Kampala Jinja Expressway PPP Project, Republic Uganda
Resettlement Action and Livelihood Restoration Plan (RLRAP) Summary

Annexure to the ESIA Summary

Project Title: Kampala Jinja Expressway PPP Project
Project Number: P-UG-DB0-023
Country: Republic of Uganda
Department: PICU
Division: PICU1
Project Category: 1
Date: June 2018

1. INTRODUCTION

The African Development Bank is considering a financial support for the Phase 1 of the Kampala – Jinja (KJE) PPP Project which consists of a limited access tolled expressway from the Central to the Eastern Regions of Uganda in East Africa. The overall project (which includes Phases 1 and 2) comprises the Kampala Jinja Expressway Mainline from the capital city of Kampala to the town of Jinja in the east and the Kampala Southern Bypass (KSB) (See Plate 1 in Annexure of the ESIA Summary).

This RLRAP Summary Report highlights the key social impact assessments and management plans designed by the Government of Uganda (represented by UNRA) to ensure the proposed project component activities comply with national and the African Development Bank’s E&S policy requirements (Integrated Safeguard System- ISS) namely Operational Safeguard 2.

2. POLICY LEGAL AND ADMINISTRATIVE FRAMEWORK

The RLRAP implementation shall be guided by laws, legislation, regulations, and local rules governing the use of land and other assets in Uganda and AfDB’s Integrated Safeguards System (ISS) and the Involuntary Resettlement Policy (2003). The legal and institutional framework include the following:

- Constitution of the Republic of Uganda (1995);
- Land Act Cap 227 and Regulations (2004);
- Land Amendment Act (2010);
- Local Government Act Cap 243;
- Land Acquisition Act Cap 226;
- National Land Policy (2013);
- Roads Act (1964); and
Specific attention shall be paid to the follow areas which represent gaps between the national and AfDB’s ISS requirements;
- Recognizing tenants to have some kind of entitlement
- Replacement value of affected properties (on a like for like or better premise)
- Providing attention to vulnerable groups
- Monitoring the performance of Involuntary Resettlements
- Consultation of Stakeholders (including host communities if any)
- Bank’s recognizing encroachers as PAPs with entitlement

3. Project Description
The proposed AfDB’s financing support is only for the Phase 1 of the KJE PPP Project. The Phase 1 (see Figure 3.1 below) consist of the following components;
- development of the first section (35 km) of the Kampala-Jinja Expressway (KJE) from Kampala to Namagunga and;
- the Kampala Southern Bypass (KSB) (18 km) both of which are expected to be completed by 2023.

Figure 3.1: Technical Design Layout for the Phase 1 of the KJE PPP Project

4. SOCIO-ECONOMIC BASELINE INFORMATION
The Project is located in southeast Uganda, situated mainly to the east of the capital city of Kampala and to the north of Lake Victoria, which is the largest lake in Africa by area. The Project area stretches across two of the four main administrative regions in Uganda; the Central and Eastern Regions. Within these two Regions, the Project Right Of Way (ROW) intersects the four administrative districts of Kampala City; Wakiso District; Mukono District; and Buikwe District.
Data from 2018 Census Surveys of households within the Project Right-of-Way (ROW), indicated that an estimated of 29,983 occupants belonging to 6,177 households were living within the ROW. Just over half of this population are female. In terms of age distribution, occupants aged 18-60 were the largest group by age, comprising 14,992 (50%) of occupants. Occupants aged less than 18 years were accounted for 14,092 (47%) of occupants. Census data indicated that 92% of household heads were not born within their residing community and had migrated to the area, most of which were from rural Uganda or smaller cities, such as Jinja.

The most common household size was 5-7 members (34% of households), which is higher than the national average of 4.7. The 2018 Census Survey data indicated that the population density within the urban and peri-urban areas of Nakawa Division and to a lesser extent, Kira Municipality and Ssabagabo-Makindye Sub-county, greatly exceeded the national average population density of 173 persons per km². In these areas, population density exceeded 1,000 occupants per km². This accounts for more than 80% of the population situated in the ROW, being concentrated within the Nakawa Division and Kira Municipality.

Socio-economic data indicates that Buganda is to be the most common ethnic group within the ROW. Other ethnic groups present within the ROW are the Banyankole, Bakinga, Japadhola, Basoga and Banyarwanda among others. Along the Project alignment, Luganda the is most commonly spoken language, however other languages are present, and their use varies regionally. The 2018 Census Survey data indicates that Christianity is the main practiced religion, followed by Islam.

2018 Census Survey data indicated that 20,190 (67%) of occupants belonging to 3,975 households had an average income less than 216,000 UGX per month, which is equivalent to the International Poverty Line of USD$1.90 per day. 12,921 (43%) of the population reported an average householder income of less than half of this amount, living on less than 101,000 UGX per month. The 2018 Census Survey data also indicated that 96% of surveyed household heads had some form of education. Education levels were relatively higher on the KSB section of the alignment.

Census data indicated that an estimated 2,965 households reported to be owner-occupied with legitimate land title, 309 claimed to be owner-occupied with no title, and 2903 claimed to be non-owner-occupied, either renting or caretaking a residence. The majority of residences identified within the ROW are small (with areas <0.004 ha), permanent structures roofed with iron sheets. Informal settlements and wetland areas are dominated by semi-permanent and temporary structures.

Vulnerable Groups

Vulnerable groups are people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be limited in their ability to claim or take advantage of development benefits. Key vulnerable groups for the Project include poor households, household with no ownership and the landless (including those in informal settlements), as well as female headed households. A significant number of elderly or physically disabled residents are also present along the alignment.

5. Potential Impacts from Displacements and Loss of Livelihood

5.1 Loss of Land and Assets

Land acquisition for the Project ROW will result in a loss of approximately 593.5 ha of land, including 476.9 ha as a result of the KJE alignment from Kampala to Namagunga, and 116.6...
ha as a result of the KSB alignment. The main type of land affected by the Project is agro-pastoral land (138 ha; 29%), all of which is located along the KJE alignment, largely within Mukono District (128.3 ha), and to a lesser extent, in Buikwe and Wakiso Districts. Loss of agro-pastoral land is likely to have associated impacts on local livelihoods through the loss of land for subsistence agriculture and livestock grazing.

