



Appendix G
Resettlement and Community
Development Action Plan

UGANDA ELECTRICITY TRANSMISSION COMPANY LIMITED

BUJAGALI ENERGY LIMITED

BUJAGALI INTERCONNECTION PROJECT

**RESETTLEMENT AND COMMUNITY DEVELOPMENT
ACTION PLAN**

Draft

Prepared for:

Uganda Electricity Transmission Company Limited
Bujagali Energy Limited
Kampala - Uganda

Prepared by:

Frederic Giovannetti
6 Rue François Mauriac
84000 Avignon – France
FredGiovannetti@aol.com

R.J. Burnside & Associates Limited
292 Speedvale Avenue West, Unit 7
Guelph ON N1H 1C4 - Canada

Rev.4 – 06 December 2006

Contents

EXECUTIVE SUMMARY	I
1 INTRODUCTION.....	1
1.1 PROJECT GENERAL BACKGROUND.....	1
1.2 BRIEF PROJECT DESCRIPTION.....	1
1.3 ASSOCIATED FACILITIES.....	2
1.4 SCOPE OF THIS DOCUMENT.....	17
1.4.1 The Social Documentation within the SEA	17
1.4.2 Scope of this Document.....	17
1.5 KEY DEFINITIONS.....	17
2 PROJECT DESCRIPTION AND ADJUSTMENTS TO MINIMIZE DISPLACEMENT IMPACTS	19
2.1 SUMMARY PROJECT DESCRIPTION.....	19
2.2 SUMMARY ROUTE DESCRIPTION.....	19
2.2.1 Bujagali to Owen Falls/Tororo connection.....	19
2.2.2 Kawanda Substation to Bujagali.....	27
2.2.3 Mutundwe-Kawanda	27
2.3 ROUTE OPTIMIZATION AND ADJUSTMENTS TO MINIMIZE DISPLACEMENT IMPACTS	27
2.3.1 Route Optimization (1998-2001)	27
2.3.2 2006 General Route Confirmation.....	28
2.3.3 Kawanda Substation Optimisation	29
2.3.4 132 kV Kawanda-Mutundwe Route Optimisation.....	35
3 LEGAL AND INSTITUTIONAL FRAMEWORK	40
3.1 INSTITUTIONAL FRAMEWORK	40
3.1.1 Central Level.....	40
3.1.2 Decentralized Level	40
3.1.3 Traditional Entities	41
3.2 APPLICABLE LAWS OF THE REPUBLIC OF UGANDA.....	41
3.2.1 Overview	41
3.2.2 The 1995 Constitution.....	41
3.2.3 The Electricity Act, 1999.....	41
3.2.4 The Land Act 1998	42
3.2.5 Land Tenure Regimes and Transfer of Land	43
3.2.6 Compulsory acquisition	45
3.2.7 Valuation and Compensation of Lost Assets	45
3.3 INTERNATIONAL REQUIREMENTS	45
3.4 GAP ANALYSIS	47
4 SOCIO-ECONOMIC BASELINE	49
4.1 INITIAL AESNP INFORMATION.....	49
4.2 2006 UPDATE.....	49
4.2.1 Methodology	49
4.2.2 Limitations	49
4.3 GENERAL BACKGROUND	50

4.3.1	Administrative Subdivisions.....	50
4.3.2	Land Use and Settlement	52
4.4	SUMMARY 2006 BASELINE SOCIO-ECONOMIC INFORMATION	53
4.4.1	General Demographic Information	53
4.4.2	Land Tenure.....	55
4.4.3	Livelihoods.....	56
4.4.4	Income (2000 Data)	57
4.5	PUBLIC SERVICES.....	58
5	PROJECT DISPLACEMENT IMPACTS	59
5.1	LIMITATIONS	59
5.2	MINIMIZING DISPLACEMENT IMPACTS.....	59
5.3	DEFINITION OF PROJECT-AFFECTED LAND.....	59
5.3.1	Categorization of Land Affected by the Project.....	59
5.3.2	Wayleave	59
5.3.3	Right-Of-Way	63
5.3.4	Kawanda Sub-Station.....	63
5.3.5	Temporary Land Needs for Construction Purposes.....	63
5.3.6	“Orphan” Land	63
5.3.7	Mabira Forest	63
5.3.8	Summary	63
5.4	IMPACT ON LAND.....	64
5.5	IMPACT ON STRUCTURES.....	64
5.5.1	Impact on Residential Structures	64
5.5.2	Impact on Other Structures	64
5.6	IMPACTS ON PEOPLE AND LIVELIHOODS.....	65
5.6.1	Physically Displaced People.....	65
5.6.2	Economically Displaced People	66
5.6.3	Total Number of Affected Households.....	66
5.7	IMPACT ON GRAVES AND CULTURAL SITES	66
5.7.1	Graves.....	66
5.7.2	Shrines and Other Cultural Features.....	66
5.8	SUMMARY OF PROJECT IMPACTS	67
6	COMPENSATION AND RESETTLEMENT STRATEGY	68
6.1	KEY PRINCIPLES.....	68
6.2	LESSONS LEARNT FROM PREVIOUS RESETTLEMENT AND COMPENSATION ACTIVITIES	68
6.3	ELIGIBILITY.....	69
6.3.1	Census.....	69
6.3.2	Cut-Off Date.....	69
6.3.3	Speculative Structures.....	69
6.3.4	Potential Claims Related with the Old Identification and Valuation Survey	70
6.3.5	Eligibility	70
6.4	OVERVIEW OF ENTITLEMENTS.....	70
6.4.1	Compensation and Resettlement Packages - An Individualised Approach.....	70
6.4.2	Summary – Entitlement Matrix	71
6.5	RESETTLEMENT PACKAGES.....	71

6.5.1	Resettlement Sites.....	71
6.5.2	Plot Pattern and Development.....	74
6.5.3	Resettlement Housing.....	74
6.5.4	Land Titles.....	75
6.5.5	Replacement Agricultural Land.....	75
6.5.6	Impacts on Host Communities	75
6.6	CASH COMPENSATION.....	76
6.6.1	Principles	76
6.6.2	Compensation Rates – Land	76
6.6.3	Compensation Rates - Structures	77
6.6.4	Compensation Rates - Crops.....	77
6.6.5	Compensation Rates - Moving.....	78
6.6.6	Disturbance Allowance.....	78
6.6.7	Salvaging	78
6.7	CONSULTATION WITH PAPS ON COMPENSATION OPTIONS.....	78
6.7.1	Option Disclosure at Sub-County and Village Level.....	78
6.7.2	Individual Disclosure Meetings	78
6.7.3	Local Cash Compensation Review Committees.....	79
6.8	LIVELIHOOD RESTORATION	79
6.8.1	Overview	79
6.8.2	Eligibility	79
6.8.3	Household Preference.....	79
6.8.4	Agriculture Enhancement.....	80
6.8.5	Training and Business Support	80
6.9	PAYMENT	80
6.9.1	Principles	80
6.9.2	Payment Procedure	80
7	MANAGEMENT OF ARCHAEOLOGICAL AND CULTURAL PROPERTY.....	82
7.1	AFFECTED CULTURAL PROPERTY.....	82
7.2	MITIGATION MEASURES	82
7.2.1	Graves.....	82
7.2.2	Shrines (Amasabos)	82
7.2.3	Procedure for Archaeological and Cultural Chance Finds	83
8	VULNERABLE PEOPLE.....	84
8.1	IDENTIFICATION OF VULNERABLE PEOPLE	84
8.2	POTENTIAL ASSISTANCE ACTIVITIES FOR VULNERABLE PEOPLE	84
8.3	PROCESS	85
9	GRIEVANCE MANAGEMENT AND REDRESS	86
9.1	LIKELY TYPES OF GRIEVANCES AND DISPUTES.....	86
9.2	MANAGEMENT MECHANISM	86
9.2.1	Overview	86
9.2.2	Grievance Registration and Monitoring.....	88
9.2.3	Mediation Committee – Amicable Resolution Mechanism	88

10	MONITORING, EVALUATION AND COMPLETION AUDIT	89
10.1	GENERAL OBJECTIVES AND APPROACH.....	89
10.2	INTERNAL PROGRESS MONITORING.....	89
10.3	COMPLIANCE AND COMPLETION AUDITS	90
10.3.1	Overview	90
10.3.2	Compliance Reviews	90
10.3.3	Completion Audit	90
10.4	OUTCOME EVALUATION	91
10.4.1	Indicators for Outcome Evaluation.....	91
10.4.2	Implementation of Outcome Evaluation	91
11	COMMUNITY DEVELOPMENT ACTION PLAN	92
11.1	PRINCIPLES.....	92
11.2	COMMUNITY DEVELOPMENT BUDGET ALLOCATION FORMULA	92
11.3	ELIGIBILITY CRITERIA	93
11.3.1	Categories of Eligible Projects	93
11.3.2	Sustainability and Management Requirements	93
11.4	AWARENESS AND CONSULTATION	94
11.5	DISBURSEMENT PROCEDURES	94
11.5.1	Community Application.....	94
11.5.2	Project Review Committees.....	94
11.5.3	Disbursement Procedures	94
11.6	IMPLEMENTATION	95
11.6.1	Responsibilities for Implementation.....	95
11.6.2	Budget	95
12	IMPLEMENTATION OF THE RCDAP.....	96
12.1	IMPLEMENTATION ARRANGEMENTS	96
12.1.1	RCDAP Implementation Unit.....	96
12.1.2	Involvement of Other Parties	96
12.2	BUDGET	98
	APPENDICES	99
	APPENDIX 1 – IDENTIFICATION AND VALUATION DOSSIER.....	100
	APPENDIX 2 – SOCIO-ECONOMIC QUESTIONNAIRE	102
	APPENDIX 3 – MABIRA FOREST VALUATION REPORT (EXECUTIVE SUMMARY)	104
	APPENDIX 4 – KAMPALA DISTRICT COMPENSATION RATES	107
	PART ONE: FOOD CROPS / VEGETATION.....	108
	PART TWO: TIMBER TREES	113
	PART THREE: OTHER TREES.....	114
	PART FOUR: SEMI PERMANENT STRUCTURES.....	115
	PART FIVE: OTHER CONSTRUCTIONS	115
	PART SIX: DISTURBANCE ALLOWANCE	115

APPENDIX 5 – VALUATION METHODOLOGY FOR THE WAY LEAVE.....	116
HISTORY OF THE METHODOLOGY	117
ASSUMPTIONS OF THE VALUATION METHODOLOGY	117
DIMINUTION IN VALUE OF LAND AFFECTED BY THE PROPOSED T-LINE (BUJAGALI-KAWANDA-MUTUNDWE.	118
BASIS OF DIMINUTION IN LAND VALUE	118

Tables

Table 1: Key Changes to Routing Corridor Previously Identified by AESNP.....	29
Table 2: Kawanda to Mutundwe Transmission Line Route Optimisation	39
Table 3: Comparison of Ugandan law and WBG/Equator Principles requirements regarding compensation	47
Table 4: List of Affected LC1s.....	50
Table 5: Age Distribution of Affected Household Heads	53
Table 6: Average distribution of yearly income for all households (2000 information).....	57
Table 7: Average farming income for farming households.....	57
Table 8: Summary of Required Corridor Width.....	63
Table 9: Summary of Project Land Requirements (Estimates as of 31 October 2006 Pending Full Completion of Field Surveys – Excluding Kawanda Sub-Station)	64
Table 10: Project Impacts on Non-Residential Structures.....	65
Table 11: Villages where the Majority of Physically Displaced Households are Located.....	65
Table 12: Summary of Project Impacts (estimates)	67
Table 13: Resettlement Site Planning	71
Table 14: Entitlement Matrix	72
Table 15: Agricultural Land Requirements.....	75
Table 16: Basis for Land Compensation Calculations	76
Table 17: Basis for Structure Compensation Calculations.....	77
Table 18: Basis for Crop Compensation Calculations	77
Table 19: RCDAP Budget.....	98

Figures

Figure 1: General Location of the Overall Project.....	3
Figure 2: Proposed Routing of the Transmission System	5
Figure 3: General Location of the Kawanda Sub-Station.....	15
Figure 4: Overview of the Route.....	21
Figure 5: Initial Kawanda Sub-Station Lay-Out	31
Figure 6: Revised Kawanda Sub-Station Lay-Out	33
Figure 7: Initial Route of the 132 kV Transmission Line Between Kawanda and Mutundwe Sub-Stations	37
Figure 8: Right-Of-Way and Wayleave	61
Figure 9: Grievance / Dispute Management Mechanism	87
Figure 10: Implementation of the RCDAP – Organization Chart.....	97

Acronyms

AESNP	AES Nile Power
AfDB	African Development Bank
AIDS	Acquired Immunodeficiency Syndrome
BEL	Bujagali Energy Limited
BIU	Bujagali Implementation Unit
CDAP	Community Development Action Plan
DWD	Department of Water Development
EIA	Environmental Impact Assessment
GoU	Government of Uganda
HPP	HydroPower Project
IFC	International Finance Corporation
IFI	International Financial Institutions
IP	Interconnection Project
LC	Local Council
MW	MegaWatt
NEMA	National Environmental Management Authority
RAP	Resettlement Action Plan
RCDAP	Resettlement and Community Development Action Plan
RoW	Right-of-Way
SEA	Social and Environmental Assessment
TOR	Terms of Reference
UETCL	Uganda Electricity Transmission Company Limited
UGX	Uganda Shilling
USD	United States Dollar
WBG	World Bank Group
WL	Wayleave

EXECUTIVE SUMMARY

The Project

The Bujagali project is a proposed hydropower facility on the Victoria Nile in the Republic of Uganda. It is located approximately 8km downstream (i.e. north) of the Town of Jinja. Bujagali Energy Limited (BEL) has entered into an agreement with the Government of Uganda to Build, Operate, and Transfer this facility. In order to evacuate power from the proposed hydropower facility effectively, new transmission lines and improvements to some of Uganda's existing transmission and distribution system are required. These new lines and system improvements are the subject of a Social and Environmental Assessment (SEA), this Resettlement Action Plan (RAP) being part of this SEA.

New transmission lines will evacuate power from the Bujagali hydropower plant to Kampala, the capital city, and disseminate electricity to other cities and rural areas of the country. Other transmission lines will link the new power plant to the existing Owen Falls switch-yard in Jinja, and to the existing high voltage line from Owen Falls switch-yard to Tororo. The total length of the transmission lines is approximately 100km. The project also includes the construction of a new substation in Kawanda in the northern outskirts of Kampala.

Along the route of the transmission lines, the construction and the future operation and maintenance of the transmission lines will require land acquisition and/or temporary occupation. Land acquisition is also needed to build the substation in Kawanda. As a result, present land owners and users of the land to be encumbered or acquired will be affected. This Resettlement Action Plan has therefore been developed to mitigate this impact, in accordance with Ugandan law and applicable World Bank Group policies.

The scope of this RAP is to provide details on (i) the populations to be affected, (ii) the regulation framework, (iii) the methods used for identification of Project Affected Persons (PAP), (iv) the methods and scope of consultation with PAP on resettlement issues, (v) the resettlement and compensation packages, (vi) the methods and planning of resettlement and compensation, (vii) the institutional arrangements for the implementation of the RAP, (viii) the cost of the RAP, (ix) special assistance to vulnerable PAP, and (x) external and internal monitoring.

The legal and policy background

Both the SEA and this RAP have been prepared to comply with the requirements of the National Environmental Management Authority (NEMA), the Ugandan national agency in charge of environmental protection. The World Bank Group (WBG) institutions and the African Development Bank are potential lenders for the project. This document has therefore been prepared in accordance with WBG RAP requirements, as they stand in Performance Standard 5 "Land Acquisition and Involuntary Resettlement" and OP 4.12 "Involuntary Resettlement".

The Constitution (1995), the Land Act (1998), and the Electricity Act (1999) are the main Ugandan laws applicable to the Project as far as acquisition of land for public interest, compensation, and resettlement are concerned.

The Constitution provides that compensation should be "fair, adequate and prompt". Both the Constitution and the Land Act make specific provisions to protect the rights of spouses and children. Specifically, the prior consent of spouses is required in writing before land transactions can occur. Land management and the control of land transactions are decentralized at District and Parish levels, according to the general framework of decentralized powers in Uganda.

Some aspects of the WBG requirements are more favourable to Project Affected Persons than the Ugandan regulations in terms of compensation amounts (valuation at "full replacement" value as per WBG instead of depreciated cost as per Ugandan laws) and in terms of resettlement (WBG strongly recommends "land-for-land compensation" while there is no such provision to this effect in Ugandan law). For this Project, specific uplifts are intended at fully meeting WBG requirements on top of Ugandan requisites.

Mitigating the scale of resettlement

The route for the transmission lines has been finalized following a selection and optimisation process where social parameters have been of paramount importance. The first stage of this process has been initiated when AESNP was the Project sponsor, from late 1998 to mid-2000, and was later fine-tuned by UETCL and BEL in the framework of the current SEA.

The UETCL route is generally the same as the previous AESNP route. The land required for the new UETCL/BEL plan is the same as the land that would have been required for the AESNP plan. Both plans have the same lines and substations – the only difference being that while the Bujagali-Kawanda Line will be constructed at 220 kV it will be operated initially at 132 kV. As the constructions standards are the same, the land area remains the same too.

It was determined that, where no significant changes have occurred to land use, then the route for the transmission lines should adhere to the routing previously identified by AESNP. Field observations in the Kampala area indicated, however, that significant changes in land use had occurred in some sections of the AESNP route between Kawanda and Mutundwe sub-stations, and that a fresh route optimization was necessary. This detailed corridor optimization was undertaken in the second quarter of 2006 by a team including representatives of UETCL/Bujagali Implementation Unit, RJ Burnside International and Siemens PTI (Consultants to BEL). Details are provided in the full report below.

Project Impacts

Project Impacts - Land

Land affected by the construction and operation of the Interconnection System falls into the following categories:

- Transmission Lines:
 - o Wayleave,
 - o Right-of-Way,
 - o Temporary land needs for construction purposes;
- Sub-stations:
 - o Permanent land acquisition,
 - o Temporary land needs for construction purposes.

Wayleave

The Wayleave is recognized as the safety corridor out of which negative impacts from transmission lines are assumed to be negligible. The width of the corridor depends on the line voltage. The Ugandan standard is a 30m wide corridor for a 132kV Wayleave and 40m for 220kV lines.

Titles for Wayleave land will not be transferred from its present owners; this land will remain their property. This land is, however, subject to the following restrictions:

- No construction is allowed in the corridor;
- All vegetation is to be kept below 6 feet height (1.8 metre).

In the Wayleave, cultivation or other uses of land may continue provided above-mentioned restrictions are complied with by the owner and the occupants of land. Compensation will therefore match the diminution in land value associated with the restrictions.

Right-Of-Way

The Right-Of-Way is the land required for a maintenance track under the line and the location of the towers. This corridor is 5 metres in width which suffices for both the access path and the 4 legs of towers.

UETCL will determine whether land falling within the 5-metre wide Rights of Way will remain the property of its current owners (titles would then not be transferred), or whether it should be fully transferred to UETCL, which is preferable, as all usufruct rights will belong to UETCL.

This land must be accessible at all times by UETCL for maintenance purposes. Whether titles are transferred or not, land falling in the Right-Of-Way is deemed not to have any residual value for its current owners, and will, therefore, be compensated in full to its present owners.

Kawanda Sub-Station

Land required for the substation in Kawanda was formally acquired by ULB based on compensation paid by AESNP in 2001 (See Assessment of Past Resettlement Activities – APRAP, Kawanda Sub-Station).

Some limited additional land acquisition will be performed at Kawanda Sub-Station to accommodate a slight change in the general lay-out of the station, intended to minimize impacts on a neighboring school.

Temporary Land Needs for Construction Purposes

During construction, some areas may have to be temporarily occupied by the contractors in charge of the transmission lines construction. Owners and occupants will be compensated against the loss of crops if any, and will receive a rent from the contractors for temporary occupation. There will be no transfer of rights in this case. Damaged crops will be compensated for, as required.

“Orphan” Land

Over a length of approximately 75 kilometers, the new transmission line will follow an existing UETCL-operated transmission line. UETCL’s standards require that a five-metre strip separate the two corridors. In most situations, it is not anticipated that access to this strip will be hindered, as on both sides of it, is land that will not be taken permanently, but will only be encumbered by restrictions on building and higher crops. However, it is possible that in a limited number of specific field configurations (particularly if a residential structure is located in this strip), access may be hindered or a loss in value may be experienced. In line with usual practice on similar projects (transmission, pipelines, etc...), these cases will be considered on a case-by-case basis for potential compensation.

The following table presents a summary of the Project required corridor width:

Section	Voltage (kiloVolt)	Width of Right- Of-Way (m)	Width of Wayleave (m)	Total Land Take (m)
Mutundwe – Kawanda	132	5	25	30
Kawanda – Bujagali (except for Mabira Forest)	220	5	35	40
Mabira Forest	220	5	30	35

Project Impacts – Land

The Project construction and operation will require:

- Permanent Land Take: 52 hectares, as follows:
 - o Right-of-Way: About 51.6 hectares (128 acres) – as mentioned above, this is land that will be permanently required, and to which current land users will lose right of access;
 - o Kawanda Sub-Station: About 0.4 hectare (1 acre); 12.5 acres were already acquired in 2001;
- Land with restrictions on buildings and higher crops (Wayleave): About 301 hectares (743 acres).

It is currently (31 October 2006) estimated that the number of affected plots is about 2,485. As different household members within the same household may hold several distinct plots under different land tenure arrangements, this number is higher than the actual number of affected households (about 1,900).

Project Impacts - People

Physically Displaced People

Physically Displaced People are people whose residence has to be displaced because it is located within the Project land acquisition area.

It is estimated that about 120 households with 319 people will have to be physically displaced as a result of the Project. This is because their current residence is located within the Right-Of-Way or within the Wayleave.

Most potentially physically displaced people live in densely settled areas around Kampala and along the West Bank of the Nile River, particularly:

- Nansana north to Kampala near Kawanda sub-station;
- Kitawuluzi next to Mutundwe sub-station;
- The West bank of River Nile, including villages Kikubamutwe, Buloba, Malindi, which is densely populated and where the overall footprint of the Project is wider.

Out of the total 319 physically displaced people, it is anticipated that a small number (about 15 in the more rural areas) will be able to relocate their residence to the remaining part of their plot. This potential “self-relocation” is, however, most unlikely in the densest areas in the suburbs of Kampala and along the Nile River Valley, where there will be little if any land remaining available to affected people for self-relocation after the Project has vacated the transmission corridor.

Economically Displaced People

Economically Displaced People are defined here as people whose livelihoods are affected by the Project land acquisition to such an extent that even if they are not physically displaced they will have to move to regain similar economic opportunities. In an agricultural setting, this is usually the case because people are affected by the acquisition of a significant proportion of the land they farm that leaves the remainder unsustainable.

Impacts on land for non-physically displaced people are usually benign. The total surface area of the Wayleave is only about 50 hectares over a length of 100 kilometres and over 55 communities, which in average is less than one hectare for each community. Meanwhile, affected people will retain usufruct rights of the wider Right-Of-Way, with restrictions that usually affect subsistence agriculture only marginally, as matooke banana and grain crops still can be grown while complying with the 6-foot height restriction. It is therefore not anticipated that the number of economically displaced people from Kampala to Mabira Forest will be high. According to provisional results of the socio-economic surveys, this number must not exceed 10. These situations will be considered on a case-by-case basis.

This may, however, not be true of villages located along the Nile River West Bank, where people have already been affected by the HPP land acquisition, and where cumulative effects of successive phases of land acquisition can be expected. At the time of submitting this RAP, it is difficult to estimate the effect of this cumulative impact. Tentatively, it will be estimated for planning and budgeting purposes that about 30 households might be economically displaced in this area.

Total Number of Affected Households

About 1,902 households are affected by the Project land acquisition. This number includes the 120 physically displaced households and the 40 potentially economically displaced households.

Project Impacts - Summary

The following table summarizes Project impacts on land, structures and people:

Impact	Value	Unit
Surface Area of Right-Of-Way (permanent land take)	128	Acre
Surface Area of Wayleave (land affected by restrictions of use)	743	Acre
Surface Area of Land Additionally Required for the Extension of Kawanda Sub-Station	1	Acre
Total Surface Area Required for the Project	872	Acre
Surface Area of Right-Of-Way (permanent land take)	51.8	Hectare
Surface Area of Wayleave (land affected by restrictions of use)	300.7	Hectare
Surface Area of Land Additionally Required for the Extension of Kawanda Sub-Station	0.4	Hectare
Total Surface Area Required for the Project	352.9	Hectare
Number of Affected Households	1,902	Household
Number of Affected Individuals	5,060	Individual
Number of Physically-Displaced Households	120	Household
Number of Physically-Displaced People (individuals)	319	Individual
Number of Economically Displaced Households	40	Household
Number of Economically Displaced People (individuals)	106	Individual
Number of Affected Residences	230	Unit
Number of Affected Non-Residential Structures	236	Unit
Number of Affected Graves	35	Unit
Number of Affected Shrines	10	Unit

Overall, the compensation and resettlement measures are designed to ensure compliance with the laws and regulations of Uganda and international requirements contained in the Equator Principles, particularly that project-affected persons are better off or, at least, no worse off as a result of the project.

Compensation and Resettlement Strategy

Principles for Compensation and Resettlement

Key Principles

The key principles committed upon by UETCL in this RCDAP are the following:

- Resettlement and compensation of Project-Affected People will be carried out in compliance with Ugandan legislation, IFC's Performance Standard 5 and WB OP 4.12,
- All physically or economically displaced people will be offered an option between either a full resettlement package, including the provision of replacement residential land and a house, or cash compensation,
- Past experience in Uganda has shown that cash compensation, although very sought after by many household heads, could be detrimental in the medium term, to other household members, particularly the females and children; the Project will make every effort to promote resettlement rather than cash compensation, and this plan is designed accordingly,

- A majority of Project-Affected People (PAP) derive their livelihood from agriculture. Where farmers are physically or economically displaced, they will be offered a resettlement option including the provision of agricultural land of potential equivalent to that of the land they have lost,
- UETCL will assist PAP in restoring their affected livelihoods, and will provide transitional assistance as necessary as long as livelihoods are not restored to their previous level,
- The RCDAP implementation and outcomes will be monitored and evaluated as part of a transparent process,
- PAP and host communities will be informed and consulted during the whole course of RCDAP development, implementation and evaluation.

General Approach of Compensation and Resettlement

Situation 1: The Affected Household Is Neither Physically Nor Economically Displaced

This means in practice that the remaining land is deemed economically viable and no residential building has to be removed.

Such situations of rather benign impact apply to the overwhelming majority of affected households. In these cases, cash compensation will be offered and no resettlement option will be offered. Cash compensation will be at District Land Board rates for land, crops, and structures, with payment of disturbance allowance as per Ugandan regulations. An uplift will be added to this compensation to meet full replacement value requirements, as rates established by District Land Boards usually do not meet this requirement.

Situation 2: The Affected Household Is Physically Displaced but not Economically Affected

The construction of a replacement house will be offered wherever the residential building has to be removed. Depending on situations, resettlement may involve the construction of a replacement house:

- either on the remaining part of the plot if the remaining land holding in the neighborhood of the affected plot is deemed economically viable, or if the household's livelihood is not based on agriculture, and if the affected household agrees to such a solution; in such cases, no replacement agricultural land will have to be provided and the household will simply continue to use the land they previously farmed or continue to engage in their non-agricultural activities, while dwelling in their new residence;
- or on another resettlement plot if the remainder of the affected plot is not economically viable; in such situations, replacement agricultural land of similar potential will also have to be provided in the vicinity of the residential resettlement plot.

Residential land will be provided to resettlers under secure tenure (either freehold or very long term leases), regardless of the previous regime of occupation. Agricultural land will be provided under the same regime of occupation as the land it replaces in the previous location.

Situation 3: The Affected Household Is Economically Displaced but not Physically Displaced

In such situations, the residential building of the affected household is not affected, but land take is such that their agricultural sustainability is jeopardized. These situations will be compensated through the provision of replacement agricultural land with or without physical relocation of the homestead, depending on whether replacement land is available in the vicinity.

It is envisioned at this stage that resettlement would require four different sites, in Kampala South, Kampala North, Wasswa and on the West Bank of the River Nile.

Details on resettlement and compensation strategies are provided in the full report below.

Grievance Management

In practice, in similar compensation and resettlement activities, many grievances arise from misunderstandings of the Project policy, or result from conflicts between neighbours, which can usually be solved through adequate mediation using customary rules or local administration at the lowest level. Most grievances can be settled with additional explanation efforts and some mediation using customary dispute settlement mechanisms. In contrast, resorting to the judicial system often results in long delays before a case is processed, may result in significant expenses to the complainant, and requires a complex mechanism involving experts and lawyers, which can fall well beyond the complainant's control, and be counter productive to him/her. Also, courts may declare themselves not competent in matters related to informally owned property, which is the case in this project for all affected properties.

The Project, thus, will put in place an amicable, extra-judicial mechanism for managing grievances and disputes based on explanation and mediation by third parties. Each of the affected persons will 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. It will include three different levels:

- Registration by UETCL of the complaint, grievance or dispute;
- Processing by UETCL 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 UETCL as a result of the complaint, an amicable mediation can be triggered involving a mediation committee independent from the Project.

Vulnerable People

Vulnerable people include:

- Disabled people or people suffering from serious illnesses,
- Orphans, widows and the elderly,
- Women and children at risk of being dispossessed of their productive assets –land– as a result of the land compensation process that may solely benefit the male household head.

Assistance shall take the following forms, depending upon vulnerable peoples' requests and needs:

- Assistance in the compensation payment procedure (going to the bank with the person to cash the cheque);
- Assistance in the post payment period to secure the compensation money;
- Assistance in moving: providing vehicle, driver and facilitation at the moving stage, providing ambulance services for disabled persons during moving;
- Assistance in building: providing materials, workforce, or building houses;
- Health care if required at critical periods: moving and transition period.

Monitoring & Evaluation

Monitoring, evaluation and auditing are key components of the Resettlement and Community Development Action Plan and is an integral part of UETCL's responsibility and obligations. These components have the following general objectives:

- **Monitoring** (as defined here) looks at **progress** of resettlement and compensation and at specific situations of economic or social difficulties arising from the implementation of the compensation and resettlement process,
- **Auditing** (as defined here) looks at **compliance and completion** of the resettlement program,
- **Evaluation** (as defined here) 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, whereby different levels of monitoring and evaluation are used:

- Internal progress (or Input/Output) monitoring: measures whether inputs are delivered on schedule and as defined in the RCDAP, and their direct measurable results, for instance:
 - o amounts of compensation paid in a given month,
 - o progress of construction of resettlement houses,
 - o people completing livelihood restoration training courses, etc...

Monitoring will also seek to document and investigate specific conflict or hardship situations arising from the implementation of the resettlement and 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 determined by the RCDAP for every indicator (in general say every 3 months).

- Audit of compliance and completion: Defines whether the RCDAP and applicable requirements have been complied with, and if the implementation can be deemed complete. Following a model successfully implemented during earlier stages of the Bujagali project and during the 2006 census and valuation exercise, an external entity (“Witness NGO”) will independently monitor and audit the implementation of the RCDAP.
- Outcome evaluation: Defines the extent to which the project is achieving or is likely to achieve the objectives of a program. Resettler businesses being established and earning acceptable returns over a reasonable period is an example of outcome. Outcome evaluation, coupled with output monitoring results, will 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, 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 will be done by an independent entity.
Outcome evaluation often uses proxy (or indirect) indicators. Many people, for example, are reluctant to divulge their actual income. Proxy indicators can be used to help determine whether resettlers are reestablishing (or improving) their livelihoods and standard of living. Indirect indicators may include nutritional status, school attendance, or the purchase of “luxury” items such as motorbikes, generators or televisions.

Outcome evaluation reports will be publicly disclosed.

Community Development Activities

The Bujagali Interconnection System is overall a linear project with fairly benign impacts on land use and livelihoods, as the extent of affected land is generally limited, and affected people will in most instances recover land after it has been impacted by the Project for agricultural use. UETCL and BEL have, however, proactively decided to dedicate some funds to general development objectives, with communities taking the lead in determining which priority project they would be willing to implement.

The CDAP for the Interconnection System aims to provide intersected communities with developmental benefits beyond mitigation impacts and compensation for loss of assets. The following principles are proposed:

- Focus of the CDAP on quick-impact social infrastructure projects,
- Allocation by UETCL of a community development budget proportional to the magnitude of impacts experienced by each to each of the communities intersected by the system;
- Establishment of eligibility criteria for projects eligible for funding under the CDAP;
- Disbursement of funds against eligible activities, based on procedures that will ensure a certain level of UETCL control over the actual destination of the funds.

Beyond the obvious benefits to communities in terms of social infrastructure, the CDAP is also viewed as a means to enhance community self-reliance in prioritizing projects, and to build project implementation capacity within the community.

The formula to allocate community development funds to a given community will be based on:

- Partial proportionality to the magnitude of impacts,
- Partial proportionality to the permanent population living in the community,
- Minimum amount for villages with small population and small length of transmission lines.

