



Republic of Uganda

**Ministry of Education and Sports**

**Department for Secondary Education**

# **Uganda Secondary Education Expansion Project**

## **Resettlement Policy Framework**

**Updated 23th April 2020**

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## ACRONYMS AND ABBREVIATIONS

ARSDP	Albertine Region Sustainable Development Project
BoG	Board of Governors
CAO	Chief Administrative Officer
CBO	Community Based Organization
CMU	Construction Management Unit
DDPs	District Development Plans
DED	District Education Department
DEO	District Education Officer/Office
DLB	District Land Board
DLT	District Land Tribunal
DPs	Displaced Persons
DSC	District Steering Committee
DIS	District Inspector of Schools
EMIS	Education Management Information System
EPPA	Education Planning & Policy Analysis
ESIA	Environment and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESSP	Education Sector Strategic Plan
ESSS	Environmental and Social Safeguards Specialist
FGM	Female Genital Mutilation
GO	Grievance Officer
GoU	Government of Uganda
GPE	Global Partnership for Education
GRM	Grievance Redress Mechanism
IDA	International Development Association
ILO	International Labour Organization
IMU	Independent Monitoring Unit
KADDNET	Kasese District Development Network
LG	Local Government
LGDP	Local Government Development Programme
LRA	Lord's Resistance Army
M&E	Monitoring and Evaluation
MIS	Management Information Systems
MoES	Ministry of Education and Sports
MoFPED	Ministry of Finance, Planning and Economic Development
MoLG	Ministry of Local Government
MoLHUD	Ministry of Lands, Housing and Urban Development
NGO	Non-Government Organization
NPCU	National Project Coordination Unit
OP	Operational Policy of the World Bank
PAPs	Project Affected Persons
PCU	Project Coordination Unit
PLC	Parish Land Committees
PSD	Private Sector Development
PPP	Private Public Partnership
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework

SMCs	School Management Committees
ULC	Uganda Land Commission
UNICEF	United Nations Children’s Fund
UPPET	Universal Post-Primary Education and Training
USDP	Uganda Skills Development Project
USE	Universal Secondary Education
USEEP	Uganda Secondary Education Expansion Project

## GLOSSARY OF TERMS

Unless the context dictates otherwise, the following terms shall have the following meanings:

**Census** - a field survey carried out to identify and determine the number of Project Affected Persons (PAP) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures emanating from consultations with affected communities and the Local Government Institutions (LGIs).

**Compensation**—Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.

**Cut-Off Date**— Is the date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated.

**Displaced Persons (including Project Affected Persons – PAPs)** - means persons who, for reasons due to involuntary acquisition or voluntary contribution of their land and other assets under the project, are directly affected by a project through the loss of land and the resulting loss of residences, economic loss, other structures, businesses, or other assets, regardless of whether or not the said Displaced Persons are physically relocated. These Project Affected Persons (PAPs) may have their standard of living affected, whether or not the Displaced Person is required to relocate; lose right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.

**Involuntary Land Acquisition** - means the acquiring of land by government or other government agencies or entities under the legally mandated procedures of eminent domain. Land acquisition includes both outright purchases of property (negotiated compensation) and acquisition of access rights, such as easements or rights of way. This includes assets and land that are recognized by law and culturally

**Involuntary Displacement or Resettlement** refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) as a result of project-related land acquisition (and/or restrictions on land use. It is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement. This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail. It may include land use loss; relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihoods, whether or not the displaced person has moved to another location or not.

**Land** - refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.

**Land Expropriation** – The process whereby a public authority, usually in return for compensation,

requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses.

**Project Affected Household** - All members of a household, whether related or not, operating as a single economic unit, who are affected by the project.

**Project Affected Person** - Any person, household, firm or private institution who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, educational, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

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

**Rehabilitation Assistance** - means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable Project Affected Persons and Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-Project levels.

**Replacement Cost** -means replacement of lost assets with an amount sufficient to cover their full replacement cost, that is, the market value (where markets provide reliable information about prices) of the assets plus transaction costs. Replacement cost addresses compensation for tangible assets, primarily land, houses, other structures, trees, crops, access to water, and improvements on the land; and includes all administrative fees as well as a provision for inflation. Potential project benefits are not counted toward replacement cost.

**Resettlement Action Plan (RAP)**- Is a document in which the party impacting on the people or any other responsible entity specifies the procedures that it will follow and the actions that it will take, once the project locations are identified, to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project. Moreover, the RAP is a time-bound action plan with budget setting out resettlement strategy, objectives, entitlements, actions, responsibilities, monitoring and evaluation.

**Resettlement Assistance**- The support provided to people who are physically and/or economically displaced by a project, as well as vulnerable groups who are affected by the project activities. Assistance may include transportation, food, shelter, and social 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.

**Resettlement Policy Framework** - A resettlement policy framework is required for projects with subprojects or multiple components that cannot be identified before project approval. This instrument may also be appropriate where there are valid reasons for delaying the implementation of the resettlement, provided that the implementing party provides an appropriate and concrete commitment for its future implementation. The policy framework should be consistent with the principles and

objectives of OP 4.12.

**Vulnerable groups** - People who by virtue of their 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.

## Executive Summary

### Background:

The introduction of Universal Secondary Education (USE) under the Uganda Post-Primary and Education Training (UPPET) in 2007 increased secondary school enrolment at an annual rate of 6%, growing from a total of 954,000 in 2007 to over 1.36 million in 2013 (USEEP Concept Paper). However, this increase in enrolment is not distributed evenly across different regions, location, gender and socio-economic groups. The disparities in access and completion of secondary education call for an intervention to ensure equitable access to quality lower secondary education for all. Therefore, the Government of Uganda (GoU) through the Ministry of Education and Sports (MoES) is in the process of securing finances from the World Bank to support a proposed project entitled Uganda Secondary Education Expansion Project (USEEP).

The proposed Project will focus primarily on improving access to lower secondary education in underserved areas and populations including refugee hosting communities and girls. It will also support the preparation for a comprehensive sector reform and improve the Ministry's management and monitoring capacity. There will be a strong focus on ensuring that girl's access, stay and complete lower secondary education based on well-documented evidence by various recent studies and projects<sup>1</sup> that girls' education brings a wide range of benefits not only for the girls themselves but also for their children and communities, as well as society at large in terms of economic growth.

### Objective of the Resettlement Policy Framework

The objective of this Resettlement Policy Framework (RPF) is to set out guidelines and principles to be followed during the land acquisition process and preparation of Resettlement Action Plan(s) (RAP) once the exact locations, design and feasibility study are finalized for USEEP sub-projects. The Resettlement Action Plan(s) (RAP) will be subsequently prepared consistent with this policy framework and will be submitted to the Bank for approval before any further land acquisition, resettlement, or any other impact on livelihood occurs.

This RPF while anchored under the Ugandan constitution and requisite laws of the land also takes cognizance of the World Bank's Involuntary Resettlement Policy (i.e. WB OP 4.12).

### Methodology used to prepare the RPF

The RPF expert's team adopted a combination of several methodologies in the process of gathering information used in the formulation of this RPF. The choice of methodology was dependent on the type and nature of information required. The key methods included, Literature reviews of key documents related to land acquisition and consultations with key informants and community groups from carefully sampled districts across the country. The preparation of the RPF also involved a review of the RPFs of Uganda Skills Development Project (USDP) and Uganda Schools and Teacher Effectiveness Project (USTEP) projects as well as USEEP concept paper.

The preparation of the RPF is one of the requirements by the World Bank to be fulfilled by the

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<sup>1</sup> UNICEF, World Bank.

Government of Uganda before the loan for the proposed USEEP is approved. The RPF is a strategic (programmatic) document that provides broad principles and directives to guide MoES, where necessary, for more detailed assessments of activities that are likely to have resettlement / land acquisition issues and for preparation of the Resettlement Action Plans (RAP).

### **Resettlement Policy Framework**

Consistent with the World Bank Operation Policy 4.12 on involuntary resettlement this resettlement policy framework establishes the resettlement and compensation principles and objectives governing resettlement of affected people which will be applied in all USEEP sub-projects and activities. The OP 4.12 principles will be applied in conjunction with Ugandan national laws and regulation guiding compensation and resettlement. In cases where the WB policy and the Ugandan laws are not in full accord, the higher standard and more stringent of the two will prevail as it satisfies the requirements of the lesser standards.

### **Project Impacts**

Once impact location is known MoES will be fully responsible for preparation of RAP for the proposed USEEP sub-projects with support of the planning authorities and other stakeholders following the guidelines outlined in this RPF.

No significant displacement of persons is expected in expansion of facilities in existing schools except for the acquisition of land for the construction of new school establishments. Actually, The infrastructure will be largely constructed on land acquired by the Ministry for the project, which may belong to the existing schools and likely acquisition of more or new land that may belong to communities who will be compensated in line with requirements under this RPF. Temporal effects will result into an interruption in the current use of property or land by the affected person as a result of the sub project activities.

**Mitigations:** Provisions to minimize all such impacts including those of socio- economic significance and on environmentally sensitive sites. The potential social impacts to be addressed within the context of preparing this Resettlement Framework have been identified. It is expected though that site specific social assessment studies will be carried out within specific localities, as and when required. The framework for the compensation/ resettlement will then be applied incorporating specific (1) institutional arrangements, (2) resettlement/ compensation eligibility criteria, (3) implementation procedures, (4) financial responsibilities, and (5) monitoring and evaluation plan.

### **RAP(s) Preparation**

Prior to implementation of the USEEP, MoES will need to prepare and implement the project RAP(s) during which assets and categories of people and groups that will be affected and their entitlement to compensation will be established. Two general methodologies will be applied to value land and unexhausted improvements: estimation of the market value and/or estimation of the replacement costs. Method for estimating various kinds of allowances will be in accordance with OP 4.12 in conjunction with the Constitution of Uganda (1995), the Land Act (1998), the National Land Policy 2013, the Local Governments Act (1992), the Land Acquisition Act (1965), and the Physical Planning Act, 2010. Forms of payments will be in cash, in kind, and/or through assistance. This RPF recommends a that preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. Where this is not possible, the RPF recommends that compensation at full replacement value added with allowances paid to all affected groups as per the eligibility criteria and valuation methods set forth in the RPF according to PAPs preference and no deductions for depreciation of assets and structures will be made. Mechanisms will be available to all project stakeholders to file complaints about any aspect of the resettlement process through mediation as the preferred method for redress of grievances, and affected people may seek recourse/appeal through land tribunals and the court of law system if they wish.

Based on the field assessment conducted during the preparation of this RPF, findings indicate that most established schools especially those founded on religion (faith-based organizations) have enough land with limited encumbrances. No significant displacement of persons is expected in expansion of facilities in existing schools except for the acquisition of land for the construction of new school establishments. Actually, the infrastructure will be largely constructed on land acquired by the Ministry for the project, which may belong to the existing schools and likely acquisition of more or new land that may belong to communities who will be compensated, and the USEEP may need a cost of approximately 10% of the total project costs. In case need arises, Ministry of Education and Sports will prepare the resettlement budget that shall not exceed USD15, 000,000 million i.e. about 10% of the total project (estimated at USD 150 Million)<sup>2</sup>. A detailed RAP budget will be developed during RAP(s) preparation. The budget will cover resettlement activities including compensation cost for affected assets if any.

Consultations with, and participation of displaced persons in planning, implementation, and monitoring will be on-going throughout the process of preparing the RAP. Local government system shall be the main channel of activities.

### **Monitoring Evaluation**

The monitoring and evaluation will be the main mechanism to alert the USEEP of any delays and problems and these activities will help measure the extent to which the main objectives of the RPF have been achieved. To ensure that the implementation of resettlement is executed in line with this RPF, the activities will be monitored and evaluated internally by a Monitoring and Evaluation team at the PCU at the national level and on ground at the District level. A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities.

**Disclosure:** This RPF will be disclosed in compliance with relevant Ugandan regulations and the World Bank Operational Policy OP 4.12 on Involuntary Resettlement. The documents will be disclosed on the

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<sup>2</sup> Project Concept Note (PCN) (P166570)



World Bank external website and will also be publicly available to any interested persons. MoES will also provide copies of any subsequent RAPs if any for disclosure at the World Bank external website for public access. In addition, the RPF and any subsequent RAP should be available throughout the project area and preferably, MoES should prepare summaries of the RPF and RAP in local languages for distribution to accessible points within the project area. A 60-day disclosure period is recommended to allow ample time for all interested and affected parties to submit their comments and concerns about the RAP.

## **1. INTRODUCTION**

### **1.1. BACKGROUND**

Secondary education in Uganda is packaged in three forms of schools: government-owned schools (20%), private sector-owned (69%), and community-owned (11%) including a very small number of international schools that deliver foreign curricula (EMIS, 2007). It is important however to note that while the majority of schools (80%) are either privately or community owned, they cater for less than 50% of school enrolments and their presence in the rural areas is limited. This scenario has made secondary education more unequal, with the public sector not adequately targeting the poor. According to the revised ESSP, the GoU is faced with substantial challenges in trying to address the problem in the sub sector which include:

- Costly infrastructure development procedures that rely on larger contractors coupled with inadequate public funding for all eligible students;
- A staffing policy that stipulates a ratio of graduate teacher to diploma teachers with specified teacher workload that is very adequate by international standards;
- The dilemma on how publicly-subsidized secondary education can be expanded without endangering the demand for fee-paid private secondary education and reducing household contributions to public sector secondary schools considering constraints on parental financial support through PTAs that may affect student welfare;
- The overloaded current secondary education curriculum; and the need to rehabilitate most existing government schools as they are in a dilapidated state and lack instructional materials especially in rural schools.

Despite the above constraints, the secondary education sub-sector continues to focus on the implementation of Universal Secondary Education (USE), the bursary scheme for bright but needy students and expansion of affordable designs and facilities including multipurpose science rooms to accommodate the growing numbers of students in the sub-sector. In addition, management and governance of secondary schools is being enhanced at school level.

The Government of Uganda is focused on improving learning levels and completion rate at the primary education level, through a variety of measures. This includes a US\$100 million grant from the Global Partnership for Education (GPE) to strengthen the effectiveness of teachers and schools in the delivery of primary education in Uganda. This will potentially increase the number of children who will try to access lower secondary education, while also reduce the outflow of students into the labor market with minimum skills. The education system will therefore, have to double its current intake capacity to achieve Universal access to primary, secondary and Post Primary Education.

### **1.2. PROJECT DESCRIPTION**

The introduction of Universal Secondary Education (USE) under the Uganda Post-Primary and Education Training (UPPET) in 2007 increased secondary school enrolment at an annual rate of 6%, growing from a total of 954,000 in 2007 to over 1.36 million in 2013 (USEEP Concept Paper). However, this increase in enrolment is not distributed evenly across different regions, location, gender and socio-economic groups. The disparities in access and completion of secondary education call for an

intervention to ensure equitable access to quality lower secondary education for all. Therefore, the Government of Uganda (GoU) through the Ministry of Education, and Sports (MoES) is in the process of securing finances from the World Bank to support a proposed project entitled Uganda Secondary Education Expansion Project (USEEP).

The proposed Project will focus primarily on improving access to lower secondary education in underserved areas and populations including refugee hosting communities and girls. It will also support the preparation for a comprehensive sector reform and improve the Ministry's management and monitoring capacity. There will be a focus on ensuring that girl's access, stay and complete lower secondary education based on well-documented evidence by various recent studies and projects<sup>3</sup> that girls' education brings a wide range of benefits not only for the girls themselves but also for their children and communities, as well as society at large in terms of economic growth. More educated women tend to be healthier, participate more in the formal labor market, earn more income, have fewer children, and provide better health care and education to their children, all of which eventually improve the well-being of all individuals and can lift households out of poverty. These benefits also transmit across generations, as well as to communities at large.

Uganda is now home to 1,411,794 refugees as of 31/01/2018, with South Sudan contributing 1,045,236 of which 61% of the population are under 18years (UNHCR, 16 Feb 2018). The asylum seekers from South Sudan are concentrated mainly in the West Nile districts, while those from the DRC and Burundi are being hosted in the western region districts such as Isingiro, Kamwenge and Kyegegwa. In the Districts of Adjumani and Moyo refugees now make up well over half of the total population. This unprecedented mass influx of refugees into Uganda in 2016 and 2017 has put enormous pressure on the country's basic service provision capacity, particularly in health and education sectors. Refugees share social services with the host communities. The refugee hosting districts are also among the least developed districts in the country. Therefore, the project will also focus on support to refugees and their host communities.

**The project development objective** is to enhance access to lower secondary education by focusing on underserved populations in targeted areas. Underserved populations include communities hosting refugees, refugees, girls and people in the targeted areas with limited access to public lower secondary schools.

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<sup>3</sup> UNICEF, World Bank.

### 1.3. THE PROPOSED PROJECT COMPONENTS

#### **Component 1: Expansion of Lower Secondary Education**

This component will focus on building more schools and expanding existing schools, and by providing learning environments that are safe, non-violent, and supportive of girls' education. Lower secondary school construction financed under this component is complemented with a support package to ensure that each new school is fully ready to offer quality education to students. All new schools will include new cost efficient and quality infrastructure design, learning materials on a 1:1 ratio for students, school management and multi-pronged teacher training (curriculum, girls' education, special needs, violence awareness, ICT assisted teaching) and communities of practice for further professional development.

Existing overcrowded public schools in the Refugee Hosting Areas (RHAs) will receive a standard package of additional infrastructure. Financial support provided to such schools through the scholarships program (sub-component 2.2.) shall be used to procure required learning materials and other resources as required by each benefiting school. In cases, where additional teachers will be required for such schools, the GoU will be responsible for recruiting, training, and paying salaries. Demand for additional teachers will be established during detailed sites appraisal as part of the ESMPs preparation.

##### ***Subcomponent 1.1: Construction of New Lower Secondary Schools and Facilities***

This subcomponent will finance the construction of about 116 new lower secondary schools across the country and improving infrastructure in about 61 existing schools in the RHAs. In total, over 70,300 new spaces will be established. Out of 116 schools, approximately 32 new schools will be located in refugee and hosting communities and 84 will be in other targeted sub-counties of districts meeting the selection criteria. The new schools will be built as large (double stream, eight classrooms) schools creating a total of 55,680 additional spaces for enrolment. The component will also finance school furniture, science laboratory kits, ICT laboratory computers, student textbooks and teacher guides for all new schools. Overcrowded public schools in the RHAs will receive a standard package of additional infrastructure: four classrooms, science lab and latrines. The component will also finance school furniture and science laboratory kits for new classrooms and labs. Thus, 14,640 additional space.

##### ***Subcomponent 1.2: Ensuring Safe and Protected Children***

This subcomponent will complement the construction of new school facilities by ensuring safe and protected children with a particular emphasis on girls, based on the policy and legal framework of Uganda. The subcomponent will support a multi-pronged approach through: (i) training of the new schools' headteachers, and their deputies and teams of teachers in establishing and maintaining safe school environments; (ii) implementation of social and emotional learning modules; (iii) implementation of violence against children codes of conduct for communities' leaders, school-founding bodies and Boards of Governors, teachers, and works contractors; (iv) sensitization of the local communities (violence reduction, back to school and importance of girls' education); and (v) equipping students with important life skills, including independent and proactive participation in income generating activities. All existing schools in the RHAs (about 210) and all new schools constructed under the project inside

and outside RHA (116) will benefit from the sub-component.

A set of targeted community and school level activities will comprise the “Safe School Program” and promote school, community, and parental awareness to prevent cases of violence in schools, encourage parents to educate their girls, prevent early pregnancies, provide support to at-risk children, mobilise child mothers to complete their education, and help girls and boys to develop crucial life skills.

Within the target districts special attention will be provided to the areas where the pregnancy and dropout rates for girls is high. Social and emotional learning (SEL) modules under the program will help students, especially in the RHA to cope with psycho-social challenges related to violence in schools and local communities by fostering their resilience, empathy, and engagement.

Much of this component’s activities are modelled after and will build on ongoing and past efforts made by the Uganda-based Non-Governmental Organizations (NGOs). To ensure sustainability, staff from the MoES’s Secondary Education Department and the Local Government will go through capacity building so that they will be better equipped to support schools in implementing and sustaining the component activities.

## **Component 2: Hosting Community and Refugee Education Support**

Component 2 will focus on both new and existing lower secondary schools in refugee hosting sub counties within the 12 targeted districts. All activities under this component are financed through grants received through the IDA 18 sub-window for refugees and host communities. The target population is refugee and host community school-aged children eligible for lower secondary education (ages 13-18) who have already completed primary schools. The component will support the development and execution of the following programs: (i) Accelerated Education Program (AEP) and (ii) School scholarships. Note that social and emotional learning programs (SEL) which are crucial for addressing specific challenges faced by refugees will be funded in subcomponent 1.2 together with Safe schools packages. The component will also provide support in obtaining equivalent certifications in Uganda that allows children who have finished primary school abroad to attend secondary school in Uganda.

### ***Subcomponent 2.1: The Accelerated Education Program***

The Accelerated Education Program (AEP) will provide students who have missed the opportunity to enroll in lower secondary school at the appropriate age or who dropped out of school for various reasons (displacement, pregnancy, etc.) with a fast track learning opportunity. Given the paucity of experience and track records of administering AEP at the secondary school level, this program will start with small scale pilots in five existing schools building on some of the most promising early AEP initiatives by leading NGOs. This will be followed by additional AEPs in seven new schools, resulting in 12 pilot AEP across the whole refugee hosting regions.

### ***Subcomponent 2.2: The Scholarship Program***

The school scholarship program transfers funds to Local Governments (LGs) as Accounting Offices for further administration to the lower secondary schools in refugee and hosting communities as a means to offset the economic shock refugee families are experiencing. The school scholarships will assist in reducing school charges that are passed on to parents, especially to refugee families. School charges in Uganda represent a considerable share of the average household income. The proportion of school

charges of household income is likely to be higher for refugee and host community. This program is designed to increase the likelihood of households (both hosts and refugees) with eligible secondary school aged children to enroll and retain their children in school. The amount generated by scholarships at each school (both new and existing) will depend on the number of refugee students enrolled each year. The scholarships will be managed on the school level in the same way and under the same guidelines as the capitation grants for Ugandan students.

The school scholarship program relies on Project grant funds to provide support for refugees that are equivalent to the capitation grants that the MoES already provides for Ugandan students. Given the Government, as part of the Refugee Response Plans, has pledged extending capitation grants to refugees during the next few years, this project considered that it would be the MoES's responsibility to finance capitation grants as part of their regular budget by the end on the project life.

### ***Subcomponent 2.3: Certification of Prior Education***

The sub-component will provide funding to (a) mainstream support for refugees in obtaining papers required to start / continue secondary education (e.g. translation, validation and equating of relevant certificates) through MoES/Uganda National Examinations Board (UNEB), and (b) identify those who need support for certification and cover the costs for obtaining relevant certifications for refugees.

## **Component 3: Improving Teachers Support and Policy Development Nationally**

This component will scale up existing elements of the teacher support system and build capacity of the school principals as primary pedagogical supporters for teachers. The component will also aim to prepare for future development of quality lower secondary education through analytical and capacity building work.

### ***Subcomponent 3.1: Support to Teachers***

The sub-component will support establishing a **Continuous Professional Development (CPD) system** nation wide. The system will be based on about 100 lower secondary school clusters that will help organize and support teacher training country wide. Each cluster will be built around a cluster center – existing well performing schools with capable teachers. The cluster centers will deliver in person and distance-based teacher coaching. The centers will facilitate Communities of Practice (CoPs) for subject teacher. The CoPs will serve as peer-to-peer teacher support mechanism. Digital platforms will be utilized to operate CoPs and deliver teacher support by distance.

The CPD support will focus on providing ongoing support to teachers implementing the new curriculum. The GoU will cover the basic costs of introducing the new curriculum: initial and follow up teacher training, printing and delivering textbooks and teacher guides with scripted lessons, learning materials, and ongoing training /support costs, etc.

The subcomponent will finance the establishment of the cluster centers in existing schools (using existing facilities, no construction is expected) that are geographically accessible by their network of schools and have a track record of good performance delivering learning outcomes at an appropriate level (e.g. above national average). A selected teacher will be the coordinator at the cluster center and



will be responsible for coordinating the trainings for their respective network of about 40 schools. Coaching will be led by the head teacher at each school and by visiting coaches (inspectors, regional trainers). The subcomponent will train center leaders. Digital platforms and resources will be utilized to allow teachers to grow CoPs, to receive remote support and feedback from regional and national trainers and coaching on how to improve teaching and learning. They will also be able to share their own experiences directly with each other.

**Head teachers and deputy head teachers** from all public schools as well as head teachers from poorly performing private schools (the worse performing half of the private schools) will be trained in (i) school management and (ii) pedagogical leadership. School performance will be measured by the tool which is currently under preparation with support from UgIFT project. The tool will be applied to select beneficiary private schools. The training provided under the project will improve school management practices, results orientation, service delivery and raise quality of teaching through providing teachers with ongoing pedagogical support from the principals.

**The project will implement a special program for training science teachers as ICT Champions to promote technology assisted teaching of science subjects and develop modern digital skills** (as required by the new curriculum) among lower secondary school students. One teacher from each public school and teacher from poorly performing private schools (bottom half of worse performing schools) will be trained. The ICT assisted teaching starts with identifying an ICT champion (supporter and early adopter) in a school. The champion will promote the use of ICT for better teaching and learning in the whole school starting with his/her subject. After training in ICT enhanced pedagogy, the champion will receive a laptop and projector (to be owned by the school). It will be preloaded with ICT resources for all the subjects. The program will be available to all public schools in the country (more than 1,200 schools), and new schools to be built under subcomponent 1.1, some with ICT capacity and some without any previous exposure to ICT assisted teaching in order to avoid widening the technology gap. This will enhance professional sharing and learning across teachers in all lower secondary schools in their respective clusters. In total, about 6,600 teachers and administrators will benefit from the training / capacity development program.

### ***Subcomponent 3.2: Support for Development of Key Secondary Education Improvement Policies***

This sub-component will prepare for the key measures/reforms required to further improve the quality of teaching and learning in lower secondary schools in accordance with the new education sector strategy (forthcoming around June 2020). It will include technical assistance to support policy research, preparation of policy papers and implementation plans, and capacity building for policy-makers. The sub-component will, inter alia, focus on the following areas: (i) assessing existing experience and adopting a sustainable school construction strategy; (ii) teacher recruitment, deployment, retention, reward and motivation to address the teacher gap, teacher attrition, and the increase in enrolment due to demographic stress; (iii) improvement of provision of teaching and learning materials; (iv) quality assurance and assessment; and (v) enhanced private sector service delivery. In addition to developing new strategies/policies, the component will help to introduce measures required to operationalize existing policies, for instance VAC and GBV related.

## **Component 4: Project Management, Monitoring and Evaluation**

This component will provide support to the project implementation, supervision, monitoring and evaluation, and verification costs. It will finance project staff (including staff needed to supervise school construction, including clerks of works), office rent, furniture, equipment, transportation, data collection and analysis, including gender specific aspects of the project, and capacity building. Third party assessments will be done to verify the achievement of the DLIs, other project results and satisfactory completion of large procurements.

#### **1.4. PREPARATION OF THE RESETTLEMENT POLICY FRAMEWORK**

From the outlined components above, it is evident that ***Component 1: Sub-component 1.1 construction of new schools*** triggers Operational Policy 4.12: Involuntary Resettlement, as there are likely to be land requirements for purposes of new classroom buildings and related structures that support school learning. Since the details of the facilities to be built may not be known by Appraisal time, and to ensure that these investments are carried out in an environmentally and socially sustainable manner, the Resettlement Policy Framework (RPF) for the USEEP has been developed. The objective of this RPF is to provide a legal framework and a screening process for future investment activities in the education sector. As the exact scope of the investments could not be identified prior to appraisal, the Resettlement Policy Framework (RPF) has been prepared as an instrument to be used as the guiding document for resettlement activities during the implementation of the investments. The RPF, on disclosure and approval will specify the legal instruments applicable to resettlement, compensation and organizational arrangements required for application of the policy framework.

##### **1.4.1. WORLD BANK SAFEGUARD POLICY (OP4.12)**

The World Bank Operational Policy on Involuntary Resettlement (OP4.12) was reviewed in detail to understand the project's direct economic and social impacts that may be caused by involuntary taking of land resulting in:

- (i) Relocation or loss of shelter;
- (ii) Loss of assets or access to assets, or
- (iii) Loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

The objectives of the policy on involuntary resettlement (OP 4.12) are the following;

- To avoid or minimize involuntary resettlement and land acquisition where feasible, exploring all viable alternatives of project location and designs.

Where involuntary resettlement and acquisition of land or other assets is unavoidable -

- To conceive and execute compensation as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share project benefits.
- To consult with displaced and compensated persons and provide them opportunities to participate in planning and implementing resettlement and compensation programs.
- To assist displaced and compensated persons in their efforts to improve their livelihoods and standards of living (income earnings capacity and production levels) or at least to restore them, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of the project implementation, whichever is higher.



#### **1.4.2. Purpose of the Resettlement Policy Framework**

The purpose of this RPF is to establish resettlement and compensation principles, organizational arrangements, and design criteria to be applied to meet the needs of the people who may be affected by the various sub-projects to be implemented under USEEP. The RPF therefore, is prepared to guide and govern USEEP as sub projects are selected for financing and sets out the elements that will be common to all subprojects that will entail involuntary resettlement, which will not be known by the time of project appraisal. The current RPF was updated from the RPFs for UPPET and Uganda Skills Development Project (USDP) which were reviewed and adapted for their application to the USEEP project. In particular, this RPF will be used among others: -

- To avoid, minimize, manage, and/or mitigate potential risks arising out of displacement.
- To develop a Resettlement Action Plan and propose an implementation framework for the RAP.
- To encourage community participation in planning and implementing land acquisition, compensation and/or resettlement, and provision of assistance to affected people regardless of the legality of their land rights or their title to land.

#### **1.5. OBJECTIVES OF THE RPF**

The main objectives of the Resettlement Policy Framework (RPF) are to:

- a. Establish the resettlement and compensation principles and implementation arrangements for USEEP
- b. Describe the legal and institutional framework underlying Ugandan approaches for resettlement, compensation and rehabilitation;
- c. Define the eligibility criteria for identification of Project Affected Persons (PAPs) and entitlements;
- d. Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- e. Provision of procedures for filing grievances and resolving disputes; and
- f. Development of an outline for the development of Resettlement Action Plans.

