructure will be changed so as to avoid such a place of cultural significance.

3.2.5 Places of Worship and Cultural Sites in the Ankole Zone

No place of worship will be negatively impacted by the line. On the other hand they will benefit from the electric power provided under this project. As was the case with the Bunyoro zone, some listed under institutions for the Ankole zone will however lose some crops and trees. The list of institutions is shown under Table 3 below. A few will lose fencing materials. As was the case in the Bunyoro zone, no cultural sites were found within the Road Reserve along the current Road alignment.

3.2.6 Crops and Trees

Although the Road Reserve is supposed to be free of developments, there were many agricultural activities in most places along the Road Reserve and often within a few feet of the actual Road (particularly in Ibanda District). The seasonal crops are usually not compensated. The perennial crops which included Fruit Trees (e.g mango, Guava, oranges etc.) Commercial trees (especially Eucalyptus, Graveria, etc...), Coffee trees, food crops (e.g. bananas, Cassava ...) and other trees will be compensated. It is also the policy that crops that were destroyed during the surveying exercise (although no reports of such crops were made) are compensated.

Summary of the Impacts within the Ankole Zone

In summary: No other assets will be affected except crops, fruits, herbal trees, Bananas and other trees of economic importance. In principle land will be affected but this land is

located within the prescribed Road Reserve area for which no compensation would normally be applicable. No land take is envisaged in this project. On the positive side, many RGCs and institutions will benefit from the acquired electric power.

Table 3 shows the proportion of the peoples who will be directly impacted by the power line. Annex 14 shows a summary of the Institutions that will be directly impacted by the power line. The details of this compensation are included in the attached Valuers' report.

Table 3: Proportion of Affected People and Institutions in the Ankole Zone

S/No	Affected peoples/ categories	Number impacted	Remarks
1	Male	1,459	These will lose crops and trees
2	Females	217	These will lose crops and trees
3	Institutions and Groups	112	These will lose crops and trees

The above table is graphically presented in Fig 2-2 below

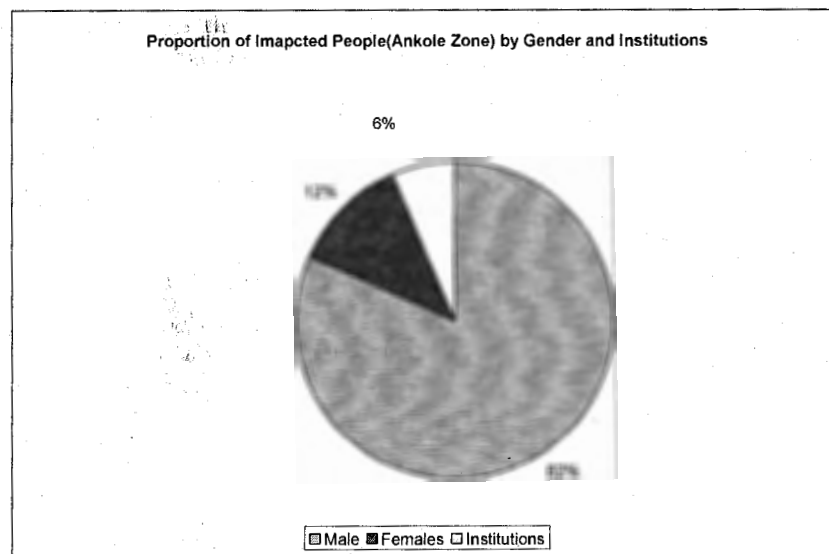


Figure 3: Proportion of Affected People and Institutions in the Ankole Zone

Most of the people who will lose crops and trees are men followed by a significant proportion of women. Institutions and groups/associations will also lose crops and trees. In some cases PAPs will loose fencing materials that will fall within the ROW of the line. On the other hand they will benefit from the introduction of the power. A list of the Institutions, Schools/churches as well as associations that will be directly impacted in the Ankole zone by the development is provided under Annex 15. They will all be

compensated for the lost assets.

4.0 SOCIO ECONOMIC STUDIES (LIVELIHOOD INFORMATION)

As already indicated, the proposed 33kV Masindi - Waki - Buliisa and -Nkonge - Kashozi Electrification - Project Distribution Line is located in two zones (Bunyoro and Ankole zones). The construction and operation of the proposed Masindi - Hoima -Waki - Buliisa and the Kiruhura 33kV Distribution lines as well as the associated low voltage networks will be in cooperation with the said Districts and Sub County Political and Administrative Leadership. This is most helpful in case of possible conflicts and interactions with the communities. This is why during the preparation for this RAP, both the leadership and communities have been mobilized and sensitized to lay ground for ownership of the project and future cooperation across all stakeholders.

Within the Bunyoro Zone, the Distribution lines run through the Districts of Hoima, Masindi and Buliisa covering the following sub counties as shown under Table 4-1 below: -

Table 4-1: The sub counties and parishes through which the distribution lines will pass in the Bunyoro sub region				
DISTRICT	Sub County/Town Council/ Municipality	Parish/Ward	Contact person(s) and Tel. Nos.	
Masindi	Budongo	Kabango	Mr. Byaruhanga (0772862041)	
		Kasongoire		
		Nyabyeya		
		Kasenene		
		Nyantanzi		
Buliisa	Biiso	Nyamasoga	Kabagambe Edward (0787853817)	
		Biiso		
		Bubwe		
		Busingiro		
	Kigwera	Wanseko		
		Ndandamire		
		Kigwera		
	Buliisa Town Council		Kisansia	
			Ward 1	Deo Ndimu
			Ward 2	
Butiaba		Ward 3		
		Bugoigo	Mujuni Richard (0772393042)	
		Walukuba		
		Booma		

Table 4-1: The sub counties and parishes through which the distribution lines will pass in the Bunyoro sub region

DISTRICT	Sub County/Town Council/ Municipality	Parish/Ward	Contact person(s) and Tel. Nos.
		Piida	
Hoima	Kyabigambire	Bulindi	Charles Kabiri (0782744758)
		Buraru	
		Kibugubya	
		Kisabagwa	

On the other hand, within the Ankole Zone, the Distribution lines run through the Districts of Ibanda, Kiruhura, and Sembabule covering the following sub counties as shown under Table 4-2 below: -

Table 4-2: The sub counties and parishes through which the distribution lines will pass in the Ankole Sub Region

District	Sub county	Parish	Contact Person(s)
IBANDA	Ishongororo	Kashozi	Tukashomwe Johnson
	Nyamarebe	Bihanga	Ruhinda Ben, LC C-man, 0776543166
KIRUHURA	Rwemikoma	Migina	Nuwamanya Arthur C/M, 0703 910217
		Rwemikoma	Dauda Kaburahoona, CM LC2, 0702339356
		Kijuma	Rwbutwadi W, 0715459844
	Burunga	Magondo	Tayebwa benon PC, 0702343311
			Musasizi Y, CM 0703730825
		Burunga	Asiimwe Kiilet, LC3 CM 0700483438
		Kiguma	Musinguzi Seezi, 0703585077
	Kinoni	Rwetamu	Tugume Seith Parish Chief, 0753050218
		Keitanturegye	Byamukama Happy CM, 0775799845
	Buremba	Bigutshyo	Mukasa Fulgensio, 0711202069
		Kijosha	Mr. Mugisha, 0775724740

Table 0-2: The sub counties and parishes through which the distribution lines will pass in the Ankole Sub Region			
District	Sub county	Parish	Contact Person(s)
	Nkungu	Nshunga	Esau Bagamoyo, 0714883524
		Nkungu	Mazima Remegio, 0713400423
			Mazima Remegio, 0713400423
			Mazima Remegio, 0713400423
SEMBABULE	Lwemiyaga	Lwensankale	Byarugaba J B LC3 CM 0788409244
		Kakoma	Byarugaba JB LC3 CM, 0788409244

The most significant number of affected persons will be positively impacted by receiving the much awaited for electric power. As the distribution lines will follow the present Road alignment (Road Reserve), the only impacts will be loss of crops and trees that fall within the Right of Way (ROW) of the line. In some cases fencing materials will also be lost. In Buliisa and Masindi districts there will be loss of trees from the CFR for which the NFA will have to be compensated.

Methodology for Consultation:

A team composed of Surveyors, Sociologists, and the Valuers was mobilised and sent to the field for both the Bunyoro and Ankole zones with the main objectives of:

- Sensitizing the Project Affected Persons (PAPs) regarding the detailed survey, valuation and possible compensation for crops and trees;
- Conducting a social economic study within the project area;
- Seeking the views of the PAPs on the compensation procedures.

Below is a detailed report on the progress of these consultations.

4.1 Overview of the meetings

Initial Consultative meetings for both the Bunyoro and Ankole zones with the Sub County Political and Administrative Officials were launched in March 2012 which was followed by a detailed survey / consultations. The sensitization of the PAPs along the proposed 33 kV Distribution Line within the Bunyoro Zone was conducted from 30th April to 10th May

2012. The sensitisation of the PAPs in the Ankole zone was conducted from 17th May 2012 to 24th May 2012 for the districts of Ibanda and Kiruhura. On the other hand sensitisations in Sembabule District were conducted from 28th August to 31st August 2012 covering the sub county of Iwemiyaga only.

In both zones, PAPs were briefed on the proposed 33 kV Distribution Lines that would affect people who have activities within the Road Reserve or close to the present Road alignment. They were also briefed on the basis of the assessment procedure, compensation and methodology to be used in data capture. The PAPs were given chance to ask questions which were answered and enabled them to gain confidence in the project. The PAPs and LCI officials were requested to participate in the identification of affected crops, trees and land. Minutes of the sensitisation meetings are attached as Annex 5 and Annex 6 for both Bunyoro and Ankole zones.

4.1.1 Timetable

During the third week of April 2012 (for the Bunyoro Zone) and the second week of May (Ankole zone), timetables (attached as Annex 7 and Annex 8 for both Bunyoro and Ankole zones respectively) for the sensitisation exercise covering the two Zones of Bunyoro and Ankole were prepared by the respective teams in close collaboration with the Sub County leadership. Local Council 1 leaders in both cases were most instrumental in proposing appropriate timing and venues of the meetings and in the mobilisation of the Project Affected Persons to attend the said meetings.

On the whole, it should be noted that the team received overwhelming support and cooperation from the local leadership in the two zones. Figs 4-1a to d show some of the scenes during the sensitisation exercise.



4.1.2 Notification of meeting dates and venues

Introductory letters from REA were delivered by team members to the district and Sub County headquarters (for both the Bunyoro and Ankole zones) after which a schedule of meetings was prepared in consultation with the district and sub county leaders. Having fixed the venues and meeting days/times (shown under Annex 7 and Annex 8), the local councils in the area undertook to inform the communities about these meetings. This was done to ensure that the LC can mobilise in time and prepare effectively for the meetings.