The most significant impacts of land loss are expected to occur as a result of the loss of settlement land during Project land acquisition. Approximately 120.2 ha (20%) of land cover is settlement land which will be impacted as a result of the Project ROW; 68.9 ha in KJE, and 51.4 ha in KSB.

Within the Phase 1 Project ROW, 8105 structures were identified via recent September 2017 high-resolution satellite imagery and ground truthing. The KJE alignment will result in a loss of approximately 4,488 structures within the ROW. The vast majority of structures are within the first 10 kilometres of the KJE, located in the Nakawa Division and Kira Municipality of the Kampala and Wakiso districts respectively. These built-up areas consist of housing, shops and industrial facilities. A total of 3505 of these assets are considered to be houses with the majority, 60.3 per cent, listed as small residences. Along the KSB alignment, approximately 3617 structures were identified using recent September 2017 satellite imagery, the majority of which were small and small-medium sized structures sized <0.08 ha. 344 Large industrial structures (area >0.016 ha) were additionally identified.

5.2 Displacement of People

2018 Census Survey data incorporated with spatial analysis of recent high-resolution satellite imagery indicates that the total population estimated to be displaced by the Project and requiring relocation is 29,983 belonging to 6,177 households.

Various residential zones are located along the alignment, including owner-occupied houses with legitimate land title, tenanted houses and rooms, and informal settlements that are not legally owned and do not qualify for compensation under Ugandan Law. It is difficult to categorically identify all legally occupied households within the alignment as Census responses are not always accurate. However, Census data indicates that 54% of households within the alignment are not owner-occupied or do not possess legitimate land title, and therefore are not eligible to receive compensation for their land or assets. A significant proportion of these people are likely to be from informal settlement areas and thus may require special consideration to ensure appropriate compensation and resettlement.

5.3 Affected Businesses

Based on spatial analysis and 2018 Census Survey data, 5,378 businesses are estimated to be within the Project ROW. 65% of these businesses are informal sole-traders and small enterprises employing 1-2 people, the majority of which deal in residential rentals, and ready-made and raw foods. Of the major and prominent businesses identified within the Project ROW, 86 major businesses are situated along the KJE ROW and 17 major businesses along the KSB ROW would be affected by either having a business structure/ facility within the ROW, or via major access restrictions to a business premises.

5.4 Affected Public Assets

A number of public assets are anticipated to be affected by the KJE and KSB alignments. A total of 155 public assets are expected to be impacted including the following categories:

- Health Centre (Medical Clinics, Dentists etc.);
- Places of Worship (Churches, Mosques, Shrines);
o Water Points/Sources (Taps, Wells, Springs, Bores, Pumps etc.);
o Education Centres (Schools, Nurseries and Higher Education);
o Gravesites;
o Utilities (Transmission lines, Drainage);
o Community Centres;
o Recreational Centres (Soccer fields, Netball Courts, Playgrounds etc.);
o Police Posts/Stations;
o Pedestrian Overpasses; and
o Public Toilets.

5.5 Livelihood Restoration Strategy

The primary livelihood restoration strategy adopted for the Project is to conduct cash compensation for losses of physical assets incurred by Affected Persons based on the standard compensation methodology adopted by UNRA for road projects in Uganda (including a disturbance allowance), with additional livelihood restoration initiatives implemented depending on the particular circumstances of the Affected Persons to ensure that the international standard requirements are achieved for the Project. These initiatives will assist in ensuring that the necessary financial and human resources are available to address the impacts and risks to livelihoods affected by the Project. Vulnerable groups are also specifically considered in the approach to providing livelihood restoration.

5.5.1 Cash Compensation

The densely populated, urban context of the Project combined with its linear nature and limited availability of vacant land of reasonable proximity and/or quality to the land that will be acquired for the Project, means that cash compensation is an appropriate approach for the setting. This has also been supported by the majority of Affected Persons surveyed to date over compensation in kind. Key reasons reported include:

o Freedom to choose a preferred new location, size and quality of the land;
o Valuation of land along the road will be based on open market value for comparable land in the subject locations.
o Having cash compensation enables Affected Persons to buy larger and cheaper pieces of land, and build a better house elsewhere than having physical replacement of land equivalent to the advantage of the previous one;
o Cash compensation creates opportunity to bargain for the same piece of land and invest the savings in enterprise-based livelihoods; and
o A perception that the amount of time required for the physical resettlement process starting with identification and preparation of new suitable land and accommodation will be lengthy and less efficient for the Affected Person and for development of the expressway.

The cash compensation approach is consistent with UNRA policy and approach to compensation and livelihood restoration implemented for other similar projects in Uganda.

5.5.2 Additional Livelihood Restoration Measures

The key principles of the approach of providing additional livelihood restoration measures are:

o Eligible Affected Persons will receive compensation and livelihood restoration measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. In some circumstances this will require additional measures beyond cash compensation;
As the Project will have differing socio-economic impacts in different areas of the alignment depending on land utilization and land titling, livelihood restoration approaches will be adapted to the different circumstances of the Affected Persons.

- Affected Persons who stand to lose part of their productive land will not be left without a means to sustain their current standard of living, for example through provision of compensation and other livelihood restoration measures;
- Particular attention will be paid to the needs of the poorest Affected Persons, and socially and economically vulnerable groups. This may include those without legal title to the land or other assets, households headed by females, the elderly or disabled, and other vulnerable groups, such as people living in extreme hardship; and
- For severely affected people sustainable livelihood restoration measures will be identified in consultation with the Affected Persons.

As above, the approach to livelihood restoration will be adapted for different areas of the alignment depending on land utilization and land titling arrangements. The differing socio-economic categories for implementation of additional livelihood restoration measures can be separated into eight broad zones as follows:

1) Formal and titled settlement areas - Characterised by suburban housing.
2) Informal settlements - Settlement areas where occupants have no legal title.
3) Non-wetland agricultural areas - Characterised by farming land that has legal title.
4) Wetland agricultural areas - Intensive agricultural areas within wetlands.
5) Industrial zones and large businesses - Characterised by urban industrial land and large businesses.
6) Small and informal business areas - Characterised by small businesses that may or may not have a legal structure. It includes market areas such as the Nakawa Market.
7) Public land and public facilities - This is predominantly roads and some minor public infrastructure.
8) Wetland areas with little or no infrastructure or economic activity - These are wetland areas that are owned by the Government of Uganda. Settlements on this land is illegal and activities are restricted.

