ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT (ESSA)

UGANDA LEARNING ACCELERATION PROGRAM (ULEARN)

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Prepared by

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ADDENDUM

Hotline for Complaints on Discrimination

This Environmental and Social Systems Assessment (ESSA) is being redisclosed in March 2025 to provide additional information in the public domain to stakeholders and interested parties on the Enhanced Grievance Redress Mechanism Hotline for complaints and incidents on discrimination of vulnerable or marginalized individuals or groups following the enactment of the Anti-Homosexuality Act (AHA), 2023 on World Bank Group funded projects and programs in Uganda.

Operated independently by a qualified and experienced Ugandan CSO, the hotline provides a confidential, anonymous, and culturally sensitive platform for individuals and groups to lodge grievances without fear of reprisal. Accessible 24/7 and available in multiple Ugandan languages, it offers an inclusive and safe channel for vulnerable or marginalized individuals or groups to report their concerns and seek redress. Please refer to section 3.3 and Annex 7.

The hotline is available since December 2024. The telephone number to reach the hotline is 0800 333 125. It has been shared with all known CSOs concerned and potentially impacted by the AHA enactment and is being widely disseminated through ongoing community outreach and training activities in other WB financed Projects and Programs under implementation.

Dedicated Grievance Redress System (GRS) on discrimination in Uganda

In addition to complement the Hotline on discrimination of vulnerable or marginalized individuals or groups, the WB Grievance Redress System (GRS) has also been adapted to process and address specific complaints related to discrimination of vulnerable or marginalized individuals or groups in Uganda. Specific protocols have been developed for the processing discrimination or exclusion of vulnerable or marginalized individuals or groups in Uganda. The link to the GRS is World Bank GRS. Org.

Guidelines for Implementing Mitigation Measures

An annex has been added to this ESSA that provides guidelines on how to implement the mitigation measures, including main steps and the roles and responsibilities of task teams, the Ugandan government, PSUs, the World Bank, CSOs, SREO, and other stakeholders (Refer to Annex 8). The guidelines include assessing the status of the project, enhancing existing project level grievance redress mechanism, the use of the Hotline on discrimination and exclusion, access to the World Bank' Grievance Redress Service, conducting outreach and sensitization activities, strengthening capacity and technical support, monitoring and evaluation and remedial actions.

LIST OF ACRONYMS

BoQs	Bills of Quantity
CAOs	Chief Administrative Officers
CBO	Community Based Organization
CBSD	Community-Based Services Department
CDO	Community Development Officer
CESMP	Contractor Environmental and Social Management Plan
DEO	District Education Officer
DIS	District Inspector of Schools
EGR	Early Grade Reading
EGM	Early Grade Mathematics
E&S	Environmental and Social
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESSA	Environmental and Social Systems Assessment
ESHS	Environmental, Social, Health and Safety
ESSP	Education and Sports Sector Strategic Plan
EO	Environmental Officers
DLIs	Disbursement Linked Indicators
DOSH	Department of Occupational Safety and Health
GBV	Gender Based Violence
GRC	Grievance Redress Committee
GRMs	Grievance Redress Mechanisms
GoU	Government of Uganda
IND	Inclusion and Non-Discrimination
LLG	Lower Local Government
MoES	Ministry of Education and Sports
MoGLSD	Ministry of Gender, Labour, and Social Development
MoLG	Ministry of Local Government

MoFPED	Ministry of Finance, Planning and Economic Development
MoLHUD	Ministry of Lands, Housing and Urban Development
MWE	Ministry of Water and Environment
MoU	Memorandum of Understanding
NDP	National Development Plan
NEMA	National Environment Management Authority
OHS	Occupational Health and Safety
PAP	Program Action Plan
PDO	Program Development Objectives
PforR	Program for Results
PMT	Program Management Team
PST	Program Support Team
PSU	Program Support Unit
UgIFT-AF	Uganda Intergovernmental Fiscal Transfer Additional Financing
ULEARN	Uganda Learning Acceleration Program
UPE	Universal Primary Education
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
SOPs	Standard Operating Procedures
VAC	Violence Against Children
VMGs	Vulnerable and Marginalised Groups
VMGF	Vulnerable and Marginalised Groups Framework
VMIGs	Vulnerable or Marginalized Individuals or Groups

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Executive Summary

1. The Government of Uganda through the MoES plans to implement the Uganda Learning Acceleration Program (ULEARN), a five-year Program for Results (PforR), beginning the financial year 2024/25 to 2029/2030. The Program Development Objective is to improve teaching and learning in Early Grade Reading (EGR) in target schools, improve learning environments in target schools, and increase the coverage of the Education Management Information System (EMIS) in Uganda. With the dual focus on improving equitable access and enhancing learning outcomes, ULEARN would contribute to the Third National Development Plan (NDP III) and forthcoming Fourth National Development Plan (NDP IV) goal to increase learning-adjusted years of schooling. The Program is aligned with the the Education and Sports Sector Strategic Plan (ESSP) 2020-2025 and is expected to contribute to achieving the GoU's education sector targets.

2. The proposed Program operation is a combination of the PforR financing and an Investment Project Financing (IPF) instruments. The PforR will support an existing government program, the ESSP, focusing on the expansion and access to equitable primary education, improvement in the quality of teaching, and use of data for improved system management. The proposed Program will therefore support rehabilitation and expansion of existing primary school infrastructure, and rehabilitation of traditional secondary school infrastructure in selected underserved districts. The Program is expected to directly benefit (a) About 8 million students in primary and secondary education (EGR and EGM interventions, learning materials/textbooks, E-learning, remedial programs, school improvement grants, school infrastructure, rehabilitation and expansion of existing schools, safe school program) and (b) About 65,000 pre-primary and primary school teachers to benefit from training.

3. Following the enactment of the Anti-Homosexuality Act, 2023, this document and its annexes now include specific measures to mitigate the risk of discrimination against or exclusion of any affected individuals or groups in providing or receiving benefits in World Bank–financed projects and program in Uganda. These measures are described in various sections of this document including section 3.3.3 and annexes 6 and 7.

4. The Program is designed into **three Key Result Areas (RAs)** that entail:

   Results Area 1: Quality Teaching and Learning. The Program will implement structured pedagogical approaches in EGR, Kiswahili, and inclusive education, with a focus on teacher CPD, improved textbooks, and structured teacher support. Student assessments will be enhanced to improve instruction, and the primary curriculum will be revised to be more competency-based. Key activities include expanding EGR to new districts, replenishing materials and retraining teachers, specialized pedagogy for students with disabilities, nationwide Kiswahili instruction, integration of remedial education, and piloting a new curriculum, including EGM.

   Results Area 2: Equitable Access to Improved Learning Environments. The Program will rehabilitate, expand, and equip 100 government and government-aided secondary schools, along with 66 special and inclusive schools. Selection will prioritize refugee-hosting districts, post-war sub-regions, and high-poverty areas. Infrastructure improvements will follow a community-driven approach and align with Uganda's BRMS, incorporating climate resilience and inclusion measures such as passive cooling, improved drainage, energy-efficient cooking, and tree planting. Schools will also be designed to serve as emergency shelters.

   Results Area 3: Use of Data for Improved System Management. Uganda's EMIS will transition to a centralized, web-based system for real-time school data entry, enabling tracking of enrollment,

attendance, infrastructure status, and student assessments. Schools will receive devices, training, and maintenance support. This system will enhance monitoring of Results Areas 1 and 2, improve overall education management, and integrate with related data systems through central-level interventions.

5. This ESSA aimed to review the existing borrower systems in terms of their capacity to plan and implement effective measures for management of E&S effects associated with the Program. Specifically, the ESSA sought to i) identify the Program's E&S effects, ii) assess the legal and policy framework for E&S management, including a review of relevant E&S management procedures, standards and institutional responsibilities that will apply to the proposed Program; iii) evaluate the institutional capacity to manage the likely E&S effects in accordance with the country's own requirements under the proposed Program; iv) assess the consistency of the borrower's systems with core principles and attributes defined in the PforR Guidance Note on E&S Assessment; and (iv) recommend specific actions/measures in the Program Action Plan (PAP) for improving counterpart capacity during implementation to ensure they are able to adequately perform their mandate. These measures will be agreed on between the GoU and the World Bank.

6. **The ESSA Scope and Methodology:** The assessment was carried out through a comprehensive review of previous assessments under Uganda Intergovernmental Fiscals Transfer Program (UgIFT), Uganda Support to Municipal Infrastructure Development (USMID) and Greater Kampala Metropolitan Area Urban Development Program (GKMA-UDP) Programs, relevant government (national and local) policies, legislation and institutional analysis of the various Ministries, Departments and Agencies (MDAs) and District Local governments (DLGs) performance in E&S management. The Bank team conducted stakeholder consultations from November 23rd, 2022, to January 27th, 2023. The stakeholder engagements were done in the following sampled DLGs: Amudat, Kween, Bukwo, Moyo, Kaberamaido, Abim, Busia, Nebbi, Pakwach, Zombo, Koboko, Yumbe, Buliisa, Ntoroko and Kisoro. Additionally, consultations were also conducted with various Ministries, Departments and Agencies (MDAs): MoES, MoFPED, MoGLSD, MoLHUD, MoLG, MoH, NEMA, NUDIPU, NCDC. All these assessments and consultations served as a basis for judging whether present systems can be utilized by the Program have the resources and ability to mitigate unavoidable impacts and achieve maximal social and environmental benefits.

   Additional consultations to update the ESSA were carried out From October 20 to November 5, 2024, the USEEP team, supported by E&S and SREO teams, engaged over 200 stakeholders in 9 districts (Arua, Koboko, Kazo, Abim Apac Namayingo Namutumba, Ibanda, Isingiro) across northern, eastern, and western regions. They included district leaders, project implementers (including MoES and PCU), and beneficiaries. The missions visited project sites and involved Grievance and School Management Committees, focusing on inclusion and non-discrimination (IND) in WB-financed projects, and mitigation strategies. Local authorities agreed to collaborate with the national government and suggested local involvement in EISM roles. School management teams pledged to integrate IND measures, and MoES committed to updating and signing relevant codes of conduct. Teacher training modules under Component 3 have been reviewed for non-discrimination and inclusion. The Bank team is working with PCU to develop training content and codes of conduct. Additionally, Project E&S documents, including the , SEP, have been updated and redisclosed and a GRM checklist was applied to strengthen mechanism.

7. **Likely E&S Risks and Impacts of the program**
   Considering the scope and scale of activities under ULEARN, the anticipated program environmental and social effects pose moderate risks. Additionally, to ensure consistency with World Bank PforR Policy, activities that present high E&S risks will be excluded from the Program. **Potential environmental risks and impacts** associated with the Program include: soil erosion impacts due to site clearance, pollution of water sources, noise and dust pollution, risks of degradation of natural habitat, land degradation from extraction of construction materials, accumulation of solid and liquid waste, potential disruption of traffic and accidents, occupational and community health and safety risks related to civil works (slips, trips and falls while working at heights, accidents from movement of construction vehicles and machinery, vibration

due to use of ground working equipment, risks related to manual handling due to the repetitive heavy lifting of equipment etc); spread of infectious diseases such as Covid-19, Ebola etc., increase in demand for biomass energy in the newly constructed schools, handling and removal of asbestos roofing material in a few old schools, poses health and safety risks, e-waste generation and disposal challenges. These impacts are moderate risks given that they are site specific, temporal, and reversible in nature and can be readily mitigated during the design of the PforR program and during construction of subprojects.

8. **To mitigate the above environmental risks**, the screening process will include a criterion for environment and social screening of sub projects including those that are likely to be high risk and to have with significant negative impacts that are sensitive, diverse, irreversible, or unprecedented on the environment. At appraisal, each sub-project will be screened for E&S risks, this will be guided by the provisions in the National Environment Act, 2019 and the National Environment (Environmental and Social Assessment) Regulations, 2020. The outcome of the screening process will determine the appropriate level of environmental assessments to be carried i.e., whether a Project Brief, or full ESIA study will be carried out. In the National Environmental Laws, the preparation of the Environmental and Social Management Plans (ESMPs) are incorporated into the reports, regardless of whether it is a Project Brief or ESIA Study report. Under the ULEARN Program, Project Briefs/ESIAs shall be prepared with accompanying site specific ESMPs for the respective subproject sites. Additionally, the Program will seek technical guidance from the National Environment Management Authority (NEMA) on the safe removal and disposal of asbestos containing materials in roofs of old school buildings, taking into consideration occupational safety and health issues. Also, the Program is expected to generate e-waste from Program operations, hence, need for support to the relevant agencies (Ministry of Information, Communication and Technology, NEMA among others) and beneficiary District Local Governments (DLGs) for the safe collection and disposal of obsolete electronic equipment under the Program.

9. **Social impacts:** The Program will enhance equity in access to education, address existing gender imbalances in school participation, reduce regional disparities in learning outcomes and enhance inclusion and integration of Vulnerable and Marginalized Groups (VMGs) and Indigenous Persons (IPs). The main social risks include (i) Loss of land for construction for expansion of existing school infrastructure, (Land requirement in the program design for putting up a standard school with all amenities will measure to between 5 –8 hectares). (ii) Challenges of securing land titles from religious school foundation bodies and communities. (ii)Potential continued exclusion of some learners with Special Needs and VMGs, (iv) labour management challenge and related risks including influx of contractor workers leading to social tension with the host community, Gender-Based Violence (GBV), and HIV/AIDS and other sexually transmitted diseases/infections(STD/Is), the spread of contagious diseases like COVID-19; violation of workers' rights, under payment; health and safety issues, sexual harassment, unfair dismissal; non-payment for excessive overtime, delayed payment and lack of documentation; lack of welfare facilities for site workers and gender related risks, absence of workers GRMs. Additionally, non-payment or compensation of community owners for construction materials could result in conflicts; (iv) child abuse in form of Violence Against Children (VAC), child labour and Sexual Exploitation and Abuse (SEA), increase in school dropout rates, defilement, early pregnancy and child marriages, (v) GBV; (vi) Potential risk of exclusion and discrimination of vulnerable or marginalized individuals or groups; (vii) Potential risk of social tension in the community with the lack of functioning GRM and inadequate community engagement. Common areas of contention include; dispute over access to land and natural resources, resettlement (in case of land take), community health and safety, and Ad hoc and unstructured Stakeholder Engagement, Limited functionality of program specific GRMs. MoES has a well-staffed gender unit, with satisfactory capacity to manage GBV/VAC/SEA/SH potential key risks to the project. DLGs have also benefited from lessons learnt from ongoing implementation of similar PforR programs such as Uganda Intergovernmental Fiscal Transfer (UgIFT). The social risks are therefore considered moderate.

10. The potential social risks and negative impacts are manageable and will be mitigated through an operational ESMS in line with measures outlined in the PAP. Specific measures include: screening for E&S risks and impacts; prevention and management of complaints and grievances; prevention and management of GBV/SEA-H; early and meaningful stakeholder engagement and information disclosure; inclusion of ESHS provisions in contract bidding and contracts documents, mandatory Signing of the Code of Conduct by all workers, mandatory training on GBV/SEA/SH/VAC, establishment of GBV sensitive GRMs and referral pathways, implementation of mitigation measures against discrimination or exclusion from Program benefits. In line with the World Bank Guidance Note on the Management of Risks associated with project-induced labour influx and preferential use of local workforce based on the qualification needs. The program will consider the needs of vulnerable and marginalized groups by preparation of VMGPs during Program design and implementation.

11. **Key Findings on the Environmental and Social System Assessment**
The ESSA concluded that the country's legislative and institutional frameworks are adequate to guide the management of E&S risk and impact for the ULEARN program although there remain significant challenges in the monitoring, enforcement of E&S requirements and inadequate staffing levels in some DLGs coupled with inadequate budgetary allocation.

12. The National Environment Act, 2019 and the attendant Regulations has clear categorization of projects based on risks. The National Environment Act, 2019 Act provides clear guidance on the projects for which Project briefs and E&S Assessments are required/mandatory as stipulated in Schedules 4 and 5, respectively. The Environment Act and the Local Government Act both provide for decentralized environmental management, empowering local governments (sub national entities) to manage segments of the environment and natural resources within their jurisdictions. Overall, the existing laws, regulations, guidelines clearly delineate between the National and local Government levels to (i) screen subprojects for potential E & S impacts and risks; (ii) determine the level of E & S analysis and specific plan to be prepared based on the outcomes of the screening; (iii) review the results of the assessment and plan and clear environmental permitting process; (iv) monitor and follow-up; and, (v) impose penalty and sanctions for violations and infractions to the system.

13. Despite the good legislative and institutional frameworks, the country's environmental system performance is generally weak, specifically in respect to enforcement of laws, monitoring, staffing level for environmental, health and safety management, and inadequate budget allocation. While the National laws provide for preparation of Project Briefs/ESIAs prior to commencement of civil works, in practise works are allowed to start without the relevant safeguard documents; The Investment service cost of 5% [1] of the development budget is inadequate since it is shared amongst several departments. Hence the E&S departments face challenges in carrying out standalone monitoring in case of emerging needs outside the routine joint monthly monitoring and supervision visits; The assessments revealed among others: (i) Inadequate capacity to conduct E&S Assessments in some DLGs as evidenced by delayed E&S screening of subprojects is (ii) lack of preparation of ESMPs for sub projects (iii) Inadequate capacity to integrate ESHS requirements into designs, Bills of Quantities (BoQs), bidding and contract documents by DLGs (iv) limited capacity in accessing and addressing social risks of vulnerable or marginalised individuals or groups; (v) some DLGs like Kalaki DLG do not yet have substantive appointed Environment Officer due to the constraints by the wage bill (vi) contractors' implementation of the CESMP is still weak as some contractors are not knowledgeable of their contractual obligations to prepare and implement CESMPs.

14. The implementing agency, MoES does not have appointed Environment and Social Safeguards Officers in the line ministry, apart from the Environment safeguard specialist who are recruited specifically to provide E&S safeguard supports under projects, hence, will require the support of NEMA, MoGLSD and LG to

[1] MoES Planning Budgeting and Implementation Guidelines for Local Governments for Education and Sports Sector. 2021.

ensure that ES aspects are implemented and monitored under the ULEARN program. The MoGLSD identified capacity challenges faced by the Occupational Health and Safety (OSH) department to ensure compliance with occupational safety Act, 2006; and department of the Labour, Industrial Relations and Productivity to enforce labour standards/policies, regulations and guidelines. The OSH department is currently centralised with low staffing level while Labour department has inadequate capacity and inadequate numbers of labour officers at local government level. Likewise, the National Environment Management Authority (NEMA) also has a low level of staffing, delays in review and decision making on ESIAs, weak compliance monitoring and enforcement of environmental laws.

15. **Several challenges and recommendations were highlighted by the stakeholders consulted and most of which have been taken into consideration in the development of the Program Action Plan**. These include among others: (i) The need to orient DLGs on the Program requirements in the Program Operational Manual (POM), including on the E&S requirements so they fully understand their roles and responsibilities (ii) Support the MWE/NEMA and MoGLSD to update/enhance the Guidelines and checklists for (a) mainstreaming Environment and Climate Change Aspects and (b) Social, Occupational and Community Health and Safety Management in the planning, design, budgeting for E&S aspects, bidding, contracting, implementation and monitoring and reporting under the Program (initially prepared under the UgIFT AF Program); (iii) Involvement of the EOs and CDOs in the preparation of bidding and in the evaluation process, to ensure that E&S requirements are not overlooked during these critical processes; (iii) Undertaking the necessary technical studies including site appraisal and site geotechnical assessments prior design and BoQs preparation and ensure design BoQs are customized/responsive site conditions and adequately budgeted for; (iv) enhancement of the current 5% investment service cost to support routine E&S monitoring and safeguards supervision; (v) Support for capacity building in E&S safeguards management for the target district local E&S staff to enhance their capacity to manage E&S risks during program implementation; (vi) DLGs with older schools that still have old roof buildings with asbestos materials requested for technical guidance and support for the safe removal, handling, and disposal of such hazardous material; (vii) the issue of management of electronic waste likely to result from the data system operations of the Program was also highlighted, as most DLGs lack the capacity to manage e-waste. Hence, the need to seek technical guidance from NEMA on this issue as well, among others; (viii) inadequate stakeholder engagement and poor implementation of grievance redress mechanisms at community level and absence of workers GRMs; (ix) gaps were also identified in the exclusion of the vulnerable and marginalized groups during the development of capital investment projects.

16. To strengthen the identified gaps, ESSA recommends enhancing program design elements specifically DLI 5 and its verification protocols; included some E&S actions in PAP and provision ESHS risk management procedures in the Program operation manual. These measures have been grouped into:

(i). Guidelines, Protocols and Conducting basic assessments.

The ESSA recommends enhancement of existing (a) E&S guidelines and checklists for mainstreaming Environment and Climate Change Aspects and (b) Social, Occupational and Community Health and Safety Management. These guidelines will provide a basis for planning, design, budgeting for E&S aspects, bidding, contracting, implementation, and monitoring and reporting under the Program. (c) development of a National Primary School Construction Strategy to guide construction and maintenance of school infrastructure under the program, including the integration of climate change considerations in infrastructure design; (e) developing simplified guidelines for removal, and safe disposal of asbestos containing materials (ACM) (including budget). Additionally, for subprojects involving the removal of ACM, the mitigation measures will be included as part of the Protocol in the Project Brief/ESMP for contractors to incorporate into the Contractors' Environment and Social Management Plan (CESMP) and e-waste management protocol for the Program; (f) As a minimal requirement, undertake technical studies including site appraisal and site geotechnical assessments prior to design and BoQs preparation and ensure design BoQs are customized/responsive site conditions and adequately budgeted for; and (g)MoES to liaise

with all the relevant stakeholders such as MLHUD, MoLG and provide ample time to LGs to identify land free of encumbrances, before sites are confirmed.

(ii). Program design elements integrating E&S sustainability

Exclusion criteria shall be considered to avoid constructions in protected areas and critical natural habitats, areas with high risk of natural disasters, as well as avoiding impacts on cultural heritage sites. Other key risks such as presence of asbestos containing material, lead based paints, fire risks and E-waste shall have appropriate plans developed to address them. The program will incentivize inclusion of climate-friendly "green design" elements into the infrastructure designs and activities to reflect principles of E&S sustainability, as well as mitigating climate change. Other considerations include the adoption of energy efficient architectural elements, installation of smart energy appliances, renewable energy sources, supporting non biomass cooking solutions for schools where feasible, improve of waste management practices, encouraging sorting and proper disposal, rainwater harvesting, and environmentally sustainable construction methods and support to tree planting programs.

(iii). Strengthening of implementation, monitoring, and reporting

Involvement of the technical team (E&S Specialists) in the preparation and evaluation of the bidding documents to ensure that ESHS aspects and technical specifications are adequately incorporated into the bidding documents**;** E&S screening for all subproject sites (prior to commencement of civil works), ensure PB/ESMP preparation, costing of E&S aspects in the ESMPs, integration of ESHS aspects in designs, BoQs, bidding and contract documents**;** constitution of the (a) Program Management Team (PMT) at the DLGs comprising of the relevant technical staff including the EO and CDO (attached to the Program) to carryout monthly Construction supervision visits including safeguards monitoring and supervision and (b) Joint multi-sectoral technical team to undertake quarterly supervision site visits; and establishment and operationalization of the Program GRM accessible to the project beneficiaries; establishment of a system for reporting and tracking ES Compliance under the program, including Community and workers GRMs and E&S accidents/incidents and enhancement of the current 5% budget for investment service cost to address the unforeseen E&S issues that come up before or after the scheduled joint monitoring.

(iv). Strengthening Capacity for E&S risk management

Include in program support team at the MoES, E&S specialists who should be in place prior to program effectiveness; and the program steering committee should representatives from NEMA and MoGLSD. Support for capacity building in E&S safeguards management will be carried out across the central participating agencies and beneficiary DLG staff such as the CAOs, District Procurement Officers, District Engineers, District Physical Planners, EOs, CDOs, Labour, Probation and Gender Officers etc. as well as the political executive of the respective DLGs. The technical assistance support under the IPF will support partnership with academia to implement series of tailored short-course skill enhancement trainings for staff at local governments and selected central government institutions. The trainings will be designed based on the capacity gaps identified in the ESSA report and it will build on national human resources capacity for environment and social risk management. Such interventions are expected to enhance the environmental, health and safety benefits of the Program. The trainings areas identified include among others: Environment and Social assessment, costing of E&S requirements in ESMP, integration of ESHS aspects in bidding and contractual documents, training in OHS aspects, preparation of stakeholder engagement plan, formulation, and training of GRCs and screening for social risks (GBV, VAC, SEA/SH).

1.0. INTRODUCTION

1.1 Background

Following the World Bank Group's communication of its concerns with the enactment of the AHA, the Government of Uganda issued five Circulars (see Annex 6). Of particular importance is the Circular on Uganda's Social Safeguard Policies issued on September 21, 2023, by the Ministry of Finance Planning and Economic Development, to all Accounting Officers, Ministries, Departments and Agencies and Local Governments which states that:

- *"All World Bank-financed projects [in Uganda] must be implemented in a manner consistent with the principles of non-discrimination as provided Article 21 of the Constitution of the Republic of Uganda. These projects should also be implemented in accordance with World Bank policies and applicable Legal Agreements.*
- *Under these projects, no one will be discriminated against or stigmatized, and the principles of non-discrimination and inclusion will be adhered to. Support should be provided to all project beneficiaries.*
- *All implementing entities of World Bank-[financed] projects will implement specific mitigation measures to address non-discrimination.*
- *These mitigation measures will require enhancing project grievance redress mechanisms as well as strengthening existing project monitoring by implementing entities including third-party monitoring [the Enhanced Implementation Support Mechanism] where applicable.*
- *Each project implementation entity shall develop comprehensive guidelines to address non-discrimination."*

The E&S risk management documents including this ESSA have been updated to identify the additional risks and describes mitigation measures to address these risks. They include the implementation, monitoring, and reporting arrangements, and roles and responsibilities to assess the efficacy of the additional mitigation measures being implemented. They also include the risks identified in the public consultations on these documents involving the Government of Uganda and civil society organizations.