4.1.3 Meetings

At the sensitisation meetings, the Team Leader would introduce his/her team and the subject matter to be covered. The language used was mostly Runyoro with some interjections in English for the Bunyoro zone, and Mostly Runyankore / Rukiga also with interjections in English for the Ankole zone. The list of the contacted people is attached as Annex 9

➤ Information provided by the Social Team

The Social Team explained the social component particularly as it related to the human factor at the design stage, during implementation and during the operational phases of the 33 kV Distribution Line. In particular the following were highlighted: -

- That the surveyor would demarcate the 33 kV Distribution Line on the ground;
- That the names picked by the surveyor would be the same names picked by the social team as well as the valuation team to ensure that all the data on PAPs is harmonised.
- That it was planned later to administer a questionnaire capturing all information on the affected households.
- That PAP should provide their views which the team would capture and would be used in the RAP.

➤ **Information provided by the Survey Team**

The Land Surveyor explained to the PAPs the likely position of the 33 kV Distribution Line. He further explained as follows: -

- The Line must be within the Road Reserve or along the present Road alignment;
- That once pegs and or mark stones are put in place, they are not to be removed for any purpose;
- That both customary and registered title owners would be asked to identify their land where the proposed 33 kV Distribution Line will pass;

➤ **Information provided by the Valuation Team**

The Valuation team briefed the PAPS and informed them as follows:

- That the Valuation Survey Team was going to value all properties within the 33 kV Distribution Line ROW which property was mostly crops and trees;
- That while conducting the valuation, updated Respective District Compensation Rates and Current market values would be used;
- That seasonal crops will not be considered except where the survey destroyed them while determining the line;
- That the Cut Off date to commence immediately after valuation of property for each household.
- That 15% disturbance allowance to the PAPs would be paid for a notice of more than 6 months while 30% for less than 6 months;
- That Disclosure and Identification will be done prior to payment;
- That payments will be effected before execution of the project;
- That there would be a grievance committee to be set up to deal with complaints from the PAP;
- That failure to resolve issues at local levels would lead to appeal to Courts of law; and
- That transparency will be paramount in all the three activities for the RAP.

In summary, while conducting the study, the methodology used a number of approaches which are as follows: -

- A review of the development partner in particular the World Bank Guidelines and Safeguards, and the Uganda Government Policy on resettlement was conducted. A comparison between the Uganda Government policy and that of the WB was done and ways of bridging the gaps were proposed.
- Consultations with the Local Government Officials as well as local leaders at the Sub county and Parish levels.
- Questionnaire: A questionnaire was used on each of the affected people in order to assess the livelihood status of the community. Both men and women were served with the questionnaire covering all the PAPs. A copy of the questionnaire is attached as Annex 11. And the lists of contacted persons including the Local Government officials is attached as Annex 8 and 9
- Census: An actual census of the PAP was conducted. Here three teams were used which included the sociologists' team, the Survey team and the valuation team.
 - The survey team moved ahead delineating the areas to be impacted and providing markings that were used by the valuer and social team.
 - The valuation team counted and valued all the affected properties which were mostly crops and trees.
 - Finally the social team served the PAPs who were present with a questionnaire to help them analyse the livelihood.

4.1.4 Stakeholder Analysis

In order to develop an effective stakeholder involvement programme it was necessary to determine exactly who the stakeholders are, basing on the definition that a stakeholder is "any individual or group who is potentially affected by a project or can themselves affect a project. During the study for this RAP, the teams consulted key stakeholders including those identified in Table 4-3 below. Moreover the project impacted people were also sensitised as shown in the sensitisation schedule shown in Annex 7 to this report. The List of contacted people is shown under Annex 9 to this report.

Table 4-3: Stakeholder relevant to the RAP process for proposed 33kV Masindi - Waki - Buliisa and -Nkonge - Kashozi Distribution lines

	Stakeholder	Relevance	Opportunity	Threat	Link
1	Ministry of Energy and Mineral Development	Provides Policy guidelines on	Supports energy activities within	Failure to implement	Electricity Act

		Energy production, Use, and management in Uganda.	Uganda	National Policies on Power Production and Transmission/Distribution	
2	Rural Electrification Agency (REA)	Construct and distribute power to the rural areas not served by the UEDCL	Well prepared to distribute the power in the rural areas	Limited resources to buy and distribute the power to rural areas.	Electricity Act
3	National Environment Management Authority (NEMA)	Ensures Environmental Compliance and regulates activities that affect the environment;	Will support environmental compliance for the benefit of all stakeholders	Blind application of the law without considering mitigation factors	National Environment Act
4	Local Governments of the Districts of Masindi, Buliisa, Hoima, Ibanda, Kiruhura, & Sembabule Distribution line project from LCV to LC1s	Administrative Units to provide enabling environment for the project at local level	Has capacity to mobilize communities as well as overseeing any grievance that might arise	The Local Government displeasure can translate to project failure	Local Governments Act 1997
5	Ministry of Lands, Housing and Urban Development;	Survey and Valuation of properties and or compensation	Facilitates land transfer and compensation if necessary	Can overestimate or underestimate the values distorting the market	The Land Act Cap 227, Constitution, and Compensation Policy
6	Ministry of Water and Environment	Responsible for the environmental concerns including wetlands, water bodies and Natural resources;	Supports environmental compliance for the benefit of all stakeholders	Blind application of the law without considering mitigation factors	National Environment Act Cap 153
7	The National Forestry Authority	Responsible for Central Forest	Responsible for all Central Reserve	Failure to corporate will	The National Forestry and

		Reserves (CFR) such as the Budongo CFR in the project area	forests in Uganda	block passage of distribution lines through the CFR	Tree Planting Act
8	Project Affected People (PAP) along the proposed line in the Impacted Districts of Masindi, Buliisa, Hoima, Ibanda, Kiruhura & Sembabule	This includes all the PAPs who will be impacted to some degree;	The PAPs could improve livelihood by taking advantage of the project.	PAP may threaten workforce for lack of public relations.	Project is within their area.

4.2 Socio Economic considerations – Bunyoro Zone

4.2.1 Social Economic Conditions / Activities of the Project Area

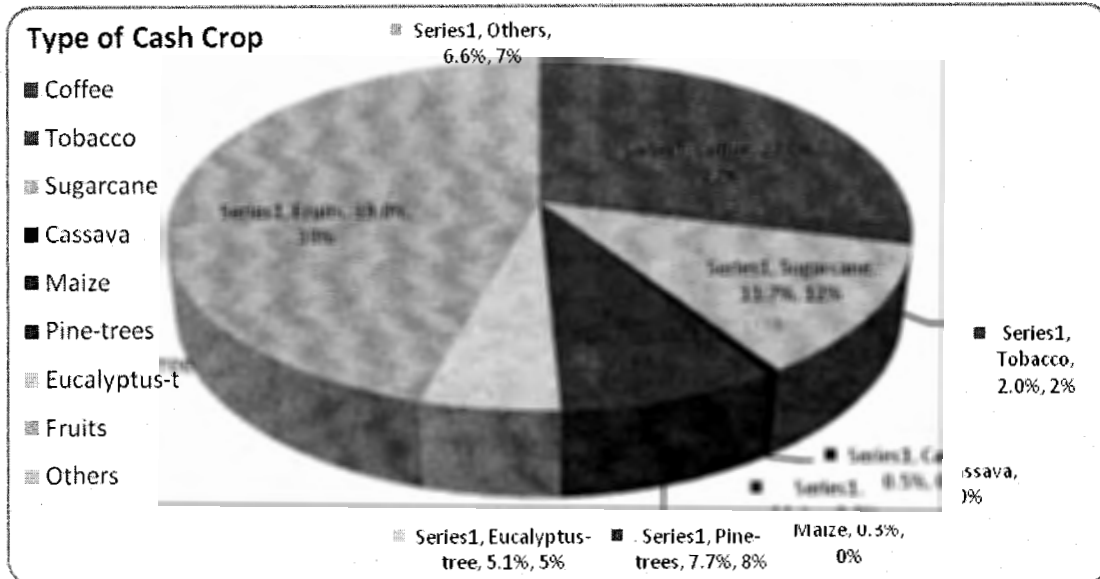
The dominant economic activity within the the Bunyoro zone project area is subsistence agriculture. Beyond Biiso in Buliisa District, livestock is also a major source of livelihood. Goats and sheep are also a source of income especially within Buliisa District. The major agricultural crops in Hoima District (which are also a source of income to many of the communities) include bananas, beans, Soya beans, rice, sweet potatoes, cassava, ground nuts, and maize as well as Fruit trees which include jack – fruits and mangoes. The traditional cash crops include cotton, tobacco, tea and coffee. Forestry is an important industry in Hoima district and along the project Road; there are numerous woodlots of pine and eucalyptus trees. Similarly, the major agricultural crops in the Masindi part of the project area (Budongo Sub County) include banana, sugarcane, Soya beans, rice, sweet potatoes, cassava, ground nuts, and maize

From the field survey, it was established that Banana was the most common food crop grown within the households (especially in Hoima and Masindi) with 55.2% of the respondents reporting bananas followed by Sweet-potatoes (17.6%) and Cassava (11.8%) respectively. Other respondents preferred growing beans (6.6%), ground nut (1.6%), (1.4%) maize, (1.1%) vegetables while those who had grown Irish potatoes on the affected land were 0.5%.

As for cash crop growing, it was established that the majority of the respondents grew fruits (39%) as their major cash crop followed by those who grew coffee (27%). Others grew Sugar canes (11.7%), 7.7% pine trees, 6.6% other cash crops, Eucalyptus

tree growers were (5.1%), while 2% grew tobacco and 0.5% grew cassava with a minimum of 0.3% of respondents who grow maize. This is shown in Fig 4-2 below.

Fig 0-2: Percentage distribution of different cash crops grown by respondents



Source: Field data, 2012

Fishing as an Economic Activity

Although the fishing industry is on the Lake Albert, it has a major impact on the activities offshore, and Power distribution project will benefit fishing industry at the shores of Lake Albert especially the landing sites. Overall, the annual holistic potential for Lake Albert is estimated at between 11,000 – 13,000 metric tons thus giving a potential productivity of 40 – 55 kg/Ha/ year. In recent years, the fish catch has been reported to be diminishing due to unsustainable fishing practices over the lake. Largely open access policy is practiced while fishing over Lake Albert with about 3000 fishing boats (Congo barque over 90% and Kabalega (Ssesse type) less than 10%). There are about 60 landing sites over the lake including Butiaba, Bugoigo and Wanseko which sites will directly benefit from the electricity distribution.

Sources of Income

In order to assess the sources of income, a survey was conducted among the potentially project affected people. It was found that the majority of the households earned their income through agriculture on the project affected land (39.7%) and that 19.9% earned their salaries from business which they carried out on the project

affected land. These were followed by those who practiced agriculture on land elsewhere (17.4%). 7.8% reportedly collected their salaries from business located elsewhere whereas 5.8% of the respondents depended on monthly salary. There were other side incomes which were determined by the survey. These included poultry (42.4%) and fishing activities (28.3%).

