



**THE REPUBLIC OF UGANDA**

**MINISTRY OF WATER AND ENVIRONMENT**

**IRRIGATION FOR CLIMATE RESILIENCE PROJECT (ICRP)**

**SECTIONAL RESETTLEMENT ACTION PLAN (RAP) FOR**

**KABUYANDA MAIN PIPELINE, ISINGIRO DISTRICT**

**ADDENDUM NO. 2 TO THE RAP FOR**

**KABUYANDA IRRIGATION SCHEME**

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## **ABBREVIATIONS AND ACRONYMS**

CGV	Chief Government Valuer
GOU	Government of Uganda
GRM	Grievance Redress Mechanism
ICRP	Irrigation for Climate Resilience Project
MWE	Ministry of Water and Environment
NFA	National Forestry Authority
PAP	Project Affected Persons
RAP	Resettlement Action Plan
UGX	Uganda Shillings
UNRA	Uganda National Roads Authority

## Table of Contents

1.0 BACKGROUND .....	4
2.0 KABUYANDA IRRIGATION MAIN PIPELINE SECTIONAL RAP .....	4
3.0 REDUCTION IN THE KABUYANDA MAIN PIPELINE LENGTH .....	5
4.0 KABUYANDA MAIN PIPELINE PROJECT AFFECTED PERSONS (PAPs) .....	5
5.0 ADJUSTMENT IN COMPENSATION VALUES.....	6
6.0 CONSULTATIONS .....	7
6.1 Dissemination of the Final Design .....	7
6.2 Re-survey and re-alignment of the Infrastructural corridor .....	9
6.3 PAPs' Validation Exercise of Kabuyanda Main Pipeline.....	9
6.4 Compensation Process.....	10
6.5 Discussed items and responses.....	10
6.6 Kabuyanda Main Pipeline Sectional RAP Implementation Schedule .....	12
Annex 1: Entitlement Matrix, from RAP for Kabuyanda Irrigation scheme, February 2019 (section 7.3.10, page 132).....	13
Annex 2: Grievance Redress Mechanism, from RAP for Kabuyanda Irrigation scheme, February 2019 (chapter 9, page 143).....	16
APPENDICES .....	23
<b>Appendix 1:</b> Kabuyanda Main Pipeline Strip Map	
<b>Appendix 2:</b> Field Photographs	
<b>Appendix 3:</b> Communications with UNRA	

## 1.0 BACKGROUND

The Government of Uganda (GoU) through the Ministry of Water and Environment (MWE) with support from the World Bank is implementing the Irrigation for Climate Resilience Project (ICRP). The project development objectives are to provide farmers in the project areas with access to irrigation and other agricultural services, and to establish management arrangements for irrigation service delivery.

**Components.** The project has three components: Component 1. Irrigation Services; Component 2. Support services for agricultural production and value-chain development; and Component 3. Institutional Strengthening and Implementation Support.

**Kabuyanda Irrigation scheme.** The ICRP will – among others - support construction of a new irrigation scheme in Kabuyanda, in Isingiro and Ntungamo Districts, in south-western Uganda, and the related establishment of management structures. The Kabuyanda irrigation scheme comprises of a zoned earth fill dam on the Mishumba River, of 33 m high, 314 m of maximum crest length, creating an 8.8Mm<sup>3</sup> reservoir; main pipeline of 15km in length and a piped irrigation network serving a command area of 3,300 ha. Kabuyanda Main Pipeline takes water from the dam to the distribution lines. The main pipeline will pass through 9 villages as shown below.

**Table 1: Villages through which the main pipeline of the Kabuyanda irrigation scheme will pass through.**

S/N	Village	Sub-county
1	Kagoto ii	Kabuyanda
2	Kagoto i	Kabuyanda
3	Akatesani	Town council
4	Rutooma	Town council
5	Trading centre	Town council
6	Town cell	Town council
7	Akatembo	Town council
8	Nyampikye ii	Town council
9	Nyampikye i	Town council

## 2.0 KABUYANDA IRRIGATION MAIN PIPELINE SECTIONAL RAP

During project preparation, a Resettlement Action Plan (RAP) for the Kabuyanda Irrigation scheme was prepared, consulted upon, cleared by the World Bank, and disclosed on the MWE website on February 18, 2019 (<https://www.mwe.go.ug/projects/ICRP>) and on the World Bank's external website on February 26, 2019 (<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/838461551252259838/resettlement-action-plan>)

During the ICRP negotiations in February 2020, the GoU through MWE and the World Bank agreed on the opportunity of implementation of the Resettlement Action Plan (RAP) reflecting the sectioning of large civil works and agreed that the various plans could be implemented in sections, provided that this is adequately reflected in the RAPs approved and agreed with the World Bank and that a RAP completion report will be produced for each such section. With reference to the Kabuyanda irrigation scheme, MWE has thus decided to prepare the Sectional RAPs in the following order: (I) Kabuyanda Dam sectional RAP; (II) Kabuyanda Main Pipeline Sectional RAP; and (III) Kabuyanda Irrigation Network Sectional RAP.

Following the disclosure of the first sectional RAP of the Kabuyanda Dam on November 19, 2020 MWE has embarked on the preparation of the second Kabuyanda sectional RAP for the main pipeline. It is an addendum to the RAP disclosed on February 18, 2019. The purpose of this addendum is to revise sections of the February 2019 Kabuyanda RAP relevant to the main pipeline, and notably the main/primary line table in evaluation certificate section on page 7 and in the summary section on pages 28, 32-35, 53-58, 63-64 and 66-69 of the Kabuyanda RAP. The entitlement matrix, eligibility criteria, grievance redress mechanism and other principles set in the February 2019 Kabuyanda RAP remain applicable. This sectional RAP has been prepared in accordance with Ugandan Policies, with the social safeguard policies of the World Bank Group notably the Operational Policy (OP) 4.12 on involuntary resettlement, and with the ICRP Financing Agreement.

### **3.0 REDUCTION IN THE KABUYANDA MAIN PIPELINE LENGTH**

In the February 2019 Kabuyanda RAP, the main pipeline was estimated to cover a length of 42.6 km, corresponding to 884 Project Affected Persons (PAPs) (section 6.1.1, Table 6.1 of the February 2019 RAP). In the first half of 2019, the optimization of the design allowed a reduction of the main pipeline length to 15 km, substantially reducing the impact of the project on the Kabuyanda Main Pipeline to 308 PAPs.