Details on the proposed fund allocation formula are given in the main report. As an example, for a total budget of USD 300,000, and assuming 60 communities (LC1) are interested, the average funding received by a community is USD 5,000. Based on the proposed formula, no community would receive less than USD 2,000. Through the application of the proposed formula, assuming the total budget is USD 300,000, a community of 1,000 in population intersected by 1.5 km of transmission line would receive USD 4,850.

Areas where the Interconnection System intersects large estates, such as the SCOUL sugar cane plantation and the Mehta tea plantation, as well as the Mabira Forest, are not considered to be community-land and will therefore be excluded from the calculation.

Only community projects will be eligible. Projects benefiting individuals or companies are not eligible to the CDAP funding. Examples of typical eligible projects include:

- Upgrades to community schools, including upgrade to buildings, furniture, and school equipment (blackboards etc...),
- Upgrades to health centers, including structures and/or equipment,
- Community water points or upgrades thereto, including hand-dug wells and drilled wells, with or without handpumps,
- Upgrades to access roads,
- Connection to public electricity networks.

Communities will be allowed and encouraged to seek additional funding to be able to develop more substantial projects. Communities will have to demonstrate that their project is sustainable for their application to the CDAP funding to be considered. This will usually involve:

- Establishing a management committee, which will take care of construction, funding, and further management once the project is operational,
- Preparing a brief project document (1 to 2 pages) as part of the application procedure for CDAP funding, demonstrating how long-term sustainability will be achieved, particularly when the project involves recurrent cost (water points, maintenance of community buildings), for instance through household contributions or otherwise.

Implementation Arrangements

UETCL and BEL will put in place a dedicated unit for the implementation of this RCDAP, under the leadership of a RCDAP manager. This unit, which will be established for a period of 24 months, will include the following sub-units:

- Survey identification and valuation
- Resettlement,
- Cash compensation,
- Database management,
- Livelihood Restoration,
- Vulnerable people,
- Community development

Other parties will be involved in the implementation of the RCDAP, particularly representatives of local governments at LC1, LC2 and LC5 levels. A specific Cultural Features Compensation mechanism will be put in place to review compensation for shrines and possibly other cultural features, particularly to review and validate with affected persons the cost of the relocation of shrines and associated ceremonies. Lastly, a Mediation Committee will be established at District level to review and mediate claims and disputes.

The budget for RCDAP implementation is about 17 million US Dollars.

1 INTRODUCTION

1.1 PROJECT GENERAL BACKGROUND

The Uganda Electricity Transmission Company Limited (UETCL) is proposing to develop the Bujagali Interconnection Project (“Bujagali IP”) to interconnect the proposed Bujagali Hydro Power Project (hereinafter “Bujagali HPP” or “HPP”) to the national grid in Uganda. The Bujagali IP will also support other planned initiatives to expand and strengthen the national grid in future.

The Bujagali HPP is being developed by Bujagali Energy Ltd. (BEL), a project-specific partnership of Sithe Global Power (USA) and IPS Limited (Kenya). BEL is the proponent for the hydropower dam and related facilities that are within the boundary of the hydropower site located on the Victoria Nile River about 8km north of Jinja. BEL is also managing the development and construction of the Bujagali IP on behalf of UETCL.

The Bujagali HPP was first initiated by AES Nile Power Ltd. (AESNP) in the late 1990’s. Among other things, AESNP prepared Environmental Impact Statement (EIS) documentation for the Hydropower project and for the associated transmission system facilities that AESNP was also developing. The overall project (both hydropower and transmission facilities) was approved by the Government of Uganda’s (GoU) National Environmental Management Authority (NEMA) in 1999/2001, and by the World Bank and African Development Bank Boards in December 2001. However, in 2003 AESNP withdrew from the Project. Subsequent to AESNP pullout, the GoU initiated an international tendering for the development of the hydropower project, which was awarded to BEL.

To facilitate completion of the Bujagali IP, UETCL has selected BEL to manage the planning and approvals and construction activities of the transmission facilities on UETCL’s behalf. The current planned transmission facilities are very similar to the previously approved scheme that was proposed by AESNP, and BEL plans to build on the previous development work as appropriate.

The Board approvals by the lenders for AESNP’s project, and the permits issued by NEMA to AESNP, are both no longer valid. Thus, UETCL and BEL will be required to prepare and submit for approvals new SEA documentation. The SEA documentation shall need to address the requirements of NEMA, the World Bank Group, and other lenders. This includes, amongst others, the preparation of a Resettlement Action Plan (RAP), as the Project entails impacts related with land acquisition and displacement.

In addition, UETCL and BEL are committed to enhance community development both in the HPP area and along the interconnection system route. A brief Community Development Action Plan has been prepared in this perspective, and is submitted together with the RAP as a global document, the Resettlement and Community Development Action Plan (RCDAP).

UETCL has based its preparation of this RCDAP on IFC’s Performance Standard 5 “Land Acquisition and Involuntary Resettlement”. For the SEA assignment in general, BEL has appointed a consulting team lead by R.J. Burnside International Limited of Canada to conduct and oversee the SEA tasks, manage the SEA process on behalf of UETCL, and author the SEA documentation to comply with GoU and international lender requirements. Within the Burnside team, the 2006 RCDAP has been prepared by Frederic Giovannetti, an independent consultant specializing in resettlement, who also prepared the 2001 RAP.

1.2 BRIEF PROJECT DESCRIPTION

The proposed Bujagali hydropower facility is located at Dumbbell Island, 70km east of Kampala the capital city, and approximately 15km north of Jinja, the second largest town in Uganda in terms of both population and industrial capacity. The hydropower project is being designed for a final capacity of 250MW. The need and rationale for this project, together with its detailed description, are presented in the SEA main report for the hydropower project.

New transmission lines are required to evacuate power from the Bujagali hydropower plant to Kampala, the capital city, and disseminate electricity to other cities and rural areas of the country. Their routing was selected after comprehensive studies that assessed all the alternative design and route options taking cognisance of the environmental, technical and economic considerations. In conjunction with the above criteria the final route alignment considered both the GoU and UETCL's power requirements and their future infrastructure strategy.

UETCL evaluated multiple alternative schemes, each designed to evacuate power from the Bujagali HPP. The preferred system plan, which is similar to the system plan that was proposed by AESNP, and which is the subject of the SEA (including the RCDAP), involves the following:

1. Construct a new 132 kV line between the proposed switchyard at the Bujagali HPP site to a new substation site in Kawanda. This line would be built as a double circuit 220 kV line (as previously proposed by AESNP), but would be operated at 132 kV initially;
2. Construct a new 132 kV line from the new substation site in Kawanda to the existing Mutundwe substation. This line would be built as a double circuit line but only one circuit would be installed initially;
3. Breaking the existing 132 kV double circuit line between Nalubaale (Owen Falls) and Tororo and building two new double circuit lines to run through the Bujagali substation.

The proposed transmission lines will, for the most part, follow the routes previously approved for AESNP. The exception is portions of the 132 kV line between Kawanda and Mutundwe, where the previous alignment has been changed to minimize displacement impacts.

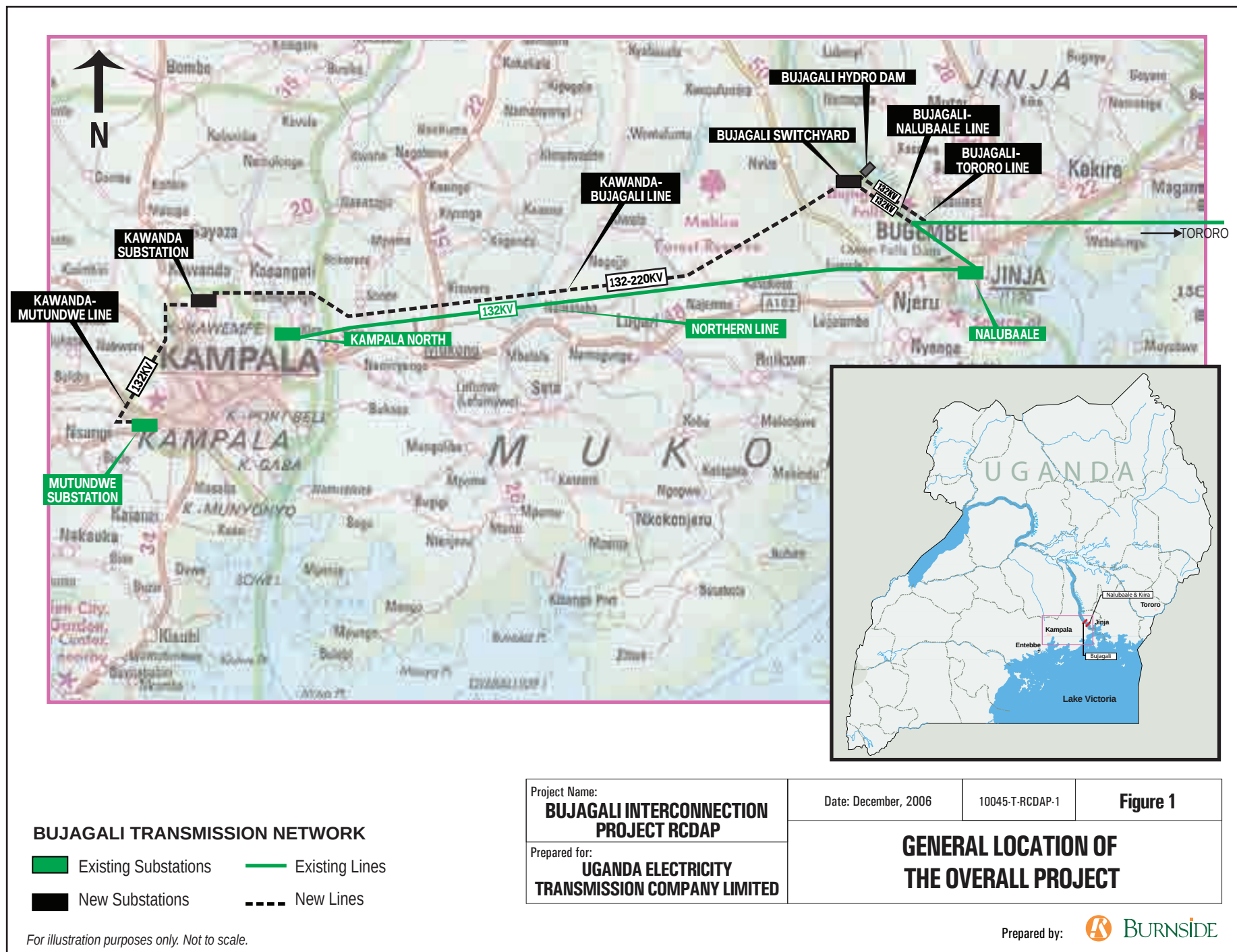
The general location of the overall project is provided in Figure 1. The proposed routing of the transmission system is provided in Figure 2.

A site for the Kawanda substation was identified and obtained by AESNP. The Government of Uganda currently holds title for the land. UETCL proposes to use the same site for the facility to be developed as part of the project. The general location for the substation site is shown on Figure 3. As mentioned above, a RAP was developed in 2000 – 2001 for the whole transmission system. However, it was implemented only at Kawanda sub-station. While socio-economic surveys and consultation with potentially affected persons were undertaken by AESNP in the 2nd and 3rd quarters of 2000 for the whole route, and while the valuation of affected assets was carried out by independent valuers, the compensation and resettlement programme was put on hold for the transmission lines themselves. The actual implementation of compensation and resettlement took place in the 3rd and 4th quarters of 2001. Most of the area where the Kawanda sub-station is to be built is now vacated by its former owners and users. Some limited additional land acquisition will have to be carried out at Kawanda to accommodate the re-designed station in order to minimize impacts on a neighboring school.

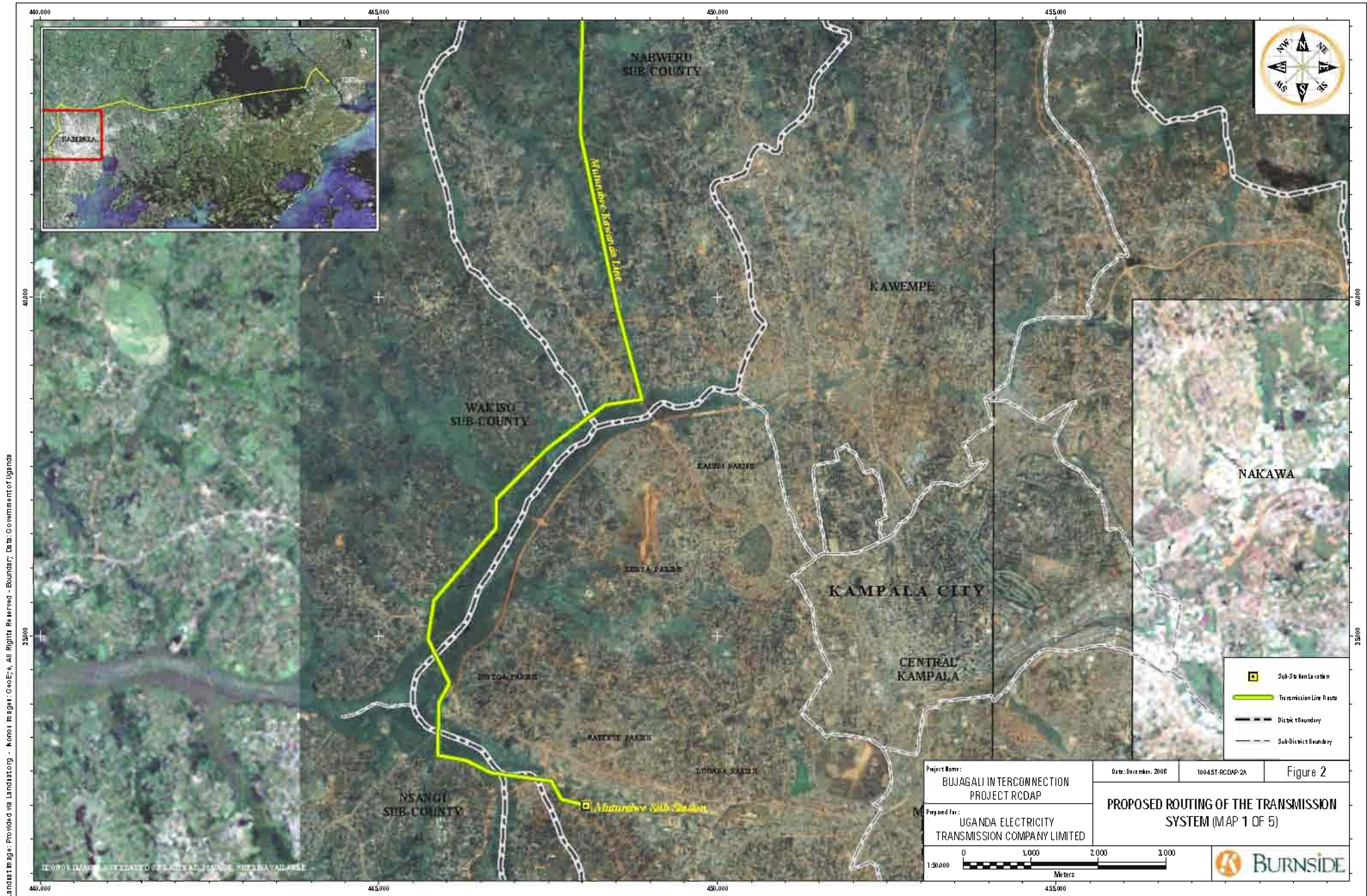
1.3 ASSOCIATED FACILITIES

As indicated above, the proposed transmission system facilities are needed, in part, to interconnect the Bujagali HPP to the national grid. In brief, the Bujagali HPP involves construction and operation of a new hydro dam structure with associated ancillary facilities including a powerhouse and switchyard on the Victoria Nile at Dumbbell Island, approximately 8 km north of Jinja. By the IFC terminology, the transmission system will be an “associated facility” of the Bujagali HPP. A complementary SEA associated with the proposed HPP is included in the overall suite of documents for the project.

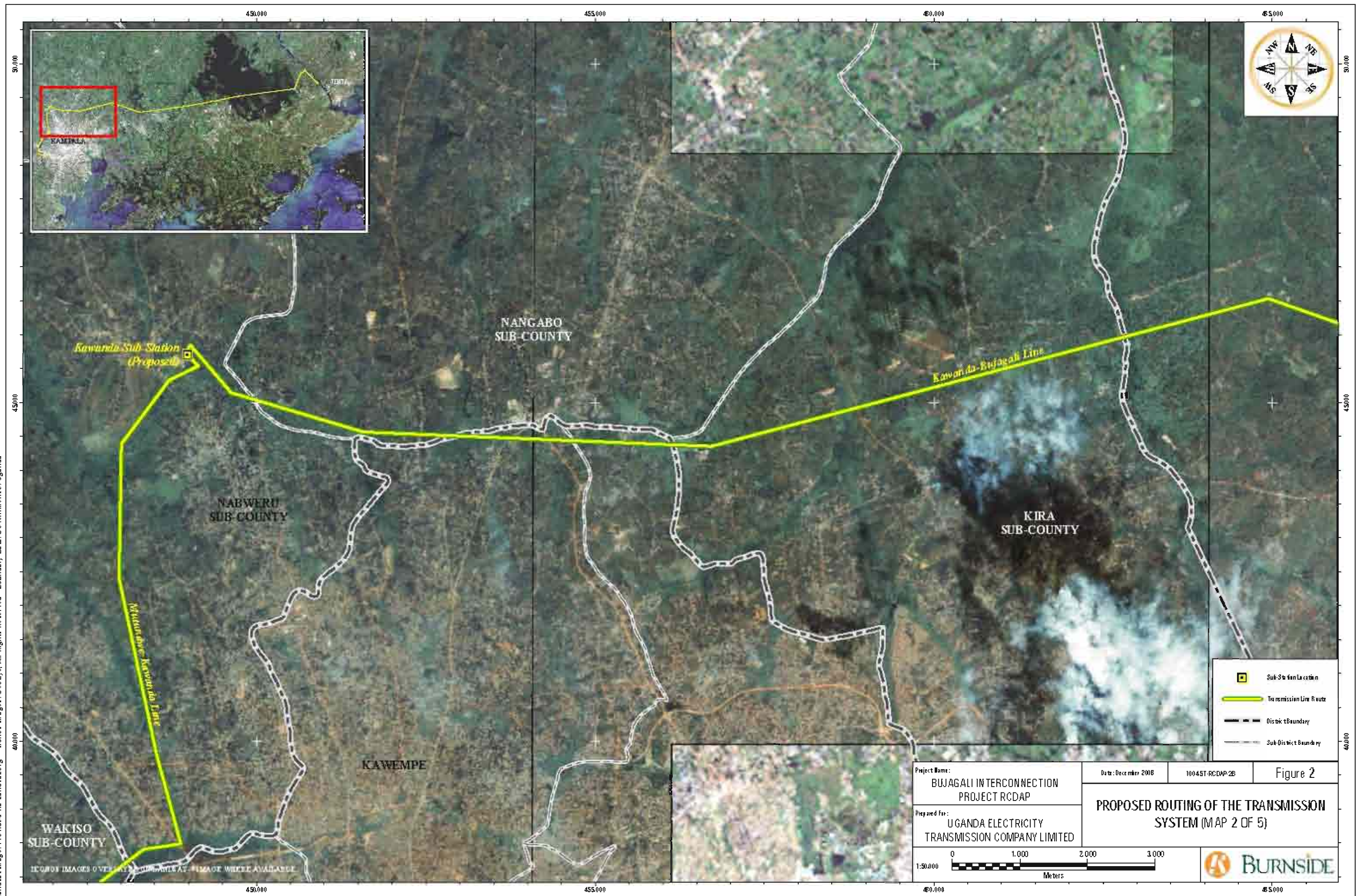
Detailed descriptions of the projects are provided in the SEA documents, so that all interested parties will know exactly what UETCL is proposing and seeking approval for as well as what BEL is proposing and seeking approval for. The detailed descriptions include all project components directly required for, and ancillary to, both the electrical transmission and hydropower generation components of the project.



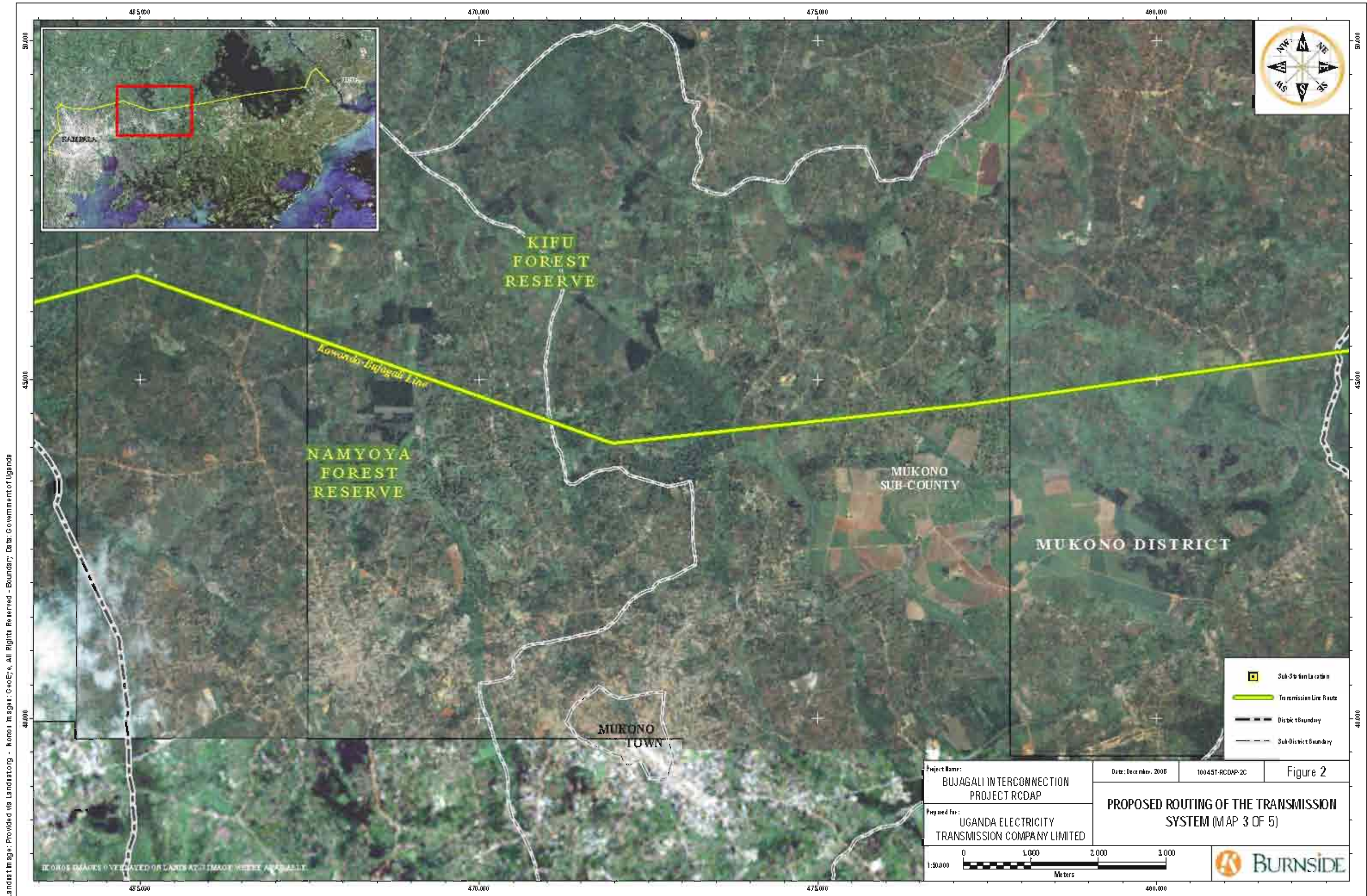
This page is intentionally left blank.



This page is intentionally left blank.

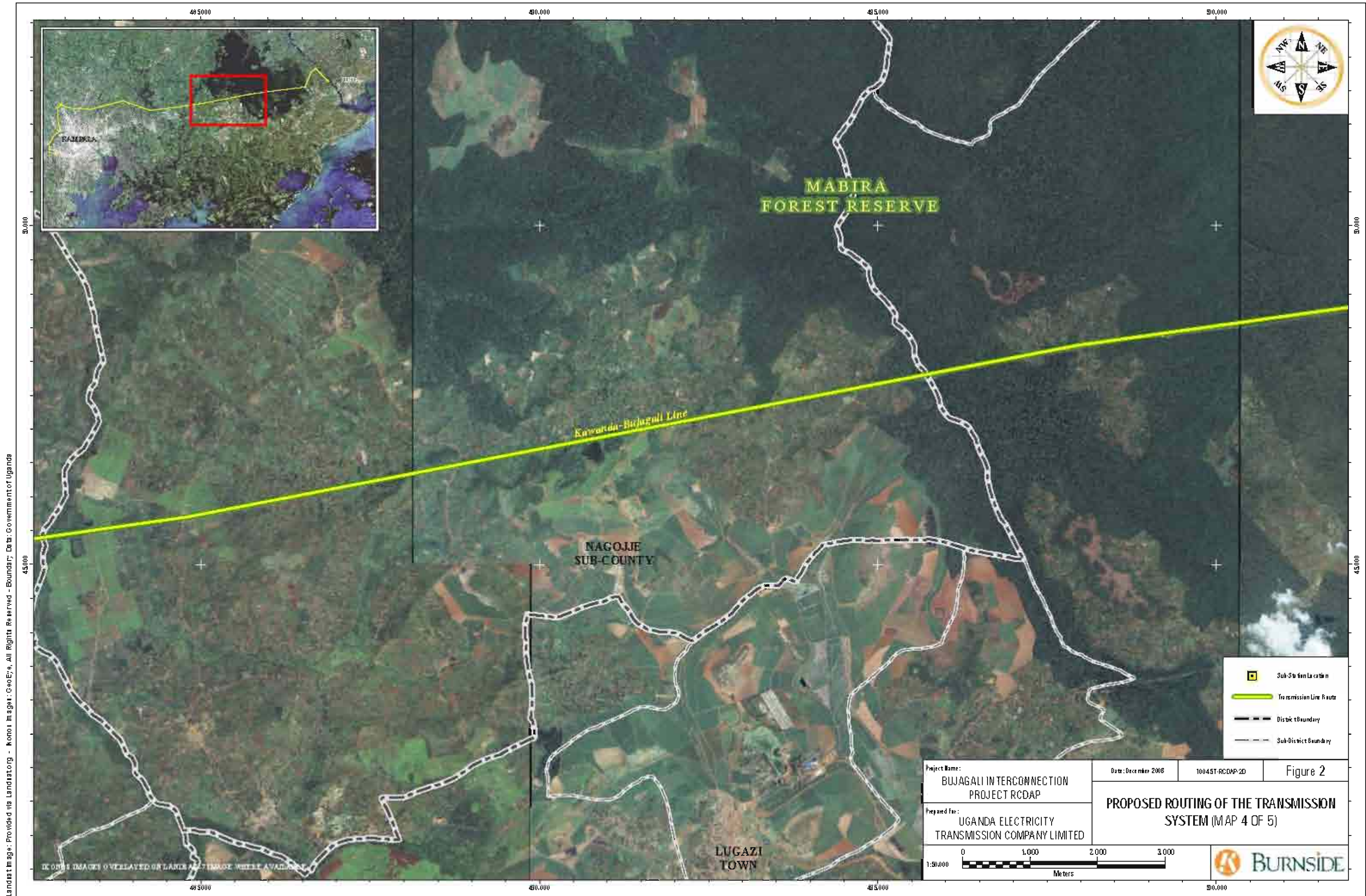


This page is intentionally left blank.

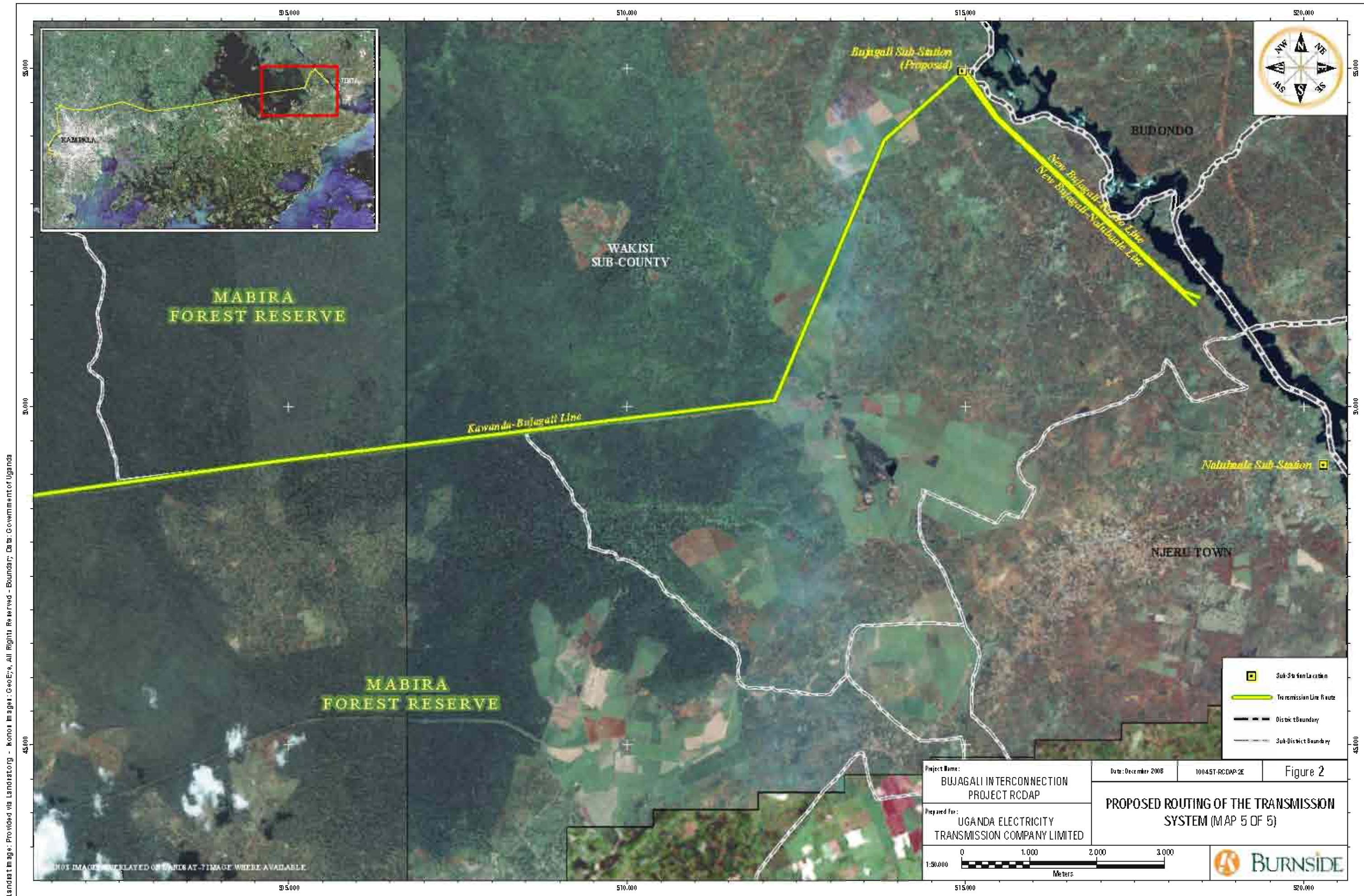


LandSat Image: Provided via LandSat.org - No part of this image may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of the Government of Uganda.

This page is intentionally left blank.



This page is intentionally left blank.



This page is intentionally left blank.



This page is intentionally left blank.

1.4 SCOPE OF THIS DOCUMENT

1.4.1 The Social Documentation within the SEA

The contents of the general SEA report are designed to meet requirements of the GoU as well as the policies and guidelines of the various International Financial Institutions (IFIs) that are expected to finance the project.

As far as documents presenting social mitigations and action plans are concerned, the following documents were prepared:

- Bujagali Hydropower Project:
 - o Assessment of Past Resettlement Activities and Action Plan,
 - o Community Development Action Plan,
 - o Environmental and Social Action Plan (Section 8 of the general SEA report),
- Bujagali Interconnection Project:
 - o Assessment of Past Resettlement Activities and Action Plan (Kawanda sub-station),
 - o Resettlement and Community Development Action Plan – **this document**.

1.4.2 Scope of this Document

In 2000 and 2001, AESNP developed a Resettlement Action Plan (RAP), which was approved in 2001 as part of the Environmental Impact Statement for the Transmission System that was cleared successively by NEMA and by the International Finance Corporation prior to the Project approval by IFC's Board.

As mentioned above, the approval of these documents is no longer valid. This document is an updated Resettlement and Community Development Action Plan submitted by UETCL for approval by relevant authorities in Uganda, as well as clearance by IFIs for further consideration of the Project for funding.

1.5 KEY DEFINITIONS

Note: Several of the definitions below are sourced from the IFC's "Handbook for Preparing a Resettlement Action Plan", 2001, with or without modifications as relevant to this Project.

Project: A project to develop transmission lines and related facilities to link the Bujagali HPP with the Mutundwe sub-station near Kampala in Uganda.

Project-Affected Area: An area which is subject to a change in use as a result of the construction or operation of the Project.