Noteworthy is that the World Bank will provide support to the Government of Uganda, particularly its Project Implementation Units, to help them to implement the additional mitigation measures for this project.

17. The Government of Uganda attaches great importance to improvement of education services and recognises that education plays a vital role in promoting sustainable development through; improving the people's skills, raising awareness on various issues of national importance including improving general standards of living. There has been a remarkable change in this sector over the past years, especially since the inception of the Universal Primary Education (UPE). However, due to social economic context and limited awareness, narrow importance placed on education and need for children to help the family work, approximately just one in every four Ugandan children enrolled in primary school makes it to secondary school and less than half of those students who finish primary school can read. Additionally, children with disabilities are left out of any formal education. Only a quarter of adolescents are enrolled at the secondary level. Factors such as school fees, abuse in school, and teenage pregnancy keep children, especially girls, out of school, among others.

1.2 The Description of the ULEARN Program

18. The Uganda Learning Acceleration Program (ULEARN), is a hybrid Program-for-Results (PforR) and Investment Project Financing (IPF) operation, will support the government's Program; ESSP (under revision). The objective of the ESSP is to promote equitable access to relevant and quality education and training with the overall goal of improving service delivery in the education sector of Uganda. The results based PforR will strengthen the capacity of the MoES, and DLGs by addressing the identified system gaps to equitable and

quality education. The IPF component will mainly support the strengthening of program management by providing technical assistance to MoES and DLGs to facilitate achievement of results by minimizing technical, safeguards, and fiduciary risks as per the actions in the PAP.

1.3 Scope of the Program

The scope of the Program supports a sub-set of three core ESSP sub-programs, namely pre-primary, primary, and secondary education, and the Teachers Policy. It also supports several cross-cutting subprograms including special needs and inclusive education, teacher development and management, inspection of schools and institutions, gender in education and safe school environment, monitoring and evaluation system and EMIS, and ICT in the education sector.

Results Area 1: Quality Teaching and Learning: Program activities will focus on implementing structured pedagogical approaches in EGR, Kiswahili, and inclusive pedagogies, with attention to teacher continuous professional development (CPD). The approach will enhance quality and availability of textbooks and teacher guides, strengthen teacher training, and implement a structured teacher support program. Student assessments will be improved to enhance classroom instruction. These activities will support a review and revision of the primary curriculum to make it more competency-based and student-focused. The structured pedagogy approach will include: (i) introduction of EGR (for P1-P4) in all new districts; (ii) replenishment of materials and retraining of teachers in existing EGR districts; (iii) specialized pedagogy for teaching students with disabilities; (iv) Kiswahili instruction (for P4-7 nationwide and in P1-P4 where used as an EGR language for refugee hosting and border districts); (v) integrating remedial education in teacher training; and (vi) piloting of the new curriculum including EGM.

Results Area 2: Equitable Access to Improved Learning Environments: The Program will support improved learning environments through rehabilitation, expansion and equipping of select government and government-aided traditional secondary schools and primary- and secondary-level special schools and inclusive schools. The Program will benefit at least 100 government and government-aided traditional secondary schools and 66 primary- and secondary-level special and inclusive schools. Selection of beneficiary schools will consider refugee hosting districts, post-war sub-regions, sub-regions practicing FGM, and sub-regions with high poverty rates. The rehabilitation scope will be guided by site-specific needs assessments and use a community-driven development approach for construction to enhance community engagement, efficiency, monitoring and sustainability. The Program will support civil works, furniture, and equipment in line with MoES BRMS, including for pupil-classroom and pupil-latrine ratios. The BRMS will be upgraded to align with the UN Convention on the Rights of Persons with Disabilities which Uganda ratified in 2008. In the BRMS upgrade, climate adaptation and mitigation measures will be incorporated to ensure resilience and learning continuity in light of climate events such as heat and floods, and to reduce GHG emissions. Considerations for inclusion involve infrastructure design adaptations such as passive cooling design, painting roofs white to reduce indoor temperature; appropriate water drainage systems; clean/energy efficient cooking facilities and mitigation measures such as eliminating the use of burnt bricks and supporting tree planting to reduce GHG emissions. Updated BRMS will include design considerations for schools to be used as shelters during climate related and other emergencies (such as use of wind-resistant materials, emergency lighting, and backup power supply.

Results Area 3: Use of Data for Improved System Management: Uganda's EMIS will shift from a rudimentary pilot system to a robust web-based centralized system allowing direct and timely data entry by schools and automated production of individual school reports. At the school level, head teachers and teachers will be able to enter and track enrolment, teacher and student attendance, and student learning. The data will be used to determine whether specific interventions that are required for individual students, to report and track status of school infrastructure (like impacts from climate events and adequacy of WASH facilities) and to report student continuous assessment results to UNEB. The Program will provide all schools with devices,

train school heads and teachers, and create maintenance and support structures for the devices. The expansion of coverage of data systems and use of data will be crucial to monitor of progress in Results Areas 1 and 2 and improve the overall management of the education system. The IPF component will support central-level interventions including integration of EMIS with related data systems.

IPF Component

The IPF component will be implemented by MoES and will provide comprehensive technical assistance to MoES and Local Governments through firms and institutions to strengthen Program management and support better achievement of key results. The type of activities to be supported under the IPF component are shown in Table 1 below:

Table 1: IPF component activities

Area	Activity Description
Program Management, Fiduciary, Safeguards, & M&E	***i. Program operational costs***
	Support for local governments including training for LG fiduciary and safeguards staff, facilitation for school inspectors, and an implementation support team based at MoES which will provide hands-on support based on weaknesses identified in the program assessments and/or LG requests
	ii. Safeguards actions: partnership with academia to implement tailored short courses; consultancies for preparation of assessments and audits on sexual exploitation and abuse/sexual harassment (SEA/SH), environment, social, health and safety (ESHS)
	iii. Contracting the IVA to verify the results of the DLIs
	iv. Impact evaluation for EGM pilot
Technical Assistance to support better achievement of key results	***i. Technical assistance and capacity building*** to MoES, Kyambogo University, NCDC, and PTCs, and LGs on EGR and EGM, including on development of a Languages of Instruction Policy; ***Technical Assistance for the development of EGR materials*** in new languages and new materials for refugee students and students with disabilities and aligned assessment (formative and summative including EGRA and EGMA); technical assistance to UNEB on the development, implementation, and dissemination of results of NAPE that incorporate EGR and EGM and that is in line with the GPF; development of strategies and interventions to improve the transition from mother tongue to English-language instruction; development of EGM materials; development of mentor teacher program; and deployment of EGR/EGM specialists to PTCs to support successful implementation, including coordination of classroom support across CCTs, inspectors, and mentors.
	ii. Technical assistance to supervisory and financial management staff at central, district, and local (school) levels to support the regular operation, supervision and reporting of the school grants program to build capacity at the school and community level on developing and implementing SIPs and on efficient use of resources.
	iii. Technical assistance to MoES on ICT in Education Policy development; adoption of the National ID as the unique ID for students over time; development of enterprise architecture; data system integration and sustainability; technical and security audit of systems; and on the use of data and evidence.

1.4 Program Development Objectives

20. The PDO is to improve teaching and learning in Early Grade Reading in target schools, improve learning environments in target schools, and increase the coverage of the EMIS in Uganda.

1.5 Program Disbursement Linked Indicators

21. The program funds will be provided through Disbursement Linked Indicators (DLIs) aligned to the three RA as shown in Table 1.

Table 1: Key Result Areas and related DLI

Result Area	DLI linked to result area
Results Area 1: Quality Teaching and Learning	• DLI #1. Availability of EGR materials in classrooms • DLI #2. Teachers receiving practice-based training • DLI #3: Teachers receiving minimum number of quality in-classroom support visits • DLI #4. Development of curriculum and Early Grade Mathematics Program
Results Area 2: Equitable Access to Improved Learning Environments	• DLI #5. Schools meeting standards for physical infrastructure, safety and inclusion
Results Area 3: Use of Data for Improved System Management	• DLI #6. Percentage of schools with student-level data in EMIS

1.6 Program beneficiaries

22. The Program is expected to directly benefit (a) About 8 million students in primary and secondary education (EGR and EGM interventions, learning materials/textbooks, E-learning, remedial programs, school improvement grants, school infrastructure, rehabilitation and expansion existing schools, safe schools program) and (b) About 65,000 pre-primary and primary school teachers benefit from training.

1.7 Program Implementation Arrangements

23. The Program will be implemented by MoES as the main implementing agency, using existing institutional establishments.

i. **For RA1 implementing agencies are MoES; the National Curriculum Development Center (NCDC) and Uganda National Examinations Board (UNEB), which are semi-autonomous agencies; and LGs.** The Department of Basic Education will coordinate implementation of EGR and rollout of Kiswahili and integration of remedial education. The Teacher Education, Training and Development Department (TETD) has the overall responsibility for coordinating teacher training including EGR, Kiswahili, and remedial education. The Instructional Materials Unit (IMU) will work with the MoES procurement department to procure printing and distribution of teacher guides and student textbooks. The Special Needs Education (SNE) Department of MoES will coordinate the specialized trainings and work with the IMU and procurement department to procure assistive materials, while TTIs will implement teacher training and classroom visits from CCTs. NCDC will lead the curriculum review and development of new EGR/EGM and remedial curricula and materials, including e-learning digitized content, and initial training of trainers. UNEB will be responsible for mainstreaming aligned EGRA and EGMA into NAPE and implementing two rounds of NAPE in 2025 and 2027. The Directorate of Education Standards (DES) will coordinate the development of harmonized inspection tools. TETD will coordinate development of new digitized e-learning content in collaboration with NCDC. LGs will be responsible for deployment of mentor teachers and inspectors to conduct classroom visits using harmonized quality indicators. NCDC is responsible for DLRs 1.1, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, and 4.7, the other DLRs are the responsibility of MoES.

ii. **For RA2 implementing agencies are MoES and LGs**. The MoES Department of Secondary Education will be the overall coordinator of the RA2. The MoES Construction Management Unit (CMU) will be responsible for implementation of civil works, with participation of LGs in monitoring. To enhance sustainability and efficiency, construction will follow the Community Driven Development (CDD) approach with standard designs which will be adapted to site specific conditions by MoES and implementation at the school/ community level. The drawings, bills of quantities and technical specifications will be prepared in a manner that construction can be

implemented easily at community level. DES will coordinate the updating of the BRMS and monitoring of compliance with the BRMS. The SNE department will coordinate the acquisition of equipment, furniture and assistive devices in the special and inclusive schools. The E&S interventions will be coordinated by the project E&S specialists in collaboration with the Gender Unit of MoES and implemented at the school and community level by LGs. MoES may engage other agencies in the implementation of the activities under the IPF Component.

iii. **For RA3 MoES is the main implementing agency.** The Education Planning Department will be responsible for rollout of EMIS with unique identifiers. The Communication Information and Management Division will be responsible for integration of data systems including provision of digital infrastructure at the MoES Headquarters and other agencies housing approved education data systems. These systems include EMIS, TELA, TMIS for teacher performance and management, E-inspection, the Office of the Prime Minister's (OPM) refugee database, and the E-learning platform. UNEB will also participate in the integration of learning data with the system.

Central program support staff will support coordination, monitoring, and evaluation of the Program. These staff will be incorporated into the Project Implementation Unit at MoES. MoES may engage other agencies in implementation of activities under the IPF Component.

2.0 THE E&S SYSTEMS ASSESSMENT PROCESS

2.1 Objective and Scope of ESSA

23. An ESSA was undertaken by the Bank team for the ULEARN Program in line with the requirements set forth under Program for Results F (P4R) inancing. The aim of the ESSA was to identify the E&S risks associated with the implementation of the Program, review the capacity of existing government systems at the national and local government levels, to identify gaps where these exist, propose effective measures to address the identified gaps with the overall goal of strengthening the existing systems for E&S risk management. The ESSA process included assessing the E&S systems in place, the human and financial resources, the competencies, the gaps /weaknesses, extent, and nature of necessary improvements that would form the basis for a program action plan. The assessment to some extent considered the environment and social performance and lessons learned from the ongoing PforRs such as UgIFT-AF and USMID-AF.

Specific Objectives of ESSA were to:

a) identify the potential E&S risks and impacts applicable to the Program interventions.
b) review the policy and legal frameworks related to the management of E&S impacts of the Program interventions
c) assess the institutional capacity for E&S risk management within the Program
d) examine the institutional arrangements for the identification, planning, design, preparation and implementation of the sub-projects under the proposed program to adequately address and incorporate E&S sustainability aspects into the Program
e) specify appropriate roles and responsibilities and outline the necessary program management and reporting procedures for managing and monitoring E&S concerns related to the proposed program
f) assess the consistency of the Borrower's systems with six core principles and attributes defined in the Bank's Policy – Program for Results Financing, to include assessment of monitoring and evaluation systems for E&S issues; and,
g) propose gap filling measures that will input into the Program Action Plan to strengthen the Program's performance with respect to the six core principles of the PforR instrument.

The ESSA is undertaken to ensure consistency with the six "core principles" outlined in paragraph 8 of the World Bank's policy on P4R Financing to effectively manage Program risks and promote sustainable development. The six core principles are outlined below:

1. Core Principle 1: Program E&S management systems are designed to (a) promote E&S Sustainability in the Program design; (b) avoid, minimize, or mitigate impacts; and (c) promote informed decision-making relating to a Program's E&S effects.
2. Core Principle 2: Program E&S management systems are designed to avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program. Program activities that involve the significant conversion or degradation of critical natural habitats or critical physical cultural heritage are not eligible for PforR financing.
3. Core Principle 3: Program E&S management systems are designed to protect public and worker safety against the potential risks associated with (a) the construction and/or operation of facilities or other operational practices under the Program; (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials under the Program; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.
4. Core Principle 4: Program E&S systems manage the land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement and assists affected people in improving, or at the minimum restoring, their livelihoods and living standards.
5. Core Principle 5: Program E&S systems give due consideration to the cultural appropriateness or and equitable access to, Program benefits, giving special attention to the rights and interests of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, and to the needs or concerns of vulnerable groups.
6. Core Principle 6: Program E&S systems avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

2.2 ESSA Methodology

24. The assessment was carried out through a comprehensive review of relevant government (national and local) policies, legislation, institutional roles and capacities, program procedures, and assessment of the available capacity in all the eight Local Governments within ULEARN to implement the existing systems consistent with Bank PforR Financing. It served as a basis for judging whether present systems utilized by the Program have the resources and authority necessary to mitigate unavoidable impacts and achieve maximal social and environmental benefits. Questionnaires (Please refer to Annex 3 for the Tools used for data collection and consultation) prepared by the ESSA team were used to guide discussions and data collection at the national and local level agencies/units that will be involved in the project implementation. This information collected was used to understand the key institutions/strategies, stakeholder's perspective about social and environmental aspects, and the feedback mechanisms in place to assess the social and environmental risks and impacts.

2.2.1. Desk Review

25. A review of the existing baseline information and literature material was undertaken which helped in gaining a further and deeper understanding of the ULEARN project. The review of secondary data was a continuous process throughout the ESSA preparation. Desk review of Uganda's policies, legal framework, and program documents: The review examined the set of national policy and legal requirements related to environment and social management. The review also examined technical and implementation support documents from previous Uganda Support to Municipal Infrastructure Development USMID program for the Ministry of Lands, Housing and Urban Development (MLHUD) prepared 2012, Uganda Support to Municipal Infrastructure Development Additional Fund (USMID AF)2017 and Uganda Intergovernmental Fiscal Transfer Additional Funds (UgIFT - AF) 2020 in Uganda. National Laws, Policies and regulations, reviewed included.

2.2.2. National Policies

26. The National Environment Management Policy 1994, National Land Policy, 2013, National Water Policy, 1999, The National Policy for Conservation and Management of Wetland Resources, 1995; The National Environment and Social Safeguards Policy, 2018; The Environment Health Policy -2005; The National Policy on Disaster Preparedness and Management, 2010; The National Climate Change Policy, 2015; The Forestry Policy, 2003; The National Construction Industry Policy, 2010; The National Land Policy, 2013; The National Gender Policy, 1997; The National Policy on HIV/AIDS and World of Work 2007; The National Policy on Elimination of Gender Based Violence, 2016; The National Policy for Disability, 2003; The Special Needs and Education Policy, 2021 and The Uganda National Land Policy, 2020.

2.2.3. National Laws

27. The Constitution of the Republic of Uganda, 1995; The Education Act, 2008; The National Environment Act, No 5 of 2019; Financial Institution Act, 2016; The Water Act, (Cap 152); The Public Health Act, Cap. 281 Occupational Safety and Health Act, 2006; Local Government Act, Cap 243; Physical Planning Act, 2010; The Physical Planning Amendment Act, 2020; The Land Acquisition Act, 1965; The Land Act, Cap 227; Land Amendment Act (2010); National Forestry and Tree Planting Act, 2003; The Historical and Monuments Act, 1967, (Amended 1977); Employment Act No 6, 2006; Workers Compensation Act, 2000; Labour Unions Act, 2006; The Children's Act, 1997 (CAP 59) and The Penal Code. The Anti Homosexuality Act 2023

2.2.4. Regulations and Guidelines

28. The Environmental Impact Assessment (EIA) Guidelines (1997); The National Environment (Environmental and Social Assessment) Regulations (2020); The Strategic Environment Assessment (SEA) guidelines (2020); The National Environment (Noise Standards and Control) Regulations (2003); The National Environment (Management of Ozone Depleting Substances and Products) Regulations (2001); The National Environment (Waste Management) Regulations (2020); The National Environment (Minimum Standards for Management of Soil Quality) Regulations (2001); The National Environment (standards for discharge of effluent into water or land) regulations (2020); The National Environment (Wetlands, Riverbanks and Lake Shores Management) Regulations (2000); National Environment (Audit) Regulations (2020); National Environment (Conduct and Certification of Environmental Practitioners) Regulations (2003); Water (Waste Discharge) Regulations (No. 32 of 1998); Employment (Sexual Harassment) Regulations, 2012 (S.I. 2012 No. 15). National Environmental (Oil Spill Prevention, Preparedness and Response Regulations), 2020. The National Forestry and Tree Planting Act, 8/2003.

2.2.5. Institutional Analysis

29. Institutional analysis was also carried out to identify the roles, responsibilities, and structure of the relevant institutions responsible for implementing the program, including E&S coordination between different entities at the national and local levels. Sources include existing assessments of key institutions focusing on E&S assessment and management processes. NEMA is the administrative body that is responsible for the coordination of the various environmental management activities in Uganda. NEMA is also responsible for granting and Environmental and Social Impact Assessment (ESIA) approvals and for monitoring and assessing project activities to ensure that the environment is not degraded by such activities. NEMA, which has the overall mandate in enforcing ESIA at the national and local levels sub-nationals i.e., governments capacity system was also assessed. The ULEARN Program implementing entities are responsible for ensuring that all the program investments are screened for environment and social risks and impacts, preparation of the relevant E&S risks/impacts mitigation measures documents and seek approval before program implementation. Also, their capacities to manage, mitigate and monitor E&S risks/impacts was analysed. The Ministry of Labour, Gender and Social Development (MoGLSD) under the department

of Occupation Health and Safety is mandated to : Identifying and recommending remedial measures of Work Place hazards (Dangerous machinery, plants, equipment, and work practices); Certifying Statutory Equipment (Pressure vessels, lifting machinery and equipment); Projects' Environment Impact Assessment reviewing for Safety and Health Standard compliance; and Investigation of Accidents, occupational diseases and dangerous occurrences at workplaces.

2.2.6. Stakeholder Consultation Process:

30. The key objective of this assignment was to conduct stakeholder consultation with relevant DLGs in the sampled Districts and to engage relevant technical officers at Local Governments including CAOs, DEOs, District Inspector of Schools (DISs), EOs, Physical Planners, Engineers, and CDOs; among other stakeholders. The Bank team conducted stakeholder consultations from November 23rd, 2022, to January 27th, 2023. The stakeholder engagements were carried out in the in the following sampled DLGs: Amudat, Kween, Bukwo, Moyo, Kaberamaido, Abim, Busia, Nebbi, Pakwach, Zombo, Koboko, Yumbe, Buliisa, Ntoroko and Kisoro. Additionally, consultations were also conducted with various Ministries, Departments and Agencies (MDAs): MoFPED, MoGLSD, MoES, MoLHUD, MoLG, MoH, NEMA, NUDIPU, and NCDC.

This summary report, therefore, focuses on the key field findings following the stakeholder consultations with the target district local governments that were sampled for this program. The findings from the ESSA will inform the overall Program Action Plan, and in addition propose actions to strengthen existing DLG systems, hence contributing to E&S sustainability while achieving the program's desired results. The Consultants did get in direct contact with the technical officers so that they could follow up including making any clarifications in the instruments that would be needed by the Officers. Upon receipt of completed questionnaires, the Consultants analysed the information provided and followed-up with the Officers as was considered appropriate.

2.2.7. Data Analysis and Report Writing

31. The ESSA analysis followed the Strengths, Weaknesses, Opportunities and Threats (SWOT) approach. This was undertaken based on the details of Program activities, institutions involved and the implementing agency's experience in implementing similar projects, the potential E&S benefits, risks/impacts of the Program, the national and local existing E&S management systems, assessment of the adequacy of the existing systems, and identification of gaps.

2.2.8. Validation and Disclosure

32. The ESSA validation workshop was held on March 10, 2023. It was attended by all the Officials that were consulted including representatives from Government Ministries, Departments and Agencies (MDAs) as well as members of several Civil Society Organizations (CSOs). The final ESSA incorporating comments from stakeholders' validation workshop consultations shall be disclosed on the client's website before completion of appraisal of the program. The World Bank will also disclose the ESSA report on the Bank's website.

3.0. ENVIRONMENTAL AND SOCIAL RISK ANALYSIS AND IMPACTS OF THE PROPOSED PROGRAM

3.1. Overview of the chapter

33. This section presents the anticipated E&S impacts, benefits, risks, and opportunities of the Program. The risks have been identified by examining the existing and possible impacts on the E&S context, the Program strategy and sustainability, the institutional arrangements and capacity. The risks associated with the program can be mitigated through proposed measures, which include capacity building of implementing entities to enhance inclusion, participation, and strengthening mechanisms on accountability and grievance redress mechanisms. These measures are included in the Program's integrated risk management.

The Exclusion Principle

34. The exclusion principle applies to Program activities that meet these criteria, regardless of the borrower's capacity to manage such effects. In the PforR context, the concept of exclusion means that an activity is not included in the identified program of expenditures. Also, an activity is not included if it requires the completion of a non-eligible activity to achieve its contribution to the PDO or any specific DLIs. The six principles under the PforR will apply to all investments as a mechanism for mitigating adverse E&S impacts and for any other activities considered to be high risk identified per the E&S screening process.

The program shall exclude projects that are likely to:

i. Significant conversion or degradation of critical natural habitats or cultural heritage sites.
ii. Air, water, or soil contamination leading to significant adverse impacts on the health or safety of individuals, communities, or ecosystems.
iii. Land acquisition and/or resettlement of a scale or nature that will have significant adverse impacts on affected people or the use of forced evictions.
iv. Large-scale changes in land use or access to land and/or natural resources.
v. Adverse E&S impacts covering large geographical areas, including transboundary impacts, or global impacts such as greenhouse gas (GHG) emissions.
vi. Significant cumulative, induced, or indirect impacts.
vii. Activities that involve the use of forced or child labour
viii. The marginalization of, or conflict within or among, social groups; or
ix. Activities with high risk of GBV and SEA.
x. Activities that would (a) have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation; (b) cause the relocation of VMGs from land and natural resources that are subject to traditional ownership or under customary use or occupation; or (c) have significant impacts on cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected communities.

3.2 Potential Program Benefits and Risks

3.2.1. Potential Environmental Benefits and Risks

35. The investments under the ULEARN program will have positive environment impacts and will provide an opportunity to enhance environment systems to ensure safe, clean, and sustainable surroundings in schools. Potential environment benefits include:

i) ***Improved hygiene and sanitation***: Construction and rehabilitation of school infrastructure facilities will lead to improved sanitation situation in schools, provision of clean and safe water to schools and promotion of hygiene through provision of handwashing facilities. Separate and gender-specific WASH amenities including menstrual health and hygiene services increase enrolments for girls due to adequate sanitary disposal facilities.

ii) ***Improved health and safety*** for learners, teachers, by ensuring that construction of school infrastructure follows provisions of Uganda's building code to ensure universal access and herein inclusion for learners with disabilities; support to development and rehabilitation of old/dilapidated beneficiary schools, some of which will have the roofing material of asbestos roofing replaced with suitable and safe roofing material.

iii) ***Increased awareness on environment management and climate change*** through the e-learning platform that will support development of a module on climate change for students and teachers and mainstreaming of hygiene education in accordance with the national standards.

iv) ***Promotion of environmental sustainability*** through among others, the integration of climate change mitigation and adaptation measures, such as (a) integration of climate change considerations in infrastructure design, such as rain water harvesting systems, flood defences mechanisms and for energy saving stoves (b) use of climate-friendly "green design" elements where possible to reduce carbon emissions and be more resilient to potential climate change risks such as floods and storms in new and rehabilitated school buildings (c) installation of smart energy appliances and (d)support to tree planting in school compounds and demonstration gardens which will provide shade and wind protection to the school learners and to the general school environment.

v) ***Technical assistance*** to MoES on the development of a national primary school construction strategy to guide construction of school infrastructure, including school facilities maintenance requirements, resulting into safe, sustainable, and long-lasting structural buildings for learners.

vi) ***Strengthening of safeguards awareness and Capacity building*** of the central and local government institutions in E&S risk management. This shall help to enhance the collaboration and technical capacity between the implementing agency (MoES) and participating institutions such as NEMA, MoGLSD, among others.