6. Eligibility and Entitlements

The following eligibility criteria have been established in accordance with Ugandan Laws and OS 2:

1) People who have formal and informal occupancy rights within or partially within the Project Right-of-Way (ROW) by cut-off date;
2) Land owners under Bibanja or Mailo within the ROW by cut-off date;
3) People who do not have recognised ownership or occupancy rights (e.g. squatters and the landless) within the ROW by cut-off date;
4) People whose houses, structures and livelihoods will be affected by the development of the expressway by cut-off date;
5) People who have allocated land (through the communally acceptable ways) for activities such as cultivation (e.g. share croppers) and their crops or trees, that will be removed or damaged due to land acquisition activities by cut-off date;
6) Any other group of persons that have not been mentioned but are entitled to compensation according to Ugandan Laws.

Based on Ugandan Law and ISS, the following Entitlement Matrix will be applied to the Project (see Table 6 1).
### Table 6.1 Proposed Entitlement Matrix

<table>
<thead>
<tr>
<th>Type</th>
<th>Affected Persons</th>
<th>Potential rights</th>
<th>Entitlement Recipient</th>
<th>Eligible Criteria</th>
<th>Proposed Entitlements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impacted Asset</td>
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<tr>
<td>Residential property</td>
<td>Property owner (including temporary or seasonal dwellings)</td>
<td>- Legal rights (Freehold and Mailo) - Bibanja traditional ownership - Gender ownership rights</td>
<td>- Individuals - Households</td>
<td>- Included in the census prior to cut-off date; - Evidence of legal title; - Written evidence of ownership; - Evidence or community agreement that the Affected Person owns the residential property</td>
<td>Compensation at full replacement cost. Where resettlement is preferred indicated option by Affected Persons, further consultation to determine options including: - Assistance finding new property; - Cost of acquiring residential property of similar or better quality; - Livelihood restoration. 15% disturbance allowance of Affected Person’s compensation amount.</td>
</tr>
<tr>
<td></td>
<td>Tenants</td>
<td>- Bibanja owner - Registered land owner - Occupation rights - Gender ownership rights</td>
<td>- Bibanja owner - Registered land owner - Tenant</td>
<td>- Included in the census prior to cut-off date; - Contracts Act (2010) or Landlord and Tenants Act</td>
<td>Minimum 6 months’ rent-free period from date landlord receives compensation for his/her premises. 15% disturbance allowance of Affected Person’s compensation amount. Assistance in finding new accommodation. Livelihood restoration where appropriate.</td>
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<tr>
<td></td>
<td>Squatters</td>
<td>- Occupation and livelihood use - Gender ownership rights</td>
<td>- Occupant (illegal)</td>
<td>- Included in the census prior to cut-off date; - Agreement on occupation rights for livelihood purposes (to be distinguished from opportunistic squatting in advance of the project compensation or development process).</td>
<td>Full replacement cost of structures and improvements to the land. Assistance finding new accommodation. 15% disturbance allowance of Affected Person’s compensation amount. Livelihood restoration support.</td>
</tr>
<tr>
<td>Type</td>
<td>Affected Persons</td>
<td>Potential rights</td>
<td>Entitlement Recipient</td>
<td>Eligible Criteria</td>
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</tbody>
</table>
| Non-residential property | Individual or household | - Legal rights (Freehold and Mailo)  
- Bibanja traditional ownership  
- Gender ownership rights | - Individual or household | - Included in the census prior to cut-off date;  
- Agreement on occupation rights for livelihood purposes (to be distinguished from opportunistic squatting in advance of the project compensation or development process). | Compensation based on District Land Board rates with consideration for type of materials, condition and age and negotiated by Chief Government Valuer and Affected Person.  
15% disturbance allowance of Affected Person’s compensation amount.  
Livelhood restoration support. |
| Community assets and infrastructure | Community | - Legal rights  
- Customary ownership | - Chief or representative selected by affected community, and surrounding community | - Agreement that infrastructure or asset is within community land or under the control / management of the community | Compensation to facilitate relocation process in accordance with cultural norms  
Restoration or replacement of infrastructure and community facilities (e.g. water wells, schools, health) |
| Commercial property | Business owners | - Business owner (individual, households, groups, informal and formal market stall owners, companies, etc.) | - Business owner (Individual, households, groups) | - Included in the census prior to cut-off date;  
- Legal registration as a business in government system  
- Community agreement of usage rights of business structure (including for informal businesses) | Compensation for re-establishing commercial activities elsewhere, lost net income during transition period, cost for transfer and reinstalation of the structure / equipment.  
Replacement property (e.g. agriculture, commercial sites, etc.) of equal or greater value, OR cash compensation at full replacement cost.  
15% disturbance allowance of Affected Person’s compensation amount. |
| Crops | Individual or household | - Ownership rights | - Individual or household | - Included in the census prior to cut-off date;  
- Community confirmation of individual’s ownership | Compensation for crops as estimated by Chief Government Valuer (using current market value) for livelihood dependent crops.  
Crops and trees that cannot be harvested within the quit notice period.  
If applicable, agricultural improvement training / assistance. |
| | Sharecroppers | - Bibanja rights | - Individual or household | - Included in the census prior to cut-off date;  
- Community confirmation of sharecropping | Compensation for crops as estimated by Chief Government Valuer (using current market value) for livelihood dependent crops.  
Crops and trees that cannot be harvested within the quit notice period. |
<table>
<thead>
<tr>
<th>Type</th>
<th>Affected Persons</th>
<th>Potential rights</th>
<th>Entitlement Recipient</th>
<th>Eligible Criteria</th>
<th>Proposed Entitlements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural heritage sites</td>
<td>Individual, household, community</td>
<td>- Customary rights</td>
<td>- Individual, househo</td>
<td>- Agreement that site falls within the land of individual, household or community</td>
<td>If applicable, agricultural improvement training / assistance. 15% disturbance allowance of Affected Person’s compensation amount.</td>
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<td>or community leader /</td>
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<td>Avoid or minimise impact on cultural heritage sites</td>
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<td></td>
<td></td>
<td></td>
<td>representative</td>
<td></td>
<td>Compensation and / or relocation in accordance with cultural norms and regulatory requirements (the latter in the case of exhumation)</td>
</tr>
<tr>
<td>Public infrastructure and utilities</td>
<td>Government of Uganda, utility/infr</td>
<td>- Legal owner</td>
<td>- Individual or group</td>
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<td>Compensation for facility relocation costs where applicable.</td>
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<td>franchise owners</td>
<td>- Legal operator</td>
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<tr>
<td>Impacted Land and Livelihoods</td>
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<tr>
<td>General - permanent land acquisition</td>
<td>Individual, household, community, business</td>
<td>- Legal rights</td>
<td>- Individual, household, community, business owner</td>
<td></td>
<td>Compensation at open market value. For Bibanja agreements, compensation: 70% to Bibanja owner and 30% to the registered land lord of established market value. For Affected Persons preferring replacement land or equal or better potential and secure land tenure. Support in identifying and securing such land. Livelihood restoration assistance. 15% disturbance allowance of Affected Person’s compensation amount.</td>
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<td></td>
<td></td>
<td>- Bibanja rights</td>
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<td></td>
<td></td>
<td>- Usage rights</td>
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<tr>
<td>General - temporary land acquisition</td>
<td>Individual, household, community, business</td>
<td>- Legal rights</td>
<td>- Individual, household, community, business owner</td>
<td></td>
<td>Restoration and rehabilitation of the temporary acquired land after project construction, where possible progressive rehabilitation of temporarily acquired land should be conducted. 15% disturbance allowance of Affected Person’s compensation amount. Alternative livelihood support.</td>
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<td></td>
<td></td>
<td>- Bibanja rights</td>
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<tr>
<td></td>
<td></td>
<td>- Usage rights</td>
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</tbody>
</table>