Project-Affected Person (PAP): Any person who, as a result of the implementation of the Project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, pasture or undeveloped/unused land), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily. Not all PAP need to move due to the Project. PAP may include:

- Physically Displaced People, ie people subject to Physical Displacement as defined hereunder,
- Economically Displaced People, ie people subject to Economic Displacement as defined hereunder.

Physical Displacement: Loss of shelter and assets resulting from the acquisition of land associated with the Project that requires the affected person(s) to move to another location.

Economic Displacement: Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water or forest) caused by the construction or operation of the Project or its associated facilities. Not all economically displaced people need to relocate due to the Project.

Project-Affected Household (PAH): A PAH is a household that includes one or several Project-Affected Persons as defined above. A PAH will usually include a head of household, his/her spouse and their children,

but may also include other dependents living in the same dwelling or set of dwellings, like close relatives (e.g., parents, grandchildren).

Compensation: Payment in cash or in kind at replacement value for an asset or a resource that is acquired or affected by the Project at the time the assets need to be replaced.

Resettlement Assistance: Support provided to people who are physically displaced by the Project. Assistance may include transportation, and social or other services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.

Replacement Value: The rate of compensation for lost assets must be calculated at full replacement value, that is, the market value of the assets plus transaction costs (taxes, registration fees, cost of transport associated with registration of new land and land transfer, etc...). The replacement value must reflect the cost at the time the item must be replaced. With regard to land and structures, “replacement value” is defined as follows:

- Agricultural land: the market value of land of equal productive use or potential located in the vicinity of the affected land, plus the cost of preparation to levels similar to or better than those of the affected land, plus the cost of any registration and transfer taxes;
- Land in urban areas: the market value of land of equal size and use, with similar or improved public infrastructure facilities and services, preferably located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;
- Household and public structures: the cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labor and contractors’ fees and any registration and transfer taxes.

In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of the benefits to be derived from the Project deducted from the valuation of an affected asset.

Vulnerable Groups: People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

2 PROJECT DESCRIPTION AND ADJUSTMENTS TO MINIMIZE DISPLACEMENT IMPACTS

2.1 SUMMARY PROJECT DESCRIPTION

In summary, the system plan involves developing the infrastructure listed below to provide three initial interconnection points at UETCLs existing Mutundwe, Nalubaale and Tororo substations:

- Bujagali Substation: This facility, which will be built and operated by BEL, will be located on the west bank of the Victoria Nile adjacent to the Dumbbell Island hydropower facility. This station will be designed and constructed to allow operation at 220 kV, but will be initially operated at 132 kV. In the future, switching operation to 220 kV will only require installation of new step-up transformers. BEL will build and operate this facility as part of the BHPP. All power from the Bujagali Hydro Project will flow through this substation.
- “Bujagali to Tororo” and “Bujagali to Nalubaale” Lines: Two new 132 kV double circuit lines will run about 5 km south from the Bujagali Substation to a junction point along the existing Nalubaale to Tororo line. The existing line will be severed with one end reconnected to the new lines so as to create a new line between Nalubaale and Bujagali and a new line between Bujagali and Tororo. Power for Tororo would now be delivered from Bujagali substation rather than the Nalubaale substation. Power could flow in either direction between the Bujagali and Nalubaale substations depending on the operational status of the generation stations.
- “Bujagali to Kawanda” Line: This new 70 km long line will be designed and constructed to 220 kV standard but initially operated at 132 kV. In the future switching operation to 220 kV will only require installation of new transformers at the Bujagali and Kawanda substations.
- Kawanda Substation: This station will be designed and constructed to allow operation at 220 kV, but initially operated at 132 kV. In the future switching operation to 220 kV will only require installation of new transformers. The station will be sized and laid out to allow interconnection of future lines in line with UETCL longer range system plan.
- “Kawanda to Mutundwe” Line: a new 17 km, 132 kV double circuit line will interconnect the Kawanda substation and the existing Mutundwe Substation and thus comprise the third interconnection point for the BHPP. Internal improvements (e.g., new bay and switching gear) at Mutundwe will be needed to accommodate this new line.

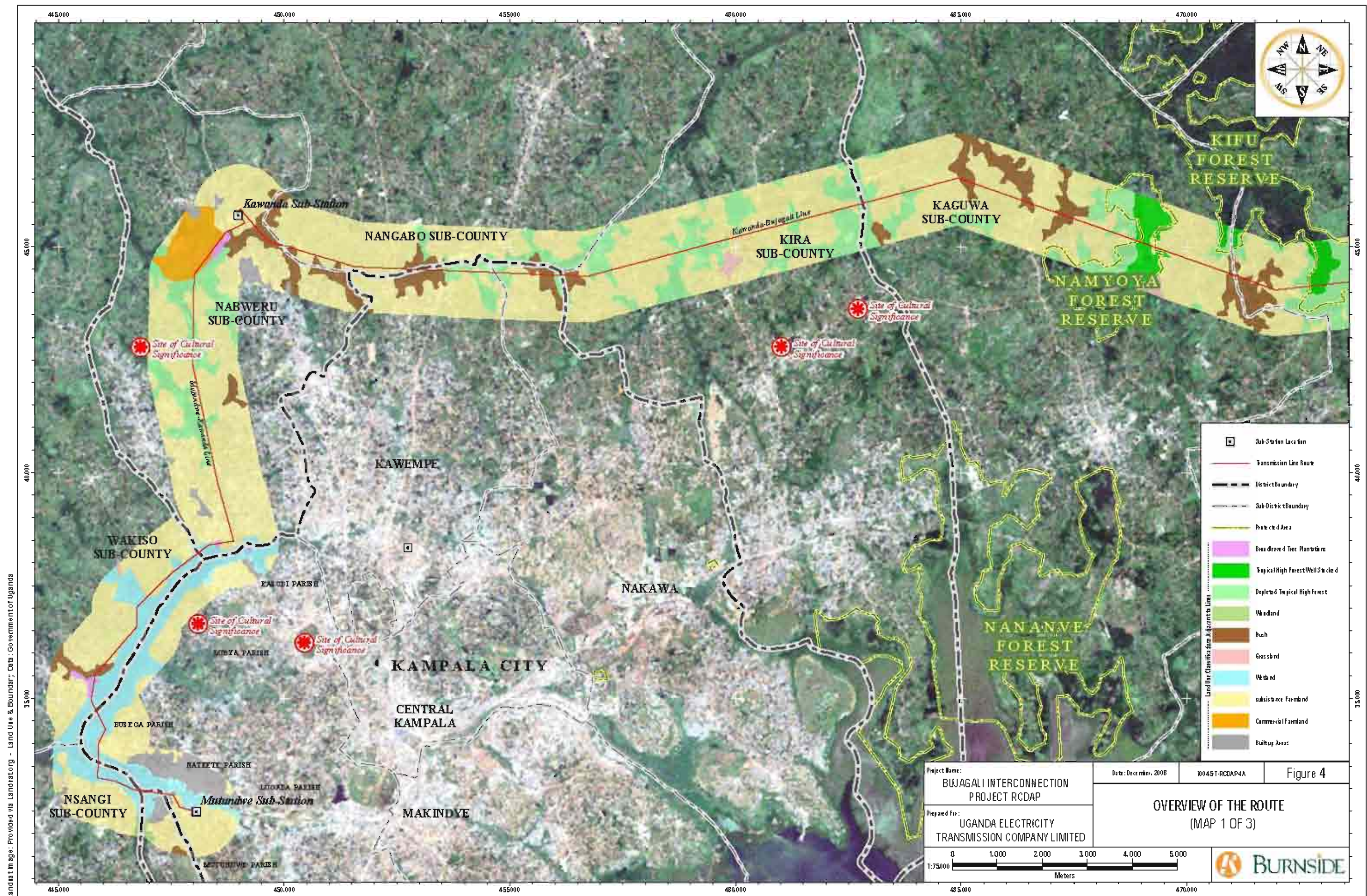
2.2 SUMMARY ROUTE DESCRIPTION

The following paragraphs provide an overview of the environmental and settlement features of the transmission line route. Figure 4 hereunder gives an overview of these features.

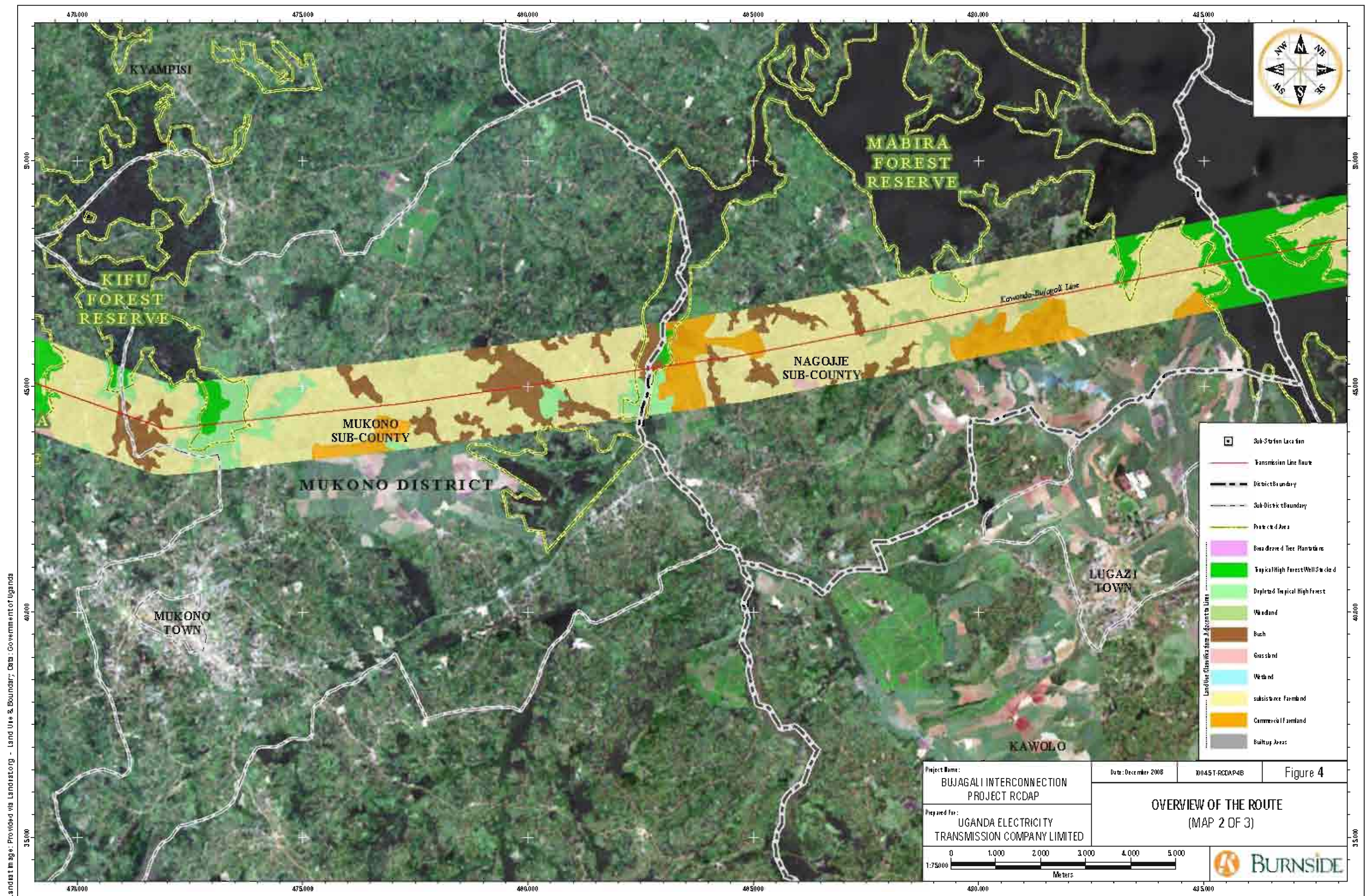
2.2.1 Bujagali to Owen Falls/Tororo connection

The lines will run approximately 5 km along the west bank of the Nile from the Bujagali switch-yard adjacent from Dumbbell island and will interconnect (after severance of this line) with the existing 132kV line supplying the Tororo substation and also connecting Nalubaale (Owen Falls) switch-yard with that at Bujagali. This section of the route runs across gently undulating landscape into which the River Nile is incised at this point and not readily visible. The plains above the river are characterised almost entirely by smallholder farming. This has created a landscape of fairly dense vegetation from ground level up to medium height trees with the canopies of taller trees occasionally rising above. Lines of view are generally fairly short except across larger fields. Access to the Wayleave will be via the existing tracks within the area.

This page is intentionally left blank.

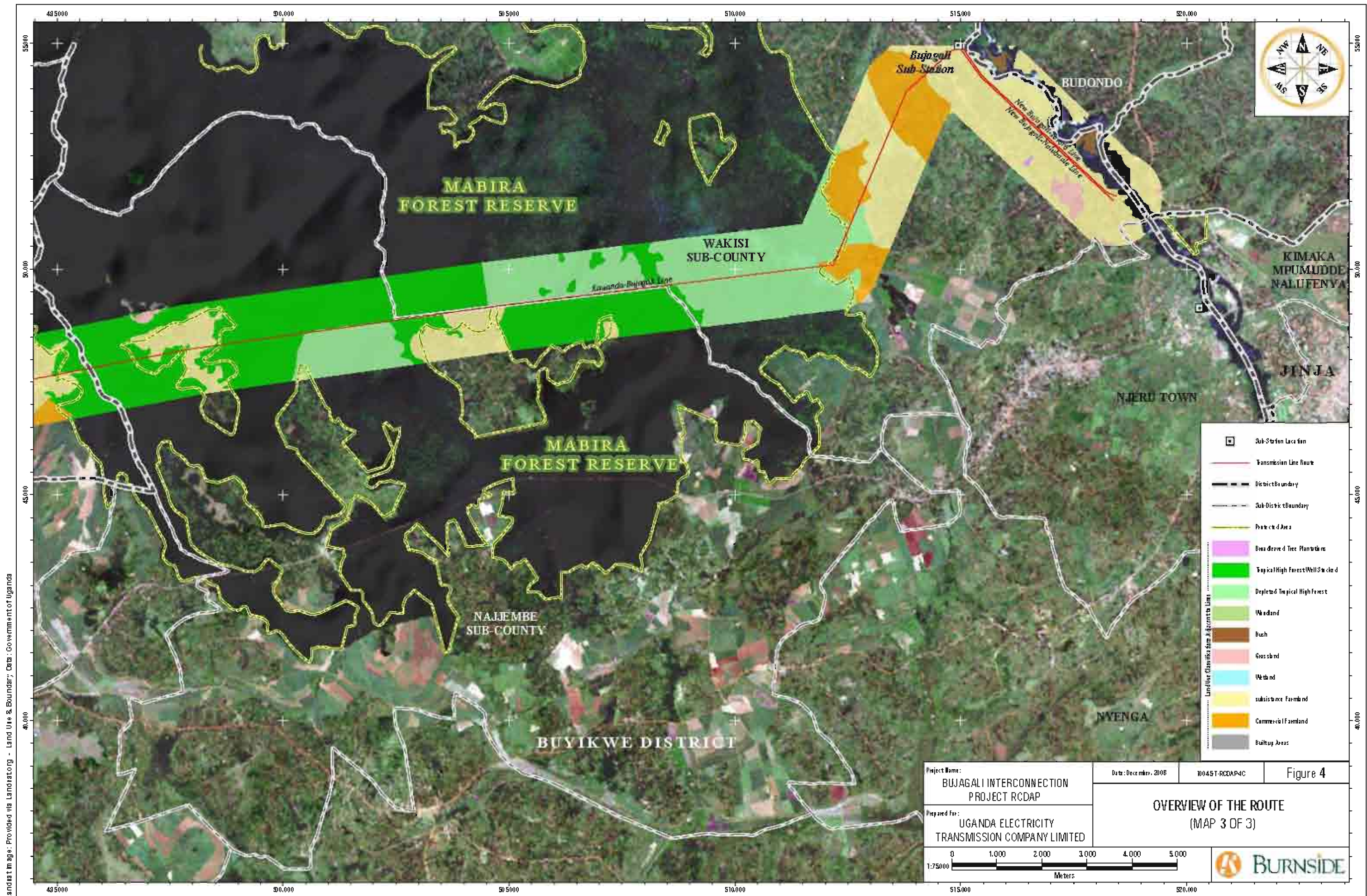


This page is intentionally left blank.



LandSat Image: Provided via LandSat.org - Land Use & Boundary; Data: Government of Uganda

This page is intentionally left blank.



This page is intentionally left blank.

2.2.2 Kawanda Substation to Bujagali

The proposed Kawanda substation will be situated on a hilltop at Maganjo, about 1 km south of Kawanda township. The substation will occupy an area of 4.7 ha. The Kawanda Secondary School is located adjacent to the proposed site, and the school buildings are approximately 100 m from the site boundary. As stated above, this site has been selected from a total of three technically feasible locations as the one with the least social and environmental impact. Details are provided in the EIS, chapter 4 (AESNP, 2001). The substation will be fenced, and the school buildings are well outside the safety area as far as potential exposure to Electro-Magnetic Radiation is concerned.

Between the Kawanda substation and Bujagali, the land use can be split into three distinct types: general human use, Mabira Forest Reserve, and plantations. The route crosses gently rolling hills interspersed with valleys until it reaches the switchyard at Bujagali. The valleys generally contain seasonal swamps although they have recently begun to be cultivated. Typical cultivation along the route includes banana plantations and mixed plots growing cane, yam, sweet potato, eucalyptus and cassava.

The route passes through the Mabira Forest Reserve (MFR) for about 17km, running parallel to the existing single circuit 132kV transmission line which originates from the Nalubaale (Owen) Falls Dam. The route runs to the south of the central and most ecologically significant Strict Nature Reserve Zone by a minimum of 2.4km. It traverses land zoned as either Protection Zone or Recreation and Other Uses - effectively production forest and buffer zone.

Anyone living in the Mabira Forest Reserve, other than in the gazetted village areas, does so illegally. For the most part, the houses that are in the area lie to the south of the existing line. However, there are scattered settlements along the existing Wayleave and to the north Matoke banana plantation within the regenerating forest.

The route also passes through large tea and sugar estates.

2.2.3 Mutundwe-Kawanda

The route passes from the existing substation at Mutundwe (on the western side of Kampala) to the site of the proposed substation at Kawanda, skirting the west side of the Lubigi swamp. This area contains the highest population density along the transmission line route, due to its proximity to Kampala. Although it would be impossible to avoid all settlements in this densely inhabited area, the selected route is the optimum corridor in this regard.

From the Mutundwe substation, the route passes within the existing Wayleaves of transmission lines to avoid settlements, then runs close to the railway line. It also crosses the Masaka road, then reaches Lubigi swamp. The western bank of the swamp was selected to avoid settlements rather than the eastern bank which has higher population density. The route then crosses agricultural land and reaches the Kawanda substation site.

2.3 ROUTE OPTIMIZATION AND ADJUSTMENTS TO MINIMIZE DISPLACEMENT IMPACTS

2.3.1 Route Optimization (1998-2001)

The route selection process was undertaken from late 1998 to mid-2000 by AESNP and consultants working in close cooperation with relevant Ugandan authorities, specifically the then UEB (no longer in existence). This process aimed to achieve the selection of economically and technically feasible options that considered the following criteria:

- avoidance of settlements wherever possible,
- minimizing passage through areas of high environmental sensitivity,
- avoidance of major infrastructure (i.e. highways, railway lines etc.),
- utilizing existing infrastructure corridors wherever possible,
- minimizing the total length of the route.

A number of corridor options were first compared and the corridor with the most benign impact on settlements was selected. The presence of heritage sites (such as the Martyrs Memorial of Namungongo) was also taken into account, and the selected corridor avoided any impact on this site. This scoping study investigated a proposed corridor (Northern Route), which would slightly affect the Mabira Forest Reserve but with overall significantly less impact on settlements and small scale agriculture than the Southern Route.

A second stage of route optimisation was undertaken in March 1999. Adjustments to the selected alignment were made, and the study recommended an optimised corridor 1 km in width, on environmental, social and technical grounds.

AES NP commissioned Carl Bro International to carry out a study to identify the preferred line route, including topographical and geotechnical surveys of the route and a detailed route description.. Specific mitigation measures were taken to minimize disturbance to the existing population.

In the 2nd and 3rd quarters of year 2000, AESNP retained Young Stuart and Associates and Geomaps Ltd to survey the angle towers and Wayleaves of the definitive transmission system identified by Carl Bro. All technical and socio-economic criteria were taken into account in an iterative process carried out on the field with geologists, electricity engineers and socio-economists all providing input to the final siting. Alignment optimisation was made so as to take into account the results of detailed studies and avoid houses wherever possible. This process resulted in minimal impact on houses, churches and schools.

Socio-economic surveys and consultation with potentially affected persons were undertaken by AESNP in the 2nd and 3rd quarters of 2000 as part of the iterative process described above, while the valuation of affected assets was carried by independent valuers. This provided the basis for the census referred to by OD 4.30, the then applicable WBG policy on involuntary resettlement.

A site comparison was also undertaken for the Kawanda substation. 3 sites were compared on environmental and socio-economic criteria. The preferred site is the Maganjo site. The major criterion for selection was avoidance of impact on houses.

2.3.2 2006 General Route Confirmation

Section 4 of the Interconnection System Social and Environmental Assessment (SEA) presents the approach that was taken to optimize the route, based on previous studies carried out by AESNP (described above in the previous section), and on further studies undertaken by UETCL and BEL.

After a detailed assessment of the present and future load of the system (described in the SEA), the “AESNP” general route was validated as the preferred option. The preferred system plan is almost the same as the AESNP plan. The land required for the new UETCL/BEL plan is the same as the land that would have been required for the AESNP plan. Both plans have the same lines and substations – the only difference being that while the Bujagali-Kawanda Line will be constructed at 220 kV it will operated initially at 132 kV. As the constructions standards are the same, the land area remains the same also.

Recent consultations with the potentially affected villages along the routes indicated that in many places villagers and PAP know where the AESNP Line was routed, and in many cases concrete markers can still be located by affected individuals. Comments were received by some PAP previously surveyed by AESNP that they have been waiting all these years (since the identification and valuation exercise in 2000/2001) for their compensation, and that they have not maintained their buildings that were within the Wayleaves. To locate the line elsewhere would leave such affected parties with no compensation for the disruption caused as a result of the earlier routing work, and thus, legacy issues that would need to be addressed.

Therefore, it was determined that, if no significant changes have occurred to land use, then the route for the transmission lines should, wherever possible, adhere to the routing previously identified by AESNP. Field observations in the Kampala area indicated, however, that significant changes in land use had occurred in some sections of the AESNP route between Kawanda and Mutundwe sub-stations, and that a fresh route optimization was necessary. This detailed corridor optimization was undertaken in the second quarter of 2006 by a team

including representatives of UETCL/Bujagali Implementation Unit, RJ Burnside International and Siemens PTI (Consultants to BEL).

A field reconnaissance and analysis of satellite imagery was completed for the entire route. Table 4.4 provides the key observations for various sections of the route, and for the Kawanda substation. Based on these observations, it was deemed necessary to complete a routing and site update and optimisation for the Kawanda Substation and for the 132 kV Kawanda-Mutundwe Line, as presented below.

Table 1: Key Changes to Routing Corridor Previously Identified by AESNP

Site/Route	Key Observations
2 x 132 kV lines Bujagali to cut-off point on existing Bujagali-Tororo line	No significant changes to land use or settlement patterns. Portions of route within the fenced area acquired for the HPP have re-vegetated.
220 kV line Bujagali to Kawanda	No significant changes to land use or settlement patterns, much of land use in eastern portion remains plantation lands and Mabira Forest Reserve. In the western portion the growth of peri-urban land surrounding Kampala remains south of the routing corridor
Kawanda Substation	Additional development of the school immediately southwest of the site constrains the routing of lines as planned by AESNP.
132 kV Kawanda to Mutundwe	Residential land-use along portions of the route has intensified – several stretches of route that were clear of houses are now occupied by recently constructed buildings and dwellings, which would significantly increase resettlement requirements along those stretches. East of the Lubigi Swamp the new construction has started on the new Kampala Northern Bypass road, presenting a possible routing opportunity.

2.3.3 Kawanda Substation Optimisation

Approximately 12.75 acres of land were acquired by AESNP for the development of the Kawanda substation. The boundary of the acquired property, and the layouts of the substation within the property and transmission line connections, are shown on Figure 5.

As shown on figure 6, the original layout required the transmission lines to be interconnected from the east and west sides. As is also shown on Figure 5, the school buildings on the property adjacent to the west side of the substation constrain the routing of new lines into/out of the substation.

Figure 6 shows an optimised layout for the substation, allowing the transmission lines to be interconnected from the north and south sides of the substation. This layout effectively avoids the need to route new transmission lines across the school property. Figure 6 also shows the extent of new property that will need to be acquired to allow for the new layout, as well as accommodate laydown area for construction. The figure also shows the adjustments that have been made to the transmission line routing in this particular area.

This page is intentionally left blank.



Project Name: BUJAGALI INTERCONNECTION PROJECT RCDAP	Date: December 2008	0045 TR CDAP-5	FIGURE 5
	INITIAL KAWANDA SUB-STATION LAYOUT		
Prepared For: UGANDA ELECTRICITY TRANSMISSION COMPANY LIMITED			
14,000			

This page is intentionally left blank.



Project Name: BUJAGALI INTERCONNECTION PROJECT RCDAP	Date: December 2008	10045 TRCDAP-6	FIGURE 6
	REVISED KAWANDA SUB-STATION LAYOUT		
Prepared For: UGANDA ELECTRICITY TRANSMISSION COMPANY LIMITED			
14,000			 BURNSIDE

This page is intentionally left blank.

2.3.4 132 kV Kawanda-Mutundwe Route Optimisation

Figure 7 shows the route that was identified by AESNP for the 132 kV line between the Kawanda and Mutundwe substations, along with the optimised route. Reconnaissance in the first quarter of 2006 of the AESNP route indicated that extensive new housing has created a significant constraint along that route, roughly between the Wobulenzi Road and the Mutundwe substation. Construction of the line along the AESNP route would have resulted in significantly more physical resettlement than was anticipated in the 2001 RAP developed by AESNP.

For this reason, an optimisation exercise was initiated to determine if an alternative route could be found that would reduce the number of people that would potentially be physically resettled.

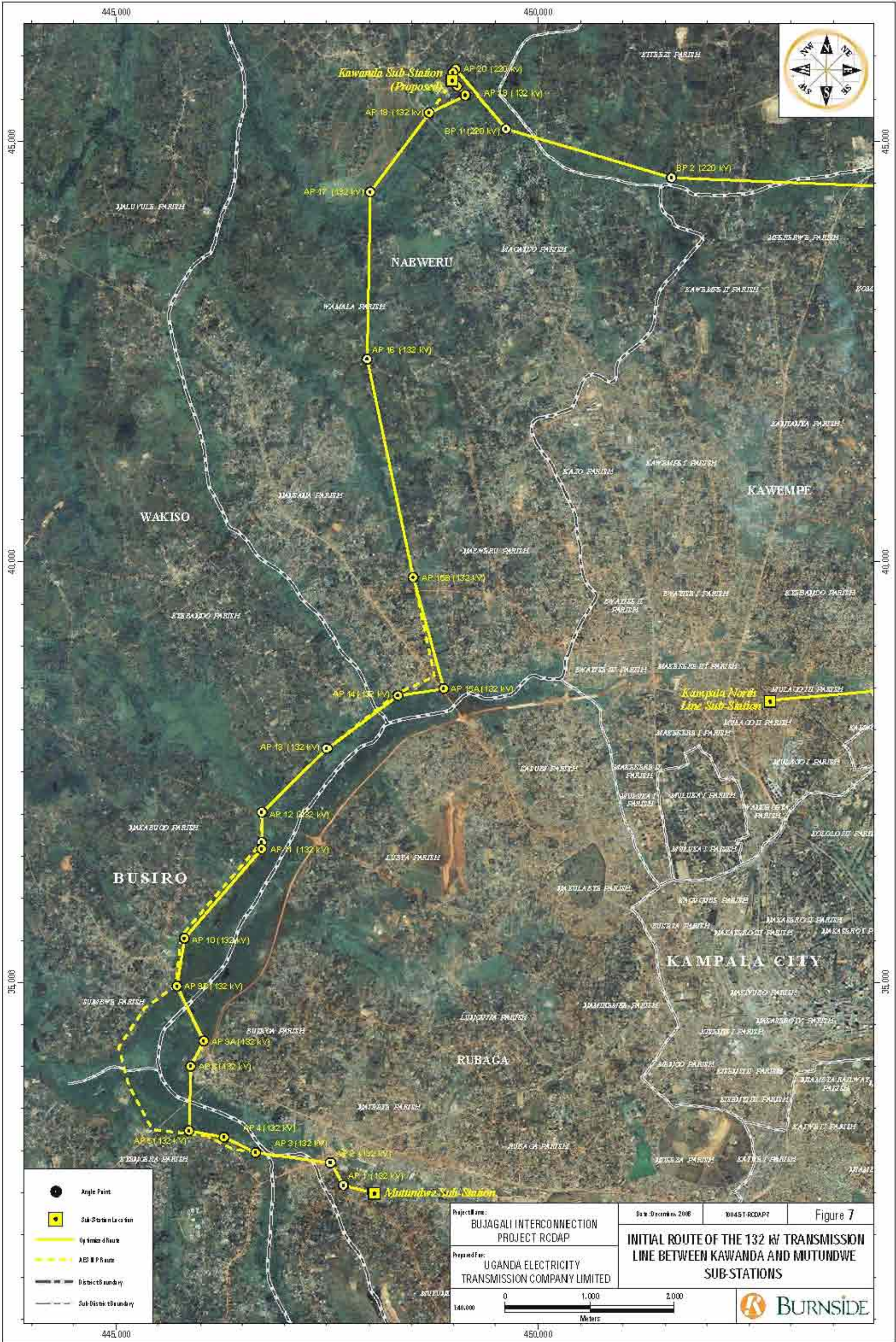
Because this line is within the major urban centre of Kampala, new cross-country routes are constrained by dense urban and peri-urban residential and commercial land uses. Thus, the two main alternatives for routing the line are the east side and the west side of the Lubigi Swamp. The optimisation considered two new alternative routes along the east side of the swamp and one new alternative route along the west side.

The new Northern By-pass Road is being constructed along the eastern side of the swamp, adjacent to existing residential areas that extend to the edge of the eastern boundary of the swamp. The road, and its orientation relative to residential areas and the swamp, is clearly visible in Figure 7. Observations made along the road indicated that locating the transmission line route on the eastern side of the road would result in similar, if not higher, numbers of people resettled. For this reason, routing east of the bypass road was not considered a viable alternative to the existing AESNP Route.

The possibility of locating the transmission line on the west, or swamp side of the road was also considered. Discussions were held with the road authority in charge of constructing the Northern By-Pass. They indicated that while the roadway was being constructed as a single carriageway, it was ultimately designed to be a dual carriageway road. The second carriageway would be constructed to the west, or swamp, side of the road. Thus, the transmission line would need to be located at a minimum of about 30 meters away from the edge of the existing road, and so require a significant amount of activity to take place within the swamp, including building access roads to each tower. While this route would avoid much resettlement, the complexity of construction and the potential impacts to the wetland all indicated that this alternative was not preferred when compared to the existing AESNP route.

The routing team walked most of the west side of the swamp, with the objective of identifying a feasible alternative routing for the line. The original route and the optimised route are shown on Figure 7. Table 2 provides the rationale for the optimised route.

This page is intentionally left blank.



This page is intentionally left blank.

Table 2: Kawanda to Mutundwe Transmission Line Route Optimisation

Route Segment	Optimisation Rationale
AP3 to AP5	The new route is located alongside an abandoned railway bed, thereby avoiding numerous houses that are located along the roadway where the original route was located
AP5 to AP9B	The AESNP route ran along the south and west sides of Lubigi swamp, affecting many properties and houses in Kyengera Parish and Sumbwe Parish. An alternative route was identified that uses the existing road crossings of the swamp as opportunities to locate the transmission line towers. The alternative route would result in somewhat more construction activity within the swamp. However, it would avoid numerous properties, and thus was selected as the preferred route for this section.
AP9b to AP11	Field observations indicated that shifting the route about 30 m eastward would avoid several properties and have little to no effect on the swamp.
AP14 to AP15B	Land use around Masaka Road has intensified significantly since the AESNP route was selected. As a result, numerous homes would be affected along the AESNP route. An alternative route was identified that requires two, and possibly three, towers in the swamp. One tower would be adjacent to the existing road, and therefore would result in minimal disturbance of the swamp. Impacts from the other towers in the swamp would be managed by locating the towers as close to “dry land” as possible, construction during the dry season, and using special wetland construction techniques, such as using mats to create temporary access routes to the tower locations

3 LEGAL AND INSTITUTIONAL FRAMEWORK

3.1 INSTITUTIONAL FRAMEWORK

3.1.1 Central Level

The Ministry of Water, Lands and Environment is responsible for policy, regulation and coordination of matters pertaining to land in Uganda. Land management is decentralised by the Land Act between the District Land Boards and the Uganda Land Commission (ULC). The District Land Boards are responsible for the management of land in the districts and ULC manages all land vested in the Government of Uganda.