3.2.2 Anticipated Environmental Risks and Impacts

36. The potential environmental risks and impacts of the Program include among others:

i) ***Site clearance and preparation:*** During site clearance, excavated loose soil can block drains and waterways, this may contribute indirectly to health risks by creating pools of stagnant water, encouraging vector populations. Site clearance can also lead to or aggravate soil erosion especially during the rainy season which may pollute water sources within the project area and loss of access to land or resources if for example community paths are closed.

ii) ***Noise generation:*** During site preparation and construction activities, noise will be generated, and could result in disturbances to classroom activities, especially if heavy noise generating activities are undertaken during school hours.

iii) ***Implications on Air quality:*** Dust generation Site clearance and construction will generate dust and can get aggravated when construction materials are loaded, unloaded, and transported. Soil or gravel that is kept for extended periods without proper cover can generate dust. Dust pollution poses health hazard to learners and the public in the subproject areas.

iv) ***Community and Occupational Health and Safety:*** Occupational hazards to construction workers and learners' safety, including the safety of the public is a critical issue on construction sites. Appropriate measures to separate construction areas from classes and to request workers to wear appropriate protective gear are required to avoid injury and health hazards.

v) ***Impacts due to Gravel/sand/soil*** brought for filling purposes or resulting from any cut operation, if not properly stored can be washed off to nearby streams/wetlands, rivers and low-lying areas causing sedimentation which would block natural flows of water and degrade habitats. Storm water congestion on site can create inconveniences to school activities and construction work, including occupational safety, health risks, and flood risk.

vi) ***Contamination of ground and surface water:*** wastewater can contaminate drinking water sources through runoff, if not appropriately disposed of. Additionally, improper waste disposal, as well as inappropriately designed wastewater disposal pits can lead groundwater and surface water contamination.

vii) ***Increased Generation of Solid Waste:*** civil works will involve rehabilitation of old/ dilapidated school buildings. This will generate construction debris which unless disposed of appropriately, could lead to pollution of neighbouring areas including any potentially sensitive sites such as wetlands, swamps, and low-lying areas.

viii) ***Environmental implications of resource extraction:*** The construction work is likely to create a demand for construction materials such as sand, clay for bricks and timber which will place a burden on resources. If these resources are not extracted in an environmentally responsible manner, this could further lead to degradation of the natural environment within which these materials are extracted.

ix) ***Damage to aesthetics of site(s):*** This could occur if the structure that is being built is not consistent with building code requirements for school infrastructure or sited without adequate attention to existing aesthetic characteristics of the project area, thereby negatively impacting on the aesthetics of the school and the surrounding environment.

x) ***Establishment of site camps/labour camps:*** As construction work will be conducted in many cases on school premises, if labour camps are required, location of camps and workers' interactions with learners can create negative social impacts. Hence, contractors should be discouraged from placing workers camps within/near the school property. Additionally, negative impacts include improper disposal of generated solid and liquid waste from the site workers, among others.

xi) ***Site specialized risks (Disposal of Asbestos Containing materials in roofs of older schools:*** Some older schools in the district were noted to contain asbestos roofing material (such as Mawero P/S, Bukwewe P/S and Dabani Boys P/S). The DLG also requested for support to older schools that still have asbestos roofing material with respect to removal, handling, disposal, and replacement with more environmentally friendly and safer roofing materials in the affected schools.

xii) ***Natural Resources Degradation:*** Natural habitats could be altered as a result creation of borrow pits for aggregate materials. If not responsibly managed, borrow pits for construction materials pose the greatest potential negative impacts on natural habitats and land degradation if abandoned without proper reclamation/restoration.

xiii) ***School fires:*** Fire may break out in schools for several reasons for e.g., due to poor electrical connections at some of the schools, where classrooms are often crowded, and there no firefighting equipment in place, kitchen fires, among others.

xiv) ***Effects due to unsustainable use of biomass fuel:*** the rehabilitation of existing schools under the Program is expected to result in increased enrolment of learners. An indirect environmental impact may lead to an increase in the consumption of biomass fuel wood for cooking at the schools. This could subsequently lead to an increase in deforestation in some of the project areas.

3.3 Potential Social Benefits and Risks

3.3.1 Social Benefits

37. The construction of school infrastructure is expected to have positive economic and social impacts leading to improved service delivery in terms of:

a) ***Increased access to Education to all school going children;*** This will increase the number of learners reduce on long distances covered by the learners leading to reduction in exposure to VAC, Rape, and assault, even though some sub counties have more than one primary school, these are far apart, which is a major challenge leading to early school dropout.

b) ***Expansion of old schools to accommodate more learners;*** This will reduce the high Teacher: Pupil Ratio to the agreed standard of 1: 53, which has not been attainable in most Government schools.

c) ***Improvement of physical space for adequate learning;*** which will lead to quality education for all learners hence solving the problem of learners studying under trees or unfinished structures which makes them miss learning during the rainy season, demotivates learners leading to high school dropouts due to late entry into school that partly contributes early marriages and teenage pregnancies.

d) ***Increase enrolment;*** through expansion of school infrastructure increase enrolment of learners including those with special needs. This upholds the UPE (Universal Primary Education) Policy of 1997 which requires all school-aged children to go to school.
e) ***Capacity building for teachers;*** Teacher training in braille equipment for the sight impaired and providing hearing devices will improve the learning environment for learners with special needs.
f) ***Improvement in the quality of the learning environment;*** in underserved areas through investment in new, expanded, and rehabilitated infrastructure, including sports grounds etc. upholds the policy of producing all round learners whose skills and talents are developed through extra-curricular activities.
g) ***Construction and improvement of WASH facilities;*** in primary schools will lead improvement in hygiene practices by learners such as good waste management practices and enhancing learners' appreciation of clean environment to curb communicable diseases.
h) ***Closing the Gender Gaps;*** through provision of safe school environment especially in rural areas where girls' participation lags that of boys. Separate and gender-specific WASH amenities including menstrual health and hygiene services which has been one of the reasons most female learners drop out between P5 and P7 due to the lack of adequate menstrual hygiene. This will lead to increased enrolments and retention of the girl child in school.
i) ***Equitable access to safe schools;*** such as fencing of schools as many public primary schools are not fenced especially those located in in the rural areas. Such interventions will mitigate additional barriers to participation, such as absenteeism by both learners and teachers especially on market days, school-based violence, which disproportionately affects girls.
j) ***Support to cross-cutting subprograms;*** including special needs and inclusive education, teacher development and management, inspection of schools and institutions, gender in education and safe school environment, monitoring, and evaluation system and EMIS, and ICT in the education sector. This will provide accurate data for planning, implementation, and mitigation against social risks such as Gender based violence, violence against children, sexual exploitation and harassment among learners and enhance inclusion of learners with special needs and reduce gender gaps in access to learning. EMIS and ICT will enhance collection of data and information on special needs learners, learners that belong to VMGs.
k) ***During Construction and expansion of school infrastructure;*** this will lead to increased employment opportunities for both technical, unskilled labor and communities near the school sites. Although it was reported that most constructors move with their workers, MoES should guide that casual laborer be got from the communities and building materials plus food items be purchased from the nearby communities.
l) ***Improve capacities of LGs in management of E&S in school construction;*** Key assumptions required for the Program's success are that: coordination at the central (MoES), and DLG levels, and among participating entities will be sufficient both for implementation of Program activities and M&E of Program results; (b) capacities of LGs E&S staff in management of E&S risks and impacts during school construction and capacities of DLGs Technical Staff in appreciating E&S issues in management of school construction shall be enhanced and with TA support.
m) ***General awareness and compliance with environment and social safeguards***

3.3.2. Potential Social Risks and Impacts (Negative Impacts)

38. The provision of necessary land tenure documents will be a prerequisite for school expansion and rehabilitation for all schools. It is likely that the construction activities might result into negative social risks and impacts. Therefore, the construction location and design should be chosen to minimize these potential negative impacts, and to fully mitigate any potential for land loss, loss of access and disputes.

a) Land

Expansion of school infrastructure in existing schools and community schools identified to be taken over by Government in the program design proposes Land requirements for putting up a standard school with

all amenities such as classroom blocks, Head teacher's office, staffroom, library/computer laboratory, playgrounds, staff houses, and sanitary facilities would measure to between 5–8 hectares. Finding this size of land at ago is a big challenge for most DLGs given the land scarcity due to high population. Land acquisition especially for school sites owned by faith-based organizations, which are reluctant to issue out land titles in the names of the beneficiary schools is another challenge, yet for Bank funded projects, this is one of the key requirements. This is likely to lead to some DLGs missing out on the program or experiencing delayed implementation of the program. Without earlier preparations the DLGs are usually thrown in panic to acquire land without confirmation of ownership, thereby exacerbating risks related to land acquisition. Further still the Government proposal to apply a community-driven development approach to school construction requires capacity building and efficient monitoring

To address these gaps, the implementing LGs should:

- Work together with the MoLHUD on how to fast track processing of land titles.
- Engage communities in a transparent manner to donate land voluntarily and formalise these transactions through agreements/ Memorandum of Understanding (MoUs) and titling.
- Higher LGs to work closely with LLGs to convince the communities to provide land at the on-going market rates whose cost will not be so high, make agreements or MoUs and the district can process titles, since it is very costly for LGs to acquire land titles let alone processing titles.
- Communicate the program footprint early and involve the Lower Local leaders in land acquisition, or negotiations for land especially those already housing community schools, make MoUs with the owners of the land and DLGs to help with process of the land title.

b) Potential Continued Exclusion of Learners due to following:

i. Learners with Special Needs

There is no readily available data on learners with special needs within the districts, neither are there special needs schools. While it is noted that the Government promotes inclusive and quality education, there are still challenges of a weak policy implementation, limited capacity, and skills of teachers to meet the needs of special needs learners and inadequate financing to support the effective implementation of inclusive education. Additionally, data mostly captured for learners with disabilities refers to children with visual or hearing impairments, data on learners with intellectual disabilities, multiple disabilities or psychosocial disabilities is often not captured and this affects planning for their needs. For the Program to achieve its Result Area 2 of Equitable Access to Improved Learning Environments for all, the MoES would be required to provide data on Special Needs Learners to target the beneficiary learners. To mitigate close these gaps MoES should work closely with the Departments of Education and Community Based Services at the DLGs to conduct Special Needs learner tracer studies and community mobilization on information about special needs learners.

ii. Vulnerable and Marginalized Groups from Program benefits

The coverage of the ULEARN program is intended for the whole the country, since the program is going to be implemented in all LGs across Uganda some of the LGs including Kween, Amudat, Moroto, Kaabong, Kanungu, Bundibugyo and Kisoro are inhabited by groups of people referred to VMGs. Efforts by Government through its inclusiveness policies and specific interventions by CSOs to have these groups embrace education are still low because the numbers involved in education are still very few although schools are built near their settlements. The Batwa children are said to disappear along the way to school especially on the market days and do not go back to school after lunch break. During past projects development partners have tried to integrate the Batwa within the communities by buying them land and building them houses but they prefer going to towns to beg. The program should support the development of the VMG Framework (VMGF) to facilitate appropriate consultations, recognise the rights and interests of the VMGs and have them incorporated into the design and implementation of the Program. Additionally, the Government should consider including schools with VMGs in the special category and provide boarding

facilities so that the learners are fed and kept in schools. Furthermore, there is potential risk of discrimination against vulnerable or marginalized individuals or groups details of which are provided in Section 3.3.3 below.

iii. Refugees

The refugees who are mainly from DRC have a French background and those from South Sudan have the Arabic background, so they usually get a challenge in understanding the Ugandan rules & regulations and school language of instruction which is English. Nonetheless, the presence of refugees within the LGs in large numbers increases congestion in classes especially in the lower primary to the tune of having 600 pupils in one class. Additionally, the United Nations High Commission for Refugees (UNHCR) uses NGOs & CBOs as their program implementing partners who do not have E&S staff. Therefore, mitigation of E&S risks and impacts becomes a challenge. However, under the program, DLGs in refugee hosting areas will be supported to enhance their knowledge and skills to effectively address E&S challenges.

c) Labour management including influx of contracted workers:

Potential risks associated with influx of contracted workers could cause a range of social risks and impacts including social tension with the host community, gender-based violence, and HIV/AIDS and other sexually transmitted infections due to the potential risk from commercial sex, the spread of contagious diseases like COVID-19. There is also risk of exclusion and discrimination of workers who may be vulnerable or marginalized individuals or groups. Other labour related concerns include; violation of workers' rights, under payment; health and safety issues, sexual harassment, unfair dismissal; non-payment for excessive overtime, etc. Additionally, non-payment or compensation of community owners for construction materials will result in conflicts. The implementing agency will ensure that contractors sensitize and sign ESHS Codes of Conducts, carry out mandatory SEA/SH/GBV training, and inclusion and non-discrimination (IND) for workers and ensure that project specific community GRMs are functional before contractor mobilization. Workers GRMs will be constituted prior to commencement of project activities

d) **Child protection related risks and impacts**

Risks such as child abuse in form of VAC, including child labour and SEA, increase in school dropout rates, defilement, early pregnancy, child marriages, and spread of Sexually Transmitted Diseases/Infections (STD/STIs) are anticipated. **Gender related risks** i.e., inconsideration of working mothers' interests and needs such as sanitation and provision of shelters for protecting, and facilities for breast feeding their babies, lack of appropriate and adequate health and welfare facilities (toilets, washing facilities, change rooms that are separate for male and female, sensitive to People with Disability needs). To mitigate these risks, the ULEARN shall advise the contractor to:

- Preferably use local workforce based on the qualification needs,
- Establish a robust Grievance Redress Mechanism (GRM) system for the contractor, workers, and communities,
- Continuous stakeholder engagement and feedback provided,
- Adhere to COVID-19 Standard Operating Procedures (SOPs),
- Establish Environment and Social Risk Management Committees as per the law,
- Mandatory Signing of the Code of Conduct by all workers,
- Mandatory training on GBV/SEA/SH/VAC/IND

e) Gender-Based Violence (GBV):

Entrenched social norms continue to reinforce discrimination and violence against women in Uganda. In addition, negative cultural beliefs and the attitudes of women and men on the role of women and expectations of masculinity are all risk factors for gender-based violence and inequality. These norms provide a societal justification for perpetration and tolerance of GBV, driving its prevalence and influencing

the help-seeking behaviour of survivors. This may be inadvertently reinforced by the implementation of this project. At the same time, communities have inadequate information concerning their civic and human rights, in relation to sexual related violence including sexual exploitation and abuse and, sexual harassment. Mechanisms to support survivors of GBV are inadequate. Economic hardship and limited livelihood options may force many women and girls to engage in transactional sex for making a living.

Labour influx may also exacerbate and/or expose project communities to incidences of GBV and; family and marriage breakages as well as social conflict. Increased household incomes resulting from employment of community members in the proposed project may cause or increase GBV in families. This is because money is usually reported to be a source of conflict in some families. To address such potential risks, it is proposed that various mitigation measures such as:

- preferential use of local workforce,
- extensive community sensitization activities and enhanced contractor/worker management,
- signing of codes of conduct by project workers,
- mapping of GBV services and developing referral pathways,
- establishing GBV sensitive GRM in line with the World Bank Guidance Note on the Management of Risks associated with project- induced labour influx should be followed.

f) Potential risk of social tension in the community with the lack of functioning GRM and community engagement.

While there is little risk that the Program cause major social conflict, some cases of grievance may occur during project implementation that could lead to social tension (such as dispute over access to land and natural resources, resettlement, community health and safety, or gender issues related to construction work). This may be worsened by a lack of understanding of the program and poor involvement of the community members, whom the services are intended to benefit. While a grievance handling system is expected to be established during the assessment, it was noted that, there was no clear guidance on how the project would handle both grievances and stakeholder engagement at DLGs. Most of District Local Governments are depending on the Government administrative systems that include; the Local Councils, Police and Courts of Law. It is essential to ensure that the democratic processes of participation and accountability are functioning adequately to avoid potential social conflict because of the project. Under ULEARN, grievance redress mechanism will be strengthened through the involvement of all stakeholders as stipulated in the stakeholder engagement plan.

g) Loss of cultural sites/resources

Construction activities involve digging of foundations which might affect physical and cultural resources in planned project areas. This gap shall be closed by use Chance find procedures and liaise with Department Antiquities.

3.3.3. Non-Discrimination of Vulnerable or Marginalised Individuals or Groups.

The following section relates to vulnerable or marginalized individuals or groups.

The Government of Uganda notes that discrimination of any person contravenes Article 21 of the Ugandan Constitution. The Republic of Uganda (the "Borrower") has committed to uphold the Bank's policy requirements for non-discrimination on all World Bank financed projects. The measures outlined below are intended to ensure that mechanisms exist to identify potential discrimination and to promptly remediate its impacts. Specifically, these mitigation measures will ensure that:

- an individual or groups with concerns or grievances would be afforded appropriate avenues to submit their grievances or concerns including through the grievance mechanism corresponding to World Bank financed project.

- the implementors of the referred mechanisms, the World Bank and the Government of Uganda will do what is required of them to ensure that such concerns or grievances are addressed promptly and effectively.

Risks

These risks were identified through a process of stakeholder engagement conducted from March 2023 to January 2024 with civil society organizations, donors, and other interested parties. Stakeholder engagement on the mitigation measures and updating of instruments took place between June 12 and June 23, 2023, as well as between August 28 and September 22, 2023. This engagement was led by the World Bank and included meetings with Government of Uganda representatives, other Development Partners and NGOs/CSOs. In addition, in January 2024, the GoU led consultations on the whole World Bank portfolio with key community stakeholders.

Identified risks include:

(i) The risk of educational facilities denying access to vulnerable or marginalized individuals or groups who are project beneficiaries.
(ii) The risk of not accessing project services for fear of rejection or retaliation.
(iii) The possibility of exclusion from employment opportunities.
(iv) The possibility that vulnerable or marginalized individuals or groups may be expelled from school.
(v) The need for a strategy to ensure that children are not bullied or harassed.
(vi) The risk that the current gender inclusion framework in the education system excludes some vulnerable or marginalized individuals or groups.
(vii) The need to provide safe spaces and other psychosocial support for vulnerable or marginalised individuals or groups that are bullied or harassed.

Mitigation measures

The following mitigation measures are proposed to manage the risks of exclusion and discrimination. These mitigations will be implemented by the project implementation unit with the support of an Enhanced Implementation Support Mechanism (firm, agency) that has been hired by the World Bank and IFC with a strong track record of providing implementation support and monitoring project performance and knowledge of the Ugandan context. This entity is expected to work with NGO/CSOs and country-based development partners in implementing these mitigation measures.
Specifically, the firm will:

- Assist project teams to enhance existing project-level grievance mechanisms and develop and operate an independent mechanism that would identify, manage, and monitor cases of discrimination.
- Assist the WB in strengthening the capacity of Project Implementation Units, workers, and contractors, subcontractors, and service providers.
- Ensure contracts, codes of conduct, hiring procedures, whistle-blower protection protocols, and other measures, as needed, are in place to require remediation of cases of discrimination.
- Develop a strong data management system and process that secures personal data and information in a manner that is safe, ethical, and confidential.
- Where cases of discrimination are reported through the above mechanism, the EISM will report the grievances to the Bank, propose appropriate remediation, and follow up on agreed actions to resolve the case.

- Support the WB/IFC to monitor the efficacy of the agreed measures to mitigate the impacts on WB/IFC financed operations.

A more detailed explanation of the enhanced implementation support which this organisation will provide is found at Annex 7.

Mitigation measures to be implemented by PIUs with the support from the entity listed above include:

- Establish anti-bullying protections to address all forms of violence against children in schools supported by the project.
- Develop training, sensitization and Information, Education and Communications materials on the obligations of project participants to ensure non-discrimination of individual or groups who are vulnerable or marginalized, and to ensure they have access to appropriate expertise to help them do that.
- Undertake targeted consultations with external stakeholders, including as appropriate NGO/CSOs, local governments and other stakeholders to ensure there is broad understanding of the obligations of project participants to ensure non-discrimination under the project.
- Review all Project contracts, Codes of Conduct, human resource procedures and protocols, whistle-blower protection protocols, and other measures, as needed, to ensure they have a requirement regarding remediation of cases of discrimination.
- Review the human resource procedures and protocols, whistle blower protections and other relevant policies and protocols to ensure appropriate principles of non-discrimination are included.
- Enhance the project Grievance Redress Mechanism to include an effective, safe, ethical and confidential referral pathway to ensure that individuals or groups are comfortable reporting incidents of discrimination or exclusion and that such grievances are addressed quickly, efficiently and appropriately.
- The PIU will adapt GBV training under component 1.2 to include sensitization training for teachers on non-discrimination for adolescent students.
- PIU will ensure that the Back-to-School campaign in Component 1.2 is administered in a non-discriminatory manner to seek to attract drop outs who are vulnerable or marginalized and also seek to prevent expulsions.
- The social and emotional learning (SEL) modules under Subcomponent 1.2, will be adapted to help all students, to cope with psycho-social challenges related to violence and other forms of exclusion by fostering their resilience, empathy, and engagement in accordance with international good practice.
- Facilitate the monitoring of implementation of all measures to ensure non-discrimination under the project supported by the EISM to ensure all measures are implemented and all reported incidents are shared with the Bank and addressed in a timely fashion.

Table 2: Summary of Environmental and Social Mitigation Measures

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
RA 1: Quality Teaching and Learning	• Support to teaching and learning materials through revision, production, and distribution of EGR/M • Enhancement of e-learning platform to support learning for students and upskilling of teachers. • support effectiveness of teacher supervision, coaching, and mentoring	e-waste generation and disposal challenges from the operational activities under the e-learning platform	**MODERATE**	• MoES to engage MoICT and NEMA for guidance on proper collection and disposal of e-waste. • Contract a licensed company to collect a dispose of electronic waste under the Progra	**LOW**
RA 2: provision of an operational government primary school in selected underserved districts school construction, expansion, rehabilitation	• construction, expansion, and rehabilitation of public primary schools and provision of furniture and equipment to schools • Support to hire/transfers of teachers and head teachers in newly constructed/expanded schools.	**<u>Environment</u>** • Likely generation of noise and dust pollution nuisance during the civil works.	**SUBSTANTIAL**	• E&S Screening and ESIA/ Project Brief to be undertake early enough to inform the design and incorporated into the BOQs. • Ensure that works are within the acceptable national level standards and frequent watering. • Contractors will be required to conduct health and safety training for all workers, hold regular toolbox meetings and provide personal protective equipment (PPE) and enforce its use. • Adhere to NEMA noise standards and regulations. • Use of dust suppression techniques	**MODERATE**

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
	• Support to small grants to implement School Improvement Plans (SIPs) for minor works and initiatives to support student access. • Rehabilitation/infrastructural upgrade of existing traditional secondary schools and provision of equipment and materials to enable them to function as Centers of Excellence • Provision of scholarships to support enrolment of disadvantaged students and refugee students from host and refugee communities. • Implementation of the Child-Friendly Schools Program	Natural Resources Degradation	**SUBSTANTIAL**	• Contractors will be required to ensure proper and progressive restoration of the construction source material points such as borrow pits through remediation of borrow pits, landscaping, and grass planting.	**MODERATE**
		Effects due to unsustainable use of biomass fuel	**SUBSTANTIAL**	• plant trees to offset the carbon emissions from civil works activities as part the School Greening Program. • The Program will support the installation of smart energy appliances and renewable energy sources including rain water harvesting technologies among others	**MODERATE**
		• Traffic diversions • Accidents/incident	**SUBSTANTIAL**	• Develop a traffic management plan. • Awareness and sensitization of workers, use of engineering and administrative controls as well as the use PPE • Adhere to occupational health and safety plans. • Stakeholder (community) engagement in planning alternatives routes • Proper signage and clearly placed in the right locations • Have in place an accident/incident register and ensure closure of cases raised	**MODERATE**
		• Generation of solid and liquid waste, water and soil pollution associated with civil works during construction and operational phases.	**SUBSTANTIAL**	• Waste sorting at source and ensure proper handling and disposal and recycling measures put in place • Contract firms licensed to handle and dispose the various kinds of waste including hazardous waste	**MODERATE**

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
		• Risks of OHS (during and after construction) • Construction impacts during the construction, siting of the common facilities near sensitive ecosystems. • Safety risks/ impacts relating to adherence to safe systems and safe equipment of work. The inadequacy in safety systems presents a risky working environment that may result in fatal and non-fatal accidents to workers and communities	**MODERATE**	• Contractors to prepare CESMPs that include OHS management plan. • Ensuring that contractors have fulltime Health and safety Officer(s) at the respective sites • Conducting of OHS risk site assessments prior to commencement of work on respective sites. • Provisions of well-maintained tools and equipment, appropriate safety, signature and HSE training and regular toolbox talks provision of well-maintained tools and equipment, appropriate safety signage and training for workers on safe use of equipment and machinery. • provision of efficient emergency response system and functional first aid kits at the work sites • As a contractual agreement, contractors to have arrangements with nearby hospitals to response to/treat medical emergencies that may arise during project implementation. • Having clear procedures for incident notification and reporting on environment and social related incidents and maintaining incident/accident registers at the work site(s).	**LOW**

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
	•	• Health and safety risk from removal and disposal of asbestos containing materials on roofs of old schools	**HIGH**	Guidelines for asbestos handling2: • For subprojects involving the removal of asbestos containing materials (ACM), the MoES will develop a Protocol on asbestos management to include the appropriate mitigation management measures (such as those listed below among others) in the PB/ESMP, for contractors to incorporate in their C-ESMPs (including a budget); • MoES to also consult closely with NEMA on guidelines for the collection, handling and disposal of ACM in a manner that does not pose a health and safety risk to the workers concerned or the population in the vicinity. • MoES to ensure that only NEMA certified and competent contractors (capable of handling hazardous waste are procured to collect, handle), and dispose of ACM at t approved landfills. • The Contractor should be trained on among others: (i)asbestos identification and risk assessment; (ii) Isolation of the area and limiting of access to the area of work and provide adequate signage. (iii)procedures for safe asbestos removal and transportation; (iv)and monitoring requirements. • An Asbestos Management Plan to be developed (as part of the Protocol) • The Asbestos Management Plan will also contain procedures for managing asbestos exposure risks following the	**MODARATE**

2 Please find here in recently published best practice 'Good Practice Guidance for the Management and Control of Asbestos : (https://www.adb.org/sites/default/files/publication/783636/good-practice-management-control-asbestos.pdf).