4.2.2 Land tenure

Discussions with the Local Government Authorities indicated that the dominant land tenure in the Bunyoro zone project area is customary land tenure system. Within the project area, it is the practice that for communal land owners and Bibanja holders, inheritance of land is usually passed on to a male heir.

Earlier studies (EIA and RAP for the Hoima Butiaba Wanseko Road project) indicated that “Most land in the rift valley after the escarpment is under communal land tenure system. It is owned communally by the major clans of **Basimo, Basansye and Bagana** among others. In recent times there are upcoming Communal Land Associations which have recently registered land. Even within Buliisa Town Council, 90% of the land is communal. Those who possess leasehold land in the Town Council bought it from clans and then leased it”.

Under this project however, no land take is anticipated and hence the issues of land tenure will play a minor role in this study.

4.2.3 Population Dynamics

Within the Bunyoro zone, the Power distribution line project area falls within the Districts of Masindi, Hoima and Buliisa. The different Sub counties and parishes together with their populations are shown in Table 4-4 below. These are the directly affected Sub counties traversed by the proposed project.

District	County	Sub County	Parishes	Male Pop	Female Pop	Total
Masindi	Bujenje	Budongo	Kabango	9,600	9,000	18,600
			Kasongoire	2,800	2,600	7,200
			Nyabyeya	5,100	4,700	9,800
			Kasenene	3,700	3,500	7,200
			Nyantanzit	6,700	6,800	13,500
Hoima	Bugahya	Kyabigambire	Bulindi	5,100	5,100	10,200
			Buraru	8,400	7,900	16,300
			Kibugubya	6,200	5,900	12,100
			Kisabagwa	4,800	4,700	9,500
Buliisa	Buliisa	Biiso	Biiso	6,300	6,600	12,900
			Butiaba	7,400	7,200	14,600
			Kihungya	5,100	5,600	10,700
		Buliisa	Kigwera	6,100	6,600	12,700
			Kisiabi	7,800	8,400	16,200
			Ngwedo	6,300	7,400	13,700
Total				91,400	92,000	185,200

Source: Adapted from the estimates for the 2012 Population by UBOS

From Table 4-4, the population within the directly affected parishes is 185,200 of which 91,400 are male and 92,000 are female (2012 Population Estimate by UBOS). For purposes of this RAP, only the people / community in these parishes who will loose crops and trees will be affected.

Apart from Trading Centres, most of the homesteads are widely scattered and the majority of houses are constructed using mud or wattle, with grass-thatched roofing, an indication of poor housing conditions.

Although the districts of Masindi, Hoima and Buliisa comprise a cross section of ethnicities, which include the Banyoro, Bagungu, Banyoro and Alur the most dominant tribe vary according to the district. While in Hoima and Masindi, Banyoro are the dominant ethnic group, within Buliisa District which was formally part of Masindi District, the characteristics of the population tend to change such that the dominant tribes can be described as Bagungu, Banyoro and Alur. Until recently there were significant numbers of migrant pastoralists of Bahima and Banyarwanda origin who were reported by the Local Authorities to have been evicted / moved out of the

area. The other migrants into the area are, Lugbara and some tribes from Democratic Republic of Congo (DRC).

It is significant to note that these ethnic groups are a mixture of Bantu origins (Banyoro, Bahima, Bakiga and Banyarwanda) and the rest being of Nilotic origin. Despite the differences the two groups tend to live in harmony except in the recent past when political tensions were high pitting the indigenous against the recent migrants particularly pastoralists commonly known as Bafuruki. All the same they are all patrilineal with men dominating the decision making process. Government affirmative action, however, has enabled some of the women to be part of the decision making machinery.

4.2.4 Demographic Information

During the social survey for the Bunyoro zone, household heads across the entire project area were interviewed and served a questionnaire. The survey and valuation teams identified 1,497 PAPs some of whom were absent and could not be directly interviewed. In such cases the chairman LC 1 signed the forms of those PAPs who were absent. Of these impacted people, 1229 are men, 160 are women while 108 are institutions (Schools, churches, Mosques etc). **The specific parcels of properties are detailed in Volume B which is the Valuer's report.**

4.2.5 Human Settlement Patterns

In general, settlement patterns within the area are not planned and none of the RGC had a structure plan. Most of the project area is within a rural setting with the majority of the houses being either temporary or semi permanent. There are a number of Trading Centres and Rural Growth Centres that will benefit from the grid extension. The main centres to benefit include Biiso Town Council, Butiaba landing site, Bugoigo landing site, Buliisa Town council as well as Wanseko landing site.

Housing within the towns, (Biiso, Buliisa), tend to be permanent houses with some acceptable western/Indian architectural concepts. Within the rural set up prior to Biiso, most of the homesteads are widely scattered. The exception is within the Rural Growth Centres (RGC) where settlements are linear in pattern along the entire length of the Road. Beyond Biiso most of the settlements are nucleated. The houses are constructed using mud or wattle, with grass-thatched roofing, an indication of poor housing conditions. This pattern of settlements originates from the Nilotic Cultures further North of Masindi.

On a promising note, all the way to Buliisa, there are piles of bricks along the Road indicating that the local people have a lot of confidence in the future of the project area.

Most of the land especially after Biiso is under communal land tenure system. Within Hoima and Masindi however, there is a mixture of leasehold land as well as communal land. Some of the institutions do have freehold land. During the survey, different infrastructures and land uses were identified. Most of the land is either fallow or under subsistence agriculture. This is most common within Hoima and the Eastern part of Buliisa (Biiso Sub County). Livestock rearing is a major economic activity in the rest of Buliisa in addition to fishing within Lake Albert.

4.2.6 Affected Crops/Trees, Buildings and structures

Within the Bunyoro zone, a valuation of all the affected crops / Trees (properties) is attached as Annex 2 which is the Valuer's report. From this list; crops, trees and in some cases fencing materials valued at **Uganda Shillings 254,093,750** have been valued. For compensation purposes a 15% disturbance allowance of **Uganda Shillings 38,112,563** has been added bringing the total compensation package for the project area Bunyoro Zone to **Uganda shillings 292,196,313/=**. There is no land take since the Distribution line is within the Road Reserve. A list of owners for crops and trees along the 33 kV Distribution Line is as prepared by the valuation team presented in Annex 2 and will be maintained at the District headquarters of the districts in the Bunyoro zone (Masindi, Hoima and Buliisa) as well as at the respective sub County headquarters within the three districts.

From the compensation figures the majority of the PAPs (1,137) in Bunyoro zone will get below shillings 200,000. Some institutions and the rest of the PAPs (360) will get beyond the 200,000 shillings. For those earning 200,000 shillings or less, it may be acceptable if the PAPs are paid cash compensation rather than through a bank account. Many of these people do not have a bank account and opening one which they may not regularly use will not be appealing to them. For those who will get beyond that amount, it is proposed that they be paid through a bank account.

On the other hand, institutions should be paid by cheque or bank transfer to reduce the possibility of misappropriating public funds.

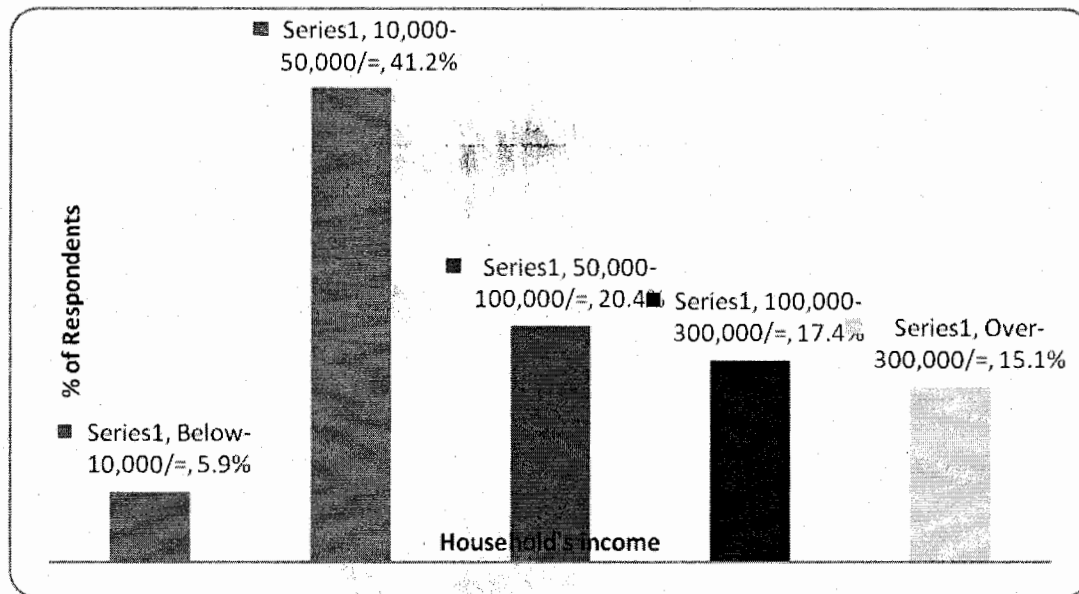
4.2.7 Vulnerable Groups

According to the survey conducted within the Bunyoro zone, there are no people who will lose land or structures and there will be no relocation. The possibility of vulnerable groups losing their accommodation or livelihood was therefore not a concern during this survey. However a number of the PAPs are quite elderly and they will need assistance at the time of compensation to ensure that their funds are not taken by others. The list of identified people who are 70 years or older is attached as Annex 8. These vulnerable people are 53 in number out of which 19 are women.

4.2.9 Average Income

The analysis of the monthly income estimate among households indicated that (41.2%) of the respondents earned between Uganda Shillings 10,000-50,000 followed by (20.4%) who earned between Uganda Shillings 50,000-100,000. While 17.4% of respondents were earning from 100,000-300,000 (15.1%) earned above 300,000 Ugandan shillings whereas the least (5.9%) were earning below 10,000/= per month as shown in Fig 4-4 below.