#### **1.6. METHODOLOGY USED TO PREPARE THE RPF**

The RPF expert's team adopted a combination of several methodologies in the process of gathering information used in the formulation of this RPF. The choice of methodology was dependent on the type and nature of information required. The key methods included:

##### **1.6.1. Literature reviews**

Several legal documents were reviewed particularly those relevant to land acquisition, compensation and grievance handling procedures. These included most of the legal documents (Bills, Acts and policies including the different sector resettlement policy frameworks for purposes of harmonization and incorporation of lessons learnt from other projects). The Constitution of Uganda (1995); The Land Act (1998); The Land Acquisition Act (1965); The Physical Planning Act, 2010; and The Local Governments Act (1992) were reviewed and the aim was to determine the legal requirements relevant to the USEEP project. Key among these are land ownership, tenure rights, user rights; taking of land and other assets i.e. valuing assets, compensation procedures, and grievance mechanism.

Apart from reviewing Uganda's national policies, the team also reviewed the Bank 's Safeguard Policies to (i) determine the policies that are likely to be triggered as a result of implementing the proposed

USEEP project (ii) identify similarities and gaps between the Safeguard Policies and the national legislation and make recommendations as to how to close these gaps, if any; and (iii) make recommendations as to how to implement the relevant Safeguard Policies in the context of the RPF.

#### ***1.6.1.1. Reviews of UPPET, USTEP and USDP RPFs***

The MoES previously prepared three RPFs to guide its Bank financed projects (two ongoing and one closed project) namely USTEP, USDP and UPPET. These RPFs were reviewed in detail during the preparation of this RPF and adapted for their application to the USEEP project. The reviews were undertaken correspondingly with an examination of USEEP relevant documentation such as its concept paper, draft Project Appraisal Documents (PADs) and integrated Safeguards Data Sheets. The policy and regulatory framework on involuntary resettlement in Uganda and the World Bank reviewed under the previous RPFs existing within the ministry was revisited to ensure that it is up to date, relevant and consistent with the proposed project. Document review was also conducted on key sectoral and institutional data at the district and sub-county levels.

#### ***1.6.2. Consultations with Stakeholders***

Consultations with key stakeholders took the form of key informant interviews, focus group discussions, open group community meetings (public consultations) and observations made during the fieldwork done at sampled Districts throughout the country where the project is expected to be implemented especially the underserved areas. The interviews and discussions were held with relevant officials from the MoES, key institutions of Local Governments visited, local communities, Civil Society Organization (CSOs)/Non-Government Organizations (NGOs) including Kasese District Development Network(KADDNET) and the Catholic Church in Kaabong and the Settlement Commandants of Nakivale, Kyangwali, Kyaka, Kiryandongo Refugee Settlements Camps plus Head teachers of sampled schools were also consulted. Documentation of potential social issues in the proposed project areas including resettlement issues such as compensation and conflict resolution mechanisms were conducted through interaction with the local communities and District Local Governments as well as CSOs with working knowledge of the project areas.

#### ***1.6.3. Consideration of Vulnerable Groups/Vulnerability Issues***

The preparation of this RPF benefited immensely from the consultations undertaken concurrently to screen for Indigenous Peoples (IPs) and prepare a social assessment for the proposed USEEP project. Discussions IP communities were also held to ensure that their views are taken care of. Particular attention was paid to the needs of vulnerable groups especially the IPs, other ethnic minorities and historically disadvantaged groups, women, orphans and other vulnerable children, the girl child, People with Disabilities (PWD), refugees, the landless, and the elderly. Within the Framework, it was not possible (outside RPF scope) to determine the household numbers which will be affected by the project. These numbers will be project and area specific underscoring the need to systematically determine the numbers on a sub-project by sub-project basis.

**Checklist:** Stakeholder consultations using a checklist of questions was used in order to get some of the information from the District land officers, District Valuers, village leaders and some of the PAP's concerning land issues such as land ownership, availability of land to relocate PAP's, land conflicts and resolution, economic activities, cultural sites areas, livelihood activities, best way to relocate people and grievance handling procedures.

**Table 1: ITINERARY FOR FIELDWORK**

District	Region	Date
<b>Underserved /Poor Performance Category</b>		
1. Namayingo	Eastern	28 <sup>th</sup> /09/2018
2. Sembabule	Western	2 <sup>nd</sup> /10/2018
3. Nwoya	Northern	3 <sup>rd</sup> /10/2018
<b>Refugees Hosting/ Poor Performance Category</b>		
1. Isingiro (NakivaleRefugee Settlement)	Western	3 <sup>rd</sup> /10/2018
2. Kyegegwa (Kyaka Refugee Settlement)		4 <sup>th</sup> /10/2018
3. Kikuube (Kyangwali Settlement)		4 <sup>th</sup> /10/2018
4. Yumbe (BidiBidiRefugee Settlement)	West Nile	2 <sup>nd</sup> /10/2018
5. Kiryandongo (KiryandongoRefugee Settlement)	Central	4 <sup>th</sup> /10/2018
<b>IP Hosting /Poor Performance Category</b>		
1. Moroto (Tepeth)	North Eastern	25 <sup>th</sup> /09/2018
2. Kaabong (Ik)		updated
3. Kween (Benet)	Eastern	27 <sup>th</sup> /09/2018
4. Kasese (Batwa)	Western	Updated

## 2. POTENTIAL RESETTLEMENT IMPACTS AND MITIGATIONS

### 2.1. Potential Scenarios

The proposed USEEP project intends to support selected existing secondary schools and establish new ones in underserved areas, including those with the lowest performance and in the Refugee and Hosting Communities Districts. The new schools will require land which may or may not be land with human settlements. Similarly support in existing schools may require additional land in situations where the available land is not enough. Field findings however generally indicate that there might be no acquisition required for existing schools.

However, discussions with several stakeholders like school management and community members showed that the infrastructure will be largely constructed on land acquired by the Ministry for the project, which may belong to the existing schools and likely acquisition of more or new land that may belong to communities" who will be compensated in line with requirements under this RPF". The contractor and school's management will be required to maintain proper records of the land, assets, crops/trees, and economic losses that may be affected for subsequent compensation prior to commencing the civil works. In case crops already exist in the affected land, a written agreement between the contractor and staffs'/community members may suffice for them to be able to accept to harvest the crops/trees before commencement of civil works. Overall, the risk of land acquisition is limited in areas where civil works will be undertaken on the educational institutions' land. And hence the extent of land take impacts will be minimal involving a few staff and community members who are using some of the institutions land or neighboring the institutions.

Circumstances on the ground regarding land needs and resettlement requirements, three different scenarios may be encountered in the course of implementing the USEEP:

- a. The project component has no land need other than already acquired School land (e.g. existing secondary schools). In such cases, documentation of either land tenure and/or resolution of previous disputes will be required before these are approved.
- b. The project component requires land for establishing new schools that will/may require land acquisition (involuntary land acquisition from individuals with freehold title and involuntary land acquisition from communities). In such cases the project proceeds to the preparation of a RAP and proceed to compensation of land acquired in accordance with the established principles in the RPF.
- c. The land required may be donated by the local communities, institutions or individuals. In this case, the project will provide proper tools, documentation and procedures for Voluntary Land Contribution (VLC) with signatures of the parties giving land as well as for the Local Councils (LCs) to witness the contribution. It is suggested that the forms/tools used under GPE for community and individuals who offered land for construction of new schools be applied to the USEEP project in cases of VLC.

In situation a) above, the fact that there is no land acquisition involved means that procedures required by the Ugandan law do not need to be triggered. Proposed processes will therefore be consistent with WB requirements only. Scenarios b) and c) are more complex as they imply that both Ugandan procedures and WB requirements are to be followed, hence the need for an integrated process.

### 2.1.1. NATURE OF IMPACTS

The sub projects are likely to have two categories of effects:

**Permanent effects** - Permanent effects will result into an infinite loss of use of property, vegetation, or land by the affected person as a result of the subproject activities. This is likely to occur where permanent school buildings are established. Such effects are anticipated to affect:

- a) Individuals, communities, or private institutions whose land is found suitable for these infrastructures and which can translate into either loss of livelihood, land, crops, assets, or all;
- b) Resettlement can also lead to the loss of access to communal resources:
  - ✓ Loss of land for grazing;
  - ✓ Loss of access to domestic and construct water;
  - ✓ Loss of medicinal plants; and
  - ✓ Loss of trees for charcoal production and firewood.
- c) Increase of infectious diseases like HIV/AIDS or COVID-19 due to new interactions between the contractors and communities.
- d) Social risks like increase in gender based violence due to social relations between the contractor workers and the communities since the contractor's workers will be having access to cash and may easily lure young girls and even married women.
- e) Risks of occupational, health and safety, these could overlap and also affect communities who may be in the vicinity of the construction activities.
- f) Socio-economic risks such as inflation that comes with contractor workers having a lot of money and hence influencing the prices of commodities.
- g) Access and payments for project construction materials;
- h) Employment opportunities offered by the projects with reference to availing jobs to refugees as well;
- i) Abuse or improper use of sanitation facilities; and
- j) Abuse of school infrastructures by the communities' especially malicious damage to rainwater harvesting tanks; and uprooting of trees planted within the school compound.

The above impacts can result in further indirect impacts, including the marginalization of the population concerned, degradation of health standards, loss of access to resources for marginalized communities such as pastoralists, disturbance to the way of life of affected population, conflicts with host communities, and potential food shortages.

**Temporal effects** - Temporal effects will result into an interruption in the current use of property or land by the affected person as a result of the sub project activities. This is likely to occur during infrastructural expansions in existing schools and efforts should be made to ensure that interruptions of the learning process are minimized as much as possible, preferably constructions should utilize the long holiday breaks and hoard off the construction sites to minimize disruptions.

**Table 2: Categories of Losses and their Impacts on Displaced persons**

Loss Category	Impacts
Relocation	Impoverishment, disturbance of production systems, loss of sources of income, loss or weakening of community systems and social networks, loss of access to social amenities such as hospitals and schools, water; dispersion of kin groups, loss of cultural identity and traditional authority, loss or reduction of potential for mutual help, emotional stress.
Loss of land but no relocation	Impoverishment, loss of sources of income and means of livelihood, loss of productive assets or access to assets, increased time to access resources.
Alienation due to neighbors being relocated	Impoverishment, weakening of community systems and social networks, loss of mutual help and community support, loss of traditional authority, loss of identity and cultural survival, emotional stress.
PAPs and host Communities	Impoverishment, loss of sources of income, reduced access to resources such as hospitals and schools, water, increased time to access resources, disruption of social fabric, increased crime, increase in diseases such as HIV/AIDS, clash of cultural norms and religious beliefs.

No significant displacement of persons is expected in expansion of facilities in existing schools except for the acquisition of required land for the construction of new school establishments. Given that the project will be implemented in underserved areas where the need for secondary schools is real, broad community support for the intervention is eminent implying that availability of land for new school establishments may easily occur.

## 2.2. MINIMIZATION OF PHYSICAL DISPLACEMENT

Major challenges associated with rural resettlement include: requirements for restoring income based on land or resources; and the need to avoid compromising the social and cultural continuity of affected communities, including those host communities to which displaced populations may be resettled. Provisions are made under this RPF to minimize all such impacts including those of socio-economic significance and on environmentally sensitive sites. Provisions are also made in this RPF to accommodate all potential situations, including cases that entail actual displacement and livelihood restoration assistance in accordance with the World Bank Policy on Involuntary Resettlement, OP4.12. This RPF, for the USEEP activities advocates all measures to eliminate or minimize the impacts of physical and economic displacement of people. Therefore, when the acquisition of land is required, the program will:

- Initially endeavor to utilize available freehold or public land;
- Seek for available land within the community which was demarcated during the physical planning of the areas such as Town Councils and Refugee Settlement Camps;
- Negotiate acquisition of land suitable for implementation of the USEEP program activities using agreed compensation plans and only as a last resort;
- To the extent possible acquire land through involuntary means following the provisions outlined in this RPF.

In line with the World Bank safeguard policy OP 4.12, the USEEP will minimize displacement through the following design procedures:

- Wherever inhabited dwellings may potentially be affected by a component of a subproject, the subproject shall be redesigned (facility relocation or rerouting) to avoid any impact on such dwellings and to avoid displacement/relocation accordingly;
- Wherever the impact on the land holding of one particular household is such that this household may not be sustainable in the long term, even if there is no need to physically displace this household, the subproject shall be redesigned (facility relocation or rerouting) to avoid any such impact;
- Minimization of land impact will be factored into site and technology selection and design criteria;
- Costs associated with displacement and resettlement will be internalized into activity costs to allow for fair comparison of processes and sites;
- To the extent possible, project facilities will be located on community lands; a participatory approach will be put in place for the communities to confirm where to site these facilities. This participatory approach process will pay particular attention to representation and participation of women community members;
- Infrastructures required by the project will be routed inside existing right-of-ways, easements or reservations wherever possible.



### 3. SUB-PROJECT SCREENING AND PREPARATION OF RESETTLEMENT ACTION PLANS

#### 3.1. PROJECT SCREENING

The RPF requires that all Bank-financed operations are screened for potential impacts and that the required compensation work be carried out on the basis of the screening results before implementation or civil works for each sub-project begins. Sub-projects might also have a social impact on the community. Potential socio-economic impacts that will require mitigation measures, resettlement and compensation will have to be identified. The sub-projects will be screened to answer the following critical questions:

- i. Will involuntary resettlement, land acquisition, or loss, denial or restriction of access to land and other economic resources be caused by the implementation of the sub-projects?
- ii. Will the sub-projects result in the permanent or temporary loss of crops, fruits and household infrastructures such as granaries, outside toilets, kitchens, and other structures?

As soon as the list (sub-projects) is approved by the responsible agency implementing (MoES) the program, a consultative and participatory process for preparing a RAP will be started.

##### 3.1.1. Preparation of RAPs

The screening process is an important component of several activities that contribute to the preparation of RAPs. The RAPs which will be drafted for USEEP will specify the procedures it will follow and the actions it will take to properly resettle and compensate affected people and communities. The RAP will have to identify the full range of people affected by the project and justify their displacement after consideration of alternatives that would minimize or avoid displacement. The preparation and submission of the RAP to the relevant local government authorities, MoES and World Bank comprises the following steps:

**Step 1:** The program investment activities to be undertaken and the locations of the investments will undergo preliminary evaluation on the basis of the objectives of the project.

**Step 2:** The developer, GoU, and implementing institution (MoES) will approach the communities impacted through local government authorities with the intention of arriving at a consensus on possible sites for the type of facility to be adopted.

**Step 3:** The local communities' authorities (village councils, parish/sub-county, county and district development committees) will undertake their inter-communal consultations in order to review the location of the facility.

**Step 4:** The environmental and social screening process will be undertaken in conformity with the provisions of the ESMF and the RPF screening process. The process will, amongst other, determine:

- whether any resettlement will be required at the chosen site and if so;
- whether alternative sites are available;
- whether any loss of land, assets or access to economic resources will occur or;



- Whether any of the World Bank operational policies will be triggered.

**Step 5:** On the basis of analysis of the matrix emanating from the two screening processes a final selection of the optimum site presenting the least negative environmental and social impacts including resettlement /loss of assets can be made.

**Step 6:** Where resettlement or loss of assets cannot be avoided, the provisions of the World Bank's OP 4.12 will be applied and a RAP prepared for each sub-project.

In the event that resettlement will be triggered, a comprehensive RAP will be prepared for the respective sub-project. The RAP through a Social-Economic Survey shall;

- Provide the description of different categories of impacted people determined by the degree of impact and assets lost.
- Establish the method for determining a cut-off date for compensation.
- Define the criteria to be used in identifying who is eligible for compensation for each category of the population impacted. These criteria may include, for example, whether losses are partial or total, whether people have their own land or also rent land, and what happens when buildings are occupied by more than one business tenant or household.
- Elaborate on the amount of losses, ownership status, tenancy status, and any other relevant information.
- Identify who and how affected persons will be impacted, who will determine eligibility, and how the process will work.
- Set out the different categories of people that may be affected by the sub-project, and show the types of losses such people may suffer, whether to land, income, rights of access, housing, water sources, proximity to work, and others, and including combinations (house and land, for example).
- Make the eligibility criteria user-friendly, so that those applying the principles to the sub-projects "on the ground" will be able to quickly identify whether people affected are eligible for compensation or not, and how.
- Describe who will judge eligibility in difficult cases, for example by the use of neighborhood or village committees, or outside experts, and how such processes will work.
- Define categories of people eligible under the national law, and separately, any others who must be compensated because of the requirements of World Bank policy.
- Define the unit of compensation – individuals, families, collectives (or all three, because some losses may be sustained by individuals, others by the community as a whole or by associations within it such as religious or farmers' groups).

### 3.1.2. RAP Guidelines

As a general guide the RAP must:

1. Sufficiently justify resettlement as unavoidable.
2. Be based on baseline study reports and inventory of assets.
3. Uphold the principle of fairness in compensating affected persons.

4. Contain deliberate activities and mechanisms to enhance capacity to efficiently manage the resettlement process. This must include strengthening existing capacities of relevant institutions and local governments to handle the process where necessary.

The process of preparing RAPs in line with the above requirements will involve the following:

- A census shall be carried out to identify the PAPs;
- The census will generate information about the displaced persons, their entitlements regarding compensation, resettlement and rehabilitation assistance as required;
- Disturbances, especially those affecting income-generating activities and impact on assets should be properly recorded with the view to compensation or replacement in case of resettlement and;
- Based on the census and inventory of losses, and in consultation with the displaced persons, a time-phased action plan with a budget for provision of compensation, resettlement, and other assistance as required, shall be prepared.

The existing PCU within MoES will be responsible for recruiting a consultant to prepare the RAPs as required. To ensure transparency of procedures, PAPs shall be informed of the method of valuation employed to assess their loss. All payments of compensation, resettlement and rehabilitation assistance, as the case may be, shall be made by MoES in close collaboration with the Local Governments and Schools in the presence of the PAP(s) in question, a witness, and local officials. And when necessary a grievance redress mechanism will be established within the district including a representation of the PAPs. The MoES and MoLHUD will monitor this process and give advisory services as required.

## **4. SOCIAL ECONOMIC ASSESSMENT**

The purpose of the socio-economic assessment is to provide generic baseline data within the project targeted areas which will act as a basis for social assessment of the potential affected populations/communities during detailed RAP study. The section provides the general overview of the country because the USEEP is intended to support mainly the underserved Districts and the Refugees and hosting Districts that are yet to be determined by MoES.

### **4.1. Methodology**

The information in this section is derived mainly from literature review and results from field work on sampled Districts that are presumed to be underserved and of poor performance in secondary education, refugees and indigenous peoples hosting Districts.

The literature reviewed was got from:

- The updated RPF, ESMF that were undertaken for similar projects in the MoES;
- 2014 National Population and Housing Census of Uganda (Statistics of the Project regions),
- District Development Plans of the sampled districts;
- Review of Terms of Reference (TOR) for this RPF approved by WB; and
- Information gotten from the public/stakeholder consultation meetings held on between 25<sup>th</sup> September and 4<sup>th</sup> October, 2018.

Districts Sampled for stakeholder consultations include: Namayingo, Sembabule, Nwoya for the underserved areas, Isingiro (Nakivale Refugee Settlement), Kyegegwa (Kyaka Refugee Settlement), Kikuube (Kyangwali Settlement), Yumbe (BidiBidi Refugee Settlement), and Kiryandongo (Kiryandongo Refugee Settlement) for Refugee hosting districts and Moroto (Tepeth), Kaabong (Ik), Kween (Benet), and Kasese (Batwa) for hosting the marginalized and vulnerable groups. All these districts are also associated with poor performance and a very low secondary education completion rate for girls.

### **4.2. Location**

Uganda is located in East Africa and lies across the equator, about 800 kilometers inland from the Indian Ocean. It lies between 10 29' South and 40 12' North latitude, 290 34 East and 350 0' East longitude. The country is landlocked, bordered by Kenya in the East; South Sudan in the North; Democratic Republic of Congo in the West; Uganda in the South; and Rwanda in South West. It has a total area of 241,551 square kilometers, of which the land area covers 200,523 square kilometers. About 15.3% of its land area is covered by water. Uganda contains and shares some of the world's most important ecosystems with its neighbors and beyond and notably Lakes Victoria, Albert, Edward, the Nile Basin, its mountain systems such as the Rwenzori, Elgon and Virunga series as well as several parks. It has a crucial role to play in the conservation of biodiversity in the sub-region and the world at large.

### **4.3. Administration**

The country is divided into 127 Districts and one City Kampala which is also the country's Capital hosting most of the Government Offices. The number of districts is likely to rise to 133 in the next financial year after the implementation of additional 6 districts already approved by parliament. The districts can loosely be classified into four broad regions (Northern, Central, Eastern and Western). The Local Government Act provides for the system of local governments. Administratively, Uganda is divided into five levels of Local Governments whereby each level has statutory functions with respect to participatory development planning.

The districts are further subdivided into Counties, which in turn are divided into sub-counties/towns followed by parishes and villages. Currently there are over 30 Municipal Councils/City Division Councils which are subdivided into Municipal Divisions, followed by parishes and villages. Kampala Capital City Authority (KCCA), formerly Kampala City Council (KCC) is no longer a City Council/district but a Division of the Central Government which is sub-divided into 5 Municipal Divisions. See table 3 below.

**Table 3: The Five Levels of Local Administrative Units in Uganda**

	<b><u>Local Government Unit</u></b>	<b><u>Level</u></b>
1.	District Councils	5
2.	County Councils and Municipal Councils	4
3.	Sub County Councils, Town Councils Municipal Divisions, City Divisions	3
4.	Parish Councils	2
5.	Village Councils	1

The District Councils, Municipal Councils, Sub-county Councils, Municipal Division Councils and Town Councils are the Higher Local Governments. The Parish Councils and Village Councils are administrative units are also known as the Lower Local Governments.

The role of these local governments is to implement and monitor government programmes at the respective levels. Overtime, the administrative units have been sub-divided with the aim of easing administration and improving the delivery of services. Figure 1 below shows the Districts of Uganda as of 2016 before the addition of 12 new districts.

MoES while determining which districts to implement the USEEP program should undertake an evaluation of all the districts especially the newly created districts that are critically lagging behind in terms of secondary schools. Most of them are characterized by very few secondary schools; those that are available lack most of the facilities including accommodation for teachers.



#### 4.5. Refugees

Uganda has been and still is, home to several thousand refugees from neighboring countries. Uganda hosts a multi-ethnic group of refugees who include the Rwandese, Congolese, Ethiopians, Kenyans' Sudanese and Burundians. Uganda is the third largest refugee-hosting country in Africa. As a result of ongoing conflicts and instability in the Democratic Republic of Congo (DRC), Somalia and South Sudan, Uganda is currently hosting over 1,300,000 refugees and asylum-seekers. By October 2017, it estimated that, a total of 1,321, 207 refugees and asylum seekers were living in Uganda. Of these, 1,034,160 are South Sudanese. Between about 1<sup>st</sup> January-30<sup>th</sup> October 2017 a total of 347,389 South Sudanese entered Uganda into its 11 hosting districts of Arua, Adjumani, Yumbe, Koboko, Moyo, Lamwo, Hoima, Kamwenge, Isingiro and Kyegegwa.

Refugees in Uganda do not live in camps. The Government has set aside many thousands of hectares of land for refugee use, and more have been provided by local communities. In order to ease pressure on local services and leverage the positive economic impact of refugees, Uganda has integrated refugees into national development plans. Likewise, it has established the Settlement Transformative Agenda (STA), which supports the development of refugee-hosting districts by investing in infrastructure, livelihoods, peaceful coexistence initiatives and environmental protection. The STA takes into account the protracted nature of displacement and their impact on local communities. Furthermore, it is in line with the 2030 Agenda for Sustainable Development and its main principle to “leave no one behind”. Owing to this, Uganda is regarded as a model for many other refugee-hosting countries. Component 2: Refugee and Hosting Communities Support of the USEEP is designed to provide educational support to refugee children in getting ready to receive secondary education in Uganda.

Consultations with the Refugee hosting districts and Commandants of the Refugee Settlements reveals that most of the settlements have just one secondary school serving both the refugees and Ugandan yet there are over primary schools within these settlements. This limitation has been greatly attributed to the high school dropout and early marriages especially for the girl child. The issues of lack of land for expansion or construction of secondary schools will not suffice because all the Refugee Settlements have land delineated for schools in their physical plans.

#### 4.6. Ethnicity of Ugandans

Ugandans are classified by ethnic<sup>4</sup> groups as listed in the Constitution of the Republic of Uganda. The Baganda are the majority accounting for close to 17 percent of the population followed by the Banyankole with about 10 percent as shown in table 4.

**Table 4: Percentage Distribution of the Population by Ethnicity, 2014**

<b>Ethnic Group</b>	<b>Number (Millions)</b>	<b>Percentage</b>
Baganda	5.56	16.5
Banyakore	3.22	9.6
Basoga	2.96	8.8
Bakiga	2.39	7.1
Iteso	2.36	7.0

<sup>4</sup> Ethnicity is the state of belonging to a social group with common culture, tradition, ancestry, language and history



Langi	2.13	6.3
Bagisu	1.65	4.9
Acholi	1.47	4.4
Lugbara	1.10	3.3
Other Ethnic Groups	10.80	32.1
<b>Total</b>	<b>33.6</b>	<b>100</b>

#### 4.7. Culture

Uganda has a diverse culture. It encompasses religion, tribe, traditions and beliefs, value systems and language among others. Uganda's population is made up of different ethnic groups with unique customs and norms. These play a major role in shaping the behavior and ways of life of the people in the country. Lately, some of the traditional values have changed due to the integration of the people as a result of migration and/or intermarriages. Some cultural groupings are headed by traditional kings or chiefs who are not politically elected but have an indirect role in community governance and moral build up.

Language is one of the uniting factors in any society. In Uganda, while English is the official language, there are a number of other languages spoken. However, Swahili is being promoted in the spirit of regional integration within the East African Community (EAC). Uganda's constitution allows freedom of worship. There are various religious groupings in the country.

The USEEP program will go a long way in contributing to the unity of the diverse tribes and cultures by the promotion of the English use as the main language of instruction in the secondary schools.

#### 4.8. Population Dynamics

##### 4.8.1. Population Size

The total population of Uganda was 34.6 million persons in 2014; this represents an increase of 10.4 million persons from the 2002 census. In Uganda, the 20th century marked an unprecedented population growth and economic development as well as environmental change. The Census report of 2002 put the country's population at 24.7 million people in 2003. The current growth rate of 3.4% per year is higher than the 2.9% that was envisaged for the period 1991 – 2002. Currently standing at 34 million, population of Uganda is likely to hit 50 million by 2025. Population is a key determinant of economic and social wellbeing and environmental degradation.

Considering the size of Uganda and comparing this with cities such as Mexico and Lagos whose populations are in excess of 20 and 13 million people respectively, it can easily be concluded that Uganda does not have a problem with its population size. While absolute numbers may suggest Uganda is relatively under-populated, the concern is the inability to provide for these relatively few people. In the absence of adequate social services, even a small population becomes a constraint. In addition, a poor population however small, needs attending to otherwise its people may engage in activities detrimental to the environment especially where alternative livelihood options are limited.

Information about the country's population size, growth and distribution are critical statistics that enable governments to make informed decisions, effectively plan and monitor development progress. A good understanding of population trends and distribution is essential in assessing future developments and

service delivery. USEEP whose focus is to build new secondary schools in districts characterized by expected enrollment in 2025 below 20 percent (target in Refugee Response Plan). These include sub-counties without secondary school or where a secondary school exist but is in total disrepair and requires a near-total rebuilding will therefore play a great role in improving the quality of the population which will consequently guarantee improve social wellbeing of the population.

#### **4.9. Economic Activity**

Activity refers to work people do to enhance their quality of life. This involves production of goods and services for sale or own consumption. During the 2014 Census, information was collected on economic activity for persons aged 10 years and above. Information on economic activity was classified into two broad categories, working and non-working population. The population that is not working combines two other categories of activity status (the unemployed and the economically inactive population). The non-working population could not be split into the unemployed and the inactive because a population census is not suitable to provide for the split. Seventy-one percent of the population aged 10 years and above was working in 2014 compared to the corresponding proportion of the official working age population (14-64 years) which was 78 percent. The share of the working population increased up to 59 years and then reduced with increasing age. The proportion of males that were working (74 percent) was higher than females (68 percent). Implementation of the USEEP will definitely lead to improvement in the statistics of the working group by the time the next Census is held.

#### **4.10. Occupation of the Working Population**

According to the 2014 Census report, occupation refers to the kind of work an individual does irrespective of the qualification or place of work. Information on occupation was collected for the working population. Nearly two thirds (64 percent) of the working population in Uganda is engaged in subsistence agriculture. Professionals accounted for less than one percent while Technicians and associate professional workers were less than 2 percent of the working population. Paid employees as well as other forms of work were mainly in the subsistence agriculture sector (above 50 percent). However, among the urban working population and employers, the distribution was different. Among the working population aged 14 years, about 14 percent were domestic helpers with a higher percentage for females. Motor cycle taxis (*Bodaboda* riders) are a growing occupation in the country accounting for 1.5 percent of the working population.

#### **4.11. Education**

Educational attainment is an important indicator of the society's stock of human capital and level of socioeconomic development and refers to the highest level of education that an individual has completed. During the census, household members were asked to report on their highest level of class/grade completed for those in and out of school.

Fifty-eight percent of the population aged 6 years and above have attained primary education. There is almost balance between girls and boys who have completed primary education indicating that gender parity has been achieved at this level. The share of girls who had completed the Advanced level of education is lower than the share of boys. The proportion of the population with tertiary education increased from three percent in 2002 to 4.3 percent in 2014.

Uganda's education system follows a four – tier system. The first tier comprises of seven (7) years of primary education, followed by four (4) years of Ordinary Level secondary education, two (2) years of Advanced Level secondary education and the final tier is three (3) to five (5) years of Tertiary education. Each level is nationally examined and certificates awarded.