### **4.0 KABUYANDA MAIN PIPELINE PROJECT AFFECTED PERSONS (PAPs)**

**Along the first stretch of 2.5 km departing from the dam,** MWE will proceed with land acquisition for a strip of six (6) meters wide. The six meters acquired will be utilized as: four (4) meters will be used for the construction of the access road to service the main pipeline; and two (2) meters will be used for laying down the main pipeline. Land acquisition along the first 2.5 km departing from the dam will concern a total of 95 PAPs.

In addition, MWE will proceed with compensation for the developments for a strip of six (6) meters wide, parallel to the strip acquired. These extra 6 meters will be used as a working area during construction of the main pipeline, and after which the area will return to the owners for personal usage. Consent agreements were obtained from the land owners whose developments were compensated for the working area to be availed during the project implementation time.

It should be noted that all the 95 PAPs from whom land is to be acquired for the road, have portions of their land extending into the 6m working area, and thus are to be compensated for the developments within the working area section as well. In addition to these 95 PAPs, 10 more PAPs are to be compensated within the working area, but without any portion extending to the strip to be acquired.

**For the following 12.5 km stretch along the Kikagati – Mbarara – Ruti National Road managed by the Uganda National Roads Authority (UNRA),** the main pipeline will be laid at the outbond edge of the road reserve. Although this is a public road managed by UNRA, no compensation has ever been undertaken to warrant demarcation of the road reserve. Based on the grounds that it is an UNRA managed road, MWE wrote to UNRA on October 1, 2021, to obtain UNRA's concurrence on the construction of the main pipeline along the same road. UNRA responded in affirmative on October 15, 2021 and consented to the construction of the main pipeline at the outbond edge of the road reserve (Appendix 3). MWE shall compensate for the developments in the strip of six (6) meters wide, alongside the road, to be used as a working area during construction of the main pipeline, and after which the area will return to the owners for personal usage. Temporary loss of use or access to land along the 12.5 km will concern a total of 203 PAPs. During mobilization and based on the consent agreements signed, it was agreed that the PAPs will be given construction schedule calendar stipulating the dates at which different sections will be affected to which cutoff dates for agricultural activities for seasonal crops will

communicated based on the construction schedule. MWE working closely with the Local Government and the contractor will spearhead the dissemination of the construction schedule. For other activities like construction, the cut-off date was given as November 20, 2020.

**Table 2: A summary of PAPs numbers**

S/N	Affected PAPs	Number
1	Land Acquisition	95
2	Temporary loss of use or access to land	213
<b>Total</b>		<b>308</b>

It should be noted that during the survey, 125 individuals were found with bare land, with no items of economic value to be considered for assessment. In these cases, easements in form of consent agreements were entered between MWE and the individuals to allow construction and afterwards the land returns to the owners for personal usage. This was well explained to the individuals, who were in agreement, and in line with approach always adopted with other sector similar developments in the urban centers by National Water and Sewerage Corporation. As a consequence, their information does not appear in the Valuation Matrix. However, these individuals with bare land were captured and as sketched in the strip map produced by MWE. Furthermore, in the strip map, individuals with bare land were not given reference numbers. The distribution of persons with bare land along the main pipeline is shown below.

**Table 3: Distribution of Individuals with Items of no developments (bare land) along the Main pipeline.**

S/N	Section	Number of Individuals with bare land
1	First 2.5 Km stretch - 6m wide strip for land acquisition	0
2	First 2.5 Km stretch - 6m Working Area	1
3	12.5 Km stretch - Working Area (in the of road reserve where pipes will be laid)	124
<b>Total</b>		<b>125</b>

The survey established that only two institutions; i.e., Kabuyanda Central Primary School and Kabuyanda Catholic Church, all located in Kabuyanda Trading Center village, within the Town Council, will be affected and compensated. At both of these institutions, fencing hedges and trees shall be affected.

## **5.0 ADJUSTMENT IN COMPENSATION VALUES**

The design optimization which reduced the length of the main pipeline from 42.6Km to 15Km resulted in the reduction of the PAPs from 884 to 308 and compensation values from the 2019 RAP value of 896,711,551/= to 660,264,345/= and to the final Chief Government Valuer (CGV) approved value UGX. 945,139,259 (Uganda Shillings Nine Hundred Forty-Five Million, One Hundred and Thirty-Nine Thousand and Two Hundred and Fifty-Nine Only). The valuation update included the 30% disturbance allowance because the PAPs were given less than 6 months to vacant land due to the urgency to implement the project. The change in values was as result of the guidance of the CGV to the valuers to use the higher Rakai district compensation rates which were more updated than the Ibanda rates and more so closer to the project area. Furthermore, the adjusted compensation values were due to additional developments captured during the validation exercise.

## 6.0 CONSULTATIONS

MWE engaged PAPs for the Main Pipeline on three (3) separate occasions:

- 1) Dissemination of the Final Design,
- 2) Re-survey and re-alignment of the infrastructural corridor
- 3) RAP Validation Exercise.

### 6.1 Dissemination of the Final Design

In December 2019, MWE disseminated the Final Design for Kabuyanda Irrigation Scheme to the District, Sub County, Parish and the Community. The main objective was to explain and clarify on the changes that came as a result of change in the Scheme design which reduced the area to be inundated by the dam from 302.47 ha to 100.2 ha and the length of the main pipeline from 42.6 km to 15 km.

MWE and the National Forestry Authority (NFA) officials first disseminated the design to the district officials, whereas at community level, the design was disseminated by District officials supported by MWE and NFA.

**Table 4: Project Design Dissemination carried out on December 2 and 3, 2019**

Level	Location
District	Isingiro District Local Government
Sub County	- Kikagati Sub County - Kabuyanda Sub County - Kabuyanda Town Council
Parish	• Ntundu Parish • Rwamwijuka Parish (In Kikagati Sub County)
	• Kabugu Parish • Kanywamaizi Parish (In Kabuyanda Sub County)
	• Central Ward • Northen Ward • Iryango Ward • Kisyoro Ward (In Kabuyanda Town Council)