Within this Ministry, the Chief Government Valuer's Office deals with valuation of assets in connection with the acquisition of land for public interest.

The Uganda Land Commission (ULC) is in charge of holding and managing all Government land. The Land Act details ULC mandate.

The Ministry of State for Disaster Preparedness, under the Office of the Prime Minister, is responsible for re-settlement of refugees and persons displaced by disasters. The experience of this Ministry in managing re-settlement is important although the circumstances of displacement are very different from these prevailing on this project. There is no central ministry or department responsible for resettlement or compensation as such although it is understood that a national policy on re-settlement is soon to be developed.

The Ministry of Agriculture, Animal Husbandry and Fisheries has responsibilities relating to overall rural development. The Ministry of Gender, Labour and Social Development has responsibilities for the social and economic welfare of the population including cultural affairs, youth, labour and disadvantaged groups. The Ministry of Local Government is responsible for local administration.

The National Environment Management Authority (NEMA) is responsible for environmental affairs and in particular the supervision and review of Environmental Impact Assessments.

3.1.2 Decentralized Level

In the last few years, the government of Uganda has been pursuing a policy of decentralization of functions to district level in an effort to stimulate economic and community development, to facilitate a higher degree of transparency in government administration and greater accountability in the use of public funds and resources.

The country is presently divided into some 77 Districts, which are responsible for an increasing range of functions including economic planning, statistics, information gathering, agriculture, health, education and land administration. Each district has a Resident District Commissioner (RDC) who is appointed by the President as his/her representative in each district.

The RDC is not the political head of the district but is responsible for co-ordinating the central government policies and departments' activities at the district level.

Within each district the system of local government includes five levels:

- LC5 - District level
- LC4 - County level
- LC3 - Sub-county level
- LC2 - Parish level
- LC1 - Village level

Local Councils are responsible for local policy matters, economic development, resolving local conflicts and providing orderly leadership and democratic practices at the grass roots level in their respective areas. The system has facilitated mass participation in government affairs and awakened the rural population to their rights of citizenship and obligations particularly regarding their involvement in development programmes and projects in their areas.

Four District-level entities (LC5) are affected by the Project:

- Mukono District,
- Wakiso District,
- Mpigi District,
- Kampala City Council (KCC).

Matters pertaining to land mainly involve Land Boards and Committees at Parish level (Parish Land Committee), at District level (District Land Board).

3.1.3 Traditional Entities

Traditional Kingdoms enjoy a certain level of recognition in Uganda. The whole Project-Affected Area is within the boundaries of the Buganda Kingdom, whose head (the King) is called the Kabaka. The Kingdom holds land rights in the Kampala area, usually as a Mailo owner. The Kingdom has been expropriated of its land holdings after independence, but was later re-established. A lot of land occupants in the Kampala area are in fact tenants of the Kingdom under a land tenure regime locally known as “Bibanja”. This is a complex issue that will need to be carefully addressed in consultation with both Buganda Kingdom and Government of Uganda representatives.

3.2 APPLICABLE LAWS OF THE REPUBLIC OF UGANDA

3.2.1 Overview

Applicable laws with relevance to land tenure, compensation and resettlement, are the following:

- The Constitution of the Republic of Uganda, 1995
- The Land Act, 1998
- The Land Acquisition Act, 1965
- The Electricity Act, 1999

3.2.2 The 1995 Constitution

The 1995 Constitution restored all private land tenure regimes (which had previously been abolished under the Land Reform Decree – 1975 – during the Amin regime), divested the state and the Uganda Land Commission of radical title to the land that was expropriated in 1975, and vested this directly in the citizens of Uganda. The Constitution prescribes the tenure regimes in accordance with which rights and interests in land may be held. These are listed as customary, freehold, mailo and leasehold. It also creates for the government and local authorities a statutory power of compulsory acquisition of land in the public interest, and makes provision, *inter alia*, for the “*prompt payment of fair and adequate compensation*” prior to the taking of possession of the property.

3.2.3 The Electricity Act, 1999

S.54 of the Electricity Act requires every person intending to construct, own or operate a transmission line to obtain a transmission license. The application for the transmission license is submitted to the Electricity Regulatory Authority (ERA), which is mandated with the issuance of such licenses. The ERA is required to review the various aspects of the proposed project including the impacts of the project on electricity supply, socio-economics, cultural heritage, the environment, natural resources and wildlife prior to making of the decision whether to grant the license.

As per the Electricity Act, UETCL is a licensee of the ERA for the Bujagali Project.

Part VIII of the Act provides for acquisition of land. Under S.68 (1)(d), a licensee for transmission or his or her representative is authorized, *inter alia*, to enter any land private or public to perform any activity necessary for establishing, constructing, repairing, improving, examining, altering or removing an electric supply line. However, in undertaking such activity, the licensee is required to do as little damage as possible to the land and the environment and is required to ensure prompt payment of fair and adequate compensation to all interested parties for any damage or loss sustained (S.68 (3)). Further, under S.68 (2), a licensee or his or her

representative does not acquire any other right in the land other than the right of user of the land under, over, across, in or upon which the electric supply line or post is placed.

Under S.68 (4), prior to entering any private land, a licensee or his or her representative, is required to give 60 days notice to the owner of the land, stating as fully and accurately as possible the nature and extent of acts intended to be done. AES served these notices to all people living in a 1km corridor identified for the future transmission line corridor. Sensitisation meetings were also held in all villages transgressed by the 1km corridor.

In the case of land under the management of the Uganda Land Commission, S.69 (2) the Electricity Act requires service of 30 days notice prior to entry, stating the nature and extent of acts intended to be done. Along the route, this provision, applies to land situated within the boundaries of Mabira, Namyoya and Kifu Forest Reserves, as well as in Lubigi swamp.

A person objecting to entry in to his/ her land for purposes of constructing a transmission line may lodge an objection to the ERA within 30 days from the date of receipt of the notice. The ERA will consider the objection and if found inadequate may cause compulsory entry in to the land although the affected person would still have the recourse to appeal to a tribunal or the High Court.

S.71 of the Electricity Act deals with compensation. Compensation for affected people should be determined in accordance with the Land Act, 1998 and the Land Acquisition Act, 1965. Where an interest in land greater than the right of use is required for purposes of construction of the line, government may exercise compulsory acquisition.

3.2.4 The Land Act 1998

In general, the Act addresses four issues namely, holding, control, management and dispute processing. As regards tenure, the Act repeats, in Section 3, the provisions of Article 237 of the Constitution which vests all land in the citizens of Uganda, to be held under customary, freehold, mailo or leasehold tenure systems. It then defines the incidence of each tenure regime (s.4), provides mechanisms of the acquisition of certificates of customary ownership (ss.5-9), or the conversion of customary tenure to freehold (ss.10-15), or collective management of land held under customary law (ss.16-27), the protection of the rights of women, children and persons with disability (s.28), the conversion of leasehold into freehold (s.29), the security of tenure for ‘tenants by occupancy’ (ss.30-39), and the creation of a Land Fund to assist various people wishing to obtain secure rights in land (s.42).

Regarding control of land use, the Act addresses three issues. First it reaffirms the statutory power of compulsory acquisition conferred on the government and local authorities under articles 26 (2) and 237(2) (a) of the Constitution (s.43). Since the Act does not repeal the Land Acquisition Act No. 14 of 1965, it is assumed that this legislation, with appropriate modification, meets the requirements of Article 26(2) of the Constitution which requires that a law be in place for the payment of compensation and access to the courts, Second, the Act requires that land owners manage and utilise land in accordance with any law relating to land use and land use planning (ss.44 and 46). These include, but are not limited to, the Forest Act (Cap 246), the Mining Act (Cap 248), the National Environment Statute (No. 4 of 1995), the Water Statute (No.9 of 1995), the Uganda Wildlife Statute (No.14 of 1996) and the Town and Country Planning Act (Cap.30). And third, it reaffirms the trust obligations of the government and local authorities in respect of certain natural resources under Article 237 (2)(b) of the Constitution (s.45).

The provisions regarding land administration (referred to in the Act as ‘management’) are the most elaborate. The Act creates a series of land administration institutions consisting of Parish Land Committees, District Lands Boards and Uganda Land Commission (ULC). Each of these levels is by and large autonomous of one another and is entrusted with functions that range from the holding of lands not subject to private ownership, the management of land thus held, the processing of applications for various grants and certificates, the registration and transfer of interest in land (ss.47-74). The ULC is, in addition, charged with the management and administration of the Land Fund.

An equally decentralized system is created to process land disputes in the country (ss.75-90). The Act requires that Land Tribunals be established at all levels of local government and that all land disputes be first processed through them before any resort can be made to ordinary courts. No other organ, except informal traditional authority mediators (s.89) will henceforth have jurisdiction over land disputes (s.98). Thus the Act has opted for a process that is both localised and free from the formalities associated with judicial proceedings.

Although the Land Act came into effect on July 2nd 1998, some facilities necessary for its operation are not yet in place, and may not be for some time. While ULC, District Land Boards, land offices and district registries are actually established, land tribunals, the land fund, together with the personnel needed to run them are only partially in place.

The Land Act provides for acquisition of land or rights of use of land for execution of public works. A licensee under the Electricity Act is an Authorized Undertaker under the Land Act authorized to execute public works (S.68 (9)). S.74 of the Land Act provides for acquisition of land for execution of public works. Where it is necessary to execute any public works on any land, an authorised undertaker should seek to enter into mutual agreement with the occupier or owner of the land, and if no agreement is reached, the Minister responsible for land may compulsorily acquire the land.

The Constitution of Uganda requires “*prompt payment of fair and adequate compensation*” where land is compulsorily acquired. Such compensation is assessed in accordance with the valuation principles laid out in S.78 of the Land Act, briefly outlined below:

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

A licensee for transmission only acquires a right of use of the land - not title to the land - except for land required for substations. The assessment of compensation for the right of use is based on the diminished use of the land by owner/ occupier of the land.

3.2.5 Land Tenure Regimes and Transfer of Land

3.2.5.1 Definitions

Article 237 of the Constitution, 1995, vests land in the citizens of Uganda and identifies four land tenure systems, namely:

- customary;
- freehold;
- mailo; and
- leasehold.

The incidents of these systems are detailed under section 4 of the Land Act, 1998. Those relevant to the Bujagali project are the following.

3.2.5.2 Customary tenure

- is governed by rules generally accepted as binding and authoritative by the class of persons to which it applies (in other words “customary regime is not governed by written law”);
- is owned in perpetuity

- customary occupants are occupant of former public land, and occupy the land by virtue of their customary rights; they have proprietary interest in the land and are entitled to certificates of customary ownership;
- certificates for customary ownership may be acquired, through application to the Parish Land Committee and eventual issuance by the District Land Board;

3.2.5.3 Freehold tenure

- derives its legality from the Constitution and its incidents from the written law;
- involves the holding of land in perpetuity or for a period less than perpetuity fixed by a condition;
- enables the holder to exercise, subject to the law, full powers of ownership;

3.2.5.4 Mailo tenure

The Mailo land tenure system is a feudal ownership introduced by the British in 1900 under the Buganda Agreement. "Mailo" is a Luganda word for mile as the original grants under the agreement were measured in square miles. Prior to the 1975 Land Reform Decree, Mailo land was owned in perpetuity by individuals and by the Kabaka (hereditary King). Persons who lived on this land, as well as new entrants, were legally protected to live on and use the land, but they were obliged to pay certain taxes. The 1975 Land Reform Decree abolished Mailo land and the rights of customary tenants on such lands, but the decree has not been effectively implemented except in so far as the customary tenants usually ceased to pay taxes to the landlords.

The Mailo system:

- derives its legality from the Constitution and its incidents from the written law;
- involves the holding of land in perpetuity;
- permits the separation of ownership of land from the ownership of developments on land made by a lawful or bona fide occupant ⁽¹⁾;
- enables the holder to exercise all the powers of ownership, subject to the rights of those persons occupying the land at the time of the creation of the mailo title and their successors;

3.2.5.5 Leasehold tenure

- is created either by contract or by operation of the law;
- is a form under which the landlord or lessor grants the tenant or lessee exclusive possession of the land, usually for a period defined and in return for a rent;
- the tenant has security of tenure and a proprietary interest in the land

Although only these latter forms of tenure are legally defined under the Land Act, the context of common law also recognises the statute of "Licensee" or "Sharecroppers", these terms having similar meanings in practice. Licensees are persons granted authority to use land within for agricultural production. Traditionally, such production would be limited to annual crops. Licensees have no legal security of tenure or any proprietary right in the land. Their tenure is purely contractual.

3.2.5.6 Right of spouse and children

The rights of spouse and children are protected under the Constitution of Uganda and the Land Act. 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 Land Act, 1998, includes the following provisions under Section 40:

quote

No person shall-

- sell, exchange, transfer, pledge, mortgage or lease any land; or

(1) Lawful and "bona fide" occupants are defined under the Land Act, Section 30. They are called "kibanja" occupants in the Kampala area.

- enter into any contract for the sale, exchange, transfer, pledging, mortgage, lease of any land;
- give away any land *inter vivos*, or enter into any transaction in respect of land-
 - o 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;
 - o 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;
 - o 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 Committee ⁽²⁾;
 - o 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.

unquote

3.2.6 Compulsory acquisition

Under Chapter Four (Protection and promotion of fundamental and other human rights and freedoms), Article 26 (Protection from deprivation of property), the Constitution states that:

quote

Every person has a right to own property either individually or in association with others

No person shall be compulsorily deprived of property or any interest in or right over property of any description except where the following conditions are satisfied-

- the taking of possession or acquisition is necessary for public use or in the interest of defence, public safety, public order, public morality or public health; and
- the compulsory taking of possession or acquisition of property is made under a law which make provisions for-
- prompt payment of fair and adequate compensation, prior to the taking of possession or acquisition of the property; and
- a right to access to a court of law by any person who has an interest or right over the property.

unquote

The Land Acquisition Act, 1965, provides the incidents of compulsory acquisition. Although both the Constitution and the Land Act prevail upon the Land Acquisition Act, this latter remains good law for those provisions which are not inconsistent with these former.

According to the Land Acquisition Act, compulsory acquisition procedural pre-requisites are the following:

- a statutory instrument should be prepared and signed by the Minister responsible for Lands;
- this statutory instrument should be gazetted.

Due to historical reasons, compulsory acquisition is a sensitive issue in Uganda.

3.2.7 Valuation and Compensation of Lost Assets

Valuation and compensation are in accordance with rates set at district level for crops and “non-permanent” structures. Rates are established and updated at District level, and are enacted by District Land Boards. Permanent structures are valued on a case-by-case basis.

3.3 INTERNATIONAL REQUIREMENTS

IFC’s social and environmental policies, that UETCL is committed to apply for the implementation of the Bujagali Interconnection Project, have recently been restructured into one new overarching policy, the Policy on Social and Environmental Sustainability, and eight Performance Standards. This new policy is applicable

(2) “Committees “ are defined under Section 65 of the Land Act ; they are Parish Land Committees.

since April 30, 2006, and the International Finance Corporation has later released guidance notes intended to guide in the implementation of each of the eight Performance Standards.

The following provisions of the fifth Performance Standard (PS5) “Land Acquisition and Involuntary Resettlement” are identified as being of particular relevance to this RAP³:

- PS5 reaffirms the concepts of physical displacement (loss of shelter) and of economic displaced (loss of means of livelihood); both Physically Displaced and Economically Displaced People are to be considered in resettlement planning;
- Stated objectives of resettlement planning should be: (quote)
 - o *To avoid or at least minimize involuntary resettlement wherever feasible by exploring alternative project designs,*
 - o *To mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons’ use of land by: (i) providing compensation for loss of assets at replacement cost; and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected,*
 - o *To improve or at least restore the livelihoods and standards of living of displaced persons,*
 - o *To improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites (unquote)*
- The Project is expected to “offer displaced persons and communities compensation for loss of assets at full replacement cost and other assistance to help them improve or at least restore their standards of living or livelihoods”,
- “Where livelihoods of displaced persons are land-based, or where land is collectively owned, the client will offer land-based compensation, where feasible”,
- The Project is to “consult with and facilitate the informed participation of affected persons and communities, including host communities, in decision-making processes related to resettlement. Consultation will continue during the implementation, monitoring, and evaluation”,
- The Project is expected to “establish a grievance mechanism consistent with Performance Standard 1⁴ to receive and address specific concerns about compensation and relocation that are raised by displaced persons or members of host communities, including a recourse mechanism designed to resolve disputes in an impartial manner”,
- The Project is expected to “carry out a census with appropriate socio-economic baseline data to identify the persons who will be displaced by the project, to determine who will be eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits. In the absence of host government procedures, the client will establish a cut-off date for eligibility. Information regarding the cut-off date will be well documented and disseminated throughout the project area”,
- “If people living in the project area must move to another location, the client will: (i) offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation where appropriate; and (ii) provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable. Alternative housing and/or cash compensation will be made available prior to relocation. New resettlement sites built for displaced persons will offer improved living conditions.”
- “If land acquisition for the project causes loss of income or livelihood, regardless of whether or not the affected people are physically displaced, the client will meet the following requirements:

³ Provisions that are not necessarily applicable to this RAP have not been included in this review. For a complete version of PS5, the reader is referred to www.ifc.org . The guidance note supporting PS5 is available at the same address.

⁴ Quote from PS1: “The client will establish a grievance mechanism to receive and facilitate resolution of the affected communities’ concerns and grievances ... The grievance mechanism ... should address concerns promptly, using an understandable and transparent process that is culturally appropriate and readily accessible to all segments of the affected communities , and at no cost and without retribution. The mechanism should not impede access to judicial or administrative remedies. The client will inform the affected communities about the mechanism in the course of its community engagement process.”

- o Promptly compensate economically displaced persons for loss of assets or access to assets at full replacement cost
- o In cases where land acquisition affects commercial structures, compensate the affected business owner for the cost of reestablishing commercial activities elsewhere, for lost net income during the period of transition, and for the costs of the transfer and reinstallation of the plant, machinery or other equipment
- o Provide replacement property (e.g., agricultural or commercial sites) of equal or greater value, or cash compensation at full replacement cost where appropriate, to persons with legal rights or claims to land which are recognized or recognizable under the national laws
- o Compensate economically displaced persons who are without legally recognizable claims to land for lost assets (such as crops, irrigation infrastructure and other improvements made to the land) other than land, at full replacement cost. The client is not required to compensate or assist opportunistic settlers who encroach on the project area after the cut-off date
- o Provide additional targeted assistance (e.g., credit facilities, training, or job opportunities) and opportunities to improve or at least restore their income-earning capacity, production levels, and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected
- o Provide transitional support to economically displaced persons, as necessary, based on a reasonable estimate of the time required to restore their income earning capacity, production levels, and standards of living.

3.4 GAP ANALYSIS

Some of WBG requirements are not met by certain aspects of the Ugandan legislation and practice in the field of compensation. The following table summarises the main differences between Ugandan law provisions and WBG requirements as per OD 4.30, as far as compensation is concerned, for various categories of Project Affected Persons.

Table 3: Comparison of Ugandan law and WBG/Equator Principles requirements regarding compensation

Category of PAP Type of lost assets	Ugandan Law	WBG/Equator Principles Requirements
OWNERS – Land	Cash compensation based upon market value of unimproved land + disturbance allowance (15%)	Strongly recommend land-for-land compensation. Compensation is at replacement cost
TENANTS - Land	Entitled to compensation based upon the amount of rights they hold upon land	Must be compensated whatever the legal recognition of their occupancy
SHARECROPPERS – Land	Not entitled to compensation for land, entitled to compensation for crops	No specific provision as to land compensation, but income must be restored.
OWNERS – “Non permanent” Buildings	Cash compensation based upon rates per sq.m. established at District level + disturbance allowance (15%) – Rates are based on depreciated market value	Recommend in-kind compensation or cash compensation at full replacement cost including labour and transaction costs
OWNERS – “Permanent” buildings	Valuation by valuer + disturbance allowance (15%). Valuation is based on depreciated market value	Recommend in-kind compensation or cash compensation at full replacement cost including labour and transaction costs

Category of PAP Type of lost assets	Ugandan Law	WBG/Equator Principles Requirements
PERENNIAL CROPS	Cash compensation based upon rates per sq.m./bush/tree/plant established at District level + disturbance allowance (15%) – Rates are calculated as the one year net agricultural income – Disturbance allowance is meant to take care of the establishment period for these crops with establishment more than one year.	Transition period should be taken into account. This period may be more than one year for some crops.
ANNUAL CROPS	No compensation. The 6 month notice is supposed to allow people to harvest their annual crops	No specific provision. Income restoration. Land for land compensation allows people to re-establish annual crops immediately
BUSINESS INCOME	No compensation. The 6 month notice is supposed to allow people to re-establish their business	Establish access to similar opportunities

In a number of cases, as shown by the table above, WBG requirements are more favorable to PAP than the provisions of Ugandan law. UETCL is committed to fulfil WBG requirements. Appropriate compensation approaches are therefore needed, with a first part of compensation meeting Ugandan law requirements, and an additional uplift from UETCL where needed to comply with WBG requirements, that is if these requirements are not met by the Ugandan provisions.

4 SOCIO-ECONOMIC BASELINE

4.1 INITIAL AESNP INFORMATION

The 2001 RAP, submitted by AESNP, was based on a comprehensive survey, valuation, and socio-economic survey of affected assets and affected people, which was carried out mainly in 2000, and is reflected in the 2001 RAP. As mentioned above in Sections 1 and 2, the need appeared in early 2006 to update this information, as many developments have occurred since then, particularly in the Kampala area.

4.2 2006 UPDATE

4.2.1 Methodology

The previously proposed transmission line Resettlement Action Plan (RAP) was prepared based on information gathered during 1999 and 2000. However, considering the developments, which have occurred within the mapped corridor since 2000, UETCL and BEL found it necessary to slightly refine the alignment, as described in Section 2 above, and then to resurvey the entire route. This included a fresh assessment of the general social, economic and environmental issues relating to the acquisition of the line and the preparation of the RAP.

BEL, through RJ.Burnside International, awarded to East African Consulting Surveyors and Valuers a contract to provide the main following services:

- Topographical survey of the center line and delineation of the Wayleave and Right-of-Way,
- Identification of land owners, land users and generally all stakeholders holding interest in land within the delineated Wayleave and Right-of-Way, and establishment of a cadastral map of the route,
- Valuation of all immoveables, including structures, trees, perennial and annual crops, within the delineated Wayleave and Right-of-Way

Meanwhile, UETCL-BIU team conducted a socio-economic survey of all affected households (e.g. households holding interest in land or immoveables within the delineated Wayleave and Right-of-Way).

The studies commenced on the 17th of August, 2006 with physical surveys, PAP identification, property valuation and administration of socio economic surveys. The strategy was to handle the corridor from both ends, with both teams meeting in the middle of the route. The surveys were completed on the 31st of October 2006. The whole exercise was independently monitored by Interaid, acting as independent “Witness NGO”, which provided invaluable advice, was an avenue for PAP to lodge claims and grievances, and flagged a number of issues for consideration by the Project sponsor and its consultant. In addition, BEL and UETCL organized internal audits, including verification in the field of the accuracy of PAP and assets identification and associated valuation.

The valuation forms used by East African Consulting Surveyors and Valuers can be found in Appendix 1. The socio-economic questionnaire used by the BIU is presented in Appendix 2.

4.2.2 Limitations

During the identification and valuation exercise, it was observed that extensive speculation was taking place as an attempt to maximize compensation. Specifically:

- In two Mailo blocks in the villages of Buloba and Malindi (where people have had experience of the 2000 compensation for the HPP), plots held by bona fide tenants to the mailo owners have been subdivided into multiple sub-plots, with new sub-tenants identified as the affected land users;
- In general in this area, it seems that speculators from Jinja have actively attempted to enter into sub-tenancy agreements with local tenants; the lists of affected households reveal a repetition of certain names in different villages between the Nile River and Mabira Forest; once they had secured a tiny piece of land as sub-tenants, the speculators planted high value crops and hastily erected non-permanent structures;

- It was observed that high value crops not typical of the area were found within the identified corridor, while no example of such crops was observed outside of the corridor. These uncommon high value crops include cocoa, coffee, avocado, mangoes, vanilla, aloe vera as well as pineapple and ornamental trees;
- In the Nile River West Bank villages, a number of makeshift shrines have appeared overnight just before the valuers came.

In terms of the socio-economic baseline information and of the assessment of the displacement impacts, these speculative attempts have the following implications:

- The number of affected households is artificially high, and accordingly the average size of affected households is artificially low (as shown below); new households were artificially created during the identification and valuation exercise in the anticipation that this will maximize compensation (by creating more eligible units than if declared as one single household). For example, older children and elderly dependents (such as grandparents) may have been declared as separate households, whereas they in fact do “eat from the same pot” (the usual practical definition of a household in rural Africa); this is demonstrated by numbers provided in section 4.4.1.1;
- The average size of plots is artificially small (sometimes plots as small as 2m x 2m have been identified);
- The number of physically displaced households may be over-estimated.

These speculation activities do not affect much the results of land and structure valuation. Crop valuation may be over-estimated as a result of speculation. Socio-economic information, as shown below in section 4.4.1.1., is also biased to a certain extent by speculative activities.

4.3 GENERAL BACKGROUND

4.3.1 Administrative Subdivisions

The proposed transmission line corridor passes through the boundaries of Mukono and Wakiso Districts and within Kampala City Council (KCC). Within each District, a number of sub-counties (LC3s) and villages (LC1s) are affected. Table 4 shows the 56 villages that are affected (Table 4):

Table 4: List of Affected LC1s

NO.	VILLAGE	District
1	KITAWULUZI	Kampala
2	MBAWO	Kampala
3	MIREMBE	Kampala
4	KIGWANYA	Kampala
5	BULENGA	Kampala
6	NAKUWADDE	Kampala
7	GGANDA	Wakiso
8	NANSANA WEST 11	Wakiso
9	NANSANA EAST 11	Wakiso
10	KIBWA	Wakiso
11	KATOOKE	Wakiso
12	WAMALA	Wakiso
13	KISIMU	Wakiso
14	KAWANDA	Wakiso
15	NAKYESANJE	Wakiso
16	MAGANJO	Wakiso
17	KABAGANDA	Wakiso

NO.	VILLAGE	District
18	LUSANJA	Wakiso
19	KITETIKA	Wakiso
20	KOMAMBOGA	Kampala
21	WALUFUMBE	Mukono
22	NAZARETH	Kampala
23	KUNGU	Wakiso
24	BUWATE	Wakiso
25	KIRA	Mukono
26	MULAWA	Wakiso
27	NSASA	Wakiso
28	NABUSUGWE	Mukono
29	NATONKO	Mukono
30	NAMWEZI	Mukono
31	JOGO	Mukono
32	NYENJE	Mukono
33	NKOKI	Mukono
34	NSANVU	Mukono
35	LUKOJO	Mukono
36	NAMA	Mukono
37	BUYUKI	Mukono
38	LUWUNGA	Mukono
39	WAKISO	Mukono
40	WABUNUUNU	Mukono
41	KANYOGOGA	Mukono
42	MAGADA	Mukono
43	NDEEBA	Mukono
44	WAGALA	Mukono
45	MASIKO	Mukono
46	KITO	Mukono
47	WASSWA	Mukono
48	SSESE	Mukono
49	LUKAAGA	Mukono
50	WABIYINJA	Mukono
51	WABIKOKOMA	Mukono
52	KIKUBAMUTWE	Mukono
53	MALINDI	Mukono
54	BULOBA	Mukono
55	NAMINYA	Mukono
56	BUJOWALI	Mukono

4.3.2 Land Use and Settlement

This section describes the broad land use characteristics and settlement pattern along the route of the proposed transmission line.

4.3.2.1 Hydro facility switchyard to Tororo Line

The land use along the River Nile in this area is small-scale subsistence agriculture. The area is intensively farmed and plots are relatively small.

The transmission lines would travel through the villages of Kikubamutwe, Malindi, Buloba and Naminya. Settlement is mainly concentrated on the higher land along local tracks which lead from the Njeru to Kayunga road, as well as along this road itself. Settlement in this area, as in most of rural Uganda, takes the form of compounds where there are a group of buildings accommodating various members of an extended family. The alignment of the transmission lines is to the east of the majority of settlement to minimize their impact.

4.3.2.2 Hydropower facility in Dumbbell Island to Nsambwe

From the power plant switchyard, the transmission line would travel in a south-westerly direction across the Njeru to Kayunga road and through a small area of subsistence agriculture in the village of Malindi. It would then travel through the SCOUL sugar estate, before joining the corridor through the Mabira Forest.

The route then joins the corridor of the existing single circuit 132kV transmission line from Nalubaale (Owen Falls) to Kampala North. It passes through the degraded eastern part of the Mabira Forest Reserve which is largely Recreational Zone. The route then passes through the village of Sese and a small area of small scale farming before re-entering the forest for approximately 1 km more.

To the west of the forest, the route passes through the villages of Waswa and Kito and small scale farmland. From Kito it passes through the villages of Wagala and Ndeeba crossing small sections of small scale farming and woodland. In this area, there is widespread scattered rural settlement, mainly along roads and access tracks.

West of Ndeeba the line passes through the village of Magada and small sections of tea estates at Kanyagoga and Nakalasa. West of these estates the route crosses sections of bushland and small scale farming at the villages of Wakiso, Buyuki, Nama and Lukojjo where there is extensive scattered settlement. The route then crosses the Kifu Forest Reserve and the main road from Mukono north to Nakifuma.

4.3.2.3 Nsambwe to Kawanda

From Nsambwe the route leaves the corridor of the existing transmission line and turns in a north-westerly direction passing to the north of Nyenje over small scale farmland. It then crosses a small section of the Namyoya Central Forest Reserve and continues over farmland and bushland to Goma and Kira. Settlement in this area is very sparse.

West of Kira it crosses small-scale farmland before passing through areas of bushland and degraded forest to the east and west of Naalya. Again settlement in this area is very sparse although there is a large brickworks to the north of the route at Naalya.

The route to the substation site at Kawanda crosses bushland, short sections of small-scale farming and part of the estate of the Kawanda Agricultural Research Institute.

4.3.2.4 Kawanda to Mutundwe

The route from the substation site passes through an area of small-scale farming, the estate of the Agricultural Research Station and some degraded forest on low lying land before reaching the village of Kisimu.

South of Kisimu the route traverses low lying land to the Lubigi swamp, passing through patches of degraded forest and crossing farmland in the village of Katoke. The route passes to the east of the dense settlement at Nansana. The route then skirts the fringes of the Lubigi swamp passing in a south westerly direction, mainly

along the west bank. The land use is mainly small-scale farming, but a number of structures were built since the 2000 survey, which made it necessary to revisit the alignment in this area, as described in Section 2.

At the southern edge of the swamp the route turns east along the railway line reserve to reach Mutundwe substation. The density of settlement and urban development is overall lower on this southern side of the swamp than to the north, but again, this is an area where optimization of the alignment has been required to minimize impacts on dwellings (Refer to Section 2).

4.4 SUMMARY 2006 BASELINE SOCIO-ECONOMIC INFORMATION

4.4.1 General Demographic Information

4.4.1.1 Average Affected Household

The average affected household as identified by the affected people themselves as their household in the 2006 socio-economic survey includes 2.66 individuals, as follows:

- One household head;
- 0.21 spouse;
- 0.63 children under 18;
- 0.44 children above 18;
- 0.38 dependents.

These numbers are surprisingly low. The average household as identified in 2000 had 4.9 individuals with 0.8 spouse and 3.1 children under 18, which is much more in line with usual demographic trends in rural Uganda.

The 2006 numbers likely reflect the multiplication of artificial households that was observed during the identification and valuation exercise: new households were artificially created in the anticipation that this will maximize compensation (by creating more eligible units than if declared as one single household). The older children and the elderly dependents (such as grandparents) are declared as separate households, whereas they in fact do “eat from the same pot” (the usual practical definition of a household in rural Africa).

4.4.1.2 Gender and Age Distribution of Household heads

37% of all affected household heads are women and 63% are male. The average age of affected household heads is 39.2 years. As an average, female heads of household are slightly older than men (by one year: 39.8 for females versus 38.8 for males).