Fig 0-4: Percentage distribution of households according to their monthly earnings (Bunyoro Zone)



Source: Field data, 2012

4.3 Socio Economic considerations – Ankole Zone

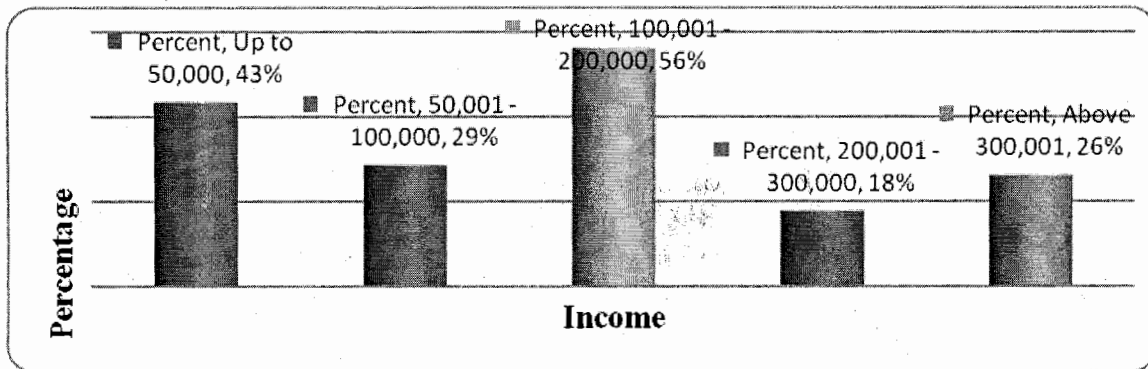
4.3.1 Social Economic Conditions / Activities of the Project Area

The dominant economic activity within the the Ankole zone project area is both subsistence agriculture and livestock rearing especially dairy cattle. Goats and sheep are also a source of income across most of the project area within Ankole Zone. The major agricultural crops across the Ankole zone include bananas, cassava, sweet potatoes, beans which are both food and cash crops while coffee, sugarcane and eucalyptus trees serve as cash crops.

Sources of Income

As stated above, for most of the respondents in the Ankole zone, most of their income was from farming (67.3% - either from dairy farming or agriculture). These were followed by traders (17.0%) and public servants at 3.6% of the respondents were civil servants. The majority of the respondents are in the income bracket of from Uganda shillings 100,000/= to 200,000/= as shown in Fig 4-5. There is a significant number of people earning above 300,000/= (26%) which is a sign of wealth in the area.

Fig 0-5: Percentage distribution of households according to their monthly earnings



Source: Field data, 2012

4.3.2 Land tenure

Discussions with the Local Government Authorities indicated that the dominant land tenure in the project area is customary land tenure system. Otherwise most of the dairy cattle farmers have started to lease their land and do have lease hold title deeds.

Under this project however, no land take is anticipated hence the issues of land tenure will play a minor role in this study.

4.3.3 Population Dynamics

Within the Ankole zone, the Power distribution line project area falls within the Districts of Ibanda, Kiruhura and Sembabule. The different Sub counties and parishes together with their populations are shown in Table 4-5 below. These are the directly affected Sub counties traversed by the proposed Road project.

District	County	Sub County	Parishes	Male Pop	Female Pop	Total
Ibanda	Nyamarebe	Nyamarebe	Bihanga	6,200	4,100	10,300
		Ishongororo	Kashozi	4,700	4,900	9,600
Kiruhura	Buremba	Burunga	Bitsya-Rwigi	1,700	1,500	3,200
			Kiguma	2,500	2,300	4,800
			Magondo	1,600	1,500	3,100
	Buremba	Buremba	Kijooba	3,400	3,400	6,800
			Bigutsyo	2,500	2,500	5,000
			Nshunga	3,300	3,300	6,600
			Nkungu	5,900	5,800	11,700
Rwemikoma	Rwemikoma	Kijuma	2,300	2,100	4,400	
		Migina	2,100	2,000	4,100	
		Rwemikoma	2,300	2,100	4,400	
		Bugarihe	2,000	1,900	3,900	
Kinoni	Kinoni	Kaitanturegye	2,100	1,900	4,000	
		Rwetamu	1,900	1,800	3,700	
		Lwemiyaga	2,000	2,000	4,000	
Sembabule	Sembabule	Lwensakale	2,000	2,000	4,000	
		Kakoma	1,800	1,800	3,600	
Total				48,300	44,900	93,200

Source: Adapted from the estimates for the 2012 Population by UBOS

From Table 4.5 the population within the directly affected parishes is 93,200 of which 48,300 are male and 44,900 are female (UBOS estimates for 2012 Population statistics).

Apart from Trading Centres, most of the homesteads are widely scattered on large Dairy cattle farms with the exception of the Ibanda side where there are more agriculturalists.

Although the Ankole zone Project Area is quite wide, the dominant ethnic composition in Sembabule, Kiruhura and Ibanda Districts are the Banyankore. There is an increasing number of Bakiga in both Ibanda and Kiruhura most of whom have come as workers on farms. Within Lwemiyaga in Sembabule District the number of Banyankore is lower with Baganda providing over 40% of the population.

It is significant to note that these ethnic groups are mostly homogenous and speak the same language; there being little difference between Rukiga and Runyankore dialects. Those in Lwemiyaga have become bi-lingual with most Luganda Speakers freely speaking Runyankore and vice versa. They are all patrilineal with men dominating the decision making process.

4.3.4 Demographic Information

During the social survey for the Ankole zone, household heads across the entire project area were interviewed and served a questionnaire. The survey and valuation teams identified 1,317 PAPs some of whom were absent and could not be directly interviewed. In such cases the chairman LC 1 signed the forms of those PAPs who were absent. Of these 1063 were males, 160 women and 94 were institutions/organization. **“The specific parcels of properties that were valued are detailed in Volume B which is the Valuers report.”**

All the respondents interviewed were adults as there was no child-headed household found among the selected groups who were interviewed. The majority of the people interviewed were males (about 84.1% while the rest were women). As was the case in the Bunyoro zone, in the local community, males are the decision makers and will be the ones to make the decision whether to use the electricity in their homes or not. Also traditionally the land and its ownership are biased towards the male gender. This

is to be expected because of the society which is mostly patrilineal. Otherwise most of the respondents were within the working age bracket (30-60 years) at about 71%. There were a fairly significant number of aged people (above 60 years) whose proportion was about 19.9%. From the analysis most of the respondents fall in the category of 30 to 50 years at 52.8%. The average age among all the respondents was 46.38 and most of the respondents were aged 40 years. The median age of the respondents was 45 years. The oldest person according to the survey was aged 91 years while the youngest was of age 18 leading to a wide range of 73 years. Overall however, this may be described as a fairly youthful population which can indulge in productive work and are therefore not so vulnerable.

4.3.5 Human Settlement Patterns

In general within the Ankole zone of the project Area, settlement patterns within the area are not planned and none of the RGC had a structure plan. Nevertheless, housing in Kiruhhura district is well developed with most of the dairy farms having good permanent residential structures. These are the type that can use electricity easily. In Ibanda, there is a mixture of settlements with some being clustered and those on dairy farms being scattered. There are a number of Trading Centres and Rural Growth Centres that will benefit from the grid extension. The main centres to benefit include Kashozi, Bihanga, Kanyarigiri, Buremba, Nkungu, Migina, Buhembe, Kijuma, Rwemikooma and Burunga. All these will have transformers of 50KVA or above.

Housing within these RGC's is mixed and in many ways contrasts with the rather executive housing at dairy farms. Most of the houses are made of bricks and iron sheet roofs.

Most of the land especially is customary although many people have recently acquired leasehold titles for the lands where their farms are located. Most of the land is under dairy cattle farms or planted with Matoke plantations and some subsistence crops.

4.3.6 Land use and Economic Activities

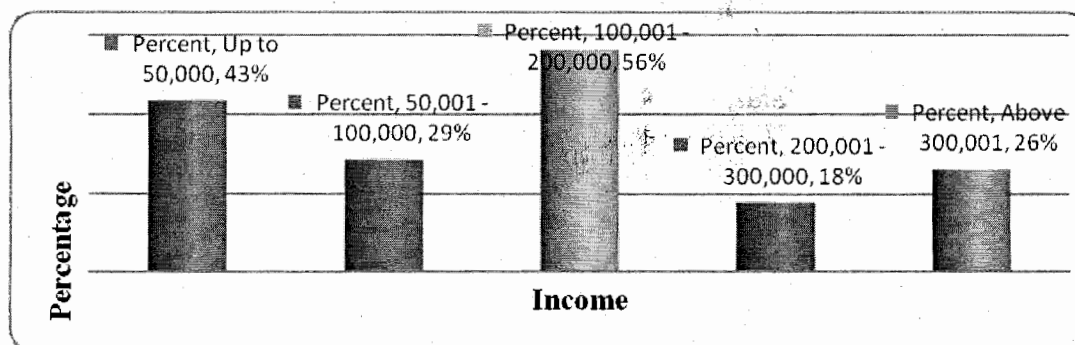
As stated above, the dominant economic activity within the Ankole Zone project area is subsistence agriculture with substantial livestock rearing especially dairy cattle. From the field survey among the Project Affected people, Banana (71%) was the most common food crop grown within the households of the respondents followed by cassava and beans (28%), sweet potatoes followed (11.8%). Other respondents preferred growing groundnuts (11%), (9%) vegetables, 8% Irish potatoes while 3% grow other food crops outside description, and the least grow yams with 1%.

Since only a few respondents were engaged in cash crop growing, the growing of fruits (31%) is reflected as a major cash crop followed by those who grew coffee (25%), 7% grew Eucalyptus trees.

4.3.7 Sources of Income

In order to assess the sources of income, a survey was conducted among the potentially project affected people within the Ankole zone. It was found that for most of the respondents, a significant proportion of their income was from farming (67.3% - either from dairy farming or agriculture). These were followed by traders (17.0%) and public servants at 3.6% of the respondents were civil servants. The majority of the respondents are in the income bracket of from Uganda shillings 100,000/= to 200,000/= as shown in Fig 4-6. There is a significant number of people earning above 300,000/= (26%) which is a sign of wealth in the area.

Fig 0-6: Percentage distribution of households according to their monthly earnings



Source: Field data, 2012

4.3.8 Affected Crops/Trees, Buildings and structures

Within the Ankole zone, a valuation of all the affected crops / Trees (properties) is attached as Annex 2. The detailed assessment is provided in an excel spread sheet which is Volume B to this report - Valuer's report. From this list; crops, trees and in some cases fencing materials valued at **Uganda Shillings 402,714,150/=** have been valued. For compensation purposes a 15% disturbance allowance of **Uganda Shillings 60,407,122/=** has been added bringing the total compensation package for the project area to **Uganda shillings 463,121,272/=**.

There is no land take since the Distribution line is within the Road Reserve. A list of owners for crops and trees along the 33 kV Distribution Line is as prepared by the valuation team presented in Annex 2 and will be maintained at the District headquarters of both Isingiro and mabraraas well as at the respective sub County headquarters within the two districts.

From the compensation figures the majority of the PAPs (818) will get below shillings 200,000. Some institutions and the rest of the PAPs (499) will get beyond the 200,000 shillings. For those earning 200,000 shillings or less, it may be acceptable if the PAPs are paid cash compensation rather than through a bank account. Many of these people do not have a bank account and opening one which they may not regularly use will not be appealing to them. For those who will get beyond that amount, it is proposed that they be paid through a bank account.

On the other hand, institutions should be paid by cheque or bank transfer to reduce the possibility of misappropriating public funds.

4.3.9 Vulnerable Groups

According to the survey conducted, there are no people who will lose land or structures and there will be no relocation. The possibility of vulnerable groups losing their accommodation or livelihood was therefore not a concern during this survey. However a number of the PAPs are quite elderly and these will need assistance at the time of compensation to ensure that their funds are not taken by others. The list of identified people who are 70 years or older is attached as Annex 12. These vulnerable people in the Ankole zone are 38 in number out of which 8 are women.