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
				hierarchy of control measures i.e. elimination of the hazards, substitution of the hazards (with safer alternatives); isolation of the hazards; use of engineering and administrative controls to minimize the risks as well as use of appropriate and adequate PPE; • During the removal of ACM sheets, workers should wear proper protective gear such as masks and shower to prevent the spread of dust. Together with other asbestos control measures. • Workers who are, or have been, exposed to asbestos in their occupational activities should be provided, in accordance with national laws and practices, such as: medical examinations as are necessary to supervise their health in relation to the occupational hazard, and to diagnose occupational diseases caused by exposure to asbestos. For the prevention of disease and functional impairment related to exposure to asbestos, all workers assigned to work involving asbestos exposure should be provided with: ○ a pre-assignment medical examination; ○ periodic medical examinations at appropriate intervals (at least every 3 years); ○ other tests and investigations, in particular chest radiographs and lung function test, which may be necessary to supervise their state of health in relation to the occupational hazard and to identify early indicators of disease caused by asbestos; • The MoES to periodically monitor the subproject sites where ACMs have been identified.	

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
		• Source water for construction is likely to cause conflict with other users	**SUBSTANTIAL**	• Obtain a water abstraction permit from Directorate of Water Resources Management (DWRM)	**MODERATE**
		• Source of construction materials like gravel, sand, stones/aggregates etc.	**SUBSTANTIAL**	• Obtain from approved NEMA certified site/permit and/or approved by the respective DLG.	**MODERATE**
		• Risks of oil spillages and storage	**SUBSTANTIAL**	• Issues related to oil spillage will be handled by incorporating oil spill measures into the CESMP for subprojects. • Use of new machinery and avoiding the servicing of vehicles/construction machinery at sensitive locations and/or adjacent to the school sites.	**MODERATE**
		• Risk of poor designs and lack of adherence the approved physical designs may lead to poor quality infrastructure	**SUBSTANTIAL**	• Early prediction of such impacts and ensure that mitigation measures are costed and included in BoQs • The Program to ensure that designs are adequate and proper not causing indirect impacts such as storm water runoff	**LOW**
		• Cutting of trees and vegetation clearance	**SUBSTANTIAL**	• Replace by planting more trees and greening through the Program's support the greening school program	**LOW**
		• School fires: Fire may break out in schools for several reasons for e.g. due to poor electrical connections at some of the schools, where classrooms are often crowded, and there no firefighting equipment in place, kitchen fires, among others.	**SUBSTANTIAL**	• the Program will ensure that the Building design requirements are closely followed as provided for by the National Building code; • the location of buildings relative to other buildings on site or proximity to boundaries (safe separation distances) will be taken into consideration during construction; • Beneficiary schools will be supported to develop emergency preparedness and response plans.	**LOW**

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
				• provision of fire suppression systems (such as fire extinguishers etc.),.	
		Social • Potential risks associated with land acquisition. • Denial of Land tittles by Faith Based Founding Bodies • Loss of access to natural resources • Loss of livelihoods • Speculation leading to increased prices.	**SUBSTAINTIAL**	• Carry out socio-economic impacts assessment on the surrounding communities and prepare the mitigation measures accordingly prior to the commencement of the works, which reports should be shared with the Bank and will be regularly reviewed, • Engage early and seek further guidance from superior authorities such as the Inter-Religious Council of Faith Organization, • Engage early and regularly with all stakeholders and shall record properly the consultation process, • Record and file evidence in terms of agreements, consent letters MoU including community witnessing evidence, etc. for acceptance of space occupation, • Prepare and share with Bank Resettlement Action Plans, reports implement where need be,	**MODERATE**
		• The expected influx of labor into benefiting communities to carry out these works may pose related risks such as • social conflicts, spread of communicable disease; HIV/AIDS, STIs, Covid-19. • Social tension with the host community • Violation of workers' rights • Underpayment etc.	**SUBSTANTAIL**	• Preferential use of local workforce based on the qualification needs. • Establish a robust GRM system for the contractor, workers, and communities. • Continuous stakeholder engagement and feedback provided. • Adhere to COVID-19 SOPs • Establish Environment and Social Risk Management Committees as per the law. • Documentation of all workers, issuance of workers contracts and Mandatory	**MODERATE**

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
				Signing of the Code of Conduct by all workers • Mandatory training on GBV/SEA/SH/VAC	
		• Exacerbation of gender issues leading to GBV among others. • Expose project workers/communities to GBV. • Increased income may cause or increase GBV in families	**SUBSTANTIAL**	• Preferential use of local workforce based on the qualification needs. • Establish a robust and GBV responsive GRM system and referral pathways for the contractor, workers and communities. • Continuous stakeholder engagement and feedback provided. • Adhere to COVID SOP's • Establish Environment and Social Risk Management Committees as per the law. • Mandatory Signing of the Code of Conduct by all workers • Mandatory training on GBV/SEA/SH/VAC.	**MODERATE**
		• Cultural heritage chance findings while digging the foundations	**MODERATE**	• Use Chance find procedures and liaise with Department Antiquities.	**LOW**
		<u>Environment</u> • Cutting of trees for expansion of school infrastructure	**MODERATE**	• The designs should incorporate issues of how to avoid/minimize cutting trees as much as possible. • Support to the School greening program by replanting of trees/woodlots for the target schools.	**LOW**
		<u>Social</u> • Cutting of school compound trees some of them fruit trees that were beneficial to learners both for eating, resting and learning	**MODERATE**	• Should be incorporated in the designs, bidding and contractual documents (to ensure that contractors replant trees in the affected schools). • Plant and grow more trees and protect them from being destroyed. The contractor should be supervised to ensure that the trees planted are nurtured/water	**LOW**

Proposed Program Result Area	Interventions	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
				before handover of the sites to the schools.	
R A 3: Use of Data for Improved System Management	- strengthen the integration and use of data systems to improve access, teaching, and learning (EMIS) - update and finalization of the EdTech Policy, audit of existing information systems, and integration to the Local Government Performance Assessment (LGPA).	Environment e-waste generation and disposal challenges	**MODERATE**	• MoES to engage MoICT and NEMA for guidance on proper collection and disposal of e-waste. • MoES to ensure that only licensed company(ies) are contracted to collect and dispose of electronic waste under the Program	**LOW**

4.0 ANALYSIS OF COUNTRY ENVIRONMENT AND SOCIAL MANAGEMENT SYSTEMS

39. PforR Policy requires that all PforR operations "Operate within an adequate legal and regulatory framework to guide ESIA at the program level". The management of environment and social impacts for sub projects financed by the ULEARN program will be based on the Uganda legal and regulatory framework, and therefore the focus on this ESSA is on the country frameworks. An analysis of the applicable administrative, policy and legal framework for this ESSA shows that there are adequate legal and regulatory instruments for environmental management in Uganda. There is also considerable experience in carrying out and reviewing ESIA and environmental audit processes. The main challenge, however, lies in monitoring and enforcement due to inadequate capacity regarding skills, knowledge, workforce, and equipment.

4.1 Policy and Legal Framework for Environment Management

Table 3: Policy and Legal framework for Environmental Management

Policy/law/Regulation	Brief of Description	Relevance
Uganda's Vision 2040	This Vision Framework provides plans and strategies to operationalize the Ugandan vision which is "A transformed Ugandan society from a peasant to a modern and prosperous country within 30 years".	Uganda's Vision 2040 focuses on addressing the bottle necks to human development, and therefore looks at accelerating government reforms in the education system as key core projects that needed to be implemented, this includes the proposed ULEARN Program.
The Third National Development Plan (NDP III 2020/2021-2024/25)	NDP-III calls upon the education sector to promote equal access to education for all. Objective 4 of the NDP-III: Maintain and/or restore a clean, healthy, and productive environment; Integrate education for sustainable development in national curricula at all levels for an environmentally literate citizenry and; to review and implement ICT training curriculum at all levels of Education system in line with the emerging technologies and to support the provision of Basic Requirements and Minimum Standards (BRMS) for education institutions, which includes quality enhancement actions like increasing the number of class rooms, reading materials, both primary and secondary schools, increasing the physical infrastructure and the upgrade of EMIS to include tracking enrolment, drop-out, retention, and uniquely identify learners, teachers, and institutions, among others.	Under RA2, the Program will support equitable access to improved learning environments through support civil works, furniture, and equipment for existing primary schools and traditional secondary schools in line with MoES infrastructure standards and meeting standards for pupil-classroom ratios.
The National Environment Management Policy, 1994	The goal of this policy is to promote sustainable economic and social development, while being mindful of future generations. The policy calls for integration of environmental concerns into development policies, plans and projects at national, district and local levels, and promotes for the use of ESIA as one a planning and decision-making tool. The revised National Environmental Management Policy (NEMP, 2014) is the cornerstone of the country's	The main objective of this Policy is to provide a system of EIA and environmental monitoring so that adverse environmental impacts can be foreseen, eliminated, or mitigated

	commitment to social and economic development that is environmentally sustainable, and which will bring the benefits of a better life to all. It is against this policy that the National Environment Act, Cap. 153 was (recently revised to the National Environment, 2019). The Act that establishes the NEMA as the overall authority responsible for overseeing, coordinating, and supervising environmental management in Uganda. Section 3.8 of this policy recognizes that development activities and land use practices have impacts on the environment and therefore their assessment and evaluation is essential.	
The National Water Policy, 1999	The objective of the policy is to provide guidance on development and management of the water resources of Uganda in an integrated and sustainable manner, to secure and provide water of adequate quantity and quality for all social and economic needs, with full participation of all stakeholders and mindful of the needs of future generations. Water use during the construction and operational phases shall be governed by this policy.	This Policy provides guidance on development and management of the water resources of Uganda in an integrated and sustainable manner to secure and provide water of adequate quantity and quality for all social and economic needs. Under the Program, the civil works component will involve the use of water in construction and where required under the relevant laws, the contractor(s) shall apply for and acquire the necessary permits and comply with the terms and conditions therein.
The Environment Health Policy, 2005	The Environmental Health Policy concentrates on the importance of environmental sanitation which includes safe management of human waste and associated personal hygiene; the safe collection, storage, and use of drinking water; solid waste management; drainage; and protection against disease vectors (MOH 2005). Environmental health practices include safe disposal of human waste, hand washing, adequate water quantity for personal hygiene and protecting water quality, all influence the morbidity and mortality of diarrheal diseases. The requirements of this Policy will be adhere to during the construction to ensure occupational health and safety measures are implemented at work sites.	The Program under RA 2, shall support the construction of WASH facilities in all beneficiary schools which will lead to improved hygiene and sanitation outcomes at the targeted schools.
National Policy on Disability in Uganda, 2006	The policy recognized the fact that people with disabilities (PWD) received less education, which reduced their employment opportunities. The Policy notes that many buildings do not have facilities such as ramps for use by PWD which constrains access to education, among others.	This Policy will help to guide the construction of school buildings to ensure they meet the requirements for universal accessibility.
The Electronic Waste (E-Waste) Management Policy, 2012	The overall goal of the policy is to guide, promote and ensure the safe management of e-waste in Uganda and contribute to reduction of environmental degradation by mitigating pollution arising from use of electric and electronic equipment.	This policy is relevant to the Project in as far as its proposed ICT equipment will generate e-waste at end of their useful life.
National Climate Change Policy, 2015	The overarching objective of the policy is to ensure that all stakeholders address climate change impacts and their causes through	The program will support inclusion of climate-friendly “green design” elements into the infrastructure

	appropriate measures while promoting sustainable development and a green economy.	designs and activities to reflect principles of E&S sustainability, as well as mitigating climate change.
4.2 Legal Framework for Environment Management		
Constitution of the Republic of Uganda	This provides for, among others The right of every Ugandan to a clean and healthy environment (Article 39); and the responsibility of Government to enact laws that protect and preserve the environment from degradation (Article 237,2);	The program will ensure that the requisite ESIAs/Project Briefs are prepared in compliance with the requirements of this Regulation
National Environment Act, 2019	According to Schedules 4 and 5 of this Act requires that developers of projects mentioned in the said Schedules undertake ESIAs since such projects are likely to have significant environmental impacts. The NEA provides for the functions of the Environment officer, which include: to promote environmental awareness and literacy; to assist the environment and natural resources committee, where applicable, in the performance of its functions under this Act; to keep a record of information on the environment and the utilisation of the environment and natural resources; to participate in the review of ESIAs; to ensure compliance with approvals made under this Act, among others.	The Act will guide activities such environment screening of subprojects under the Program and subsequent preparation of site specific ESMPs/Project Briefs to be submitted to NEMA for review and decision making.
The National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations, 2000	These regulations provide principles for sustainable use and conservation of wetlands, riverbanks, and lakeshores. Relevance of these regulations to the ESIA study is embedded in the following requirements: (a)ESIA is mandatory for all major activities on riverbanks and lakeshores, (b) Measures should be put in place for protection of riverbanks and lakeshores such as prevention of soil erosion, siltation, and water pollution.	The proposed Program activities, specifically the construction and expansion of school infrastructure, will as much as possible avoid siting of school sites in wetland areas, swamps, areas close to streams and/or other environmentally sensitive ecosystems.
Water Act, Cap 152	The objective of the Act is to enable equitable and sustainable management, use, and protection of water resources of Uganda through supervision and coordination of public and private activities that may impact water quantity and quality. Section 18 requires that before constructing or operation of any water works, a person should obtain a permit from Directorate of Water Resources Management (DWRM).	This Act shall be relevant to the project where the available water is insufficient to supply both the needs of the existing Schools and/or neighbouring community and the construction works, the contractor may need to abstract water from the neighbouring water sources, hence, requiring a water abstraction permit from DWRM.
The Local Governments Act, Cap. 243	This Act provides for decentralized governance and devolution of central government functions, powers and services to local governments that have own political and administrative set-ups. DLGs has the powers to oversee implementation of all development activities in their districts, such as the proposed construction of the facilities in District local government Institute.	During the construction, relevant offices at the DLG will be actively involved. These include:- (i)The DEO responsible for coordinating and providing technical and professional guidance in the management of Education and Sports policies, plans and programmes in the District; (ii) The DCDO responsible for coordinating the implementation of policies,

		programmes, projects and laws of government and Local Council III for the general welfare and development of the population (iii)The District Labour Officer is responsible for promoting the social welfare and safety of the workers in the district/Urban Council and (iv) The EO is responsible support environmental conservation programmes in the district.
The Occupational Safety and Health Act, 2006	According to section 13 (1) of the Occupational Safety and Health Act, it is the responsibility of an employer to take as far as reasonably practicable, all measures for the protection of his or her workers and the public from the dangerous aspects of the employer's undertaking at his or her own cost. Section 19 (2) further spells that it shall be the duty of an employer to ensure that Personal Protective Equipment provided to the workers. Section 41 further stipulates that such workplace shall be issued with certificate of registration by the Commissioner.	This Act is of relevance to this project especially during the construction phases of the Program to ensure that adequate occupational health and safety measures including measures to ensure community safety are put in place to protect the learners, teachers and public.
The Public Health Act, Cap 281	This Act aims to avoid pollution of environmental resources that support health and livelihoods of communities. The Act (Section 103) gives local authorities the powers to prevent pollution of watercourses in interest of public good like the advance pollution effects from the Project.	The Act sets out the duty of local authorities to prevent or remedy danger to health arising from unsuitable dwellings; where it mandates them to take all lawful, necessary, and reasonably practicable measures for preventing or causing to be prevented or remedied all conditions liable to be injurious or dangerous to health arising from the erection or occupation of unhealthy dwellings.
The Historical Monuments Act, Cap 46	This Act provides for the preservation and protection of historical monuments and objects of archaeological, paleontological, ethnographical, and traditional interest. The Act, gives mandate to the Department of Museums and Monuments to collect document and preserve cultural relics that have values to the community.	The Act is relevant to the project and relates more relevantly to "chance finds" that could be made during earthworks in the construction phase.
Environnent Régulations		
The Environmental and Social Assessment Regulations, 2020	The Conduct of ESIAs was issued by NEMA and now play a central part in Uganda's environmental legal framework. The Regulation describes the process to be followed when preparing an ESIA. The procedures and guidelines for conducting EIAs are stipulated in this regulation. The regulations require a detailed study to be conducted to determine the possible E&S risks and impacts, and measures to mitigate such impacts.	The Program will be required to support the preparation of ESIAs/Project Briefs to be submitted to NEMA to take a decision as to whether to approve or reject the project, prior to the commencement of civil work-related activities.
The National Environment (Standards for Discharge of Effluent	Section 6 (2) provides for the maximum permissible limits for 54 regulated contaminants, which must not be exceeded before effluent is	The construction related activities of the Program will be required to

into Water or on Land) Regulations, 1999	discharged into water or on land. Through limits on over 54 parameters, these regulations control discharges in surface watercourses.	comply with the provisions in these Regulations.
The National Environment (Waste Management) Regulations, 2020	These regulations require that waste is disposed in a way that would not contaminate water, soil, and air or impact public health. Construction projects are characterized with a diversity of wastes ranging from hazardous wastes to simple domestic wastes. Some of these hazardous wastes include; oil filters, used oils, oil drums to mention but a few.	The construction related activities of the Program will be required to comply with the provisions in these Regulations and have in place a comprehensive waste management plan.
National Environment (Noise Standards and Control) Regulations, 2003	Part III Section 8 (1) requires machinery operators, to use the best practicable means to ensure that the emission of noise does not exceed the permissible noise levels. The regulations require that persons to be exposed to occupational noise exceeding 85 dBA for 8 hours should be provided with requisite ear protection.	The Construction of sub projects will be required to comply with the legal provisions of these Regulations by among others putting in pace noise control measures at the construction sites.
The National Environment (Audit) Regulations 2020	Regulation 8 provides that the owner /operator of facility whose activities are likely to have a significant impact on the environment shall establish an environment management system. It is also a requirement by NEMA for project proponents to conduct mandatory audits of projects /infrastructure between 12 and 36 months. Section 6 of this regulation provides an outline the content of an Audit report.	The Program will be required to conduct an environmental audit 12 to 3 months following the commencement of the Project.

4.3 Institutional Framework

Institution	Role
MoES	The Ministry is responsible for providing policy direction, national standards and coordination of all matters concerning national educational institutions. It is also responsible for putting in place policies and initiating laws that ensure sustainable management of all educational institutions in Uganda. The Ministry in 2001 formed National Council for Higher Education which is responsible for provision of guidance in the establishment of institutions of higher education and the provision of assurance that quality and relevant education is delivered, by the licensed institutions. The Ministry is responsible for the implementation of the ULEARN Program, nonetheless, will work closely with other participating institutions to achieve the key result areas under the Program.
NEMA	The National Environment Act provides for the establishment of NEMA as the principal agency responsible for coordination, monitoring and supervision of environmental conservation activities. NEMA is under the MWE, but has a cross-sectoral mandate to oversee the conduct of ESIAs through issuance of ESIA guidelines, regulations, and registration of practitioners. It reviews and approves environmental and social impact statements (ESIS) in consultation with any relevant lead agencies like for such a project. NEMA works with Environment Officers and Local Environment Committees at local government levels who also undertake inspection, monitoring and enforce compliance on its behalf. In Government ministries, NEMA works with Environmental Liaison Units to ensure that they effectively incorporate environmental issues in their activities, policies, and programs. NEMA's enforcement branch is the department of Monitoring and Compliance. They are responsible for ensuring that enterprises comply with the various environmental regulations and standards. NEMA has also appointed environmental inspectors whose powers and duties are spelled out in the National Environment Act and can include stopping any activity which pollutes the environment.
MWE	MWE has the overall responsibility of the development, managing, and regulating water and Environment resources in Uganda. MWE is committed to avoiding, minimizing, and

	mitigating adverse E&S impacts associated with its projects, as well as adopting a gender-sensitive and gender-equitable approach for all its projects. The Ministry is also committed to ensuring transparency and accessibility of information, in addition to facilitating the resolution of disputes, with respect to E&S risks considerations. Specifically, the Directorate of Environmental Affairs (DEA) is responsible for environmental policy regulation and coordination, inspection, supervision and monitoring of the environment and natural resources as well as restoration of degraded ecosystems, mitigating and adapting to climate change. The Directorate works closely with NEMA in discharging its functions.
MoGLSD	The Ministry's mandate is to empower communities to harness their potential through cultural growth, skills development and labour productivity for sustainable and gender responsive development. The Ministry is key in streamlining matters of gender, child protection and Occupational health and safety of the workers and the public in the project. During construction of this project, the key instrumental departments will be; Department of Occupational Health and Safety, Department of Gender and Equality, and Labour.
Department of Occupational Safety and Health (DOSH)	The Department will be mandated to ensure compliance to the Occupational Safety and Health Act, 2006 of Uganda. It also undertakes monitoring of construction places to ensure that they are first of all registered as workplaces and workers' occupational health through ensuring adequate provision of Personnel Protective Equipment (PPEs) among others.
Local Administration Structures	The proposed project falls within jurisdiction of District local government. A district is headed by a Chairman Local Council Five (LC5) who is the political head and Chief Administration Officer, the technical head of district administration. At Local Government (LG), the E&S functions fall under the Natural Resources Department (NRD) and the Community Based Services Department (CBSD) respectively. The NRD is headed by the Natural Resources Officer and other positions in the department include: EOs, Forestry officer, Wetlands officer, Physical planner, Land and Surveys. Technical District personnel directly involved with the project include EO, District Planner, CDO, Wetlands Officer, District Water Officer and District Engineer. The technical people involved are very critical of the operationalization of this project e.g. the District Physical Planner will one way or another be consulted before implementation of the proposed projects within District local government Institute. DCDO is responsible for managing interactions between the project and the community.
The Public Procurement and Disposal of Public Assets Authority (PPDA)	PPDA was set up as the principal regulatory body for public procurement and disposal of public assets in Uganda. PPDA released an enhanced Standard Bidding Document (SBD) in September 2019 with the aim of strengthening the management of E&S aspects in the procurement process. The enhanced SBD for the procurement of works provide adequate guidance for District S&E personnel to tailor and input ESHS aspects. This requires involvement of DCDO and EO to incorporate S&E aspects into the SBDs.

4.4 Social Policy framework

Policy, Law, and Institutional Frameworks	Brief Description	Relevance to the ULEARN Program
Policy Frameworks		
The National Land Policy, 2013	The land policy addresses the contemporary land issues and conflicts facing the Country. The vision of the policy is: "Sustainable and optimal use of land and land-based resources for transformation of 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 Program will utilize the policy in dealing with land issues and conflicts that may arise during project implementation.
The Land Use Policy, 2004	The National Land Use Policy's main goal is "to achieve sustainable and equitable social and economic development through land utilization in Uganda". The specific objectives of the policy include among others to: (i) Promote land use activities that ensure sustainable utilization of natural resources for national socio-economic development. (ii) To ensure planned, environmentally friendly, affordable, and well-distributed human settlements for both rural and urban areas. (iii) To reverse and alleviate adverse environmental effects at local, national, regional and global levels. The policy requires planned development and, social and environmental protection.	The program will thus ensure E&S sustainability in its operations in conformity with this policy.
National Gender Policy, 2007	The GoU adopted a National Gender Policy as a tool to guide and direct the planning, resource allocation and implementation of development programs with a gender perspective. The policy provides legitimate point of reference for addressing gender inequalities at all levels of government and by all stakeholders. The major aspects include among others: (i) Increased awareness on gender as a development concern among policy makers and implementers at all levels (ii) Influencing national, sectoral, and local government programs to address gender issues. (iii) Strengthened partnerships for the advancement of gender equality and women's empowerment and increased impetus in gender activism.	The ULEARN Program aims at reducing the gender inequalities by provision of more education facilities that are gender responsive. the policy will also guide the ULEARN Program in mainstreaming of Gender issues
Child Labour Policy, 2006	This policy prohibits employment of children. Children are more prone to manipulation and accidents at workplaces. The policy defines child labour as: (i) Work that is mentally, physically, socially and/or morally dangerous and harmful to children in addition, child labour is perceived as work or activities that interfere with children's school attendance and education. (ii) Hazardous work, which by its nature or the circumstances under which it is performed jeopardizes the health, safety, and morals of a child.	The program should therefore ensure strict non-employment of children during program implementation in fulfilling Result Area 2.
National Policy on HIV/AIDS and World of Work, 2007	Uganda's efforts to combat HIV/AIDS is characterized by a policy of openness and calls for the mainstreaming of HIV/AIDS in all programs in all sectors. The policy provides the principles and a framework for mounting an optimum response to HIV/AIDS in the entire Ugandan world of work.	It is therefore important that the program undertakes measures outlined in the policy in efforts to

	It forms the basis for the development of workplace policy guidelines, which addresses the more specific issues related to the workplace HIV/AIDS response.	reduce the impact of the spread of HIV/AIDS.
The National Policy on the Elimination of Gender Based Violence, 2016	This is one of the most recent social policies which was developed to address the critical problem of Gender-Based Violence (GBV) in Uganda. The policy calls for concerted efforts and the active participation of all stakeholders in eliminating GBV from the Ugandan society. Further, the Employment Act defines sexual harassment in employment and requires employers to put in place measures to prevent sexual harassment.	The policy will guide the ULEARN Program in mitigating risks of GBV during the implementation of Program.
National Disaster Preparedness and Management Policy, 2010	The policy provides a framework that details mechanisms and structures for the effective and practical management of disasters. The policy covers the broad subjects of vulnerability assessment, mitigation, preparedness, response, and recovery, which constitute "comprehensive disaster management". It networks all the lead sectors, local governments, international development and humanitarian partners, the private sector and the NGOs under the principle of a multi-disciplinary and multi-skilled consultative approach. It also presents an institutional framework under which the partners coordinate their operations.	In case of any natural disaster during program implementation this policy comes in handy to guide on the required operations.
4.5 Legal and Institutional Framework for Social Management Systems		
Constitution of the Republic of Uganda (1995 rev. 2017)	The Constitution of the Republic of Uganda guarantees equality and freedom from discrimination (Article 21) and the right to education for all persons (Article 30).	The program will ensure that the requisite ESIAs/Project Briefs are prepared in compliance with the requirements of this Regulation, such that access to education is open to all persons and free from discrimination and marginalization, while promoting a child-friendly and safe learning environment. Further, school administrators will be sensitized on inclusion and non-discrimination.
Land Act, 1998	Section 78 of the Land Act (Cap 227) principally addresses four major issues namely, holding, control, management, and land disputes. Regarding tenure, the Act repeats in Section 3, the provisions of Article 237 of the Constitution, which vests all land in the citizens of Uganda, to be held under customary, freehold, Mailo or leasehold tenure systems. However, the Land Act provides for compulsory acquisition of land or rights to use land for the execution of public works. Regarding control of land use, the Land Act reaffirms the statutory power of compulsory acquisition conferred on the government and local authorities under articles 26 (2) and 237(2) (a) of the Constitution (Section 43). The Act also requires that landowners manage and utilize land in accordance with regulatory land use planning (Sections 44 and 46).	Land will be required for the construction of new schools in underserved areas and expansion of school infrastructure. The Act will guide the ULEARN program on matters to deal with land acquisition.