Table 5: Age Distribution of Affected Household Heads

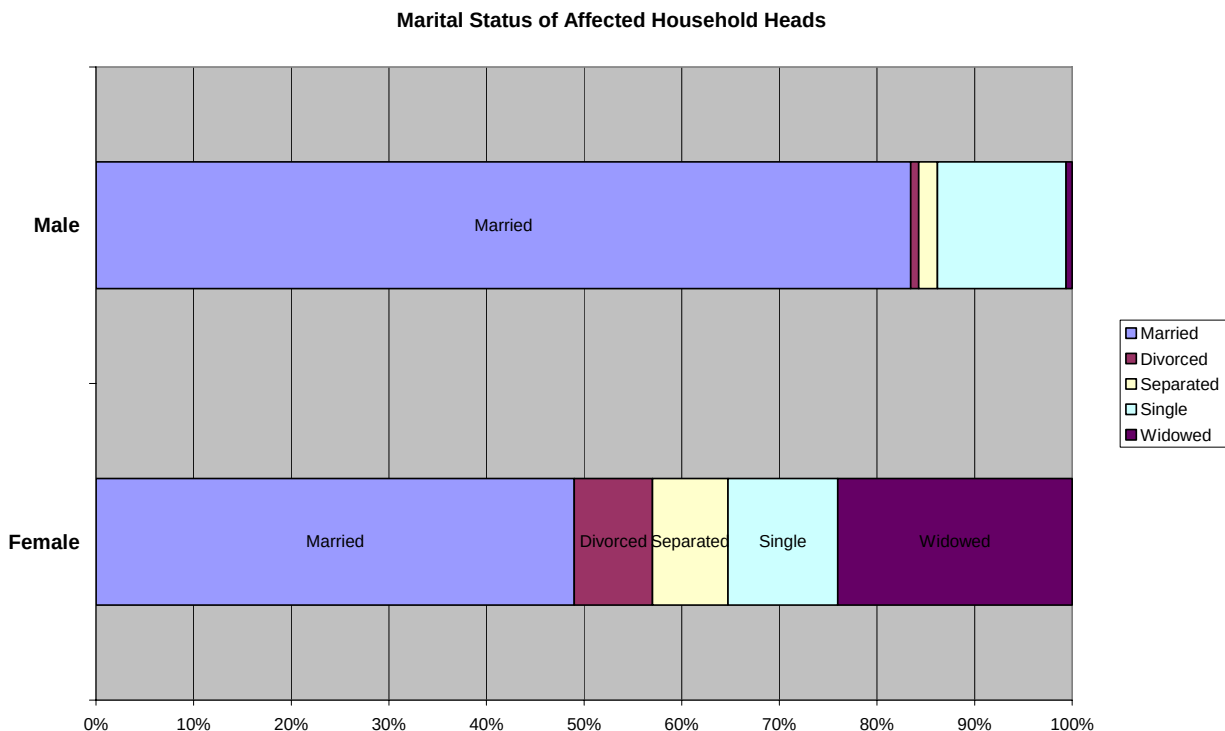
Age class	Male	Female
10-19	3.7%	5.3%
20-29	20.6%	21.7%
30-39	27.6%	29.9%
40-49	26.1%	22.8%
50-59	12.2%	11.1%
60-69	4.5%	5.6%
70 and more	5.2%	3.7%

The following characteristics need to be noted, as they bear significance in terms of potentially vulnerable people:

- There is a significant proportion of very young household heads, with 21 household heads less than 18 years of age, including a few as young as 10 to 12; it must, however, be also kept in mind that some of these may result from the artificial splitting of households mentioned above;
- Similarly a number of elderly household heads can also be found.

4.4.1.3 Marital Status of Household Heads

The disaggregation by gender of marital status information shows an interesting profile: only 50% of females are married, the other 50% being widows (almost 25%), divorced, single or separated women. In contrast, the proportion of divorced, separated or widowed men is almost negligible (4% in total), with 83% of males being married and 13% single.

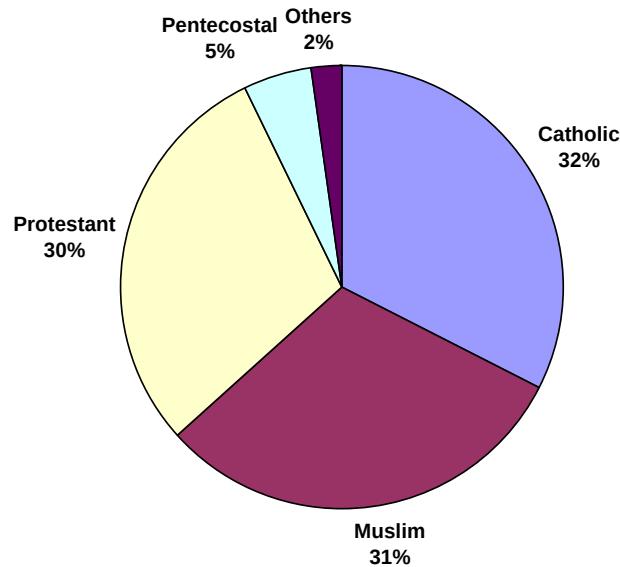


This has an important implication in terms of potential vulnerability of females: widowed, divorced or separated women are more likely to be vulnerable. It is also an indicator of a certain volatility of married couples, which is more likely to be detrimental to women, for whom chances are high that they will not be able to remarry, whereas males are almost always able to remarry. This is certainly a factor that needs to be taken into consideration when devising compensation measures. Experience of the 2000/2001 AESNP compensation exercise for the hydropower project has also shown that a significant proportion of men used their compensation to remarry younger women, hence the importance of proposing resettlement options (rather than cash compensation).

4.4.1.4 Religious Profile of Household Heads

The following graph shows the religious profile of affected household head:

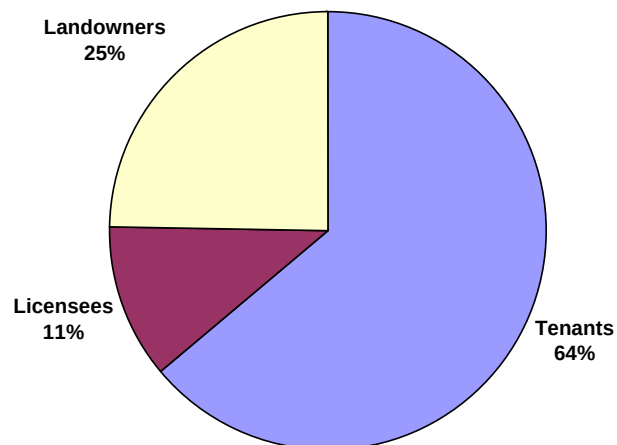
Religious Profile of Affected Household Heads



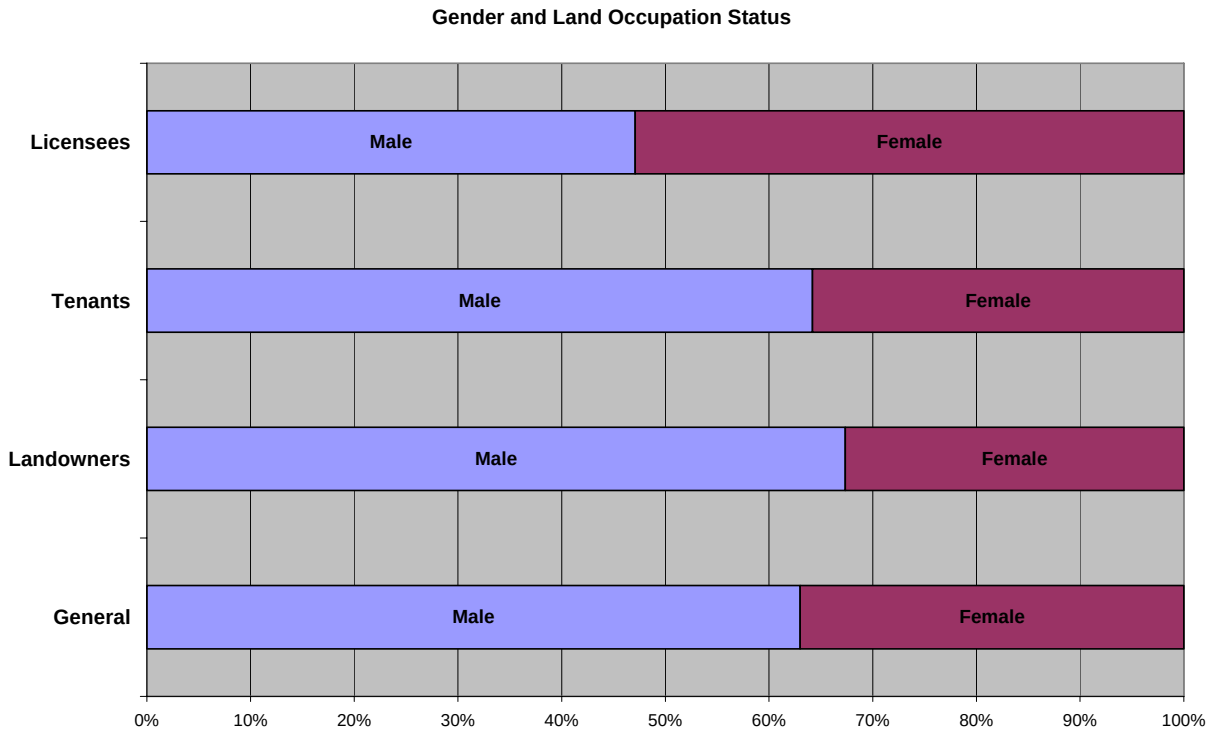
4.4.2 Land Tenure

When asked under which regime they occupy the affected plot, 64% of affected household heads respond that they are tenants (see diagram hereunder). This is a sharp increase against 2000 results, which indicated that 48% of landusers were tenants. It might again reflect the subdivision of plots that took place during the 2006 valuation exercise in anticipation of compensation.

Status of Occupation



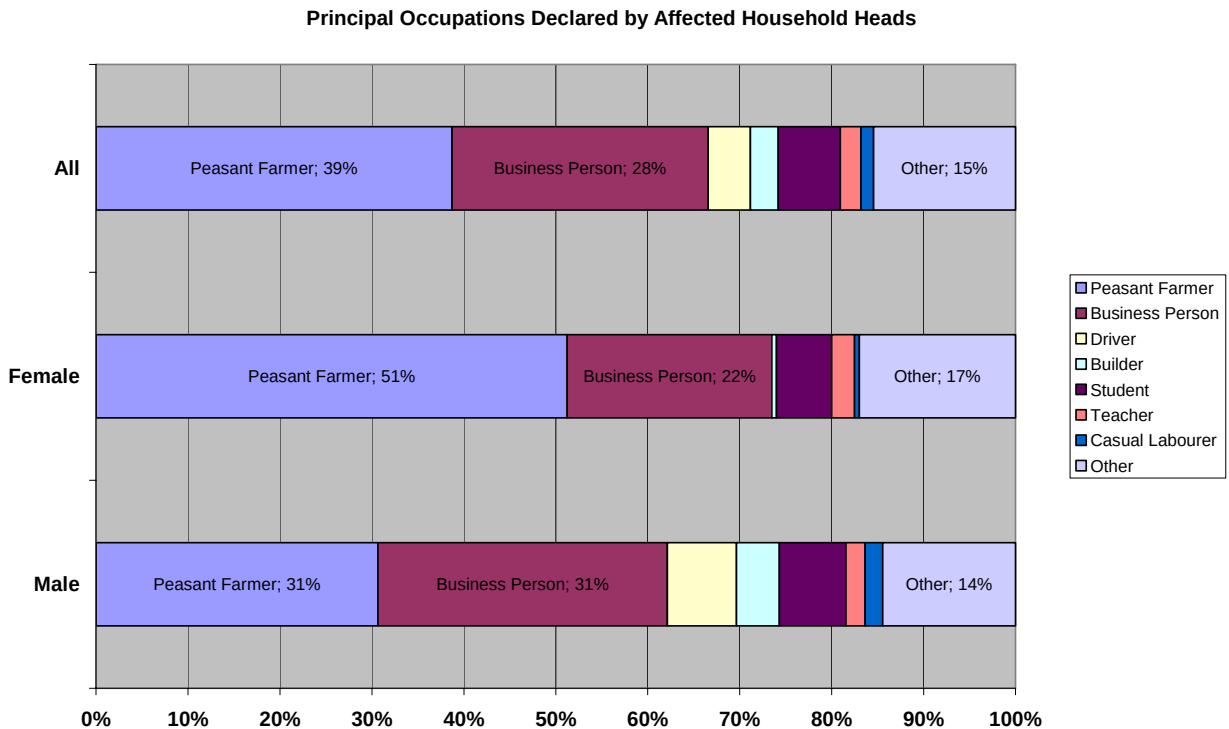
The following graph shows that amongst affected household heads, males usually enjoy better security of tenure than females: the proportion of female licensees is higher than the proportion of female landowners, and than the proportion of females in the general population of affected households.



4.4.3 Livelihoods

4.4.3.1 Occupations

Overall, 39% of affected household heads declare themselves as primarily peasant farmers. There are significant differences between occupations declared by females and males as shown below:



4.4.3.2 Agriculture

The general landscape of the Buganda region in the vicinity of the proposed alignment comprises flat or round topped hills, valleys incised into the plateau with farmlands and occasional swamps. Minimum annual rainfall is over 760 mm and most of the area has over 1000 mm, well distributed throughout the year. Most of the original rainforest vegetation has been cleared for the growing of sugarcane, tea, bananas and coffee. Elephant grass and thicket grow when the land falls out of use.

From the East, the agricultural activities are characterized by small-scale coffee banana based inter-cropping or intermixed systems in the Nile River area, large scale sugarcane production both to the east and west of the Mabira forest and more small scale coffee-banana systems in Wakiso district. The suburbs of Kampala have small scale backyard farming mainly of the various subsistence food crops. The average size of a holding along the alignment is about 0.3 ha.

4.4.4 Income (2000 Data)

4.4.4.1 Overall monetary income

The average yearly income per household is 4.025 millions of Ugandan Shillings (USD 2,230).

The distribution of this overall income is shown on Table 3 hereunder:

Table 6: Average distribution of yearly income for all households (2000 information)

Source of income	Yearly income per affected household (Ug Sh)	Yearly income per affected household (USD)
Employment	1,542,000	964
Agriculture	1,305,000	816
Business	656,000	410
Rents	241,000	151
Social benefits and others sources	281,000	176
Total	4,025,000	2,517

At the global level of all affected households, non-agricultural activities, especially employment in the formal sector, generate more income than farming due to the vicinity of Kampala. But in fact, not all households are actually involved in non-agricultural occupations, and the overall income is far from being evenly distributed among affected households.

4.4.4.2 Farming income

Farming households were asked for their yearly income from the affected plots. Table 4 shows the results:

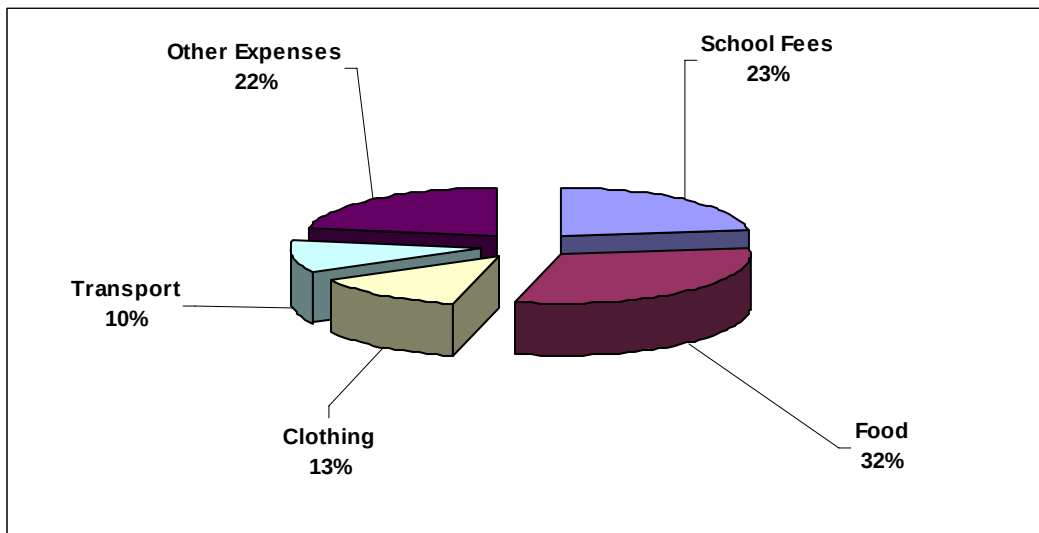
Table 7: Average farming income for farming households

Average agricultural income per household (UGX/year)	2.355 M
Average agricultural income per household (USD/year)	1,472

Although predominantly farming households may be involved to some extent in non-agricultural activities, it is clear from above figures that these predominantly farming households have significantly lower monetary incomes than households predominantly involved in other activities.

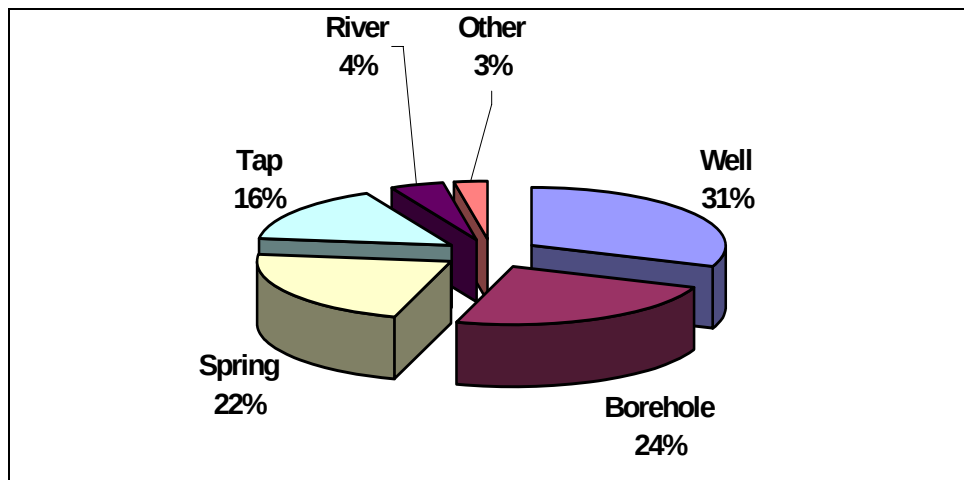
4.4.4.3 Spending patterns

The spending patterns of affected households are shown on the diagram below:



4.5 PUBLIC SERVICES

Household heads were asked from where they obtain their water from. The results are shown on the following graph:



13% of households have electricity at home. These are mainly the residences located near Kampala in Kampala and Wakiso Districts. Electricity is mainly used for lighting. For cooking, most people use either gas in the suburban areas of Kampala or charcoal in the more rural areas.

5 PROJECT DISPLACEMENT IMPACTS

5.1 LIMITATIONS

At the time of submitting this Resettlement and Community Development Action Plan, all information gathered by East African Consultant Valuers and by the Bujagali Implementation Unit had not been processed. About 80% of the field identification and valuation information collected by EACV and about 85% of the socio-economic information gathered by the BIU had been processed and submitted to the author of this RCDAP as of November 14, 2006.

Numbers presented in the sections below are therefore estimates of the actual Project impacts established in good faith based on available information. They take account of probable impacts in those areas where fully processed information was not available. However, limited unanticipated variations in these estimates may occur. These variations should not exceed 20% as a maximum, and should generally be much lower.

A revised, final, version of this RCDAP will be publicly disclosed when the final results of the census are available and duly checked.

5.2 MINIMIZING DISPLACEMENT IMPACTS

Section 2.3 above presents details on the avoidance of displacement impacts through route fine-tuning, with a description of steps taken to avoid densely populated areas.

5.3 DEFINITION OF PROJECT-AFFECTED LAND

5.3.1 Categorization of Land Affected by the Project

Land affected by the construction and operation of the Interconnection System falls into the following categories:

- Transmission Lines:
 - o Wayleave,
 - o Right-of-Way,
 - o Temporary land needs for construction purposes;
- Sub-stations:
 - o Permanent land acquisition,
 - o Temporary land needs for construction purposes.

5.3.2 Wayleave

The Wayleave is recognized as the safety corridor out of which negative impacts from transmission lines are assumed to be negligible. The width of the corridor depends on the line voltage. The Ugandan standard is a 30m wide corridor for a 132kV Wayleave and 40m for 220kV lines. Within the Wayleave, no house is permitted and crops are not to be more than 6 feet in height.

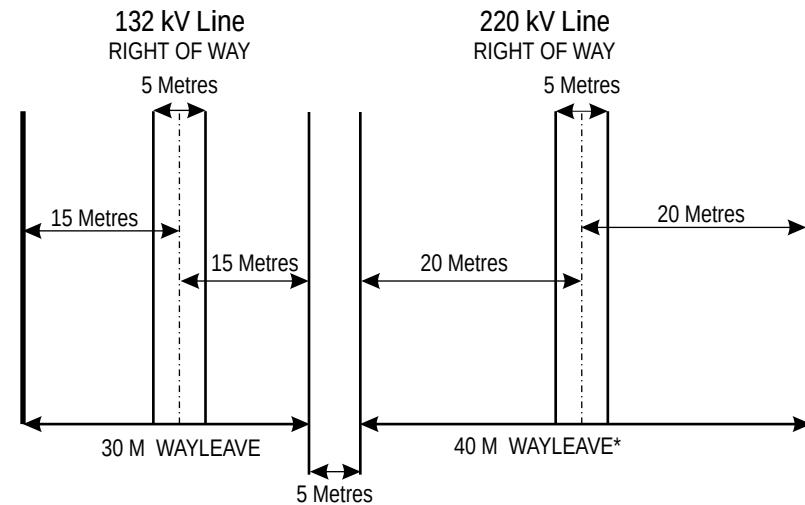
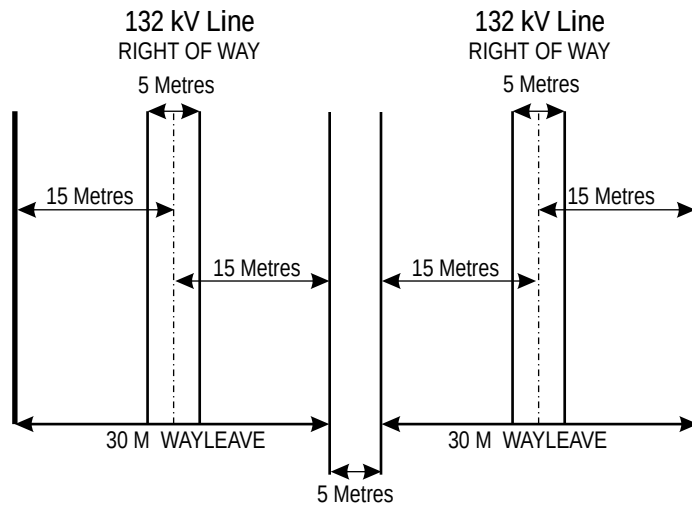
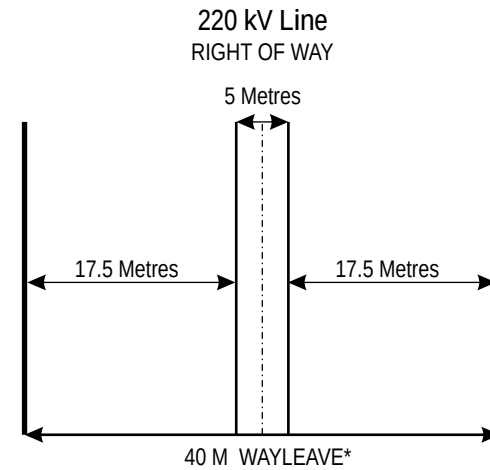
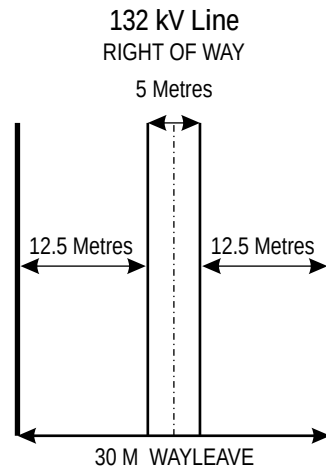
Titles for Wayleave land will not be transferred from its present owners; this land will remain their property. This land is, however, subject to the following restrictions:

- No construction is allowed in the corridor;
- All vegetation is to be kept below 6 feet height (1.8 metre).

In the Wayleave, cultivation or other uses of land may continue provided above-mentioned prescriptions are complied with by the owner and the occupants of land.

Owners and occupants will be compensated against the loss of value resulting from the restrictions (diminished value).

This page is intentionally left blank.



* Wayleave through Mabira, Kifu and Namyoya FR's will be limited to 35m as a mitigation measure. However, compensation will be based on a 40m wayleave.

Project Name: BUJAGALI INTERCONNECTION PROJECT SEA	Date: December, 2006	10045-T-RCDAP-8	Figure 8
Prepared for: UGANDA ELECTRICITY TRANSMISSION COMPANY LIMITED	R.O.W. AND WAYLEAVE REQUIRMENTS FOR 132kV AND 220kV TRANSMISSION LINES		

This page is left intentionally blank.

5.3.3 Right-Of-Way

The Right-Of-Way is the land required for a maintenance track under the line and the location of the towers. This corridor is 5 metres in width which suffices for both the access path and the 4 legs of towers.

UETCL will determine whether land falling within the 5-metre wide Rights of Way will remain the property of its current owners (titles would then not be transferred) or whether it should be fully transferred to UETCL, which solution is preferable as all usufruct rights will belong to UETCL.

This land must be accessible at all times by UETCL for maintenance purposes. Whether titles are transferred or not, land falling in the Right-Of-Way is deemed not to have any residual value for its current owners, and will, therefore, be compensated in full to its present owners.

5.3.4 Kawanda Sub-Station

Land required for the substation in Kawanda was formally acquired by ULB based on compensation paid by AESNP in 2001 (See Assessment of Past Resettlement Activities – APRAP, Kawanda Sub-Station).

Some limited additional land acquisition will be performed at Kawanda Sub-Station to accommodate a slight change in the general lay-out of the station, intended to minimize impacts on a neighboring school, as described in Section 2.3.

5.3.5 Temporary Land Needs for Construction Purposes

During construction, some areas may have to be temporarily occupied by the contractors in charge of the transmission lines construction. Owners and occupants will be compensated against the loss of crops if any, and will receive a rent from the contractors for temporary occupation. There will be no transfer of rights in this case. Damaged crops will be compensated for, as required.

5.3.6 “Orphan” Land

Over a length of approximately 45 kilometres, the new transmission line will follow an existing UETCL-operated transmission line. UETCL’s standards require that a five-metre strip separate the two corridors. In most situations, it is not anticipated that access to this strip should be hindered, as on both sides of it is land that is not taken permanently but only encumbered by restrictions on building and higher crops. However, it is possible that in a limited number of specific field configurations (particularly if a residential structure is located in this strip), access may be hindered or a loss in value may be experienced. In line with usual practice on similar projects (transmission, pipelines, etc...), these cases will be considered on a case-by-case basis for potential compensation.

5.3.7 Mabira Forest

In order to reduce environmental impacts on Mabira Forest, the width of the Wayleave is reduced in the forest crossing to 30 metres, instead of the usual 35 metres for a 220kV line.

5.3.8 Summary

The following table presents a summary of the Project required corridor width:

Table 8: Summary of Required Corridor Width

Section	Voltage (kiloVolt)	Width of Right- Of-Way (m)	Width of Wayleave (m)	Total Land Take (m)
Mutundwe – Kawanda	132	5	25	30
Kawanda – Bujagali (except for Mabira Forest)	220	5	35	40
Mabira Forest	220	5	30	35

5.4 IMPACT ON LAND

The Project construction and operation will require:

- Permanent Land Take: 52 hectares, as follows:
 - o Right-of-Way: About 51.6 hectares (128 acres) – as mentioned above, this is land that will be permanently required, and to which current land users will lose right of access;
 - o Kawanda Sub-Station: About 0.4 hectare (1 acre); 12.5 acres were already acquired in 2001;
- Land with restrictions on buildings and higher crops (Wayleave): About 301 hectares (743 acres).

Table 9 below presents the breakdown by District of these land requirements.

Table 9: Summary of Project Land Requirements (Estimates as of 31 October 2006 Pending Full Completion of Field Surveys – Excluding Kawanda Sub-Station)

Section	Surface Area of Right-Of-Way (acres)	Surface Area of Wayleave (acres)	Surface Area of Total Land Take (acres)
Kampala District	29.74	75.00	105.45
Wakiso District	29.71	208.00	237.00
Mukono District	68.11	460.24	528.35
Total	127.56	743.24	870.80

It is currently (31 October 2006) estimated that the number of affected plots is about 2,485. As different household members within the same household may hold several distinct plots under different land tenure arrangements, this number is higher than the actual number of affected households (about 1,900).

5.5 IMPACT ON STRUCTURES

5.5.1 Impact on Residential Structures

There are about 230 residential structures located in the Right-Of-Way and in the Wayleave, of which about 150 are categorized as “permanent” structures (made out of perennial materials), and about 80 are categorized as “non permanent”.

In addition, about 50 non-inhabitable structures declared by their owners as residential were also identified, particularly in the Mukono District villages, located on the West Bank of the Nile close to Jinja. These have usually been hastily erected in anticipation of the valuation exercise.

5.5.2 Impact on Other Structures

Table 10 below presents the Project impact on non-residential structures (excluding graves and shrines).

Table 10: Project Impacts on Non-Residential Structures

Type / Use of Structure	Categorized as Permanent	Categorized as Non-Permanent
Kitchen	12	26
Latrine	76	21
Business ⁵	4	4
Animal Shed	11	9
Other	53	20
TOTAL	156	80

5.6 IMPACTS ON PEOPLE AND LIVELIHOODS

5.6.1 Physically Displaced People

Physically Displaced People are people whose residence has to be displaced because it is located within the Project land acquisition area.

It is estimated that about 120 households will have to be physically displaced as a result of the Project. This is because their current residence is located within the Right-Of-Way or within the Wayleave.

Most potentially physically displaced people live in densely settled areas around Kampala and along the West Bank of the Nile River, particularly:

- Nansana north to Kampala near Kawanda sub-station;
- Kitawuluzi next to Mutundwe sub-station;
- The West bank of River Nile, including villages Kikubamutwe, Buloba, Malindi, which is densely populated and where the overall footprint of the Project is wider.

The following table shows the villages where most of these 120 physically displaced households are located:

Table 11: Villages where the Majority of Physically Displaced Households are Located

VILLAGE	Number of Potential Physically Displaced Households
NANSANA EAST	22
KITAWULUZI	17
KATOOKE	10
MULAWA	8
WASSWA	6
KIKUBAMUTWE	6

When Kikubamutwe is grouped with five other villages of the same area near the Nile River West Bank, the total number of physically displaced households in this particular area reaches about 25.

All other 48 affected villages have five or less than five potentially physically displaced households.

⁵ Businesses are usually located in houses whose main purpose is residential. Only structures solely intended for business purposes are counted here.

Out of the 120 physically displaced households, it is anticipated that a small number (about 15 in the more rural areas) will be able to relocate their residence to the remaining part of their plot. This potential “self-relocation” is, however, most unlikely in the densest areas in the suburbs of Kampala and along the Nile River Valley, where there will be little if any land remaining available to affected people for self-relocation after the Project has vacated the transmission corridor.

5.6.2 Economically Displaced People

Economically Displaced People are defined here as people whose livelihoods are affected by the Project land acquisition to such an extent that even if they are not physically displaced they will have to move to regain similar economic opportunities. In an agricultural setting, this is usually the case because people are affected by the acquisition of a significant proportion of the land they farm that leaves the remainder unsustainable.

Impacts on land for non-physically displaced people are usually benign. The total surface area of the Wayleave is only about 50 hectares over a length of 100 kilometres and over 55 communities, which on average is less than one hectare per community. Meanwhile, affected people will retain usufruct rights of the wider Right-Of-Way, with restrictions that usually affect subsistence agriculture only marginally, as matooke banana and grain crops still can be grown while complying with the 6-foot height restriction. It is therefore not anticipated that the number of economically displaced people from Kampala to Mabira Forest will be high. According to provisional results of the socio-economic surveys, this number should not exceed 10. These situations will be considered on a case-by-case basis.

This may, however, not be true of villages located along the Nile River West Bank, where people have already been affected by the HPP land acquisition, and where cumulative effects of successive phases of land acquisition can be expected. At the time of submitting this RAP, it is difficult to estimate the effect of this cumulative impact. Tentatively, it will be estimated for planning and budgeting purposes that about 30 households might be economically displaced in this area.

5.6.3 Total Number of Affected Households

It is currently estimated, pending full completion of the data treatment, that about 1,902 households are affected by the Project land acquisition. This number includes the 120 potentially physically displaced people and the 40 potentially economically displaced people.

5.7 IMPACT ON GRAVES AND CULTURAL SITES

5.7.1 Graves

According to socio-economic and valuation information, there is a total of about 55 graves in the land required for the Project. About 15 of these are located in the Right-Of-Way and the rest (40) in the Wayleave.

Graves located in the Right-Of-Way will have to be relocated. There is, in principle, no deterrent to leaving a grave in the Wayleave, and the majority of graves located in the Wayleave will remain without being relocated. However, if the owner is physically or economically displaced and has to move, the choice will be left with the grave owner: either the grave is relocated with the household, and the Project will bear the cost thereof, or the grave remains where it is. For planning and budgeting purposes, it is estimated that 20 of these graves will have to be displaced. The total of potentially affected graves is therefore 35.

5.7.2 Shrines and Other Cultural Features

A limited number of genuine shrines have been observed in the Right-Of-Way. It is estimated that about 10 such shrines are located in the permanent land take and will have to be moved.

A few opportunistic shrines were also observed to have been hastily built, particularly in the area near Jinja. Local cultural mediums have usually confirmed that these were not genuinely cultural and had been erected solely for compensation purposes.