5.0 POLICY, INSTITUTIONAL AND LEGAL FRAMEWORK (IMPLEMENTATION ARRANGEMENTS)

This Resettlement Action Plan is guided by both the National and the WB Safeguard Policies coupled with existing National Laws and Institutional arrangement as they relate to compensation and resettlement.

5.1 Policy Framework

It is the Uganda Government Policy that persons affected by development projects such as the proposed 33kV Masindi - Waki - Buliisa and -Nkonge - Kashozi Distribution lines Electrification Project be adequately compensated for their structures, crops and loss of livelihood. For the case of this project the main compensation will cover crops, trees and in some cases fencing materials only that fall within the Road Reserve and or the ROW where the line is going to pass. Other assets will not be affected. There is in place an elaborate Institutional and Legal Framework to ensure compliance with the Policy requirements. Furthermore, funding agencies (World Bank,) have their own Safeguard Policies (e.g. OP/BP 4.12) regarding involuntary resettlement .

For neutrality and transparency in the execution of the RAP, it is necessary to engage Community Based Organisations (CBO) where they exist and are acceptable to the affected people to oversee the compensation process to ensure that those displaced receive fair compensation and will be assisted to improve their livelihoods and standards of living. This principle is in line with the World Bank's Involuntary Resettlement Policy (OP/BP 4.12). In this project however, the magnitude of compensation is small such that direct payments to PAPs has been proposed for most of them. Those earning above 200,000 shillings may be paid through the bank.

5.2 Institutional Framework

5.2.1 General

REA is responsible for implementing of this RAP. Although there will be no cases of involuntary resettlement and relocation, it is useful to take note of the three main institutions involved in carrying out compensation/resettlement where involuntary relocation or resettlement is inevitable. These are the Ministry of Lands, Housing and Urban Development (responsible for Compensation), Lead Agencies/Ministries and in this case the Rural Electrification Agency (REA)..

In addition, the respective Districts Administrations (Local Governments within both the Bunyoro and Ankole zones) as well as the sub counties' administrations will be involved in the proposed compensation efforts until the successful completion of the

resettlement.

5.3 Legal Framework

As stated above, there will be no land take since the line will be restricted/confined to the Road Reserve and mostly along the present Road alignment. Nevertheless, for completeness of this report it is important to take note of the fact that for land take and displacement of people, specific attention is drawn to the 1995 Constitution and other Laws of Uganda as well as the relevant Funding Agencies' Policies and Guidelines. For resettlement and relocation the following sections discuss the relevant Legal Framework. These are: -

The Uganda Constitution (1995): Article 237(1) of the Constitution vests all land in Uganda in the citizens of Uganda. However, under Article 237(1) (a), the Government or Local Government may acquire land in the public interest. Such acquisition is subject to the provisions of Article 26 of the same Constitution, which gives every person in Uganda a right to own property. The Constitution also prescribes the tenure regimes in accordance with which rights and interest in which land may be held (Customary, Leasehold, Mailo, and Freehold). It provides procedures to follow during the acquisition of land in the public interest and provides for the "prompt payment of fair and adequate compensation" prior to taking possession of land. The Constitution however does not make resettlement a right.

Within the project area the main land tenure system is the Mailo and Freehold Land Tenure Systems. **Moreover the land acquisition was not an issue under this RAP.**

The Land Act (1998) and as amended (2010): This Act addresses land holding, management control and dispute resolution. The developer should seek to enter into mutual agreement with the occupier or owner of the land upon payment of compensation. The Act creates a series of land administration institutions consisting of Uganda Land Commission (ULC) and the District Land Boards (DLB).

Section 78 of the Act gives valuation principles for compensation (i.e. compensation at depreciated replacement costs for rural properties and market values for urban properties) which principles have been followed during the valuation exercise.

The Act provides for the tenure, ownership and management of land. It recognises customary tenure as a form of land holding (section 4(1)) and thus places customary tenants in a position of ownership of land unlike the Land Reform Decree, 1975, that made them tenants at sufferance. Section 28 stipulates that any decision taken in respect of land held under customary tenure, whether in respect of land held individually or communally shall be

in accordance with the custom, traditions and practices of the community concerned. Customs that ensure access to water can therefore be invoked to protect this particular right. Furthermore, provision is made for communal land associations which may be formed for management of land whether under customary law or otherwise (section 16). Such Associations may set aside land for such common uses as grazing and watering livestock, and such other purposes as may be traditional among the community using land communally (section 24).

The Act recognises other forms of tenure namely Freehold, Mailo and Leasehold (Section 3). The Act provides for bonafide occupancy and defines a bonafide occupant as a person who is not the title holder or customary tenant of the land he occupies and has enjoyed undisturbed occupancy of the land for 12 years or more. Any person who owns or occupies land under any tenure must manage and utilise that land in accordance, inter alia, with the National Environment Act, Cap 153, the Water Act, Cap 152 and any other relevant law (section 44). The Government and Local Government shall hold in trust for the people and protect natural lakes, rivers, ground water, natural ponds, natural streams and wetlands for the common good of the citizens of Uganda (section 45(1)).

The Act provides for the compulsory acquisition of land for public purposes. The land owner must be compensated. The occupant of land would be compensated for the value of their chattels. In instances where there are bonafide occupants on land, compensation would have to be made to both the land owner and the bonafide occupant.

The Local Government Act (1997): The Local Government Act (LGA) was enacted to give effect to the policy of decentralisation and devolution of functions, powers and services; and to provide for decentralisation at all levels of local government to ensure good governance and democratic participation in, and control of decision making by the people. The Local Government Act provides for the system of Local Governments, which is based on the district. Under the district there are lower Local Governments and administrative units. This system provides for elected Councils. The chairman nominates the executive committee of each council. The functions of this committee include:

- Initiating and formulating policy for approval of council;
- Overseeing the implementation of the Government and Councils' policies, and monitor and coordinate activities of Non-Government Organizations in the district; and
- Receiving and solving disputes forwarded to it from lower local governments.

According to the second schedule to the LGA, the Central Government is responsible for water resources and the environment (Part I, Second Schedule of the Local Government

Act). The Lower Local Government Councils (sub-county or division) are responsible for the protection and maintenance of local water resources (Part 4). It is the function of the various executive committees, including the parish or Kashozi executive committees, to generally monitor projects and other activities undertaken by government, local governments, and non-governmental organisations in their area (section 50(8)). *The Respective Local Governments have a mandate to monitor this 33 kV Distribution Line project (within their areas of jurisdiction) in line with the Local Government Act.*

Land Acquisition Act (1965): This Act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land dig or bore the subsoil or any other thing necessary for ascertaining whether the land is suitable for a public purpose.

The Government of Uganda is supposed to pay compensation to any person who suffers damage as a result of any action. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.

The Land Acquisition Act stops at payment of compensation. It is not a legal requirement to purchase alternative land for the affected people by the project. Once they are promptly and adequately compensated, then the obligations stop there. The Government through the Ministry of Lands, Housing and Urban development will pay the compensation to the affected persons.

There is no requirement or provision in the law that people need to be moved or that alternative land is made available or bought. Each affected person is entitled to compensation; on receipt of his/her compensation is expected to move and has no further claim.

The Judicature Act: Customary law is stipulated under the Act as law applicable in Uganda though it is subordinate to written law. Further the custom in issue should not be repugnant to natural justice or equity. Some customary laws recognize the importance of maintaining clean water sources particularly for drinking water. There are cultural practices that recognize the value of the common good which could be harnessed.

National Environment Act Cap 153: The objective of the Act is to provide for sustainable management of the environment and to establish an Authority as a coordinating, monitoring and supervisory body for that purpose.

The National Environment Management Authority (NEMA) is established under the Act as

the Principal Agency in Uganda responsible for the environment. "Environment" is defined in section 2 as the physical factors of the surroundings of human beings including air, land and water. NEMA is required to ensure the integration of environmental concerns in overall national environmental planning through co-ordination with the relevant ministries, departments and agencies of government; and initiate legislative proposals, standards and guidelines on the environment in accordance with the Act. NEMA is mandated to ensure the observance of proper safeguards in the planning and execution of all development projects, including those already in existence that have or are likely to have a significant impact on the environment. A project is defined to include policy. In similar vein, NEMA shall review and approve environment impact assessments and statements submitted in accordance with the laws of Uganda.

As a result of this, NEMA is a key stakeholder in the resettlement process.

The Water Act, Cap 152: According to its long title, the purpose of the Water Act is to provide for the use, protection and management of water resources and supply; to provide for the constitution of, and facilitate the devolution of water supply and sewerage undertakings. The objectives of the Act include the promotion of the rational management and use of the waters of Uganda through application of appropriate standards and techniques; and the coordination of all public and private activities which may influence the quality, quantity, distribution, use or management of water resources. Promotion of the provision of a clean, safe and sufficient supply of water for domestic purposes to all persons is a major objective (section 4 Water Act).

"Domestic use" of water is defined in section 2 of the Act to include use for the purpose of basic human consumption; watering not more than thirty livestock units, (approximately 43 cattle or 50 horses or 75 donkeys or 200 goats or 200 sheep or a mixture of these animals); subsistence agriculture, and watering a subsistence fish pond. The National Water Policy makes provision of water for domestic use a priority. The policy categorically states that in allocating water, domestic needs of a community should be Reserved within the available water resource.

Resettlement activities will comply with the Water Act in as far as relocation of persons and their livestock are concerned.

Under Section 39 of the Land Act Cap 227 (Restrictions on transfer of land by family members) the rights of children and spouses are protected. The consent of spouse and children must be acquired prior to any transaction on land on which the family ordinarily resides by the head of household.

The Act under this section 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, pledging, mortgage, lease of any land;
- b. Give away any land *inter vivos*, or enter into any transaction in respect of land:
 - 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 of majority age, except with the prior written consent of the dependent children of majority age;
 - in the case of land on which the person ordinarily resides with his or her dependent children below the age of majority, except with the prior written consent of the Committee³; and
 - In the case of land on which ordinarily reside orphans below majority age with interest in inheritance of the land, except with prior written consent of the Committee.

The law however stipulates that consent shall not be unreasonably withheld. Moreover, the spouse or children of majority age, not being the owners of any land to which subsection (1) applies, may lodge a caveat on the certificate of title or certificate of customary ownership of the person who is the owner of the land to indicate that the property is subject to the requirement of consent under subsection (1).

The Local Government Act, 1997: The Act empowers the Local councils to oversee the performance of persons employed by the Government to provide services in the council's area of jurisdiction and to monitor the provision of Government services or implementation of projects in the area under the council's jurisdiction. These councils are well distributed in accordance with the five tier system and there is a council at each level of the administrative units. Councils are required to draw the attention of the relevant authorities at the district any matter that rouses their concern or interest. Among others, higher councils are required to resolve problems or disputes referred to them by relevant sub county or Kashozi councils;

Ugandan legislation on compensation: In general, cash compensations are paid based upon market value of the crops likely to be destroyed. The affected persons are, in some

³ "Committees "are defined under Section 65 of the Land Act; they are Parish Land Committees.

cases, entitled to new housing on authorized land under government housing programmes. Under the customary law, land is given in compensation for land.