The Land (Amendment) Act, 2010	Section 76(1) (a) of the Land (Amendment) Act 2010 states that the jurisdiction of the District Land Tribunal (DLT) shall determine disputes relating to the grant, lease, repossession, transfer, or acquisition of land by individuals, the commission or other authority with responsibility relating to land.	The Act provides the DLGs (DLT) with jurisdiction to issues related to land acquisition where need arises.
The Land Acquisition Act, 1965	The Land Acquisition Act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land, dig, or bore the subsoil or any other thing necessary for ascertaining whether the land is suitable for a public purpose. The GoU is mandated to pay compensation to any person who suffers damage because of any action related to land acquisition for public purposes. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.	For any land that will be acquired for the ULEARN program right procedures should be followed as guided by the Act.
The Local Government Act, 1997	Local Government Act (LGA), 1997 provides for the system of Local Governments (LGs), which is based on the district. Under the District are lower LGs and administrative units. This system provides for elected Councils that have both legislative and executive powers. Thus, the District Councils play an important role in land administration: land surveying, physical planning, and management of municipal resources that are not the responsibility of the central government. According to the LGA, the Districts are charged with the responsibility of acquiring land for development/construction purposes and in the sensitization and mobilization of the local communities. The chairpersons of the District Councils nominate the Executive Committee of each Council, whose functions include: i) Initiating and formulating policy for approval by council; ii) Overseeing the implementation of Government and Council policies and monitor and coordinate activities of Non-Government Organizations (NGOs) in the district; and iii) Receiving and solving disputes forwarded to it from lower LGs. The Act empowers DLGs to develop and implement District rates upon which compensation for crops and non-permanent structures is based.	The ULEARN program is going to be implemented by MoES and the DLGs. The Act provides the system under which the Local Governments operates including developing District rates upon which compensation for crops and non-permanent structures which are likely to be impacted by the program.
Physical Planning Act, Amended 2020	National Physical Planning Act Amended 2020 under part one, section 3 declares the entire country a planning area. The Physical Planning Act provides for the formulation of the National Physical Planning Board with the responsibility of taking decisions of approval of physical development plans and land use change decisions for the country. The Minister responsible for Physical Planning appoints nine members (9) of whom five shall be persons employed in the public service to the board. Among these members are representatives of some key government Ministries and departments which are closely related to the functioning of physical planning (Local Government, Department of Housing, Ministry of Finance, Department of Surveys), which are approved by Parliament.	The ULEARN program which may entail change in land use will require guidance and approval of the physical development plans for the sites in accordance to the Act.
Local Council Courts Act, 2006	The Act establishes Local Council (LC) Courts for the administration of justice at the local level; and defines the jurisdiction, powers, and procedures of the established courts and for other related matters. The legal jurisdiction of LC Courts includes matters related to, land disputes, domestic	During implementation of ULEARN grievances will arise and despite the recommended project specific

	violence, children related cases, assaults and battery, conversion, damage to property, trespass, and adultery.	GRMs the Local Council Courts may supplement in resolving grievances.
Equal Opportunities Act, 2007	The Act makes provision in relation to the Equal Opportunities Commission (EOC) pursuant to Articles 32 (3) and 32 (4) and other relevant provisions of the Constitution; to provide for the composition and functions of the Commission; to give effect to the State's constitutional mandate to eliminate discrimination and inequalities against any individual or group of persons on the ground of sex, age, race, colour, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion or disability, and take affirmative action in favour of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them; and to provide for other related matters.	The Program shall support the provision of operational government primary school in selected underserved districts school through construction, expansion, rehabilitation of existing schools. Additionally, contractors will be sensitized on inclusion and non-discrimination and on the provision of job opportunities to both males and female, and ensure that all workers are treated with fairness.
The Children Act, 2000	The Children's Act under section 5(2) grants any person having custody of a child with a duty to protect the child from discrimination, violence, abuse, and neglect. Furthermore, section 8 provides that "no child shall be employed or engaged in any activity that may be harmful to his or her health, education or mental, physical or moral development". The Act protects Children with disabilities under section 9. It states that it is the duty of the parents of children with disabilities and the State to take appropriate steps to see that those children are assessed as early as possible as to the extent and nature of their disabilities; offered appropriate treatment; and afforded facilities for rehabilitation and equal opportunities to education.	The Program will have a subcomponent on developing child friendly places and address issues such as SEA/SH&VAC.
National Council for Disability Act, 2003	This establishes the National Council for Disability. The objective of the National Council for Disability include: i) to promote the implementation and equalization of opportunities for Persons with Disabilities (PWD); and ii) to monitor and evaluate the impact of policies and programs designed for equality and full participation of PWD.	This policy will help to guide the construction of school buildings to ensure they meet the requirements for universal accessibility.
Access to Information Act, 2005	The Act provides for the right of access to information pursuant to Article 41 of the Constitution; prescribes the classes of information referred to in the Article; the procedure for obtaining access to that information, and other related matters. Article 5, Right of access indicates that - Every citizen has a right of access to information and records in the possession of the State or any public body, except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.	The MoES will ensure that participating DLGs are trained in meaningful and effective stakeholder engagement techniques.
Workers Compensation Act, 2000	This law provides for compensation to be paid to workers (or their dependents) for injuries suffered and scheduled diseases incurred in the course of their employment. Section 28 of the Act states that; where a medical practitioner grants a certificate that a worker is suffering from a scheduled disease causing disablement or that the death of a workman was caused by any	Under the Program specifically under RA 2, the civil work contractors will be required to have in place workers compensation

	scheduled disease; and the disease was due to the nature of the worker's employment and was contracted within the twenty-four months immediately previous to the date of such disablement or death, the worker or, if he or she is deceased, his or her dependents shall be entitled to claim and to receive compensation under this Act if such disablement or death had been caused by an accident arising out of and in the course of his or her employment. It also emphasizes the provision of Personal Protective Equipment (PPE) to employees to minimize accidents and injuries.	arrangements as guided by the Laws of Uganda and to ensure adequate provision of Personal Protective Equipment (PPE) to all workers to minimize accidents and injuries.
Employment Act, 2006	The Employment Act is the governing legal statutory instrument for the recruitment, contracting, deployment, remuneration, management, and compensation of workers. The Act is based on the provisions of Article 40 of the 1995 Constitution of Uganda. It is the principal legislation that seeks to harmonize relationships between employees and employers, protect workers' interests and welfare and safeguard their occupational health and safety through: (a) Prohibiting forced labour, discrimination, and sexual harassment at workplaces (Part II; Part IV). (b) Providing for labour inspection by the relevant ministry (Part III). (c) Stipulating rights and duties in employment (weekly rest, working hours, annual leave, maternity and paternity leaves, sick pay, etc. (Part VI). (d) Continuity of employment (continuous service, seasonal employment, etc. (Part VIII).	The Act will thus govern labour types and conditions under which the people hired by the project work. It prohibits Child labour (a condition the construction contractor must also comply with) as well as providing guidance on work rights during the operation phase.
Institutional Framework	**Role**	
MoGLSD	This ministry sets policy direction and monitoring functions related to labour, gender and general social development. Its OSH Department in the ministry is responsible for inspection and mentoring of occupational safety in workplaces and this could be during project construction and operation of the Project facilities. Accordingly, to the E&S functional review report carried out under UgIFT program, department of OSH in MoGLSD has the largest staffing shortfall in the ministry, currently at 36% potentially overstretching their capacity to inspect the OSH function especially because this function is not decentralized. GKMA program could consider technical assistance to the department of OSH and enhancing capacities of labour officers and Environment Officers at the Local government level to monitoring compliance to health and safety requirements.	
PPDA	Was set up as the principal regulatory body for public procurement and disposal of public assets in Uganda. PPDA released an enhanced Standard Bidding Document (SBD) in September 2019 with the aim of strengthening the management of E&S aspects in the procurement process. The enhanced SBD for the procurement of works provide enough room for District S&E personnel to tailor and input ESHS aspects. This requires specialized expertise from the CBSD and DEO to prepare more comprehensive SBD on S&E risks and impacts plus mitigation measures but is most times taken up by the program implementing departments (DHO and DEO). Following the revision of the SBDs to include ESHS, there is need to build capacity of the procurement officers in the LGs and also PPDA itself to enable them to integrate the E&S considerations adequately.	
Equal Opportunities Commission	Functions of the Commission; to give effect to the State's constitutional mandate to eliminate discrimination and inequalities against any individual or group of persons on the ground of sex, age, race, colour, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion or disability, and take affirmative action in favour of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them; and to provide for other related matters. Regulation 14 2(a) states on the functions of the commission being to investigate or inquire on its	

	own initiative or on a complaint made by any person or group of persons, any act, circumstance, conduct, omission, program, activity, or practice which seems to amount to or constitute discrimination, marginalization or to otherwise undermine equal opportunities. 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.

4.6. Procedures for Management of E&S Risks and Impacts

4.6. 1. ESIA Process in Uganda

40. The ESIA procedure/ guidelines provides for:

- Environmental Screening for category/level of project.
- Prepare Scoping Report and Terms of Reference (ToR) for ESIA study.
- Approval of Scoping Report and ToR by NEMA.
- Undertake ESIA as prescribed in the EIA Regulations.
- Submit ESIA report to NEMA.
- Public to comment, and public hearing held if deemed necessary.
- NEMA reviews with input from Lead Agencies and Districts.
- NEMA rejects or approves the ESIA (with conditions).

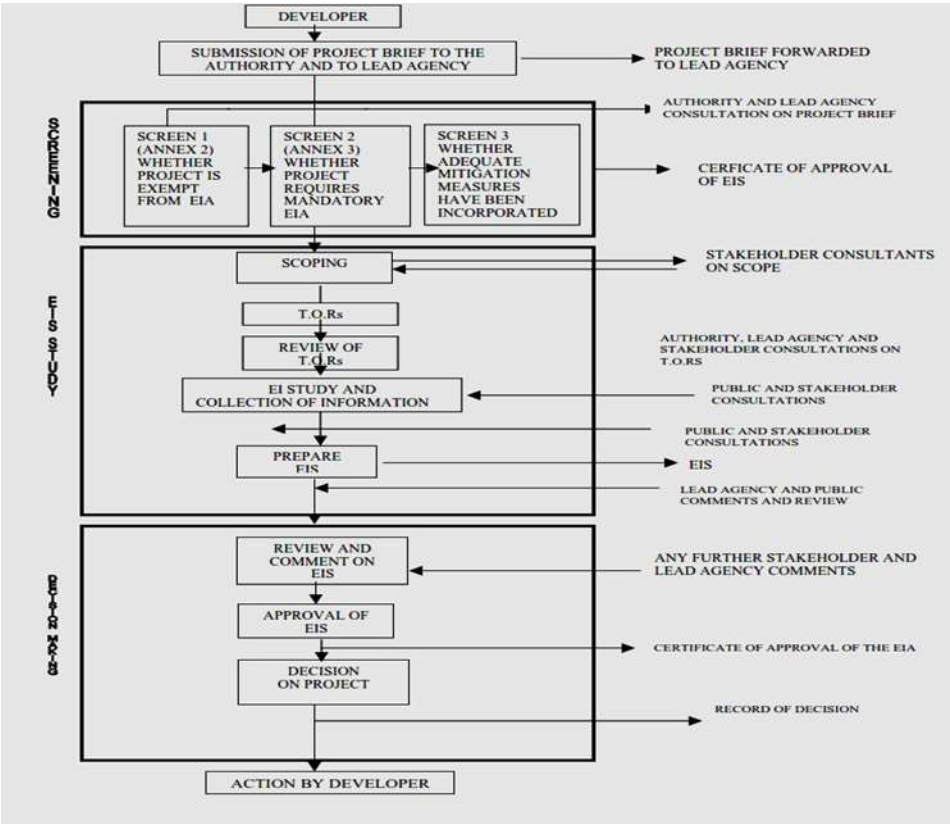

Figure 1: NEMA's ESIA Process. Source: NEMA EIA Guidelines 1997.

4.6.2. Safeguard Instruments and Preparations (ESIAs, Projects Briefs and ESMPs)

41. Procedures for the conducting E&S Assessment under the Program

Step 1: Environmental and Social Screening process

The initial step of E&S screening of all project activities before commencing implementation will be undertaken by the implementing Ministry and program support staff (PST) together with respective EOs and CDOs, using the E&S Screening Form (ESSF) including climate and disaster risk screening for specific sub-projects and verified/approved by Safeguards Team at PST/MoES. The screening will determine the nature of the sub-projects and therefore, recommend or determine that there are associated impacts and guide on the level of the required assessment (simple or detailed) and type of safeguard instrument to be prepared (ESMPs, Project Briefs, and/or ESIAs) for the respective sub-projects.

Step 2: Determine the Scope of E&S Assessment

Using the information provided in the ESSF, the DLG ES staff will guide on the scope of Environmental Assessment to be undertaken for each sub-project i.e., Project Brief/ESIA depending on the type, location, sensitivity, scale of the subproject, the nature and the magnitude of its potential E&S impacts in line with the National Environment Act, No.5 of 2019, and EIA Guidelines of Government of Uganda.

Step 3: Preparation of the Instruments

A Project Brief is necessary for development projects listed in the Schedule 4 of the National Environment Act (NEA) 2019. Section 112(3) of the Act stipulates that developer of a project set out in Part II of Schedule 4 of the Act shall submit a project brief to the lead agency containing the information prescribed in sub regulation (5) and Schedule 2 to these Regulations.

The project brief shall contain the following information, in a concise manner (a) a description of the proposed project, including the name, purpose and nature of the project in accordance with the categories in Schedule 4 of the Act; (b) the proposed location and physical boundaries, including a map and coordinates of the project clearly showing the projected area of land or air that may be affected by the project activities, or, if it is— (i) a linear activity, a description of the route of the activity and an alternative route, if any; or (ii) an activity on a water body, the coordinates within which the activity is to be undertaken; (c) an evaluation of project alternatives, including a zero or no-project alternative in terms of project location, project design or technologies to be used, and a justification for selecting the chosen option; (d) the design of the project and any other project related components and associated facilities, including the activities that shall be undertaken and a description of the major material inputs to be used during construction or development and operation of the project; (e) the estimated cost of the project evidenced by a certificate of valuation of the capital investment of the project, issued by a qualified and registered valuer; (f) the size of the workforce; (g) a description of the manner in which the proposed project and its location conform to existing laws, standards and international agreements governing the projects, including reference to relevant plans required under the Physical Planning Act, 2010 and Building Control Act, 2013; (h) an indication of permits, licenses or other approvals that may be required for the project.

Step 4: Contracting process

The ESMP for each sub-project will be incorporated into the bidding and contract documents including technical specifications, detailed designs, and costed mitigation measures will be included in the Bills of Quantities for the execution of project works. Each contractor will be required to prepare the Contractor Environmental and Social Management Plan (CESMP) and ESHS Code of that will apply to the contractor's personnel to ensure compliance with ESHS obligations under the contract.

Step 5: Monitoring and reporting

ESMPs will be prepared for sub projects in accordance with the ESIA/PB/ESMP. It shall contain a schedule for inspecting and reporting upon the implementation of each sub-project and associated mitigation measures including reporting on accidents/incidents and fatalities that may occur during project implementation. The PST and DLG ESS team will undertake E&S monitoring monthly, while joint monitoring will be undertaken on a quarterly basis with district local government technical staff (i.e., DEO and CDO). The Project will provide dedicated budgets for preparation of the safeguard documents (ESIAs/PBs/ESMPs) and monitoring of compliance with ESMPs. Additionally, E&S Audits will be undertaken for the specific sub-projects between twelve and twenty-four months after commencement of the projects operations as required under the National Environment Act, 2019 and the National Environment (Audit) Regulations, 2020.

4.6.3. Permitting and Licensing Requirements

42. There are several permits and licenses that will be required for the implementing DLGs as shown in Table 4 below.

Table 4: Permits and Licenses Required for ULEARN

Item No.	Permit	Issuing Agency	User
1	Environmental approval ESIA certificate	NEMA	Approval commencement of the ESIA study
2	Water abstraction permit	DWRM	Abstraction of water for construction and workforce domestic use. Abstraction for industrial use.
3	Discharge license for effluents and wastewater	NEMA	Authorizes discharge of effluents without compromising the existing environmental conditions and pollution of wetlands and soils
4	Certification of the Construction Engineers	Uganda Institute of professional Practicing Engineers (UIPPE)	To enable program component on construction to be undertaken by duly qualified engineers with liability in case of any problem in the works
5	Certification of Registration of Workplace	MoGLSD/OSH Dept.	Regulates workplaces
7	Other permits/certificates e.g., for excavation of borrow pits, restoration	NEMA	Permits for materials sites issued after ESIA undertaken for those sites

5.0 ASSESSMENT OF COUNTRY SYSTEMS PERFORMANCE (I.E., EFFECTIVENESS OF IMPLEMENTATION DEMONSTRATED BY TRACK RECORDS)

43. This section analyses the performance of key implementing institutions/agencies associated mandated to execute E&S legal/regulatory framework for the ULEARN program. The ESSA team assessed the quality and efficacy of the environment and social management system, particularly focusing on institutional capacity, structure, practices, procedures, mechanisms, and effectiveness of implementation at the National and DLGs Consultations were undertaken with relevant Government Ministries, Departments and Agencies (MDAs) and DLGs to understand their administration, planning, and implementation, and monitoring functions within the areas of their jurisdiction.

5.1 Capacity and Performance Assessment

44. There is evidence from the previous assessments on the country's environmental system performance as being generally weak specifically in respect to enforcement of laws, monitoring, staffing level, for environmental, health and safety management budget allocation. Implementation of similar types of urban works in Uganda under USMID indicate that short-term construction impacts for the most part can be prevented or mitigated with standard operational procedures and good construction management practices. These procedures will be included in the technical manual and be a standard part of environmental management plans included in bidding documents for contractors. Some DLGs have gained some considerable ES capacity from the implemented of ongoing PforR Programs such as USMID and UgIFT-AF.

45. The assessment identified weaknesses in the management of E&S impacts, inadequate capacity at DLG level, and risk of poor adherence by the contractors due to poor supervision. Nonetheless, given the experience of MoES in implementing other bank funded Projects, the risk of foreseeable E&S impacts on the program is considered moderate. The DLGs have a planning instrument for mainstreaming environment and climate change under the revised Local Government Development Planning Guidelines which are in line with the Comprehensive National Development Planning Framework (CNDPF). The MoGLSD which is responsible for supervision of the CBSD at the DLGs has inadequate capacity in terms of staff and funds to effectively carry out its mandate. Most DLGs, have the basic staff such as; Senior CDO, Probation and Welfare Officers, Gender Officers necessary for the implementation of the program. However, their capacity to integrate ESHS requirements, provide timely social inputs in the designs, BoQs, bidding and contract documents is inadequate, also technically weak in preparation, implementation, and close monitoring of the RAPs in line with the country requirement. Another gap identified is the inadequacy to prepare and implement Stakeholder Engagement Plans (SEP) and Grievance Redress Mechanisms (GRM) in a timely manner. Given the number of subprojects to be screened and monitored, this will require full-time environment and social management specialists at the Program support unit of the implementing agency/MoES.

5.2. Inadequate Budget

46. At the central level MoGLSD and NEMA are responsible for E&S monitoring. NEMA's average annual budget is not adequate to undertake all the monitoring and enforcement. Even the funding that used to come from licensing fees is no longer paid to NEMA but to the consolidated fund. It is important to note that NEMA's review process is handicapped by a lack of adequate funding for the scale of its mandate. At the LGs level, DLGs involved in the E&S management mentioned the fact that monetary allocation is very low and affects the performance of the ENR and CBS sectors. There is evidence from the various local government budget that they are not allocating adequate budgets to E&S activities and more specially for monitoring as per the requirement in their District work plans.

47. ENR and CBS Departments have no development grant allocation for investment activities such as restoration of degraded ecosystems, waste management infrastructure, and stakeholder engagement activities. According to the District Local Government planning guidelines, 5% of the total

budget for project activities is supposed to be allocated to M&E including Social and Environmental (S&E) aspects. However, this service cost is inadequate and, in some cases, used entirely for M&E.

5.3 Performance of ESIA process

48. The current findings reflect that the existing borrower system is adequate for E&S management in Uganda which is broadly consistent with the World Bank core principle of OP/BP Program for Result Financing. The ESIA system is aligned with the World Bank's requirements. NEMA recently updated its Environmental Legislation including the National Environment Act (NEA), 2019. The NEA provides clear guidance on the projects for which Project briefs and E&S Assessments are required/mandatory as stipulated in Schedules 4 respectively. Additionally, the accompanying regulations i.e., the National Environment (Environment and Social Assessment) Regulations, 2020 specifies the procedures to be followed for preparation of projects that require project Briefs (as stipulated in section 112 of the Act and set out in schedule 4) and procedures for projects for which ESIA study is mandatory (as stipulated in section 113 of the Act and set out in Schedule 5). Despite the clear guidance on the national requirements for preparation of project Briefs/ESIAs, the team noted that there are still some challenges as stated below in the performance of the ESIA process:

i). **Inadequate capacity to conduct E&S Assessments in some District Local Governments, as indicated below:**

a. **Delayed E&S screening.** From the consultation with the DLGs, screening of ESHS risks/impacts of the subprojects are often conducted after the selection of sub projects has been carried out and civil work activities have commenced on subproject sites, this leads to E&S considerations not being integrated in the relevant process.

b. **Non preparation of ESMPs for sub projects:** In some DLGs E&S screening for sub projects do not translate the results from the screening exercise into the preparation of Project Briefs/ESIAs/ESMPs. This is partly due to the inadequate capacity by some DLGs to prepare ESMPs, coupled by the lack of knowledge and skill on how to cost the E&S aspects in an ESMPs.

c. Additionally, not all DLGs utilize the same screening tool. The responsibility for E&S screening for risks and impacts, assessment and planning of the district's sub projects is left to the EO, on the other hand participation of the CDO is limited in addition to their not being able to adequately screen for social risks and impacts (such as GBV, VAC, HIV prevention and discrimination associated with vulnerable and Marginalized), hence the social aspects are usually left out of the ESMPs. Also, the team observed that the EOs lack the skills to screen for climate risks.

d. At the **central level, while** NEMA is mandated with the review and approval of the Project Briefs/ESIAs, there are usually significant delays in the review and decision-making process partly due to the staffing challenge. Hence, it is not uncommon for the civil works to commence without the approval of the relevant safeguard documents. Additionally, several DLGs mentioned that at times they are not consulted in the review process, as such at times unaware of which projects have been issued with ESIA certificates by NEMA.

ii) **Inadequate capacity to integrate ESHS requirements into designs, BoQs, bidding and contract documents:** The SBDs for open bidding were updated by the PPDA under UgIFT-AF. Nonetheless, during the consultations several challenges were noted, namely: (i) some of the DLGs still utilize the previous SBDs that do not adequately incorporate E&S aspects, hence a missed opportunity for E&S management (ii) EOs/CDOs are usually not included in the evaluation committees, hence, E&S aspects are not given adequate attention. (iii) the EOs and CDOs lack the skill to budget and integrate ESHS aspects into bidding documents, as a result, the contractors do not also budget for the E&S aspects as part of the construction, hence making it difficult for the LGs to monitor and enforce E&S compliance. (iv) some DLGs like Kalaki do not have a substantive appointed EO due to the constraints by the wage bill, hence E&S issues are likely to be left out in such cases.

iii) Implementation of mitigation measures in ESMPs: The contractors are required to prepare and implement the CESMP as per E&S contractual requirements. However, while some contractors prepare the CESMPs, they do not familiarize themselves with the E&S requirements. resulting into poor E&S performance Additionally, the contractors in some cases are reluctant to recruit competent full-time ESHS staff hence limited ES safeguards supervision on civil work sites.