5.8 SUMMARY OF PROJECT IMPACTS

The following table presents a summary of Project impacts as they can be estimated at the time of submitting this draft RCDAP:

Table 12: Summary of Project Impacts (estimates)

Impact	Value	Unit
Surface Area of Right-Of-Way (permanent land take)	128	Acre
Surface Area of Wayleave (land affected by restrictions of use)	743	Acre
Surface Area of Land Additionally Required for the Extension of Kawanda Sub-Station	1	Acre
Total Surface Area Required for the Project	872	Acre
Surface Area of Right-Of-Way (permanent land take)	51.8	Hectare
Surface Area of Wayleave (land affected by restrictions of use)	300.7	Hectare
Surface Area of Land Additionally Required for the Extension of Kawanda Sub-Station	0.4	Hectare
Total Surface Area Required for the Project	352.9	Hectare
Number of Affected Households	1,902	Household
Number of Affected Individuals	5,060	Individual
Number of Physically-Displaced Households	120	Household
Number of Physically-Displaced People (individuals)	319	Individual
Number of Economically Displaced Households	40	Household
Number of Economically Displaced People (individuals)	106	Individual
Number of Affected Residences	230	Unit
Number of Affected Non-Residential Structures	236	Unit
Number of Affected Graves	35	Unit
Number of Affected Shrines	10	Unit

6 COMPENSATION AND RESETTLEMENT STRATEGY

6.1 KEY PRINCIPLES

The key principles committed upon by UETCL in this RCDAP are the following:

- Resettlement and compensation of Project-Affected People (PAP) will be carried out in compliance with Ugandan legislation, IFC's Performance Standard 5 and WB OP 4.12,
- All physically or economically displaced people will be offered an option between either a full resettlement package, including the provision of replacement residential land and a house, or cash compensation,
- Past experience in Uganda has shown that cash compensation, although very sought after by many household heads, could be detrimental in the medium term, to other household members, particularly the females and children; the Project will make every effort to promote resettlement rather than cash compensation, and this plan is designed accordingly,
- A majority of PAP derive their livelihood from agriculture. Where farmers are physically or economically displaced, they will be offered a resettlement option including the provision of agricultural land of potential equivalent to that of the land they have lost,
- The RCDAP will be implemented in a gender-sensitive manner: consents of female spouses will be sought, as provided by Ugandan regulations, and, as mentioned above, resettlement-based options will be strongly promoted, as cash is often detrimental to women,
- UETCL will assist PAP' in restoring their affected livelihoods, and will provide transitional assistance as necessary as long as livelihoods are not restored to their previous level; specific livelihood restoration activities will target women,
- The RCDAP implementation and outcomes will be monitored and evaluated as part of a transparent process,
- PAP and host communities will be informed and consulted during the whole course of RCDAP development, implementation and evaluation.

6.2 LESSONS LEARNT FROM PREVIOUS RESETTLEMENT AND COMPENSATION ACTIVITIES

AESNP's resettlement and compensation activities have been evaluated in the framework of this overall Social and Environmental Assessment. Specific documents ("APRAP" for both the HPP and the Kawanda sub-station) present these assessments and propose action plans to meet observed gaps. The main lessons learnt with relevance to the planned resettlement and compensation activities for the Interconnection System are the following:

- Land-for-land compensation options (resettlement, as opposed to cash compensation) tend to protect the weakest in the community (females and children, vulnerable people), whereas cash compensation is often detrimental to females and children as it is much more likely to be used (and sometimes misused) to the sole benefit of males; this tendency is not easy to mitigate given the current place of females in rural Ugandan communities, but needs, however, to be recognized and mitigated, as follows:
 - o Seeking full consent of females in the households with proposed compensation options, not only to achieve formal compliance with Section 40 of the Land Act (which requires a sign-off of spouses, amongst others, on compensation options) but to put spouses at equal level with the household level in the discussion and decision-making on compensation options;
 - o It has been observed in a similar program in neighbouring DRC that the payment of large amounts of cash compensation in carefully distributed installments (sometimes over several years) mitigated to a large extent the potential for cash misuse; paying cash compensation in installments will be the choice option for any amount larger than USD 500;
 - o Monitoring will be key in ensuring that female spouses are not put at risk of being entirely deprived of Project benefits, particularly when compensation will be paid in installments over long periods of time.
- Livelihood restoration support activities need time to achieve results, particularly when households have less land to farm and need to rely on non-farming activities that they are not fully

- familiar with; resettlement and compensation programmes need to accommodate the constraints, budgets, and time-scales of livelihood restoration plans;
- The “Witness NGO” mechanism of on-going auditing and monitoring has given remarkable results, with limited numbers of grievances altogether.

6.3 ELIGIBILITY

6.3.1 Census

A first census was undertaken in 2000-2001 by AESNP, acting on behalf of the then UEB. As mentioned in previous sections, it was observed in early 2006 that some areas had been affected by a significant change in use and occupation patterns since 2000, particularly – but not only – the section between AP13 and AP 16 between Lubigi swamp and Nansana.

As a result of these observations, it was decided to fine-tune the alignment in these areas, and to resurvey the route accordingly. This process was launched in August 2006, after suitable Ugandan consultants were selected jointly by UETCL, BEL and RJ.Burnside International.

This exercise includes the update for 2006 economic conditions of the old compensation rates applied for the 2001 RAP. Compensation rates were determined at District level by the District Land Boards under supervision of the Chief Government Valuer’s Office. At the time of submitting this RCDAP, only Kampala District had finalized and approved the determination of their compensation rates. It is expected that Kampala District rates are usually higher than rates in other districts, and therefore use has been made of Kampala District rates for other districts for planning and budgeting purposes.

6.3.2 Cut-Off Date

The Cut-Off Date is the starting date of the fresh 2006 census of affected people and affected assets (14 August 2006). No structure or field established in the Project-Affected Area after 14 August 2006 shall be eligible for compensation. This has been explained during the census exercise to all interested parties in the area, including:

- Project-Affected People, who were identified and surveyed individually,
- District Land Boards (LC5 level),
- Parish Land Committees (LC2 level),
- LC1 representatives.

6.3.3 Speculative Structures

Opportunistic uninhabitable structures established for the sole purpose of compensation pose a specific eligibility problem, which will be addressed through the use of the following methods to ascertain the validity of the compensation claim:

- Use of satellite imagery to determine whether a structure was indeed established prior the cut-off date;
- Visual inspection of the structure to determine whether it is indeed a residential structure or not;
- Consultation with representatives of local authorities to ascertain whether the contested structure was indeed there at the time of the census and whether it was established in good faith or in an opportunistic compensation purpose;
- Involvement of the Witness NGO as one of the potential avenues to redress and mediate contestations;

Claims and contestations related to eligibility will be processed via the grievance mechanism described in Section 9.

6.3.4 Potential Claims Related with the Old Identification and Valuation Survey

As mentioned above, AESNP undertook a survey of the old route in 2001. Consultation with potentially affected people and their LC1 representatives revealed the following specific issue in relation with the “old” survey. In some instances (such as in Kikubamutwe – West Bank), PAP indicated that they had been served a notice in 2001 that they understood meant they were supposed to vacate the land shortly; as a result, they indicate that they did not maintain their houses, which collapsed as a result; the situation is now that where they used to have a house, they might receive little or no compensation; these situations will be reviewed on a case-by-case basis, based on the 2001 survey records, which are still available in Uganda,

6.3.5 Eligibility

Assets, including structures and fields, that were surveyed in the Project-Affected Area at the Cut-Off Date are eligible for compensation⁶. People residing or holding affected assets in the Project-Affected Area at the Cut-Off Date are eligible for compensation.

6.4 OVERVIEW OF ENTITLEMENTS

6.4.1 Compensation and Resettlement Packages - An Individualised Approach

6.4.1.1 Situation 1: The Affected Household Is Neither Physically Nor Economically Displaced

This means in practice that the remaining land is deemed economically viable and no residential building has to be removed.

Such situations of rather benign impact apply to the overwhelming majority of affected households. In these cases, cash compensation will be offered and no resettlement option will be offered. Cash compensation will be at District Land Board rates for land, crops, and structures, with payment of disturbance allowance as per Ugandan regulations. An uplift will be added to this compensation to meet full replacement value requirements, as rates established by District Land Boards usually do not meet this requirement.

6.4.1.2 Situation 2: The Affected Household Is Physically Displaced but not Economically Affected

The construction of a replacement house will be offered wherever the residential building has to be removed or relocated nearby. Depending on situations, resettlement may involve the construction of a replacement house:

- either on the remaining part of the plot if the remaining land holding in the neighborhood of the affected plot is deemed economically viable, or if the household’s livelihood is not based on agriculture, and if the affected household agrees to such a solution; in such cases, no replacement agricultural land will have to be provided and the household will simply continue to use the land they previously farmed or continue to engage in their non-agricultural activities, while dwelling in their new residence;
- or on another resettlement plot if the remainder of the affected plot is not economically viable; in such situations, replacement agricultural land of similar potential will also have to be provided in the vicinity of the residential resettlement plot.

Residential land will be provided to resettlers under secure tenure (either freehold or very long term leases), regardless of the previous regime of occupation. Agricultural land will be provided under the same regime of occupation as the land it replaces in the previous location.

6.4.1.3 Situation 3: The Affected Household Is Economically Displaced but not Physically Displaced

In such situations, the residential building of the affected household is not affected, but land take is such that their agricultural sustainability is jeopardized. In these situations, compensation will be provided through the provision of replacement agricultural land, with or without physical relocation of the homestead, depending on whether replacement land is available in the vicinity.

⁶ *Compensation: Payment in cash or in kind at replacement value for an asset or a resource that is acquired or affected by the Project at the time the assets need to be replaced.*

6.4.2 Summary – Entitlement Matrix

The Entitlement Matrix associates entitlements with losses for each of the three categories of Project-Affected People defined above and each category of lost asset. It is presented in Table 13 hereunder.

6.5 RESETTLEMENT PACKAGES

6.5.1 Resettlement Sites

The analysis of the numbers of physically displaced people in the villages along the transmission corridor (See Table 11 above) leads to the planning of the following four resettlement sites:

- Kampala South: for the village of Kitawuluzi (southern suburb of Kampala near the existing Mutundwe sub-station) and neighbouring localities;
- Kampala North: for the villages of Nansana and Katooke (two different but neighbour localities in the northern suburbs of Kampala near the proposed Kawanda sub-station, where people affected by the sub-station have already been resettled in 2002);
- Wasswa: a locality situated near the Western boundary of Mabira Forest;
- Nile West Bank, for the village of Kikubamutwe and neighbouring villages, including Mulawa: near Jinja on the West Bank of the Nile River.

The existing resettlement site developed by AESNP at Naminya village has 15 houses and plots available. However, given the numbers of physically and economically displaced people in this area, it is likely that another 15 plots will be necessary. This will require another site to be developed.

In other villages, the numbers of physically displaced people do not justify the development of dedicated resettlement sites. Resettlers will be relocated into houses constructed within existing communities and on plots identified on a case-by-case basis. It is estimated that this will be necessary for about 30 households.

The following table shows the numbers of plots/houses that will serve as a guide for resettlement site planning.

Table 13: Resettlement Site Planning

Resettlement site	Indicative location	Potential number of resettlers to be accommodated	Remarks
Kampala South	Mutundwe – Masaka Road	20	
Kampala North	Nansana	30	
Wasswa	Wasswa	6	
Nile West Bank	In one of the communities between the Eastern boundary of Mabira Forest and the Nile River	35 (not including 15 to Naminya)	15 resettlers can be relocated to the existing resettlement site in Naminya – These 15 households are deducted from the number in this table

Table 14: Entitlement Matrix

Category of Affected Households	Residential Land	Residential Structures	Non-Residential Structures	Graves / Shrines	Agricultural Land	Crops
Physically displaced households	If feasible, relocation to the unaffected part of the land in a residential structure rebuilt by the Project. Otherwise, option between: - Resettlement, strongly promoted by Project, including replacement of residential land on a square metre per square metre basis - Cash compensation, subject to the cash option being approved by a local resettlement committee	If feasible, relocation to the unaffected part of the land in a residential structure rebuilt by the Project. Option between: - Resettlement, including replacement of lost house by a resettlement house of similar or better standing - Cash compensation, subject to the cash option being approved by a local resettlement committee	Cash compensation at replacement value	<u>Graves:</u> Option between: - Exhumation and body relocation by a certified undertaker OR - Grave remains in place (if in the WL and household is relocated nearby) <u>Shrines:</u> - Ceremonies required to relocate the affected spirits OR - Shrine remains in place (if in the WL and household is relocated nearby)	If feasible and household is relocated nearby, household will continue to farm their current land. Otherwise, option between: - Resettlement, including replacement of lost agricultural land by replacement land of similar or better potential - Cash compensation, subject to the cash option being approved by a local resettlement committee	Cash compensation at replacement value of any standing crops that the farmer is unable to harvest during the notice period.
Economically displaced households	Option between: - Resettlement, strongly promoted by Project, including replacement of residential land on a square metre per square metre basis - Cash compensation, subject to the cash option being approved by a local resettlement committee	Option between: - Resettlement, including replacement of lost house by a resettlement house of similar or better standing - Cash compensation, subject to the cash option being approved by a local resettlement committee	Cash compensation at replacement value	<u>Graves:</u> Option between: - Exhumation and body relocation by a certified undertaker OR - Grave remains in place (if in the WL and household is relocated nearby) <u>Shrines:</u> - Ceremonies required to relocate the affected spirits OR - Shrine remains in place (if in the WL and household is relocated nearby)	Option between: - Resettlement, including replacement of lost agricultural land by replacement land of similar or better potential - Cash compensation, subject to the cash option being approved by a local resettlement committee	Cash compensation at replacement value of any standing crops that the farmer is unable to harvest during the notice period.

Category of Affected Households	Residential Land	Residential Structures	Non-Residential Structures	Graves / Shrines	Agricultural Land	Crops
Affected households that are neither physically nor economically displaced	Cash compensation at replacement value of any affected portion of the residential plot	Not applicable	Cash compensation at replacement value	<u>Graves:</u> - Exhumation and body relocation by a certified undertaker if the grave is in the RoW OR - Grave remains in place if in the WL <u>Shrines:</u> - Ceremonies required to relocate the affected spirits if shrine is in the RoW OR - Shrine remains in place (if in the WL)	Cash compensation at replacement value of any affected portion of the agricultural plot	Cash compensation at replacement value of any standing crops that the farmer is unable to harvest during the notice period.

6.5.2 Plot Pattern and Development

The standard resettlement residential plot will be 600 square meters (0.15 acre) in surface area. As detailed below, this does not include agricultural land, which will be provided separately in the majority of situations.

All plots will be served by a road. All houses will have their own pit latrine. Water supply will be by drilled wells equipped with a handpump (based on the usual Ugandan standard of one handpump for 300 individuals), and by a roof rainwater catchment system built-in for every house.

In the two urban sites (Kampala South and Kampala North) and in the Nile River new site, low voltage power will be made available. In the rural site of Wasswa, power supply will not be provided.

6.5.3 Resettlement Housing

UETCL's standard replacement houses will be of a model similar to that built by AESNP for the resettlement of people displaced by the HPP at Naminya resettlement site (see HPP APRAP).

These houses are based on a standard type developed by the NGO "Habitat for Humanity". It is shown in photographs hereunder. This house has four rooms.

The house is built in bricks with a corrugated iron roof.
It is well protected against run-off water.

Floor inside is concrete. 4 rooms are provided with a total surface of ca. 75 m²



A Ventilated Improved Pit (VIP) two-stance latrine is provided

Following observations made in the framework of the assessment of past resettlement activities carried out for the current Project (see HPP APRAP), the following improvements will be made to these resettlement houses:

- Provision of ceilings,
- Provision of inside plastering,
- Improvements to the roof rainwater catchment system.

6.5.4 Land Titles

All resettled households will be provided with a land title for their residential plot on the resettlement site. This will be either a long-term lease or a freehold title.

6.5.5 Replacement Agricultural Land

One of the lessons learnt from the past resettlement activities, is that it is difficult to combine in the same site, both residential land and agricultural land in sufficient quantity. This combination would require very large pieces of land, which are most unlikely to be easily available in any of the affected areas.

Generally, agricultural land will therefore be acquired by the Project in separate pieces from the residential land. The following table presents an estimate of the surfaces required for each resettlement site:

Table 15: Agricultural Land Requirements

Resettlement site	Indicative location	Potential number of resettlers to be accommodated	Agricultural Land Requirements (Hectare / Acre)
Kampala South	Mutundwe – Masaka Road	20	0 / 0
Kampala North	Nansana	30	8 / 20
Wasswa	Wasswa	6	4.8 / 12
Nile West Bank	In one of the communities between the Eastern boundary of Mabira Forest and the Nile River	35 (not including 15 to Naminya)	28 / 70

Experience indicates that a distance of 3 to 4 kilometres between residence and agricultural land is usually acceptable to PAP, who tend in most cases to commute to their agricultural land on bicycles. Where replacement agricultural land is necessary, every effort shall be made to identify agricultural land within a radius of 4 kilometres of the relocated residence.

6.5.6 Impacts on Host Communities

Depending on their final location, resettlement sites could entail the following impacts on host communities:

- In-flux of additional school children into existing community schools, resulting in facilities and staff being overwhelmed,
- Additional load on water supply and power supply,
- Secondary displacement (the development of the resettlement site generates its own displacees).

If a resettlement site entails limited secondary displacement impacts, these will be addressed in conformance with principles established in this RCDAP.

Additional load on existing community and public infrastructure will be addressed through construction of additional facilities where needed, such as additional classrooms in existing schools.

In general, even if resettlement land is acquired in the framework of private land transactions (as was the case for Naminya resettlement site), host communities will be consulted, and a formal agreement establishing commitments of both sides (UETCL and the host community) will be sought.

6.6 CASH COMPENSATION

6.6.1 Principles

Compensation must comply with two sets of requirements, the Ugandan law and Equator Principles, the latter being potentially more advantageous to PAP, especially with regard to the valuation at “full replacement cost” as opposed to the depreciated value taken into consideration by Uganda valuation methodologies.

To address this issue, it is proposed to distinguish clearly two terms within the compensation amount:

- C1 will be the amount calculated under Ugandan law, according to official District Land Board rates, including the legal disturbance allowance (usually 15% - see Section 6.6.6 below),
- C2 will be an UETCL uplift intended at fulfilling Equator Principles requirements.

with C the total compensation = C1 + C2.

No disturbance allowance shall be paid on top of C2, as it is not a compensation *per se* under Ugandan law.

An important Ugandan requirement is that contained in Section 40 of the Land Act that makes it compulsory to seek spousal agreement before any compensation package is agreed upon. As mentioned earlier (see section 6.2), cash compensation entails a number of risks of impoverishment of female spouses and children. In addition to seeking formal consent of spouses in compliance with Section 40, the following steps will be taken to mitigate these risks:

- Payment in installments (see section 6.9);
- Establishment of cash compensation review committees (see section 6.7.3).

6.6.2 Compensation Rates – Land

6.6.2.1 Rate Calculation

The following table shows the general basis for land compensation calculations:

Table 16: Basis for Land Compensation Calculations

Situation	Compensation under Ugandan law (C1)	Project uplift (C2)
Right-Of-Way – Land is permanently acquired	Valuation based upon “market value of unimproved land”. In practice, standard rates are applied as defined by District Land Boards + 15 % or 30% disturbance allowance – See Section6.6.6	Uplift based on average transaction prices in the area, to meet full replacement value requirements – Usually 5%
Wayleave – Land can still be farmed subject to restrictions	Valuation of the loss resulting from the restriction of use – See Appendix 5 + 15 % or 30% disturbance allowance – See Section6.6.6	Same as above
Kawanda substation – Land is permanently acquired	Valuation based upon “market value of unimproved land”. In practice, standard rates are applied as defined by District Land Boards + 15 % or 30% disturbance allowance – See Section6.6.6	Same as above

6.6.2.2 Split of Land Values between Mailo Owners and “Kibanja” Bona Fide Occupant

The Mailo regime of land tenure and the related “Kibanja” *bona fide* occupants are defined in Section 3.2.5.

In conformance with recent practice in Uganda, the split of cash compensation between mailo owners and kibanja occupants will be 66% (mailo owner) / 34% (kibanja occupant). This may apply to situations where the Buganda Kingdom has a pending claim as a Mailo owner.

6.6.3 Compensation Rates - Structures

The following table shows the general basis for structure compensation calculations:

Table 17: Basis for Structure Compensation Calculations

Lost asset	Compensation under Ugandan law (C1)	Project uplift (C2)
PERMANENT HOUSES	Valuation on a case-by-case basis, based upon the depreciated cost + 15 % or 30 % disturbance allowance	C2= Replacement cost – Depreciated cost The replacement cost is based on actual cost of construction of an equivalent structure – The difference is generally 10% - The project uplift therefore meets the gap between depreciated value per Ugandan regulations and “full replacement value” per WBG and AfDB requirements
NON-PERMANENT HOUSES	Valuation based upon official District Land Board rates with type of materials, condition and age taken into account – See Appendix 4 + 15 % or 30 % disturbance allowance	Ditto above
OTHER STRUCTURES (graves, granaries, latrines, amasabos...)	Valuation based upon official rates with type of materials, condition and age taken into account + 15 % or 30 % disturbance allowance	Ditto above

6.6.4 Compensation Rates - Crops

The following table shows the general basis for crop compensation calculations:

Table 18: Basis for Crop Compensation Calculations

Lost asset	Compensation under Ugandan law (C1)	Project uplift (C2)
PERENNIAL CROPS ON LOST LAND (RoW and Kawanda Sub-Station)	Valuation based upon count and official rates + 15% disturbance allowance	5 % uplift
PERENNIAL CROPS ON ENCUMBERED LAND OR LAND SUBMITTED TO RESTRICTION OF USE (WL)	Valuation based upon official rates and count of those trees that must be cut as a result of the height limitation + 15% disturbance allowance	5 % uplift

Lost asset	Compensation under Ugandan law (C1)	Project uplift (C2)
ANNUAL CROPS ON PERMANENTLY ACQUIRED LAND (RoW)	No compensation as long as the crop can be harvested Notice to vacate land is normally 6 months which allows to harvest annual crops. If notice to vacate less than 6 months, disturbance allowance is increased to 30% instead of 15%.	No specific uplift for annual crops as long as they can be harvested
ANNUAL CROPS ON RESTRICTED LAND (WL)	No compensation	No uplift
DAMAGE TO ANNUAL CROPS	Valuation of damaged crops based on official rates and count of damaged crops	5 % uplift

6.6.5 Compensation Rates - Moving

The cost of moving will be compensated in cash at USD 200 per displaced individual in the household.

6.6.6 Disturbance Allowance

The disturbance allowance is 15% of the C1 amount when prior notice of 6 months or more is given to vacate the land. Otherwise, it is 30% of C1. No uplift will be paid on top of the disturbance allowance.

6.6.7 Salvaging

All assets that can be removed, such as building materials, will be an additional benefit to affected people. Their value will not be deducted from the amounts of compensation.

6.7 CONSULTATION WITH PAPS ON COMPENSATION OPTIONS

6.7.1 Option Disclosure at Sub-County and Village Level

As a first stage of disclosure, meetings will be organised at sub-county level with LC1s of all affected villages. The principles of compensation for the various types of loss and of land transfer will be detailed. The list of plots to be acquired will be disclosed at sub-county and Parish Land Committee offices with surfaces, locations, and landowners' names. Meetings at the village level will allow for the same information to be disclosed. Additionally, at this level, timeframes for consultation meetings with each affected individual will be published (lists).

The importance of amicable transactions will be stressed, and the dispute settlement procedures will be presented.

6.7.2 Individual Disclosure Meetings

Meetings will be held on an individual basis, with each affected head of household. This could take place either in the affected landowner's house or at sub-county offices. PAP may be assisted by whoever they wish, including LCs, family members, lawyers and legal counsellors.

The proposed compensation package will be detailed. So as to expedite the process and where appropriate, land compensation will be discussed together with compensation for all other landowner's lost assets, such as crops and buildings.

Family members having to express consent under Section 40 of the Land Act must be identified and their consents must be sought at this level where applicable (See above section 3.2.5). This specifically applies to the rights of wives to be consulted and to the obligation for them to give their consent to any transaction that their husband would be willing to engage in.

When the deal is agreeable to both parties, a compensation certificate will be signed (see "Payment" hereunder).

6.7.3 Local Cash Compensation Review Committees

For physically or economically displaced people, past experience in Uganda has shown that cash compensation impacted badly on the household's long-term economic sustainability. This proves particularly detrimental to women and children in the household.

UETCL's intention is to strongly promote resettlement options rather than cash compensation. However, not proposing cash compensation as an option would be a violation of Ugandan law, and more generally, a violation of human rights. To avoid potentially vulnerable households opting for cash compensation if they are obviously unable to manage the sudden influx of cash, the following provisions are proposed:

- Establishment at local level (LC1 or LC3) of a Cash Compensation Review Committee;
- Any physically or economically displaced household that preliminarily opts for cash compensation instead of resettlement would be reviewed for sustainability by this committee; only once the committee is satisfied that the household indeed has a project that ensures long-term sustainability of the cash compensation option will the household be declared eligible for cash compensation.

6.8 LIVELIHOOD RESTORATION

6.8.1 Overview

While a majority of affected people are peasant farmers, there are a significant proportion of them who are engaged in small business activities (see Section 4.4.3), particularly in the suburban areas around Kampala. Livelihood restoration programmes will therefore target two areas:

- Improved agriculture
- Small business development.

Women are known in Uganda to often react more positively than men to both improved agriculture and income-generation programmes. They will be specifically targeted through gender sensitive engagement and training methods, and through specific activities in both the agricultural field and in income-generating activities.

6.8.2 Eligibility

Project-Affected Households who are either physically displaced or economically displaced are eligible to one of the two livelihood restoration packages proposed, in reason of one such package per household. Broader community development efforts targeting the general community are described in Section 11 of this RCDAP.

6.8.3 Household Preference

The total number of eligible households is about 160. Household preference has not been investigated at the time of completing this RAP. It is assumed, for budgetary purposes, that:

- 60% of households will opt for the agriculture enhancement package, e.g. about 100 households,
- 40% will opt for small business development, e.g. about 60 households.

6.8.4 Agriculture Enhancement

This package will include the following:

- Practical training course on improved agricultural techniques, including improved crop varieties, fertilization, small scale irrigation, animal traction and related equipment, post harvest grain conservation;
- Subsidies (in the amount of USD 600 per household) against the purchase of agricultural equipment, eligible items being traction oxen, carts, plows, and similar agricultural equipment;
- Provision of fertilizers and improved seeds;
- Extension services and related monitoring for five years.

Training and extension services will be delivered by an experienced organization with permanent presence in the area. Women will be targeted as a specific group of interest, with specific engagement methodologies.

6.8.5 Training and Business Support

This package will include the following:

- Selection of one activity by the household members from a list of feasible non-farming income-generating activities;
- Technical and managerial training for this activity;
- Subsidies (in the amount of USD 600 per household) against the purchase of equipment related to this activity;
- Monitoring and technical assistance for a period of five years.

Training and further technical assistance will be delivered by an experienced organization with a permanent presence in the area. In this programme too, women will be targeted specifically group of interest, with specific engagement methods and specific activities and small business areas.

6.9 PAYMENT

6.9.1 Principles

For the Wayleave and Right-Of-Way, compensation will be paid when all transactions are agreed upon for a certain section of the transmission lines. This will be in all cases prior to the actual commencement of the works.

For Kawanda site supplemental land acquisition, the Notice to Vacate will be served as per the Ugandan regulations. The date of commencement of the notice to vacate period will be the date of signature of the compensation certificate, regardless of the actual date of signature of the transfer deed. The Notice to Vacate may be for a period of no less than 3 months, or of 6 months or more, in which cases, a disturbance allowance of 30% or 15% respectively is due to the affected landowner.

6.9.2 Payment Procedure

6.9.2.1 Compensation Agreements

When options have been selected by the affected household for the compensation of lost assets, all parties involved will sign a compensation agreement. These compensations agreements will clearly separate the compensation term paid for under Ugandan law requirements (C1), and the term resulting from the UETCL uplift (C2).

Signatories of the compensation agreements will be as follows:

- Parties:
 - o Compensation Recipient,
 - o UETCL representative,

- Witnesses:
 - o Witness NGO representative,
 - o Member of the Parish Land Committee.

Where payment will be in installments, the compensation certificates will include the detailed schedule of payments.

6.9.2.2 Payment

Payments of all amounts more than Ush 100,000 will be made by cheque. Payment will be made by UETCL . On payment, a receipt will be signed by the same parties as above.

As justified above in Section 6.2, payment in several installments will be proposed for any amount larger than USD 500, as a mitigation of the risk of cash misuse, recognized as particularly detrimental to females and children. Ugandan law (and to a certain extent WBG policies) require, however, that compensation be “prior” to the loss, and fully effected before entry into land. Experience in neighbouring countries with similar requirements indicate that this contradiction can be overcome as follows:

- Obtain a clear, in-writing, consent to the payment being effected in installments rather than as a “one-off”;
- Sign a compensation agreement (see section above) making it clear what the payment schedule will be.

7 MANAGEMENT OF ARCHAEOLOGICAL AND CULTURAL PROPERTY

7.1 AFFECTED CULTURAL PROPERTY

The final alignment has been selected to avoid any significant cultural property. Consultation with the Commissioner for Antiquities and Museums in the Ministry of Tourism, Wildlife and Antiquities took place twice in 2000 before the selection of the AESNP corridor. Specifically, no site of archaeological interest has been identified along the route, and no culturally significant site has been brought to the attention of the sponsor following the consultation that was carried out in all affected villages at detailed survey stage in 2nd and 3rd quarters of 2000. Additionally, no significant cultural property is known to be affected by the transmission system project based upon consultations held to-date. Consultations being held currently (2006) aim, amongst others, at checking that this assumption is still valid. A pre-construction archaeological survey of the route will be undertaken as part of the Environmental and Social Management System for the Project.

Section 5 provides details on affected cultural property and affected graves.

7.2 MITIGATION MEASURES

Wherever possible, any impact on such structures as graves or amasabos (places of offerings) and cultural property in general shall be avoided.

7.2.1 Graves

Graves may be affected by the project. Depending on situations encountered, the following measures will be taken (See also Entitlement Matrix in Table 14):

- The grave is in land which is to be vacated for the Right-Of-Way:
 - o in this case, the grave will have to be relocated; where exhumation is required, a certified undertaker will be used to relocate the body to a new grave. The structure itself will be compensated for in cash, according to rates produced by District Land Boards for typical graves.
- The grave is not on land which is to be vacated for the Right-Of-Way but the household is offered relocation because they have a building which falls in the area where houses are prohibited:
 - o in this case, the household will remain the owner of the land, and the graves don't necessarily need to be relocated; the owner will have choice between grave relocation (according to above-mentioned procedure), or leaving the graves in place.

7.2.2 Shrines (Amasabos)

Amasabos may also be affected by the project. Amasabos are small structures which are used by the residents for offerings to the spirits. They may be found either within the family compound or house, or in more distant areas. They are privately-owned, and are used for ceremonies at family level whereby family spirits are consulted and offerings made to obtain their support and advice. Where Amasabos are affected, they will be compensated according to the rates applicable to non-permanent structures. Consultation with residents has shown that it is possible to relocate Amasabos, subject to certain ceremonies, including offerings at both the old and the new location or residence.

For compensation purposes, most Amasabos fall under the category of non-permanent buildings and are compensated for accordingly.

Appropriate procedures to deal with the relocation of family spirits are well known by the local residents and many households have already performed these ceremonies at the time of moving from one place to another. Where required, specific compensation will be offered to take care of the required ceremonies.

7.2.3 Procedure for Archaeological and Cultural Chance Finds

Although the works for the transmission system do not include much earthmoving and the overall land take impact is low, it may be that chance finds are made during the course of the construction. These may include the following:

- Archaeological heritage which has remained unnoticed in the past;
- Sites of cultural significance such as sacred woods or trees or rock outcrops which the local residents may have not mentioned at the survey stage.

Prior to the commencement of the works, an archaeologist will walk the corridor to check for any potential finds.

The EPC Contractor will develop a procedure in their Environmental Management Plan to address cultural chance finds. This procedure will include the following:

- Prior consultation with local residents and neighbours wherever clearing and earthmoving works are anticipated (clearing of the Right-Of-Way, excavations for tower legs); this consultation will be documented by the Contractor and kept available for compliance auditing;
- Immediate notice to the EPC Contractor Environmental Manager (EM) wherever a cultural find happens or when the local residents would signal a potentially impacted site with cultural significance; the EPC Contractor EM will in turn make notice to UETCL and the Ministry in charge of Culture where the issue cannot be solved with the local residents;
- Sensitization and training of foremen involved in clearing and earthmoving works to make them able to identify culturally significant features and to report them where required.

Where the site appears to require a specific intervention (such as excavation and further curation of artifacts), notice will be given to the Ministry in charge of Culture. Consultation between the Ministry, UETCL, and the local authorities will take place to develop an appropriate response.

8 VULNERABLE PEOPLE

8.1 IDENTIFICATION OF VULNERABLE PEOPLE

Vulnerable people are people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

Vulnerable people include, but are not limited to:

- disabled persons, whether mentally or physically;
- refugees and internally displaced people;
- seriously ill people, particularly people living with HIV/AIDS and other illnesses;
- the elderly, particularly when they live alone;
- households whose heads are children;
- households whose heads are female and who live with limited resources;
- households whose heads have no or very limited resources;
- households made vulnerable as a result of the resettlement and/or compensation process, such as situations where the wife is abandoned after the husband has received cash compensation;
- widows and orphans.