**Table 5: District, Sub County, Parish and Community reactions and responses from the MWE team**

No	Question / issue / concern/ comments	Response / clarification
1	Sub-County officials requested to have the project designs displayed at the Sub County notice boards for easy access by the communities	MWE agreed to the recommendation and the designs were displayed at Sub County notice boards
2	Concern on delayed compensation from Government? Is there any guarantee that the PAPs will be paid?	Government assured PAPs that they shall be compensated before commencement of any civil works.
3	Members also wanted to know if farmers in the project area are allowed to carry on with their agricultural activities.	For PAPs compensated for temporary loss of use or access to land, MWE informed the farmers to continue with their farming activities until construction works are due to commence. Construction schedules will be given by MWE
4	If the transmission line passes through someone's plot of land can he still construct in it? h	In case the main pipeline passes through ones plot he / she can't construct on top of it. However, one can use the piece of land to plant only seasonal crops with no tap roots like maize, beans, peas, Irish potatoes, cassava among others. Consent agreements were obtained to allow such activities not destructive to the pipe
5	LC1 official requested to know which people would be compensated i.e. land owners only or even those who had rented the land.	All properties surveyed, valued and approved by the CGV would be compensated including those renting and
6	A community member was concerned that he had already started constructing his two roomed house where the pipeline will pass according to the project design.	The community was told that the cutoff dates were 20/11/2020. All developments before that would be recaptured before submission to CGV during validation. And any other development that is put up in that place <b>after the cut-off will not be compensated</b>
7	What can one do if the water pipeline is passing through their grave yard? Can the pipeline be shifted / re-located at least 4ft from	All property including graves will be valued and compensated to enable the affected families to transfer them to another place.
8	Members requested to know the period for the construction of the scheme	Construction for the dam will take two years and main pipeline and network will take <del>three years</del>
9	Members wanted to know whether water for irrigation was to be paid for or will be for free.	There will be a fee for operation and maintenance of the scheme to be paid by the farmers. The process of determining the fees will be highly participatory.



10	The farmers requested to know in case of any compensation grievance, where do they run to for help?	Grievance Redress Committees (GRC) at District, Sub County and Parish levels will handle complaints or issues raised by the community. It was explained by MWE that GRCs would start at the parish level since during mobilization and sensitization on the Grievance Redress Mechanism (GRM) guidelines, the majority approved the convenience of GRCs to start at the parish levels.
11	One of the farmers asked that in case one sales off land to another person within the period between valuation and compensation. How will it be handled?	Validation of PAPs will be carried out before making payments to PAPs, and once it is discovered that the land ownership changed the land/property will be re-valued and the new owner compensated.

## 6.2 Re-survey and re-alignment of the Infrastructural corridor

Following the design reviews and modifications of Kabuyanda Irrigation Scheme pipe network layout, in December 2019 MWE carried out the re-survey and re-alignment of the infrastructural corridor along the main pipeline. The main objectives for the re-survey and re-alignment were;

- To confirm the number of PAPs to be affected by the project corridor,
- To carry out a situational analysis and stakeholder identification,
- Determine the villages / cells and their respective leadership,
- Determine the dominant crops and affected assets,
- Determine the major land tenures and uses.

The re-survey and re-alignment exercise led to identification and confirmation of 308 PAPs along the main pipeline. These 308 PAPs are spread across 9 villages as listed in section 1.0 above. During the re-survey, it was confirmed that the major land use in the Kabuyanda project area is crop growing with the land being held customarily. The most dominant crop to be affected is plantain (matooke), with a few trees of various species to be felled as well during project implementation. Furthermore, a number of structures including semi-permanent/permanent buildings, kiosks, fencing lines and a few graves are expected to be affected during the pipe laying process.

## 6.3 PAPs' Validation Exercise of Kabuyanda Main Pipeline

In the months of September and October, 2020, MWE carried out the final validation exercise for Main Pipeline PAPs to confirm the project PAPs. The activity was carried out at the affected Parishes/Wards of Central, Kisyo, Iryango and Kanywamaizi with a total of 9 villages. These villages are; Kagoto II, Kagoto I, Akatesani, Rutooma, Kabuyanda Trading Centre, Kabuyanda Town Cell, Akatembo, Nyampikye II and Nyampikye I.

MWE together with the Isingiro District/ Sub county and LC1 Officials/ Representatives identified, verified and validated all PAPs. The activity included recording names and particulars (photographs of the affected persons, copies of National Identification Numbers (NINs), telephone numbers and properties) of each PAP. Each PAP cross checked and confirmed their name and property with the assistance of Local Council I Chairpersons. The team also gave opportunities to PAPs to ask any questions for clarity.

PAPs with cases such as minors requiring guardianship, landowners who are incapacitated and cases which require processing of letters of administration as well as powers of attorney were advised on the process and procedures of acquiring these statutory documents. All the PAPs who acquired the above

documents, submitted them to MWE officials and will be advised on the rightful procedures to take before the final report is presented to CGV for approval of payments.

The PAPs presented their identification documents and MWE found that they were tallying. For cases where they differed, they were edited in the draft report so as to be captured in the revised report.

#### 6.4 Compensation Process

MWE officers briefed the PAPs on the compensation process. They requested the PAPs to be patient and co-operative throughout the whole process of compensation and explained the process as follows;

- i. Undertake field survey and valuation for crops and structures. In land acquisition section, land to be affected was surveyed and valued.
- ii. Make a Valuation Assessment Report.
- iii. Validate the report with the PAPs; submit the report to the Chief Government Valuer (CGV) for approval.
- iv. Disclosure of the approved CGV values to the PAPs.
- v. PAPs discuss, review the compensation agreement and thereafter endorse compensation agreement.
- vi. PAPs declare their bank account details to the Government
- vii. Government pays the PAPs.

#### 6.5 Discussed items and responses

The following issues were raised by the PAPs during the validation exercise and MWE provided the responses accordingly to the satisfaction of the PAPs as shown in the table in the next page.

**Table 6: Observations on PAPs and proposed way forward**

No.	Questions/Issues	Recommendations/Way forward
1	What if I don't agree with the Government Compensation rates?	<p>Stakeholders were informed that the Government revises district rates after every two years and therefore provides suitable updated rates according to the value of land and property per district. In case of under valuation as a result of leaving out some crops, trees etc. the matter should be raised with the GRCs, for possible passing the information to MWE or the district for re-valuation by CGV.</p> <p>The stakeholders were enlightened on the process of lodging compensation grievances. The bottom-up approach was disseminated, where complaints would be lodged to the established GRCs starting from Parish, Sub-County and District for handling.</p>
2	Are we going to see the amount of money to be paid to us?	The values are disclosed to each individual privately save for couples before payment and farmers are asked to consent to the

3	When are we receiving the money?	All PAPs will be compensated before commencement of construction.
4	Where are the values for the PAPs?	The stakeholders were informed that the CGV was yet to determine the values.
5	The PAPs requested to know the Government compensation procedure.	The process was explained as follows; 1. Survey and design of the project 2. Identification of PAPs 3. Survey and valuation of the affected land/property 4. Validation Exercise 5. PAPs consent to the values 6. Opening and presentation of Bank accounts. 7. Payment and consent
6	What happens when the contractor destroys our crops during construction?	The farmers were encouraged to address such issues immediately through the grievance redress system which was established. The contractor will compensate for crops destroyed during
7	Land owners feared losing their land to the project and getting little or no compensation after the project works started.	The Ministry re-assured the PAPs that no one's land would be touched without their consent and due Compensation.
8	Some PAPs raised a concern of opening Bank Accounts when going to get little money as compensation.	PAPs were informed that during disclosure of the values, the payment process will be discussed and those who have less than 300,000/- will be paid cash through the District.
9	PAPs inquired whether it was allowed to present relatives' bank accounts for compensation money.	PAPs were encouraged to open and use their personal bank accounts to avoid conflicts. They were further informed that the bank account in the names appearing in the CGV's Valuation report was a requirement during the validation exercise in September & October 2020.