A quick needs assessment indicated that the trainings are required in the following areas, as shown in the Table 5 below;

Table 5: Training Needs and Capacity enhancement areas for E&S

Environment	Social
• Preparation and application of E&S screening Forms (including climate and disaster screening) • Preparation of costed ESMPs and Practical application of ESMPs • Training in OHS site risk assessment and management. • Planning and budgeting for E&S requirements in design BoQs, and bidding documents as well as ESMPs. • Training in contract management and supervision for civil work projects • Training in roles and responsibilities of DLGs (user departments and contract managers) and contractors on E&S safeguard requirements for construction contracts. • Preparation of E&S monitoring reports based on collection of E&S data and clear E&S indicators.	• Training in crosscutting areas such as; GBV, GRM HIV/AIDS, SEA, IND, and VAC • Planning and budgeting for E&S requirements in design BoQs, and bidding documents as well as ESMPs. • Training in contract management and supervision for civil work projects • Training in roles and responsibilities of DLGs (user departments and contract managers) and contractors on E&S safeguard requirements for construction contracts. • Preparation of E&S monitoring reports based on collection of E&S data and clear E&S indicators. • ICT training and tooling • Peaceful conflict resolution, mind-set change and community mobilization • Project management skills for all stakeholders including the political wing. • Review of new policies and regulations of both GoU and the World Bank • Operation and maintenance of school infrastructure • Capacity enhancement on the operationalization of the GRM

5.4 Community and Occupational Health and Safety Performance

♣ There is still limited understanding on occupational and community health and safety risks on civil work sites both at the DLG level and contractor/site level, coupled with the already mentioned challenged of inadequate E&S contractor staffing at sites. Additionally, in some cases the contractors conduct OSH risk assessments and implement projects without safe working procedures, while using old and obsolete equipment, and do not have procedures for reporting and managing incidents.

At the MoGLSD there are still capacity challenges faced by the department of the Labour, Industrial Relations, and Productivity to enforce labour standards/policies, regulations, and guidelines due to the limited structure of the department and inadequate capacity. It was also observed that some DLGs do not seem to prioritise the position of labour officers as compared to the recruitment for other substantive positions.

5.5. Monitoring, Supervision and Reporting for E&S

♣ Whereas there is some improvement to a certain extent in monitoring of E&S requirements, this is however limited to local governments that are implementing the UgIFT AF program and other Bank funded programs/projects. The beneficiary LGs in this case have constituted Project Management Teams (PMT) that include the DCDO and DEO among others and are charged with monthly monitoring and reporting to the CAO. However, other DLGs mostly do not regularly monitor the implementation of ESMPs mainly due to limited financial resources and lack of transport to project sites. Under the UgIFT Program, the EOs and CDOs participate in the verification of E&S compliance for work sites, however, a few EOs indicated challenges whereby they mentioned that the EOs sign E&S compliance certificates but may not regularly conduct supervision site visits. Others do rely completely on the

goodwill of the user department to conduct ES monitoring. Additionally, capacity gaps were also identified in the **documentation of E&S monitoring reports**, not being of adequate quality to capture the critical ESHS site issues and recommendations being generalized and site specific. In some cases, ES monitoring reports are prepared on a regular basis as required, hence, difficult to track the ES compliance levels of the contractors and follow up on ESMP actions in the absence of the required reports.

5.6 Staffing Level /Human Resource and Technical Knowledge

♣ At the national level, whereas the roles and responsibilities MWE/NEMA and MoGLSD respectively are provided for under the National Environment Act, 2019 and Occupational safety and Health Act, 2006 respectively. MWE still experiences staffing challenges at the centre and regional levels. In a similar manner while NEMA has 4 regional offices these remain understaffed. While NEMA is already in the process of restructuring the filling up of these positions will be done in a phased manner. To support implementation of the USEEP project , the implementing agency, MoES recently recruited 2 E& S specialists and 6 E&S assistants who are expected to support the MoES PIU in implementation of the ULEARN program nevertheless due to the Country wide scope of the project close collaboration and support of MWE/NEMA and MoGLSD to ensure that ES aspects are implemented and monitored under the ULEARN program.

At the LG level, the environment function is under the ENRD headed by a DNRO. Most DLGs have substantively appointed EOs and DCDOs, possess minimum qualifications and have to some extent knowledge in the management of ESHS risks and impacts associated with civil work infrastructure. However, in some LGs sampled such as Busia DLG and Kalaki DLG and Kaberamaido DLGs did not have a substantially appointed Head of Department for the ENRD but rely on the Senior Environment Officers/Environment Officers to act as the Head of Department. Furthermore, whereas the structure for environment management at the LG level provides for the recruitment of EOs, there is no provision for such positions at the sub county level, hence the E&S function is not decentralized to LLGs.

5.7 Enforcement Capacity

♣ NEMA's enforcement of environmental law is supported by the Environmental Protection Police Unit that was introduced in constituted in 2010; however, challenges of non–compliance persists. NEMA and the other lead agencies have been found to have not enough capacity to enforce some of these laws and hence ineffective E&S compliance due to inadequate manpower, coordination and inadequate budgetary allocation.

5.8 Equipment and Tools

♣ At the central and national level, there's a major challenge of inadequacy of Environmental monitoring tools and equipment including camera GPs, computers, laptops, mobile water quality testing and monitoring kits, air quality and noise monitoring equipment, which makes it difficult to undertake evidenced based E&S monitoring as required under the relevant National environmental laws.

5.9 Land Acquisition

♣ All DLGs consulted reported that this is one of the biggest challenges given the dwindling budgetary allocations of the Schools Facilities Grants (SFG) which is not enough to purchase land for construction of new schools. Construction of new, expansion and rehabilitation of old schools' infrastructure will require land and according to Education Standards, a new school with all facilities will need a minimum of 5 hectares or more. The program also intends to upgrade some community schools to Government Aided schools, in practice these community schools are founded on land donated by community members and may not be enough to accommodate all the schools' facilities as per standards. They could depend on the donations from communities but once the communities realize that Government is planning to take over, they ask for exorbitant compensation rates, or in most cases due land scarcity they donate land located or near wetlands/swamps or hill tops/cliffs which is prohibited or very expensive to utilize. The DLGs also find challenges in processing the land titles especially if is the land is under customary land tenure.

Additionally, majority of existing schools planned for expansion or rehabilitation are owned by FBOs DLGs have found very difficult time in convincing these FBOs to process land titles in the names of the schools. this contributes to delayed program implementation or cancellation of sites. Therefore, MoES should work with all the relevant stakeholders like MLHUD, MoLG and prioritize, given ample time to LGs to fully exhaust the issues of land acquisition before site are selected.

5.10 Special Needs Education

♣ While it is noted that the Government promotes inclusive and quality education, there are still challenges of a weak policy implementation, limited capacity, and skills of teachers to meet the needs of special needs learners and inadequate financing to support the effective implementation of inclusive education, for example very few teachers have been trained in sign language and reading/instructing in braille among others. There is no readily available data for learners with special needs within the districts, or data on special needs schools. Additionally, parents to children with special needs have continued denying them opportunity to education due lack of facilities to be used in aiding these children and the stigma and burden of escorting them to school. To mitigate the above risks, MoES to work closely with the Departments of Education and CBS at the DLGs to conduct Special Needs Learner tracer studies and community mobilization on information about special needs learners.

5.11. Stakeholder Engagement

♣ Stakeholder engagement is most effective when initiated at an early stage of the project development process and is an integral part of early project decisions and assessment, management and monitoring of the projects' E&S risks and impacts. The DLGs consulted reported the importance of early stakeholder engagement in relation to the success of any project. This is particularly key in land acquisition which takes long to formalize the processes. The CDOs especially appreciated the functions of stakeholder engagement and communication, said they are usually called upon by other departments to participate when needed. However, they mentioned that they are usually involved late and, in most cases, when the projects have issues or problems. This was attributed to the fact that projects are initiated without the considerations of meaningful stakeholder engagements. Even during project launches they are only invited as guests and their participation is limited. They reported that they have limited capacity to prepare SEP and are constrained in conducting community consultations because they lack funds to hire venues, chairs, and public address systems. The MoES shall ensure that CDOs at ULEARN implementing DLGs are trained in meaningful and effective stakeholder engagement techniques including provision of feedback and budget for funds for implementation of stakeholder engagements.

5.12 Grievance Redress Management (GRM)

♣ GRCs are critical for community engagement, but they have not been constituted at the various levels at National and LG level. The compliant handling system in the LGs is fragmented and not clearly streamlined, although this role is designated to the Probation and Welfare Officers in the CBSD who handle issues of Family and Child protection, women, and family issues. Child protection Unit of the Uganda Police handle child protection, women, and family issues; the Local Councils (LC1-5), District Land Board, District Lands Office, Resident District Commissioner's (RDC) office handle land matters; Police handles grievances of a criminal nature. The LCs also handle any other grievance reported to them if it is not of a criminal nature. The CBSD are usually constrained by the inadequate funds living the existing structures to handle cases. Moreover, GRCs are in most cases are expected to work on a voluntary basis during project implementation. The ULEARN implementing DLGs are mandated to establish project/program specific GRCs, one to handle community grievances and the other for the specific project sites to handle workers' issues. The DLG shall train and equip of the GRC members on their roles. To address grievances related to Vulnerable or marginalized groups or individuals, ULEARN will enhance the project Grievance Redress Mechanism to include an effective, safe, ethical and confidential referral pathway to ensure that individuals or groups are comfortable reporting incidents of discrimination or exclusion and that such grievances are addressed quickly, efficiently and appropriately.

♣ The MoES shall ensure budgetary allocations for GRC training, facilitation and for provision of the necessary tools during implementation of the GRM.

5.13. GRM Reporting Mechanisms

a. Communities and individuals who believe that they are adversely affected because of a Bank supported PforR operation, as defined by the applicable policy and procedures, may submit complaints to the existing program grievance redress mechanism or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address pertinent concerns. Affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, because of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit http://www.worldbank.org/GRS. For information on how to submit complaints to the World Bank Inspection Panel, please visit http://www.inspectionpanel.org. For grievances associated with discrimination or exclusion of vulnerable or marginalized individuals or groups, they will be passed to an appropriate referral pathway to ensure they are resolved in a safe, ethical, and confidential manner.

6.0 ASSESSMENT OF COUNTRY E&S MANAGEMENT SYSTEM AGAINST PforR CORE PRINCIPLES

6.1. Assessment of Country System Against PforR Core Principles

Strengths, Weaknesses, Opportunities and Risk Analysis

59. The ESSA analysis essentially followed; Strengths, Weaknesses, Opportunities and Risks (SWOT) approach to assess conformance with the WB PforR core principles. The analysis further provides information: details of Program activities, institutions involved and the implementing agency's experience in implementing similar projects, the potential E&S benefits, risks/impacts of the Program, the existing E&S management systems, assessment of the adequacy of the existing systems, and identification of gaps. Based on this analysis, actions to address the identified risks and gaps were identified and proposed as shown in Table 6 below.

6.1.1. Core Principle #1: General Principle of Environmental and Social Management

60. Environmental and social management procedures and processes are designed to (a) promote E&S sustainability in the program design; (b) avoid, minimize, or mitigate against adverse impacts; and (c) promote informed decision-making relating to a program's E&S effects. The risk rating of the PforR is taken as integrated/aggregate. The emphasis of the ESSA is on system requirements and system performance i.e., ESSA considers the extent to which the Program systems are consistent with the six core principles and associated key planning elements.

Table 6: SWOT Analysis of the PforR Core Principles in Relation to the ULEARN Program

Strength	Weaknesses
• The Government of Uganda has solid environmental legal and policy framework in place to protect, conserve and mitigate adverse impacts, including the natural habitats, archaeological sites, and cultural resources. • The recently updated National Environment Act (NEA), 2019 and the National Environmental (Environment and Social Assessment Regulations), 2020 provides for projects that are mandated to undertake E&S assessments in form of Project Briefs (PB) PB or full ESIA under schedules 4 and 5 respectively of the NEA. • Additionally, NEMA recently updated most of its Environmental Regulations to promote aspects of environmental management and compliance. • The E&S capacity for some district local governments to conduct E&S screening was enhanced under the ongoing PforR programs (such as USMID and UGIFT AF PforR), hence, there is a degree of E&S capacity. • Additionally, E&S management tools were developed namely ESHS screening tool, Environment and climate change mainstreaming guidelines by MWE and NEMA and the Social, Safety and Health Safeguards Implementation Guidelines for Local Governments (by MoGLSD in 2020). These tools can be revised and further and utilized under the ULERAN program. • The District Local Government structure already has provisions for the position of EO and CDO to address E&S issues at the local government level. Most of the sampled DLGs have a substantially appointed EO and	• The implementation of the existing legal/regulatory provisions faces challenges due to inadequate E&S staff/human capacity within the implementing agencies and at local levels to support Environmental and Social Systems (ESS), hence significant challenges, remain in the monitoring, enforcement of E&S requirements • There is also weak coordination among the various Lead Agencies and inadequate attention to E&S concerns, at the central and LG levels. • inadequate E&S staffing levels in some DLGs, some of which do not have substantially appointed HoDs for ENR and CBS Department • Inadequate budgetary allocation to NEMA and DLGs for effective E&S risk management • Lack of early involvement of DLGs during project preparation/design development and evaluation of contractors, approval of designs and plans to satisfaction of the unique situations in the different local governments. • Lack of full participation of stakeholders in engaging meaningfully on safeguard issues, especially during project implementation • capacity gaps still exist in some district local governments to conduct E&S screening,

CDO except for a few DLGs. • Current restructuring of NEMA is ongoing to increase the staffing levels at the centre and regional levels. In addition, two regional NEMA offices are being established to increase NEMA's footprint in the country. • PPDA revised its SBDs to strengthen ESHS requirements in the procurement and contracting process.	PB/ESMP preparation, costing of E&S aspects in the ESMPs, integration of ESHS aspects in designs, BoQs, bidding and contract documents. • While the National laws provide for preparation of Project Briefs/ESIAs prior to commencement of civil works in practice works are allowed to start without the relevant safeguard documents. • As a result of the above, some school sites may end up being sited in environmental sensitive locations and/or sites that are prone to natural disasters such as flooding, landslides etc. hence impacting on safety of learners and sustainability of the school infrastructure
Opportunities	**Risks**
• The MoES, has progressively experience in implementing World Bank funded projects under the IPF financing instrument. As such, they have knowledge and experience in the World Bank's safeguards policies. Nonetheless, the MoES not familiar with the WB Environmental and Social Framework (ESF) for the IPF window of this program. Nonetheless, the technical capacity component under the IPF window provides them with an opportunity to augment their knowledge in the WB ESSs and application as relevant to the program. • The MoES is willing to recruit Environmental and Social Development Safeguard Specialists as part of the Program support team enhance ES risk management in its operations. • The MoPS approval for the increase in staffing levels at NEMA will contribute towards increased environmental monitoring and compliance. • Some DLGs have gained some experience to date due to their participation in the implementation of other Bank funded PforR programs such as under the USMID and UgIFT PforR Programs. • E&S tools have been developed under similar PforR Programs such as USMID and UgIFT-AF, can be revised/enhanced and customized to the meet the ESHS requirements under ULEARN program and disseminated to the respective DLGs. • The IPF window provides opportunity to conduct technical capacity building in E&S safeguards management across the central participating agencies and beneficiary district local E&S staff hence improving their capacity to manage E&S risks during program implementation. • Under previous PforR programs, enhanced SBDs were rolled out to some DLGs, nonetheless, there is still need to completely rollout these revised SBDs across DLGs to ensure harmonized and consistent use of the right SBDs.	• Addressing the environmental management needs and challenges depends on capacity building of the key sector organizations both in terms of human resources and training, and strong monitoring, which may affect the progress of the Program. • Inadequate capacity building of implementing agencies on E&S management at the onset, may affect the Program's compliance with safeguard requirements during program implementation • Inadequate enforcement and implementation or mainstreaming of existing E&S management plans. • Limited safeguards supervision, monitoring and reporting on ES risk management at the central and DLG level may impact on the Program • Failure by some DLGs to utilize the revised SBDs that incorporate ESHS aspects in the procurement process leads to missed opportunities to ensure safeguards compliance during subproject implementation.

6.1.2. Core Principle # 2: Natural Habitats and Physical Cultural Resources

61. E&S management procedures and processes are designed to avoid, minimize, and mitigate against adverse effects on natural habitats and physical cultural resources resulting from program.

Strength	Weaknesses
• Uganda has several legal, policy and administrative frameworks for protection of natural habitats such as The Constitution, 2006 that obligates Government to hold in trust for the people and to protect natural lakes, rivers, wetlands, forest reserves, game reserves, national parks and any land to be reserved for ecological and touristic purposes for the common good of all citizens. the National Environment Act, 2019, Section 61 provides for managing collection of biological resources from natural habitats for ex-situ conservation practices. • Section 68 of the National Environment Act, 2019 provides for the Protection of cultural and natural heritage. (1) The lead agency may, in consultation with the Authority, identify, protect, conserve, preserve and transmit for the benefit of present and future generations— (a) monuments, buildings, elements, objects and sites in the natural environment which are of cultural importance to the people of Uganda; and (b) natural features, geological and physiographical formations and natural sites or precisely delineated natural areas of outstanding universal value which are considered a natural heritage for the people of Uganda • Section 114 (2(c) of the NEA that Environmental risk assessment is undertaken for any activity that is likely to impact on critical habitats, species of concern or cultural or natural heritage. • The National Environment (Wetlands, Riverbanks and Lake Shores Management) Regulations, 2000 which declaration of certain wetlands as fully protected wetlands because of national/ international importance, ecological functions etc. and it regulates activities in such wetlands. • The country also has a National Cultural Policy, 2019: among the policy priorities of this Policy is to Safeguard and Protect the traditional cultural expressions and traditional knowledge, preserve and protect cultural rights of the indigenous peoples. Among the key institutions that are critical to the implementation of this policy are the: MoGLSD, MoWT&A, MoES among others.	• Despite an enabling policy and legal framework, the implementation capacity of the mandated institutions is limited and constrained by staffing and financial resources to support Environmental and Social Systems (ESS) at the central and LLG levels. • Insufficient capacity building activities on implementing agency, organizational structures, and environmental officers to ensure compliance to required environmental and social standards during project implementation. • Weak coordination among the various implementers and inadequate attention to E&S concerns, particularly within the lower level. • While the Government has made effort to demarcate the boundaries of wetlands in several districts, it is not clear whether this has been followed by gazettement as provide for by the relevant law to prohibit development that could impact on such sensitive areas (environmentally fragile ecosystem and physical cultural resources). • Whereas the LGs have an enhanced E & S screening tool, most of the proposed sites for school infrastructure are not screened early enough, hence sites identified for construction in some cases are found to be located in sensitive ecosystems e.g., wetlands, when the construction has already commenced. • There is still a challenge of inventory and documentation of the tangible and intangible physical cultural heritage, yet this is critical to safeguarding the physical cultural resources of the country

• The assessment incorporates in program design and implementation appropriate measures to minimize or mitigate possible adverse impacts on the natural habitats, archaeological sites and cultural resources, with involvement from strong institutions such as MoWT&A, NEMA and Uganda Museum.	
Opportunities	**Risks**
• The updated National Environment Act and ESIA regulations and processes provide for the identification and screening of natural habitats and areas of biodiversity importance and cultural resource areas. • Additionally, NEMA has revised the E&S screening tool to better inform site selection (including identification of risks to areas with physical cultural resources, natural habitats etc.) • Under the program, EOs and CDOs shall be required to actively participate in site selection, screening, ESMP preparation and implementation may help to avoid siting of new infrastructure (e.g., schools) in wetlands or other environmentally sensitive areas and/or areas with important physical cultural resources. • Under the Environment and Natural Resources (ENR) District Conditional Grants districts are supported to prepare district wetland action plans and to integrate these into the district development plans as well as carryout demarcation of wetland boundaries within their jurisdictions. This will help in avoiding already demarcated wetland areas for school construction and/or other development. Nonetheless, this process is hampered by the inadequate finds as mentioned earlier.	• Given the low levels of awareness and appreciation for environmental and natural resource protection among some stakeholders and competing needs for land for development, there is still a risk of some subprojects being located in sensitive areas like wetlands and/or areas prone to flooding. • Additionally, the heightened emphasis on economic & financial aspects of the program, cultural and natural heritage tend to be given lesser importance. Therefore, there are risks that may escape attention during E&S screening, ESMP preparation and implementation. • Addressing the environmental management needs and challenges depends on capacity building of the key sector organizations both in terms of human resources and training, and strong monitoring. • Inadequate enforcement and implementation or mainstreaming of existing ESMPs.

6.1.3. Core Principle # 3: Public and Worker Safety

Strength	Weaknesses
• Enabling legal framework is in place i.e. Occupational Health and Safety Act, 2006. There are occupational health and safety guidelines, which are applicable across sectors including the education subsector. • The MoGLSD is the focal ministry on occupational health and safety issues. The DOSH is the Custodian of OSH issues in the country and responsible for ensuring that construction sites, adequately address public and worker safety risks • The government's contract conditions for contractors include provisions for public and worker safety (for e.g., provision of barricades at construction site, use	• Weak capacities to ensure compliance to required national standards within the implementing agency and DLGs. • Weak coordination among the various implementers and inadequate attention to OHS concerns, particularly at the DLG level. • There is general lack of awareness on public health and safety issues, particularly in relation to exposure to workplace safety aspects in hazard prone areas etc. • Though the organization structure exists, the attention given to safety issues at the LG level is low. The district-level labour officer/inspector has a range

of PPE by workers, disposal of waste and sanitation management among others). • The Labour officer at the LG level is required to provide support to the districts in handling labour related issues. • The Uganda National Policy for Disaster Preparedness and Management, requires that adequate arrangements and institutions are made at national and local government levels. The Policy also recognizes the cross-cutting nature of disaster management and provides for the integration of disaster preparedness and need for teaching of disaster management in school curriculums, disaster education and public awareness programs management in schools' ad requires the MoES to ensure school buildings are build strong enough to withstand all hazards.	of issues to deal with and is stretched to find specific support on safety issues to the DLG. • In some LGs, there is no substantially appointed Labour Officer to handled labour related issues • Limited capacity in technical personnel, safety equipment provision, and budget by contractors to comply with national requirements for protection of public and worker health and safety • Weak coordination among the various implementing agencies, and inadequate attention to OHS concerns, particularly at the LG level. • here is a general lack of awareness on health and safety issues, particularly concerning exposure to workplace safety hazards aspects in hazard-prone areas, etc. • There is poor maintenance of infrastructures by implementing agencies after completion, that could impact on public safety.
Opportunities	**Risks**
• Technical assistance to MoES will be provided under the IPF component for the development of the development of a National Primary School Construction Strategy to guide the school construction, including school facilities maintenance requirements and climate resilient infrastructure • The technical capacity building component under the IPF window will provide opportunity for training of various stakeholders on aspects of OHS management among others. • MoGLSD should be co-opted to the ULEARN steering committee hence better placed to play its oversight role and function on social, health and safety matters. • The MoGLSD under UgIFT-AF developed the Social, Safety and Health Guidelines (October 2020) that provide guidance on the implementation of OHS measures at work sites, this could be revised/enhanced and adopted under the ULEARN program. • Strengthening of DLGs systems to manage OHS risks including ensuring that the E & S screening tool used by LGs incorporates OHS aspects. • ESMPs/Project Briefs will be prepared and should include health and safety aspects and mitigation measures for protection of worker and community health and safety.	• Systematic implementation of OHS provisions requires enhanced awareness in the key sector organizations and strengthened monitoring. • Inadequate enforcement of the OHS provisions in civil works contracts by key stakeholders • Inability to ensure public and worker safety can result in physical injuries, including loss of life to the workers and public at construction sites. • These risks arise mainly from lack of human and other resources (including finances) availability for implementation of the ESMP.

• Contractors and supervision consultants contracted will be required to prepare OHS management plans as per contractual requirements under the enhanced SBDs and to recruit the ES personnel (including health and safety officer(s)). • The Program also provides an opportunity to strengthen existing guidelines to address (i) construction site management, (ii) post construction site rehabilitation, and (iii) disposal of hazardous waste (e.g., in the solid waste sites etc.) and enhance capacities at the DLGs level for the management of such issues. • This also involves planning elements such as laws/regulations to avoid child and forced labour; management of waste and hazardous materials.	

6.1.4. Core Principle 4: Land Acquisition

62. Bank Policy for PforR Financing: Land acquisition and loss of access to natural resources are managed in a way that avoids or minimizes displacement, and affected people are assisted in improving, or at least restoring, their livelihoods and living standards.
Bank Directive for PforR: As relevant, the program to be supported:

Avoids or minimizes land acquisition and related adverse impacts;

- Identifies and addresses economic and social impacts caused by land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy;
- Provides compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses, paid prior to taking of land or restricting access;
- Provides supplemental livelihood improvement or restoration measures if taking of land causes loss of income-generating opportunity (e.g., loss of crop production or employment); and
- Restores or replaces public infrastructure and community services that may be adversely affected.
- Provides for measures for land acquisition and related activities to be planned and implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.

Strength	Weaknesses
• The Constitution of Uganda and its Land Act explicitly provides requirement of compulsory land acquisition, and it also provides for an institutional framework unto the Lower Local Government levels. This is well assessed and documented in the ULEARN ESSA. • The institutional responsibility for land acquisition is relatively clear: The Local Governments are at the centre of land acquisition for ULEARN activities and will be also responsible for drawing the terms of reference for the preparation of the	• Despite the provisions in the Constitution and Land Act, implementing rules on compensation are unclear. The country's legal framework does not provide details to clarify and enforce on the promptness, fairness, and adequacy of the compensation required under the Constitution. • The framework does not include compensation for economic displacement, for example, impacts. on livelihood. However, often times these are included in projects financed by donors such as the World Bank. Thus, the awareness of municipalities on livelihood

compensation plans including the valuations of the properties following the rates established by districts. These are then approved by the Office of the Chief Government Valuer (CGV) which is responsible for compensation issues in terms of clearing resettlement packages for the project affected people. • The resettlement impacts of the ULEARN Program will range from being Substantial to moderate depending on the competence of the Social Safeguards staff to handle compensation issues where need be. The physical displacement will generally be minimized, and where applicable it will be handled on case-by-case basis and the PAPs will be duly compensated.	impacts appears to be inconsistent and generally weak.
Actions and Opportunities	**Risks**
• The participating Local Governments will have to gradually enhanced their capacity to manage resettlement activities, including addressing economic displacement, planning and documentation of the resettlement activities. The lessons gained and tools (consent form etc.) developed under USMID and UgIFT should be mainstreamed and strengthened in ULEARN. • The CDOs to play a key role in facilitating stakeholder engagement between the Local Governments and affected communities. The human and financial resources for this purpose should be strengthened. • To ensure the consistency of the Program with Core Principle 4 and to minimize the risk of significant economic and physical displacement, continuous training opportunities should be provided to Local Governments' technical staff.	• While several willing-buyer and willing seller transaction do proceed successfully, there is a potential risk that such negotiations can lead to unequal compensation and this place vulnerable groups in a position where they might be unable to represent themselves fairly. • Such potential risks could also exist for economic displacement of vulnerable groups. To address such risks, the consultation process needs to be more systematically documented and closely monitored.