8.2 POTENTIAL ASSISTANCE ACTIVITIES FOR VULNERABLE PEOPLE

UETCL will assist vulnerable people insofar as they are affected by the displacement and resettlement process. Such assistance may include the following activities:

- Identification of vulnerable people and identification of the cause and impacts of their vulnerability, either through direct interviews by a Project social worker or through the community; this step is critical because often vulnerable people do not participate in community meetings, and their disability/vulnerability may remain unknown;
- Identification of required assistance at the various stages of the process: negotiation, compensation, moving;
- Implementation of the measures necessary to assist the vulnerable person; and
- Monitoring and continuation of assistance after resettlement and/or compensation, if required, and/or identification of those entities, whether Governmental or not, that could sustain the Project's assistance beyond its period of activity.

This process as summarized above is described in greater detail in Section 8.3.

Assistance may take the following forms, depending upon vulnerable persons' requests and needs:

- Assistance regarding the compensation payment procedure (e.g., specifically explain the process and procedures, make sure that documents are well understood);
- Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery;
- Assistance in moving: providing vehicle, driver and assistance at the moving stage, and assisting the person in identifying his/her resettlement plot;
- Construction assistance: providing materials, workforce, or building houses;
- Counselling in matters such as family, health, money management, and livelihood restoration
- Assistance during the post-resettlement period, particularly if the solidarity networks that the vulnerable person was relying on have been affected: food support, health monitoring, etc.; and
- Health care if required at critical periods, particularly the moving and transition periods.

If vulnerable people are moved, or if people locally involved in taking care of non affected vulnerable people are moved, consideration will be given to re-establishing adequate networks of solidarity for vulnerable people.

8.3 PROCESS

UETCL will work with LC1 Councils in identifying vulnerable people and preparing specific assistance measures where needed. The following process will take place:

- Formation of a sub-committee, within each of the significantly affected LC1s, to handle issues related with vulnerable persons,
- Identification by the sub-committee of vulnerable persons requiring assistance, through applications by the vulnerable persons themselves and through identification by social networks in the villages,
- Identification of assistance measures on a case-by-case basis, with the following process:
 - o Review of each case by a UETCL/BEL social worker with one sub-committee member, including a visit at home and a detailed interview,
 - o Discussion on required assistance measures between the two individuals above and the vulnerable person,
 - o Report to the sub-committee on proposed assistance measures,
 - o Review and decision by the sub-committee,
 - o Implementation of assistance measures,
 - o Monitoring.

UETCL will allocate a specific budget to assistance to vulnerable persons (see section Budget).

9 GRIEVANCE MANAGEMENT AND REDRESS

9.1 LIKELY TYPES OF GRIEVANCES AND DISPUTES

In practice, grievances and disputes that are most likely during the implementation of a compensation and resettlement programme such as the Bujagali IP are the following:

- Misidentification of assets or mistakes in valuing them;
- Disputes over plot limits, either between the affected person and the Project, or between two neighbors;
- Dispute over the ownership of a given asset (two individuals claim to be the owner of this asset);
- Disagreement over the valuation (either the unit rate applied or the count) of a plot or other asset;
- Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset;
- Disagreement over resettlement measures, for instance on the location of the resettlement site, on the type or standing of the proposed housing, or over the characteristics of the resettlement plot; and
- Disputed ownership of a business (for instance where the owner and the operator are different persons), which gives rise to conflicts over the compensation sharing arrangements.

9.2 MANAGEMENT MECHANISM

9.2.1 Overview

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

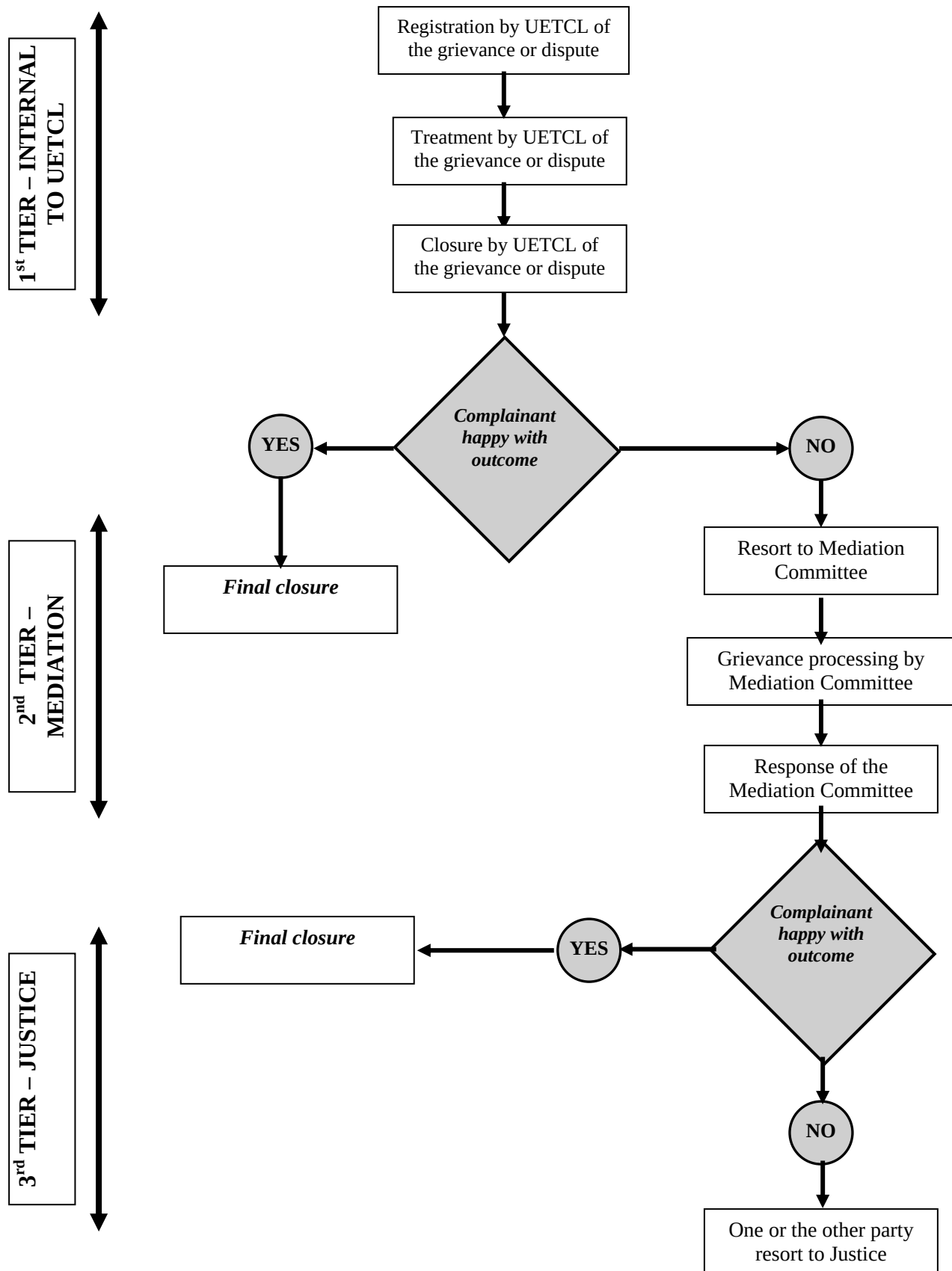
- Through explanations (for instance explaining in detail how the Project calculated the complainant's compensation and that the same rules apply to all); or
- Through arbitration, resorting to elders or individuals well-regarded by the community and external to it.

In contrast, resorting to the judicial system often results in long delays before a case is processed, may result in significant expenses to the complainant, and requires a complex mechanism, involving experts and lawyers, which can fall well beyond the complainant's control, and be counter-productive to him/her. Also, courts may declare themselves not competent for matters related to informally owned property, which is the case in this project for all affected properties.

The Project thus will put in place an extra-judicial mechanism for managing grievances and disputes based on explanation and mediation by third parties. Each of the affected persons will 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 (see also Figure 9):

- Registration by UETCL of the complaint, grievance or dispute;
- Processing by UETCL 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 UETCL as a result of the complaint, an amicable mediation can be triggered involving a mediation committee independent from the Project.

Figure 9: Grievance / Dispute Management Mechanism



9.2.2 Grievance Registration and Monitoring

UETCL will establish a register of grievances, which will be available at several locations along the route to be determined, including at least Jinja, Mukono, Nansana and Kampala.

The existence of this register, as well as procedures to lodge a complaint (where, when, etc.), will also be broadly communicated by UETCL. The register will be established as of the commencement of resettlement and compensation activities.

For each grievance, a grievance file will be opened, including the following elements:

- Initial grievance sheet (including the description of the grievance), with an acknowledgement of receipt handed back to the complainant when the complaint is registered;
- Grievance monitoring sheet, mentioning actions taken (investigation, corrective measures); and
- Closure sheet, one copy of which will be handed to the complainant after he/she has agreed to the resolution and signed-off.

Grievances will be registered within 7 days of receipt and a response will be provided to the aggrieved party in 30 days or less.

Complaint closure does not necessarily mean that the complainant is happy with action taken (UETCL may decide that the complaint is not founded, and that the RAP principles have been complied with). Closure means that the complainant agrees that action has been taken by UETCL to address the grievance without necessarily being happy with the outcome.

9.2.3 Mediation Committee – Amicable Resolution Mechanism

9.2.3.1 Mediation Committee

Complaints that cannot be closed to the complainant's satisfaction will be handed over to a mediation committee established at District (LC5) level that will include the following individuals:

- One representative of the LC5 Administration;
- One UETCL representative acting as an observer;
- Three representatives of the affected people, including at least one woman, chosen from LC1 Councillors and/or amongst community based organizations, elders, customary authorities;
- One representative of the witness NGO.

The mediation committee will meet as needed, depending on registered complaints and disputes.

9.2.3.2 Processing

After a complaint or dispute has been registered, UETCL will prepare the technical background to the complaint (for instance, the proposed compensation amount, the list of meetings and interviews with the complainant, a description of the exact reason of the dispute, etc.) for consideration by the mediation committee. The complainant(s) will be invited before the mediation committee, which will mediate and attempt to propose a solution acceptable to both parties (UETCL and complainant). If need be, other meetings will be held and the committee may resort to one of its members to arbitrate in a less formal framework than meetings, if appropriate.

If reached, the agreement will be sanctioned by a memorandum of understanding signed by the parties, and the President of the mediation committee will be responsible for monitoring the implementation of this MoU.

In case this mechanism does not allow to reach an amicable agreement, the aggrieved person keeps at any time the possibility to resort to Justice.

10 MONITORING, EVALUATION AND COMPLETION AUDIT

10.1 GENERAL OBJECTIVES AND APPROACH

Monitoring, evaluation and auditing are key components of the Resettlement and Community Development Action Plan and are an integral parts of UETCL's responsibility and obligations. It has the following general objectives:

- **Monitoring** (as defined here) looks at **progress** of resettlement and compensation and at specific situations of economic or social difficulties arising from the implementation of the compensation and resettlement process,
- **Auditing** (as defined here) looks at **compliance and completion** of the resettlement program,
- **Evaluation** (as defined here) 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, whereby different levels of monitoring and evaluation are used:

- **Internal progress (or Input/Output) monitoring:** Measures whether inputs are delivered on schedule and as defined in the RCDAP, and their direct measurable results, for instance:
 - o amounts of compensation paid in a given month,
 - o progress of construction of resettlement houses,
 - o people completing livelihood restoration training courses, etc...Monitoring will also seek to document and investigate specific conflict or hardship situations arising from the implementation of the resettlement and 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 determined by the RCDAP for every indicator (in general say every 3 months).
- **Audit of compliance and completion:** Defines whether the RCDAP and applicable requirements have been complied with, and if the implementation can be deemed complete. Following a model successfully used during earlier stages of the Bujagali project and during the 2006 census and valuation exercise, an external entity ("Witness NGO") independently monitors the implementation of the RCDAP
- **Outcome evaluation:** Defines the extent to which the project is achieving or is likely to achieve the objectives of a program. Resettler businesses established and earning acceptable returns over a reasonable period is an example of an outcome. 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, 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 will be done by an independent entity. Outcome evaluation often uses proxy (or indirect) indicators. Many people, for example, are reluctant to divulge their actual income. Proxy indicators can be used to help determine whether resettlers are reestablishing (or improving) their livelihoods and standard of living. Indirect indicators may include nutritional status, school attendance, or the purchase of "luxury" items such as motorbikes, generators or televisions.

10.2 INTERNAL PROGRESS MONITORING

During the active phase of resettlement and compensation, the following key progress indicators will be measured internally by UETCL on a quarterly basis:

- Percentage of the Right-Of-Way compensated for;

- Percentage of the Wayleave compensated for;
- Numbers of households and individuals affected by Project activities;
- Numbers of households and individuals physically displaced as a result of Project activities;
- Numbers of households and individuals economically displaced as a result of Project activities;
- Numbers of households and individuals resettled by the Project;
- Numbers of resettlement houses built;
- Numbers of resettlement houses taken possession of by resettlers;
- Grievances (open, closed); and
- Amounts of compensation paid for each category of lost assets (structures, land, crops, others).

A brief quarterly internal monitoring report will be prepared on this basis. It may be publicly released depending on lenders' requirements.

Progress monitoring will be carried out internally by UETCL resettlement and compensation unit.

10.3 COMPLIANCE AND COMPLETION AUDITS

10.3.1 Overview

The independent compliance and completion audit will focus on the assessment of compliance with requirements contained in this RCDAP, in the Ugandan legislation, and in the WBG policies. Following the model successfully implemented by AESNP in early stages of the project, it will be based on the involvement of an independent Ugandan entity ("Witness NGO"). It will include:

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

10.3.2 Compliance Reviews

Objectives of these quarterly reviews are as follows:

- To assess overall compliance with the RCDAP and applicable legislation and requirements, particularly the following:
 - Compliance with eligibility criteria as described in this RCDAP,
 - Actual delivery of entitlements (compensation and resettlement packages) as described in this RCDAP,
 - Compliance with implementation mechanisms as described in this RCDAP;
- To verify that measures to restore or enhance Project-Affected Peoples' quality of life and livelihood are being implemented and to assess their effectiveness,
- To assess the extent to which the quality of life and livelihoods of affected communities are being restored in an appropriate manner, based on results of the outcome evaluation mentioned above.

External monitoring reports will be prepared independently by the reviewer and released to the lenders and to the public after review by UETCL for factual accuracy.

10.3.3 Completion Audit

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

A key objective of the RCDAP is that resettlement, compensation and other mitigation measures should 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 deemed "complete".

The completion audit will be carried out by the same auditor as the compliance audit mentioned in the section above (“Witness NGO”). Based on progress indicators gathered by the internal UETCL teams, and on outcome evaluation indicators gathered and validated by the external evaluation team, the auditor will formulate conclusions on the main following topics:

- Have the objectives set forth in the RCDAP been reached in terms of:
 - o Identification of affected people and identification of impacts,
 - o Compensation for all impacts of all affected people,
 - o Timely delivery of entitlements and compliance with Ugandan constitution requirement of “prompt” compensation,
- Has compensation been fair and adequate to mitigate experienced impacts,
- Have livelihoods been restored.

10.4 OUTCOME EVALUATION

10.4.1 Indicators for Outcome Evaluation

Simple socio-economic parameters will be established and monitored annually for a sample of about 20% of PAP, for instance the following:

- Average monetary income, and total income including self-consumption;
- Income indicators, such as nutritional indicators and welfare indicators, including the possession of certain household items (see initial baseline questionnaire),
- Breakdown of household expenditures;
- Surface area of land holdings,
- Crops and estimated or observed yields,
- Number of affected people employed directly by the Project, including contractors and sub-contractors,
- Number of affected people remaining unemployed; and
- Number of children at school.

These indicators will be measured internally by UETCL resettlement and compensation unit, based on specifications established by the external evaluator mentioned in the section below.

10.4.2 Implementation of Outcome Evaluation

UETCL will hire a suitably qualified external evaluator with significant experience in resettlement to carry out two evaluation reviews based on indicators measured by the internal team:

- One review will take place at mid-term of RCDAP implementation (about one and a half year after commencement of implementation);
- The second review will take place two years after the end of RCDAP implementation, when livelihoods are likely to be restored or about to be restored.

Participation of communities in outcome evaluation will be warranted through the following mechanisms:

- Focus groups with affected people (gender specific),
- Focus groups with community leaders,
- Focus groups with representatives of host communities.

Evaluation reports will be publicly released.

11 COMMUNITY DEVELOPMENT ACTION PLAN

11.1 PRINCIPLES

The Bujagali Interconnection System is overall a linear project with fairly benign impacts on land use and livelihoods, as the extent of affected land is generally limited, and affected people will in most instances recover land after it has been impacted by the Project for agricultural use. UETCL and BEL have, however, pro-actively decided to dedicate some funds to general development objectives, with communities taking the lead in determining which priority project they would be willing to implement.

The CDAP for the Interconnection System aims to provide intersected communities with developmental benefits beyond mitigation impacts and compensation for loss of assets. The following principles are proposed:

- Focus of the CDAP on quick-impact social infrastructure projects,
- Allocation by UETCL to each of the communities intersected by the system of a community development budget proportional to the magnitude of impacts experienced by each;
- Assistance to communities in identifying eligible projects and preparing project documents for consideration under the CDAP;
- Establishment of eligibility criteria for projects eligible for funding under the CDAP;
- Disbursement of funds against eligible activities based on procedures ensuring a certain level of UETCL control over the actual destination of the funds.

Beyond the obvious benefits to communities in terms of social infrastructure, the CDAP is also viewed as a means to enhance community self-reliance in prioritizing projects, and project implementation capacity building within the community.

11.2 COMMUNITY DEVELOPMENT BUDGET ALLOCATION FORMULA

The formula to allocate community development funds to a given community will be based on:

- Partial proportionality to the magnitude of impacts,
- Partial proportionality to the permanent population living in the community,
- Minimum amount for villages with small population and small length of transmission lines.

The proposed formula is the following:

If:

- L is the total length of the transmission system (km) – L is in the order of 100 km (double corridors in the Bujagali area are counted twice)
- N is the total number of affected communities (N is in the order of 60)
- P is the total population of all communities intersected (number of individuals, including both affected and non-affected people) – P is in the order of 60,000 inhabitants
- l_i is the length of the transmission system in community i (in km)
- p_i is the population of the community i (number of individuals)
- $Avg(l_i)$ is the average length of transmission system intersection (L/N)
- $Avg(p_i)$ is the average community population (number of individuals) (P/N)
- B is the total budget allocated to the whole CDAP for the interconnection system
- b_i is the budget allocated for community i

$$b_i = B/N \cdot \left[\frac{l_i}{Avg(l_i)} \times 0.3 + \frac{p_i}{Avg(p_i)} \times 0.3 + 0.4 \right]$$

This formula gives equal weight to population and length of impact (each weighted by a coefficient of 0.3). Through coefficient 0.4, a minimum amount is made available to smaller communities with limited impacts (no

community would get less than $B/N \times 0.4$, or about USD 2,000. These coefficients can easily be changed after consultation if consulted communities would prefer to give more weight one given factor.

As an example, for a total budget of USD 300,000, and assuming 60 communities (LC1) are interested, the average funding received by a community is USD 5,000. Based on the above formula, no community would receive less than USD 2,000.

Through the application of the above formula, assuming B (total budget) is USD 300,000, a community of 1,000 in population intersected by 1.5 km of transmission line would receive USD 4,850.

Areas where the Interconnection System intersects large estates (such as the SCOUL sugar cane plantation and the Mehta tea plantation, as well as the Mabira Forest) are not considered to be community-land and should therefore be excluded from the calculation.

11.3 ELIGIBILITY CRITERIA

11.3.1 Categories of Eligible Projects

Only community projects are eligible. Projects benefiting individuals or companies are not eligible to the CDAP funding.

Examples of typical eligible projects include:

- Upgrades to community schools, including upgrade to buildings, furniture, and school equipment (blackboards etc...),
- Upgrades to health centers, including similarly upgrade to structures and/or equipment,
- Community water points or upgrades thereto, including hand-dug wells and drilled wells, with or without handpumps,
- Upgrades to access roads,
- Connection to public electricity networks.

Communities will be allowed and encouraged to seek additional funding (from local or international NGOs, from embassies, from LC5 budget, from affluent individuals or from private companies) to be able to develop more substantial projects.

There will need to be further community consultation to determine whether projects such as the following could be considered as eligible:

- LC1 officials' accommodation,
- Teachers or health center staff accommodation,
- Religious buildings, such as churches or mosques.

11.3.2 Sustainability and Management Requirements

Communities will have to demonstrate that their project is sustainable for their application to the CDAP funding to be considered. This will usually involve:

- Establishing a management committee, which will take care of construction, funding, and further management once the project is operational,
- Preparing a brief project document (1 to 2 pages), demonstrating how long-term sustainability will be achieved, particularly when the project involves recurrent cost (water points, maintenance of community buildings), for instance through household contributions or otherwise – this project document will be part of the application form described in further sections.

11.4 AWARENESS AND CONSULTATION

UETCL will consult with interested communities ahead of the CDAP implementation with the following objectives:

- Creating awareness of the program, of its eligibility criteria, and of its procedures;
- Fine-tuning coefficients in the formula described above, to reflect general community consensus as best as possible,
- Establishing management committees in each of the intersected communities, in view of the preparation of the community application, of the management of the construction phase, and of the further management of the operation of the facility built or upgraded as part of the CDAP.

11.5 DISBURSEMENT PROCEDURES

11.5.1 Community Application

As mentioned above, communities will have to apply to benefit from the CDAP. Application dossiers will include the following:

- List of the members of the management committee,
- Description of the project,
- Minutes of meetings demonstrating consensus on the proposed project,
- Brief demonstration that the proposed project meets CDAP eligibility criteria,
- Brief demonstration that the proposed project is sustainable,
- Budget and sources of funding, including the CDAP contribution,
- Proposed implementation arrangements (who will construct, community contribution to construction).

Where the budget of a project does not exactly match the available funding, the community could benefit from limited amounts of construction materials (such as cement or iron sheets) to balance the difference. These would then be delivered in-kind, on the condition that the community can demonstrate that these materials will indeed be used for community purposes.

11.5.2 Project Review Committees

Project Review Committees will be established at District level, including the following members:

- UETCL representatives,
- LC5 representatives,
- Selected LC1 representatives.

These project review committees will review community application, and will also process grievances related to the CDAP implementation if any.

11.5.3 Disbursement Procedures

The disbursement process will involve the following:

- Establishment by the community of a detailed budget (see above 11.5.1),
- Payment by UETCL against actual expenditures, based on contractors' or suppliers invoices.

Community committees will be audited by UETCL representatives at least once to check that actual expenditures match UETCL's disbursements.

11.6 IMPLEMENTATION

11.6.1 Responsibilities for Implementation

See Section 12 of this document. Assistance to communities in identifying projects for consideration under the CDAP will be provided by a dedicated team within the implementation unit described in section 12.1.1 and Figure 10.

11.6.2 Budget

The CDAP budget, excluding implementation costs (See Section Budget) is USD 300,000.

12 IMPLEMENTATION OF THE RCDAP

12.1 IMPLEMENTATION ARRANGEMENTS

12.1.1 RCDAP Implementation Unit

UETCL and BEL will put in place a dedicated unit for the implementation of this RCDAP, under the leadership of a RCDAP manager.

The organization chart of this unit is presented in Figure 10 below. It will be established for a period of 24 months. Staff involved in livelihood restoration activities will have longer assignments, as deemed appropriate given the results observed and assessed. In general, the staffing will be sized to match the project needs at any given moment.

12.1.2 Involvement of Other Parties

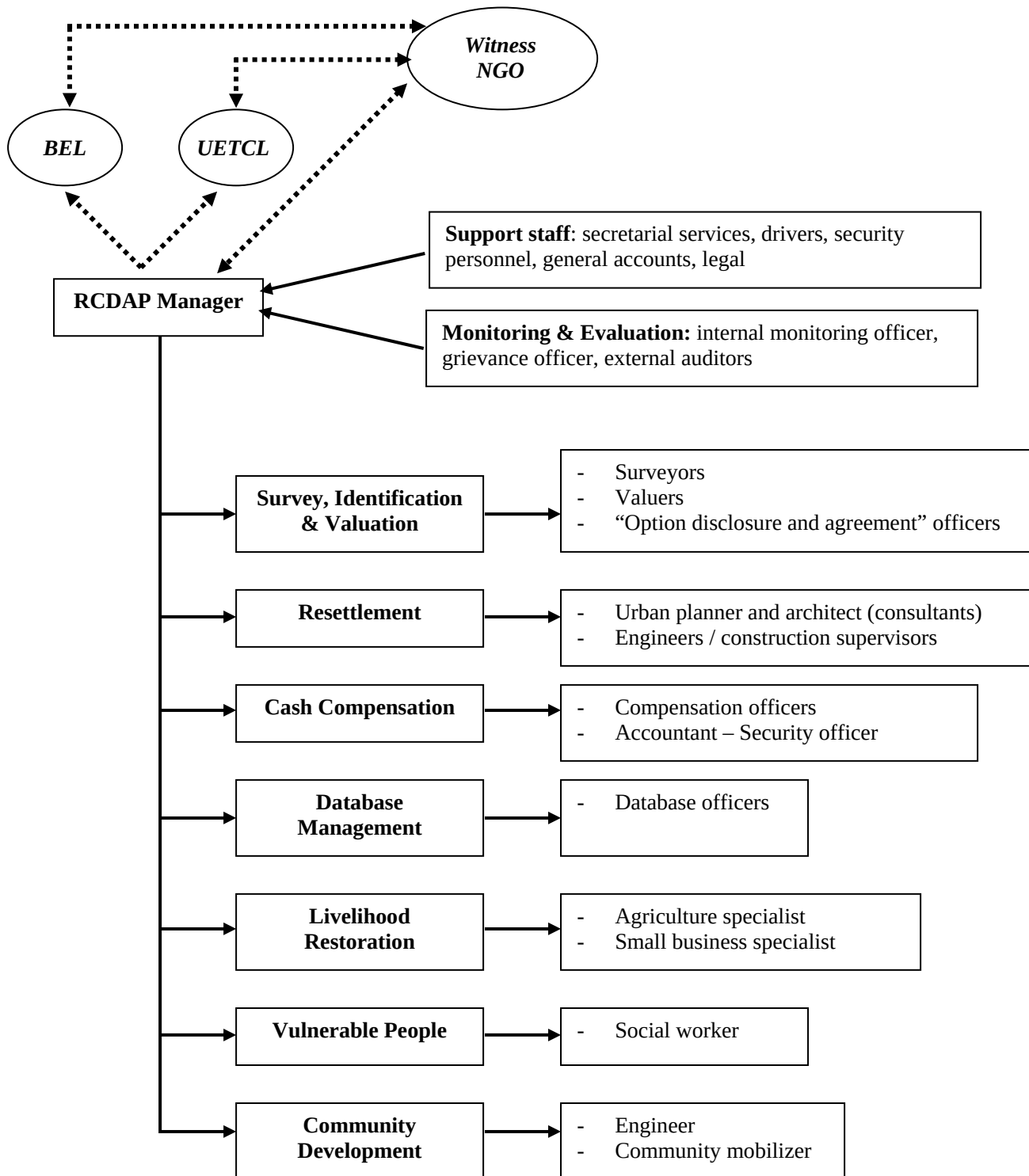
Other parties will be involved in the implementation of the RCDAP, as follows:

- At LC1 level: LC1 representatives will take an active part in further identification of affected households and valuation of affected assets, particularly where speculative attempts are suspected, and in Cash Compensation Review Committees as described in Section 6.6 above;
- At LC2 level: Parish Land Committees are involved in the validation and sign-off of compensation certificates;
- At LC5 level: District Land Boards are to establish and update compensation rates.

In addition, following the model successfully used by AESNP in earlier phases of the Project, a specific Cultural Features Compensation mechanism will be put in place to review compensation for shrines and possibly other cultural features, particularly to review and validate with affected persons the cost of the relocation of shrines and associated ceremonies.

Lastly, a Mediation Committee will be established at District level as described in Section 9 to review and mediate claims and disputes.

Figure 10: Implementation of the RCDAP – Organization Chart



12.2 BUDGET

The preliminary budget for implementation of the RCDAP is presented in Table 19 hereunder. A detailed budget for the RCDAP has been prepared based on preliminary estimates of cash compensation for large estates (tea plantations and Mabira Forest), structures, land and businesses. Only summaries are provided as the detailed budget is kept confidential

Table 19: RCDAP Budget

N°	Item	Total Cost (USD)
1	RESETTLEMENT SITES AND HOUSING	2 932 000
2	CASH COMPENSATION	9 087 750
3	LIVELIHOOD RESTORATION Agricultural package, Training, & Business Support	305 000
4	IMPLEMENTATION Staffing, Consultants, Witness NGO, Logistics	2 148 000
5	COMMUNITY DEVELOPMENT	300 000
6	CONTINGENCIES 15%	2 170 913
	GRAND TOTAL	16 943 663

APPENDICES

APPENDIX 1 – IDENTIFICATION AND VALUATION DOSSIER

PLOT REF : _____ - _____ - _____

SURVEYOR: _____

UETCL/B.E.L. – TRANSMISSION LINES**AFFECTED PLOT - IDENTIFICATION AND SURVEY FORM**

DATE: _____ VILLAGE: _____

MAIN AFFECTED LAND USER: _____**(Surname, First Name, Other Names – If Several Land Users Are Affected Please Refer to Table on Page 5 of this Form)****RESIDENTIAL ADDRESS:** _____**POSTAL ADDRESS:** _____**TELEPHONE NUMBER:** _____**TYPE OF LAND:***Circle appropriate codes / line out incorrect codes*

Type of Land	Code
Mailo	M
Public Land	PL
Freehold	F

STATUS OF LAND OCCUPATION BY AFFECTED LAND USER:*Circle appropriate codes / line out incorrect codes*

Status of Occupation	Code
Land Owner	LO
Co-Owner	CO
Tenant	T
Co-Tenant	COT
Licensee	L
Bibanja	B
Leaseholder	LH
Customary Tenure	CT
Other (specify below)	O

*If applicable:***NAME / ADDRESS / PHONE NUMBER OF LANDOWNER**

SURVEYOR: _____

PROJECTION / SYSTEM OF COORDINATES: _____

Rev.1 – 29 June 2006

SURVEYOR: _____

Sketch of Entire Plot with Affected Area

IN THE FIELD: Rough Sketch shape and size of plot indicating structures, gardens, boundaries between land users within the plot if applicable and structures if applicable. Number the structures consistent with numbering on valuation form

This image shows a full page of blank graph paper. The grid consists of small, equal-sized squares formed by thin, dark gray lines. The grid covers the entire area of the page, leaving no margins or other markings. There are 20 columns and 20 rows of squares, creating a total of 400 square units.

SURVEYOR: _____

PLOT REF : _____ - _____ - _____

SURVEYOR: _____

UETCL/B.E.L. – TRANSMISSION LINES**LAND USERS ON THE LAND (LICENSEES/TENANTS/CO-OWNERS)**

Land User's Name	Status (L/T/CO)	DESIGNATION

NEIGHBOUR BOUNDARY VERIFICATION

I hereby verify that these are the borders between the above plot and myself described on this form

NEIGHBOURS SIGNATURE	DIRECTION

SURVEYOR'S COMMENTS

PLOT REF : _____ - _____ - _____

SURVEYOR: _____

UETCL/B.E.L. – TRANSMISSION LINES

LAND USER BOUNDARY VERIFICATION

I (Land User) hereby verify that these are my borders described on the above form.