## 6.6 Kabuyanda Main Pipeline Sectional RAP Implementation Schedule

The implementation of the main pipeline sectional RAP was as shown below.

**Table 7: Implementation Schedule**

No	Activity	Start Date	End Date	Responsibility	Remarks
1.	Main pipe line Valuation Report approval by Chief Government Valuer	18 <sup>th</sup> /Nov/2020	29/May/2021	CGV	Approval was obtained
2.	Disclosure of CGV approved compensation values to PAP's and Signing of consent and compensation agreements with PAPs and obtaining PAPs Bank details	01/June/2021	01/August/2021	MWE	Disclosure was undertaken, followed by signing of compensation consent agreements, and obtaining bank accounts.
3.	Compensation payment	01/June/2021	01/September/2021	MWE	This included reviewing of PAPs and their account details before payment for 301 PAPs was concluded between June-August, 2021
5.	Grievance Resolution Process and management	Continuous	Continuous	MWE/ GRCs	Ongoing for 07 No. PAPs being handled by the GRCs, District &MWE team

**Annex 1: Entitlement Matrix, from RAP for Kabuyanda Irrigation scheme,  
February 2019 (section 7.3.10, page 132)**

Entitlement matrix proposes eligibility and payments for the losses triggered by the project (e.g. land, structures, trees, crops, etc.). Hence, based on analysis of the impact of the project and the criteria for eligibility, the following entitlement matrix is developed on categories of PAPs according to losses and their entitlement benefits. Table 7-3 shows the entitlement for the different assets.

*Table 0-1: Entitlement Matrix*

<b>Land and Assets</b>	<b>Types of Impact</b>	<b>Person(s) Affected</b>	<b>Compensation/Entitlement/Benefits</b>
Residential Land	Land used for residence partially affected, limited loss Remaining land viable for present use.	Title holder/ Owner	Cash compensation for affected land at replacement value 15% or 30% disturbance allowance Transfer of the land to PAP shall be free of taxes, registration, and other costs.
	Land and assets used for residence severely affected	Title holder	Land for land replacement or compensation in cash according to PAP's choice. 15% or 30% disturbance allowance. Relocation assistance (costs of shifting + allowance)
Buildings and structures	Partially or fully affected	Owner	Cash or in-kind compensation for affected building and other fixed assets at replacement cost 15% or 30% disturbance allowance. No deduction of depreciation value Right to salvage materials without deduction from compensation
		Rental/lease holder/squatters	Cash compensation for affected assets (verifiable improvements to the property by the tenant). Disturbance compensation equivalent to 2-3 months rental costs

	Entire structures are affected or partially affected Remaining structures not suitable for continued use	Owner	Cash or in-kind compensation 15% or 30% disturbance allowance. Right to salvage materials without deduction from compensation Relocation assistance (costs of shifting + transition allowance)
		Rental/lease holder/squatter	Cash compensation for affected assets (verifiable improvements to the property by the tenant) 15% or 30% disturbance allowance. Relocation assistance (costs of shifting + allowance equivalent to four months rental costs) Assistance to help find alternative rental arrangements Rehabilitation assistance if required (assistance with job placement, skills training)
Schools, health facilities and other public assets (e.g., water provision facilities)	Loss structures, loss of land	Public institutions	Compensation to owners or operators as agreed by the management of the institutions.
Crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant, or squatter)	Cash compensation. 15% or 30% disturbance allowance. Livelihood restoration assistance
Temporary Acquisition	Temporary acquisition	PAP (whether owner, tenant, or	Cash compensation for any assets affected (e. g. boundary wall demolished, trees removed, food and other crops) Ample notice for harvest of mature crops

		squatter)	
Cultural assets (e.g. graves, shrines etc.)	Loss of cultural property	Community / owner	Cash compensation at replacement value  Relocation assistance for moving of asset to a secure site.
Trees	Loss of trees	Private farmers / CFM groups on NFA land/squatter s	Replacement of trees in another area within the forest reserve outside the project site.
Developments on land	Loss of crops/trees and other eligible developmen ts	Licensees/ squatters	Cash compensation for developments on the land.

## **Annex 2: Grievance Redress Mechanism, from RAP for Kabuyanda Irrigation scheme, February 2019 (chapter 9, page 143)**

### **1. Introduction**

Taking into account the complexity of resolving disputes and grievances, PAPs have to be informed about various grievance redress procedures and of their right to appeal if not satisfied. This section therefore describes avenues through which PAPs can lodge complaints/grievances related to land acquisition and compensation. It describes stages and procedures to be followed during grievance management

A Grievance Resolution Mechanism (GRM) is a system by which queries or clarifications about the project are responded to, problems with implementation are resolved, and complaints and grievances are addressed efficiently and effectively.

It is best practice for the grievance mechanism to clarify at the outset who is expected to use the procedure, and to assure stakeholders that there will be neither costs nor retribution associated with lodging a grievance. The entire process (i.e. how a complaint is received and reviewed, how decisions are made and what possibilities may exist for appeal) will be made as transparent as possible by putting it into writing, publicizing it and explaining it to relevant stakeholders.

Different categories of grievances are expected during the different stages of the RAP. These are categorised into social, survey, valuation and legal grievances as shown below.

- Social: Family disputes, land disputes, deceased PAPs, minors, mentally ill, the vulnerable.
- Survey: Objection to computed land size of the affected land, omission of PAPs land, missing PAPs, and land tenure system complaints. These may require re-surveys.
- Valuation: Rejection of compensation package considered low value, PAPs missing in approved Valuation Report, property not captured during the initial assessment, discrepancy of information appearing on Strip map and Valuation report. These may require re-valuations or explanation to clarify issues.
- Legal: PAPs requiring legal assistance and advice in acquiring of legal documents.

This grievance procedure will not replace existing legal processes in Uganda but rather will seek to resolve issues quickly so as to expedite receipt of entitlements and smooth resettlement without resorting to expensive and time-consuming legal processes.

The general objective of the proposed grievance mechanism is to provide a mechanism/process to receive and respond timely to any complaints made about the Project from different stakeholders (including those from members of the communities, local businesses and other stakeholders) and to be the basis for developing appropriate mitigation strategies.