6.1.5. Core Principle 5: Indigenous Peoples and Vulnerable Groups

63. Bank Policy for Program-for-Results Financing: Due consideration is given to cultural appropriateness of, and equitable access to, program benefits giving special attention to rights and interests of Indigenous Peoples and to the needs or concerns of vulnerable groups.

Bank Directive for Program-for-Results Financing:

- undertake free, prior, and informed consultations if the Indigenous Peoples are potentially affected (positively or negatively), to determine whether there is broad community support for the PforR Program activities;
- ensure that the Indigenous Peoples can participate in devising opportunities to benefit from exploitation of customary resources or indigenous knowledge, the latter (indigenous knowledge) to include the consent of the Indigenous Peoples;

Strength	Weaknesses
• Under the Constitution, the country has several policies and acts that support the protection and promotion of the rights of vulnerable groups, which include National Gender Policy, National Policy for Older Persons, Equal Opportunities Commission Act, Children Act, and National Council on Disability Act. The GOU (also has the MoGLSD for the protection and promotion of rights of the vulnerable groups. • Following the Bank's recent experience regarding gender-based violence associated with project-induced labour influx, the awareness on this issue is high among central and local government authorities. There are ongoing WB supports to the country to address GBV issues at policy as well as project levels. • It is also a WB requirement that Vulnerable and Marginalized Groups Frameworks/Plans are prepared to ensure for Free, Prior, Informed Consultation takes place for inclusion of the VMGs.	• The World Bank's recent experience (supported through stakeholder consultations conducted for the ESSA) show that influx of workers could cause a range of social risks and impacts, including social tension with the host community, gender-based violence, and HIV/AIDS and other sexually transmitted infections due to the potential risk from commercial sex. • While the country has several policies and acts that support the protection of vulnerable groups, it is unclear how the legal and institutional framework for the protection of the vulnerable groups is functional on the ground.
Actions and Opportunities	**Risks**
• To address such potential risks, the ULEARN proposes various mitigation measures such as; • MoES prepares a VMGFs prior program implementation to ensure inclusion of their requirements. • MoES to work with the EISM to ensure Inclusion and Non discrimination of Vulnerable or marginalized individuals or groups (VMIGs) • preferential use of local workforce, extensive sensitization activities and enhanced contractor/worker management, in line with the World Bank Guidance Note on the Management of Risks associate with project- induced labour influx. • It will be critical that pro-poor considerations are made in the process of E&S assessment and consideration of mitigation measures.	• The mitigation measures under ULEARN are unlikely to fully prevent occurrences of such cases or address existing and local dynamics pertaining to gender-based violence • Due to limited data on the VMGs and Learners with Special Needs, the likelihood of continued exclusion from the program is high.

6.1.6. Core Principle 6: Social Conflict

64. Bank Policy for PforR Financing: Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes. Bank Directive for PforR Financing: Considers conflict risks, including distributional equity and cultural sensitivities.

Strength	Weaknesses

• Following the establishment of a complaints handling system in MoLHUD, the Grievance Redress Mechanism at national level has been developed and presented for approval and adoption. A toll-free line and help line with SMS capability, along with a dedicated e-mail address, have been put in place to facilitate submission of complaints from the public. • In all ULEARN implementing Local Government a grievance handling system will be established and operationalized, based on the Framework for Promoting Good Governance and Anti-Corruption in Local Government.	• While a grievance handling system will be established and operationalized in ULEARN implementing DLGs involvement of their respective Town Clerks and CAOs, the grievance procedures and its functionality will be explored. There is no specific office to handle ULEARN program related grievances in the municipalities. • Most of the LGs consulted during the ESSA showed weakness in grievance redress system.
Actions and Opportunities	**Risks**
• DLGs shall ensure that communities are duly consulted and involved in all project activities early enough. • The DLGs shall ensure that a designated CDO is in place to address project-related grievances with support from ULEARN/PST.	• Some people might not resort to grievance mechanisms for various socio-cultural reasons. However, this risk is high in an urban setting. • There is a tendency of forcefully evicting vulnerable people to pave way for program activities.

7.0 RECOMMENDATIONS AND PROGRAM ACTION PLAN

65. Based on the above assessment and findings, this section outlines recommended actions for improving the social and environmental management systems required for mitigating/minimizing those risks and gaps/challenges, where appropriate during the planning and implementation stages.

7.1 Conclusion

66. The assessment screened the proposed ULEARN Program sub project activities for the likely E&S risks and impacts; assessed the national E&S systems performance as written/documented in the various legal and policy framework; carried out comparative analysis with the core principles to determine any gaps and in turn informed the acceptability analysis. As an avoidance measure, the program excludes any high-risk interventions, that is, activities that are judged to be likely to have significant adverse impacts that are sensitive, diverse, or unprecedented on the environment and/or affected people.

The ESSA further identified strengths, gaps, opportunities, and risks in Uganda's E&S management system with respect to effectively addressing the E&S risks associated with the Program. Whereas the national system is regarded as adequate with respects to having in place an enabling policy, legal and institutional framework for E and S management, there is still need to strengthen weaknesses in the system performance as highlighted in the preceding paragraphs and documented in previous assessments. The measures that are instituted to enhance the E&S management system at the onset of the Program would require continued improvement based on lessons learnt, and further consultations and disclosure. The ULEARN Program will utilize the gains from the USMID-AF and UgIFT- AF under World Bank PforR financing which have both developed systems required at the DLGs/Cities/Municipal levels, respectively to address the E&S impacts to enhance the performance of the Country's systems in managing risks and impacts of the Program.

67. The agreement of performance measures which **include minimum conditions and performance criteria related environment and social safeguards** which are consistent across sectors and are elaborated in the performance assessment manual. This will include that LGs:

a. To have in place critical staff at the (i) at the Centre: Recruit fulltime safeguard specialists at the MoES (Environment specialists and Social Risk management specialists) at the Program Support Team (PST) before Program effectiveness and (ii) DLG level: substantially appointed EO and CDO attached to the Program;
b. To carry out Environment and Social screening for environmental (including climate and disaster risks), Social, Health and Safety risks /impacts and develop a costed Environmental Social Management Plans (ESMP), integration of ESHS aspects in designs, BoQs, bidding and contract documents.
c. Prepare Vulnerable and Marginalized Groups Framework to guide the DLGs in preparation of VMG Plans.

7.2 Program design elements integrating E&S sustainability

68. The following elements shall be integrated into the Program design to ensure E&S sustainability:

a) Exclusion criteria shall be considered to avoid construction in protected areas and critical natural habitats, areas with high risk of natural disasters, as well as avoiding impacts on cultural heritage sites,
b) The program will incentivize inclusion of climate-friendly "green design" elements into the infrastructure designs and activities to reflect principles of E&S sustainability, as well as mitigating climate change,
c) Other considerations include the adoption of energy efficient architectural elements, installation of smart energy appliances, renewable energy sources, supporting non biomass cooking solutions for schools where feasible, improve of waste management practices, encouraging sorting and proper disposal, rainwater harvesting,

d) environmentally sustainable construction methods and support to tree planting programs and
e) Designs that consider the needs of children with special needs such as user-friendly ramps, wide enough doors to accommodate wheelchairs and gender sensitive WASH facilities, etc.
f) The designs should consider the provision of baby care rooms for breastfeeding teachers and students.

7.3. Recommended measures for strengthening the identified gaps

Recommendations

69. To strengthen the identified gaps, ESSA recommends enhancing program design elements specifically DLI 5 and its verification protocols; included some E&S actions in PAP and provision ESHS risk management procedures in the Program Operation Manual (POM).

Table 7: Key Result Areas and related DLI

DLI linked to result area	E&S considerations
Results Area 1: Quality Teaching and Learning	
DLI #1. Availability of EGR materials in classrooms	N/A
DLI #2. Teachers receiving practice-based training	N/A
DLI #3: Teachers receiving minimum number of quality in-classroom support visits	N/A
DLI #4. Development of curriculum and Early Grade Mathematics Program	N/A
Results Area 2: Equitable Access to Improved Learning Environments	
DLI #5. Schools meeting standards for physical infrastructure, safety, and inclusion	• To have in place critical staff at the (i) at the Centre: Recruit fulltime safeguard specialists at the MoES (Environment specialists and Social Risk management specialists) at the Program Support Team (PST) before Program effectiveness and • (ii) DLG level: substantially appointed EO and CDO attached to the Program; • E&S screening of subproject sites carried out (prior to commencement of subproject implementation, including climate and disaster risks), Social, health and Safety risks /impacts and develop a costed ESMP, integration of ESHS aspects in designs, BoQs, bidding and contract documents. • Prepare VMGF to guide the DLGs in preparation of VMG Plans.

7. 4. The PforR PAP

70. This includes activities to be completed prior effectiveness and during implementation. The analysis has identified the following key areas for action to ensure that the Program interventions continue to be aligned with the Core Principles of Bank Policy for PforR Financing. The summary Table 8 below indicates the actions to be included in the PAP with indicative timeline, responsibility for implementation and indicators for measuring the completion of such actions. These actions also either form part of form part of the Program design or represent routine actions to be carried out annually. These actions may be

further refined and adjusted during the consultation process and the implementation of the Program, as required.

Table 8: Proposed Program Action Plan (PAP) relating to E&S Considerations

Action Description	DLI	Timing	Responsible Party	Completion Measurement
Action 1: Guidelines, Protocols and conducting basic site assessments				
The ESSA recommends enhancement of existing guidelines: (a) E&S the guidelines and checklists for mainstreaming Environment and Climate Change Aspects and (b) Social, Occupational and Community Health and Safety Management. These guidelines will guide planning, design, budgeting for E&S aspects, bidding, contracting, implementation and monitoring and reporting under the Program. (c) Developing simplified guidelines for removal, and safe disposal of ACM (including budget) and e-waste management protocol for the Program[3]; (d) As a minimal requirement, undertake technical studies including site appraisal and site geotechnical assessments prior to design and BoQs preparation and ensure design BoQs are customized/responsive site conditions and adequately budgeted for; and (e) MoES to liaise with all the relevant	DLI #5 DLI #5 DLI #5 DLI #5	Before Program implementation (Year 1)	MoES, MoGLSD, MWE and NEMA	i. Environmental and social management procedures and guidelines incorporated into the POM ii. E&S Guidelines and checklists updated and disseminated iii. Guidelines developed for removal, and disposal for schools with asbestos containing materials and e-waste management protocol developed for the Program iv. Site geotechnical assessments studies conducted and design BoQs customized to site conditions. v. SEP prepared and implemented vi. Land for the schools' sites titled in the names of the beneficiary school

[3] Please find here in recently published best practice 'Good Practice Guidance for the Management and Control of Asbestos (https://www.adb.org/sites/default/files/publication/783636/good-practice-management-control-asbestos.pdf).

stakeholders such as MoLHUD, MoLG and provide ample time to LGs to identify land free of encumbrances before sites are confirmed.				
Action 2: Strengthening of implementation, monitoring, and reporting				
(a) Involvement of the technical teams (E&S Specialists) in the preparation and evaluation of the bidding documents to ensure that ESHS aspects and technical specifications are adequately incorporated into the bidding documents; (b) E&S screening for all subproject sites (prior to commencement of civil works), ensure PB/ESMP preparation, costing of E&S aspects in the ESMPs, integration of ESHS aspects in designs, BoQs, bidding and contract documents; (c) constitution of the (a) Program Management Team (PMT) at the DLGs comprising of the relevant technical staff including the EO and CDO (attached to the Program) to carryout monthly construction supervision visits including safeguards monitoring and supervision and (d) Joint multi-sectoral technical team to undertake quarterly supervision and site visits; and (e) establishment and operationalization of the Program specific GRM accessible to the project beneficiaries; Strengthen GRMs and create awareness on	DLI #5 DLI #5 DLI #5 DLI #5 DLI #5	During Program implementation (continuous)	MoES MoLG MoGLSD MWE/NEMAPPDA	a) Evidence of E&S safeguards specialist recruited at the MoES b) ESHS requirements incorporated into the bidding documents and technical specifications of subprojects c) E&S screening carried out for all subproject sites, PB/ESMP preparation and costed, E&S recommendations integrated in the designs, BoQs, bidding and contract documents. d) ES Safeguard instruments disclosed e) PMT constituted at the beneficiary DLGs f) Multi-sectoral team constituted at the central level g) Monthly and quarterly Construction supervision and monitoring visits including safeguards monitoring conducted h) Program GRM established and accessible at community level including GBV/SEA/SH/ VAC response structures./. i) ES reporting and tracking system for compliance established. j) Technical guidance provided on the handling and disposal of asbestos roofing materials in the affected schools, including the budgeting requirements.

collaboration with EISM to provide avenues for capture of IND cases. (f) establishment of a system for reporting and tracking E&S Compliance under the program, including GRM and E&S accidents/incidents and (g) enhancement of the current 5% budget for investment service cost to address the unforeseen E&S issues that come up before or after the scheduled joint monitoring.	DLI #5			
Action 3: Strengthening Capacity for E&S risk management				
(a) Include in PST at the MoES, E&S specialists who should be in place; and (b) Institute the program technical committees with representatives from MWE/NEMA, MoLG, and MoGLSD. (c) Support for capacity building in E&S safeguards management to be carried out across the central participating agencies and beneficiary DLG staff such as the CAOs, District Procurement Officers, District Engineers, District Physical Planners, EOs, CDOs, Labour, Probation and Gender Officers etc. as well as the Political Executive of the respective DLGs. (d) The technical assistance support under the IPF will support partnership with academia to implement series of tailored short-course skill enhancement trainings for staff at DLGs and selected central government institutions.	DLI #5 DLI #5	Prior to program effectiveness During Program implementation (continuous)	MoES MoGLSD, MWE/NEMA/MoES /MoLG Academia MoLG DLGs	i). Technical support and capacity building on E&S safeguards management across the central participating agencies and beneficiary district local E&S staff carried out ii). Retooling and equipping of the DLG E&S staff, provision of monitoring and ICT equipment iii). Short Course tailored modules for E&S management developed.

71. A quick needs assessment indicated that the trainings are required in the following areas, as shown in the Table 9 below:

Table 9: Training Needs and Capacity enhancement areas for E&S

Environment	Social
• Preparation and application of E&S screening Forms (including climate and disaster screening) • Preparation of costed ESMPs and Practical application of ESMPs • training in OHS site risk assessment and management. • Planning and budgeting for E&S requirements in design BoQs, and bidding documents as well as ESMPs. • Training in contract management and supervision for civil work projects • Training in roles and responsibilities of DLGs (user departments and contract managers) and contractors on E&S safeguard requirements for construction contracts. • Preparation of E&S monitoring reports based on collection of E&S data and clear E&S indicators.	• Training in crosscutting areas such as; GBV, GRM HIV/AIDS, SEA, IND and VAC • Planning and budgeting for E&S requirements in design BoQs, and bidding documents as well as ESMPs. • Training in contract management and supervision for civil work projects • Training in roles and responsibilities of DLGs (user departments and contract managers) and contractors on E&S safeguard requirements for construction contracts. • Preparation of E&S monitoring reports based on collection of E&S data and clear E&S indicators. • ICT training and tooling • Peaceful conflict resolution, mind-set change and community mobilization • Project management skills for all stakeholders including the political wing. • Review of new policies and regulations of both GoU and the World Bank • Operation and maintenance of school infrastructure • Capacity enhancement on the operationalization of the GRM

ANNEXES

ANNEX 1: REFERENCES

1. Draft Project Appraisal Document (PAD), ULEARN, January 2023.
2. Final Addendum to Uganda Intergovernmental Fiscal Transfer program (UgIFT) Additional Financing (AF) ESSA, May 2020.
3. GKMA-UD ESSA, May 2022.
4. Kenya Primary Education Equity in Learning Program (KPEELP) P176867 Environmental and Social System Assessment – ESSA February 2022.
5. Ministry of Lands, Housing and Urban Development (2016); the National Land Use Policy.
6. Ministry of Water and Environment [MoWE] (2018); Environment and Social Safeguards Policy.
7. NEMA (1997). EIA Guidelines.
8. Planning, Budgeting and Implementation Guidelines for Local Governments for the Education and Sports Sector FY 2021-2022 April 2021.
9. Programme For Results (UgIFT) Environmental and Social Functional Review and Skills Needs Assessment Ministry of Finance, Planning and Economic Development, September 2021.
10. Project Concept Note, ULEARN, January 2023.
11. Relevant reports and ESSA Report for USMID support PforR.
12. UBOS (2012); Agricultural Sector-Uganda Gender Statistics Profile.
13. UGANDA INTERGOVERNMENTAL FISCAL TRANSFER.
14. USMID AF ESSA update draft final 2018.
15. USMID Implementation Manual, 2019.
16. World Bank (2018) Environmental and Social Framework.
17. Good Practice Guidance for the Management and Control of Asbestos : (https://www.adb.org/sites/default/files/publication/783636/good-practice-management-control-asbestos.pdf).

ANNEX 2: PforR SIX CORE PRINCIPLES FOR ESSA

Core Principle 1: General Principle of Environmental and Social Management

Bank Policy for Program-for-Results Financing: Environmental and social management procedures and processes are designed to (a) promote E&S sustainability in Program design; (b) avoid, minimize, or mitigate adverse impacts; and (c) promote informed decision-making relating to a program's E&S effects.

Bank Directive: Program-for-Results Financing (BP 9.00): Program procedures will:

- Operate within an adequate legal and regulatory framework to guide E&S impact assessments at the program level.
- Incorporate recognized elements of E&S assessment good practice, including (a) early screening of potential effects; (b) consideration of strategic, technical, and site alternatives (including the "no action" alternative); (c) explicit assessment of potential induced, cumulative, and trans-boundary impacts; (d) identification of measures to mitigate adverse environmental or social impacts that cannot be otherwise avoided or minimized; (e) clear articulation of institutional responsibilities and resources to support implementation of plans; and (f) responsiveness and accountability through stakeholder consultation, timely dissemination of program information, and responsive grievance redress measure

Core Principle 2: Natural Habitats and Physical Cultural Resources

Bank Policy for Program-for-Results Financing: Environmental and social management procedures a processes are designed to avoid, minimize, and mitigate against adverse effects on natural habitats an physical cultural resources resulting from program.

Bank Directive: Program-for-Results Financing: As relevant, the program to be supported:

- Includes appropriate measures for early identification and screening of potentially important biod and cultural resource areas.
- Supports and promotes the conservation, maintenance, and rehabilitation of natural habitats; avo significant conversion or degradation of critical natural habitats, and if avoiding the sig conversion of natural habitats is not technically feasible, includes measures to mitigate or offset i or program activities.
- Takes into account potential adverse effects on physical cultural property and, as warranted, p adequate measures to avoid, minimize, or mitigate such effects.

Core Principle 3: Public and Worker Safety

Bank Policy for Program-for-Results Financing: Environmental and social management procedures a processes are designed to protect public and worker safety against the potential risks associated with construction and/or operations of facilities or other operational practices developed or promoted unde program; (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials; and reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.

Bank Directive: Program-for-Results Financing:

- promote adequate community, individual, and worker health, safety, and security, through the safe construction, operation, and maintenance of Program activities; or, in carrying out activities that dependent on existing infrastructure, incorporate safety measures, inspections, or remedial w appropriate; promote measures to address child and forced labor.
- Promotes use of recognized good practice in the production, management, storage, transpo disposal of hazardous materials generated through program construction or operations; and pr use of integrated pest management practices to manage or reduce pests or disease vectors; and p training for workers involved in the production, procurement, storage, transport, use, and disp hazardous chemicals in accordance with international guidelines and conventions.
- Includes measures to avoid, minimize, or mitigate community, individual, and worker risk program activities are located within areas prone to natural hazards such as floods, hur earthquakes, or other severe weather or climate events.

Core Principle 4: Land Acquisition

Bank Policy for Program-for-Results Financing: Land acquisition and loss of access to natural resour managed in a way that avoids or minimizes displacement, and affected people are assisted in improvi

at least restoring, their livelihoods and living standards.
Bank Directive: Program-for-Results Financing: As relevant, the program to be supported: • Avoids or minimizes land acquisition and related adverse impacts; • Identifies and addresses economic and social impacts caused by land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy; • Provides compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses, paid prior to taking of land or restricting access; • Provides supplemental livelihood improvement or restoration measures if taking of land causes loss of income-generating opportunity (e.g., loss of crop production or employment); and • Restores or replaces public infrastructure and community services that may be adversely affected. • And includes measures in order for land acquisition and related activities to be planned and implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
Core Principle 5: Indigenous Peoples and Vulnerable Groups
Bank Policy for Program-for-Results Financing: Due consideration is given to cultural appropriatene and equitable access to, program benefits giving special attention to rights and interests of Indigenous Peoples and to the needs or concerns of vulnerable groups.
Bank Directive: Program-for-Results Financing: • Undertakes free, prior, and informed consultations if Indigenous Peoples are potentially a （positively or negatively） to determine whether there is broad community support for the pr • Ensures that Indigenous Peoples can participate in devising opportunities to benefit from explo of customary resources or indigenous knowledge, the latter （indigenous knowledge） to the consent of the Indigenous Peoples. • Gives attention to groups vulnerable to hardship or disadvantage, including as relevant th the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, measures are taken to promote equitable access to program benefits.
Core Principle 6: Social Conflict
Bank Policy for Program-for-Results Financing: Avoid exacerbating social conflict, especially in frag states, post-conflict areas, or areas subject to territorial disputes.
Bank Directive: Program-for-Results Financing: Considers conflict risks, including distributional eq and cultural sensitivities.

ANNEX 3: TOOLS FOR DATA COLLECTION AND CONSULTATION

Key planning elements	Guiding questions
Core Principle 1: Program E&S management systems are designed to (a) promote E&S sustainability in the Program design; (b) avoid, minimize, or mitigate adverse impacts; and (c) promote informed decision-making relating to a Program's E&S impacts.	
The assessment considers, as may be applicable or relevant under particular PforR Program circumstances, to what degree the PforR Program systems:	
Operate within an adequate legal and regulatory framework to guide E&S impact assessments, mitigation, management and monitoring at the PforR Program level.	1. What relevant E&S laws, regulations, procedures, or other mandatory legal instruments are applicable to the Program activities and associated impacts and risks? 2. Do the Program implementing agencies have the legal/regulatory authority to commit resources and implement actions necessary for effective E&S assessment and management of impacts and risks? 3. If not, are critical changes to the legal or regulatory framework needed before the operation can proceed? 4. If a new Program is being proposed, has legal and regulatory authority been clearly established?
Incorporate recognized elements of good practice in E&S assessment and management including: (i) Early screening of potential ESHS impacts.	1. Do applicable procedures require E&S screening or assessment of activities associated with the proposed PforR operation that presents risks? 2. Does screening lead to E&S assessments that are proportional in depth and scope to the identified adverse impacts and risks (e.g. does it apply risk categories to determine the depth and breadth of assessments?) 3. Are screening procedures comprehensive? Do they include specific consideration of the full range of E&S risks, including (a) occupational and community health and safety aspects, (b) construction of infrastructure in areas prone to natural hazards like flooding, (c) climate change related impacts, (d) promotion of hygiene and sanitation in schools (e) exclusion of the vulnerable, marginalised, Indigenous Peoples, those with disabilities and communities; (f)GBV/ SEA-H; (g) spread of COVID-19, Ebola and other communicable diseases; (g) child labour among others? 4. Do screening procedures include the opportunity for stakeholder involvement in the identification of priority E&S risks and impacts? 5. Do these requirements clearly apply to the Program proposed for support by the PforR operation? Has screening for, and estimation of E&S effects been part of the PforR operation? 6. Does this screening process consider opportunities to enhance the range and reach of Program benefits? 7. Has the E&S screening in an integrated manner, so that both E&S risks and impacts are identified early on?
ii). Consideration of strategic, technical, and site alternatives (including the "no action" alternative)	1. Do the applicable systems require the consideration of alternatives or other forms or options assessments to avoid or minimize potential impacts and risks? for example are strategic, technical, and site-selection alternatives considered, including a "do nothing" options? 2. Does Program design (ie identification of activities or expenditure) consider the relative environmental costs and benefits of feasible alternatives?
(ii) Explicit assessment of potential induced, cumulative and trans-boundary impacts.	1. Do Program procedures require the consideration of induced and cumulative, impacts as part of the screening and E7S Assessment process? 2. Does the assessment provide adequate opportunity to engage stakeholders on induced, cumulative and transboundary impacts? 3. Do Program systems require assessing the risks from natural disasters or human-induced emergencies?
(iii) Identification of measures to mitigate adverse E&S risks and impacts that cannot be otherwise avoided or minimized.	1. Do the applicable systems effectively promote the application of mitigation hierarchy (e.g. avoid, minimize, mitigate, compensate/offset)? 2. Do the E&S management plans provide sufficient detail to guide effective implementation and monitoring? 3. Do management plans require time-bound actions? Do they have clear targets and clear assignment of responsibilities for implementation and for monitoring/oversight? 4. Do applicable systems include clear and appropriate repercussions and remedies in case E&S mitigation measures are not complied with?
(iv) Clear articulation of institutional responsibility and resources to support the implementation of plans.	1. Are institutional/organisation responsibilities supported by adequate human and financial resources to implement environmental and/or social management procedures or plans? 2. Are Program entities responsible for E&S aspects adequately staffed-in terms of skills, qualification, and the number of personnel – to ensure effective administration, planning, design, implementation, and monitoring functions? 3. If the Program does not build sufficient in-house, what reliable alternative arrangements (e.g. coordination with other agencies, use of qualified consulting services) are available to promote effectiveness? If none, what needs have been identified for capacity strengthening? 4. If the Program depends on interagency collaboration for delivery of services or for managing E&S effects, what institutional arrangements are in place to ensure effective and timely coordination?