**RAP Summary**

**Kampala Jinja Expressway PPP Project, Uganda**
<table>
<thead>
<tr>
<th>Type</th>
<th>Affected Persons</th>
<th>Potential rights</th>
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<th>Proposed Entitlements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Land</td>
<td>Individual or household</td>
<td>Legal rights</td>
<td>- Head of household or family</td>
<td>- Legal title or agreement (freehold or Bibanja); &lt;br&gt;- Cultivation of land in the past recent years</td>
<td>Cash compensation at market value of land of equal productive use or potential located near the affected land, plus the cost of preparation to levels similar to or better than those of the affected land, and transaction costs such as registration and transfer taxes. &lt;br&gt;Compensation for improvements on the land including irrigation structures, etc. &lt;br&gt;Secure land tenure where replacement land is preferred and possible. &lt;br&gt;Salvage of all crops on land, prior to expropriation. &lt;br&gt;Livelihood restoration (e.g. training) with special consideration of vulnerable groups. 15% disturbance allowance of Affected Person’s compensation amount.</td>
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<td></td>
<td>Village or community ownership</td>
<td>Customary or legal community ownership</td>
<td>- Chief or community leader</td>
<td>- Agreement that the affected land is within the land of the affected village &lt;br&gt;- Confirmation by Government Surveyor / Valuer</td>
<td>Compensation based on: equal potential of land or value with consideration for maintaining pre-acquisition quality of life.</td>
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<td></td>
<td>Host community</td>
<td>Customary or legal community ownership</td>
<td>- Chief or community leader</td>
<td>- Land in the host community used for resettlement/replacement land</td>
<td>Preferred compensation determined by the affected community and negotiated with the Chief Government Valuer; &lt;br&gt;Quality of life of host community cannot be negatively impacted; &lt;br&gt;Community development programs for host community to assist with increased pressure on natural resources and social infrastructure (e.g. health facilities, schools, water wells, road improvements, etc.).</td>
</tr>
<tr>
<td>Forest land and forest products</td>
<td>Individual or household</td>
<td>Rights under community usage</td>
<td>- Individuals and households</td>
<td>- Agreement on individual or household’s use of forest and forest products</td>
<td>Included in community compensation process (see below) 15% disturbance allowance of Affected Person’s compensation amount.</td>
</tr>
<tr>
<td>Type</td>
<td>Affected Persons</td>
<td>Potential rights</td>
<td>Entitlement Recipient</td>
<td>Eligible Criteria</td>
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<tr>
<td>Community</td>
<td>- Customary community ownership</td>
<td>- Chief or community leader</td>
<td>- Agreement that the forest land is within the land the affected village</td>
<td>Community compensation negotiated with the Chief Government Valuer, quality of life cannot be negatively impacted. Compensation to consider loss of income and livelihood derived from timber and non-timber forest products.</td>
<td></td>
</tr>
<tr>
<td>Government of Uganda</td>
<td>- Legal ownership</td>
<td>- Not applicable</td>
<td>- Not applicable</td>
<td>Not applicable</td>
<td></td>
</tr>
<tr>
<td>Fishing resources (natural and assets)</td>
<td>Individual, household, community</td>
<td>- Rights under community usage</td>
<td>- Individual, household or community leader / representative</td>
<td>Compensation as determined through community consultation and Chief Government Valuer. Livelihood restoration support (e.g. aquaculture). 15% disturbance allowance of Affected Person’s compensation amount.</td>
<td></td>
</tr>
<tr>
<td>Business owner</td>
<td>- Legal rights</td>
<td>- Business owner</td>
<td>- Included in the census prior to cut-off date;</td>
<td>Access to alternative area with similar potential provided by GoU. Compensation for temporary loss of profit. 15% disturbance allowance of Affected Person’s compensation amount. Livelihood restoration support.</td>
<td></td>
</tr>
<tr>
<td>Vulnerable Groups</td>
<td>Individual, household, groups</td>
<td>- Ownership, occupancy or use rights</td>
<td>- Vulnerable groups (e.g. women, women headed households, child headed households, elderly, disabled or otherwise disadvantaged or marginalised groups</td>
<td>All entitlements described in this matrix with additional support and assistance (e.g. longer transition period, etc.) Training, capacity building and livelihood restoration modified to the need and type of vulnerability. This may include additional training and support. Resettlement offices in each location to recruit at least one female worker to deal with women’s affairs in the resettlement process.</td>
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</tbody>
</table>
7. Consultation, disclosure and public participation
Public participation and consultation has been conducted with different stakeholders in other to provide project information, and share their views with regard to the proposed project design as part of both the ESIA and RLRAP. This includes;
- Consultations with Government officials at the division, district and Parish/Zone levels (as appropriate), as well as KCCA and local leaders;
- Consultations and workshops with the private sector, civil society organisations, NGOs;
- Structured questionnaires were used to interview Affected Persons to collect information on their livelihood status and other socio-economic aspects of the local community. Both men and women participated in the questionnaires. Questionnaires also aimed to identify vulnerable persons in each household surveyed;
- Focus group discussions and key information interviews with local communities, with specific attention paid to vulnerable groups to enable them to actively participate in engagement activities and;
- Baseline census of Affected Persons was conducted by field teams of specialists comprised of a social team, surveying team and valuation team. The surveying team identified potentially affected people first and marked out the road corridor as well as any affected land and assets. The valuation team then counted and valued all the affected land and assets as per the established RLRP methodology. Lastly, the social team conducted surveys to collect socio-economic baseline data.