The Government introduced Universal Primary Education (UPE) in 1997 to offer free education at the primary level and later in 2007; Universal Secondary Education (USE) was introduced. University and Tertiary education are offered by both public and private institutions. There also exists Informal education in Uganda that aims to serve those persons who did not receive or only partially received formal education. Under the informal system, a range of practical/hands-on skills are imparted. The Informal system includes Functional Adult Literacy (FAL) programme in Ministry of Gender, Labour and Social Development and Adult Basic Education for Karamoja (ABEK) among others.

#### 4.11.1. Secondary education

There is a significant disparity between enrolment rates in primary and secondary schools in Uganda. Census data from 2004 indicates that for every ten students enrolled in primary schools, only one is enrolled at a secondary institution. The structure of Uganda's secondary education system follows the education system of its former colonial masters, Britain. It is divided into the Ordinary level and Advanced level. Lower secondary consists of 4 years of schooling at the end of which students undertake Ordinary-level exams (O-level) in at least 8 subjects with a maximum of 10 subjects. Upper secondary consists of 2 years of schooling at the end of which students sit Advanced-level exams (A-level) in at least 3 subjects. Three-year technical schools provide an alternative to lower secondary school. Alternatives for graduates from lower secondary school include: 2-3 year Technical institutes; 2-year Primary Teacher Colleges (PTC); Department Training Colleges (DTCs) and Upper secondary schools. The curriculum for lower secondary is currently being reviewed by the National Curriculum Development Centre, and a new curriculum was expected to be rolled out in 2014 or 2015.

Therefore, the Uganda Secondary Education Expansion Project (USEEP) whose Project Development Objective (PDO) is to *improve access to quality lower secondary education in underserved areas and enhancing the capacity of schools and teachers to deliver the new lower secondary curriculum*, properly fits the Revised Education Sector Strategic Policy (ESSP) 2007-2015 which prioritizes *access, equity, quality, relevance and efficiency*.

#### 4.11.2. Status of Secondary Education in Uganda

Secondary education in Uganda is packaged in three forms of schools: government-owned schools (20%), private sector-owned (69%), and community-owned (11%) including a very small number of international schools that deliver foreign curricula (EMIS, 2007). It is important however to note that while the majority of schools (80%) are either privately or community owned, they cater for less than 50% of school enrolments and their presence in the rural areas is limited. This scenario has made secondary education more unequal, with the public sector not adequately targeting the poor. According to the revised ESSP, the GoU is faced with substantial challenges in trying to address the problem in the sub sector which include:

- Costly infrastructure development procedures that rely on larger contractors coupled with inadequate public funding for all eligible students;
- A staffing policy that stipulates a ratio of graduate teacher to diploma teachers with specified teacher workload that is very adequate by international standards;
- The dilemma on how publicly-subsidized secondary education can be expanded without endangering the demand for fee-paid private secondary education and reducing household

contributions to public sector secondary schools considering constraints on parental financial support through PTAs that may affect student welfare;

- The overloaded current secondary education curriculum; and the need to rehabilitate most existing government schools as they are in a dilapidated state and lack instructional materials especially in rural schools.

Despite the above constraints, the secondary education sub-sector continues to focus on the implementation of Universal Secondary Education (USE), the bursary scheme for bright but needy students and expansion of affordable designs and facilities including multipurpose science rooms to accommodate the growing numbers of students in the sub-sector. In addition, management and governance of secondary schools is being enhanced at school level.

## 5. POLICY, LEGAL AND REGULATORY FRAMEWORK

### 5.1. Ugandan National Laws

There are a number of national and local legal frameworks that regulate the land relations in Uganda. These frameworks define land rights, ownership, procedures and requirements of transfer and acquisition of land between individuals and groups. They also provide procedures for the acquisition of land by the state or a public body for public projects. Among the most important legal instruments in this regard are the following:

- The Constitution of Uganda (1995);
- The Land Act (1998);
- The Land Acquisition Act (1965);
- The Physical Planning Act, 2010; and
- The Local Governments Act (1992).

While all matters relating to land acquisition, compensation and resettlement are managed within the provisions of the above legislation, the most decisive document in this regard is the Land Act of 1998, as amended.

#### 5.1.1. The Uganda Constitution (1995)

Article 237(1) of the Constitution vests all land of Uganda in the citizens of Uganda. However, under Article 237(1) (a), the government or local government can acquire land in the public interest. Such acquisition is subject to the provisions of Article 26 of the Constitution, which gives every person in Uganda a right to own property.

The Constitution also prescribes the tenure regimes in accordance with which rights and interests in which land may be held namely; Customary, Freehold, Mailo and Leasehold. It introduces ‘bonafide occupancy’ as a form of tenure that gives the occupant some rights to the land occupied. According to the Constitution, all land belongs to the people of Uganda and is held in trust by the Government. Government is authorized to acquire land for a public purpose and compensate affected persons in accordance with the law. It provides procedures to follow during the acquisition of land for public interest and provides for the “*prompt payment of fair and adequate compensation*” prior to taking possession of the land. The Constitution however, does not make resettlement a right.

#### 5.1.2. The Land Act (1998)

The 1998 Land Act addresses land holding, management control and dispute processing. The Act creates a series of land administration institutions, namely, Uganda Land Commission (ULC), District Land Boards (DLB), Parish Land Committees (PLC) and District Land Tribunals (DLT). Section 78 of the Act gives valuation principles for compensation, i.e. compensation rates to be yearly approved by DLBs. The basis for compensation is depreciated replacement costs for rural properties and market values for urban properties.

Article 75 of the Land Act 1998 and Article 243 of the 1995 Constitution creates District Land Tribunals with jurisdiction to determine disputes relating to the grant, lease, repossession, transfer or acquisition of land by individuals, the ULC or other authority with responsibility relating to land; and the determination of any disputes relating to the amount of compensation to be paid for land acquired.

Article 77 (e) of the Land Act 1998 gives power to the DLTs to determine any other dispute relating to land under this act. Article 88 (1) of the act stipulates that an appeal shall lie from the decision of a DLT to the High Court. Key features of the recognized forms of land tenure in Uganda are:

**Customary Tenure** - Is governed by rules generally accepted as binding and authoritative by the class of persons to which it applies. That is customary tenure is not governed by written law. Landowners do not have deeds recognizing their ownership rights and land is run according to rules and practices generally accepted as legitimate and binding by a particular community. Customary laws vary according to regions but most systems are based on the same general principles. Ownership rights are recognized by the community through inheritance, purchase, or by settling on a plot of land which was previously vacant. Under Ugandan customary legal systems, particularly in northern and eastern Uganda, land is usually communally owned by the clan but it can also be owned individually. Rights and responsibilities that derive from communal ownership are shared among various members of the clan according to traditional practices. Usually, the head of the clan or family, the “custodian”, has the responsibility to look after each member’s land rights and to allocate land fairly to all. Under this system, disputes are heard and settled by clan elders.

**Leasehold Tenure** - Is created either by contract or by operation of the law and 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.

**Freehold Tenure** - Derives its legality from the constitution and its incidents from the written law. Involves the holding of land in perpetuity or a term fixed by a condition and also enables the holder to exercise, subject to the law, full powers of ownership.

**Mailo Tenure** - Has roots in the allotment of land pursuant to the 1900 Uganda Agreement and derives its legality from the constitution and its incidents from written law. It involves the holding of land in perpetuity and permits the separation of ownership of land from the ownership of developments on land made by a lawful or bona fide occupant. The system enables the holder to exercise all 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.

As indicated above, land ownership and use under the Land Act, 1998 are not unlimited. Section 43 of the Land Act, 1998 gives both the Central Government and the Local Governments sufficient powers to compulsorily acquire land (**subject to compensation**) for public purposes.

Acquisition of land for purposes of USEEP subprojects especially for the construction of new schools and facilities in existing schools would clearly meet the ‘public purpose’ test. Accordingly, where it is not possible for MoES to come to a negotiated settlement or agreement with private land owners or occupiers, or where the compensation demanded is considered excessive, the provisions in the Land Act, 1998 relating to the compulsory acquisition of land by either local governments or the Central Government can be invoked. However, the exercise of this power is subject to payment of compensation and compliance with stringent statutory conditions and procedures set out in the Constitution and the Land Acquisition Act, 1965.

### **5.1.3. Land Acquisition Act (1965)**

The Act lays down the provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. Section 2 (1) of the Act provides that the Minister responsible for land is empowered to acquire any land if s/he is satisfied that the land is required for “Public Purpose”. The Minister may authorize any person to enter upon the land and survey the land, dig or bore the subsoil or any other thing necessary for ascertaining whether the land is suitable for a public purpose. The Act also makes provision for payment of compensation by the GoU to any person whose interest in land is extinguished as a result and that any person aggrieved by the Minister’s decision or by the compensation paid may appeal to the High Court.

The Land Acquisition Act stops at payment of compensation. It is not a legal requirement to purchase alternative land for the affected people by the project. Once they are promptly and adequately compensated, then the obligations stop there. The Government through the Ministry of Lands, Housing and Urban development will pay the compensation to the affected persons. There is no requirement or provision in the law that people need to be moved or that alternative land be made available or bought. Each affected person entitled to be compensated; on receipt of his/her compensation is expected to move and has no further claim.

### **5.1.4. The Physical Planning Act (2010)**

The Physical Planning Act, 2010 (the “new Act”) which commenced in April 2011 revokes the 1964 Town and Country Planning Act (Cap 246) (the “old Act”) and brings with it significant changes that are of particular importance to real estate developers. Under the old Act, the obligation to obtain development permission in order to develop structures for land use was restricted to developments in urban areas. The new Act makes it mandatory for a person carrying out a development within a planning area to obtain development permission from a physical planning committee at the district, urban and local levels. The new Act regulates control of developments, approval of physical development plans and applications for development permission. The physical planning committees established under the “new Act” are tasked with preparing physical development plans, recommending plans for change of land use and approving development applications relating to housing estates, industrial locations, schools, petrol stations, dumping sites and sewerage works.

#### **5.1.4.1. Obtaining development permission**

Under the new Act, an application for development permission is made to the relevant LG which forwards the application to the relevant physical planning committee. The new Act sets up planning committees at local levels to consider special development needs in these areas. The physical planning committee is required to notify the applicant of its decision within thirty (30) days and attach this notice to the development permission granted. A physical planning committee may, if it thinks expedient, by notice of deferment served on the applicant, defer consideration of the application for development permission for a given period and for reasons specified in the deferment notice. When considering a development application, the physical planning committee is required to take into consideration the regard for the health, amenities and conveniences of the community generally and the proper planning and density of development and land use in the area.

#### **5.1.4.2. Ensuring compliance**

In the absence of development permission, the new Act requires demolition of the structure and restoration of the land on which the development is made, as much as possible to its original condition. The new Act also prohibits the registrar of documents from recording a document relating to the

development of land under the Registration of Documents Act, unless development permission, in respect of the development, has been granted. The new Act further provides for the establishment of a National Physical Planning Board to advise the government on all matters relating to physical planning.

The functions of the Board include:

- Hearing and determining appeals lodged by persons or LGs aggrieved by the decision of any physical planning committee;
- Determining and resolving physical planning matters referred to it by physical planning committees;
- Advising the government on broad physical planning policies, planning standards and the viability of any proposed subdivision of urban or agricultural land;
- Approving regional, urban or district physical development plans, recommending to the minister national plans for approval and monitoring implementation of the plans;
- Advising the minister responsible for local government on the declaration of town councils, town boards or upgrading of urban authorities;
- Formulating draft planning policies, standards, guidelines and manuals for consideration by the minister;
- Exercising general supervisory powers over all lower planning committees such that they can seek guidance, set standards and take control and;
- Foster co-ordination of physical planning related to interdisciplinary activities in the country in order to promote orderly and sustainable development of human settlements in rural and urban areas.

#### **5.1.5. The Local Governments Act (1997)**

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

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

According to the LGA, Local Governments are responsible for Primary Education while the Central Government has been responsible for Secondary Education until recently when the process of decentralizing secondary education was initiated.

## **5.2. Ugandan National Policies**

A review of Uganda's policies that relate to the administration of land and related issues in Uganda as well as the Education Sector was also undertaken including:



- The National Land Policy, 2013;
- The Revised Education Sector Strategic Plan, 2007 – 2015;
- The USE Policy, 2007.

#### 5.2.1. The National Land Policy (2013)

The National Land Policy sets out a systematic framework for articulating the role of land in national development, land ownership, distribution, utilization, alienability, management and control in the country. The vision of the policy is: “Sustainable and optimal use of land and land-based resources for transformation of the Ugandan society and the economy” while the goal of the policy is: “to ensure efficient, equitable and sustainable utilization and management of Uganda’s land and land-based resources for poverty reduction, wealth creation and overall socio-economic development”. The policy stipulates procedures for accessing land for investment and provides rights for minorities as well as measures for protecting land rights as stated below:

**Access to Land for Investment:** Section 3.16 of the Policy (88 – b) states that government shall put in place measures to mitigate the negative impacts of investment on land so as to deliver equitable and sustainable development. While part 90 of the same section positions government to protect land rights, including rights of citizens in the face of investments with measures for clear procedures and standards for local consultation; mechanisms for appeal and arbitration; and facilitate access to land by vulnerable groups in the face of investments.

**Measures for Protection of Land Rights:** Section 3.17 (91) of the Policy recognizes the inability of the majority of Ugandan to afford the cost of formally securing land rights and therefore government will put in place a framework that would ensure that land rights held by all Ugandans are fully and effectively enjoyed.

**Rights for Minorities:** As regards land rights of ethnic minorities, the Policy states that:

- (a) Government shall, in its use and management of natural resources, recognize and protect the right to ancestral lands of ethnic minority groups;
- (b) Government shall pay prompt, adequate and fair compensation to ethnic minority groups that are displaced from their ancestral land by government action.

To redress the rights of ethnic minorities in natural habitats, Government will take measures to:

- (i) establish regulations by Statutory Instrument to:
  - recognize land tenure rights of minorities in ancestral lands;
  - document and protect such de facto occupation rights against illegal evictions or displacements;
  - consider land swapping or compensation or resettlement in the event of expropriation of ancestral land of minorities for preservation or conservation purposes;
  - detail terms and conditions for displacement of minorities from their ancestral lands in the interest of conservation or natural resources extraction;
- (ii) pay compensation to those ethnic minorities that have in the past been driven off their ancestral lands for preservation or conservation purposes;

- (iii) deliberate and specify benefit-sharing measures to ensure that minority groups benefit from resources on their ancestral lands rendered to extractive or other industry;
- (iv) recognize the vital role of natural resources and habitats in the livelihood of minority groups in the gazettement or degazettement of conservation and protected areas.

### **5.2.2. World Bank Policies**

World Bank policy requires “screening” of all projects proposed for Bank financing to help ensure that they take social concerns into account with respect to adverse impacts on PAPs and to appropriately plan for and respond to these impacts, and thus improve decision making about resettlement, options, alternatives, participation of PAPs and compensation. The World Bank’s safeguard policy on involuntary resettlement, OP 4.12 is to be complied with where involuntary resettlement, impacts on livelihoods, acquisition of land or restrictions to access to natural resources, may take place as a result of the project. It includes requirements that:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable persons physically displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

This policy covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by the involuntary taking of land resulting in:

- (i) relocation or loss of shelter;
- (ii) loss of assets or access to assets; or
- (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location

### **5.2.3. Procedures for Resettlement According to World Bank’s OP 4.12**

Operational Policy 4.12 of the World Bank applies to component 1 of the USEEP and to all economically and /or physically affected persons, regardless of the number of people affected, the severity of impact and the legality of land holding. The policy further requires particular attention to be given to the needs of vulnerable groups especially the landless, the elderly, women and children, people with disabilities, indigenous groups, ethnic minorities and other disadvantaged persons in the project areas.

The Policy requires that a RAP shall be prepared and cleared by the World Bank prior to implementing resettlement activities. The World Bank also requires that the provision of compensation and other assistance to PAPs, to restore livelihoods when these are affected appreciably, shall be done prior to the displacement of people. Specifically, the policy requires that possession of land for project activities may take place only after compensation has been paid. Resettlement sites, new homes and related



infrastructure, public services and moving allowances must be provided to the affected persons in accordance with the provisions of the RAP to be prepared.

#### 5.2.4. Comparison of Uganda Laws and World Bank OP 4.12 Regarding Resettlement

Whereas the law relating to land administration in Uganda is wide and varied, entitlements for payment of compensation are essentially based on the right of ownership. The World Bank Policy on resettlement recognizes the need to mitigate the effects of involuntary resettlement based on an appreciation of the detrimental effects of involuntary resettlement. In comparison to Ugandan law that defines rights to land ownership and ownership of property *per se*, the policy goes further to highlight the important relationship between property rights, human settlement and the need to maintain people's source of livelihood. It compliments existing law in Uganda related to property rights and land ownership by recognizing the socio-economic value this presents to persons affected. See table 5 below.

By requiring that compensation and resettlement be planned through a participatory process that is geared towards satisfying PAPs, the policy adds more value to the National aspirations enshrined in the Constitution in attempting to achieve the realization of the rights and dignity of citizens. The principles of supporting affected persons achieve a livelihood that is either equal to or better than that before resettlement provides a development perspective to land and property rights. The higher of the two standards will be followed in this policy framework, since that procedure also satisfies the requirements of the lesser standard.

It is important to note that the current National Land Policy is an attempt to consolidate a number of scattered policies, which addressed various aspects of the land question, but were diverse, sectoral and inconclusive in many respects. Uganda has never had a clearly defined and/or consolidated policy on land since the advent of colonialism. Post-independence and recent attempts to settle the land question by the Land Reform Decree 1975, the 1995 Constitution, and the Land Act, 1998 failed to deal with the fundamental issues in land tenure due to an absence of clear policy principles to inform the enactment of legislation that offers politically and socially acceptable and technically feasible solutions. The key policy issues touch on (1) historical injustices and colonial legacies, (2) contemporary issues, mainly arising from such legacies and; (3) land use and management issues. This has assisted the initiation of a process to formulate a national land acquisition and resettlement policy.

**Table 5: Comparison between Uganda Laws and World Bank OP 4.12 on Resettlement and Compensation and Proposed Mitigation Measures**

Category of PAPs and Type of Lost Assets	Ugandan Laws	World Bank OP4.12	Mitigation measures
Land Owners	Cash compensation based upon market value under the statute. Land for Land	Recommends land-for-land compensation. Other compensation is at replacement cost	<i>N/A preference for land for land compensation and replacement cost when not feasible.</i>
Land Tenants/Squatters	Entitled to compensation based on the amount of rights they hold upon land under relevant laws.  Illegal tenants are not entitled to compensation	PAPS are entitled to some form of compensation whatever the legal/illegal recognition of their occupancy.	<ul style="list-style-type: none"> <li>• <i>Design USEEP to avoid resettlement or minimize displacement of people e.g. sitting and routing of Project activities will try to avoid land held by illegal tenants.</i></li> <li>• <i>Dialogue with policy makers will be initiated to explore the possibility of giving compensation to illegal tenants, since it's not a legality in the constitution of Uganda negotiations with the affected parties</i></li> </ul>

## Resettlement Policy Framework for Uganda Secondary Education Expansion Project

Category of PAPs and Type of Lost Assets	Ugandan Laws	World Bank OP4.12	Mitigation measures
			<i>would be an appropriate position.</i>
Land Users/Licensees	<p>In some cases land users have some form of secured tenure extended to them under new laws. In other cases land users are not entitled to compensation for land.</p> <p>Entitled to compensation for crops and any other economic assets.</p> <p>Land for Land</p>	Entitled to compensation for crops, may be entitled to replacement land and income will be restored to at least pre-USEEP-Project levels	<ul style="list-style-type: none"> <li>• <i>Design USEEP to avoid resettlement or minimize displacement of people e.g. sitting and routing of Program activities will try to avoid land held by illegal tenants.</i></li> <li>• <i>The program will have a strategy for enabling the PAPs restore their incomes to at least pre-USEEP levels</i></li> <li>• <i>Dialogue with policy makers will be initiated to explore the possibility of giving compensation to all illegal tenants, since it's not a legality in the constitution of Uganda negotiations with the affected parties would be an appropriate position.</i></li> </ul>
Owners of Temporary Buildings	Cash compensation based on market value or entitled to new housing on authorized land under government (state or local) housing programs	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.	<ul style="list-style-type: none"> <li>• <i>Dialogue with policy makers will be initiated to explore the possibility of including labor and relocation expenses prior to displacement, since it's not a legality in the constitution of Uganda negotiations with the affected parties would be an appropriate position.</i></li> </ul>
Owners of Permanent buildings	Cash Compensation is based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.	<ul style="list-style-type: none"> <li>• <i>Dialogue with policy makers will be initiated to explore the possibility of including labor and relocation expenses prior to displacement. , since it's not a legality in the constitution of Uganda negotiations with the affected parties would be an appropriate position.</i></li> </ul>
Perennial Crops	Cash compensation based upon rates calculated as an average net agricultural income.	As per specifications of this RPF, once approved by the Bank and disclosed at the Bank info shop	N/A
Timing of Compensation Payments	<p>The land immediately becomes vested in the Land Commission once the assessment office takes possession (Land Acquisition Act)</p> <p>Compulsory acquisition must comply with the provisions of the Uganda Constitution (Land Act)</p>	Recommends resettlement of all entitlements before displacement or restriction of access and the implementation of all RAPs as appropriate before project completion. For projects involving restrictions of access, impose the restrictions in accordance with the timetable in the plan of action (RAP).	<i>The USEEP - Project will pay the PAPs promptly, adequately and fairly as per the Ugandan law.</i>
Calculation of Compensation and Valuation	The value of customary land shall be the open market value of the unimproved land. And the Value of the buildings shall be at open market value for urban areas and depreciated replacement	<p>Prompt compensation at full replacement cost for loss of assets</p> <p>Provide assistance during relocation as appropriate</p>	<ul style="list-style-type: none"> <li>• <i>Market value is based on recent transactions and thus if alternative property is purchased within a reasonable period of the payment of compensation, it is likely that market value will reflect replacement value.</i></li> <li>• <i>However, local inflation in the price of</i></li> </ul>

## Resettlement Policy Framework for Uganda Secondary Education Expansion Project

Category of PAPs and Type of Lost Assets	Ugandan Laws	World Bank OP4.12	Mitigation measures
	cost for rural areas. The crops and buildings of a temporary nature are compensated at rates set by District Land Boards (Land Act).	Transitional support and development to be provided as appropriate  Cash compensation for land preferred if impacts of land uptake on livelihoods are relatively minor. Provision of civic infrastructure and community services as required	<i>land or construction materials can affect what is determined as replacement cost. If this is not reflected in recent transactions, market value may not reflect replacement value.</i>
Relocation and Resettlement	Central and Local government authorities have the power to compulsorily acquire land. “No person shall be compulsorily deprived of property or any interests in or any right over property of any description except” if the taking of the land is necessary “for public use or in the interest of defense, public safety, public order, public morality or public health.” (1995 Uganda Constitution and the 1998 Land Act)	Avoid or minimize involuntary resettlement and, where this is not feasible, assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	<ul style="list-style-type: none"> <li>• <i>The Project will provide compensation based on replacement value. This will include the payment of government valuation rates and payment of a disturbance allowance</i></li> </ul>
Completion of Resettlement and Compensation	Private land’s value is negotiated between the owner and the developer. In rural areas, land is valued at open market value, buildings are valued at replacement cost, and a 15% to 30% disturbance allowance must be paid if six months or less notice is given to the owner.	Recommends resettlement of all entitlements before displacement or restriction of access and the implementation of all RAPs as appropriate before project completion. For projects involving restrictions of access, impose the restrictions in accordance with the timetable in the plan of action (RAP).	<ul style="list-style-type: none"> <li>• <i>The project will conform to WB OP 4.12 and best practices during the implementation of the RAP for USEEP.</i></li> </ul>
Livelihood Restoration and Assistance	There are no explicit provisions under resettlement or relocation for livelihood assistance.	Livelihoods and living standards of PAPs are to be restored in real terms to pre-displacement levels or better	<ul style="list-style-type: none"> <li>• <i>The project will provide transition allowance as appropriate.</i></li> </ul>
Consultation and Disclosure	There are no explicit provisions for consultations and disclosure but there are guidelines issued by separate ministries (e.g. roads and energy). The Land Acquisition Act however makes provision for an inquiry whereby the affected person can make formal written claim and the assessment officer is obliged	Consult PAPs, host communities and local NGOs, as appropriate. Provide them with opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as	<ul style="list-style-type: none"> <li>• <i>The World Bank OP4.12 will take precedence over the guidelines provided by MoES if any</i></li> </ul>

## Resettlement Policy Framework for Uganda Secondary Education Expansion Project

Category of PAPs and Type of Lost Assets	Ugandan Laws	World Bank OP4.12	Mitigation measures
	to conduct a hearing before making his award.	documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms.	
Grievance Redress Mechanism	<p>The project will establish functional GRMs at each level where grievances arise. This is already described in detail in section 10 of this RPF.</p> <p>All districts must establish Land tribunals; these are empowered to determine disputes and provide for appeals to higher ordinary courts (1998 Land Act).</p> <p>An aggrieved person (PAP) shall appeal to the High Court. (Land Acquisition Act). In addition, the GRM has tiers that will address issues before they are escalated as described in section 10.</p>	Establish appropriate and accessible grievance mechanisms.	<ul style="list-style-type: none"> <li><i>Grievance committees shall be instituted and the procedure will not replace the existing legal process in Uganda. Rather it seeks to resolve issues quickly so as to expedite receipt of entitlements and smooth resettlement without resorting to expensive and time-consuming legal action. If the grievance procedure fails to provide a settlement, complainants can still seek legal redress.</i></li> </ul>

## 6. INSTITUTIONAL FRAMEWORK

### 6.1. Ministry of Education and Sports

The implementation of the USEEP will be the direct responsibility of the MoES through the Directorate of Secondary Education in the ministry. Its major roles will be to;

- Coordinate the implementation of USEEP resettlement activities in the selected institutions
- Guide the institutions on enforcing the mandated regulatory safeguard policies such as carrying out the ESIA of the developments by USEEP by procuring the consultants
- Monitor and supervise the implementation of this RPF/RAP during the implementation of the USEEP
- Liaise with the district and MoLHUD when need arises in ensuring the peaceful implementation of the process including handling of any grievances.

### 6.2. Ministry of Lands, Housing and Urban Development (MLHUD)

MLHUD plays a direct role in approving the compensation rates through the office of the Chief Government Valuer and processing of the land title transfers into name of proposed project.

#### 6.2.1. Responsibility in Resettlement activities

During the time of RAP implementation, The Chief Government Valuer (CGV) in the Valuation Division in the Ministry of Lands, Housing and Urban Development (MLHUD) will be responsible for approving the property valuation report developed as part of RAP. Additionally, property or cadastral survey reports will be submitted to the Commissioner for Surveys & Mapping in MLHUD for review and approval.

The application of the valuation exercise on ground will be done in the presence of local council leaders with the participation of the affected persons/community members. Values assigned to assets will be based on the market rates approved by the district. The affected properties will then be picked and valued and the valuation report taken to office of CGV for approval.

The capacity of the office of CGV to handle RAPs is adequate and it is believed that the valuation report will be verified and approved in the required time lines.

#### 6.2.2. Uganda Land Commission

The Uganda Land Commission which is a department in MLHUD holds and manages land in Uganda vested in or acquired by Government of Uganda and would be involved where such land is affected by the proposed USEEP project.

*Relation to the project:* Uganda Land Commission will manage the land that will be legally acquired by USEEP infrastructure on behalf of the Government of Uganda. It will keep the land title on behalf of the people of Uganda and ensure that the land is not encroached on.

### **6.3. Office of the Prime Minister**

The Ugandan Office of the Prime Minister (OPM) will be key in the implementation of USEEP interventions in refugee hosting areas. The OPM is a national and government entity with the mandate to respond to the refugee situations in the country. The mandate includes settling refugees, registration, and initiating projects for refugees. Within OPM, the Department of Refugees (DoR) is mandated to take charge of all administrative matters concerning refugees including the coordination and implementation of refugee programmes in Uganda. Therefore, USEEP interventions in refugee hosting communities will require closer collaboration with OPM and its established frameworks such as its Department of Refugees (DoR) and the Commandants of the Refugee Settlements.

### **6.4. Ministry of Gender, Labour & Social Development, MGLSD**

This Ministry guides all actors in the social development sector and creates an enabling environment for social transformation, leading to improved standards of living for all, increased equality and social cohesion. These roles make MGLSD a key secondary stakeholder in proposed USEEP with roles of empowering project communities to harness their potential through cultural growth, skills development and labour productivity for sustainable and gender responsive development. MGLSD has a department of occupational health and safety which is mandated to inspect workplace to ensure safety and gender equity. The Ministry has the following projects which should tie into and compliment objectives of proposed USEEP project.

- Community Rehabilitation Programme for the Disabled (CBR);
- Functional Adult Literacy Programme (FAL);
- Support to AIDS Orphans and Other Vulnerable Children (PCY);
- Elimination of Child Labour.

#### **6.4.1. Relation to the project:**

Above programmes are relevant in so far as some PAPs may be disabled (hence require CBR programmes) or need FAL and PCY. In addition, MGLSD will ensure that no Child Labour is involved in any resettlement activities.

Ministry of Gender, Labour and Social Development (MGLSD), working through Community Development Officers (CDOs) at district and sub-county level will be responsible for spearheading and coordinating gender responsive and community development, in particular, sensitizing community members to embrace the USEEP project.

### **6.5. Local Governments in Which the Project Area Is Situated**

As provided for by the Local Governments Act; local governments are mandated to set compensation rates for crops and non-permanent structures through their District Land Boards. Local governments will also be important in managing and monitoring social impact through site visits or resolving complaints from affected communities. Hence they have a central responsibility in this project in regard to monitoring resettlement impacts and ensuring social benefits of the project are equitably accessible to



every community. Local officers will also ensure that proper resettlement, compensation and grievance management are undertaken. The lower administrative structures (Local councils LC1 to LC5) are important in community mobilization and ensuring law and order in villages through local defence units, which should be useful for ensuring security during project implementation, including compensation.

*Relation to the project:* During compensation, LC1s and LC3s in project-affected areas will be helpful for identification or verification of rightful property owners.