DATED this _____ **day of** _____ **2006**

LAND USER

SURVEYOR

Sign : _____

Sign : _____

Name : _____

Name : _____

Title : _____

Title/Firm : _____

FOR - PARISH LAND COMMITTEE

REPRESENTATIVE – LC 1

Sign : _____

Sign : _____

Name : _____

Name : _____

Title : _____

Title : _____

REPRESENTATIVE UETCL/BEL / BIU

Sign : _____

Name : _____

Title : _____

PLOT REF : _____ - _____ - _____

VALUER: _____

UETCL/B.E.L. – TRANSMISSION LINES**AFFECTED HOUSEHOLD - IDENTIFICATION FORM**

DATE: _____ VILLAGE: _____

PLOT LOCATION: _____

PLOT REFERENCE: _____

MAIN AFFECTED LAND USER: _____

(Surname, First Name, Other Names – If Several Land Users Are Affected Please Refer to Table on Page 5 of this Form)

RESIDENTIAL ADDRESS: _____

POSTAL ADDRESS: _____

TELEPHONE NUMBER: _____

HOUSEHOLD MEMBERS:

Household Member	Full Name	Year of Birth	Residing on Affected Land (YES / NO)	Photo File Ref.
Head of Household				
Spouses				
Children (18 and more)				
Children (Under 18)				
Other Dependents				

PLOT REF : _____ - _____ - _____

VALUER: _____

UETCL/B.E.L. – TRANSMISSION LINES**AFFECTED PLOT - VALUATION FORM***Stakeholder Information*

Date of valuation: ____ / ____ / ____ Name of Village: _____

Sub-County: _____ County: _____ District : _____

Land Owner: _____
(Surname, First Name)**Services on Affected Plot (Tick Applicable Box):**

Power with private meter	☐	Telephone	☐
Piped Water with metered private connection	☐	Other (specify):	☐
Piped Water with public standtap	☐		☐

AFFECTED LAND USERS ON THE AFFECTED PLOT OF LAND**(LICENSEES/TENANTS/CO-OWNERS, NOT INCLUDING OCCUPANTS OF STRUCTURES)**

AFFECTED LAND USER'S NAME	STATUS (L/T/CO)	REFERENCE NUMBER

PLOT REF : _____ - _____ - _____

VALUER: _____

UETCL/B.E.L. – TRANSMISSION LINES

Affected Structures – Non Permanent

[illegible]

1. Bee hive shaped grass hut earth floor	2. Mud and wattle grass roof earth floor	3. Mud and wattle grass roof smooth floor
4. Mud and wattle earth cemented walls and grass roof	5. Mud and Wattle grass roof cemented floor rough walls	6. Mud and Wattle grass roof cemented floor smooth walls
7. Mud and Wattle Debe roof cemented floor	8. Mud and Wattle Mabati roof earth floor rough walls	9. Mud and Wattle Mabati roof earth floor smooth walls
10. Mud and Wattle Mubati roof cement floor smooth walls	11. Mud and Wattle Mubati roof cemented floor rough walls	12. Pit latrine / Toilet in semi-permanent form

PLOT REF : _____ - _____ - _____

VALUER: _____

UETCL/B.E.L. – TRANSMISSION LINES*Affected Structures –Permanent*

# (consistent with sketch on survey form)	Building Type (e.g. kitchen residence, latrine, etc...)	Type of Construction	Condition 1- New 2- Good 3- Fair 4- Poor 5- Ruin	Owner of structure (Full Name of Owner)	Occupant of structure (Full Name of Household Head – Use several lines for one structure if several households occupy it)	Status of Occupation (Owner/Co-Owner/ Tenant/ Other: specify)	Dimensions (m x m)	Numb. Of Rooms	Surf. Area (m2)	Photo (file ref.)
		Roof: Walls: Floor: Windows:								
		Roof: Walls: Floor: Windows:								
		Roof: Walls: Floor: Windows:								
		Roof: Walls: Floor: Windows:								
		Roof: Walls: Floor: Windows:								
		Roof: Walls: Floor: Windows:								

PLOT REF : _____ - _____ - _____

VALUER: _____

UETCL/B.E.L. – TRANSMISSION LINES

Graves on Affected Plot

Number of Graves / Identification / Description / Dimensions / Finish

Fences on Affected Plot

Identification / Description / Dimensions / Finish

Religious / Spiritual Sites / Shrines

Identification / Description / Dimensions / Finish

Others

PLOT REF : _____ - _____ - _____

VALUER: _____

UETCL/B.E.L. – TRANSMISSION LINES

Crop Survey

Stakeholder (Landowner/Co-owner/Tenant/Licensee)

Ref	Crop / Tree	Quantity and Unit of Measurement	Description/Condition	Comments

INITIALS:

Valuer: _____
Name:

Stakeholder: _____
Name:

Rep. Parish Land Committee: _____
Name:

Rep. LC 1: _____
Name:

Rep. BEL / BIU: _____
Name:

PLOT REF : _____ - _____ - _____

VALUER: _____

UETCL/B.E.L. – TRANSMISSION LINES

NOTICE:

I understand that this form is not the agreement to buy my land or place an encumbrance upon my land or to compensate me. I understand that I must continue farming as usual until further notice.

I have read the above information and agree that the information on this form is true, full and complete.

Dated this _____ day of _____, 2006

LAND/CROP OWNER

VALUER

Sign : _____

Sign : _____

Name : _____

Name : _____

Title/Firm: _____

REPRESENTATIVE – LC 1 (In witness)

PARISH LAND COMMITTEE MEMBER (In witness)

Sign : _____

Sign : _____

Name : _____

Name : _____

TITLE : _____

TITLE : _____

REPRESENTATIVE – BEL / BIU

Sign : _____

Name : _____

Title : _____

APPENDIX 2 – SOCIO-ECONOMIC QUESTIONNAIRE

PLOT REF : _____ - _____ - _____

ENUMERATOR: _____

UETCL/B.E.L. – TRANSMISSION LINES

AFFECTED HOUSEHOLD – SOCIO-ECONOMIC FORM

Date of Interview: _____

Village: _____

SECTION 1

FAMILY INFORMATION

LO _____ Tenant _____ Licensee _____ Co-owner _____

Household Head _____
(Surname, First Name)

Photo Ref _____

Sex: _____

Date/Year of Birth: _____

Age: _____ exact/approximate
(circle appropriate response)

Where were you born? _____ When did you come here? _____

Are your parents alive? Yes/ No
(circle appropriate response)

If alive, which? _____

Where do/did your parents live? _____

Identicard/Graduated Tax/Other ID _____ Presented? Yes/ No ID No _____

Name on ID _____ Address on ID _____

Marital Status: (circle appropriate response) Single Married (no of spouses) _____ Divorced Widowed

Tribe/Clan: _____

Village: _____

Main Occupation of Head of Household: _____

Where do you work? _____

Religion: Catholic Protestant Muslim Other _____

Is the affected plot a principal place of residence? (circle appropriate response) Yes / No.

PLOT REF : _____ - _____ - _____

ENUMERATOR: _____

UETCL/B.E.L. – TRANSMISSION LINES**HOUSEHOLD MEMBERS:**

Household Member	Full Name	Year of Birth	Residing on Affected Land (YES / NO)	Literacy Level (*)
Head of Household				
Spouses				
Children (18 and more)				
Children (Under 18)				
Other Dependents				

* Literacy Levels:

1: Illiterate

2: Can read and write

3: Complete Primary Education

4: Complete Secondary Education

5: Complete University Education

PLOT REF : _____ - _____ - _____

ENUMERATOR: _____

UETCL/B.E.L. – TRANSMISSION LINES**SECTION 2****HOUSEHOLD LAND HOLDINGS AND ASSETS****Agricultural Plots**

Location (Village)	Surface Acres	Status of Occupation (Owner/Co- Owner/Tenant/CO- Tenant/Licensee)				Agricultural Use (Crops typically grown)	Affected (Yes / No)	
		O	CO	T/COT	L		Y	N
		O	CO	T/COT	L		Y	N
		O	CO	T/COT	L		Y	N
		O	CO	T/COT	L		Y	N
		O	CO	T/COT	L		Y	N

Residential Plots

Location (Village)	Surface Acres	Status of Occupation (Owner/Co- Owner/Tenant/Licensee)				Structures on Plot	Affected (Yes/No)	
		O	CO	T/COT	L		Y	N
		O	CO	T/COT	L		Y	N
		O	CO	T/COT	L		Y	N

Structures

Location (Village)	Construction materials (Permanent / Non Permanent)		Status of Occupation (Owner/Co-Owner/Tenant)				Condition	Affected (Yes/No)	
	P	NP	O	CO	T/COT	L		Y	N
	P	NP	O	CO	T/COT	L		Y	N
	P	NP	O	CO	T/COT	L		Y	N

PLOT REF : _____ - _____ - _____

ENUMERATOR: _____

UETCL/B.E.L. – TRANSMISSION LINES**SECTION 3****LIVELIHOOD**

Item Description	Cash Ug. Shillings for year 2005	In Kind <i>e.g. Cow/Labour/Grain</i>
Income from Household Enterprises <i>(Please provide details of calculations in notebook)</i>		
Crop Farming		
Other Agricultural Income <i>(eg Livestock, Poultry)</i>		
Non-Agricultural Income		
Property Income		
Rent received from rented property (land, housing)		
Benefits		
Family allowances/social security benefits		
Remittances and assistance received from others		
Other (inheritance, alimony, scholarships, etc)		
Employment		
Formal employment income		
TOTAL		

Do you have a bank account? *(circle appropriate response)* Yes / No

If yes, where? (e.g. bank name, location, distance): _____

SECTION 4**HEALTH & VULNERABILITY**

Are there disabled or chronically ill people in the household? YES NO

If YES: - Type of disability/illness: _____

- Type of care required: _____

Number of births & deaths over the last 12 months in the household:

- Births: _____

- Deaths: _____ Cause: _____

What are the most common diseases that affect the family?

- _____

- _____

- _____

- _____

PLOT REF : _____ - _____ - _____

ENUMERATOR: _____

UETCL/B.E.L. – TRANSMISSION LINES

What is the nearest health facility known to the family? _____

Is it actually used by the family? **YES** **NO**If **NO**, why? _____Do you practice family planning? **YES** **NO**Have you heard of HIV/AIDS? **YES** **NO**

How is HIV/AIDS contracted? _____

How can HIV/AIDS be avoided? _____

SECTION 5**WELFARE INDICATORS**

Does everyone in the household have at least two sets of clothes?	Y	N
Does anyone in the household own a radio? (<i>add telephone/fixed or mobile</i>)	Y	N
Does anyone in the household own a mobile telephone?	Y	N
Does anyone in the household own a fixed telephone?	Y	N
Does the household have a bicycle?	Y	N
Does the household have any other transport equipment other than a bicycle? If yes, what type of vehicle?	Y	N
If someone in the household had a serious problem, is there anybody in this settlement that you could ask assistance from?	Y	N

Where do you get drinking water from: _____ Distance from residence _____ metres

Do you fish in the present situation: **YES** **NO**If **YES**, where? _____ How often? _____Do you hunt in the present situation: **YES** **NO**If **YES**, where? _____ How often? _____

What fuel do you use in the household:

Firewood

Gas

Charcoal

Solar

Paraffin/Kerosene

Biogas

Electricity

Other

SECTION 6**OTHER OBSERVATIONS & COMMENTS****Include Relocation Preferences if the Household is potentially physically displaced**

PLOT REF : _____ - _____ - _____

ENUMERATOR: _____

UETCL/B.E.L. – TRANSMISSION LINES

NOTICE:

I understand that this form is not the agreement to buy my land or place an encumbrance upon my land or to compensate me. I understand that I must continue farming as usual until further notice.

I have read the above information and agree that the information on this form is true, full and complete.

Dated this _____ day of _____, 2006

HOUSEHOLD HEAD

Sign : _____

Name : _____

ENUMERATOR

Sign : _____

Name : _____

Title/Firm: _____

REPRESENTATIVE – LC 1 (In witness)

Sign : _____

Name : _____

TITLE : _____

PARISH LAND COMMITTEE MEMBER (In witness)

Sign : _____

Name : _____

TITLE : _____

REPRESENTATIVE – BEL / BIU

Sign : _____

Name : _____

Title : _____

APPENDIX 3 – MABIRA FOREST VALUATION REPORT (EXECUTIVE SUMMARY)

Economic Assessment of Resource Values Affected by the 220 KV Powerline Wayleave Traversing Mabira, Kifu and Namyoya Central Forest Reserves

October, 2006

Yakobo Moyini, PhD, Principal Associate, YOMA Consultants

Executive Summary

In order to evacuate electricity from the proposed power plant at Dumbell Island on the River Nile and carry it to Kampala and other parts of Uganda, a 220 KV transmission line is to be installed. The proposed routing of the line passes through Mabira, Kifu and Namyoya CFRs. The powerline Wayleave traversing the three forests is 40 metres wide on the northern side of the existing 132 KV line.

Both the National Environment Act and the National Forestry and Tree Planting Act require that for certain major developments such as the installation of the powerline through the three forests, an environmental impact assessment (or environmental impact study) should be carried out. The same requirement holds in respect of the World Bank environmental and social safeguard policies. This report constitutes part of the environmental impact assessment process. In particular, the study is concerned with assessing the economic impact of the development in terms of resources lost and benefits foregone. The estimates were derived from both primary and secondary data and follows the principle of total economic value of forests.

The results of the study suggest a timber stock (50 cm + dbh) worth US\$ 224.7 million will be lost in Mabira CFR. The present value of benefit streams obtained from long-run sustainable yield in Mabira CFR and timber values foregone in the plantations of Kifu and Namyoya CFRs was estimated at US\$ 138.3 million. Furthermore, the present value of other annual benefit streams from forest products, biodiversity, domestic water, carbon storage and ecotourism – was estimated at US\$ 32.8 million. The present value of annual ground rent payments was calculated to be US\$ 11.8 million. Other values which include: compensations for private land enclave and immature tree plantings; and incremental management costs had a present value of US\$ 28.5 million. Hence the total values lost or foregone was estimated at US\$ 436.1 million.

Of the total amount of values lost or foregone, the NFA realises US\$ 224.7 million from the disposal of the standing crop in Mabira CFR through its auction process. The Developer on the other hand, should compensate the NFA for lost forest benefits and added management responsibilities to the tune of US\$ 211.4 million. The table below shows a summary of economic values lost or foregone.

Impact Area Economic Values (US\$ '000s)

Value Sources	Amount
A. NATURAL FOREST GROWING STOCK	224,747
B. PRESENT VALUE OF BENEFITS STREAMS	
1. Timber	138,305
2. Poles + Firewood	4,007
3. Non-Timber Forest Products	4,518
4. Biodiversity	1,309
5. Domestic Water	3,781
6. Carbon Storage	16,644
7. Ecotourism	2,550
8. Landtake	<u>11,795</u>
SubTotal B	<u>182,909</u>
C. OTHERS	
1. Private Land Enclave	93
2. Immature tree plantings	1,826
3. Management Costs	<u>26,552</u>
SubTotal C	<u>28,471</u>
D. TOTAL (B+C)	<u>211,380</u>
E. TOTAL (A+B+C)	<u>436,127</u>

APPENDIX 4 – KAMPALA DISTRICT COMPENSATION RATES

PART ONE: FOOD CROPS / VEGETATION

ITEM	ASSUMPTIONS	RATE PER (SQUARE METER UNIT, STOOL, TREE, CLUMP) (SHS.)	STEM	ACRE
BANANA (MATOOKE) GONJA	a) Mature and good; maximum of three plants per clump which at least one stems with a bunch well-pruned, weed free well mulched. Well water channeled. <i>(Per Clump)</i>	7,500/=	2,000/=	3,000,000/=
	b) Mature and Average; Four to five plants per clump, localized pockets of weed, distorted spacing, disintegrated mulch, average maintenance of drainage and water channels.	6,000/=	1,500/=	2,250,000/=
	c) Mature and Poor; Neglect field, intercropped, spacing of clumps not easily determined poorly maintained drainage and water channels.	1,500/=	750/=	1,680,000/=
	d) Young and Good; Well-spaced, intercropped, significant cost for land preparation and sucker procurement and treatment.	4,500/=	1,500/=	1,850,000/=
	e) Young and Poor; Neglected weed paste and disease infected, poor spacing.	800/=	500/=	840,000/=
BANANA (SWEET) BOGOYA, NDIZI, MBIDDE, KISUBI	• Mature and Good <i>(Per clump)</i>	6,000/=	1,500/=	2,400,000
	• Mature and Average	4,500/=	1,500/=	1,800,000/=
	• Mature and Poor	3,000/=	750/=	1,350,000/=
	• Young and Poor	850/=	300/=	600,000/=
CASSAVA	➤ Mature and Good:	3,700/=		2,500,000/=
	➤ Mature and Average	2,500/=		1,875,000/=
	➤ Young and Good	1,650/=		1,400,000/=
	➤ Poor	750/=		700,000/=
COFFEE (CLONEL)	➤ Mature and Good <i>(Per Tree)</i>	9,000/=		3,600,000/=
	➤ Mature and average	6,000/=		1,450,000/=
	➤ Mature and Poor	4,500/=		1,080,000/=
	➤ Young and Good	3,500/=		750,000/=
COFFEE (ARABICA)	➤ Mature and Good	9,500/=		3,800,000/=

ITEM	ASSUMPTIONS	RATE PER (SQUARE METER UNIT, STOOL, TREE, CLUMP) (SHS.)	STEM	ACRE
	➤ Mature and average	8,000/=		3,200,000/=
	➤ Mature and Poor	4,800/=		1,920,000/=
	➤ Young and Good	5,600/=		2,240,000/=
	➤ Young and Poor	3,800/=		1,520,000/=
COFFEE (ROBUSTA)	➤ Mature and Good (<i>Per Tree</i>)	7,500/=		3,000,000/=
	➤ Mature and average	6,000/=		1,200,000/=
	➤ Mature and Poor	3,500/=		900,000/=
	➤ Young and Good	5,250/=		335,000/=
	➤ Young and Poor	2,250/=		675,000/=
IRISH POTATOES	➤ Good and mature; expected yield 3 kgs per square meter, 4,000 mounds an acre, pest and disease free. (<i>Perr Square meter</i>)	1,200/=		1,200,000/=
	➤ Poor/Mature	1,000/=		720,000/=
	➤ Poor spacing and agronomy diseased and poor soils	800/=		470,000/=
	➤ Young and Good	500/=		315,000/=
GROUND NUTS	➤ Well attended and good	<i>Per plant</i> 400/=		850,000/=
	➤ Average	225/=		480,000/=
	➤ Poor	150/=		320,000/=
MAIZE	➤ Mature, young and good expected yield of 15 bags per acre at least weeded twice, good spacing.	<i>Per plant</i> 150/=		380,000/=
	➤ Average	100/=		250,000/=
	➤ Poor	75/=		185,000/=
SORGHUM	➤ Good; pest free, expected yield 1000 kgs/acre (<i>Per Square meter</i>)	225/=		
MILLET	➤ Good; weed free, well maintained, pest free	250/=		
BEANS	➤ Mature and Good; not harvested, well spaced, pest free, weed free	675/=		

ITEM	ASSUMPTIONS	RATE PER (SQUARE METER UNIT, STOOL, TREE, CLUMP) (SHS.)	STEM	ACRE
	➤ Mature and Poor; green yellow leaves due to nitrogen deficiency practice of crop husbandry.	450/=		
	➤ Mature & Poor neglected, weed infected	300/=		
SWEET POTATOES	➤ Mature and Good; if not harvested, pest free, good soils, about 4000 mounds per acre expected, spacing 1m x 1m. (<i>Per Square meter</i>)	750/=		500,000/=
	➤ Mature and Poor; if not harvested, not properly managed	500/=		330,000/=
	➤ Young and Good	340/=		250,000/=
	➤ Young and Poor	225/=		165,000/=
CABBAGES	➤ Mature and Good; pest and weed free, spaced about 90 x 60 cm, 4000 plants per acre average (<i>Per Plant</i>)	500/=		
	➤ Mature and Average	400/=		
	➤ Young and Good	300/=		
	➤ Young and Poor	200/=		
TOMATOES	➤ Mature and Good (<i>Per Plant</i>)	1,500/=		
	➤ Improved variety; well spaced about 90 x 45cm staked and sprayed, weed free	800/=		
	➤ Local Variety: Young and Good	500/=		
GREEN VEGETABLES	➤ Mature and Good (<i>Per square meter</i>)	900/=		
JACK-FRUIT	➤ Mature and Good (<i>Per tree</i>)	75,000/=		
	➤ Average	45,000/=		
	➤ Medium size	30,000/=		
	➤ Mature and Poor	7,500/=		
	➤ Young (<i>up to 1 year old</i>)	3,750/=		
PINEAPPLE	➤ Mature and Good (<i>Per plant</i>)	1,000/=		1,500,000/=
	➤ Sucker and Poor	450/=		600,000/=
SUGAR CANE	➤ Mature and Good	1,000/=		1,200,000/=
	➤ Mature and Poor	400/=		500,000/=
	➤ Average and Poor	600/=		750,000/=
ELEPHANT GRASS	➤ Per Square Meter		50/=	450,000/=
MANGO TREE	➤ Mature and Good (<i>Per Tree</i>)	60,000/=		
	➤ Average yielding	45,000/=		
	➤ Young and Poor	12,000/=		
	➤ Young (above 4 months old)	4,500/=		
	➤ Young (below 4 months old)	800/=		

ITEM	ASSUMPTIONS	RATE PER (SQUARE METER UNIT, STOOL, TREE, CLUMP) (SHS.)	STEM	ACRE
PAWPAW TREE	➤ Mature and Good (Per Plant)	15,000/=		
	➤ Average	12,000/=		
	➤ Young and Poor	2,100/=		
	➤ Young (below 2 months old)	750/=		
PUMPKIN	➤ Mature and yielding (Per Plant)	7,500/=		
	➤ Young and Poor	1,500/=		
YAMS (BALUGU/ENDAGU)	➤ Balugu/Mature	750/=		
	➤ Balugu/Young	300/=		
	➤ Endagu/Mature	450/=		
	➤ Endgu/Young	150/=		
GOBE/MPINDI	➤ Mature (Per Square meter)	3,000/=		
	➤ Young	1,500/=		
PEAS(PIGEON) [NKOLIMBO]	➤ Mature and Good	3,000/=		
	➤ Young	2,000/=		
LIMA PEAS/ CASTROR OIL PLANT	Per tree	1,200/=		
KAWO/COW PEAS	Good (Per Plant	550/=		
	Average	450/=		
SOYA BEANS	Mature	750/=		
	Young	225/=		
EGG PLANT (BILINGANYA, NTULA, ETC.)	➤ Mature	1,200/=		
	➤ Young	750/=		
CITRUS TREES (LEMON, ORANGE, TANGERINE)	➤ Mature	25,000/=		
	➤ Average	10,000/=		
	➤ Young and Good (over one year)	7,000/=		
	➤ Poor and Mature	5,000/=		
	➤ Young (up to 1 year)	3,000/=		
GUAVA AND NSALI	➤ Mature	12,000/=		
	➤ Young	6,000/=		
AVOCADO	➤ Mature and Good	65,000/=		
	➤ Mature and Average (medium size)	45,000/=		
	➤ Young (below one year)	2,500/=		
JAMBULA	➤ Mature	45,000/=		
	➤ Average	30,000/=		
	➤ Young	7,500/=		
PASSION FRUIT	Local Breed:	20,000/=		
	➤ Mature and Good			

ITEM	ASSUMPTIONS	RATE PER (SQUARE METER UNIT, STOOL, TREE, CLUMP) (SHS.)	STEM	ACRE
	➤ Average and Yielding	10,000/=		
	➤ Young and Poor	3,000/=		
	➤ Your (below 6 months old)	5,000/=		
	Exotic Breed:	30,000/=		
	➤ Mature and good			
	➤ Average and Yielding	20,000/=		
	➤ Young and Poor	5,000/=		
	➤ Young (below 6 months old)	2,000/=		
RICE (Paddy)	• Mature (Per metre square)	200/=		800,000/=
RICE (Upland)	• Average	150/=		300,000/=
	• Mature	500/=		2,500,000/=
	• Average	300/=		1,200,000/=

ITEM	ASSUMPTIONS	RATE PER (SQUARE METER UNIT, STOOL, TREE, CLUMP) (SHS.)	STEM	ACRE
HERBAL TREES/ LANTS	Moringa, Nim, etc	Good/mature Mature Young and Good Seedling	7,000/= per plant 3,500/= per plant 2,000/= per plant 1,000/= per plant	
VANILLA	➤ Mature and Good (Per plant)	15,000/=		
	➤ Mature and Poor	10,000/=		
	➤ Young (above 4 months old)	5,000/=		
	➤ Young (below 4 months old)	3,500/=		

PART TWO: TIMBER TREES

TIMBER TREES (FIRST CLASS) Mahogany, Mvule, Nkoba, Nzingu, Nkalati, Mukusu, Mpewere, Nongo, Mugavu, Mukebo, Mumuli.	➤ 60cm diameter and above	65,000/= per tree
	➤ Below 60cm diameter (medium)	45,000/=
		30,000/=
	➤ Pole size	25,000/=
	➤ Young (about one year)	5,000/=
TIMBER TREES (SECOND CLASS) Nkuzanyana, Lufugo, Cypress, Musizi, Muwafu, Musambya, Eucalyptus, Pine, Nkulaido (for Match Sticks), Coniferous.	➤ 60cm diameter and above (canoe type)	40,000/=
	➤ Below 60cm diameter (medium)	25,000/=
	➤ Pole size (tel. Size)	3,000/=
	➤ Rafter size (build size about one year)	1,000/=
	➤ Below one year but not seeding	500/=
TIMBER TREES (THIRD CLASS) Nkago, Mubajjandalabi, Lunaba, Kirudu, Mutuba, Mukokowe, Mululu, Mutumba, Cassia, Mukunyu, Ekifabakazi	60cm diameter and below (medium)	7,000/=
	Pole size and below	3,000/=
	Young (below 6 months old)	2,000/=

PART THREE: OTHER TREES

ITEM	ASSUMPTION	RATE PER (SQUARE METER UNIT STOOL, TREE, CLUMP) (SHS.)
BAMBOO	Clump	Per Plant 8,000/=
COCONUT	Mature Average	20,000/= 5,000/=
PALM	Mature Average	10,000/= 1,200/=
SPONGES (KYANGWE)	Mature	1,500/=
	Young	500/=
ORNAMENTAL TREES	Mature Average	Per plant 5,200/= 3,000/=
	Other flowers (Small 700/=) (300/=)	1,700/=
HEDGE TREE (FENCES)	Cypress hedge	5,000/= per metre run
	Kie-apple	5,500/=
	Other hedge trees	2,000/=

PART FOUR: SEMI PERMANENT STRUCTURES

		Per m ²
i.	Grass thatched roof, mud and wattle walls, earth floor	15,000/=
ii.	Grass thatched roof, smooth mud and wattle walls, earth floor	20,000/=
iii.	Grass thatched roof, plastered mud and wattle walls, earth floor	30,000/=
iv.	GCIS roof, rough mud and wattle walls, earth floor	40,000/=
v.	GCIS roof, smooth mud and wattle walls, earth floor	50,000/=
vi.	GCIS roof, plastered mud and wattle walls, rough floor	75,000/=
vii.	GCIS roof, plastered mud and wattle walls, cement screed floor	50,000/=
viii.	GCIS roof, un-burnt brick walls, earth floor	80,000/=
ix.	GCIS roof, un-burnt walls, cement floor	100,000/=
x.	Asbestos Sheets roof, un-burnt brick walls, cemented floor	20,000/=

PART FIVE: OTHER CONSTRUCTIONS

Grave	Earthed Cemented Tiled (ceramic, marble, etc.)	200,000/= 350,000/= 500,000/=
Racks	Reeds	Per m ² 2,500/=
	Sheets	2,000/=
	Wire Mesh	1,500/=
Coffee Drying tables	Cemented	Per m ² 12,000/=
	Wooden	8,000/=
	Wire mesh	10,000/=
Fences	Barbed wire on bush poles	3,500/= metre run
Timber shed	Timber walling with iron sheet roof	2,500/= metre run
Murrum	Loose density murrum	Per Cubic metre 1,200/=

PART SIX: DISTURBANCE ALLOWANCE

A disturbance allowance shall be added to the computed compensation amount as per Section 77(2) of the revised edition (2000) of the Land Act 1998 as below:

- 15% if quit notice is given after 6 months
- 30% if quit notice is given within 6 months.

APPENDIX 5 – VALUATION METHODOLOGY FOR THE WAY LEAVE

HISTORY OF THE METHODOLOGY

There is no current statutory guidance on the method of valuation for a Wayleave in Uganda. As a result, we were contracted to come up with an acceptable methodology.

Valuation of Wayleaves has been a protracted negotiation between the line Valuers and the claimants, with the basis being, a combination of payment for the all the crops, land and buildings in the Way leave prior to line construction

The aspect of diminution paid historically has not been documented

There are cases of the smaller power lines with a width of up to 10 meters having land fully paid for (please note that if this approach is adopted wholly on the BEL Power Project it would mean 100% payment for land in the Way leave)

The land Act 1998 brings into play new regulations governing the ownership of land and as such landowners must be paid fairly.

A project of this size has not been attempted and properly documented in the last 20 years

Historically payments to the stakeholders have been through a negotiated agreement between the landowner and the various tenants on the land. Please note that with the new Land Act (1998) the Mailo owner only receives a ground rent of 1,000/= per annum. A correct valuation under the act would mean capitalization of this 1,000/= to get a capital sum payable. At the date of the inspection, practice on the ground has not taken into account this aspect of the 1998 Act.

East African Surveyors and Consultant Valuers (EASCV) came up with a draft methodology. This methodology was approved for the project in lieu of an existing statutory guide for valuation of Wayleaves.

ASSUMPTIONS OF THE VALUATION METHODOLOGY

As a summary, described below are the assumptions used the following valuation basis: -

- o The valuation of land is based on current market transactions. The exercise isolates the portion of land that is permanently injured by the pads and the power lines; it is treated as land taken but still in the ownership of the landowner.
- o There is a secondary valuation seeking to identify the effect of the above injurious action on the rest of the land that is left in the ownership of the landowner. (Compensation here is for the diminution in value for existing use. The customary approach is a percentage drop in value that is a sliding scale depending on the existing use).

The percentage drop is arrived at by using a number of methods of valuation one of which will include the before and after development valuation or:

After arriving at the above value, adjust it to arrive at what is reasonable, given the different circumstances that will dictate each parcel of holding.

The level determined by this process differs from case to case and involves professional judgment subject to negotiation skills.

In certain cases due to planning regulations or total diminution in value, the percentage drop in value may be 100%.

Buildings that are in the path of the line/corridor are to receive full replacement value compensation.

Licensees and tenants will receive compensation for their small holdings (crops etc as per District Compensation Rates)

Valuation is based on existing use value or in mitigating situation used as per existing planning permission (but not speculative value).

DIMINUTION IN VALUE OF LAND AFFECTED BY THE PROPOSED T-LINE (BUJAGALI-KAWANDA-MUTUNDWE).

We have inspected the land affected by the proposed T-line and submitted an interim valuation report.

The valuation of land has been based on the following:

The Right-Of-Way:

This is land that is being taken wholly for the use of the Line and will represent the right of the line also proposed as a route for servicing of the line at a future date.

The value of the land in this category has been valued at 100% of the value of land as per the open market comparables.

The Wayleave:

The interim report has taken a diminution of value along the whole extent of the line as 60% for the Wayleave.

This will be adjusted to the values proposed in the table in the annex below, which range from 5-100% when the full sizes of individual land holdings are in place.

BASIS OF DIMINUTION IN LAND VALUE.

The Basis of compensation for the deterioration in value of land is based on the loss to the landowner by the construction of the power line and not the gain to the electricity Supply Company.

Factors that determine the diminution in value include:

- o The user of the land.
- o The size of land holdings that are to be affected.
- o The past and future trends of land value (land as an investment land bank).
- o The immediate neighborhood.
- o Services available in the area.
- o The level on sensitivity of the affected people
- o The ability of the enforcing authorities to actually enforce the Wayleaves.
- o The socio economic conditions prevailing on the affected people.
- o The Extra costs of reinstating the land in the Wayleaves to its original use subject to the restrictions.
- o Additional costs of working severed land.
- o Future loss in productivity of land in Wayleaves after construction works.

Table: Diminution Rates Applied

User	Description	Lower Range	Upper Range	Remarks
Grazing land	Pastoral farmer with no clear boundaries but takes the animals to water within the land and allows mixed grazing. No paddocks.	5%	10%	
Grazing land	Pastoral farmer with clear boundaries	10%	15%	
Grazing land	Commercial farmers with clear boundaries with paddocks and clear fencing.	15%	25%	
Grazing land	Pastoral farmer with no clear boundaries but takes the animals to water within the land and allows mixed grazing. No paddocks.	5%	10%	
Residential housing	Permanent house in a clearly residential area. (The house has to be demolished and the only clear user in this area is residential.	100%	100%	
Residential housing	Permanent house in a clearly residential area. (The house is not to be demolished but part of the compound is the Wayleave)	20%	50%	
Residential housing	Built of semi-permanent/ permanent materials and has an adjacent subsistence farm. The house is not affected but the main source of food is affected	30%	60%	
Residential housing	Built of semi-permanent/ permanent materials and has an adjacent commercial farm. The house is not affected but the main source of income is affected	50%	80%	
Commercial Property	Commercial building used for retail etc.	100%	100%	The value of the interest will be calculated as per the guidelines given in the district compensation rates and compensation will apply to the whole interest and not just the land.

User	Description	Lower Range	Upper Range	Remarks
Commercial property	Commercial building used for retail etc. the building is not to be removed but future plans for development are restricted.	70%	90%	The value of the interest will be calculated as per the guidelines given in the district compensation rates and compensation will apply to the whole interest and not just the land
Industrial land	Industrial building used for production etc. the building has to be removed or part of a vital building has to be demolished.	100%	100%	The value of the interest will be calculated as per the guidelines given in the district compensation rates and compensation will apply to the whole interest and not just the land
Industrial land	Industrial building used for production etc. The building is not to be removed but the rest of the undeveloped land is affected and there can be no further redevelopment on this land.	70%	95%	The value of the interest will be calculated as per the guidelines given in the district compensation rates and compensation will apply to the whole interest and not just the land
Warehousing land	Warehouse building used for storage etc. The building is to be removed. There can be no further redevelopment on this land except for restricted agricultural uses. .	100%	100%	The value of the interest will be calculated as per the guidelines given in the district compensation rates and compensation will apply to the whole interest and not just the land
Warehousing land	Industrial building used for production etc. The building is not to be removed but the rest of the undeveloped land is affected and there can be no further redevelopment on this land.	70%	90%	The value of the interest will be calculated as per the guidelines given in the district compensation rates and compensation will apply to the whole interest and not just the land