A summary of stakeholders and their relevance are included in Table 7.1 below;

Table 7.1: Categories of Stakeholders consulted

<table>
<thead>
<tr>
<th>Category</th>
<th>Group</th>
<th>Type of Stakeholders</th>
</tr>
</thead>
</table>
| Communities                           | Affected communities / persons | Affected communities: Defined as towns, villages, and wards affected by loss of land/assets (or access to land/assets), noise and dust impacts; surrounding villages; host communities for Project resettlement.  
Affected Persons: Consists of persons who would be affected by loss of land/assets/livelihoods (or access to land/assets/livelihoods) due to the Project. This includes displaced residents that will need to be relocated.  
Villages or groups of households losing joint / community assets: This consists of groups or individuals in villages with communal land affected by the Project. Examples of community assets expected to be disturbed by the Project include worship sites, burial sites, cemetery, etc.  
Vulnerable groups (as per AfDB definition): This consists of vulnerable people potentially disadvantaged by the Project, including minority groups, the landless, those living below the poverty line, sickly or handicapped, the elderly, the landless, female headed households, disadvantaged children (i.e. orphans, homeless), marginalised social groups, etc. |
| Host and surrounding communities      | Surounding towns, settlements and villages that may host relocated Affected Persons or have some interest or influence on the Project. |
| Businesses, community facilities and utility/infrastructure owners | Affected businesses | Small, medium or large businesses that will have an indirect or direct loss of land / assets or income due to the Project. |
|                                        | Affected community infrastructure owners | Owners of community buildings or facilities including schools, churches, medical facilities, markets and recreational facilities which may be directly or indirectly affected by the Project. |
|                                        | Affected utility/infrastructure owners | Government-owned or private utility/infrastructure owners directly or indirectly affected by the Project, including for railways, telecommunications, electricity and water distribution, power transmission, local roads, flyovers, and sewerage facilities. |
Most stakeholder feedback and concerns related to ensuring that Affected Persons are adequately and promptly compensated. The private sector stakeholders were primarily concerned with ensuring compensation for businesses affected (including impacts on access) and the potential for disruption of utility services for businesses. Consultations with villages and businesses affected by the Project have also allowed them to provide input into the development of livelihood restoration strategies for the Project through identifying key priorities.

Key concerns voiced during the consultations for the RLRP for the Project included:
- Unfair or inconsistent compensation;
- Compensation provision after changes to ROW and inclusion/exclusion of previously affected properties;
- Entitlement criteria and whether structures would be compensated at full replacement costs;
- Potential for property damage outside of the Project Footprint during construction after compensation has been paid and eligibility for additional compensation;
- Compensation for squatters and illegal settlers;
- Compensation for impacts upon accessibility;
- Delayed or slow delivery of entitlements; and
- Questions related to grievance options and process.

8. Implementation Arrangements
The realisation of a successful resettlement, livelihood restoration and compensation program will require the full participation of UNRA in collaboration with government authorities at the local council and local government levels. The implementation of the RLRP will be the overall
responsibility of UNRA through its RLRP Implementation Unit which will be responsible for overseeing and monitoring implementation of the RLRP for the Project. The institutional framework governing this RLRP is based on frameworks previously employed in Ugandan road development projects.

A summary of implementation activities, responsibilities and schedule is presented in Table 9.1 RLRP implementation has already commenced through public consultations and completion of the Baseline Census and Inventory of Loss.

8.1 Roles and Responsibilities

8.1.1 KJE Livelihood and Resettlement Action Plan Implementation Unit

UNRA will be tasked with establishing the KJE Livelihood and Resettlement Action Plan Implementation Unit (LRIU) which will be in charge of implementing the RLRP. To assist with implementation, UNRA may contract an independent consultant. At minimum, the core LRIU should comprise: Land surveyor, Asset valuer, Accountant, Qualified sociologist, Legal team, Client care and community liaison officers, Data managers. Districts and lower local governments may also be involved in the capacity of witnessing the implementation process. Where required, a technical officer from the District Land Board Office will be available to answer questions from Affected Persons regarding the legalities and process. The LRIU will be responsible for:

- Planning and implementation of entitlements;
- Coordination between the agencies and jurisdictions involved in RLRP implementation;
- Establishing on the ground resettlement offices;
- Establishment and coordination of the RLRP Implementation Advisory Committee;
- Establishment and coordination of the Grievance Management Committees (District-level);
- Establishment and coordination of the Community Based Grievances Management Committees (CBGMSs) (Village-level);
- Recruitment of Community Liaison Officers;
- Conducting consultations with affected communities;
- Verification and public disclosure of entitlements;
- Grievance resolution;
- Monitoring; and
- Reporting on the progress of the RLRP to senior management, Project donors and supervising agencies.