Indeed there are some shortfalls in the Legislation on resettlement and compensation in Uganda compared to some of the donor safeguards commonly applied in the Country. In case there are differences between national law and the safeguard policy on involuntary resettlement of the World Bank, the latter will prevail.

5.4 World Bank Safeguard Policy on Resettlement

This section describes the World Bank's Safeguard Policies as they will relate to Resettlement in Development projects.

The World Bank's Safeguard Policy OP/BP 4.12 covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by

(a) The involuntary taking of land resulting in

(i) Relocation or loss of shelter;

(ii) Lost of assets or access to assets; or

(iii) Loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or

(b) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

The policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing.

Particular attention should be given to the needs of vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, indigenous groups, ethnic minorities and other disadvantaged persons.

The Bank's Policy requires that the provision of compensation and other assistance for Project Affected Persons is carried out prior to the displacement of people. In particular, repossession of land for the 33 kV Distribution Line project activities may take place only after compensation has been paid. Resettlement sites, new homes and related infrastructure, public services and moving allowances will be provided to the affected persons in accordance with the provisions of the Bank's policies and incorporated into the Resettlement Action Plan. The policy encourages participation of the affected

persons in the planning and preparation of the Resettlement Action Plan. It also offers the impacted persons an opportunity to improve their living standards.

"Involuntary Resettlement" requires that displaced persons should be compensated at full replacement cost, assisted with relocation / resettlement and during transition period. The developer should be encouraged to offer replacement land rather than cash compensation when the residual land holdings are not economically viable.

- All viable alternative project designs should be explored to avoid or minimise the need for resettlement and when it is inevitable, to minimise the scale and impacts of resettlement;
- Resettlement measures are to be conceived and executed as development activities providing sufficient resources to give the persons displaced; the opportunity to share in project benefits. Assistance should be given to the community in their efforts to improve former production levels, incomes earning capacity and living standards or at least restore them to the levels they would have without the project;
- Displaced persons should be:
 - Compensated at full replacement cost prior to the actual move;
 - Assisted with relocation;
 - Assisted and supported during the transition period;
- Particular attention should be given to vulnerable groups; and
- Communities should be given opportunities to participate in planning, implementing and monitoring their resettlement.

5.5 Differences between Uganda Laws and the World Bank/Donor Policy

There are some differences between the World Bank Policy and the Uganda Laws on Resettlement and Compensation. For instance: the Ugandan Laws restrict themselves to fair, adequate and prompt compensation (cash), while the World Bank Policy extends it to providing alternative land and resettling the person. In Uganda compensation is based on the right of ownership. The World Bank OP/BP 4.12 is fundamentally different from this, and states that affected persons are entitled to some form of compensation whether or not they have legal title if they occupy the land by a specified cut-off date. The higher of the two standards will be followed in this policy framework, since that procedure also satisfies the requirements of the lesser standard. This means that in case of differences between national legislation and the World Bank policy on Involuntary

Resettlement, the latter will prevail.

A comparison of Uganda Law and WB/Donor requirements with possible mitigation options regarding compensation is given in Table 8 below:

In a number of cases, as shown in Table 8, most of the OP 4.12 Requirements are more favourable to PAPs than the provisions of Uganda Law. In most cases the Government of Uganda is strongly committed to comply with these Requirements. However for this project there will be no relocation and loss of land.

Table 8: Comparison of Ugandan Law and World Bank Op 4.12 Regarding Compensation with possible mitigation Options

Category of PAPs and Type of Lost Assets	Ugandan Law	World Bank OP4.12	Mitigation measures
Land Owners	Cash compensation based upon market value under statute. Land for Land	Recommends land-for-land compensation. Other compensation is at replacement cost.	N/A
Land Tenants	Entitled to compensation based on the amount of rights they hold upon land under relevant laws. Illegal tenants are not entitled to compensation	PAPs are entitled to some form of compensation whatever the legal/illegal recognition of their occupancy.	The design of the Masindi – Waki - Buliisa and –Nkonge - Kashozi Rural Electrification - Project 33 kV Distribution Line minimises displacement of people by maintaining the old alignment. Subsequently this project will not have land take;
Land users/land share-croppers	<ul style="list-style-type: none"> ▪ In some cases land users have some form of secured tenure extended to them under new laws. In other cases land users are not entitled to compensation for land. ▪ Entitled to compensation for crops and any other economic assets. ▪ Land for Land 	Entitled to compensation for crops, may be entitled to replacement land and income will be restored to at least pre-33 kV Distribution Line project levels.	The design of the Masindi – Waki - Buliisa and –Nkonge - Kashozi Rural Electrification - Project 33 kV Distribution Line minimises land take, but all perennial crops, fruit trees, commercial trees and other crops that cannot be grown within the ROW will be compensated for using the district approved compensation rates in addition to a 15% disturbance allowance.
Owners of Temporary Buildings	Cash compensation based on market value or entitled to new housing on authorized land under government (state or local) housing programs. Rates based upon per square meter established at District level and disturbance allowance (15%). Rates are based on depreciated market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.	Buildings will not be impacted by the line as all measures will be taken to avoid houses and other buildings.
Owners of Permanent buildings	Cash Compensation is based on market value. A disturbance allowance of 15% is applicable and rates are based on depreciated market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.	In the case of the Masindi – Waki - Buliisa and –Nkonge - Kashozi Rural Electrification - Project distribution line, buildings will not be impacted by the line as all measures will be taken to avoid houses and other buildings,

Category of PAPs and Type of Lost Assets	Ugandan Law	World Bank OP4.12	Mitigation measures
Perennial Crops	Cash compensation based upon rates calculated as an average net agricultural income.	As per specifications of this RAP, once approved by the Bank and disclosed at the Bank info shop,	N/A
Annual Crops	No compensation. 6 months notice to harvest crops.	No specific provision. But as per specifications of this RAP, once approved by the Bank and disclosed at the Bank info shop	Explore the possibility of including Income restoration. Land for land compensation allowing people to re-establish annual crops immediately.
Business Income	No compensation. 6 months notice to vacate premises	Established access to similar opportunities as per specifications of this RAP once approved by the Bank and disclosed at the Bank info shop.	Explore the possibility of reducing loss of income and livelihood.

6.0 VALUATION OF AND COMPENSATION FOR LOSSES

As indicated under section 4.1.1, time tables of meetings were prepared in consultation with the local leadership. The time tables showing the places of meetings is attached as Annex 7). For ease of reference the minutes are attached in Annexes 5 and 6:

The main resettlement package under this project will be compensation for crops and trees (including fruit trees, commercial trees, ornamental trees coffee etc) that will be affected by the development. REA commits itself to pay full compensation as valued to all PAPs. Key principles that REA will commit themselves to ensure a smooth compensation exercise include the following:

Box 1 -1: Key principles to heed during compensation.

- Compensation of Project Affected People (PAP) should be carried out in compliance with relevant Ugandan laws.
- Compensation should be implemented in a gender-responsive manner. In the case of this 33 kV Distribution Line project, the list of the affected women for both Bunyoro and Ankole zones (Annex 13) has been made available and is part of the documents to be consulted. In all the total number of affected women in the Bunyoro zone is 160 while that in Ankole zone is 160 all of whom will be compensated for crops and trees ; and
- Cash compensation will be appropriate for those receiving amounts below Uganda shillings 200,000.00. Institutions should receive compensation through banks or by cheque to minimise misuse of public funds.

Source: Adapted from the Land Act, the Constitution of Uganda and Donor Safeguard Policies.

6.1 Estimated Compensation Amounts

In view of the foregoing, a comprehensive valuation of crops and trees to be affected was undertaken.

The total amount to meet compensation and resettlement needs for the Bunyoro zone is **Two Hundred and Ninety-two Million One hundred and ninety six thousand, Three hundred and thirteen Shillings (UGX 292,196,313/=)** which is equivalent to **USD\$ 112,383.00** For the Ankole Zone the amount is **Four Hundred and Sixty Three Million One hundred and Twenty One thousand, Two hundred and Seventy two Shillings (UGX 463,121,272/=)**, which is equivalent to **LUSD\$178,123.00**. These amounts are inclusive of 15% disturbance allowance. These are shown in Annex 2. The detailed assessment is provided in an excel spread sheet which is Volume B to this report - Valuer's report.

6.2 Payment Procedure

Census of the Project Affected Persons (PAPs) has been conducted covering both the Bunyoro and Ankole zones. In addition, mitigation measures as well as impacts of resettlement have been identified. These are part of the ingredients for the RAP. The identified mitigation measure in both zones has been to pay compensation for lost crops and trees. The Ugandan law favours cash compensation rather than replacement of structures/land. In this case cash compensation has been recommended for all those receiving shs 200,000/= or less. Those earning above that figure will be paid through a bank by Direct Electronic Transfer of the monies. In addition, a disturbance allowance of 15% to the PAPs will be paid at least six months before clearing the line.

7.0 RESETTLEMENT AND COMPENSATION MEASURES

7.1 Methodology

The general methodology for calculating resettlement packages was characterised by the following: -

- A literature review of the legal and institutional arrangement regarding the compensation and resettlement has been conducted;
- All stakeholders who were available were interviewed and a census conducted to obtain their socio economic data;
- A survey team established the line along the Road Reserve;
- Thereafter the valuer valued all the properties (crops and trees)
- A census to determine the socio economic conditions of the project affected persons was conducted to estimate the likely impacts on livelihoods;
- All PAPs who were available at the time were sensitised regarding the project, grievances and the entitlement date;

7.2 Design Considerations to Minimize Resettlement

To minimise land take and displacement of people, the proposed line will be confined to the Road Reserve or along the present Road alignment within approximately 10 metres of that alignment. If houses or structures are targeted by the proposed line, then alterations will be made in the line to ensure that structures and houses are avoided. This will be the case if cultural sites including graves are targeted by the line construction. These measures will ensure that there will be no relocation of people.

7.3 Strategy

As part of the implementation strategy, the following will apply:

- Stakeholder groups will continue to be involved in the exercise;
- Payments for compensation will be independently monitored and accurate records kept for all transactions;
- Compensation of Project-Affected People (PAP) will be carried out in compliance with relevant Ugandan laws as well as WB Involuntary Resettlement Policy. All those who have lost crops and trees will be adequately and equitably compensated in accordance with the accompanying valuation report.
- Compensation will be implemented in a gender-sensitive manner ensuring that all the 377 impacted women in both zones (Bunyoro (160) and Ankole (217)) receive payments promptly.
- The elderly whose list is attached will be identified and given priority when paying compensation ensuring that their compensation is not denied to them.
- Consult with and facilitate the informed participation of affected persons in

decision-making processes related to compensation. Consultations will continue during the implementation, monitoring, and evaluation.