#### **6.5.1. District Education Department**

Under the decentralized governance system, the district local governments (District Education Departments) are responsible for monitoring and inspection of schools under their jurisdiction to ensure compliance to policy guidelines, provide supportive supervision and coordinate activities of partners. They have a role to coordinate and provide technical and professional guidance in the management of education and sports policies, plans and programmes in the districts. In addition, they also implement approved education and sports development plans, strategies and council decisions. In the project they will have oversight roles of ensuring the works are adequately supervised by the District Engineers and in keeping with the education infrastructures standards and specifications.

#### **6.5.2. School Management Committees (SMC)**

At the school level, the School Management Committee (SMC) is composed of representatives from the founding body of the school, teachers, parents, local authorities of the area, and the District Education Department (DED). It is the statutory organ that governs the school on behalf of the government. Principally, they are to monitor project implementation mostly from economic and logistical angle of project progress, material consumption and financial expenditure. They will also be imparted with basic skills to monitor socio-environmental impacts during and after project implementation, and any issues that arise related to land.

#### **6.5.3. School Construction Management Committees (SCMC)**

Will assist in the implementation of the environmental and social safeguards requirements, and they will include a woman representative, person with disability, a science teacher (who understands basic building measurements, materials, and structures), and a community representative (e.g. a member of the schools Board of Governors).

#### **6.5.4. Other District Departments**

A number of line district technical departments such as; District Environment Officers/Municipal Environment Officers, District Planners, District Engineers, Community Development Officers and District Labour Officers, and alongside political arm will have a role in the implementation of the project in keeping with their decentralized roles as enshrined in the Local Government and other applicable legal and policy instruments. However, it is reported that, based on the experience under the on-going UTSEP/GPE-other than stakeholders directly under the supervision of the Environment and Social Safeguards Specialist (ESSS), district reporting on safeguards is still not adequate.

#### **6.5.5. Grievance Resolution Committees District**

At district level, a District Grievances Resolution Committee (DGRC) shall be responsible for the follow up activities on grievance mechanisms are as follows:

- Receive referrals from lower committees;
- Convening meetings for hearing of disputes from parties referred from lower committees;
- Mediating between and assist parties to arrive at a mutually acceptable settlement of the disputes on any matter concerning land within its area of jurisdiction (Act as a mediator between project and PAPs);
- Monitoring of land acquisition, compensation and resettlement activities;
- Sensitization of projected affected persons with grievances;
- Proactively disclose information about the RAP process, as well as success in grievance resolution;
- Ensure constant consultation with project affected persons on ways to improve on the mechanisms and processes therein.

### **6.6. Private Sector Entities**

#### **6.6.1. Consultants**

RAP implementation will involve private sector consultants hired by the implementing Ministry for verification and actual payment of compensation to PAPs. These entities are not known at this time since they will be hired through competitive bidding as per Uganda's procurement laws.

Relation to the project: Private consultants who are qualified contribute to successful implementation of the RAP

#### **6.6.2. The Role of the Contractors and Supervising Engineers**

During project implementation, extra land may be required especially opening up roads leading to the project site. Therefore, the contractor will have to employ a competent safeguards officer to handle extra land take requirements.

The Role of the Contractor, which as per the contract, will be accountable for the overall implementation of the mitigation measures and this will be monitored and supervised by the Project Coordination Unit (PCU). In the schedule of works, the Contractor will include all proposed mitigation measures, and the Supervising Engineers will also ensure that, the schedules and monitoring plans are complied with. This will lead to a sense of ownership to the Contractor. The Contractor on his part will also be responsible for planning, implementing and reporting on mitigation measures during the execution of the project works.

With respect to the Supervising Consultant, he should have in his team a Social Scientist/Sociologist who will have overall responsibility of ensuring that, land acquisition and social safeguard issues are well attended to in accordance to the RAPs and ESMPs to be developed. The Social



Scientist/Sociologist shall work closely with MoES's PCU in supervising the contractor. In addition, he/she will support the PCU to monitor progress of social issues including safeguard compliance as documented.

USEEP can also adopt the model used under USTSEP/GPE where full time Supervising Engineers (4), Architect (1) and Quantity Surveyor (1) paid by the project were recruited to take over the role of the supervising consultant. This time round an Environment Officer and a Social Development Specialist can be added to this team to particularly address environment and social safeguard issues.

### **6.7. Non-Governmental Organizations**

District have several National and International NGOs operating in several areas and during the implementation of RAPs, a local NGO or CBO is usually co-opted as a neutral observer to the RAP implementation process with the purpose of ensuring that PAPs are treated fairly. The NGOs/CBOs are used as mobilization agents and help in mediation of grievances that may arise during project implementation. They usually act as the eyes on the ground for the funding agencies and are engaged as implementing partners for social risk mitigation especially in the areas of child protection, grievance redress mechanisms and gender based violence(GBV). In addition, during handling of GBV cases, the aggrieved parties can also consult others institutions to provide counselling sessions, testing for infections/HIV/AIDs, medical treatment (i.e. health Centres) before cases are appealed. If the complainant remains dissatisfied with the outcome of GRM the option is to pursue appropriate recourse via judicial process in Uganda. Courts of law will be a last resort option, in view of the above mechanism.(Refer to Section 10).

### **6.8. World Bank**

The World Bank independently reviews the safeguards documents on USEEP Project, and monitors the project's environmental and social performance in relation to the respective safeguards during its implementation process. Once the World Bank clears the RPF, it will then be officially disclosed on their website. Technical guidance may also be provided by World Bank to MoES including its implementing partners as needed.

#### **6.8.1. Strengthening safeguard Capacity**

In addition, all the new staff plus all the current project Engineers and some contractor staff be sensitized and taken through the Management of Land Acquisition Resettlement & Rehabilitation (MLARR) training initiated by World Bank. Specific tailored course should be arranged for the Safeguard teams at the MoES.

## 7. STAKEHOLDER CONSULTATION AND PARTICIPATION

### 7.1. Overview

Public consultations in relation to the RAP occur at all stages, starting with inception and planning when the potential land to be acquired and alternative sites are being considered. A participatory approach is adopted as an on-going strategy throughout the entire project cycle starting with the RAP preparation.

Public participation and consultations take place through individual, group, or community meetings. Additionally, radio programs and other media forms may be used to further disseminate information. PAPs are consulted in the survey process; public notices where explanations of the sub-project are made; RAP implementation of activities; and during the monitoring and evaluation process. Selection of ways to consult, and expand participation by PAPs and other stakeholders, will take into consideration literacy levels prevalent in affected communities; ethnicity and cultural aspects; and practical conditions (like distance).

The role of traditional political and cultural leaders, including the community elders, in the participation strategy will be important. The RAP team should ensure that these leaders and local representatives of PAPs are fully involved in designing the public consultation procedures. Two steps of information and consultation are proposed to be implemented in the course of the preparation of RAPs:

- Initial information:
  - ✓ This step should coincide with the cut-off date (information should not be delivered in advance of the cut-off date to avoid encroachment by new arrivals).
  - ✓ Basic information will be provided to potentially affected people on the project, and resettlement and compensation principles as outlined in this RPF.
  - ✓ The engagement of the PAPs will take the form of public meetings in the project areas.
- Consultation on the draft RAP:
  - ✓ Once the draft RAP is completed, it should be discussed with the affected communities, whose comments will be incorporated into the final document.

### 7.2. Key Issues

The objective of the consultations will be to secure the participation of all project affected people in their resettlement planning and implementation, particularly in the following areas:

- alternative project design;
- assessment of project impacts;
- resettlement strategy;
- compensation rates and eligibility for entitlements;
- choice of resettlement site and timing of relocation;
- development opportunities and initiatives;
- development of procedures for redressing grievances and resolving disputes and;
- mechanisms for monitoring and evaluation including for implementing corrective actions.

### **7.3. Consultation Phases**

#### **7.3.1. Data collecting phase**

Consultations during preparation, in particular, the collection of background information, and the social survey or social assessment, are critical for the successful data collection process. The levels of consultation will vary from households to community groups, based on a given context of the sub-project(s). The RAP team will design the questionnaires but it will be the households, organizations, and institutions that will validate their effectiveness through feedback. Focus group meetings with women, farmers' associations, individuals who own farms, etc., as well as secondary schools, health centres, and agricultural cooperative unions are usually good sources for establishing the community baseline situation.

#### **7.3.2. Implementation phase**

During implementation, PAPs will be informed about their rights and options. The grievance mechanism will continue to operate through the entire project cycle and all grievances will be recorded. The participation of local leaders and PAPs in disseminating information and resolving disputes will be critical once the implementation of the RAP starts. A dynamic participatory approach involves PAPs in decision making about livelihoods and community development programs.

#### **7.3.3. Monitoring and evaluation phase**

PAP representatives will participate in the sub-project workshops at mid-term and at the end of RAP implementation. To the extent possible, the RAP should include social accountability tools like citizen report cards to assess the quality of RAP implementation, and in some cases, assist the RAP team in tracking expenditures. The latter will be significant in helping PAPs with money management, specifically, financial literacy trainings and interventions should be early in implementation before compensation payments and restoring their livelihoods. PAPs will be able to suggest corrective measures, as needed, to improve RAP implementation in the sub-project(s). Prior to closing the RAP, PAPs will participate in a feedback survey as part of the RAP's independent impact evaluation exercise.

### **7.4. Community involvement and sensitization**

The affected persons should be engaged in meaningful consultations at the beginning of the project and they should have access to the RAP and be encouraged to provide input. Consultations should be done in the local language(s) where possible; and women should be consulted separately if that is more appropriate. The consultation process should ensure a sizeable participation of women, youth, indigenous peoples and groups at risk of exclusion, and also ensure prior distribution of project information in a form that is understandable and accessible to community members. Communities within the project areas will be sensitized on the project and likely project impacts and the extent of their involvement to ensure project success. Measures instituted to address negative project impacts will be effectively communicated to the community. The Ugandan law requirements on consultation and information, as well as those related with grievance management fall short of meeting World Bank requirements. The application of these will require:

- Meaningful information sharing and consultation to take place before the process leading to displacement is launched in each of the project areas of the USEEP and;
- A specific grievance registration and processing mechanism to be put in place.

## **7.5. Notification Procedures**

Affected persons will be notified through both formal (in writing) and informal (verbal) manner, for example, at community meetings called by the LC I in consultation with the schools. Public notices on the schools' notice boards, in the daily newspapers, or radio services will be conducted to notify the public of the intention to utilize land earmarked for the sub-project. A copy of such notice shall be served to each owner, occupier and person or agent having an interest in the land thereof. The names and addresses of the owners, occupiers and agents shall be readily ascertainable. The notice shall state:

- The project's proposal to utilize the land;
- The public purpose for which the land is wanted;
- That the proposal or plan may be inspected at the PCU or the CAO's office;
- That any person affected may, by written notice, object to the transaction giving reasons for doing so, to the entities cited above within a period to be specified at the time of publication of the notice and;
- List the cut-off date detailing that in-migration after this date will not receive compensation.

### **7.5.1. Documentation**

The names, photographs, telephone numbers and addresses of affected persons will be compiled and kept in a database including claims and assets. The PCU will maintain records of these persons as well as the CAO's office. The records are also important especially for future monitoring activities. Documentation will include documents relevant to land transactions (voluntary and involuntary).

### **7.5.2. Contract Agreement**

A contract listing all property and land/farms being surrendered and the types of compensation (both cash and in-kind) will be prepared. The contracts will be presented at community meetings prior to signing. The handing over of property and compensation payments will be made in the presence of the affected persons and the compensation committee, and in public.

See template for table of contents for a RAP Consultation Report attached as appendix 7.

## **7.6. Stakeholder Consultation during the Preparation of this RPF**

An effective resettlement requires regular and thorough consultation with a wide range of project stakeholders in the general areas of the project. Projects involving the community owe their success to community participation and involvement from planning to implementation stage.

During the preparations of this RPF which is part of the planning stage, consultations were carried out in sampled districts where the proposed USEEP sub-projects are expected to be implemented with a bias of the most underserved districts in terms of availability of secondary schools, refugee hosting districts and districts with the presence of marginalized and vulnerable groups. All these districts are also associated with poor performance and a very low secondary education completion rate for girls. The main purpose was;

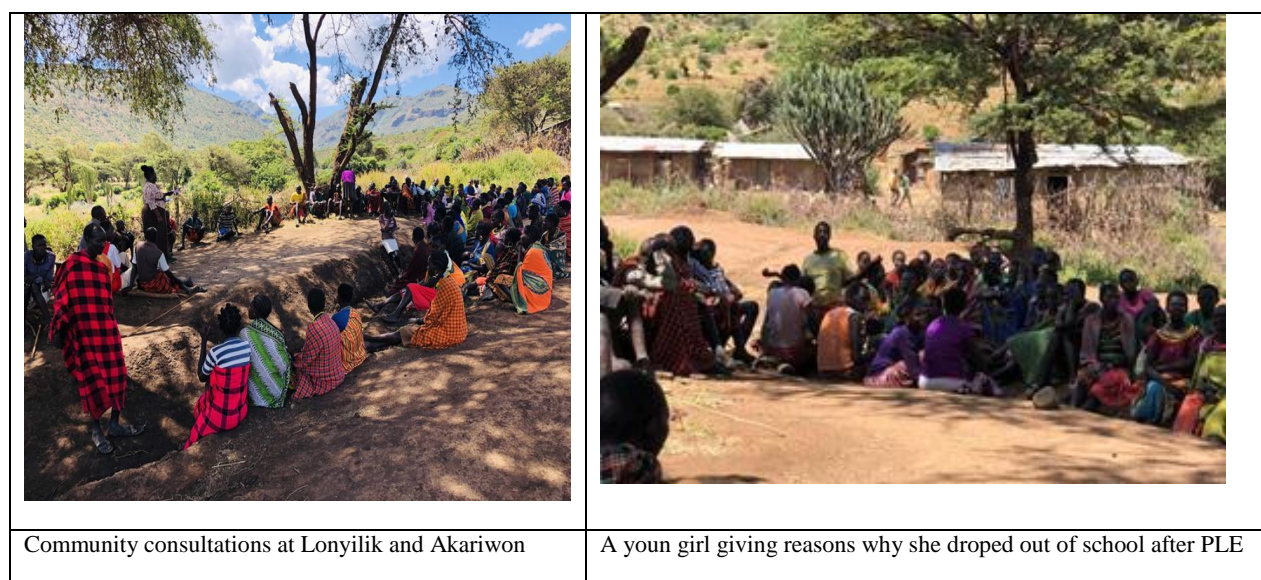
- To have an insight on the secondary school situation in the districts especially on the issues regarding availability of secondary schools, performance, and girl child issues,
- To ascertain availability of land for construction of new schools and expansion of the existing ones,
- To understand how resettlement and land acquisition issues can be handled in case need for more land arises for the USEEP sub-projects,

- To establish how grievances have been handled in the past project implementation and also ascertain if there is sufficient capacity to handle Social safeguards at the District level,
- And also get a fair understanding of the social economic baseline indicators of the project areas.

Stakeholder consultations were undertaken with relevant officials from the MoES, Local Governments, Schools in the districts visited and the potential beneficiaries at the community level. Districts Sampled for stakeholder consultations include: Namayingo, Sembabule, Nwoya for the underserved areas, Isingiro (Nakivale Refugee Settlement), Kyegegwa (Kyaka Refugee Settlement), Kikuube (Kyangwali Settlement), Yumbe (BidiBidi Refugee Settlement), and Kiryandongo (Kiryandongo Refugee Settlement) for Refugee hosting districts and Moroto (Tepeth), Kaabong (Ik), Kween (Benet), and Kasese (Batwa) for hosting the marginalized and vulnerable groups. These public/stakeholder consultation meetings were held between 25<sup>th</sup> September and 4<sup>th</sup> October, 2018. See the field itinerary on table 6 below.

**Table 6: Districts Visited During Stakeholder Consultations**

Date	Teams (Districts)	Output
25 <sup>th</sup> /09/2018	IPPF Team to Moroto	Social Assessment and IP Consultations
26 <sup>th</sup> /09/2018	IPPF Team to Kween	Social Assessment and IP Consultations
27 <sup>th</sup> /09/2018	Team 1 work in Bukwo	RPF and ESMF Consultations
27 <sup>th</sup> /09/2018	Team 1 work in Manafwa	RPF and ESMF Consultations
28 <sup>th</sup> /09/2018	Team 1 work in Namayingo	RPF and ESMF Consultations
2 <sup>nd</sup> /10/2018	Team 2 work in Sembabule	RPF and ESMF Consultations
3 <sup>rd</sup> /10/2018	Team 2 work in Isingiro	RPF and ESMF Consultations
4 <sup>th</sup> /10/2018	Team 2 work in Kyegegwa	RPF and ESMF Consultations
2 <sup>nd</sup> /10/2018	Team 2 work in Yumbe	RPF and ESMF Consultations
3 <sup>rd</sup> /10/2018	Team 2 work in Nwoya	RPF and ESMF Consultations
4 <sup>th</sup> /10/2018	Team 2 work in Kiryandongo	RPF and ESMF Consultations



Community consultations at Lonyilik and Akariwon

A young girl giving reasons why she dropped out of school after PLE



villages in Tapac Sub-county Moroto District	
	
Community consultation at Kitawoi Trading Center with the Benet Community in Kween District	Community Consultations at Butajja Village in Namayingo District

Figure 2: Photographs Showing Stakeholder Consultations

### 7.6.1. Summary of Issues Discussed during Stakeholder Consultations

Whereas various issues documented in the USTEP and USDP's RPFs were similar, specific issues were highlighted related to the impact of the USEEP project such as impacts on land, local communities, Children, and Teachers and other key social issues to note. A summary of the key issues raised that are relevant to this RPF are summarized in Table 7 below.

Table 7: Key Issues From Stakeholder Consultations

Agency	Issues Raised
<b>Ministry of Education and Sports</b>	<ul style="list-style-type: none"> <li>There is a need to sensitize communities about the importance of securing a land title for schools which should be in the name of the institution and not any other including the foundation body. They should also be made to understand why government requests for the titles including insistence by development partners on secure land ownership.</li> <li>Schools owned fully (100%) by government in terms of land are the most vulnerable. Critical examination needed before developing them since part of their land if not all can be under threat.</li> <li>Community owned schools usually have land ownership challenges because the land was offered by some forefathers without any documentation in which case government has to compensate the current folks</li> <li>Land for school construction used to be given out freely by communities to government without compensation once they identified the right location for the construction. However, after the parliamentary directive in 2010, the issue of compensation of land for school construction started. The directive compels government to compensate the land owners for the land acquired, either cash for land or land for land. Therefore, once a community identifies a piece of land for school construction, the concerned community shall be compensated. However, land</li> </ul>

	<p>donations are expected to be accompanied by memorandum of understandings.</p> <ul style="list-style-type: none"> <li>• Each district determines its own property rates which are reviewed periodically usually annually. The Chief Government Valuer approves annually the property rates determined by each District Land Board.</li> </ul>
<b>Local Governments</b>	<ul style="list-style-type: none"> <li>• Most existing Secondary schools are not clearly fenced and no proper documentation to ascertain ownership and demarcations</li> <li>• Like the entire Karamoja region, most of the land tenure in Kaabong is customary land;</li> <li>• Land is acquired through community land association;</li> <li>• There are village land committee which handle land disputes on a weekly basis and usually resolve land wrangles amicably;</li> <li>• Mediation process is also one way of resolving conflicts, because court procedures to settle issues take long to conclude. However, the courts also prefer issues to be settled outside Courts of Law.</li> <li>• Any land acquired for project development should be compensated for</li> <li>• <b><i>Lack of adequate scholastic materials and equipment</i></b> has led to poor performance especially in sciences due to inadequacy of science teachers both in Ordinary and Advanced levels, school fees challenges, Lack of adequate teaching and learning materials to remote locations of Karamoja. The laboratories are there but lack equipment.</li> <li>• The ability of the many uneducated people to pull down the few who try to go to school. The ability to change the minds of the population is very difficult. Over drinking, drug abuse in the community.</li> <li>• <b><i>High labour demand from parents</i></b> who are pastoralists in general, who prefer their children to stay home and look after their herds of cows and sheep. Mining of marble and limestone at Kosiroy for Tororo cement factory has attracted students to provide casual labour instead of going to school hence high school dropouts in Karamoja.</li> <li>• <b><i>Negative attitude towards education by parents</i></b>, where they regard it as a long term investment versus the girls marrying off early and they get animals. Early marriages, where a girl is seen as a source of wealth in terms of cows. Girls get married off at an early stage because they walk daily to school which makes them vulnerable to rape and being deceived by business men who have money to give them, sometimes parents arrange with marriage partners and the girls are just whisked away to marriages.</li> <li>• <b><i>Lack of boarding schools</i></b>; The major problem is girls commuting from home to school, like in Moroto Parents and Nadunget S.S where some classrooms have been converted to dormitories. Day schools cannot manage because the girls are always involved in house chores at home before going to school.</li> <li>• <b><i>Accommodation for teachers and support staff</i></b> for example Moroto Parents completely has no accommodation and also Nadunget S.S. remoteness of the area makes it difficult to stay especially for non-indigenous teachers. Irish Aid managed to construct accommodation for Moroto High school adding to the old IDA buildings which are also dilapidated.</li> <li>• <b><i>Climate change</i></b>: New weather patterns threaten to worsen food insecurity in Karamoja sub-region. This undermines agricultural production in the region. Climate change is causing every household to be vulnerable in the region which further forces parents to send their children to look for food instead of going to schools.</li> </ul>



	<ul style="list-style-type: none"> <li>• <b>Lack of infrastructure</b>, some of the schools under AFDB are incomplete and sub-standard, because of centralized procurement and monitoring and evaluation.</li> </ul>
Schools/ Community	<ul style="list-style-type: none"> <li>• <b>Some schools have surveyed their land but have not acquired land titles.</b> All schools visited did not have land titles although most were processing them.</li> <li>• Some schools have become aware of the importance of documentation for purchased or donated land for public facilities, they are ensuring that this is undertaken.</li> <li>• Most schools were using school ‘idle’ land for other activities especially cropping and plantations – trees, coffee, bananas as a security measure</li> <li>• Some schools were willing to compensate those utilizing school ‘idle’ land for farming should it be required for the project</li> <li>• Some schools have their land scattered in various places.</li> <li>• <b>Lack of many secondary schools in the sub-county</b>, and the few secondary schools which are there are also very far, students walk long distances to reach a secondary school, for example in Kween district you can find two sub-counties without a secondary school. In Nakivale students walk a distance of over 30 Kms daily to access Secondary education.</li> <li>• <b>Poverty</b>; Since parents are poor, they regard girls as a source of income in form of dowry so they prefer to marry the girls off at an early age.</li> <li>• <b>Child labour has been cited as a major factor influencing school dropout</b>; It is claimed that some students, especially those at the secondary level leave school to engage in farming activities so as to get quick money.</li> <li>• <b>Teenage pregnancy and early marriages</b> was also cited as one of the major factors influencing basic school dropouts.</li> <li>• <b>Sexual harassment from their teachers</b> also contributes to girls dropping out of school.</li> <li>• It was also realized that girls also hesitate to go to school during <b>menstruation days due to stigma by the boys</b>.</li> <li>• <b>Availability of community support</b>: The head teacher said that currently they have a community secondary school which needs support. Most schools are started by the local communities then later are taken over by government.</li> <li>• <b>Availability of land for construction of school</b>; most communities said land for construction of new schools is available as long as the owners are fairly compensated. They have building materials around and safe place to keep the materials during construction. Therefore, the issue of lack of land should not be mentioned here.</li> <li>• <b>Poor Road Network</b>; This has rendered schools being far; as such children don’t go to schools leading high girls drop out of school and hence early marriages and boys get engaged in trade. We believe when services are near, it will be easy to maintain a girl child at school.</li> <li>• <b>High Poverty Levels</b>; High poverty levels in the community. This is caused by low market prices for their produce due to poor road network where the community depends on basically farming. Currently the price of maize is as low as 200/= per kilo, therefore how much maize will apparent sell to raise the required school fees?</li> <li>• <b>High Fees</b>; There was a concern of high fees where parents fail to raise fees and this mainly affects girls who are not given the first priority to be at school. Parents are struggling to raise school fees because produce from the area goes for very little money due to the poor network especially during rainy season.</li> <li>• <b>Lack of Accommodation for Teachers</b>; most teachers in the area come from other</li> </ul>

	<p>parts of country because we have not yet gotten any children reach far in education. The only available community founded school lacks accommodation for teachers therefore Teachers arrive to school late and leave early due to lack of staff quarters within the schools.</p> <ul style="list-style-type: none"> <li>• <b>Lack of Role Models;</b> the students also lack role models to motivate them to read hard to be like them. The few who continuous do not come back to encourage others therefore the rest do not the benefit of studying till university. Even those who excel in athletics should come and motivate others we have children with talents like athletics which need to be tapped.</li> <li>• <b>Limited Facilities;</b> The issue of limited facilities at schools like books, laboratories, desks, this has caused their children not catch up with the rest of the country academically. The government should look into the issue of computers and modern laboratories for them to catch up.</li> <li>• <b>Cultural Practices;</b> Female Gentile Mutilation (FGM) is still privately practiced among the community, Provide technical support to communities on their effort on social mobilization against cultural practices such as FGM and early marriages which hamper retention and completion of school by girls. Its only education that can help in eradicating FGM.</li> </ul>
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(The minutes of consultations are attached as Appendix 8).

## **8. ELIGIBILITY AND ENTITLEMENT**

### **8.1. Introduction**

This chapter provides the main principles and concepts governing resettlement/compensation in terms of description of eligibility for compensation and entitlements under the relevant laws and WB policy principles for valuation and compensation.

### **8.2. Guiding principles of Resettlement of PAPs**

The RPF follows the guiding principles for any activity that causes negative impact on affected persons in relation to land acquisition decisions with regards to the priority PAPs and communities in which MoES will implement resettlement. These principles should be taken into account whenever communities living in the areas to be acquired for the construction of new schools and expansion of schools may be impacted by implementing agencies' initiated activities, whether a permanent or temporary impact.

Displacement of people, property and livelihoods is to be minimized as much as possible, by employing alternative technologies of project infrastructure in such a manner so as to minimize the need to acquire land and property, and to cause as little disturbance and disruption as possible.

- i. All possible means will be used to ensure that no people are harmed in any way by construction activities and project outcomes.
- ii. Resettlement/relocation and compensation planning and implementation activities, and the compensation of PAPs and other relevant stakeholders, will be undertaken with continuous consultation throughout the process.
- iii. PAPs will be informed about their rights and options pertaining to displacement, compensation and resettlement/relocation, and about grievance mechanisms available to them.
- iv. PAPs who meet agreed eligibility criteria will be entitled to compensation and relocation measures. Lack of legal rights to land and assets occupied or used will not preclude a PAP from entitlement to resettlement/relocation and compensation measures.
- v. Compensation, resettlement/relocation and rehabilitation measures will be as fair to all parties concerned.
- vi. Compensation, resettlement/relocation and rehabilitation entitlements will be provided in accordance with Ugandan law and procedures as a minimum, but will include additional measures to meet World Bank requirements where appropriate.
- vii. Where compensation in cash is provided for loss of assets (including housing and other structures), for loss of access to assets, or for damage caused to assets, it will be provided on the basis of market value or replacement cost (whichever is the highest) and will include necessary additional costs incurred to achieve full restoration no deduction for deprivation will be included.
- viii. Specific and additional assistance will be provided for particularly vulnerable people, namely women-headed households, widows, orphans, the elderly and handicapped people.
- ix. Pre-construction and construction work on each particular affected site will not commence until PAPs have been satisfactorily compensated and/or relocated.

### **8.3. Project Affected People**

Project affected people or household (PAPs), refers to people directly affected, socially and/or economically, temporarily or permanently by a project, as a result of:

- i. the appropriation of land and other assets causing (relocation or loss of shelter);

- ii. loss of assets or access to assets; and
- iii. loss of income sources or means of livelihood, whether or not of the affected person; and persons must move to another location).

The exact nature and locations of projects are unknown; the following categories of PAPs will be used in identifying groups of PAPs for the purpose of determining impacts.

- i. project affected persons (PAPs) are individuals whose assets may be lost, including land,
- ii. Property, other assets, and/or access to natural and/or economic resources as a result of activities related to project(s). The individual PAP could be:
  - **Affected Property Owners-** these are owners of land or owners of structures for business, residential or other purpose.
  - **Affected Tenants-** these are people who do not own property but rent house, premises or land for the respective purposes; This category of PAPs is classified in different sub-categories including residential tenants, business tenants, or farm tenants
  - **Affected Encroachers and other opportunistic land occupiers** – are persons who do not own land that they occupy or use and non-bone fide occupants and intruders of lands reserved for public or other uses. Encroachers in urban area may occupy land for residential /commercial purposes.
  - **Affected Squatters** - include persons or groups who have settled in place with and without official title to their land.
- iii. Project affected households are groups of PAPs in one household and where one or more of its members are directly affected by the USEEP schools; construction activities. These include members like the head of household, male, and female members, dependent relatives, tenants, etc.
- iv. Vulnerable groups of people. such as those who are too old or too ill; children; those stricken with HIV/AIDS; women-headed households; unemployed women living alone; unemployed youth; etc. Households headed by women that depend on sons, brothers, and others for supports are especially vulnerable. Similarly, households with elderly or terminally ill persons are eligible for additional support.

#### 8.4. Types of losses due to land acquisition

Likely categories of impacts/loss that may occur include:

##### 8.4.1. Loss of Assets or Access to Assets

Loss of land and/or property if any activity will acquire land as the land in question will be under use of some sort, communally, or individually. This may cause loss of rights to pieces of land, and/or un-exhausted improvements on the land i.e. built structures and crops.

**Loss of land:** mainly residential land or commercial land. Because urban agriculture and livestock keeping are widely practiced, affected land could also be agricultural land or grazing ground. Land could belong to private individuals, local institutions, or community/ public land. The land could either be grown with crops, or built with structures or open land used for recreation or not developed/used. Ownership could mainly be under either statutory rights of occupancy or customary rights of occupancy and the affected people will lose these land rights (owner; lease holder; informal user of the land).

**Loss of house structures:** the built structures could be residential houses /dwelling, residential and commercial houses, house annexed structures (e.g. kitchens, boundary wall / live fences, pit latrines, house foundations, stores, cottage industries, livestock pens/sheds etc.) or commercial structures (shop, stall); or house supply structures: water source/supply (well, pump, water line), electricity supply (underground, overhead etc.). Loss of buildings and structures will affect (owner; tenant; informal user of the structure) individual, institution or community.