8.1.2 RLRP Implementation Advisory Committee

A RLRP Implementation Advisory Committee should also be established. The committee will be composed of local government authorities and specialists or opinion leaders from the jurisdictions affected by the Project that are familiar with the Project, affected communities and can assist with the monitoring. The committee will be comprised of:

- Division / Subcounty / Municipality/ District local government,
- Local council leaders,
- Civil society or NGO representative, and
- Opinion leaders.
8.1.3  Project Implementation Unit
A Project Implementation Unit (PIU) will be established by UNRA’s senior management to support Project implementation and monitoring. Key responsibilities include:

- Maintenance, update and dissemination of information on PPP Policies, regulations and procedures;
- Development of operating procedures, guidelines and standardised documents within UNRA for PPP Projects;
- Participation in the procurement of Consultants and Transaction Advisors in PPP Projects;
- Due diligence during feasibility studies and throughout project preparation phases including seeking various approvals;
- Risk management and compliance monitoring;
- Quality control and consistency during project development;
- Monitoring and reviewing deliverables from Consultants and Transaction Advisors;
- Coordination with PPP entities and subsequent coordination with other government agencies;
- Public consultation and provision of information to public and private parties; and
- Project Monitoring systems and Contract Management during implementation of PPP projects.

The PIU is intended to provide oversight and a support supervisory role for the LRIU to ensure that the RLRP implementation is planned and executed efficiently and effectively. The PIU team should comprise the following members:

- Team leader/ PPP Specialist,
- Traffic/ Transportation Engineer,
- Highway Engineer,
- Legal Expert,
- PPP Procurement Expert,
- Financial Analyst,
- Environmental Specialist,
- Social Development Specialist,
- Customer Liaison Officer,
- Monitoring and Evaluation Specialist,
- Occupational Health and Safety Specialist.

8.1.4  Government Agencies
UNRA should work in collaboration with the national government agencies to ensure RLRP implementation is efficient and consistent with relevant strategies (e.g. National Shelter Strategy (1992), National Slum Upgrading Strategy (2008)) and policies. The agencies include:

- Ministry of Lands, Housing and Urban Development (MLHUD),
- Ministry of Water and the Environment (MWE),
- Ministry of Local Government (MLG),
- Ministry of Gender, Labour and Social Development,
- Ministry of Finance, Planning and Economic Development
- National Forestry Authority
- National Environment Management Authority (NEMA),
- Kampala Capital City Authority (KCCA), and
- National Water and Sewerage Corporation (NWSC).
8.1.5 Non-Government Organizations

Given the extent of the Project in terms of its length and the number of jurisdictions it traverses, and diversity of livelihoods affected, NGOs will play a key role in assisting with livelihood restoration. This will be in the form of administering livelihood restoration measures such as training, as well as capacity building and monitoring.

Prior to allocation of entitlements, suitable NGOs will be identified that are familiar with the social and environmental context of affected areas and have experience in livelihood restoration and training. Organizations such as ACTogether and Slum Dwellers International Federation (SDI) already work on improving tenure security for the urban poor through implementation of the Social Tenure Domain Model (STDM) in informal settlements within divisions of Kampala Capital City Authority as well as municipalities and sub-counties in Wakiso and Mukono (Un-Habitat/MLHUD, 2016). Such organizations could contribute valuable knowledge and expertise in livelihood restoration.

9. Implementation schedules

A summary of implementation activities, responsibilities and schedule is presented in Table 9.1. RLRP implementation has already commenced through public consultations and completion of the Baseline Census and Inventory of Loss. Implementation of the RLRP will be completed in stages depending on the alignment section.

Table 9.1: Categories of Stakeholders consulted

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Responsible</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completion of Baseline Census / Inventory of Loss</td>
<td>100% of Affected Persons to be surveyed, including both owners, tenants and those without any assets or ownership status e.g. squatters and the landless. 100% of businesses and public assets</td>
<td>UNRA</td>
<td>Completed May 2018</td>
</tr>
<tr>
<td>Resettlement and Livelihood Restoration Plan submission</td>
<td>Present document – to be reviewed by Government and donors.</td>
<td>Consultant</td>
<td>June 2018</td>
</tr>
<tr>
<td>Establishment of KJE Livelihood and Resettlement Implementation Unit</td>
<td>The LRIU will be in charge of implementing the RLRP.</td>
<td>UNRA</td>
<td>July 2018</td>
</tr>
<tr>
<td>Establishment of KJE Livelihood Restoration Initiatives Program (LRIP)</td>
<td>The LRIU will be in charge of implementing the LRIP.</td>
<td>UNRA</td>
<td>July 2018</td>
</tr>
<tr>
<td>Establishment of RLRP Implementation Advisory Committee</td>
<td>The Advisory Committee will be composed of local government authorities and specialists or opinion leaders that are familiar with the Project and can provide support in decision-making.</td>
<td>UNRA</td>
<td>July 2018</td>
</tr>
<tr>
<td>Establishment of KJE Livelihood and Resettlement Implementation Unit</td>
<td>The LRIU will support Project implementation and provide oversight to RLRP implementation.</td>
<td>UNRA</td>
<td>July 2018</td>
</tr>
<tr>
<td>Establishment of Other Committees</td>
<td>The LRIU will establish other Project committees including the Grievances Management Committees and CBGMC’s.</td>
<td>UNRA</td>
<td>July 2018</td>
</tr>
<tr>
<td>Employment of Community Liaison Officers (CLOs)</td>
<td>The CLOs will be in charge of addressing simple grievances from receipt of grievance to resolution.</td>
<td>UNRA</td>
<td>July 2018</td>
</tr>
<tr>
<td>Task</td>
<td>Description</td>
<td>Responsible</td>
<td>Schedule</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td>-------------</td>
<td>----------</td>
</tr>
<tr>
<td>Approval of Compensation Assessment</td>
<td>Approval from Chief Government Valuer</td>
<td>UNRA</td>
<td>To be completed in stages for each alignment section prior to compensation payment (before financial close September 2018)</td>
</tr>
<tr>
<td>Institutional capacity building</td>
<td>Institutional capacity building may include training activities, workshops, study tours and technical assistance</td>
<td>UNRA</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Verification and public disclosure of entitlements</td>
<td>Progressive public consultations to provide results of surveys/valuations</td>
<td>UNRA</td>
<td>To be completed in stages for each alignment section. All to be complete prior to land acquisition of each respective section.</td>
</tr>
<tr>
<td>Notice of payment prerequisites and schedules to Affected Persons</td>
<td>Information on compensation amounts and processes, requirements that Affected Persons must fulfil before payment is effected and payment timing will be communicated to Affected Persons</td>
<td>UNRA</td>
<td>To be completed in stages for each alignment section. All to be complete prior to land acquisition</td>
</tr>
<tr>
<td>Compensation payments to Affected Persons</td>
<td>All compensation payments will be made prior to land acquisition and through the designated bank accounts of Affected Persons</td>
<td>UNRA</td>
<td>To be completed in stages for each alignment section. All to be complete before September 2019</td>
</tr>
<tr>
<td>Relocation of Affected Persons (where relevant)</td>
<td>Relocation to new property or preparation of new land will be completed prior to acquisition of the existing property to allow the Affected Person(s) sufficient time to salvage materials and move.</td>
<td>UNRA and contractors (e.g. real estate agents)</td>
<td>To be completed in stages for each alignment section. All to be complete before December 2018</td>
</tr>
<tr>
<td>Delivery of livelihood restoration activities</td>
<td>Implementation of various measures including community-based income restoration measures (e.g. community infrastructure), individual livelihood restoration (e.g. credit facilities, employment) and training programs (e.g. financial literacy). Special focus on vulnerable groups.</td>
<td>UNRA and contractors (e.g. NGOs)</td>
<td>Ongoing until successful completion audit</td>
</tr>
<tr>
<td>Finalisation of land acquisition</td>
<td>Land will be acquired by the Project on completion of all compensation payments (including appeals) and resettlement (where relevant). Land will be vested in the Uganda Land Commission (ULC) and therefore available for use for public purposes.</td>
<td>UNRA</td>
<td>To be completed in stages for each alignment: Kampala-Namagunga: planned for December 2018 Kampala-Southern Bypass: Planned for December 2019</td>
</tr>
<tr>
<td>Monitoring</td>
<td>Internal monitoring: planning and implementation stage monitoring External monitoring: monitoring of transparency and adequacy of RLRP implementation processes (for completion audit see below)</td>
<td>Internal monitoring: RLRP Implementation Unit of UNRA External monitoring: Independent experts</td>
<td>Ongoing until completion audit</td>
</tr>
<tr>
<td>Reporting</td>
<td>Internal reporting: monthly Internal Monitoring Report External reporting: monitoring report (for completion audit report see below)</td>
<td>Internal reporting: UNRA External reporting: Independent experts</td>
<td>Ongoing until completion audit</td>
</tr>
</tbody>
</table>
### 10. Costs and budget