Specific objectives include:

- Establish a mechanism for responding to complaints in an understanding, transparent and culturally appropriate way (including language);



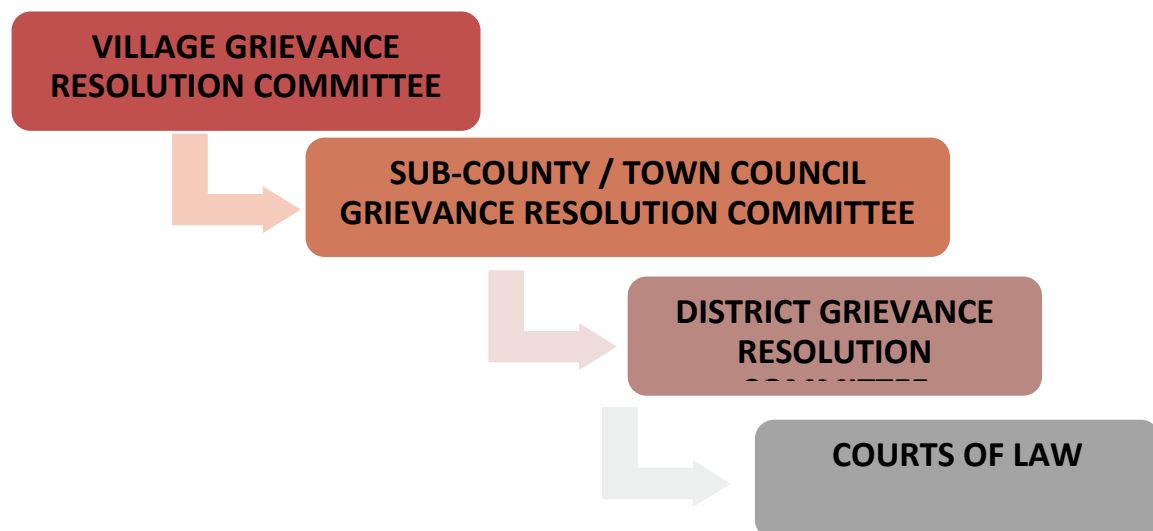
- Develop an accessible, transparent and efficient complaint procedure for people involved in and/or impacted by the Kabuyanda Water Resources Project;
- Facilitate effective dialogue and open lines of communication with the public;
- Manage expectations and/or negative perceptions towards Kabuyanda Water Resources Project;
- Establish a system of investigation, response and prompt complaint resolution;
- Minimize grievances regarding Kabuyanda Water Resources Project;
- Improve the Project social performance by evaluating complaints as a basis for taking remedial or preventive actions or developing responsive initiatives.

The grievance mechanism will ensure that all Project Affected Persons including vulnerable groups e.g., the elderly, women and the disabled can easily access help at no cost.

## 2. Grievance Resolution Mechanism

A simple Grievance Redress Mechanism (GRM) has been proposed to enable timely settlement of grievances to the PAPs. The grievance procedures will be anchored and administered at the local level to facilitate access, flexibility and openness to all PAPs. The grievance redress procedure ensures involvement with the respective districts and sub counties and Town Council officials and other key stakeholders and provides for record keeping to determine the validity of claims, and to ensure that solutions are taken in the most transparent and cost effective ways for all PAPs.

The grievance resolution mechanism will involve four stages as illustrated in Figure 9-1.



*Figure 0-1: Grievance Resolution Stages*

### **Stage I: Village Grievance Resolution Committees**

Grievance Redress Committees will be constituted at local council one level (LC1) so as to ease accessibility for the PAPs. This committee will comprise of the following members:

1. Chairperson Local Council one (LC1);
2. An Elder;
3. Two democratically elected PAPs, (one female and male)
4. MWE Representative

The grievance resolution committees for each of the affected villages will be established. The respective committees will handle grievances from their villages. Complaints that cannot be handled at village level will be forwarded to the Sub Country GRC for further management.

Representative of community members on the GRC committees will be chosen by their respective communities during village meetings/community gatherings. The selection criteria will be jointly developed with the affected communities. The following could be used as a guide when selecting community members on the GRCs:

- The GRC member shall be one of the affected persons;
- The GRC member must be of good standing in the community, possess local knowledge and be willing to represent the interests of the PAPs; and
- The GRC member must be trustworthy and available to attend meetings whenever called upon.

The communities will evaluate these selection criteria to identify the person(s) best suited to represent them on the GRCs. Each Grievance Resolution Committee is expected to select a Chairperson and a Secretary.

### **Stage II: Sub County / Town Council Grievance Resolution Committees**

Grievance resolution committees will be constituted at Sub County level (LC3). Kabuyanda Water Resources project falls in Kabuyanda, Nyakitunda, Kikagati Sub Counties, Kabuyanda Town Council and Rukoni East Sub County in Ntungamo District, thus, five resettlement committees at this level will be set up. The grievance resolution committees will comprise of the following members:

3. Chairperson Local Council III (LC3)
4. Sub County Chief/ Town Clerk;
5. Community Development Officer (CDO)

6. Area Land Committee Representative.

7. MWE Representative

Each Grievance Resolution Committee is expected to select a Chairperson and a Secretary.

Each Committee will be responsible for grievances in their Sub County or Town Council. The Sub County GRCs will work with the respective village leaders to solve a grievance. If the grievance is solved at this level, it will then be closed. However, if the grievance is not resolved, it will be forwarded to the District GRC for further management.

### **Stage III: District Grievance Resolution Committees**

District authorities will participate in grievance redress thus the need to establish a grievance resolution committee at the District level. The grievance redress committees at the district level (Isingiro District) will comprise of the following members:

1. Chief Administrative Officer (CAO);
2. Chairperson Local Council V (LCV);
3. Community Development Officers;
4. District Land Officer;
5. Environmental Officer.

The District GRC will get background information as much as possible about the case from the Sub County/Town Council GRCs. If the District GRC solves the grievance, it will then be closed. However, if the parties fail to agree, the affected person can utilize the Courts of Law as a last resort to solve the grievance.

The Grievance Resolution Committees will utilize all avenues to solve grievances before the affected parties can go to the courts of law.

### **Stage IV: Courts of Law**

The Government of Uganda (GoU) legislation allows a right of access to the courts of law by any person who has an interest or right over property. If the grievance procedure fails to provide a settlement, complainants can still seek legal redress in courts of law as a last resort.

## **3. Grievance Resolution Process**

Through sensitization meetings, the PAPs, other community members and other stakeholders will be informed of the grievance management mechanisms in place for them to lodge their complaints and dissatisfactions. The procedure of resolving grievances is provided in Figure 9-2.