7.4 Overview of Entitlements

7.4.1 Land Titles

There will be no land take. It was established during the survey that most of the land in the project area is customary land or Kibanja holding.

7.4.2 Entitlements

According to the survey, the affected persons are mostly agriculturalists and they will lose mostly crops, trees as well as live fencing material (Hedges) The characteristics of the PAPs fairly uniform all being mostly peasants. The entitlement matrix below (Table 7.1) therefore picks out the category of farmers and peasants.

Table 7.1: Entitlement Matrix

Category	Entitled person (EP)	Type of loss	Entitlements/ compensation	Rehabilitation assistance
Cultivated land	Cultivator/ Farmer/ Kibanja Owner/license	Loss of crops; Loss of income; Loss of trees; and Loss of hedges	<ul style="list-style-type: none"> • Entitled to harvest present crops; • In case of damage to crops, cash compensation as per rates provided District Land Board; • Compensation for loss of trees at rates provided by District Land Board; and • If possible allow farmers to harvest fruits as supplemental source during 'transition period'. 	15% Disturbance allowance to be paid out.

7.4.3 Cash Compensation

This Distribution Line project is being funded by the World Bank (as a Development Partner) which requires specific safeguards regarding compensation. Subsequently, the World Bank safeguard Policy on Involuntary Resettlement has been used. These are also considered comprehensive and all embracing of most of the development partners in Uganda. This RAP therefore complies with both the requirements of the *Ugandan Law* and *WB safeguards*. The latter are more advantageous to PAP, especially with regard to the valuation at “full replacement cost” as opposed to the depreciated value taken into consideration by Ugandan valuation methodologies. Hence the latter will prevail in case of differences between national legislation and OP 4.12.

Updated District Compensation Rates have been used to value crops / trees to arrive at the value. The District Compensation Rates are based on Imputation values which are equivalent to current market values.

7.5 Compensation Rates for Crops and Trees

Table 9 shows the general basis for calculations regarding compensation of crops:

Table 9: Basis for crops compensation calculations

Asset to be compensated	Compensation under Ugandan law
Perennial Crops and Trees	Crops and trees are assessed using district compensation rates provided by Respective Districts' District Land Boards. In this respect it is the duty and responsibility of District Land Board to compile or review District Compensation rates for their respective Districts. (Section 59 of the Land Act). These rates are normally submitted to the office of the Chief Government Valuer for consideration and approval for each particular year.
Annual Crops	No compensation as long as the crop can be harvested. Notice to vacate land is normally six months, which allows harvesting of annual crops. If notice to vacate is given in less than six months, disturbance allowance is increased from 15% to 30%.
Damage to Annual Crops	Valuation of damaged crops based on official rates and count of damaged crops.
Eligibility for Compensation	The following categories are eligible for compensation. <ul style="list-style-type: none"> • Persons with perennial crops • However, persons who encroach on the proposed distribution line corridor after the resettlement survey (census and valuation) are not eligible for compensation

7.6 Disturbance Allowance

As guided by Section 77 (2) of The Land Act-Cap 227 (Computation of Compensation), disturbance allowance of 15% shall be awarded on top of the assessed amount. This is on

the assumption that the project affected persons shall be given ample time (beyond the required statutory period of 6 months) to give up their interests in the crops and trees and harvest them if appropriate, otherwise, 30% should be applied if the due notice is less than six months. In this report a 15% disturbance allowance has been considered.

980 GRIEVANCE PROCEDURES

8.1 Likely Types of Grievances and Disputes

In practice, grievances and disputes that are most likely to be encountered during the implementation of compensation and resettlement programmes are:

- False identification of assets or mistakes in valuing them;
- Disagreement over asset valuation: either the unit rate applied or the count;
- Disputed ownership of property: for instance where the owner and occupant are different persons, which gives rise to conflicts over the compensation sharing arrangements;
- Dispute over ownership of an asset e.g. when two individuals claim to be owners of same asset);
- Disputes over land boundaries, either between the affected person and the project, or between two neighbours; and
- Successions, divorces and other family issues, resulting in disputes between heirs and other family members, over ownership for a given asset.

8.2 Management Mechanism

It often appears that many grievances derive from misunderstandings of the project policy, or result from neighbour conflicts, which can usually be solved through adequate mediation using customary rules or local administration at the lowest level (LCs). Most grievances can be settled with additional explanation efforts and some mediation using customary disputes settlement mechanisms:

- Using land committees at local levels (LCI, Parish, District Land Committee);
- Through explanations e.g. explaining in detail how the project calculated complainant's compensation and that the same rules apply to all; Or
- Through arbitration, resorting to elders, individuals LC Officials or an accepted opinion leader.

In contrast, resorting to the judicial system often results in long delays before a case is processed. This could result in significant expenses to the complainant and might require a complex legal mechanism, involving lawyers, which maybe beyond the complainant's control. Also, courts may declare themselves incompetent for matters related to informally owned property, which is likely to be common in the project area.

REA will put in place an extra judicial mechanism (see Figure 5) for managing grievances and disputes based on explanation and mediation by a third party, preferably a committee comprising local leaders, trusted citizens and independent of the project. The grievance committee will be in place before the implementation of the RAP.

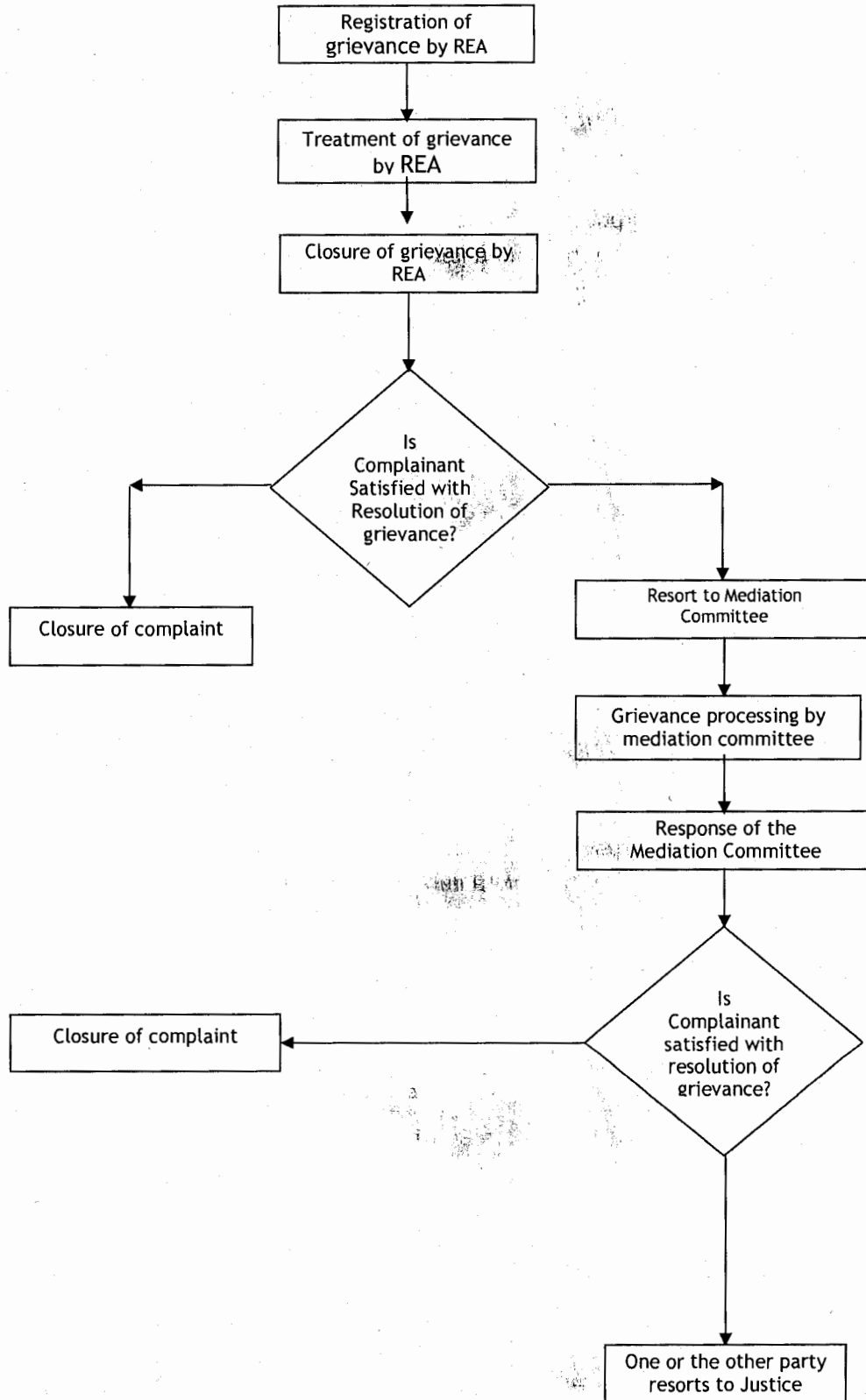


Figure 5: Grievance Management Mechanism

Every aggrieved person shall be able to trigger this mechanism, while still being able to resort to the judicial system. Procedures relevant to this amicable mechanism are detailed below, and will include three different levels:

- Registration by REA, or its agent, of the complaint, grievance or dispute;
- Processing by REA, or its agent, of the grievance or dispute until closure is established based on evidence that acceptable action was taken; and
- In the event where the complainant is not satisfied with action taken by the Valuer or REA (or its agent) as a result of the complaint, an amicable mediation can be triggered involving a mediation committee independent of the project.

In summary and as indicated under the disclosure process, the PAPs shall be given an opportunity to review the RAP including the survey and valuation outcomes as well as the compensation policies prior to the commencement of the compensation exercise. It is anticipated that a number of issues will come up among the affected communities and landowners. If an individual is not satisfied with the compensation, he or she will then be able to trigger the grievance mechanism as described above. The above recommends that PAPs should as much as possible avoid court proceedings as they can be costly, time consuming and could disrupt the projects' progress. Hence the above administrative procedure / review is most optimum. The Administrative **Review recommends** trying to resolve the issue(s) administratively by the client (REA) and the various Government institutions involved in the compensation exercise as shown in Fig 4 above before resorting to court action as shown below: -

- **Magistrates' Court:** If the complaints have not been solved administratively, then the complainant can proceed to the magistrate's court. This court is charged with powers to hear and make rulings on matters of land disputes.
- **High Court:** If the complaint is still dissatisfied with the ruling of the magistrate's court, then he can seek further redress in the High Court.