UNRA have completed a detailed compensation assessment for the Project as required under Ugandan Law and UNRA policy. This has identified 9,320 individuals, families or entities requiring compensation for a total payment of UGX 704,943 million (USD 190.5 million) which includes a 15% disturbance allowance. Additional cost items include:

- A contingency for procurement totalling 15% of the UNRA cash compensation budget to cover severance and unforeseen compensation claims is prudent.
- A further amount for additional livelihood restoration initiatives is also required to ensure that livelihood restoration for the Project meets Ugandan and international standards. 25% of the UNRA cash compensation budget is allocated for this purpose.
- The additional livelihood restoration initiatives proposed for the KJE Phase I to complement the proposed UNRA cash compensation.
- A summary of the estimated compensation and livelihood restoration costs is provided in the table below.

<table>
<thead>
<tr>
<th>Compensation Estimates</th>
<th>Amount (UGX)</th>
<th>Amount (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation Estimate including 15% Disturbance Allowance</td>
<td>704,943,582,177</td>
<td>$190,525,292</td>
</tr>
<tr>
<td>Procurement Contingency (15%)</td>
<td>105,808,550,270</td>
<td>$28,596,905</td>
</tr>
<tr>
<td>Livelihood Restoration Initiatives (25%)</td>
<td>176,235,895,544</td>
<td>$47,631,323</td>
</tr>
</tbody>
</table>

**TOTAL COMPENSATION VALUE – KJE PHASE 1 PROJECT**

<table>
<thead>
<tr>
<th>Amount (UGX)</th>
<th>Amount (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>986,988,027,991</td>
<td>$266,753,521</td>
</tr>
</tbody>
</table>

a 1 USD = 3700 UGX

### 11. Grievance Redress Mechanism (GRM)

UNRA will consider and address stakeholder concerns, complaints and grievances through a formal Grievance Mechanism to ensure an open and transparent dialogue between the community and UNRA throughout the Project life cycle. Community participation is important in resolving disputes and helping the Grievance Management Committees to address such issues. In general, most grievances can be settled with additional explanation efforts and through adequate mediation using customary dispute settlement mechanisms as appropriate or locally assembled mediation committees.

The process aligns with UNRA’s Land and Asset Management Systems, but does not impede access to judicial or administrative remediation. UNRA’s existing grievance submission portal will continue to be used while ROWMIS will be used as the primary tool for registering and tracking grievances. The tool will capture details of the aggrieved person, nature of grievance, actions taken in response and timeframes, responsibilities, and any supporting communications and documentation. The comprehensive nature of the ROWMIS tool should ensure grievances are continually tracked for evaluation and managed appropriately through to resolution.
11.1 Project Grievance Redress Procedure
The main steps of the Project’s grievance redress process are outlined in Figure 11.1 as described below. The conflict resolution and grievance process should include provisions for informal and formal negotiations and mediation.

Figure 11.1 Project level GRM Procedure

Stage One – Grievance Registration and Documentation
The aggrieved party will present their complaint or grievance to their Village or Community Leader, UNRA appointed representative (CLO or Grievance Management Coordinator) or Grievance Management Committee/CBGMC. The complaint will be recorded in a Grievance Form and entered into the ROWMIS tool. Written confirmation of the logged complaint will be provided to the aggrieved party within 24 hours. The Grievance Management Coordinator should be notified to ensure the grievance is managed according to relevant guidelines. UNRA must ensure they are informed of all grievances and complaints in a timely manner. If after 15 days, the aggrieved party does not hear from UNRA or an appointed agent, or is not satisfied with the decision taken at this stage, the complaint may be brought to the Grievance Management Committee/CBGMC.