To lodge grievances, PAPs will fill a Grievance Resolution Form or write formally to the implementing agency. (*Sample of Grievance Form – in English is attached as **Appendix D***). The form will also be translated into the local language i.e. Runyankore-Rukiga. Stakeholders who are illiterate will be assisted by members of the GRC to lodge complaints. The forms will be made

available at the different levels of local government. The grievances will be received by the respective village leaders that is the LC1 for the respective project affected villages by the 5 Project Liaison Officer at sub-county offices who will register the grievances in a Grievance Log, give them reference numbers and categorize them. The Officer will evaluate the application and determine whether the issue can be handled administratively by the project technical team or whether the respective GRC has to meet over the matter.

For matters that require technical input/verification, the grievance will be forwarded to the respective officers for handling. All grievances will be verified in the presence of at least two members of the respective committees at the level the grievance is being resolved.

Communication of the outcome of the resolution will be provided in writing to the concerned parties or in a meeting and recordings of the proceedings taken and signed. Feedback of the outcome of the meetings or grievance resolution will be communicated verbally immediately after the resolution and, formally (in writing) within a week of the grievance resolution.

If the grievance requires the sitting of the GRC, this will be communicated by the Project Officer to the Chairperson of the GRC committee. The Chairperson will then mobilize the committee members and the concerned parties. The concerned parties will be mobilized within a week of determining the course of action for the grievance. The date and venue of the deliberations will be communicated to the relevant parties through the Chairperson of the Grievance Committee.

The frequency of GRC meetings will be determined by the number of grievances received.

It is however proposed, that initially, the GRCs sit at least once a month as a minimum in each Sub County to clear off any pending issues and to provide feedback to the project implementers.

It is foreseen that the frequency of these meetings will diminish as the issues to be addressed decrease and the meetings can then be scheduled on quarterly basis.

The guiding principle in addressing complaints is that the matters must be addressed as expeditiously as possible. The Legal Advisor on the implementing team will give guidance to cases that require legal input.

Where found practical, civil society organizations operating in the project area can be involved in the grievance resolution process. These will be involved in i) sensitizing PAPs about their rights to compensation, ii) reaching out to the communities, and iii) providing support to the disadvantaged youth through income generating opportunities. Selection of these NGOs will be based on their presence in project affected Districts and type of services they provide.

#### **4 Inclusion of Women and other Vulnerable Groups**

The GRCs will be sensitive to the needs of women and other vulnerable groups. For instance, meeting venues and times will take into consideration the limitations of such groups.

All aggrieved parties will have access to the grievance resolution team at no cost.

Women may also be inhibited or hindered from complaining about specific incidents (e.g., husbands abandoning affected family and eloping with different women after receiving compensation proceeds and gender-based violence emanating from contested sharing of

compensation proceeds). In some communities, women may have lower literacy rates than men and be less familiar with formal processes.

Therefore, grievance mechanism committee to be established will include female staff who are aware of and sensitive to the role of women in local communities and the issues they face. The project will train personnel in the handling of gender-sensitive issues; preferably the social development specialist for MWE should have training in Gender-based violence.

## **5 Training**

Members of the Grievance Resolution Committees at the different levels of local government will be trained in grievance management. The main topics of discussion will include GRC roles, managing gender-based violence related cases, channels of communication, guiding principles etc. The training will be conducted by the RAP implementing team.

## **6 The Grievance Database Management**

- A database will be established and will be updated weekly by the Project Liaison Officer. The database will be designed to make it easy to track individual grievances, giving each grievance a reference number and will show deadlines for progress on grievance communications and resolution. The grievance database will specify the actions for each grievance and the status of the grievances. Where it has not been possible to resolve grievances to the satisfaction of both parties, this will be specified in the database and unresolved grievances assessed during third party monitoring. However, it should be noted that it is important that grievances are resolved at the earliest and be monitored regularly through internal project monitoring mechanism.