9.0 ORGANISATIONAL RESPONSIBILITIES

In addition to what has been discussed under the Institutional Framework, there are three main actors who will be involved in carrying out compensation as required in the implementation of the 33kV Masindi - Waki - Buliisa and -Nkonge - Kashozi Distribution lines Rural Electrification Project. These are the respective Local Governments in the two zones (Masindi, Hoima and Buliisa in Bunyoro zone and Ibanda, Kiruhura and Sembabule districts in Ankole Zone) being responsible for handling the affected people, the Ministry of Housing and Urban Development (approving compensation rates), and Ministry of Energy and Mineral Development together with REA.(Lead Agency).

9.1 Ministry of Energy and Mineral Development and REA

Government of Uganda and World Bank (development Partners) require preparation of a *Resettlement Action Plan* for 33 kV development projects such as the 33kV Masindi - Waki - Buliisa and Nkonge - Kashozi Distribution lines Rural - Electrification - Project. This is done to ensure equitable compensation and minimise social disruptions or negative effects on people's livelihoods arising from implementation of the project. The compensations assist those who have lost assets as a result of the project to maintain their livelihood through income restoration.

MEMD is responsible for the Energy projects in Uganda. The Rural Electrification Agency (REA) and MEMD are responsible for contracting out and overseeing construction of power Distribution Line. Furthermore, REA is responsible for controlling encroachment on 33 kV Distribution Line.

9.2 Ministry of Lands, Housing and Urban Upgrading

The Chief Government Valuer in the Valuation Division in the Ministry of, Housing and Urban Development (MLHUD) is responsible for approving the Valuation Roll. This demands fair and transparent compensation and as such all property valued are first inspected by the Chief Government Valuer. In the case of this project, crop and trees compensation rates are approved by the respective Districts' Land Boards on advice of the Chief Government valuer in the MHUD.

9.3 Local Government

The Local Government is responsible for ensuring that all affected persons have received a fair and appropriate compensation/ livelihood restoration. They are the initial arbitrators in case of disagreements and misunderstandings. They have capacity to identify and co-coordinate all players in the resettlement programme at the Local Government level.

10.0 IMPLEMENTATION SCHEDULE

10.1 Proposed Time Schedule

Since the project is located in two zones, it is proposed that each zone will be treated as an entity during the period of implementation. The implementation programmes will be similar for each zone since the distances covered are comparable. A compensation implementation and monitoring programme that is applicable in either zone has been proposed and is summarised in Table 10 below:

Table 10: RAP implementation programme

S/No	Time Frame in Months	Activity	By Who
1	1 st Month	Resources mobilisation for compensation;	Client/REA
		Formation of Resettlement Committee;	REA/Consultant, LCs, PAPs
		Formation of Grievance Committee;	REA/Consultant, LCs, PAPs
		Any relevant sensitisation or awareness creation;	REA/Consultant
2	2 nd to 3 rd Month	Pay disturbance Allowances;	REA/Consultant
		Pay Compensation where applicable (Crops and Trees);	REA/Consultant
4	4 th Month onwards	Monitoring and Evaluation of Impacts in accordance with the Indicators During and after power line construction;	REA and Consultant;
		Grievance process if required;	Grievance Committee, and Contractor; and
		Final Report	Consultant

10.2 Compensation Agreement

A compensation agreement between beneficiary and REA will be made. The cost of these measures will be included in the contract cost.

10.3 Cut-Off date

The census marked the end of the entitlement period. No new cases of compensation will be entertained after that census. Communities have been informed accordingly and the REA is expected to re-enforce this measure together with the Local Government. For the Masindi – Waki section, the census and valuation commenced on 17th April 2012 and ended on 7th June 2012. For the Nkonge - Kashozi section, the census and valuation started on 12th May and ended on 26th September. The final cut off dates for Masindi – Waki are therefore 7th June while for the Nkonge - Kashozi Section is 26th September. Persons who re-enter the area after the resettlement survey (census and

valuation) are not eligible to compensation or any form of resettlement assistance.

10.4 Rehabilitation of Income

Affected persons will be adequately compensated and PAPs will be paid a disturbance allowance to ensure continuity in resettlement.

10.5 Implementation Strategy

Following full agreement between the PAPs and REA, then payment of compensation will begin to be paid. No person will be paid when he/she still has issues pending at the grievance committees or if they have appealed to court. No compensation will be paid out until the disputes have been sorted out. It is estimated that for compensation arrangements, the actual pay offs can be concluded by paying off the people in a given Village(s) per day. The reason it is preferred to cover payments in terms of villages is as follows: -

- It is systematic
- It allows a homogenous group to be handled at the same time; and
- It is easier to disseminate the related information to a village because of the presence of the Local Council system

Regarding possible stampedes for those receiving cash payments, it is proposed that payments will be made in accordance with the order of arrival at the paying centre. Numbered cards can be given to the PAPs as they arrive so that the order of payment is followed. Feeding mothers and the elderly will be handled preferentially if and when they come.

10.6 Costs of implementation of the compensation exercise.

The valuation has been completed during the preparation of the RAP. However implementation of the RAP will require resources to meet allowances, fees and related expenses. The estimate for this cost is 15% of the total compensation package. In this case it will be **Ug shillings 43,829,447/= for the Bunyoro Zone and Ug shillings 69,468,190/= for the Ankole zone.** The total Cost of implementation for both zones is therefore **Ug Shillings 113,297,637/=**

10.7 Total cost estimates

Annex 2 (the Valuer's Report) shows the compensation for the affected households and other PAPs for the crops, trees and in some cases fencing materials as summarised in the Table below. In addition a 15% lump sum has been added to meet the costs of compensation also shown in the Table 11 below.

Table 11: Total Compensation amounts

Table 11: Total Compensation

No.	valuable	Number	Market value (Ug. Shs)	Total Amount (Ug. Shs)
Bunyoro Zone	Crops, trees and fencing materials	Number of Crops and trees or metres of fencing materials	292,196,313/=	336,025,756/=
Ankole Zone	Crops, trees and fencing materials	Number of Crops and trees or metres of fencing materials	463,121,273/=	532,589,469/=
Total for both zones			755,317,586/=	868,615,225/=
	Equivalent In USD \$ Dollars		\$290,507.0	\$334,083.0

NB. Please note that the market value amount includes the 15% disturbance allowance while the total amount includes the 15% RAP implementation costs.

11.0 MONITORING AND EVALUATION FRAMEWORK

11.1 General Objectives and Approach

Monitoring, evaluation and auditing will be key components of executing this Resettlement Action Plan.

Monitoring: looks at progress of resettlement, compensation and at specific situations of economic or social difficulties arising from the implementation of the compensation and resettlement process;

Auditing: looks at compliance and completion of the resettlement program;

Evaluation: looks at outcomes, through an assessment of the short- mid- and long-term impacts of the compensation and resettlement programme on affected households, their incomes and standards of living, the environment, local capacities, housing, etc.

The following monitoring and evaluation approach will be used:

a) Internal progress (or Input/Output) monitoring:

Monitors whether compensation will have been paid on schedule and as defined in the RAP, and their direct measurable results, for instance:

- Amounts of compensation paid in a given month,
- Number of complaints or grievances recorded.

Monitoring will also seek to document and investigate specific conflict or hardship situations arising from implementation of the compensation program. Monitoring keeps track of project implementation efficiency and indicates whether changes need to be made to make the programme operate more efficiently. Progress monitoring is done internally by the Project at a frequency of every 2-3 months.

b) Audit of compliance and completion:

Audit defines whether the RAP and applicable requirements have been complied with, and if the implementation can be considered complete. An external entity, preferably a consultant, may be contracted to independently monitor implementation of the RAP.

c) Outcome evaluation:

This defines the extent to which the project is achieving or is likely to achieve the objectives of a program. Outcome evaluation, coupled with output monitoring results, indicate whether the programme is genuinely working and should continue to be implemented as is, or whether some fundamental changes need to be made.

In other words, the outcome evaluation looks beyond numerical compliance to the longer term impact of programme inputs and outputs, to determine what works, what does not work, and what needs to be changed. Outcome evaluation should be done by an independent entity.

11.2 RAP Audit and Implementation of Completion Report

The independent compliance and completion audit will focus on the assessment of compliance with requirements contained in this RAP with the Ugandan law. The audit could include:

- Quarterly external reviews (about one-week in duration each) during the active phase of compensation and resettlement, and
- A final completion audit at least one year after the last compensation has been effected, or at such any other appropriate time.

11.3.1 Compliance Reviews

Objectives of compliance reviews are as follows:

- To assess overall compliance with the RAP and applicable legislation and requirements, particularly the following:
 - Compliance with eligibility criteria as described in this RAP,
 - Actual delivery of compensation packages,
 - Compliance with implementation mechanisms as described in this RAP;

External monitoring reports should be prepared independently by the reviewer and submitted to REA and relevant stakeholders.

11.3.2 Completion Audit

The purpose of this Audit is to establish whether REA has implemented all activities needed to ensure compliance with resettlement commitments defined by the RAP and applicable policies, and whether resettlement and compensation can be deemed complete.

Although in this case there was no resettlement, in general a key objective of the RAP is that resettlement, compensation and other mitigation measures lead to sustainable restoration or enhancement of affected peoples' quality of life and income levels. At such time as affected peoples' quality of life and livelihood can be demonstrated to have been restored, the resettlement and compensation process can be considered complete.

The completion audit should preferably be carried out by the same auditor as the compliance audit. Based on progress indicators and outcome evaluation indicators, the auditor will formulate conclusions on the following topics:

- Have the objectives set forth in the RAP been reached in terms of:
 - Identification of affected people and identification of impacts,
 - Compensation for all impacts of all affected people,
 - Timely delivery of entitlements and compliance with Ugandan Constitution requirement of “prompt” compensation,
- Has compensation been fair and adequate to mitigate impacts? and
- Have livelihoods been improved?

12.0 RAP BUDGET

Based on the findings of the study carried out, the total package to meet compensation need for the Bunyoro zone (including both the 15% disturbance allowance and 15% implementation costs) is Three hundred and thirty six million, Twenty five thousand, Seven hundred and Fifty nine Uganda Shillings (UGX **336,025,759/=**) **which is equivalent to USD\$ 129,241.00**. The compensation need for Ankole Region is Five hundred and Thirty two million, Five Hundred and Eighty Nine thousand, Four hundred and Sixty Nine Uganda Shillings (UGX **532,589,469/=**) **which is equivalent to USD\$ 290,507.00**. The grand total for both zones is therefore **UGX868,615,225/= which is equivalent to USD\$ 334,083.00**. This amount is inclusive of 15% disturbance allowance and 15% implementation costs. Details of the compensation amounts are presented in Annex 2.

14.0 CONCLUSION

In this RAP a number of key principles have been followed which include the following:

- Minimising compensation needs by ensuring that the Distribution Line is confined to the Road Reserve and along the present Road alignment;
- Removing relocation of people by bypassing the line through the Road Reserve;
- Where the line targets a cultural site or grave, it has been diverted to avoid impacting on cultural sites;

Key stakeholders have been involved in the study and will be involved in the compensation exercise; Prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project (in line with the requirements under OP 4.12) is recommended for its successful implementation

1111

1111