Stage Two – Grievance Processing
Upon receipt of the grievance, the Grievance Management Committee/CBGMC will categorize and address the grievance accordingly.

Stage Three – Resolution
The Grievance Management Committee/CBGMC has 15 days within which to resolve the complaint to the satisfaction of all concerned. If required, the Grievance Management Committee/CBGMC will meet with the aggrieved party. For resettlement and compensation related grievances, the Grievance Management Committee/CBGMC may consult with the Resettlement Advisory Committee for advice and may meet with the aggrieved party. The
Grievance Management Committee/CBGMC must make a written decision and submit copies to the UNRA Community Relations Department, External Monitoring Agency and aggrieved party within 30 days of the grievance submission. The Project resolution chain is as follows:

- Order 1: Description of first solution provided, both parties satisfied, close out by agreed timelines.
- Order 2: Case is not solved in the prescribed timelines, details of negotiation proceedings recorded, follow-up meetings completed and other stakeholders involved.
- Order 3: If case not solved by the involvement at Order 2, case addressed to court or any other form of redress. Dates may or may not be captured because this is external to UNRA.

If the aggrieved party is not satisfied with the decision taken, the complaint will be referred to the Ugandan Law Courts as a last resort. At this stage, the court will follow its procedures and subsequent appeals may occur at the local or national. However, the purpose of the Grievance Redress Procedure is to encourage grievances to be resolved or settled prior to this stage i.e. Order 1 or 2.

**Stage Four – Grievance Close Out**

The following information will be recorded and logged in ROWMIS:

- Grievance No.,
- Copy scanned and uploaded in UNRA system (to be automatically selected upon uploading),
- Project name and number,
- Type of grievance,
- Complainant provided with copy of the grievance?
- Date when grievance was first reported,
- Date when grievance was logged,
- Date when grievance was first attended to,
- Date of grievance resolution,
- Date when grievance changed order or escalated,
- Complainant details:
  - Name (surname and first name), sex, indication of vulnerability, profession, contact details, village, sub county, district, photo etc.),
  - GPS location of grievance (no., name of village, name of sub county, name of district) or precise residential address of impacted person (no., name of village, name of sub county, name of district).

**Stage Five - Reporting**

Reports containing a summary of the grievances reports should be provided weekly or monthly as determined by the Project. The grievance report will consist of the following main aspects:

- Type and number of grievances received, and their current status;
- Proportion of grievances resolved;
- Proportion of grievances logged by men, women, children, vulnerable groups;
- Proportion of outstanding grievances; and
- Measures to clear grievance backlog, and their planned timelines.

The report will assist with developing strategies for addressing reoccurring grievances. This also provides an opportunity to refine the grievance redress mechanism as part of the overall
resettlement and livelihood restoration program monitoring and evaluation process and ensure it is working adequately for all stakeholder groups.

11.2 Judicial Intervention
In collaboration with the GoU, UNRA will ensure a mechanism is in place to provide claimants following a judicial resolution process have access to a fair process that is compliant with national requirements and in keeping with international practice. This is important to ensure that any gaps in the judicial systems do not adversely affect the rights of Affected Persons or aggrieved parties, such as those from informal or rural settlements. The Resettlement Advisory Committee will need to ensure that the final resolution process respects international requirements for grievance management.

12. Monitoring and evaluation
Monitoring and evaluation (M&E) is essential to ensure successful implementation of the resettlement, livelihood restoration and compensation program. Monitoring and evaluation will ensure that the Development Partner Safeguards are adhered to, as well as ensuring the UNRA Land Acquisition and Management System (LAMS) specifications are followed. RLRP implementation will be closely monitored to provide an effective basis for assessing resettlement and livelihood restoration progress and identify potential difficulties and problems. The M&E program will consist of:

- **Internal monitoring:**
  - Performance Monitoring to ascertain the RLRP implementation milestones against quantifiable performance indicators;
  - Impact Monitoring to assess the lasting changes occurring as a result of RLRP implementation, against a baseline of prior conditions;
  - Social Impact Monitoring to monitor socio-economic changes;
  - Vulnerability Assessment Monitoring to determine RLRP implementation impacts upon vulnerability level; and
  - Grievance monitoring to record the number and gravity of grievances and conflict resolution.

- **External monitoring:** Independent resettlement and livelihood restoration monitoring and evaluation to be undertaken by a qualified independent party.

Internal monitoring and evaluation will be the primary responsibility of the RLRP Implementation Unit led by the unit’s sociologist. Monitoring will provide a periodic review and assessment of achievement of the RLRP’s objectives, changes in socio-economic indicators, restoration of living standards and livelihoods of Affected Persons, the organisational effectiveness, impact and sustainability of compensation entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning. Key reporting outputs will include:

- A monthly Internal Monitoring Report
- External Monitoring Reports prepared by the independent monitoring agency outlining audit findings of the RLRP implementation
- A competent, independent expert will prepare a final RLRP Completion Report summarising outcomes of evaluation indicators and indicating if the RLRP objectives have been reached.
13. Conclusions and Recommendations
The proposed project is important for the development of the broader economy of Uganda and the Project Affected Communities. It is acknowledge the land acquition process will leave to displacement (physical and economic) of people and/or assets requiring resettlement. This RLRAP summary highlights the management provisions which have been put in place to minimise the impact from the project related land acquisition process and/or compensate for the displacements requiring resettlement. While the overall objective of the project is noble, its positive impacts can be enhanced by ensuring that the identified PAPs are adequately compensated with the aim of improving or restoring their livelihoods to the pre-impact standards or better.

The following actions are strongly recommended to ensure effective implementation of teh RLRAP and minimise impact to the identified PAPs;

- It is recommended that no construction related activity shall be undertaken within the identified RoW resulting in displacement of PAPs without the relevant compensation payments. The project affected persons shall be given adequate notice, at least 3 months to surrender and remove their property from the proposed project prior to commencement of construction works within the affected Areas.

- Provision of budget for the acquisition of the RoW in the payment of compensation and resettlement of affected communities constitutes the greatest risk to the project implementation. Government of Uganda via UNRA to commit budget and secure RoW prior mobilization of contractors to site.
Annex I: KJE PPP Project.

Plate 1: The KJE PPP Project

REFERENCES AND CONTACTS


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