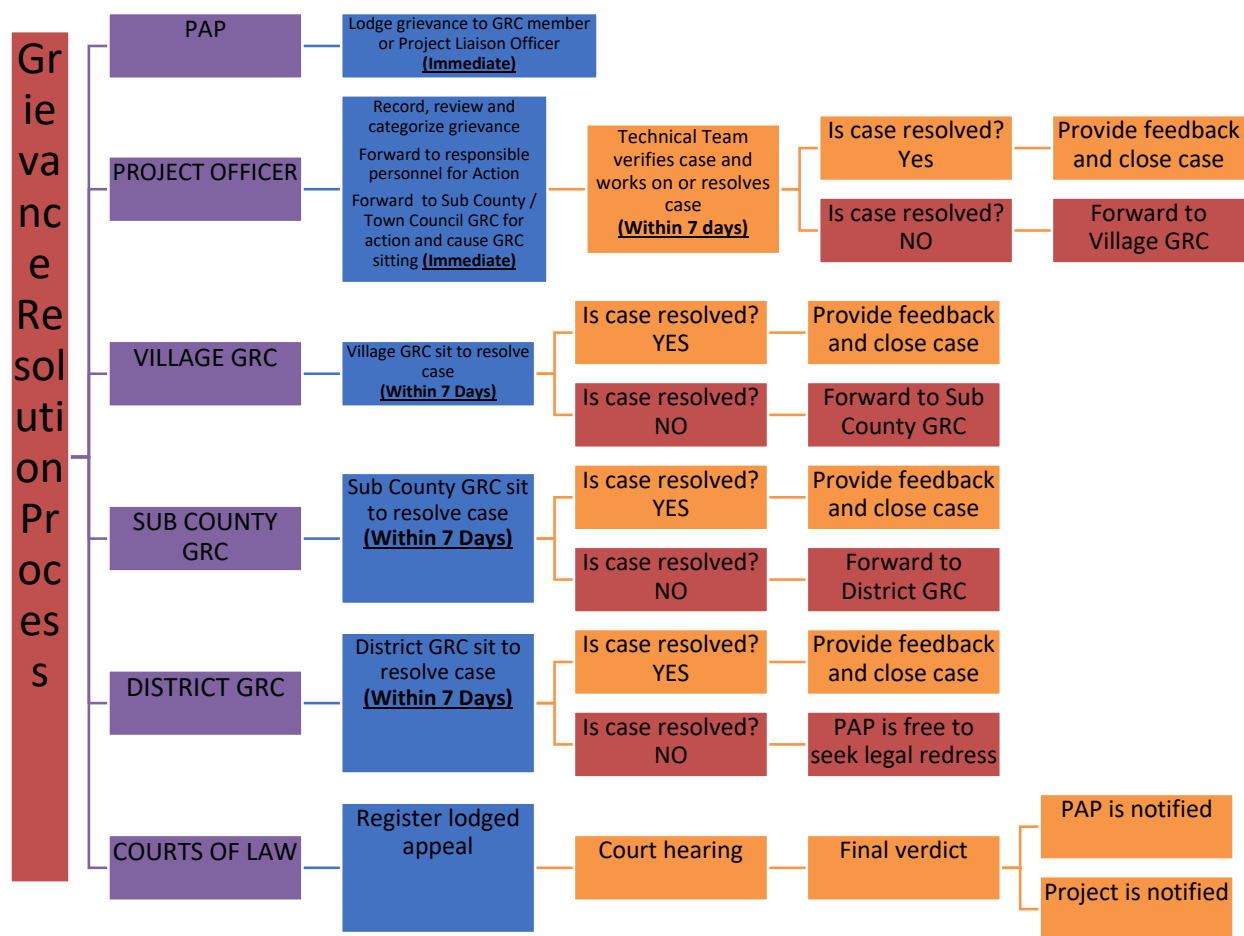


Figure 0-2: Grievance Resolution Process

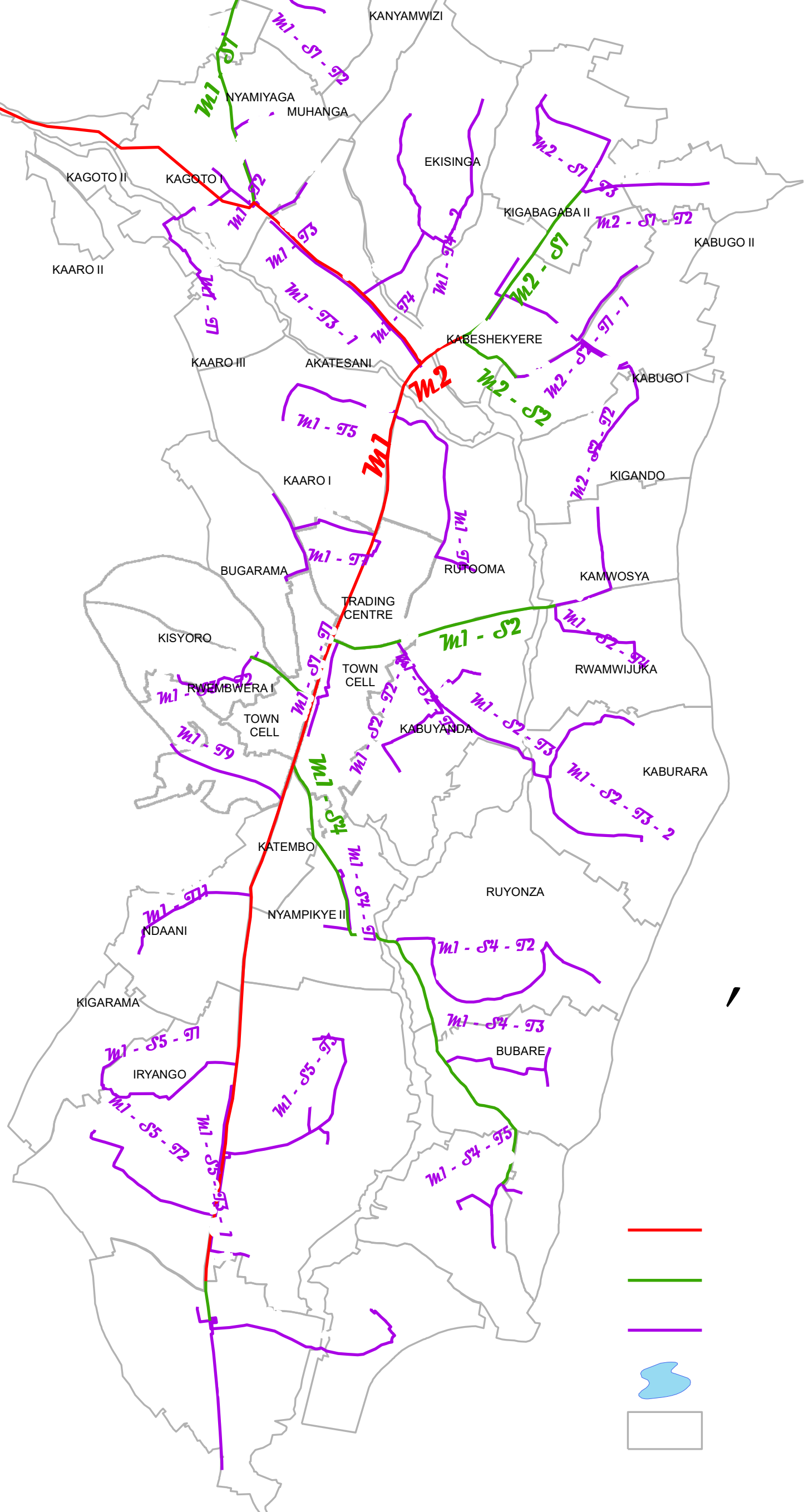
## **APPENDICES**

**Appendix 1:** Kabuyanda Main Pipeline Strip Map

**Appendix 2:** Field Photographs

**Appendix 3:** Communications with UNRA

## Appendix 1:





## Appendix 2: Field Photographs



*MWE Officials paying a courtesy call to the Resident District Commissioner on 29/09/2020 at 09:00am in his office in Isingiro District*

**Validation Field Photographs for the main pipeline in Kabuyanda Town Council**



***MWE official explaining the process of Compensation to the PAPs of Akatesani Village in Central Ward at Akatesani Trading Centre on 30/09/2020 at 10:00 am***





*MWE official engaging PAPs of Nyampikye II village in process of compensation before verifying their identifications on 1/10/2020*



*MWE Surveyor, Valuer and the PAPs during a re - assessment of some of the property due to be affected in Nyampikye II village carried out on 2/10/2020*





*A MWE Official verifying PAPs' names and their affected property in Akatembo Cell in Kisyoro Ward on 01/09/2020 at 02:30pm. The exercise was held at Akatembo Trading Centre.*





*Valuer and Sociologist with PAPs during the re – assessment of crops for two different PAPs in Nyampikye II village. The activity was held on 2/10/2020*





*A PAP verifying her identification at Nyampikye II village in Kabuyanda Town Council on 1/10/2020*



**Validation Field Photographs for the main pipe line in Kabuyanda Sub County**



***PAPs verifying their identifications and property assessment during the validation of Draft Valuation Report for Kabuyanda Main Pipeline- 30/9/2020***