**Loss of Structures only (not land):** encroachers and squatters may suffer loss of fixed structures but not land on which they are built.

**Relocation of movable assets and property:** these include privately own machinery, mobile structures, and graves

**Loss of agricultural assets:** farm properties mainly constitute standing crops permanent crops, trees, seasonal crops and vegetable gardens.

#### **Loss of income sources or means of livelihood of persons using the land or assets**

The person affected could be title holder/owner; tenant/lease holder; squatter/informal dweller.

**Loss of income sources:** through loss of business premise or cash crops

**Loss of means of livelihood:** through loss of farming, grazing area

**Loss of rental accommodation or loss of business premises:** residential or business tenants will incur loss of rental accommodation or loss of business premises as in many places people rent premises for business or residential purposes

**Natural assets:** these are unused farmland and natural vegetated / forested areas - these sections are usually not inhabited, however, the benefits accrued will be lost to the communities that use them.

**Involuntary restrictions of access to resources, property or asset:** In other areas, restrictions that prevent / limit access to resources, property or asset will also result in adverse impacts on livelihoods and wellbeing of affected persons.

## **8.5. Eligibility**

Identification of those meeting the eligibility criteria is to be confirmed, through relevant socioeconomic surveys and asset and legal verification surveys. Information on special groups, such as those that are vulnerable, will also be identified through the surveys, and confirmed through the consultation process.

### **8.5.1. Eligibility Criteria for Compensation**

Determination of eligibility of the *bona fide* occupants of the properties to be compensated shall be done through a transparent and legal process, taking into consideration all the existing laws of Uganda and policies of the World Bank and local customs. Compensation will be paid only to those persons:

- (a) Who prior to the commencement of the project, have evidence of ownership or occupancy of the land of at least 30 days within the period of commencement of the project;
- (b) Who have property (a house, crops or thriving business enterprise) situated in the area identified for development and;

- (c) With household members who derive their livelihoods from the advantage of location and proximity to other socio-economic facilities provided by the current settlement.

The Table 8 below presents the eligibility criteria indicating the categories of PAPs and the type of compensation that is to be provided.

### 8.5.2. Unit of entitlement

The potential resettlement may affect a range of households, business operators, institutions and individual community members. The impacts, manifest at individual and group level requiring a definition of a unit of entitlement. The unit of entitlement is thus varied depending on the category of the affected. Examples of units of entitlement include:

- for compensation against the loss of land – the unit of entitlement is the landholder;
- for privately held assets and resources – the unit of entitlement is the owner/ household head. Safeguards have been put in place to ensure equitable distribution of compensation among household members;
- for the loss of contract of rent – the unit of entitlement is the individual who rented farm land
- for loss of employment – the unit of entitlement is the individual directly affected; and
- for rehabilitation assistance – the unit of entitlement is the household. Where household subsistence and survival strategies may be disrupted through the loss of land or the relocation of business enterprises, rehabilitation measures may be extended to an adult household member or members other than the household head to support the restoration and diversification of household livelihoods.

The entitlements require a process of public consultation and disclosure. The WB OP 4.12 emphasizes that displaced people must be informed of their rights and consulted on options. It specifically states to “Consult project-affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan).

**Table 8: Eligibility Criteria**

Category of affected persons	Assets	Type of compensation
Persons with formal legal rights to land including customary leaders who hold land in trust for community members.	Physical and non-physical assets such as residential structures, productive lands, economic trees, farm lands, cultural	To be provided compensation for land lost and other assistance. Compensation to be granted to communities.

Persons with customary claims of ownership or use of property recognized by community leaders (including the landless and migrants)	sites commercial/business properties, tenancy, income earning opportunities, and social and cultural networks and activities	To be provided compensation for land lost and other assistance. Users to be provided with alternative lands to use.
Persons with no recognizable legal right or claim to land they are occupying, e.g. squatters		To be provided resettlement assistance in lieu of compensation for land occupied.
Persons encroaching on land after the notification		Not eligible for compensation or any form of resettlement assistance

Table 9 below presents the entitlement matrix showing the types and number of affected people, the types and quantity of losses, and the forms and amounts of compensatory actions that will be taken for each type.

**Table 9: Entitlement and Compensation Matrix**

Asset Acquired	Type of Impact	Entitled Person	Compensation Entitlement
<b>Agricultural land</b>	<b>No displacement:</b> - Part of the land is affected but the rest of the land remains economically viable	Farmer/Title holder	Cash compensation for affected land equivalent at market value
		Tenant/Leaseholder	Cash compensation for the harvest of affected land equivalent to the average market value over three years or the compensation rates as established by the DLBs in collaboration with the Chief Government Valuer whichever is the higher.
		Squatter	Cash compensation for the harvest of affected land equivalent to the average market value over three years or the compensation rates as established by the DLBs in collaboration with the Chief Government Valuer whichever is higher.
	<b>Displacement:</b> - If more than 50% of the land holding is lost or less than 50% of the land lost but remaining land not economically viable.	Farmer /Title holder	Land-for-land replacement where feasible or compensation in cash for the entire land holding according to the PAPs choice. Land-for-land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status without encumbrances at an available location which is acceptable by the PAP.  In addition relocation assistance to be paid ((costs of shifting + assistance in re-establishing perennial crops including economic trees up to a maximum of 12 months while short term crops mature)
		Tenant /Leaseholder	Cash compensation equivalent to the average market value over three years for the mature and harvested crops at the compensation rates as established by the DLBs in collaboration with the Chief Government Valuer whichever is higher, Or market value for the remaining period of the tenancy /lease agreement.  In addition relocation assistance to be paid ((costs of shifting + Allowance)
		Squatter	Cash compensation equivalent to the average market value over three years for the mature and harvested crops at the compensation rates as established by the DLBs in



Asset Acquired	Type of Impact	Entitled Person	Compensation Entitlement
			collaboration with the Chief Government Valuer whichever is the higher, Or market value for the remaining period of the tenancy /lease agreement.
		Agricultural worker	Cash compensation equivalent to the local average of 6 months' salary + relocation assistance to be paid (costs of shifting + Allowance) +Assistance in getting alternative employment
<b>Commercial Land</b>	<b>No Displacement:</b> - Land used for business partially affected	Title holder/ Business owner	Cash compensation for affected land, and opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year or equivalent business or suitable estimates in absence of records.
		Business owner is lease Holder	Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year or equivalent business or suitable estimates in absence of records.
	<b>Displacement:</b> - Premise used for business severely affected remaining area not sufficient for continued use	Title holder/ Business owner	Land for land replacement where feasible or compensation in cash for the entire land holding according to the PAPs' choice. Land for land replacement will be in terms of a new parcel of land of equivalent size and market potential with a secure tenure status without encumbrances at an available location which is acceptable to the PAP.  In addition relocation assistance to be paid ((costs of shifting + Allowance ) Opportunity cost compensation equivalent to two months net income based on tax records for previous year or equivalent business or suitable estimates in absence of records.
		Business owner is lease Holder	Opportunity cost compensation equivalent to two months' net income based on tax records for previous year or equivalent business or suitable estimates in absence of records. Relocation assistance in rental/lease alternative land, property for a maximum of six months to re-establish business
<b>Residential land</b>	<b>No Displacement:</b> - Land used for residence partially affected, limited loss and remaining land remains viable for present use	Title holder	Cash Compensation for affected land, taking into account market values
		Rental/Lease holder	Cash compensation equivalent to 10% of lease / rental fee for the remaining period of rental lease agreement
	<b>Displacement:</b> - Premise used for residence severely affected remaining area not sufficient for continued use or becomes smaller than minimally acceptable under the Town and country planning Act	Title holder	Land-for-land replacement where feasible or compensation in cash for the entire land holding according to the PAPs' choice. Land-for-land replacement will be of minimum plot of acceptable size under the Town and Country Planning Act whichever is larger in the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as a secure tenure status without encumbrances at an available location which is acceptable to the PAP.  In addition relocation assistance to be paid (costs of

Asset Acquired	Type of Impact	Entitled Person	Compensation Entitlement
			shifting + allowance)
<b>Building and Structures</b>	<b>No Displacement:</b> - Structure partially affected, but remaining structure remains viable for continued use	Owner	Cash compensation for affected building and other fixed assets, taking into account market rates for structures and materials Cash assistance to cover costs of restoration of remaining structure
		Rental/Leaseholder	Cash compensation for affected assets (verifiable improvements to the property by the tenant -e.g. fence), taking into account market rates for materials Disturbance compensation to the tenant equivalent to two month's rental costs
	<b>Displacement:</b> - Entire structure affected or partially affected but remaining structure not suitable for continued use	Owner	Cash compensation for entire structure and other fixed assets without depreciation or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP. Compensation should take into account market rates for structures and materials. Right to salvage materials without deduction from compensation.  In addition relocation assistance to be paid (costs of shifting + allowance) + rehabilitation assistance if required
		Rental/Leaseholder	Cash compensation for affected assets (verifiable improvements to the property by the tenant -e.g. fence), taking into account market rates for materials.  In addition relocation assistance to be paid (costs of shifting + allowance equivalent to four months rental costs) + assistance to help find alternative rental arrangements + rehabilitation assistance if required
		Squatter/Informal dwellers	Cash compensation for affected structure without depreciation + Right to salvage materials without deduction from compensation. In addition, relocation assistance to be paid (costs of shifting + allowance) + rehabilitation assistance if required. Alternatively, the PAP is assisted to find accommodation in rental housing or in a squatter settlement scheme if available. Assistance with job placement/skills training
<b>Standing Crops</b>	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant or squatter)	Cash compensation equivalent to the average of at least three years' market value for the mature and harvested crops.
<b>Trees</b>	Trees lost	Title holder	Cash compensation based on the type, age and productive value of affected trees + 10% premium
<b>Temporary Acquisition</b>	Property temporarily acquired	PAP (whether owner, tenant or squatter)	Cash Compensation for any assets affected e.g. boundary wall demolished, trees removed – taking into account market rates for materials.

### 8.6. Cut-off date

There is no clear guidance on the cut-off date in the national legislation, normally they consider the cut-off date as the date that valuation has been conducted and the PAP is given a pink form. However, OP 4.12 on Involuntary Resettlement requires that in the absence of host government procedures on cut-off dates, the borrower or client establishes a cut-off date for eligibility that is acceptable to the Bank. Therefore, the cut-off date will be the first date of the census.

PAPs shall be provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary if they occupied the project area prior to a cut-off date established. Persons who encroach on the area after the cut-off date will not be entitled to compensation or any other form of resettlement assistance.

Where there are clearly no identified owners or users of land or assets, the respective District Land Boards and Land Use Administration will notify the community leaders and representatives to help in identifying and locating the land users. The leaders and representatives will also be charged with the responsibility of notifying their members about the established cut-off date and its significance. The user(s) will be informed through both formal notifications in writing and by verbal notification delivered in the presence of community leaders or their representatives.

### 8.7. Type of Compensation

Individual and household compensation will be made in cash, in kind, and/or through assistance as per the entitlement matrix provided in Table 5-1 below. The type of compensation will be an individual choice of the PAP. If the total loss of land that was used for subsistence farming is more than 20% of the holding, land for land replacement must be offered, and is preferable to in-kind compensation (but ultimately PAPs choice).

- i. **Cash payments:** Compensation will be calculated in Uganda shillings. Rates will be adjusted for inflation. Compensation may include items such as land, houses, among others;
- ii. **In-kind:** Compensation can include buildings, building materials, seedlings, agricultural inputs, and financial credits for equipment; and
- iii. **Assistance:** Assistance may include disturbance allowance, moving allowance, transportation, and/or labour.

Compensation payments raise issues regarding inflation, security, and timing that must be considered. One reason for providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur; thus market prices will be monitored during the compensation period to allow for adjustments in compensation values. In addition, due to banking and travel costs in form of Bank charges and local transport charges, the project will adopt a threshold for cash compensation as an alternative for those who need it. The question of security, especially for people who will be receiving cash compensation payments, needs to be addressed by the local administration. Local banks and microfinance institutions should work closely with the local administration at this level to encourage the use of their facilities, which will positively affect the growth of the local economies. Each

recipient in consultation with the Developer (MoES) and the district, local, and traditional administrations, will decide upon the time and place for in-kind compensation payments.

#### 8.7.1. Replacement Cost

The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs. With regard to land, structures, and businesses, the replacement costs are:

- i. **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.
- ii. **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 near the affected land, plus the cost of any registration and transfer taxes.
- iii. **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 labour 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 benefits to be derived from the project deducted from the valuation of an affected asset.

#### 8.8. Displacement of People

Where displacement of people is unavoidable, the following conditions shall be followed:

- (a) The entitlement cut-off date shall be determined and agreed upon in consultation with the lower and higher local governments and all the stakeholders particularly the affected persons;
- (b) An assessment of the time likely to be needed to restore their living standards, income earning capacity and production levels shall be made;
- (c) The assessment shall ensure that the condition of the displaced persons shall be improved or at least maintained at least the levels prior to project implementation;
- (d) The displaced persons shall be provided with development assistance, in addition to compensation measures described above. These shall include assistance for land preparation, credit facilities, training for job opportunities, residential housing, or as required, agricultural sites for which a combination of productive potential, location advantages and other factors shall be at least equivalent to those of the old site.

#### 8.9. Indigenous Peoples, Women, and other Vulnerable Groups

Indigenous and vulnerable groups will be at risk of becoming more vulnerable due to displacement, compensation, and resettlement process. Vulnerable groups include households headed by women, households victimized by HIV/AIDS that are headed by children, households made up of the aged or handicapped, households whose members are impoverished, or households whose members are socially stigmatized (as a result of traditional or cultural bias) and economically marginalized. Field findings identified 4 indigenous groups, that is, the *Batwa* in the Rwenzori region and the *Ik* in Kaabong District,

Tepeth in Moroto in Karamoja region and the Benet in Kween District considered as a whole to comprise vulnerable people. Assistance to these indigenous and vulnerable groups of people may include:

- Assistance in financial literacy training especially for women and their spouses; and assistance in compensation payment procedures (e.g., going to the bank with the person to cash the compensation cheque);
- 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;
- Assistance in the locating and growing of fodder banks for the Pastoralists for cattle grazing;
- Ensuring migrant and settler farmers are included in the consultations regarding the RPF/RAP and compensation and have their share of the compensation and assist in finding alternative sites for farming and also be incorporated into the out-grower and small holder schemes of the project;
- Assistance in building i.e. providing materials, workforce, or building houses; and
- Health care if required at critical periods i.e. moving and transition period.

Women comprise a disproportionately large number of the poor in Uganda due to gender discrimination which limits women's access to resources and opportunities necessary to improve the standard of living for themselves and their families. As a result, women are often the first to suffer when resettlement is planned or executed badly. Women with children also have less physical mobility to travel to find ways of earning a livelihood. One of the immediate and practical initiatives to be considered by USEEP is ensuring that land titles and compensation entitlements for a particular household are issued in the name of both spouses. The social screening of the project areas/sites will identify and or establish the presence of these groups of persons.

## 9. METHODS OF VALUING AFFECTED ASSETS AND COMPENSATION PAYMENTS

### 9.1. Extent of Compensation by Law

The 1998 Land Act provides for the extent of compensation as quoted here forth: “*Where any land has been acquired under this Act, compensation shall only be payable in addition to the value of any improvement or works constructed on such lands: - for the loss of usufructuary rights over such lands in the case of land under customary tenure, and - for the market value of such lands in the case of freehold land.*”

In estimating the compensation to be given for any land or any Estate therein or the potential profits thereof, the following shall be taken into account:

- a) The value of such lands, estates or interests or profits at the time of the emission of the notice to acquire, and shall not take into account any improvements or works made or constructed thereafter on the lands;
- b) That part only of the lands belonging to any entity /person acquired under this Act without consideration for the enhancement of the value of the residue of the lands by reason of the proximity of any improvements or works to be made or constructed by the Project and;
- c) The value of the lands acquired for public purposes but also to the damage, if any, to be sustained by the owner by reason of the injurious effects of severance of such lands from other lands belonging to such owner or occupier.

For cash payments, compensation will be calculated in Ugandan currency adjusted for inflation. For compensation in kind, items such as land, houses, other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment may be included. Assistance may include moving allowance, transportation and labour.

### 9.2. Specific Compensation Components

#### 9.2.1. Compensation for Land

Compensation for land is aimed at providing for loss of crops and the labour used to cultivate the crop. Compensation relating to land will cover the market price of the land, the cost of the labour invested, as well as the replacement cost of the crop lost.

#### 9.2.2. Determination of Crop Compensation Rates

Prevailing prices for cash crops would have to be determined. Each type of crop is to be compensated for, using the same rate. This rate should incorporate the value for the crop and the value for the labour to be invested in preparing new land.

### 9.2.3. Compensation Rates for Labour

The value of labour invested in preparing agricultural land will be compensated for at the average wage in the community for the same period of time. The labour cost for preparing replacement land is calculated on what it would cost a farmer to create is placement farmland.

### 9.2.4. Compensation for Buildings and Structures

Compensation for buildings and other structures will be paid by replacement costs for labour and construction materials of these structures including fences, water and sanitation facilities, etc., will be used to calculate the values. Where part of the compensation is to be paid in cash the applicable replacement costs for construction materials will be used to calculate the values. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure. The project will survey and update construction material prices on an on-going basis.

### 9.2.5. Compensation for Vegetable Gardens

Vegetables are planted and harvested for daily use. Until a replacement garden can be harvested, the family displaced (economically or physically) as a result of the project will thereafter have to be compensated at the purchase prices of these items on the market.

### 9.2.6. Compensation for Horticultural, Floricultural and Fruit trees

Given their significance to the local subsistence economy, fruit trees will be compensated on a combined replacement value. Fruit trees commonly used for commercial purposes in Uganda will be compensated at replacement value based on historical production statistics.

## 9.3. Key Valuation Methods

In Uganda, values for compensation of assets are determined by the Government Valuer. The process, however, normally takes consideration of depreciation. The World Bank policy of compensation at Replacement Cost may be adopted where it provides a more appealing and adoptable position for handling compensation. It should however be consistent with the established policies, regulations and laws of Uganda.

**Agricultural land** - it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.

**Land in urban areas** - it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. This is to ensure that the values obtained are adequate to secure in-kind alternative land or cash compensation for the affected owners.

**Houses and other structures** - it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost



of any labour and contractors' fees, plus the cost of 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 benefits to be derived from the project deducted from the valuation of an affected asset.

#### 9.4. Businesses or Employment

During the actual relocation process there could be a small amount of disruption to businesses required to relocate over very short distances. Such disruption can be minimized or eliminated if the businesses are allowed to build the replacement structure before abandoning the old structures. In case of businesses and commercial structures that may suffer temporary loss of income in the relocation process, they will be compensated through payment of disturbance allowance for the period required for re-establishing their businesses. In highly unlikely cases where, PAPs suffer permanent loss of income they become eligible for cash compensation equal to 36 months of average affected income from the establishment and skill enhancement and income restoration program.

As a part of their local government responsibility, the District Community Development department, whose current administrative role in assisting communities in their jurisdiction, will be asked to support the PAPs who will be affected by the project. With assistance from the Resettlement field staff, they will take a responsibility of supporting affected people in developing their skills in entrepreneurship and managing compensation money. Compensation for businesses (such as flourmills, kiosks, coffee shop and local eating and drinking places) will be estimated based on the daily or monthly income of the affected parties if any.

**Loss of Income** - Losses of income for businesses will be estimated from net daily/monthly profit of the business verified by an assessment of visible stocks and activities. In addition to the compensation, disturbance allowances of 10% of total compensation will be considered. The estimation of supplementary assistance for affected commercial structures or business units will generally be based on the following factors:

- Estimated income obtained from the use of the business/commercial unit; and
- Estimated period of disruption of business activities.

Generally, the loss of income could be minimized if the affected persons are incorporated into the activities of the project. The Enumeration Approach will be adopted for the crops affected by the project. The Enumeration Approach involves taking census of the affected crops and applying a flat realistic rate approved by the Land Valuation Division.

#### 9.5. Damage Caused during construction work

Reconstruction activities may also cause temporary or permanent damage to land and assets that cannot be identified or quantified during RAP preparation. An example might be construction workers trampling crops or vegetables while accessing particular construction sites. Thus, wherever possible, the construction team/contractor will repair the damage to the satisfaction of the affected person. Affected persons with a claim should be required to complete a compensation claim form and submit it to the

construction team/contractor. The construction team/contractor will then negotiate the required compensation measures, which may include repairing the damage or payment of compensation in cash or kind. Payment of compensation should be effected within one month of submission of the claim form. It will be the responsibility of the implementing agency to see to it that contractor cater for any damage and have necessary policies to demonstrate this. The cost of damage caused by the contractor will be borne by the contractor not the implementing agency.

### **9.6. Community Facilities**

Community facilities such as churches, wells, mosques, dispensaries, and water pump and sanitary facilities may need to be relocated to allow an intervention to be effectively implemented. The implementing agency will ensure that the local community derives maximum value from the subsequent reconstruction works, preference ought to be given to local labour in order to help PAPs and other local people the opportunity to benefit from wages for their labour. Precaution has to be taken during the agreement and payments to minimize conflict among the beneficiaries. As PAPs will be relocated at short distances from the project sites, they may continue to have access to social and public services and facilities that they currently use, which exist in the project area. This applies to water supplies, schools, health services, shops, transport services and other community services, such as religious groups. PAPs should continue to use the available social services in the project area, the implementing agency will ensure comparable community facilities will be available.

### **9.7. Vulnerable Groups**

Affected households that are particularly vulnerable to Project implementation will be identified through socio-economic surveys of the affected population, and in consultation with the implementing agency. Specific vulnerable groups such as Female headed households; Refugees ; Children headed households; HIV/AIDS infected People/ Disabled; Elderly; Youth and orphans will require assistance based on need and level of vulnerability. However, in addition to other compensation and rehabilitation measures, these households will be supported through the following measures:

- In addition to their compensation package, vulnerable households will receive and additional allowance equivalent to the cost of three months' rent. This does not affect their accommodation allowance or any other allowances
- priority registration for employment on the Project's works;
- advice regarding Project impacts, compensation alternatives and risks, and resettlement options, including advice on alternative subsistence and livelihood strategies as offered by the Project;
- skills/training enhancement;
- The village government as part of its administrative duties may organize self-help group/ NGO to assist vulnerable persons in ensuring their replacement houses are constructed
- land preparation where possible; and
- credit facilities where possible.

The project will provide customized support [to vulnerable PAPs] based on the nature of their

vulnerability and the impact of the project.

Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in OP 4.12, paragraph. 6. The valuation of the assets will be done with the engagement and participation of the PAPs. The PAPs have the opportunity to do their own valuation if they have doubts or misgivings through the facilitation of the project for further negotiations between them (PAPs) and the PCU of USEEP. All negotiations will be done in collaboration and in the presence of grievance redress committee to ensure that the PAPs who do not have good negotiating skills are not left behind, and that they also get benefits commensurate with their losses in most cases.

## **9.8. PROCEDURE FOR DELIVERY OF COMPENSATION**

### **9.8.1. Consultation and Public Participation**

Consultation and public participation with the PAPs will initiate the compensation process. This consultation and public participation will have been part of an on-going process that will be expected to continue at all stages. This trend will ensure that all affected individuals and households are well informed and adequately involved in the entire process.

### **9.8.2. Notification of Land Resource Holders**

Those who hold title to the land resources will be informed through the above consultation process. In case there are no clearly identified owners or users of land to be acquired, MoLHUD, the respective local government administrations through the lands officers and the local council leaders of the respective communities where the land is located will be solicited to help identify owners or users in order to sensitize them on the project and its implications.

### **9.8.3. Documentation of Holdings and Assets**

The MoES either through the PCU or through a consulting firm will undertake a detailed survey of all losses that will be incurred by each household, enterprise, or community affected by the USEEP. The survey will have to account for land acquisition and loss of physical assets as well as loss of income temporary or permanent resulting from displacement of household members from employment or income-generating resources.

The local government structures, that is, the LGs and the lower councils (LCs 1-3) will be charged with all documentation and verification of data and information related to the acquisition of land, compensation and payment process up to the level of the accounting officer of the PCU.

Therefore, the community development officers of the districts, particularly those at sub-counties, in collaboration with the LC will compile and record data/information. The community workers in collaboration with the parish chief and the executive of the parish council will compile parish data and submit to the sub-county chief/town clerk for submission to the district's CAO/Municipal town clerk.

Likewise, the CAO together with the town clerk will compile data/information and submit to the PCU in the MoES. These will serve as data for resettlement monitoring and evaluation.

**Note:** During inventories of assets, the owners or persons authorized to represent them on their behalf will be required to countersign them to minimize the possibility of subsequent claims or disputes regarding claims.

#### **9.8.4. Procedures for Payment of Compensation**

Compensation payment will be made in the following ways:

- (a) By agreement between the MoES and the PAPs or entities (individuals /households /communities):
  - The MoES will offer such sums deemed adequate as compensation to the entity who may accept that amount as compensation payable to him or her and;
  - Such sums will be disbursed directly to the beneficiary entity with the relevant records of payments consigned to the RAPs and the records of the appropriate local government authority (District Land Boards).
- (c) By court order on the amount of compensation where this has been the subject of litigation between the MoES and the Affected Entity.

#### **9.8.5. Role of Office of Chief Government Valuer**

The application of the valuation exercise on ground will be done in the presence of at least two local council leaders with the participation of the affected persons. Values assigned to assets must be based on the local market/property rates determined by the respective districts. Where this is not possible, a Government Valuer will be engaged to do this. In the event that a Government Valuer handles this process, the depreciation cost will not be imputed and the consent of the affected person on the outcome of the process must be sought in order to arrive at agreements on the total profile of losses and compensation.

## **10. GRIEVANCE REDRESS MANAGEMENT**

Project Affected People may resent or misunderstand the process of valuation and compensation for their losses and raise grievances at any point in time during the implementation of sub-component 1.1 of USEEP (which entails civil works and building construction). Any such grievance (however small it may be considered) that may arise from PAPs should be well addressed through a systematic grievance redress mechanism. The mechanism should provide avenues for affected persons to lodge complaints against the project or contractors. It should also describe procedures, roles and responsibilities for managing grievances and resolving disputes. And the community/PAPs should be informed about the mechanism so that it can be utilized when necessary. Every aggrieved person shall be able to trigger this mechanism to quickly resolve their complaints. The entire process should be well documented. The mechanisms for grievance redress shall be simple but effective.

### **10.1. Objectives**

The objectives of the grievance redress process are to:

- Provide affected people with avenues for making a complaint or resolving any dispute that may arise during project implementation and determination of entitlements of compensation and implementation of the project;
- Ensure that appropriate and mutually acceptable redress (corrective) actions are identified and implemented to address complaints to the satisfaction of the aggrieved;
- Verify that complainants are satisfied with outcomes of corrective actions and;
- Avoid the need to resort to judicial (legal court) proceedings.

### **10.2. Grievance Redress Mechanisms**

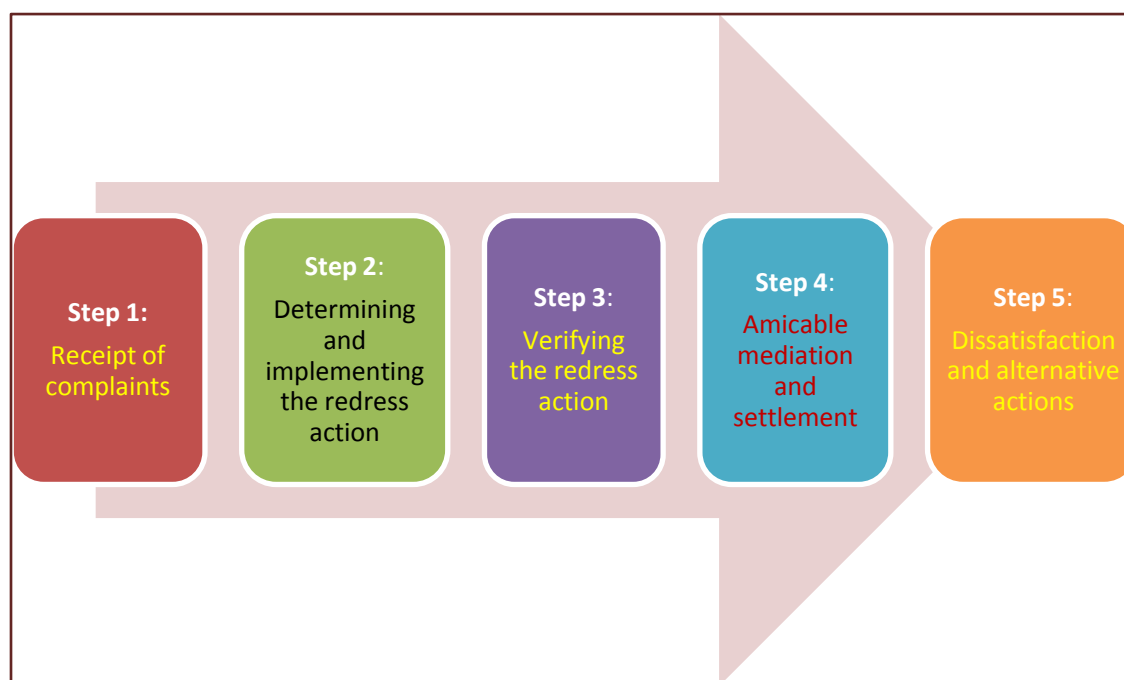
The implementation of sub-component 1.1 of the USEEP will therefore require establishing a simple Grievance Redress Committee (GRC) for the project. It is suggested that a GRC be established at 2 levels namely: district and school/LCI levels to enable handling of grievances unsettled at the lower level. The GRC at School/LC I level shall comprise: LC I chairperson, an elected PAP representative, a trusted village elder, a religious representative, a school representative, and a representative of the implementing agency (MoES/PCU). On the other hand, the GRC at the district will at a minimum comprise the LC III representative, District Land Officer/Surveyor, District Community Development Officer (DCDO)/ District Environment Officer, District Education Officer and a Grievance officer from the PCU representing the implementing agency. The general steps of a grievance redress process are as follows:

1. Receipt of complaints - Is the first step when a verbal or written complaint from a complainant is made, received and recorded in a complaints log by the GRC. The method of receipt of complaints will be mainly directly by the complainant or his representative verbally or in a written form.