*MWE official addressing PAPs about the process of compensation in Kagoto I village on 30/9/2020*

### Appendix 3: Communications with UNRA

Figure 3: Letter requesting for support in the Implementation of ICRP regarding the laying of main pipeline alongside the Kikagati – Mbarara – Ruti Road

TEL. GENERAL: TELEPHONE:	+256 41 4505942 +256 41 4505945 +256 41 4505950 +256 41 4220203 +256 41 4321316 +256 41 4221198 +256 41 4505941
FAX: Email: website:	 mas@mw.go.ug ps@mw.go.ug www.mw.go.ug




THE REPUBLIC OF UGANDA

MINISTRY OF WATER AND  
ENVIRONMENT  
P. O. Box 20026  
KAMPALA - UGANDA

this subject please quote  
Ref. No. WSD/165/258/01

**1<sup>st</sup> October, 2021**

The Executive Director,  
Uganda National Roads Authority (UNRA),  
P.O. Box 28487, Kampala



**REQUEST FOR SUPPORT IN THE IMPLEMENTATION OF IRRIGATION FOR CLIMATE RESILIENCE PROJECT (ICRP) IN ISINGIRO DISTRICT**

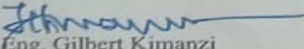
Government of Uganda through the Ministry of Water and Environment with support from the World Bank has embarked on the implementation of Kabuyanda Multipurpose Irrigation Scheme under the ICRP project in Isingiro District. The project shall cover an irrigation command area of over 3,300 Hectares in the Sub-Counties of Kikagati, Kabuyanda and Kabuyanda Town Council.

The main water conveyance to the irrigable command area shall be through a 1.2m diameter pipe which is proposed to run along the side of the UNRA maintained **Kikagati-Kabuyanda-Mbarara-Ruti** murram road, for a distance of 12.5Km.

The Ministry together with Isingiro district and Kabuyanda Town Council have engaged the community especially the individuals neighbouring the UNRA maintained **Kikagati-Kabuyanda-Mbarara-Ruti** murram road, particularly those that shall be affected by the pipe laying. The Ministry is implementing Resettlement Action Plan and recently undertook compensation for the developments of the above Project Affected Persons (PAPS). Subsequently, consent for laying the pipe from the PAPS been obtained.

Considering that it's UNRA that undertakes periodic maintenance of the road, the Ministry considers UNRA as one of the key stakeholders in this project, and seeks the following from your organization;

- 1) Nomination of one Social Safeguard Officer to join and offer technical support to the established Multi-Stakeholder Resettlement Action Plan Implementation Team. The officer shall be facilitated by the project.
- 2) UNRA's concurrence to laying the main pipeline alongside the Kikagati-Kabuyanda-Mbarara-Ruti murram road for the distance of 12.5 kms.

  
Eng. Gilbert Kimanzi  
For: PERMANENT SECRETARY



**Figure 4: UNRA's Consent on the laying of main pipeline alongside the Kikagati – Mbarara – Ruti Road**

**Uganda National Roads Authority**  
Plot 3-5, New Port Bell Road, UAP Nakawa Business Park  
Block C & D  
P.O. Box 28487, Kampala Uganda  
In any correspondence on this subject  
Please quote UNRA/DNPE/MWE-ICRP/Isingiro/10/21/1

15 October 2021

The Permanent Secretary  
Ministry of Water and Environment  
P.O. Box 20026  
KAMPALA  
Tel: 0414 505 942  
Email: [ps@mwe.go.ug](mailto:ps@mwe.go.ug)

**REQUEST FOR SUPPORT IN THE IMPLEMENTATION OF IRRIGATION FOR CLIMATE RESILIENCE PROJECT IN ISINGIRO DISTRICT**

Reference is made to your letter Ref: WSD/165/258/01 dated 1<sup>st</sup> October 2021 in which you sought concurrence to laying the main pipe for Kabuyanda Multipurpose Irrigation Scheme alongside the Kikagati-Kabuyanda-Mbarara-Ruti murram road (12.5 km).

The Ministry of Water and Environment (MWE) also requested for nomination of a Social Safeguards Officer to offer Technical Support to the Irrigation for Climate Resilience Project (ICRP) - Resettlement Action Plan (RAP) Implementation Team.

We have no objection to your request, and in the interim, MWE may proceed with the proposed activities of laying the pipeline along the above-mentioned road on terms and conditions as follows: -

- The works should be undertaken at the outbound edge of the road reserves;
- MWE is authorized to use horizontal boring at a depth not less than 1.5m below the road surface for underground installations across the road (if any);
- Liaise with Uganda National Roads Authority (UNRA) – Regional Manager – (South) to ensure that the quality of work meets the required specifications;
- MWE shall meet all expenses for the pipeline works, traffic management and ensuring quality while UNRA shall provide the technical expertise at the location in question;
- MWE shall ensure that its pipeline installations do not block drainage of the road or obstruct traffic. MWE will undertake rectification of any blockage to the road drainage or obstruction to traffic should these occur as a result of the actions or omissions of the MWE Contractors or its agents;
- MWE shall indemnify and keep UNRA indemnified from any claims or legal action arising from persons affected by the activities of MWE or its contractors/agents in conducting the pipeline works herein provided;

Tel: +256 31 2233100 • 256 414 318000 • Fax: +256 414 232807, 347616 • E-mail: [executive@unra.go.ug](mailto:executive@unra.go.ug) • Website: <http://www.unra.go.ug>

*III Paul Nwagira -SS*  
*For your follow up. 29/10/2021*

1 of 2

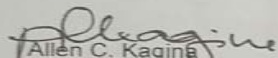
**Figure 5 Response from UNRA concerning support in the Implementation of ICRP (Cont'd)**

vii. MWE shall indemnify and keep UNRA indemnified and keep from any damage to the road as a result of any action or omission of **MWE** or its contractors/agents;

viii. MWE shall ensure involvement of the Traffic Police for traffic management and safety. In case of cuttings across the road several public notices should be placed prior to the cutting, and this should be done in liaison with UNRA and Uganda Police.

UNRA is pleased to nominate Ms. Enid Kansiiime, Social Development Specialist, UNRA, as the Technical Support Officer to the ICRP- RAP Implementation Team.

For any engagements, Ms. Enid Kansiiime can be reached on e-mail: [enid.kansiiime@unra.go.ug](mailto:enid.kansiiime@unra.go.ug) or Mob. +256 701 125 442.

  
Allen C. Kagame  
EXECUTIVE DIRECTOR

Copy to: - The Regional Manager, UNRA, Southern Region.  
- Ms Enid Kansiiime, Social Development Specialist, UNRA.

IW/ms/ek/dnpe