2. Determining and implementing the redress action - If in his/her view, a grievance can be solved at this stage, the GRC will determine a corrective action in consultation with the aggrieved person. Grievances will be resolved and the status reported back to complainants within 5 working days. If more time is required, this will be communicated clearly and in advance to the aggrieved person.
3. Verifying the redress action - The proposed corrective action and timeframe in which it is to be implemented will be discussed with the complainant within 5 days of receipt of the grievance. Consent to proceed with corrective action will be sought from the complainant and witnessed by the area's local council one chairperson (LC I Chairman).
4. Amicable mediation and settlement - Agreed corrective action will be undertaken by the project or its contractor within the agreed timeframe. The date of the completed action will be recorded in the grievance log.
5. Dissatisfaction and alternative actions - To verify satisfaction, the aggrieved person will be asked to return and resume the grievance process, if not satisfied with the corrective action.

The above general steps are summarized in the Figure 3 below:

**Figure 3: General Steps of the Grievance Process**



In the event that there is no resolution to the grievance at the lowest level, then:

- (a) The GRC at the school/LC I and the aggrieved PAP(s) shall refer the matter to the GRC at the district which will be given a 10-day notice to hold a meeting. After two days of the meeting,

the GRC will call the PAP and the GRC at school/LC I level for discussions and resolution. The resolution will be presented to the PAP in writing within the same day of the meeting

- (b) If there is no resolution to the grievance, the GRC at the district and the PAP shall then refer the matter to the District Land Tribunal (DLT);
- (c) In case of GBV, during handling of these cases, the aggrieved parties can also consult other institutions to provide counselling sessions, testing for infections/HIV/AIDs, medical treatment (i.e. health Centres) before cases are appealed;
- (d) An Appeal to Court - Ugandan laws allow any aggrieved person the right to access to Courts of law. If the complainant still remains dissatisfied with the DLT, the complainant has the option to pursue appropriate recourse via a judicial process in Uganda. Courts of law will be a “last resort” option, in view of the above mechanism.

### **10.3. Anticipated grievances**

Some of the anticipated grievances likely to arise during USEEP implementation will, to a large extent, take the shape of the existing circumstances in the project areas. For instance, while implementing the project in refugee hosting areas, the grievances could have a different dimension from those in non-refugee hosting areas.

In all, some of the anticipated grievances under USEEP will include:

- a. Land uptake issues where there could be issues of encroachment on neighboring lands;
- b. Access to water for construction works;
- c. Access and payments for project construction materials;
- d. Grazing of livestock in the school compounds;
- e. Employment opportunities offered by the projects with reference to availing jobs to refugees as well;
- f. Abuse or improper use of sanitation facilities;
- g. Sexual abuse of the girl child by the project workers; other social ills related to labor influx like alcoholism and drug abuse;
- h. Fights amongst school going children which can trigger fights amongst the parents;
- i. Complaints by parents over punishments by the teachers; and
- j. Abuse of school infrastructures by the communities’ especially malicious damage to rainwater harvesting tanks; and uprooting of trees planted within the school compound.



## 11. IMPLEMENTATION RESPONSIBILITIES

### 11.1. Setting up of Resettlement Management Teams

It was not possible to determine the number of likely persons to be affected by USEEP including related losses and impacts at the preparation of this RPF. It is however, recommended that resettlement management teams commensurate with the magnitude of the impact should be setup to implement the prepared RAPs and should consist of three smaller teams namely:

**Compensation Committee** – The committee will comprise of representatives of the affected persons (2), Land Valuation Board, LCI, two representatives of the School and a representative from the MoES. The committee will be chaired by the representative of MoES. The compensation committee will be responsible for organizing and ensuring that compensations payable to PAPs are made in line with the provisions and procedures of this RPF.

**Grievance Redress Committee** - The GRC will be responsible for receiving and logging complaints and resolving disputes. This committee will work with the MoES (PCU) to resolve each grievance or dispute to ensure that redress actions are implemented. If affected persons are not satisfied with the grievance redress structures, they will be entitled to seek redress through the DLT or Ugandan courts of law. It is important that the GRC be set up as soon as the compensation report or resettlement plan preparations start. Disputes can arise from census operations and it is therefore, essential that the mediation mechanisms be available to cater for claim, disputes and grievances at an early stage.

**Monitoring and Evaluation Team** - The M&E team will be responsible for the monitoring of the RAP implementation program to ensure that stated targets are met and the PAPs are duly compensated in line with the RAP requirements. This is an integral part of the monitoring process of the project.

### 11.2. Implementation of the RAP

The implementation activities will be under the overall guidance of the MoES (PCU). In addition, the District Local Governments will be heavily involved in all resettlement, relocation and compensation efforts for subprojects where resettlement is indicated. Each district in Uganda has a five tier Local Government structure which operates from the lowest level known as the Local Council I through to the Local Council V at the District Headquarters. This structure is a political set up whose office bearers are elected into their positions. There is a parallel administrative structure at each Local Government level composed of technical public officers whose appointments are based on the required qualifications and experience for the respective technical offices. These are headed by the CAO who is also the accounting Officer of the district. All projects which require resettlement have to closely liaise with the Local Government Administration to ensure equity, acceptability and compliance. On the ground however, the schools to benefit will undertake the actual implementation of RAPs in close collaboration with the committees for compensation, grievance redress, the M&E team as well as the LC I of the area. The project will have to closely liaise with the respective LG administrations to ensure equity, acceptability and compliance. In addition, the LC I is expected to collaboratively work closely with the LG administrations at the local level. The main institutions to be involved in the implementation of

resettlement activities and their respective roles and responsibilities are summarized in the Table 10 below:

Table 10: Institutional Framework for Resettlement Implementation

No.	Institution	Responsibility
1.0	Ministry of Education and Sports (PCU)	<ul style="list-style-type: none"> <li>• Coordinate the implementation of USEEP resettlement activities in the selected institutions</li> <li>• Conduct initial site assessments and environmental and social screening process</li> <li>• Conduct initial site assessments and environmental and social screening process</li> <li>• Guide the institutions on enforcing the mandated regulatory safeguard policies such as carrying out the ESIA of the developments by USEEP by procuring the consultants</li> <li>• Monitor and supervise the implementation of this RPF/RAP during the implementation of the USEEP</li> <li>• Liaise with the district and MoLHUD when need arises in ensuring the peaceful implementation of the process including handling of any grievances.</li> </ul>
2.0	Ministry of Lands, Housing and Urban Development	<ul style="list-style-type: none"> <li>• Assist in the supervision of the RPF and Resettlement/Compensation Plan.</li> <li>• Liaise with MoES to provide funds for compensation payment.</li> <li>• Trigger the process through inventory of affected persons and assets and implement planning in close consultation with the district CDO.</li> <li>• Carryout the valuation and compensation payment process (through the Chief Government Valuer) and reporting for the affected persons</li> </ul>
3.0	Chief Government Valuer	<ul style="list-style-type: none"> <li>• Review and approve the RAPs especially the valuations.</li> </ul>
4.0	The District Local Governments	<ul style="list-style-type: none"> <li>• Assist the community and support in the inventory of affected persons with the help of district steering committees and Community Development Office</li> </ul>
5.0	The Participating Schools	<ul style="list-style-type: none"> <li>• Execute the RPF and Resettlement/Compensation Plan on the ground</li> <li>• Handle grievances in liaison with the GRC</li> <li>• Manage the compensation process (payments)</li> </ul>
6.0	Local Council I	<ul style="list-style-type: none"> <li>• Assist in the mobilization of PAPs</li> <li>• Participate in resettlement and compensation</li> </ul>

### 11.3. Sequence of implementation tasks and institutions

The sequence of the activities from project screening through RAP preparation to compensation and actual relocation including the responsible parties will be as table 11 below:

Table 11: Summary of Sequence Tasks

No.	Task	Institutions
1.	Sitting and routing of project components	Supervising Engineer under NPCU

2.	Subproject screening	Supervising Engineer under NPCU together with Resettlement Consultants
3.	Assessment of the need for re-routing /re-sitting certain Activity components in case they affect inhabited dwellings	Supervising Engineer under NPCU
4.	Preparation of designs for stages of the project	PCU and Resettlement Consultants
5.	Preliminary assessment of resettlement issues	Resettlement Consultants in collaboration with District Local Governments.
6.	Confirm need for resettlement/compensation actions	PCU and Resettlement Consultants
7.	Assess the options for land acquisition	PCU, Traditional Authorities and District Land Valuation Board
8.	Assess the number of affected persons	PCU, District Steering Committee, Resettlement Consultants
9.	If number of affected persons is less than 200, prepare abbreviated resettlement action plan (ARAP) for country level approval.	Resettlement Consultants
10.	If number of affected persons is more than 200, prepare a RAP for World Bank approval.	Resettlement Consultants
11.	Use RAP to comply with the process required to undertake land acquisition and compensation payment	PCU, District Land Valuation Board and District Steering Committee
12.	Review Plans	NPCU, PCU plus District Steering Committee
13.	Budgeting of costs	NPCU together with District Steering Committees
14.	Confirm arrangements for managing funds	NPCU
15.	Determine arrangements for channeling compensation funds	NPCU with relevant authorities in the central Government and Local Banks
16.	Implement RAPs and ARAPs	NPCU, PCU, and District Steering Committees

#### 11.4. Institutional Strengthening

The MoES has in the past implemented World Bank supported projects (e.g. UPPET). It is currently implementing two World Bank financed projects, USTEP and USDP, both of which involve implementing social safeguards measures. Therefore, the ministry has accumulated considerable capacities in land acquisition management. Nonetheless the capacity of the MoES to plan and implement the measures outlined in this RPF requires continuous strengthening for a robust land acquisition management. The MoES has recruited an Environment and Social Safeguards Specialist under the UTSEP/Global Partnership for Education (GPE) project who is expected to liaise and guide the Social Development Specialist who should be recruited to manage social safeguards and issues for the USEEP. The USEEP will thus benefit from the ministry's advantage of implementing other World Bank funded projects and experiences acquired with the requirements of safeguard policies for such projects. It is expected that, to strengthen the ministry's capacity, the ESSS under UTSEP and the proposed Social Development Specialist under USEEP in MoES will be instrumental in its capacity enhancement. This should be augmented by undertaking relevant training in Management of Land Acquisition, Resettlement and Rehabilitation (MLARR) and orientation training on the new World Bank Environment and Social Framework for further capacity building.

#### 11.4.1. Safeguards Capacity Building for the Local Government Staff

Prior to the subproject cycle, mobilization and sensitization of relevant technical teams and communities is important. The PCU will put together a team of experts/consultants/persons that will orient the members of District Executive Committee(DEC), district and sub county technical planning committees (DTPC) on the ESMF and equip them with skills to analyse potentially adverse environmental and social impacts, prescribe mitigation approaches, integrate environmental standards for planning and implementation into subproject contracts and to prepare and supervise the implementation of the projects. This training will address such matters as community participatory methods; environmental analysis; social analysis, using the ER checklist, reporting; and subproject supervision and monitoring

Furthermore, the PCU, District and Sub County Authorities will undertake sensitization and awareness raising among key stakeholders of the project at national, district, Sub County and community levels. The CDO, together with Sub-County Authorities will mobilize communities and sensitize them on the project objectives and its implementation modalities. Special emphasis will be put on the relevance and significance of environmental and social issues all through the sub project cycle so that they are familiar enough with these issues and can make informed and specific decisions and requests for technical support whenever need arises.

The Environmental and Social Safeguard Specialist and the Safeguards Officers will work through the CDOs and DEOs and other relevant fora to organize practical training to build the knowledge and awareness of local government officials and local communities, on social and environmental issues related to the proposed Project activities. Training will also seek to build the skills of local people to participate actively in identifying appropriate mitigation measures to avoid or reduce potential negative impacts of project activities. The Capacity building will be required to implement the recommendations outlined in the ESMF.

#### 11.4.2. Training in Safeguards Implementation

Training of project staff in planning, programming, supervising and monitoring environment-related activities must complement other activities. A broader training program for field and headquarters staff would help increase awareness of how environmental and social concerns could be incorporated into their respective work programmes. The training modules below are proposed to form part of the training program to ensure awareness of how to effectively implement the ESMF, RAPs and IPPs: See table 12 below.

**Table 12: Contents of Safeguards Training**

Module	Contents
Module 1	<ul style="list-style-type: none"> <li>a. Introduction to Basic concepts on environment and social issues</li> <li>b. Their relevance and significance in project implementation</li> <li>c. Overview of environment and social regulations</li> <li>d. World Bank policies and safeguards</li> </ul>

Module 2	<ul style="list-style-type: none"> <li>a. Environmental and social considerations in project implementation</li> <li>b. Environmental and social concerns in typical projects</li> <li>c. Good environmental and social practices in project implementation</li> </ul>
Module 3	<ul style="list-style-type: none"> <li>a. Environmental and social assessment processes</li> <li>b. Screening using the ESF</li> <li>c. Writing a project brief</li> <li>d. EIA process</li> <li>e. Identification and costing of mitigations</li> <li>f. Subproject monitoring and reporting</li> <li>g. Pests and pesticides management</li> <li>h. Mobilization and consultation of communities</li> <li>i. Vulnerability issues</li> <li>j. Management of Physical Cultural Resources</li> <li>k. Operation and functionality of GRM and GRS</li> </ul>

No.	Institutions/Groups	Safeguards weakness	Cost Estimates in USD
01.	PCU/Gender Unit under MoES	<ul style="list-style-type: none"> <li>a. Additional training needed in disciplines such as: <ul style="list-style-type: none"> <li>i. Management of Land Acquisition, Resettlement and Rehabilitation</li> <li>ii. Occupational health and safety training;</li> <li>iii. Environmental and Social Auditing;</li> <li>iv. World Bank Environmental and Social Framework</li> <li>v. World Bank Safeguards monitoring and reporting</li> </ul> </li> <li>b. Cater for limited facilitation in terms of transport for effective monitoring of safeguards in MoES projects;</li> <li>c. Cater for limited work equipment such as computers for setting up occupational hygienic database.</li> <li>d. Cater for the lacking basic equipment for <i>in situ</i> monitoring;</li> </ul>	100,000
02.	District technical staff (Labour, education, gender, CDOs)	<ul style="list-style-type: none"> <li>Staff need training in disciplines such as: <ul style="list-style-type: none"> <li>i. General understanding of environmental and social safeguards;</li> <li>ii. Monitoring of E&amp;S</li> <li>iii. Reporting on E&amp;S</li> </ul> </li> <li>e. Cater for facilitation in terms of transport for effective monitoring E&amp;S in projects;</li> <li>f. Cater for limited work equipment such as computers for setting up occupational hygienic database.</li> </ul>	85,000
03.	SMC/BoGs/HMs	<ul style="list-style-type: none"> <li>Training in disciplines such as: <ul style="list-style-type: none"> <li>a. Basic understanding of environmental and social safeguards;</li> <li>b. Monitoring of E&amp;S</li> <li>c. Reporting on E&amp;S</li> </ul> </li> </ul>	65,000
<b>Total Budget</b>			<b>250,000</b>

## 12. COSTS AND BUDGETS

One of the responsibilities of government in the implementation of USEEP will be to identify and meet related land acquisition and compensation requirements before civil works start. It was not possible at the time of preparing this RPF to give a definite number of people likely to be affected by the USEEP because the existing schools to benefit, the areas for the establishment of new schools, and specific site locations had not been identified. In addition, the extent of the constructions within existing schools or new schools is yet not clear. Moreover, the technical designs for the structures have not been developed. However, field findings indicate that most established schools especially those founded on religion (faith-based) have enough land with limited encumbrances. Land may be acquired for existing schools with very limited land and for new schools to be established. On assumption that land is required for expansion or establishment of new schools, the USEEP will need a cost not exceeding 10% of the total project costs. In case need arises, Ministry of Education and Sports will prepare the resettlement budget that shall not exceed USD.15, 000,000 million i.e. about 10% of the total project (estimated at USD 150 Million)<sup>5</sup>. A detailed RAP budget will be developed during RAP(s) preparation. The budget will cover resettlement activities including compensation cost for affected assets if any. The cost will be derived from expenditures relating to:

- (1) The preparation of the resettlement/compensation action plan;
- (2) Relocation and transfer;
- (3) Income and means of livelihood restoration plan and;
- (4) Administrative costs.

After sub-projects have been identified by MoES, USEEP sub-projects specific site locations within existing schools and for new schools, technical designs and land needs, site specific socio-economic studies will be undertaken to determine if full RAPs will be done. These will provide information on specific impacts, individual and household incomes, numbers of affected persons and other demographic data. The information will facilitate the preparation of a detailed and accurate budget for resettlement and compensation.

There shall also benefit from capacity building for MoES Safeguard staff, Local Governments staff and BOGs/SMCs involved in implementing resettlement issues even before they arise. The estimated cost shall be USD 250,000. Funds for implementing inventory assessments and RAPs will be provided by the GoU through the MoFPED. The MoES will prepare the resettlement budget and this budget will be managed through the administrative and financial management rules and manuals of the PIM. A sample of a resettlement budget is provided in Table 13 below.

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<sup>5</sup> Project Concept Note (PCN) (P166570)

Table 13: Proposed RAP Budget

Asset acquisition		Amount or number	Total estimated cost	Agency responsible
Land				
Structure				
Crops and economic tress				
Community infrastructure				
<b>Land Acquisition and Preparation</b>				
Land				
Structures				
Crops areas and others				
Community infrastructure				
<b>Relocations</b>				
Transfer of possessions				
Installation costs				
<b>Economic Rehabilitation</b>				
Training of PAPs				
Capital Investments				
Technical Assistance				
Monitoring and Evaluation				
Grievance Redress Mechanism				
Resettlement Activities' Monitoring/Regular Field Visits.				
Capacity Building for safeguards Staff.				
Independent Consultant to carry out RAP Completion Audit				
Contingency 20% of the total amount				
#	Item	Costs		Assumptions
1	Compensation for loss of Land	/hectare		For land acquisition purposes, based on Uganda's average market cost, or from similar projects
2	Compensation for loss of Crops	/hectare of farm lost		Includes costs of labour invested and average of highest price of staple food crops and Ugandan market prices
3	Compensation for loss of access to pastoralists	If applicable		Those affected would be provided with shared access, or alternate routes ( decision agreed through consultation and participation of all)
4	Compensation for loss of access to fishing resources.	If applicable		Data provided from the revised socio-economic study will determine market values of catch, fish products etc.
5	Compensation for Buildings and Structures	If applicable		This compensation may be in-kind or cash. Costs for basic housing needs should include ventilated pit latrines, outside kitchen, and storage.



6	Compensation for Trees	/year/tree	Includes costs of labour invested and average of highest price of trees (and tree products) and Ugandan market prices
7	Cost of Relocation Assistance/Expenses	/household	This cost reflects the moving and transportation allowance
8	Cost of Restoration of Individual Income		Assumed to be higher than the GDP/capita in Ugandan
9	Cost of Restoration of Household Income		These costs reflect the livelihood restoration program of the RAP
10	Cost of Training Farmers, pastoralists and other PAPs		This is a mitigation measure involving capacity building and involves PAPs and affected communities

### 13. Monitoring and Evaluation

Monitoring and Evaluation is a key component of the RPF and feeds the management system of the RPF with the required information whenever needed. The M&E team will be responsible for monitoring the implementation of this RPF.

#### 13.1. Purpose of Monitoring

Monitoring and evaluation will be the main mechanism through which USEEP will be alerted of any delays and problems. The monitoring activities will help the implementers to measure the extent to which the main objectives of the RPF have been achieved. Monitoring will enable timely correction of any mistakes made in implementation methods, while evaluation will aim at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer term perspective. It is expected that internal monitoring will be adequate for USEEP. The purpose of internal monitoring and evaluation will be to verify that:

- All affected persons are involved in all the preparatory processes of the RAP as required and that all affected properties and assets are captured in the Entitlement matrix and inventories are given appropriate budgets;
- Compensation is done on schedule and in accordance with this RPF;
- All funds are spent on the line items for which they are budgeted and affected persons are satisfied with the resettlement process and;
- All grievances and complaints are channeled correctly and appropriately attended to.

#### 13.2. Objectives and Scope of Monitoring

The monitoring plan will indicate parameters to be monitored, institute monitoring guidelines and provide resources including responsible persons or institutions, necessary to carry out the monitoring activities. Objectives include:

- Monitoring of specific situations or difficulties arising from the implementation and of the compliance of the implementation with objectives and methods as set out in this Resettlement Policy Framework and;

- Evaluation of the mid- and long-term impacts of the resettlement and relocation action plan on affected households' livelihood, environment, local capacities, on economic development and settlement.

Through the monitoring and evaluation, USEEP will establish a reporting system for the project RAP that will:

- (i) Provide timely information to the project about all resettlement and compensation issues arising as a result of resettlement related activities;
- (ii) Identify any grievances, especially those that have not yet been resolved at the local level and which may require resolution at higher levels;
- (iii) Document completion of project resettlement and compensation that are still pending, including for all permanent and temporary losses and;
- (iv) Evaluate whether all PAPs have been compensated in accordance with the requirements of the RAP and that PAPs have better living conditions and livelihoods.

### **13.3. Overall Monitoring Mechanism**

To ensure that the implementation of resettlement is executed in line with this RPF, the activities will be monitored and evaluated internally by an M&E team of the PCU in the MoES at national level and on the ground at the district/school level. The PCU will undertake routine internal monitoring and evaluation of the implementation of resettlement issues so as to ensure that all the responsible units follow the schedule and comply with the principles of the resettlement plan. Other key players will be the Directorate of Secondary education, the CMU and the Education Planning Department of the MoES. An evaluation program will be implemented periodically to check on compliance with the action plan and provide lessons to amend strategies, especially in the longer term. Progress will be reported against a schedule of required remedial actions. The arrangements for monitoring resettlement and compensation activities will also fall under the overall responsibility of the schools and LGs. The schools/LGs will institute an administrative reporting system that:

- alerts project authorities to the necessity for land acquisition in the USEEP activities design and technical specifications;
- provides timely information about the assets valuation and negotiation process;
- reports any grievances that require resolution; documents timely completion of the USEEP resettlement obligations (i.e. payment of the agreed-upon); and
- Updates the database with respect to changes that occur on the ground as resettlement and compensations activities are being implemented.

Annual evaluations will be made in order to determine whether the PAPs have been paid in full and before implementation of the individual USEEP activities; and whether the PAPs enjoy the same or higher standards of living than before.

A number of Objectively Verifiable Indicators (OVIs) shall be used to monitor the impacts of the compensation and resettlement activities. These indicators shall be targeted at quantitatively measuring the physical and socio-economic status of the PAPs and DPs, to determine and guide improvement in their social well-being. Therefore, monitoring indicators to be used for different RAPs will have to be developed to respond to specific site conditions. The monitoring should assess the extent to which: use of resources are determined in a participatory and inclusive manner and; payments are used for community purposes.

#### **13.4. Types of Information Required**

The census carried out during the RAP preparation will provide MoES with the required quantitative data that will enable the PCU to track the delivery of resources and services to the affected population, and to correct mistakes in the delivery of resources and services throughout the implementation of the RAP. In addition, information gathered during the census will yield important baseline data at the household and community levels, which will be used to identify indicators not only for resettlement implementation, but also for monitoring and evaluating income restoration and sustainable development initiatives associated with the RAP. The Resettlement team will maintain basic information on all physical or economic displacement arising from the project which will include the following:

- ✓ Number of households and individuals physically or economically displaced by the project;
- ✓ Length of time from sub-project identification to payment of compensation to the PAPs;
- ✓ Timing of compensation in relation to commencement of physical works;
- ✓ Amount of compensation paid to each PAP household and communities (if in cash), or the nature of compensation (if in-kind);
- ✓ Decision-making process for use of funds paid to communities;
- ✓ Number of people raising grievances in relation to the project;
- ✓ Number of grievances or complaints;
- ✓ Time spent to resolve the complaint and;
- ✓ Number of resolved and unresolved grievances.

#### **13.5. Internal Monitoring and Evaluation**

The objectives of internal monitoring and supervision to be undertaken by the PCU will be:

- i) to verify that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements, has been carried out in accordance with the resettlement policies and guidelines provided by the World Bank;
- ii) to oversee that the RAPs are implemented as designed;
- iii) to verify that funds for implementation of the RAP are provided for by MoES or GoU in a timely manner and in amounts sufficient for their purposes, and that such funds are utilized in accordance with the provisions of the RAP.

The main internal indicators that will be monitored regularly include:

- a) That entitlements are in accordance with this RPF and that the assessment of compensation is carried out in accordance with agreed procedures;
- b) Payment of compensation to the PAPs under the various categories is made in accordance with the level of compensation described in the RPF and RAPs;
- c) Public information and consultation and grievance procedures are followed as described in the RPF and RAPs;
- d) Relocation and payment of subsistence and shifting allowances are made in a timely manner and;
- e) Restoration of affected public facilities and infrastructure are completed prior to construction.
- f) The number complaints solved by the Grievance Redress Committees;
- g) Minutes and attendance sheets of stakeholder meetings held.
- h)

### 13.6. Monitoring and Evaluation Indicators

Evaluation of the RPF will be based on current World Bank procedures and also national provisions on resettlement/compensation. The main evaluation indicators will include:

- Income levels before-and-after the RAP implementation;
- Access to livelihoods and employment;
- Changes in the standards of housing and living conditions;
- Number of grievances and their status, time and quality of resolution;
- Number of individuals and families to re-establish their pre-resettlement activities, in terms of other alternative incomes;
- Number of demolitions after giving notice and;
- Number of PAPs paid in a given period in comparison with what was planned

Monitoring indicators: A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social wellbeing. Therefore, monitoring indicators to be used for the RAP will have to be developed to respond to specific site conditions. As a general guide, Table 14 below provides a set of monitoring indicators that can be used.

**Table 14: Types of Verifiable Indicators**

Monitoring	Evaluation
Outstanding compensation or resettlement contracts not completed before next agricultural season.	Outstanding individual compensation or resettlement contracts.
Communities unable to set village-level compensation after two years.	Outstanding village compensation contracts.
Grievances recognized as legitimate out of all complaints lodged.	All legitimate grievances rectified
The existence (or not) of people/entities not considered for compensation	Inclusion of all affected parties in the compensation process
Pre-project production and income (year before land used) versus present production and income of resettlers, off-farm-income	Affected individuals and/or households compensated or resettled in first year who have

Monitoring	Evaluation
trainees, and users of improved mining or agricultural techniques.	maintained their previous standard of living at final evaluation.
Pre- project production versus present production (crop for crop, land for land).	Equal or improved production per household.

### 13.7. Indicators to determine status of affected people

A number of indicators would be used to determine the status of affected people: for example, land being used compared to before, standard of house compared to before if applicable, level of participation in project activities compared to before, number of kids in school compared to before, and health standards. Therefore, RAPs will set two major socio-economic goals by which to evaluate its success:

- Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it and;
- The local communities remain supportive of the project.

### 13.8. Monitoring tools

- Questionnaires with data stored in a database for comparative analysis (before and after and, with or without);
- Documentation and recording of PAPs situation, including subsequent uses of assets/improvements (A template to record and document);
- Relocation/resettlement and compensation reports, including status of land impacts; percentage of individuals selecting cash or a combination of cash and in-kind compensation if applicable; proposed use of payments.

#### 13.8.1. Audit

The audit will verify results of monitoring of the RAP implementation indicators, and assess whether the project achieved the resettlement objectives. A specific measure of whether livelihood and living standards have been restored or enhanced will be completed. The audit will also assess the efficiency, effectiveness, impact, and sustainability of RAP sub-project activities. The aim is to learn lessons for application to future sub-projects or other projects in the sector and in the country. Finally, the audit will ascertain whether the resettlement entitlements were appropriate, as defined in the RPF guidelines. The audit report will include:

- A summary of RAP performance of the sub-project;
- A compliance review of RAP implementation process and;
- A progress report on the quality of RAP implementation in terms of application of guidelines provided in this RPF.

### 13.8.2. Reporting

The monitoring unit will submit periodic (preferably bimonthly) reports to the PCU and copied to the MoES directorate of Secondary Education. The report will at least cover the status of compensation disbursement, nature of complaints, redress actions and follow-ups.

### 13.8.3. Annual Reviews

The annual reviews of the RPF implementation, and where applicable of RAP implementation in the sub-project, includes: (i) a summary of RAP performance of each sub-project; (ii) a compliance review of RAP implementation process and; (iii) a progress report on the quality of RAP implementation in terms of application of guidelines provided in this RPF similar to the process outlined in the ESMF.

### 13.8.4. Disclosure Arrangements

The final report of this RPF will be submitted by the MoES to the World Bank for review and clearance. Once cleared, it will be disclosed in-country, in the appropriate form, manner and official language (English) in the daily newspapers. Later on, the information from the documents specified above will be made available to affected persons summarized in form of brochure or leaflets translated in the appropriate language. After submitting the RPF to the Bank for review and clearance, MoES shall post the above document on its website <https://www.moes.go.ug/> and on the **Bank's Infoshop**. During implementation, MoES will prepare social monitoring reports including safeguard issues, make them available to affected persons, post them on its website, and submit to the Bank for review.

## REFERENCES

1. Kaabong District Local Government Five Year Development Plan 2015/2016 – 2019/2020
2. Kasese District Local Government Five Year Development Plan
3. MoESTS (2009): The Gender in Education Policy
4. MoESTS (2008): Revised Education Sector Strategic Plan 2007 – 2015
5. Republic of Uganda, Ministry of Education, Science, Technology and Sports (2008): The Education Act 2008 accessed on February 01, 2016 at <https://www.planipolis.iiep.unesco.org/uganda>
6. The Constitution of the Republic of Uganda, 1995 [https://www.google.com/1995 constitution of the republic of uganda.pdf](https://www.google.com/1995%20constitution%20of%20the%20republic%20of%20uganda.pdf)
7. Uganda National Land Policy 2011
8. World Bank O.P. 4.12 on Resettlement.
9. Uganda Population and Housing Census 2014



## APPENDICES

### Appendix 1: Compensation Claim Form

#### Project Affected Person Information:

Name of claimant: ..... Sex: ..... Age: .....

Name of Representative/Contact Person: .....

District: ..... Town: ..... Suburb: .....

Affected property: .....

<b>Total Compensation Due:</b> Affected property value (Ug. Shs)	Disturbance (Ug. Shs)	Livelihood support (Ug. Shs)	<b>Total compensation</b> (Ug. Shs)

#### Compensation Payment Proposal:

Name of recipient: .....

Payment Date: .....

Signature or Thumb print of claimant /recipient: .....

Administered by (MoES/USEEP/PCU Rep): .....

Name of Witness .....

*(Witness could be Councilor or Member of Parliament)*

Signature of Witness .....

**Remarks:** .....

.....

**Appendix 2: Compensation Receipt for Claimant**

**UGANDA SECONDARY EDUCATION IMPROVEMENT PROJECT**  
**Compensation Receipt**

*Received from the Ministry of Education and Sports, the sum of*  
..... *Uganda*  
*Shillings being compensation on payable for affected properties.*  
UgShs ..... Cheque No:.....  
Date: .....  
MoESTS Officer/Project Rep (Name) .....  
(Signature): .....

### Appendix 3: Grievance Log and Resolution Form

**Name (Filer of Complaint):** .....

**ID Number** (PAPs ID number): .....

**Contact Information** (house number/ mobile phone):.....

**Nature of Grievance or Complaint:** .....

**Date Individuals Contacted Summary of Discussion:** .....

.....

Signature..... Date: .....

Signed (Filer of Complaint): .....

Name of Person Filing Complaint (if different from Filer): .....

Position or Relationship to Filer: .....

#### **Review/Resolution**

Date of Conciliation Session: .....

Was Filer Present?: Yes/No

Was field verification of complaint conducted? Yes/No

Findings of field investigation:.....

#### **Summary of Conciliation Session**

**Discussion**.....

Issues.....

Was agreement reached on the issues? Yes/No

If agreement was reached, detail the agreement below/if agreement was not reached, specify the points of disagreement below:

.....

.....

Signed (Conciliator): ..... Signed (Filer).....

Signed: .....

(Independent Observer)

Date: .....

## Appendix 4: Framework for Conducting a Census of Affected Assets and Affected People

### a) AFFECTED PLOT OR LAND SHEET

**Reference:** .....

**Location:** Region: District: Village: .....

**GPS Coordinates:** .....

**Surface:** .....

**Description of soil:** .....

#### Crops

Perennial Crops: 1 Owner

2 Owner

Annual Crops: 1 Owner

2 Owner

Trees: 1 Owner

2 Owner

**Structures:** Channels: Owner:

**Anti-erosive structures:** Owner:

**Buildings:** Owner:

#### Users:

User 1: Surface used: Regime of tenure:

User 2: Surface used: Regime of tenure:

User 3: Surface used: Regime of tenure:

User 4: Surface used: Regime of tenure:

**Valuation proposal** (details of calculation on attached sheet):

Crops:

Structures:

**Proposed distribution of compensation:**

User 1:

User 2:

User 3:

User 4:

Date: ..... Prepared By: .....

### b) AFFECTED BUILDING SHEET

**Reference:** .....

**Location:** Region: District: Village: .....

**GPS Coordinates:** Photograph number: .....

**Owner:** Address: .....

**Description:** .....

Permanent Non-permanent .....

**Surface:** Number of rooms: .....

**Walls:** Material Condition .....

**Roof:** Material Condition .....

**Floor:** Material Condition .....

**Annexes outside:** Latrine: Bathroom: Kitchen: Others: .....

**Additional features:** .....

**Permanently Inhabited:** By: Regime of occupation: .....

**Periodically Inhabited:** By: Regime of occupation: .....

**Valuation proposal** (details of calculation on attached sheet): .....

Proposed distribution of compensation: .....

User 1:  
User 2:  
User 3:  
User 4:  
Date: ..... Prepared By: .....

## c) AFFECTED HOUSEHOLD SHEET

**Household Reference:** .....

**Location:** Region: District: Village: .....

**Reference of Affected Asset:** .....

**Type:** Structure Plot Crop .....

**Reference of Affected Asset Sheet:** .....

**Location:** Zone: Region:.....

**Household Information:** .....

**Head of Household:** Name: Age: Sex: .....

**Identity Document:** Type: Number: .....

**Composition of Household:** .....

**Socio-Economic Information:** .....

Occupations: .....

Head of Household: .....

Other members of Household: .....

**Number:** Occupation: .....

**Number:** Occupation: .....

Total Estimated Household Cash Income: .....

Education level of Household Members:.....

Number	Name	Relationship with Household Head	Sex	Age
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### Project Impact:

Assessment of the Impact of the Loss of the Affected Asset on Household's Livelihood:  
Proposed Compensation or Resettlement Package  
Household's Wishes.....  
Proposed Package .....

Proposed Livelihood Restoration Package:  
Household's Wishes .....

Proposed Package.....

**Number**      **Level;**

**Number**      **Level;**

Date:..... Prepared By:.....

**Appendix 5: Main Contents of a Resettlement Action Plan (RAP)**

1. Description of the project
2. Potential impacts
3. Objectives
4. Socio-economic studies
5. Legal framework
6. Institutional framework
7. Eligibility
8. Valuation and compensation for losses
9. Resettlement measures
10. Site selection, site preparation and relocation
11. Housing infrastructure and social services
12. Environmental protection and management
13. Community participation
14. Integration with host population
15. Grievance procedures
16. Organizational responsibilities
17. Implementation schedule
18. Cost and budget
19. Monitoring and evaluation



**Appendix 6: Budget Template for Preparing and Implementing RAPs**

No.	Item	USD
<b>1.0</b>	<b>PREPARATORY PHASE COST</b>	
1.1	Inventory of affected persons, assets and livelihoods	
1.2	Valuation fees	
1.3	Preparation of resettlement plans or compensation reports	
	<i>Subtotal 1</i>	
<b>2.0</b>	<b>COMPENSATION COST</b>	
2.1	Compensation for permanent acquisition of land	
2.2	Compensation for temporary occupation of land	
2.3	Compensation for destruction of standing crops	
2.4	Compensation for destruction of permanent immovable structures	
2.5	Compensation for temporary displacement of moveable structures	
	<i>Subtotal 2</i>	
<b>3.0</b>	<b>LIVELIHOOD RESTORATION /MITIGATION MEASURES COST</b>	
3.1	Compensation for Persons' loss of income	
3.2	Compensation for business persons ' loss of income	
3.3	Cost of special assistance to vulnerable persons	
	<i>Subtotal 3</i>	
<b>4.0</b>	<b>CAPACITY BUILDING &amp; IMPLEMENTATION COST</b>	
4.1	Capacity building for key stakeholders –local consultant	
4.2	Overhead cost for compensation disbursement/grievance redress/monitoring & evaluation	
4.3	Legal fees (in case of court dispute)	
4.4	Development of RAP/ARP	
	<i>Subtotal 4</i>	
<b>5.0</b>	<b>TOTAL COST (addition of all subtotals)</b>	
<b>6.0</b>	<b>CONTINGENCY (5%-10% OF TOTAL COST)</b>	
<b>7.0</b>	<b>GRAND TOTAL COST (Total Cost + Contingency)</b>	

## **Appendix 7: Content of a RAP Consultation Report**

### **1.0 Introduction.**

- 1.1 Project Description
- 1.2 Applicable Laws, Regulations, and Policies to Public Engagement
- 1.3 Project Lenders

### **2.0 Stakeholder Analysis**

- 2.1 Areas of Influence/Stakeholders
- 2.2 Description of Stakeholders

### **3.0 Stakeholder Engagement**

- 3.1 Previous Consultation Activities
- 3.2 Implemented Community Engagement Activities
- 3.3 Project Sponsor's Community Engagement Plan
  - 3.3.1 Phase 1 – Initial Stakeholder Consultation
  - 3.3.2 Phase 2 – Release of the RAP Terms of Reference and Draft RAP
  - 3.3.3 Phase 3 – Release of RAP Consultation Summary Report

### **4.0 Summary of Key Issues**

### **5.0 Future Consultation Events**

- 5.1 Phase 4 – Release of the RAP Report and Action Plans
- 5.2 Phase 5 – Planning of more Consultations
- 5.3 Phase 6 - Ongoing Project Communication

### **6.0 Disclosure Plan**

#### **Tables**

- Table 1: Consultation Activity Summary
- Table 2: Initial Government Agency Consultations
- Table 3: Summary of NGO Meetings
- Table 4: Summary of Local Government Discussions
- Table 5: Summary of Community Discussions
- Table 6: Local Community Comments
- Table 7: Summary of Key Issues and Responses
- Table 8: Summary of Future Consultation Activities per Stakeholder Group

## Appendix 8:STAKEHOLDER CONCERNS, VIEWS AND RESPONSES

DETAILS	ISSUES DISCUSSED/RAISED	RESPONSES TO COMMENTS
	<b>MOROTO DISTRICT (TEPETH COMMUNITY)</b>	
<b>Date:</b> 26/09/2018 <b>District:</b> Moroto <b>Name of stakeholders:</b> <b>Mr. Paul Oputa</b> <b>(District Education Officer)</b>	<ol style="list-style-type: none"> <li>1. The major problem is girls commuting from home to school and they get destructed on the way.</li> <li>2. Most schools do not perform well especially in science subjects due to inadequacy of science teachers both in Ordinary and Advanced levels.</li> <li>3. Challenge of fees especially the indigenous people for example Moroto High School charges Ushs. 345,000 per term which is not affordable to the Karamojongs but by people from other districts.</li> <li>4. Teachers are recruited through PTA funds which are not enough.</li> <li>5. The remoteness of Tapac makes it difficult to retain qualified teachers who are often assigned to teach in particular communities from other regions of the country. For example Moroto High school has a ceiling of 45 teachers but has only 29, Nadunget S.S ceiling is 25 but has only 12 teachers and Moroto Parents has only 13 teachers.</li> <li>6. High labour demand from parents who are pastoralists in general, who prefer their children to stay home and look after their herds of cows and sheep.</li> <li>7. Mining of Tororo cement at Kosiroy has attracted students to provide casual labour instead of going to school hence high school dropouts in Karamoja.</li> <li>8. Lack of adequate teaching and learning materials to remote locations of Karamoja.</li> <li>9. Apart from labour requirements, parents are particularly reluctant to send girls away from homes where they are protected and controlled.</li> <li>10. Early marriages, where a girl is seen as a source of wealth in terms of cows. Girls get married off at an early stage because they walk daily to school which makes them vulnerable to rape and being deceived by business men who have money to give them, sometimes parents arrange with marriage partners and the girls are just whisked away to</li> </ol>	<ol style="list-style-type: none"> <li>1. Affirmative action is needed here to improve on the enrolment of girls and enforce stringent laws against men and boys who spoil school going girls.</li> <li>2. Government should recruit more teachers and especially for science subjects to improve the education standards in the district.</li> <li>3. Government should consider offering bursaries to students who excel in their exams which will motivate the others also to work harder to benefit from the bursaries. Also encourage parents to work hard and pay fees.</li> <li>4. Increase on the PTA funds given to districts which education levels are very low and more teachers should be recruited in Moroto.</li> <li>5. Pay teachers in this district a hard to reach allowance to lure more qualified teachers to come to Moroto and also increase teachers' salaries.</li> <li>6. Sensitize parents the benefits of educating their children like other districts in Uganda instead of keeping the children at home to look after their cows.</li> <li>7. Let there be a rule in the district stopping school going children to provide casual labour at any cost. Any school going child got doing the same should be punished.</li> <li>8. Government should improve on teaching materials like textbooks and novels for literature.</li> <li>9. Parents should not use security as one of the reasons for keeping girls home because there is security in Moroto now.</li> <li>10. Land to construct new schools can be donated by the community in the area and we want a boarding school with all the facilities like staff quarters as teachers cannot rent elsewhere.</li> <li>11. Land encroachment especially Moroto Parents is not fenced. Nadunget has enough land which needs to be fenced. All school land should be fenced and titled.</li> <li>12. Children joining primary one is overwhelming due to food ratios provided by World Food Program where school going children go with young ones to have a meal. The same program should be provided for secondary schools.</li> </ol>

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	<p>marriages.</p> <p>11. Lack of boarding schools; like in Moroto Parents and Nadunget S.S where some classrooms have been converted to dormitories. Day schools cannot manage because the girls are always involved in house chores at home before going to school.</p> <p>12. Accommodation for teachers and support staff for example Moroto Parents completely has no accommodation and also Nadunget S.S. Irish Aid managed to construct accommodation for Moroto High school adding to the old IDA buildings which are also dilapidated.</p> <p>13. The laboratories are there but lack equipment. The schools like Nadunget and Mopasa lack libraries too.</p> <p>13 Climate change: New weather patterns threaten to worsen food insecurity in Karamoja sub-region. This undermines agricultural production in the region. Climate change is causing every household to be vulnerable in the region which further forces parents to send their children to look for food instead of going to schools.</p> <p>14 Cultural issues:-The Tepeth communities have shrines which they might not want to be tampered with schools.</p> <p>14. Negative attitude towards education by parents, where they regard it as a long term investment versus the girls marrying off early and they get animals.</p>	<p>13. The district needs to do a lot of mobilization to ensure that the Tepeth attend school.</p> <p>14. The Tepeth have enough boarding facilities that keep the children at school until they complete. More dormitories should be built in the school.</p> <p>15. Conflict drivers: Poverty is regarded as the largest cause of low education in Karamoja region. Government should forge ways of elevating poverty levels in Karamoja.</p> <p>16. Currently the political climate is good and the use of land is not a big problem too as a matter of sensitizing communities and land will be available.</p> <p>17. Participation can be enhanced through provision of local materials like stones, aggregates, local labour, and protection of schools.</p> <p>18. Motivation: Members of Parliament bought mattresses for boarding section, uniforms. This makes the students stay in schools and this has changed the students' attitude towards education in Karamoja.</p> <p>19. The elders have high influence on the Tepeth. The few elites are the ones who influence on the others. So we should continue talking to them to keep their children in school.</p>
<p>Date: 26/09/2018</p> <p>(Tapac Sub-County)</p> <p>Mr. Daniel Longole (Chairperson L/C III)</p> <p>Date: 26/09/2018</p> <p>Alice Nakiru (community member)</p>	<ul style="list-style-type: none"> <li>• The Tapac sub-county lack secondary schools</li> <li>• We don't have enough teachers for sciences.</li> <li>• We don't have enough teachers and science teachers are not there</li> <li>• It is our humble request that government considers constructing a secondary school which will provide education from S.1 – S.6 so that the students can go straight to university and tertiary after that.</li> <li>• I am also requesting you the Consultant to take message to the ministry that the community of Tapac is extremely happy and excited about the project and the project should be implemented immediately.</li> <li>• Girl child school dropouts. Cultural practices monopolized the girl child.</li> <li>• Poor road network which hinders the girl child to go to school.</li> </ul>	<ul style="list-style-type: none"> <li>• A school in the sub-county will further lower the cost of parents going outside the sub-county looking for admissions for their children in schools far away from Tapac.</li> <li>• When government constructed a secondary school at Katikele, the community was very happy which means with another secondary school at Lonyilik this will make us extremely happy because this will be the first secondary school in the whole of Tapac sub-county.</li> <li>• Government should come to our rescue. Their girls should not have issues of disobedience to us as parents. Pray that the Almighty Lord touches the hearts of these children to change their behaviors for the better. .</li> <li>• We ask government to work on the roads and especially the feeders roads leading to schools</li> </ul>

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<p>Date: 26/09/2018 Agnes Asiri Alice (community member)</p>	<ul style="list-style-type: none"> <li>• I stand here to give my personal experience where I failed to study beyond primary seven. I always felt unsafe because men were always around me from all sides. These men could come to me with gifts to confuse and that is why conceived in primary 7.</li> <li>• Another big issue why we girls are stopped from studies when we get pregnant and the boys are allowed to continue with their education.</li> </ul>	<ul style="list-style-type: none"> <li>• Government should have means of following up the girl child especially after PLE through the leaders like L/Cs, and give help to those who still want to continue with the education.</li> <li>• Government should look at this problem too and get a solution to early girl children becoming young mothers.</li> </ul>
<p>Date: 26/09/2018 Rosemary Nakusi (community member)</p>	<ul style="list-style-type: none"> <li>• I also tried up to P. 7, and now I have nobody to support her to continue with her education at the moment and yet I would want to continue</li> <li>• My problem is like for the many girls in Moroto who would wish to continue with their education but due to high levels of poverty, we cannot.</li> </ul>	<ul style="list-style-type: none"> <li>• Government should provide a fund just like there is a SAGE fund for the elderly to support us young girls to continue with our education</li> </ul>
<p>Date: 26/09/2018 Rosemary Akol (community member)</p>	<ul style="list-style-type: none"> <li>• I am Councilor for people with disability, with all the above hardships, the sub-county leaders do not look for those who are very needy, instead opportunities are given to those one who already have. This has made the community to have negative opinion to education, making children lose interest in studying and this has led to students repeating P.7.</li> <li>• Another issues is about the boys who mislead the girls who are bright and still want to study</li> </ul>	<ul style="list-style-type: none"> <li>• There should be parameters to be followed with the help of local council leaders to vet students that they are really needy and deserve these bursaries.</li> <li>• The constitution is very clear on the punishment but the leaders at the sub-county level agree with the parents and cows are paid as dowry for a young girl. The law should take its course and the boys should be punished by imprisonment for several years so that they learn a hard lesson.</li> </ul>
<p>Date: 26/09/2018 Nakodian Lukodo Pius (community member)</p>	<ul style="list-style-type: none"> <li>• Cost of transport for our children who are now studying in far places like Nairobi and Kampala.</li> </ul>	<ul style="list-style-type: none"> <li>• Now I am very happy about the secondary school project. Now our children studying in Kampala and Nairobi will have to come back and study in the schools brought by the project which will reduce the costs of transport to these far schools.</li> </ul>
<p>Date: 26/09/2018 Talepi Apalonraka (community member)</p>	<ul style="list-style-type: none"> <li>• Parents were very concerned about the education of their children and the major challenge is when a child reaches P.7 we cannot afford to take them to secondary school due to high levels of poverty.</li> <li>• Early sex engagements of girls resulting in children becoming child mothers in the community. Many girls get pregnant during holiday periods and some boys drop out of school too.</li> <li>• Issue of lack of land for the project will not arise in Tapac</li> </ul>	<ul style="list-style-type: none"> <li>• Improve on agriculture in the region so that parents can earn more from their income to be able to send their children to school</li> <li>• Parents should control and guide their children and educate them the dangers of early child birth.</li> <li>• On the issue of land, it was noted that the community was willing to give land for secondary school project but they will want some compensation for this land.</li> </ul>

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<p>Date: 26/09/2018 Lokoki Angolengin (community member)</p>	<ul style="list-style-type: none"> <li>• Lack of secondary schools in Tapac which was hindering development in the district as whole</li> <li>• I am very happy about the secondary school because it will help us to educate our children, and whoever does not educate his child then he is a blind person. We want our children to reach higher levels in education.</li> </ul>	
<p>Date: 26/09/2018  District: Moroto (Tapeth)  Name of stakeholders: Lowusi Cicoro (Rep with disabilities)</p>	<ul style="list-style-type: none"> <li>• LowusiCicoro, representative of people with disability I am very happy with the project of building secondary schools in the district. I have heard this information with my ears because he I am a blind man. Education in Karamoja was brought by missionaries where I benefited as a blind boy. As for the land is ours so it will not be a big problem. We don't mind a mixed boarding school but prefer single sex schools in the region.</li> <li>• As for the issue of mixed or single sex schools. Mixed schools always make students not to concentrate on their studies.</li> <li>• There is a lot of benefit of education in the society but parents are reluctant to educate their children.</li> <li>• An early marriage is also a very bad vice to education of the girl child and as a community which we must fight as Tepeth natives.</li> </ul>	<p>As a community should talk and encourage and our children to go to school. Some parents are encouraging their girls to get married by accepting to negotiate with the culprits for dowry.</p> <p>I assure you that land will be available and the project must take off immediately. When I leave here am straight away going to mobilize elders and hold another meeting regarding the same issue of secondary schools in Tapac and decide where the school will be built.</p>
<b>KWEEN DISTRICT (BENET COMMUNITY)</b>		
<p>Date: 27/09/2018  District: Kween  Name of stakeholders: Mr. Cherwotich Kapterin (District Education Officer)</p>	<ul style="list-style-type: none"> <li>• Lack of many secondary schools in the sub-county, and the few secondary schools which are there are also very far, for example there only 4 secondary schools of which 2 are government aided secondary schools in the whole county, most sub-counties do not have any secondary school at all. As such there are high school dropout rates.</li> <li>• School dropout phenomenon is more prevalent among the Benet because the parents' priority is not the education of their children.</li> <li>• Child labour is a major factor influencing school dropout in the district. Some students, especially those at the secondary level leave school to engage in farming activities so as to get quick money.</li> <li>• Since parents are poor, they regard girls as a source of income in form of dowry so they prefer to marry the girls off at an early age.</li> <li>• Teenage pregnancy and early marriages was is one of the major factors influencing basic school dropouts in Benet sub-county. You will find girls as young as 14 years pregnant.</li> <li>• Girls also hesitate to go to school during menstruation days due to</li> </ul>	<ul style="list-style-type: none"> <li>• Construct more schools in the district to match the high population growth to fight high school drop-outs.</li> <li>• Sensitive parents on the advantages of taking their children to school.</li> <li>• Parents should know that their children are not a source of labour and this will help the students to go to school instead of being used as labourers in farmlands.</li> <li>• It is recommended that the government should treat the school dropout issue seriously and make national education plans to assist the poor continue with their studies. Interventions by educational policy makers, the Government, NGOs, etc. to reduce dropout rate should not be focused on only female pupils but also on male pupils as well.</li> <li>• A lot of sensitization is required for parents not to treat their girls as a source of income in terms of dowry.</li> <li>• Government should consider providing girls with sanitary wear during their menstruation periods so that they can continue to going to school without missing a single lesson.</li> </ul>

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<p>Date: 27/09/2018 (Benet sub-county) Name of stakeholders: C John Toskin (Headmaster Kitawoi S.S.S) Date: 27/09/2018 (Benet s-county) Mutai Geoffrey (area councilor Kitawoi sub-county)</p>	<p>stigma by the boys.</p> <ul style="list-style-type: none"> <li>• Lacks of infrastructure, some of the schools under AFDB are incomplete and sub-standard, because of centralized procurement and monitoring and evaluation.</li> <li>• The Benet is a closed community. They have clan heads who set systems for their culture and most of the rules which they follow are set by the clan, and when there is a function, the clan heads are in charge of security until the end. Chief Guest of the function becomes the head of the whole process to the end.</li> <li>• The PLE performance has been the worst for the last five years.</li> <li>• Sexual harassment from their teachers also contributes to girls dropping out of school.</li> <li>• Unlike other parts of the country, where there are many secondary schools, here students walk long distances to reach a secondary school, for example in Kween district you can find two sub-counties without a secondary school.</li> <li>• The ability of the many uneducated people to pull down the few who try to go to school is one of the many problems.</li> <li>• Over drinking, drug abuse in the community.</li> <li>• Child labour is still a big issue among the Benet community, farming and looking for firewood and when they get money, the students leave school.</li> <li>• The lower part of Benet is hit by drought, fishing and rice cultivation is major.</li> <li>• The ability to change the minds of the population is very difficult.</li> <li>• S.4 candidates sit for their final exams from the nearby school which is so inconveniencing to the students and school management.</li> <li>• The locals have tried to lobby for government to grant aid to build classrooms, laboratories and staff quarters because teachers travel long distances to reach school.</li> <li>• Due to lack of nearby schools in the area, many cultural and athletic talents not tapped from their area.</li> </ul>	<ul style="list-style-type: none"> <li>• The authorities should engage the Benet set- cultural-systems to penetrate the community to educate them about the good benefits of education.</li> <li>• Teachers who defile girls should be dealt with severe punishments of life imprisonment.</li> <li>• Build more secondary schools so that students don't walk long distances to reach a secondary school.</li> <li>• Mindset of the Benet need to be changed in regard to education of the children and this can only be done through sensitization of the masses.</li> <li>• We are happy as a community that a secondary school is going to be constructed in the sub-county because they love developments.</li> <li>• Currently we have a community secondary school which needs support.</li> <li>• Very grateful for the project saying that their children have been going to very far places for secondary education as far as Binyiny, Kapchorwa.</li> <li>• Now we are very happy for the schools are coming near the community. Now with the schools nearby, our children with talents like athletics will be exposed and tapped.</li> </ul>
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<p>Date: 27/09/2018 (Benet sub-county) Name of stakeholders: Siwa Fred (community member)</p>	<ul style="list-style-type: none"> <li>Long distance to secondary schools is a big challenge in the area. Students walk long distances to get a secondary school.</li> <li>People love education; the nearest schools are a challenge. Kitawoi has 4 primary schools so joining secondary education is very difficult that is why most girls get married after P.7.</li> </ul>	<ul style="list-style-type: none"> <li>So when schools are brought nearer to the community, then they can also produce doctors and teachers. Most of the workers come from different districts. So Kitawoi is the best place to locate the project school.</li> </ul>
<p>Date: 27/09/2018 (Benet sub-county) : Boyo Steven (Vice chairperson L/C III)</p>	<ul style="list-style-type: none"> <li>Secondary schools are very far, for example 8 km to the nearest secondary school. The only nearest secondary school is 6 km and that is Binyiny. When it comes to rainy seasons the students don't go to school.</li> </ul>	<ul style="list-style-type: none"> <li>So when schools are built nearer, it will be easy. So as leaders it will be our responsibility that students go to schools.</li> </ul>
<p>Date: 27/09/2018 (Benet sub-county) Shatina Chelengat (community member)</p>	<ul style="list-style-type: none"> <li>Thank you for reaching Kitawoi being a forgotten place and because of the schools being far, children don't go to schools.</li> <li>The poor road network and far schools, girls drop out of school and boys normally interrupt them leading to early marriages.</li> <li>The issue of FMG which is still being practiced secretly within the Benet.</li> </ul>	<ul style="list-style-type: none"> <li>Now with schools constructed by the project, this will not be a problem anymore.</li> <li>We believe when services are near, it will be easy to maintain a girl child at school.</li> <li>FMG should be handled collectively including sensitizing the clan head, politicians at national level and the community.</li> <li>Government should look at the current prices of produce in the district, for example a kilo of maize is going for a mere 200/= and also improve on the road network for the whole region.</li> </ul>
<p>Date: 27/09/2018 Salimo Wilson (community member)</p>	<ul style="list-style-type: none"> <li>High poverty levels in the community. This is caused by low market prices for their produce due to poor road network where the community depends on basically farming.</li> </ul>	
<p>Date: 27/09/2018 (Benet sub-county) : Ajik Royson (community member)</p>	<ul style="list-style-type: none"> <li>My major concern is basically on high fees where we parents fail to raise fees and also girls have limited in sports activities.</li> <li>Teachers also arrive to school late and leave early due to lack of staff quarters within the schools.</li> <li>The students also lack role models to motivate them to read hard to be like them.</li> </ul>	<ul style="list-style-type: none"> <li>It is therefore recommended that, there should be poverty reduction strategies in the development of appropriate policies and intervention strategies to help poor people improve teachers' livelihood by constructing for them decent accommodation within the school premises with power.</li> <li>Construction of new classrooms and toilets, teachers housing,</li> <li>The students who have excelled in their education should come back to the district and motivate the young ones by holding workshops to talk to the young one.</li> <li>The government should look into the issue by providing equipment like computers, desks, books and modern laboratories for them to catch up.</li> </ul>
<p>Date: 27/09/2018 Cherop Moses (community member)</p>	<ul style="list-style-type: none"> <li>The issue of limited facilities at schools like books, laboratories, desks, this have caused our children not catch up with the rest of the country academically.</li> </ul>	
<p>Date: 27/09/2018 : Kaptengan Alfred (Kitawoi sub-county)</p>	<ul style="list-style-type: none"> <li>Female Genital Mutilation is still practiced by the Benet people though secretly.</li> </ul>	<ul style="list-style-type: none"> <li>Provide technical support to communities on their effort on social mobilization against cultural practices such as FGM and early marriages which hamper retention and completion of school by girls.</li> </ul>

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NAMAYINGO DISTRICT		
<p>Date: 28/09/2018</p> <p>District: Namayingo</p> <p>Name of stakeholders: Kaano Kawere (DEO)</p>	<ul style="list-style-type: none"> <li>Lack of role models in the district because whoever gets education does not come back to the district to work. They get jobs elsewhere.</li> <li>There are two major activities in Namayingo. Gold mining and fishing. Fishing is done in Sigulu Island and gold mining is in Buyinya, Banda, Sigulu and Bukhana sub-counties. Young men get money from these activities and confuse school going girls with this money and the girls drop out of school.</li> <li>High level of poverty in the district. The community does fishing and gold mining, the money got is spent lavishly for example in Sigulu Island the HIV prevalence rate is between 16 – 18% compared to the national rate of 6.2%.</li> <li>Gwena dance – this is where the rich men hire about 10 girls, own them, dress them up and take them to the stage for men to take them for sex and money is paid to the rich men.</li> <li>Capitation grants are very little to cater for the girl child in schools for buying pads, changing rooms etc.</li> <li>There is also political interference by the RDC who doesn't allow parents to do anything for the students. However, some schools are now providing food and this was after the First Lady wrote a circular that all parents and schools must feed students. The school administrations had to encourage parents to feed the children.</li> <li>Lack of interest by leaders because they are in "prison" and where they stay in school the whole day hungry.</li> </ul>	<ul style="list-style-type: none"> <li>The district has done sensitization and formed a joint Board of Governors for the whole district, moved to schools which should be facilitated well for better results.</li> <li>Capitation grant to increase from 41/= to 80/= per student, midday meals, pads etc. to be provided to students.</li> <li>Some people at St. Phillips Ramasha constructed grass thatched houses within the town council to be used as hostels but unfortunately they are being used as brothels.</li> <li>Since the school has land through OWC, they can be given the seeds to plant.</li> <li>Government should look at constructing boarding secondary schools in the district.</li> <li>Recruit more teachers. The project should look at working on this problem.</li> <li>The district should be very strict on school going children not to go for fishing and mining.</li> <li>Ministry of Education and Sports does not listen to advise from the district.</li> </ul>
<p>Date: 28/09/2018</p> <p>District: Namayingo</p> <p>Ouma Joseph (chairperson Butajja)</p>	<ul style="list-style-type: none"> <li>People in Namayingo are very poor.</li> <li>Secondly the students don't have enough school requirements</li> <li>The students get involved sexual relationships and they fail to study and get pregnant.</li> <li>Girls are made pregnant by their own teachers.</li> <li>In Namayingo, the community is largely poor and illiterate; the lake is their economic lifeline. Fishing helps them to educate their children. Unfortunately the UPDF has made this impossible by beating both fishermen using the right gear and those ones with bad fishing methods. So our children cannot go to school due to lack of income from the lake.</li> </ul>	<ul style="list-style-type: none"> <li>Government should come to Namayingo and educate the community on good fishing methods.</li> <li>The environment we stay is not very conducive for learning. Gold mining and fishing should be restricted to older people only and not allowing even school going age children to be involved in it.</li> <li>Tougher restrictions by the district should be emphasized.</li> <li>The ministry should issue teaching certificates of teachers who are indicted of making students pregnant and never allowed to teach in any other school in the country.</li> </ul>
<p>Date: 28/09/2018</p> <p>Ojambo Isaac</p>	<ul style="list-style-type: none"> <li>The biggest problem of secondary education in the district is PTA where parents are asked to contribute a lot of money which they don't</li> </ul>	<ul style="list-style-type: none"> <li>Reduce on the PTA fees so that all parents can afford to pay and all the children can attain secondary education because this is one of the major</li> </ul>

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<p>(community member Butajja)</p> <p>Date: 28/09/2018</p> <p>Olwenyi Micheal (community member Butajja sub-county)</p>	<p>have. For example parents are charged between 70,000 – 80,000 per term.</p> <ul style="list-style-type: none"> <li>• The requirements like books, feeding, PTA totaling up to 200,000 per term and yet our crops are sold at very low rates.</li> <li>• Another reason our children don't complete school is because schools are very far from their homes</li> <li>• Parents and elders should talk to the children about good morals in the community.</li> <li>• Sensitize parents about the values of education</li> <li>• Implore government to create jobs for the youths in the district.</li> <li>• Government should open more factories and industries so that the graduates get employment.</li> </ul>	<p>causes of school drop-outs in the Namayingo district.</p>
	<b>SEMBABULE DISTRICT</b>	
<p>Date: 1/10/2018</p> <p>Wambuzi Paul (Inspector of schools)</p>	<ol style="list-style-type: none"> <li>1. The major cause of low performance is low staffing for example Rwemiyaga has only 3 teachers on the payroll. One teacher can teach from S. 1 to S.4</li> <li>2. Geographical retention of teachers is a big challenge too. Most teachers when transferred to the district do not turn up due to the location of the district. For example new teachers sent here by the Ministry are already asking for transfers, and the Ministry of Education honors transfer of teachers.</li> <li>3. Attitude of parents due to their culture of amassing cattle. For the example the Ntusi and Rwemiyaga cattle corridor marry off their girls to get more cows at an early age.</li> <li>4. Mal-administration by some of the head teachers by being absent from the schools most of the time.</li> <li>5. PTA lacks transparency in terms of expenditure of government funds.</li> <li>6. Head teachers are not easily replaced, they always say that they are under Central government so they are untouchable.</li> <li>7. Irregular teachers are not disciplined. And when their salaries are withheld they report directly to Ministry of Education and Sports where the Ministry writes directing the CAO to release their salaries, so disciplining teachers becomes a challenge too.</li> <li>8. Public land has been grabbed by the politicians of the district.</li> <li>9. Quality of contractors – dual supervision the by the district and local government should work as a team, close supervision, procurement of Engineers and development of bills of quantities. But you find in Sembabule most times the district is not consulted or involved in supervision of projects which end</li> </ol>	<ol style="list-style-type: none"> <li>1. Staffing; government has helped with decentralization of recruitment. Now teachers are sourced locally by the head teachers. This should continue to bridge the gap of lack of teachers in the district.</li> <li>2. The government should pay teachers in Sembabule a hard to reach allowance to motive teachers stay in the district.</li> <li>3. The ministry should stop interfering in the administration of district especially when a teacher is being disciplined.</li> <li>4. Mobilize and sensitize the community especially in the Ntusi where there is incest and early marriages, parents conceal information from the authorities. Girls marry as early as 13 years of age.</li> <li>5. Disciplinary measures of the head teachers especially those recruited by the Education Commission. The Ministry should give a feedback on how to discipline them.</li> <li>6. Recruit more inspectors of schools in the district.</li> <li>7. Government should not pay teachers who absent themselves from teaching, government should pay value for money.</li> <li>8. The government should involve the school administration in awarding tenders to build schools in the district in order to check the quality of the work being done.</li> <li>9. Standardize the inspection of schools by providing gadgets like tablets for easy communicate immediately and also IT training for staff.</li> <li>10. Provide transport to the school so that the staffs don't struggle for the available vehicle.</li> <li>11. Drill water sources for schools. The project should consider provision of water harvesting facilities in all schools.</li> </ol>

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	<p>up being mismanaged.</p> <p>10. There is also a challenge of high school inspection ratio which stands at 1:150 instead of 1:40. This is caused by the low enumeration of the Inspectors who earns less than primary head teachers. Government should look at this critically.</p> <p>11. The School Inspector also has a challenge of transport, where they have only one vehicle in the whole district.</p> <p>12. There is also political and community interference as far as private schools are concerned in Sembabule.</p> <p>13. Water and sanitation is a big challenge in Sembabule schools, the project should look at this critically. During dry spell, schools close early. The schools use the dirtiest water because they share water with animals in water dams. Tried water harvesting but it is not sustainable.</p>	
<p>Date: 1/10/2018</p> <p>Name of stakeholders: Lugemwa Huzaruani (Head teacher Kawanda COU S.S)</p>	<ul style="list-style-type: none"> <li>• Kawanda S.S is well equipped with everything but have a challenge of water.</li> <li>• The students share water with animals in the water dams. They have tried to harvest rain water but it is not sustainable.</li> <li>• Housing for teachers are also not available not even for rent in the nearby trading center, so teachers stay as far as Sembabule which is 8 km from the school.</li> <li>• Another problem is that the parents are misled by politicians who do not want children to go to school because the richest people in the district did not go school but they are billionaires.</li> <li>• In sub-county level, secondary education is new to them because they think secondary education is for only the rich.</li> <li>• Lack of role models in the district to motivate the young people the benefits of education.</li> <li>• There is need for a girl's only school and boarding too to encourage the girl child to remain at school up to A 'level.</li> <li>• Land issues in the district are political. Public land has been grabbed by politicians for example land in Mwijwala has been taken by the district officials and politicians. Most of the schools in the district are religious founded. The district would find problems in acquiring land for the project unless they purchase it then it can be available</li> </ul>	<ul style="list-style-type: none"> <li>• Government should look at the issue of water for Kawanda S.S</li> <li>• Staff quarters is also lacking where the teachers stay in Sembabule and yet it is very far, about 8 km, this one of the major causes of late coming for lessons.</li> <li>• There is no political will among the district politicians to sensitize parents on the values of education in the district. We have never seen any politician come around and talk to parents about education of the children in the district.</li> <li>• Help to erase the attitude of many parents that education is only for the rich.</li> <li>• Role models from Sembabule should come back to the district and encourage students to read hard so as be like them.</li> <li>• More boarding schools are needed in the district especially for the girl child who is more vulnerable than the boy.</li> <li>• Government should work hand-in-hand with local leaders and get back land taken by politicians and also get land titles for the schools.</li> </ul>
<p>Date: 1/10/2018</p> <p>Samadu Muwonge (Chairperson L/C1 Kawanda village)</p>	<ul style="list-style-type: none"> <li>• There are a few secondary schools in the district and yet government promised the community that it was to construct a secondary school in every sub-county.</li> </ul>	<ul style="list-style-type: none"> <li>• Government should fulfill its promise to the people of Kawanda.</li> <li>• Government should at least look at the prices of our produce because middlemen really cheat us.</li> </ul>

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	<ul style="list-style-type: none"> <li>At least the cattle keepers have money and are able to send their children to schools outside Sembabule. Unlike some of us who are farmers, we get little money from our crops. We cannot afford schools fees which ranges from 150,000/= per term</li> </ul>	
<p>Date: 1/10//2018 Nabisere Catherine (community member)</p> <p>Date: 1/10//2018 Name of Tyaba G.W (community member)</p> <p>Date: 1/10//2018 Kabirano John (community member)</p>	<ul style="list-style-type: none"> <li>Early marriages was very rampant in the community has reduced especially with the program of Dream which provides skills in tailoring, cooker, solon, poultry, goat rearing, etc.</li> <li>Ministry of Education and Sports sends teachers to the district and they are put in the payroll but they don't appear at schools.</li> <li>We need many boarding school in the Sembabule</li> </ul>	<ul style="list-style-type: none"> <li>The ministry should find a solution to high girl school drop outs in the district, like offering bursaries to motivate best performing students so that others can also emulate them.</li> <li>Government should recruit teachers who are willing to do their work</li> <li>Government should construct many boarding schools for boys and girls separately</li> </ul>
<p>Date: 1/10//2018 Mukonsanga Gorreti (community member)</p>	<ul style="list-style-type: none"> <li>Fellow mothers who are here, you should know that the children are ours as women. A man's work in to make you pregnant and he stops there. That is why you see that during meetings at schools, the men are few so we should stop looking at the men to educate our children</li> </ul>	<ul style="list-style-type: none"> <li>Government should sensitize the men to stop drinking and look after their children collectively and not to leave it to only women who have a lot of responsibilities.</li> </ul>
<p>Date: 1/10//2018 Mutumbwa Godi (community member)</p> <p>Date: 1/10//2018 Tayiba G.W, Board member Kawanda</p>	<ul style="list-style-type: none"> <li>The long distances to schools also contribute to girls dropping out of school because they find many obstacles on the way, like businessmen, boda-boda riders who deceive them with little money to buy small things</li> <li>World Vision International is educating parents on the benefits of educating their children and especially the girl child.</li> </ul>	<ul style="list-style-type: none"> <li>Let the authorities with the help of elders have very strict punishments for such people who are here to spoil other people's school going children</li> <li>Let other NGOs also come in to help World Vision in doing this noble cause</li> </ul>
<p>Date: 1/10//2018 Nabukenya Sanyu (community member Kawanda L/C I)</p>	<ul style="list-style-type: none"> <li>The schools are very far and students have to walk long distances to attain education. There is need for more boarding schools in the district. Parents take some of their children to distant schools like in Masaka. Primary schools are many but with a few secondary schools. Government schools are here to help the low income earners who cannot afford the private schools.</li> </ul>	<ul style="list-style-type: none"> <li>Government should at constructing more schools in the district.</li> </ul>
<b>ISINGIRO DISTRICT NAKIVALE SETTLEMENT CAMP</b>		
<p>Date: 3/10//2018</p>	<ul style="list-style-type: none"> <li>There are gaps in the availability of secondary schools in the district. In the existing 18 secondary schools, there is a very big</li> </ul>	<ul style="list-style-type: none"> <li>The land is available especially from the founding bodies like the Roman Catholic Church, the Church of Uganda, Moslems and SDA and they already applying for</li> </ul>

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<p>Nkuba Godfrey (DEO)</p>	<p>gap between teacher/learner ratio. There is a need for about 200 new teachers. A school which should have 45 teachers has only 8 teachers.</p> <ul style="list-style-type: none"> <li>• No facilities like laboratories, libraries, this is one of the reasons the schools don't get many students passing science subjects in first grade.</li> <li>• Co-curricular activities are not attended to.</li> <li>• Teachers' houses are not there and so teachers stay far from the schools hence late coming.</li> <li>• Inadequate furniture for the students which highly affects their performance in class.</li> <li>• Poor road network in the whole district this makes transport costly for teachers who come from afar to teach because they are not paid transport allowances.</li> <li>• It was noted that in Isingiro school enrolment, girls are more than the boys because boys are involved in lucrative businesses at an early age. The boys are involved in businesses like matooke selling, stone quarrying, farming of matooke, beans, maize, cassava, and cattle keeping. The boys are further frustrated for lack of jobs after school.</li> <li>• The refugee population has increased leading to the gap of teacher to pupil ratio.</li> <li>• Language barrier as some of the refugees come from countries which are Francophone speaking so adjusting becomes a challenge and different curriculum.</li> <li>• Equating their results to the Uganda standards takes a while. You find that someone with a diploma is taken back to S. 3 in Uganda and this discourages the refugees from joining secondary education.</li> <li>• There is only one secondary school serving the following sub-counties of Nakivale, Kashamba, Rugarama, Rushera, Ruggaga, Oruchunga, Kikagati and Isingiro T/C which is tough.</li> <li>• The camp is on 71.3 square miles, but it has only 1 secondary school, so those students who are willing to go school have to travel for more 30 km to and 30 km back, totaling to 60 km a day, which is so tasking for the girl child.</li> <li>• Refugees believe that everything given to them is free and as such they want bursaries for education.</li> <li>• There is only one vocational school in the settlement which also</li> </ul>	<p>the construction of secondary schools in the district. So more schools should be constructed to ease the students increasing population daily.</p> <ul style="list-style-type: none"> <li>• The refugees have enough land for the construction of secondary schools which should be used for this purpose.</li> <li>• Build new schools to reduce congestion of students in one available school.</li> <li>• When new schools are built, distances to the schools will be solved hence encouraging more students to enroll in education.</li> <li>• Increase teacher – student ratio so that classes are manageable, recruit more teachers.</li> <li>• When schools are being constructed, the nationals and the refugee communities will have jobs hence improved income for their household which means better living conditions, and also schools fees can be got from those jobs.</li> <li>• 90% of the population is from French speaking countries and hence there is Adult education and teaching of English language is ongoing, this has created more employment.</li> <li>• Construct more teachers quarters to ease accommodation for teachers in the district.</li> <li>• More vocational schools are needed to help the only existing one which cannot take all the students who fail to continue with their education for one reason or the other.</li> <li>• Sensitize the Congolese about children's benefits of education.</li> </ul>
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	<p>has a problem of language barrier and tuition.</p> <ul style="list-style-type: none"> <li>• The Congolese are still a big problem because of their culture which doesn't support education of the girl child unlike the South Sudanese who have embraced education wholesomely.</li> <li>• The land is available even for the encroachers, for the example in Rubondo the community is in the process of constructing their own secondary school.</li> <li>• Boarding facilities would be more appropriate to the girl child.</li> <li>• Girls are willing to go to school but the problem of distance and tuition, early pregnancy is minimized due strict laws enforced at the camp.</li> <li>• Students here move long distances as they cannot afford to pay for the boarding facilities.</li> </ul>	
<p>Date: 3/10//2018 Among Sharifa (Windle International Uganda Resettlement Manager – Nakivale refugee camp)</p>	<ul style="list-style-type: none"> <li>• A 'Level we only have Arts combination due to inadequate science teachers. So for those who wish to pursue sciences are left out so parents have to take them outside the camp or they drop out yet it is very expensive.</li> <li>• Teacher student ratio stands at 1:69 and yet Ministry of Education should be 1:53 which is very unfair. There is need for more 17 teachers, now we have 48 teachers for O' Level and 36 teachers for A 'Level. This has led to high staff turn-off especially science teachers who are on high demand everywhere.</li> <li>• Long distance to the school, a day scholar has got to travel for 25 km to reach school, which adds up to 50 km in a day.</li> <li>• Parents can't afford even bicycles for transport of their children to school</li> <li>• Most parents are failing to contribute the top-up that the agencies require them to give.</li> <li>• Science equipment is a challenge, no laboratories, no libraries, the existing library is not well stocked, and this becomes a big challenge during practical exams, no enough books.</li> </ul>	<ul style="list-style-type: none"> <li>• Another secondary school be constructed in Rubondo Base Camp. This was tried in 2015/2017 but it closed due to lack of funding. It is now only for emergency.</li> <li>• Expand the existing secondary school because it is not well equipped, teachers' houses, laboratories, library, classrooms, boarding section. This will work well because it will be fed by the old secondary school.</li> <li>• Give support to the new secondary school where materials can be borrowed from the old school.</li> <li>• Land is available for expansion through OPM.</li> <li>• Minimize school drop-outs due to congestion in class due to limited space.</li> <li>• Support the girl child by providing sanitary materials by community services department.</li> <li>• USEEP should be rolled out to in the whole district.</li> <li>• Sensitize the communities where some cultural believes deny girls education and prefer the boys, like when it comes to paying for fees, the boys are paid for first. Other cultures want to marry off as early as in P.5 especially the Congolese.</li> </ul>
<p>Date: 3/10//2018 Mr. Ali Lugemwa– Head teacher, Nakivale S.S</p>	<ul style="list-style-type: none"> <li>• One school in the whole settlement serving over 11 primary schools. 1,000 learners sit for PLE per year. The location is 2 km away from the first government aided school. Imagine a student moving to Garama S.S which is 20 km away, Kabula is 19 km and Kihando is 20 km away.</li> <li>• There is also a big gap in housing of teachers.</li> <li>• UNHCR only provides for refugees but the nationals drop out of</li> </ul>	<ul style="list-style-type: none"> <li>• More schools needed in the settlement camp to accommodate the shelling number of refugees who coming daily</li> <li>• Accommodation for teachers is also a big problem because teachers cannot stay far away from school.</li> <li>• UNHCR should think about supporting even the nationals because most of them come from very poor homes and cannot afford to pay all the fees.</li> <li>• Improve on the existing school to accommodate the many students who yearning</li> </ul>



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schools because they come from very far. Recently I advised UNHCR to support also the nationals so that they can get education. Many nationals study with refugees in primary section but where do they go after that.

- The school has 1,316 students but more are still coming. The number of learners is increasing daily. More structures are needed to accommodate the high number. Classrooms are congested.
- Safety of learners from home to school should be looked at critically.
- Teacher student ratio is abnormal
- Government should accommodate teachers
- Better to expand existing school by making more boarding facilities.
- Construction of a new boarding school at Rubondo, there are 2 primary schools nearby there.
- Nakivale S.S has 21 permanent structures with dormitories for 300 girls and 200 boys, well facilitated with beddings, water and sanitation, solar power, etc. The school needs to be fenced to protect the girl child.
- The student population is high and we need science teachers. One teacher struggles to mark 4 streams of over 100 students per stream. A 'Level – those who completed did not have anywhere to go.
- Library is needed and stocked with books,  
As for the land for expansion, it is available. We would like to expand the boarding section to create an environment better than home for the girl child.

to study before the new schools are constructed as the current classrooms are so congested.

- The schools to be built should be boarding facilities this help the girl child because she will be safer at school than home where some of them are forced to get married against their will.
- The school needs to be fenced in order to secure the safety of the students while at school.
- A modern library and well stocked is needed in the school

### KIKUUBE DISTRICT KYANGWALI SETTLEMENT CAMP

Date: 4/10//2018  
: Jolly Kebirungi.  
Commandant  
Kyangwali  
settlement camp

1. The ratio of teacher to student is so low,
2. Some students study under trees
3. Scholastic materials like books, desks, pens, uniforms are lacking
4. Parents cannot afford especially the new refugees where they depend on entirely on partners
5. The Congolese culture don't care about the education of their children
6. The little available social services are shared with the local community

1. Construction of another school and vocational institute would be ideal for the camp.
2. Expand the available school because there is enough land of the current school.
3. During the land demarcation, land was allocated for social services including schools, so this land should be put to use.
4. The conflict of land between refugees and nationals is being handled properly by government which should be concluded amicably.
5. Government should increase the awareness and demand for education, sensitizing the community about the good effects of education.
6. A lot of sensitization regarding rules and regulations of Uganda should continue so that we have less or no people breaking Ugandan laws.

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| <ol style="list-style-type: none"> <li>7. Lack of school fees where some parents cannot afford, after UPE nobody knows where the students go after completing primary education.</li> <li>8. Language barrier where most of the refugees are Francophone students with education certificates face difficulty in enrolling in Ugandan education system. They have to get their documents interpreted into Ugandan curriculum.</li> <li>9. Refugees continue to arrive in the settlement camp.</li> <li>10. Accelerated education program – enroll children who dropped out of school and teach them and condense the 7 years of primary education to 3 years for the refugees to catch up.</li> <li>11. Feeding program is still a challenge where some parents cannot even afford and this highly affects students' learning. WFP only gives food to households but does not feed students at school.</li> <li>12. Accommodation for teachers is wanting; this is one of the reasons why teachers arrive late at school.</li> <li>13. Teachers should benefit from hard to reach areas allowances to motivate more teachers to teach in the settlement camp.</li> <li>14. The only one secondary school in the camp cannot meet all the educational needs of the nationals and refugees in the area. 8 OVS but big numbers are willing to study.</li> <li>15. The secondary school is not strategically located.</li> <li>16. Dormitories for girls and boys are not enough.</li> <li>17. The nationals have been settled at the extreme end. The facilities should always be put at the border so that the host and refugee community can share the facilities.</li> <li>18. The girls are highly affected because some of them come to the camp when they are already pregnant especially from Congo.</li> </ol> | <ol style="list-style-type: none"> <li>7. UNHCR gives pads to students which are not enough, will appreciate if UNHCR is supported in this. Changing rooms for girls are not enough, need to be added.</li> <li>8. Give incentives of uniforms to all students, you find some students don't have uniforms which discourages them from going to school because they look odd from others who are smartly dressed in school uniforms.</li> <li>9. We thank the Japanese government for constructing a laboratory for the school, government should add equipment to it to enable students study science in Kyangwali S,S</li> <li>10. The South Sudanese are more interested in education compared to their counterparts from Congo. More sensitization is needed for the Congolese refugees about education</li> </ol> |
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NWOYA DISTRICT

## Resettlement Policy Framework for Uganda Secondary Education Expansion Project

Date :5/10/2018	<p>Issues discussed/raised</p> <ul style="list-style-type: none"> <li>-Poor quality of education with only 4 Government O' level schools with centre numbers,3 A 'level schools with centre numbers</li> <li>-District quota admissions play a big role since due to the quality o Education; the students cannot compete under national merit.</li> <li>- Access to schools is poor as there are only 5 Government schools in the district.</li> </ul>	Responses to comments
<p>Date :5/10/2018</p> <p>District: Nwoya</p> <p>Name of stakeholders:</p>	<ul style="list-style-type: none"> <li>-The existing schools have low enrollment</li> <li>-Government schools- 1498 students which is a total in the 5 government schools in the district.</li> <li>-The dropout rate for girls is high and it is partly attributed to the following <ul style="list-style-type: none"> <li>*Active farming season, *Pregnancy, *working in saloons</li> </ul> </li> <li>Dropout rate for girls is estimated at 36%</li> <li>Boys in Nwoya also drop out of school due to the following reasons; <ul style="list-style-type: none"> <li>*Joining Private schools, *working in barber shops</li> <li>*Drug abuse, marijuana, opium etc, *Peer pressure to make quick cash</li> </ul> </li> <li>The dropout rate for boys is however estimated at 10.2%</li> </ul>	<ul style="list-style-type: none"> <li>-Establishing and furnishing more government schools with laboratories and libraries.</li> <li>-use of LC's and Police to discipline drug users</li> <li>- Preaching against early marriages and also establishing by laws</li> </ul>
<p>Date :5/10/2018</p> <p>District: Nwoya</p> <p>Name of stakeholders:</p>	<p>Land ownership in Nwoya is customary and therefore the community needs to be involved in matters of development of their community and district as a whole.</p> <p>Challenges may be sighted from the political leaders as mostly the scramble for location of a project and the location may not be beneficial to the district basing on some considerations.</p> <p>-Foundation body issues need or ought to be addressed in time so that some beneficiaries are not left out because Government policies are neutral and all groups are catered for eg. Muslims, Christians</p>	-Guidelines will be issues by Government on the location of the project.
	<b>YUMBE DISTRICT</b>	
<p>Date :4/10/2018</p> <p>District: Yumbe</p> <p>Name of stakeholders:</p>	<p>Issues discussed/raised</p> <ul style="list-style-type: none"> <li>-Teacher transfer without replacement.</li> <li>- No teacher accommodation at school.</li> <li>-Teacher absenteeism</li> <li>-lack of teachers after accessing pay roll especially science teachers.</li> <li>-Under stocked libraries and laboratories.</li> <li>-Low enrolment in secondary schools (6111 students in 12 schools)</li> <li>1823 Girls, 3288 Boys</li> </ul>	Responses to comments

## Resettlement Policy Framework for Uganda Secondary Education Expansion Project

	<p>155 Teachers 20 Female teachers -Lack of Special need facilities and their teaching aids such as Braille materials and buildings purposely constructed or special needs users</p>	
Date :4/10/2018	<p>-High dropout rates for girls attributed to the following; *Early marriage., *Teacher violence(punishment), *Teenage pregnancy *Bullying, *Early responsibility –Taking care of home * Walking long distance to school Low dropout rates for boys include; *Peer influence, *Drugs-Marijuana, opium *Early fathers.,*Desire to get free food from camps, *Enrolling into private schools., *Desire to make money by riding bodaboda.</p>	- Bi-laws in place to stop these selling the sachets, enforcement by Police and LC's
Date :4/10/2018	<p>-Poor community attitude towards education. -High immorality amongst the school going age -Lack of teacher accommodation at school. -Over aged children in schools. -Drunkard and immoral teachers.</p>	
<p>Date :4/10/2018  District: Yumbe</p>	<p>Issues of conflict, drivers of conflict and implication of this to project design and implementation -Foundation body should be Government because its neutral. -Politicians may scramble for location of the project to have it in their home area. -Monitoring the success of the project especially construction, funds be availed for this activity</p>	
Date :4/10/2018	<p>-Procurement of contractors be done at local Government level. -Empowerment of poor families by the project through employment.</p>	-Where Local people have the required skills.
Date :4/10/2018	<p>-Secondary School inspections by Local Government is still a challenge. -Land in Yumbe is available for construction and even expansion as the focus group members welcomes the project with open hands.</p>	-Secondary schools are not decentralized so Local Government cannot do the supervision

## Appendix 9: Photographs of Stakeholder Consultations



Community consultations at Lonyilik and Akariwon villages in Tapac Sub-county Moroto District



A young girl giving reasons why she dropped out of school after PLE



Community meeting at Kitawoi Trading Center



## Resettlement Policy Framework for Uganda Secondary Education Expansion Project

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A councilor for disability expressing her issues on education



Another councilor (blind) giving reasons for urgent need of a secondary school in Tapac sub-county



Nakivale Refugee Settlement Secondary School



Kitawoi Community Secondary School started by the Benet Community in Kween District



Community Consultations at Butajja Village in Namayingo District







## Appendix 10: List of Stakeholders Consulted for the USEEP RPF Preparation

Name	Designation	Telephone	Email
<b>MoESTS Officials</b>			
1. Mr. KuleBantarazale	Commissioner, Sec. Education	0772 469677	-
2. Ms Doreen Matovu	Ag. Commissioner, CMU		
3. Mr. Edward Ssebukyu	Project Coordinator, USEEP	0772 449673	<a href="mailto:essubukyu@yahoo.com">essubukyu@yahoo.com</a>
4. Ms. Santa Ateng	Social and Environmental Safeguards Officer/SEO	0777 155563	<a href="mailto:santaateng@gmail.com">santaateng@gmail.com</a>
5. Ms. Maggie Masiko	Gender Technical Officer	0772 436378	<a href="mailto:mkbaiswike@yahoo.com">mkbaiswike@yahoo.com</a>
<b>Local Governments' Stakeholders</b>			
<b>Kasese District LG</b>			
6. George S. Mainja	District Education Officer	0772 580216	<a href="mailto:mainjageorge@gmail.com">mainjageorge@gmail.com</a>
7. Thabuaha B. Ernest	Principal Inspector of Schools	0772 884406	<a href="mailto:ethabugha@gmail.com">ethabugha@gmail.com</a>
8. Masereka Alex	District Planner	0776 481985	<a href="mailto:Alex.masereka@yahoo.com">Alex.masereka@yahoo.com</a>
9. AsiiimweQueengonda	Senior Community Dev. Officer	0772 937073	<a href="mailto:asiimwequeen@gmail.com">asiimwequeen@gmail.com</a>
10. KarafuleSwaib	Senior Labour Officer	0771 393257	<a href="mailto:Swaib1974@gmail.com">Swaib1974@gmail.com</a>
11. Muhindo Josephine	Head teacher, Kitolhu SS	0752 570486	<a href="mailto:muhindojosephine@yahoo.com">muhindojosephine@yahoo.com</a>
12. Masereka Michael	D/Head teacher, Kitolhu	0787 131442	-
13. Dambya Wilson	Head teacher, Mahango SS	0772917032	<a href="mailto:Wilsondambya89@yahoo.com">Wilsondambya89@yahoo.com</a>
14. Kato Wilfred	Head teacher, Hamukungu SS		<a href="mailto:simonpeterodwar@yahoo.com">simonpeterodwar@yahoo.com</a>
<b>Kaabong District LG</b>			
15. Alfred Malinga	Deputy CAO	0772 662692	<a href="mailto:alfredmalinga@yahoo.com">alfredmalinga@yahoo.com</a>
16. Odwar Simon Peter	District Education Officer	0772 353748	
17. Simon Ekwee	Ag. Senior Planner	0772 325658	<a href="mailto:mrfox105@gmail.com">mrfox105@gmail.com</a>
18. Baatom Ben Koryang	District Comm. Dev. Officer	0772 472607	<a href="mailto:lojokotau@gmail.com">lojokotau@gmail.com</a>

## Resettlement Policy Framework for Uganda Secondary Education Expansion Project

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Name	Designation	Telephone	Email
CSOs/NGOs			
19. David Bradford Nguru	Coordinator, KADNET, Kasese	0706 843223	<a href="mailto:kaddenet@yahoo.co.uk">kaddenet@yahoo.co.uk</a>
20. Fr. Peter Lokiru	Founding Body, Pope John P II	0782 058311	<a href="mailto:Peterloki72@gmail.com">Peterloki72@gmail.com</a>
21. Romano Longole	KOPEIN, Kotido	0772 917238	<a href="mailto:romanolongole@yahoo.co.uk">romanolongole@yahoo.co.uk</a>

**Appendix 11: Separate attachment of scanned List of Stakeholders Consulted for the USEEP RPF Preparation in PDF.**