Key planning elements	Guiding questions
	5. Are "adaptive management" processes in place to respond to unanticipated E&S management issues that may arise? 6. Do Program entities have access to contingency funds for unexpected impacts or budget shortfalls?
(v) Responsiveness and accountability through stakeholder consultation, timely dissemination of the PforR information, and responsive GRM.	1. What mechanisms are available for Program entities use to ensure that stakeholders are identified and that their views, concerns, and suggestions are systematically considered? 2. Does the borrower consult with stakeholders on various aspects of Program design and operation? 3. Is information relating to E&S effects made available to the people or communities that are potentially affected? Do Program implementation arrangements include measures for responsive communications or relevant E&S concerns? 4. Does the Program have accessible GRMs with established procedures for submission or grievances? Do the established GRMs accept and process grievances relating to E&S management issues? 5. Are there established standards for responding to grievances received? Are records available? Does the management of implementing agencies act on identified issues consistently and objectively? 6. Do consultations processes promote communication and informed decision-making? Do those who may be affected have prior access to information about the topics for consultations? 7. Are consultations conducted early enough that stakeholder feedback can be considered in the design of new or changing Program activities? Are consultations conducted in a manner that encourages an open exchange of views? 8. Do consultations include a representative cross-section of groups affected by the Program (including women, Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, ethnic minorities, the poor, or other groups that might be under-represented)?
Core Principle 2: Program E&S management systems are designed to avoid, minimize or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program. Program activities that involve the significant conversion or degradation of critical natural habitats or critical physical cultural heritage are not eligible for PforR financing.	
Key planning elements	**Guiding questions**
The assessment considers, as may be applicable or relevant under particular PforR Program circumstances, to what degree the PforR Program systems:	
(vi) Identify and screen for adverse effects on potentially important biodiversity and cultural resource areas and provide adequate measures to avoid, minimize, or mitigate adverse effects.	1. Has Program screening identified potential impacts on modified, natural, or critical natural habitats? 2. Will the Program activities affect environmentally sensitive habitat areas with local importance, such as streams, wetlands, swamps, and vegetated riparian areas? 3. If such impacts involve the significant conversion or degradation of critical natural habitats, have the activities been excluded from the Program? 4. Are Program activities planned and carried out in the context of land use or other management plans that identify sensitive habitat areas? 5. Would Program activities lead to the fragmentation of existing habitat areas, both at the level of localized Program activities and at larger landscape levels? 6. Do management plans require appropriate conservation and mitigation measures to be in place, including those required to maintain ecological services?
(vii) Support and promote the protection, conservation, maintenance, and rehabilitation of natural habitats.	1. Does the Program include management measures to protect, conserve, or rehabilitate habitats that are at risk? Are these measures consistent with recognized international good practice? 2. Do management systems include measures to avoid, restrict, or otherwise prevent the introduction of exotic or invasive species that may threaten the existing ecosystems? 3. Are monitoring measures in place to determine the extent to which habitats are affected by the Program? 4. If Program activities affect protected areas are such activities consistent with approved and up-to-date protected area management plans? 5. Have the relevant management authorities and other key stakeholders for such protected areas been consulted or otherwise involved in decisions that may affect the legal status of habitat values of the area?
(viii) Avoid significant conversion or degradation of critical natural habitats (modified habitats, natural are defined as in ESS 5 in the Bank's ESF)	1. Are arrangements in place to ensure that significant conversion or degradation of critical natural habitats does not occur and that Program activities do not otherwise contravene international environmental agreements relating to natural habitats or forests? 2. When available data are insufficient to determine the extent or severity of biodiversity impacts, are new biodiversity surveys or inventories, conducted by qualified individuals or organizations, required as part of the ESIA process?

Key planning elements		Guiding questions
(ix)	If avoiding the significant conversion of natural habitats is not technically feasible, include measures to mitigate or offset the adverse impacts of the PforR Program activities.	1. If Program activities may cause conversion or degradation of non-critical natural habitats, do ESIA procedures include considerations of measures to avoid or minimize the severity of impacts (for example, through the systematic consideration of viable alternatives)? 2. Do plans require appropriate biodiversity offset measure to be in place, including measures to maintain ecological services?
(x)	Take into account potential adverse effects on physical cultural property and provide adequate measures to avoid, minimize or mitigate such effects.	1. Does the screening review involve careful attention to avoiding impacts on resources of archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural significance? 2. Is the mitigation hierarchy principle applied in the management of potential adverse impacts on the physical cultural property? 3. Are management measures in place to avoid, minimize or mitigate such effects? 4. Do procedures require the use of authoritative source materials or field-based surveys to identify existing physical cultural resources before works commence? 5. Do borrower systems include "chance find" procedures to take effect whenever Program activities result in the discovery of, or disturbance to, physical cultural resources?
Core Principle 3: Program E&S management systems are designed to protect public and worker safety against the potential risks associated with the construction and/or operation of facilities or other operational practices under the Program; exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials under the Program; and reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.		
Key planning elements		**Guiding questions**
The assessment considers, as may be applicable or relevant under particular PforR Program circumstances, to what degree for PforR Program systems:		
(xi)	Promote adequate community, individual and worker health, safety and security through the safe design, construction, operation, and maintenance of Program activities, or, in carrying out activities that may be dependent on existing infrastructure, incorporate safety measures inspections or remedial works as appropriate.	1. Does the Program have a legal framework that addresses and promotes workplace safety? Are there mandatory measures that compel contractors and facility operators to operate equipment and facilities in a manner that protects individuals and communities? 2. Does the Program include adequate measures to protect people and the environment form the effects of hazardous or toxic materials that are used in construction and production processes or wastes that are generated as a by-product of construction or facilities operations? 3. Does the borrower require measures to help protect individuals and/or communities from harassment, or any other negative interactions with contractors, laborers, or other workers associated with a project activity?
(xii)	Promote measures to address child and forced labor.	1. Does the borrower have specific laws and regulations to avoid the use of child and forced labor in the implementation of Program activities?
(xiii)	Promote the use of the recognized good practice in the production, management, storage, transport, and disposal of hazardous materials generated under the PforR.	1. Does the borrower have specific laws, regulations, procedures, standards to effectively evaluate and manage the potential effects of hazardous or toxic materials in the workplace? 2. Are qualified technical experts engaged for the design, construction supervision, operation and maintenance of all infrastructure that may pose a significant risk to public safety (including periodic safety inspections)? 3. Does the Program include safety measures and standards for emergency preparedness for civil works under construction that pose potential hazards to people or the environment? 4. Are emergency preparedness plans implemented and periodically reviewed? 5. If an emergency preparedness plan is deficient, what safety measures or remedial works do Program entities need to undertake?
(xiv)	Promote the use of integrated pest management practices to manage or reduce the adverse impacts of pests or disease vectors.	1. Where relevant, do Program systems promote the use of integrated pest management practices to manage or reduce pests or disease vectors? 2. Does the Program promote reducing the use of hazardous synthetic chemical pesticides? 3. Does the Program include appropriate technical guidelines and training for the safe production, storage, transport, use and disposal of hazardous pesticides or other chemicals in accordance with international conventions?
(xv)	Provide training for workers involved in the production, procurement, storage, transport, use, and disposal of hazardous chemicals in accordance with the relevant international guidelines and conventions.	1. Do applicable systems invest in the development of staff skills for handling hazardous materials? 2. Have past training practices been sufficient in terms of technical scope and depth? Are workers able to implement good practice in the workplace? 3. Are there systematic constraints to the application of good industry practice in these areas?
(xvi)	Include adequate measures to avoid, minimize, or mitigate community, individual, and worker risks when the PforR Program activities are located in areas prone to natural hazards	1. As relevant, does the Program include measures to ensure that people or the environment would be put at increased risk from natural hazards such as

Key planning elements	Guiding questions
such as floods, hurricanes, earthquakes, or other severe weather or affected by climate events.	flooding, earthquakes, earthquakes, landslides, severe weather or climatic events, or other disasters? 2. Does the borrower assess the climate change risks associated with Program activities such as the estimation of GHG emissions or the inclusion of appropriate mitigation and/or adaptation measures under the PforR operations?
Core Principle 5 : Program E&S systems give due consideration to the cultural appropriateness or and equitable access to, Program benefits, giving special attention to the rights and interests of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, and to the needs or concerns of vulnerable groups.	
The assessment considers, as may be applicable or relevant under particular PforR Program circumstances, to what degree the PforR Program system.	
(xvii) Undertake meaningful consultations if the Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are potentially affected (positively or negatively), to determine whether there is broad community support for the PforR Program activities.	1. Do consultations include a representative cross-section of groups affected by the Program (including women, Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, or other ethnic minorities, the poor, or other groups that might be under represented)? 2. As relevant, does screening identify different property regimes, including common property resources, customary or traditional rights to land or resource use, and the rights of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities?
(xviii) Ensure that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities can participate in devising opportunities to benefit from the exploitation of customary resources and indigenous knowledge, the latter (indigenous knowledge) to include the consent of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities.	1. Does the sampling capture jurisdictional or geographic diversity? 2. Do Program entities regularly review and consider consultation results to obtain or broaden community support? 3. Does the Program exclude activities involving: adverse impact on natural resources to which Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, have traditional ownership or customary use rights; resettlement from or restriction to such communities' access to such lands; or the commercial exploitation of Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, cultural heritage?
(xix) Give attention to groups of vulnerable to discrimination, including, as relevant, the poor, the disabled, women and children, the elderly, ethnic minorities or other marginalized groups; and if necessary, take special measures to promote equitable access to PforR Program benefits.	1. Is there consideration of distributional equity, affordability, and cultural or gender constraints to access or participation? 2. Does the incentive structure within Program agencies promote outreach measures to encourage equitable and affordable access to Program benefits? 3. Does it consider how to alleviate cultural, financial, or physical barriers that hamper the participation of socially marginalized or disadvantaged groups?
Core Principle 6 : Program E&S systems avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.	
The assessment considers as may be applicable or relevant under particular PforR Program circumstances, to what degree the PforR Program system:	
(i) Consider conflict risks, including distributional equity and cultural sensitivities.	1. Is the Program being implemented in areas of recognized fragility or in post-conflict zones? If so, what special risks does this context present regarding the achievement of E&S objectives and outcomes? 2. Could the Program contribute in any way to underlying tensions or civil strife by reinforcing inequities or grievances? 3. Do the screening and design or Program activities consider the risks of creating or exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial or jurisdictional dispute? 4. Are Program agencies open to discussion with the Bank and consultation with stakeholders on potentially sensitive issues?

ANNEX 4: ENVIRONMENTAL AND SOCIAL SCREENING

NOTE: *Please type or print clearly, completing this form in its entirety. You may provide additional information on a separate sheet of paper if necessary. Kindly note that the information you are to provide is required by Section 110 of the* ***National Environmental Act, 2019.***

SECTION 1.0: INSTITUTION PARTICULARS

Date of Visit: _____

District: _____

Sub-County: _____

Parish: _____

Village: _____

School: _____

SECTION 2.0A: DESCRIPTION OF THE EXISTING SCHOOLS UNDER ULEARN

2.1 For existing schools-list on site structures (List on-site school structures (number of classrooms, number of blocks, latrines, Teachers' houses, gardens, etc); describe these in detail and their status i.e., temporary or permanent in use or not in use

S. No.	Existing structure	No. of Units	Temporary or permanent	In use/not in use	Condition of the structures
1.	Classroom block(s)				
2.	Teachers' houses				
3.	Admin. Block				

SECTION 2.0B: DESCRIPTION OF THE PROPOSED SCHOOLS INFRASTRUCTURE UNDER ULEARN

2.1 Activity description (major components); e.g., demolition, site clearance, grading, excavation, installing equipment, erecting structures etc.

2.2 Land area of entire school (acres):

_____

2.3 Land Ownership (***please attach evidence of landownership***):

_____

2.4 Current land use *(Describe existing land uses on and around the sub-project area e.g., community facilities, agriculture, forestry, tourism, private property, etc.):*

_____

2.5 Describe other types of facilities which are located in the vicinity of the site, and surroundings, or are proposed to be located near the proposed facilities.

2.6 Describe type of soils (*tick*):

a) Sandy soil ☐

b) Clay soil ☐

c) Rocky/Gravels ☐

d) Other (Black loamy etc.) _____

2.7 Natural Hazards

a. Is the sub-project site located in proximity to a seismic zone?

YES ☐ NO ☐

b. Is any part of the property located in flood plain and/or an area prone to landslides/flooding?

YES ☐ NO ☐

c. If site is located in an area prone to natural hazards, what are the likely impacts to occur?

_____

d. If yes, which disaster risk reduction measures, should be included in the sub-project design?

_____
_____
_____
___

2.8 Hydrology

a. Where does surface water runoff currently go?

_____

b. Is there an existing stream, swamp, wetland in proximity to the site and if so, is the stream/wetland, seasonal or permanent?

_____

c. What is the approximate distance to and name of nearest stream, wetland, swamp or other body of water (in proximity to the site)?

_____

d. Will the site storm water system be connected to an existing storm water drainage system?

YES ☐ NO ☐

If NO, can the site storm water be safely directed to the surrounding environment (with minimal risk to flooding)?

_____

_____

SECTION 3.0: ENVIRONMENTAL AND SOCIAL IMPACTS

3.1 Please indicate environmental impacts that may occur as a result of the proposed sub-project.

3.1 Environmental Risks/Impacts

3.1.1 Will the activity result in:

Question	Yes	No	If yes, please suggest adequate mitigation measures to mitigate against the identified risk(s)
a) Structures incompatible with existing land use			
b) Conversion of prime agricultural land into non-agricultural?			
c) Loss of open space?			
d) Loss of habitats of endangered/threatened species			
e) Additional amounts of solid and liquid waste generation?			
f) Adverse change to the aesthetics of the landscape?			
g) Dust above allowable limits?			
h) Noise above allowable limits?			
i) Need for disposal of hazardous waste (e.g., from a sick bay or incinerator)			

3.1.2 Has the design of the school considered proper location of the following?

Question	Yes	No	If yes, please suggest adequate mitigation measures to mitigate against the identified risk(s)
a) With consideration of PWDs access			
b) Separate facilities for Male and Female teachers			
c) Separate facilities for girls and boys?			
d) Provision of water for washing near pit the latrines?			
e) Proper location of potable water facilities?			
f) Provision of fencing to protect the school?			

3.2 Social, Health, Safety and Employment

3.2.1 Will the sub-project be located in an area inhabited by or affect indigenous peoples/ marginalised groups?

YES NO

If yes, provide an additional description, possible alternatives reviewed and/or appropriate mitigation measures:

3.2.2 How will the sub-project safeguard local community and pupils' health against risk of spreading STIs/STDs or other contagious diseases?

3.2.3 Are there any existing programmes in the school (for children and the community) that will mitigate child abuse (child labour, child pregnancy, sex work involving children etc.) and its effects on education (absenteeism, school dropout, etc)?

YES ☐ NO ☐

3.2.4 If yes, provide an additional description, including gaps, possible alternatives reviewed and/or appropriate mitigation measures:

3.2.5 Is the sub-project likely to safeguard/endanger worker's health and safety and public safety (e.g. occupational health and safety issues, traffic related issues etc.)?

YES ☐ NO ☐

If yes, provide an additional description of the safety measures required or in place:

3.2.6 How will the sub-project safeguard against SEA and GBV during implementation?

3.3 Land Use, Resettlement, and/or Land Acquisition (attach the most recent District Land use and Zoning map)

3.3.1 Are there any land use plans on or near the sub-project location, which will be negatively affected by sub-project implementation?

YES ☐ NO ☐

If yes, provide an additional description, possible alternatives reviewed and/or appropriate mitigation measures:

3.3.2 Will there be a loss of livelihoods among the population? YES ☐ NO ☐

If yes, provide an additional description, possible alternatives reviewed and/or appropriate mitigation measures:

3.3.3 Will the project require resettlement and/or compensation of any residents, including squatters?

YES ☐ NO ☐

If yes, provide an additional description, possible alternatives reviewed and/or appropriate mitigation measures:

3.4 Historical, Archaeological, or Cultural Heritage Sites

3.4.1 Based on available sources, consultation with local authorities, local knowledge and/or observations, could the sub-project alter:

Historical/ cultural/Archaeological heritage site(s) or require excavation near the same?

YES ☐ NO ☐

If yes, provide an additional description, possible alternatives reviewed and/or appropriate mitigation measures:

SECTION 5: RECOMMENDATIONS

Based on the above E&S screening results, the following safeguard documents shall be prepared (tick as relevant) before commencement of project implementation.

No.	Category	Tick as appropriate
a)	Requires full ESIA	
b)	Requires preparation of a Project Brief/ESMP	
d)	Requires preparation of RAP?	
e)	Requires an Indigenous Peoples Plan (IPP)	

SECTION 6: TESTIMONY

I confirm that the information provided herein is accurate to the best of my knowledge.

Name of
District Environment Officer _____

Signature: _____

Date & Stamp: _____

Tel. Contact: _____

Thank you for your cooperation!

For MoES Official Use Only				
Comment *(Completed form verified)*	**Name/MoES Officer**	**Title**	**Sign**	**Date**

ANNEX 5: LIST OF PERSONS CONSULTED

LIST OF STAKEHOLDRES CONSULTED MDAs

No.	Name	Designation	Institution	Contact
1.	Eng. Hillary Mugisha	Head of Construction Management Unit,	MoES	+256 (0)772 419 599 zmugisha@gmail.com
2.	Mr. John Baptist Lusala	Environment Specialist	MoFPED (UgIFT)	0758989010 lusjob@yahoo.com
3.	M/s: Pamela Batenga	Social Development Specialist	MoFPED (UgIFT)	pbatenga71@gmail.com
4.	Kyozira Esther	Director	NUDIPU	0772647648/0704118709 esther.kyozira@nudipu.org/ekyozira@gmail.com
5.	Margaret Lwanga	Environment Safeguards Specialist/MLHUD/USMID	MoLHUD	0752771598 mlwanga@gmail.com
6.	Paul Ahura	Social Development Specialist/MLHUD/USMID	MoLHUD (USMID)	paul.ahura@yahoo.com 0772451651
7.	Smith Matsiko Twinamatsiko	Commissioner M&E/	MoLHUD	0780 246 424 twimithee@gmail.com
8.	Douglas Muwonge	Social Development Specialist	Ministry of Health	douglasmuwonge6@gmail.com Tel:+256 704640102/ +256 774 42677
9.	Dr. Daniel Babikwa	Director, District Support Coordination and Public Education (DSCPE), NEMA	NEMA	daniel.babikwa@nema.go.ug
10.	Doreen Kyomukama	Senior Environmental Assessment Officer/UgIFT Focal Point, NEMA	NEMA	doreen.komukama@nema.go.ug 0782827751
11.	Emmanuel Tugabiirunda	Assistant Commissioner District Administration	MoLG	0772442992 emmanuel.tugabiirwa@molg.go.ug
12.	Otulu Daniel Nickie	Principal Assistant Secretary	MoLG	9752965545 danielotulu@MoLG.go.ug
13.	Kagwa Andrew	Principal Assistant Secretary D/A	MoLG	0772887436 kagbaki1970@yahoo.com

No.	Name	Designation	Institution	Contact
14.	Benon Kigenyi	Under Secretary Finance and Administration	MoLG	benonkigenyi@gmail.com 0772552517
15.	Paul Mot Okello	Commissioner D/A	MoLG	0772437932 paulmotokello@gmail.com
16.	Dr. Bernadette N. Karuhanga	Deputy Executive Director	NCDC	0704767200 bnambi2002@yahoo.com
17.	Mr. Bernard Mujuni	Commissioner, Equity and Rights	MoGLSD	0705713677 benardmujuni@gmail.com]
18.	Eng. Hillary Mugisha	Head of Construction Management Unit,	MoES	+256 (0)772 419 599 zmugisha@gmail.com

LIST OF STAKEHOLDRES CONSULTED DISTRICT LOCAL GOVERNMENTS

No.	Name	Designation	District	Contact
1.	Martin Egesa	Vice C/P LCV	Busia DLG	Egesamartin2018@gmail.com
2.	Kennedy Menya J J M	Senior Inspector of Schools	Busia DLG	Menyakennedy62@gmail.com
3.	Oron Osacha Raphael	Senior Probation & Social Welfare Officer	Busia DLG	oronrepu@gmail.com 0772649726
4.	Egesa Anthony	Principal Assistant Secretary (PAS)	Busia DLG	egesaanthony@yahoo.com 0772602806
5.	Kanuna Grace	Deputy RDC	Busia DLG	Kanunagrace300@gmail.com 0774251884, 0702484603
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ANNEX 6: ACTIONS TAKEN BY GOU TO ENSURE NON-DISCRIMINATION

Annex 6 highlights recent actions taken by the GOU to ensure non-discrimination. It also includes transcripts of relevant Guidelines and Circulars issued by the GOU.

The Anti-Homosexuality Act was passed on May 26, 2023. The GOU has continued to ensure non-discrimination in all its projects and consistent with this, the GOU has taken the following measures:

- **Letter of Assurance** (Sept 21, 2023) to all Ministries, Agencies, and local governments to implement mitigation measures on non-discrimination in WB-financed operations.
- **Budget execution circular** (July 10, 2023) to all public servants to ensure that projects are in line with Ugandan Constitution which emphasizes equality of all persons without prejudice or discrimination.
- **Circular on provision of health services** (June 5, 2023) that includes measures not to discriminate or stigmatize any individuals who seek health care for any reason.
- **Circular on provision of education services** (August 18, 2023) to all people without discrimination and exclusion in the delivery of education services, programs, and projects.
- **Circular issued by the Director of Public Prosecutions** (August 25, 2023) stating that prosecutors should seek guidance from Office of the Director of Public Prosecutions (ODPP) before decision is made to charge persons.

Of particular importance is the Letter of Assurance of September 21, 2023, from the Permanent Secretary/Secretary to the Treasury on Uganda's Social Safeguard Policies following excepts:

"*Following the World Bank Group's concern with Uganda's enactment of the Anti-Homosexuality Act, 2023 and as communicated in the budget Execution Circular 2023 of FY 2023/2024 on 18th July 2023, we guide:*

- *All World Bank-financed projects [in Uganda] must be implemented in a manner consistent with the principles of non-discrimination as provided under Article 21 of the Constitution of the Republic of Uganda. These projects should also be implemented in accordance with World Bank policies and applicable Legal Agreement*
- *Under these projects, no person will be discriminated against or stigmatized, and the principles of non-discrimination and inclusion will be adhered to. Support should be provided to all project beneficiaries.*
- *All implementing entities of World Bank-[financed] projects should agree and implement specific mitigation measures to address non-discrimination.*
- *These mitigation measures will require enhancing project grievance redress mechanisms as well as strengthening existing project monitoring by implementing entities including third-party monitoring where applicable.*
- *Each project implementing entity shall develop comprehensive guidelines to address non-discrimination."*

The following transcripts of relevant Guidelines and Circular issued by the GOU are included in this annex: Letter of Assurance; Circular on provision of health services; Circular on provision of education; Circular issued by the Director of Public Prosecutions, and relevant excerpts from the Circular on Budget Execution.

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This subject please quote No.

ALD 141/259/01 TC

Ministry of Finance, Planning &
Economic Development,
P.O. Box 8147
Kampala, Uganda

21st September 2023

All Accounting Officers

All Ministries, Departments and Agencies

All Local Governments

WORLD BANK
21 SEP 2023
RECEIVED

UGANDA'S SOCIAL SAFEGUARD POLICIES

I am writing in reference to the above subject. Further reference is made to the Anti-Homosexuality Act, 2023 (AHA) that came into force on 30th May 2023.

Following the World Bank Group's concern with Uganda's enactment of the Anti-Homosexuality Act, 2023 and as communicated in the Budget Execution Circular of FY 2023/2024 on 18th July 2023, we guide that;

- All World Bank-financed projects must be implemented in a manner consistent with the principles of non-discrimination as provided under Article 21 of the Constitution of the Republic of Uganda. These projects should also be implemented in accordance with World Bank policies and applicable Legal Agreements.

- Under these projects, no person will be discriminated against or stigmatized and the principles of non-discrimination and inclusion will be adhered to. Support should be provided to all project beneficiaries.

- All implementing entities of World Bank projects will implement specific mitigation measures to address non-discrimination.

- These mitigation measures will require enhancing project grievance redress mechanisms as well as strengthening existing project monitoring by implementing entities including third-party monitoring where applicable.

- Each project implementing entity shall develop comprehensive guidelines to address non-discrimination.

Specific Measures for High Risk Sectors

Health

- The Ministry of Health issued a circular on August 8, 2023 that guarantees access to health care services for all and prohibits the discrimination or stigmatization of any individual who seeks health care services on any grounds.

- The Ministry of Health will widely disseminate and socialize health sector guidelines for the effective implementation of the circular.

- Implementating entities should strengthen grievance redress mechanisms, and third-party monitoring systems in collaboration with national and international partners.

Education

- The Permanent Secretary in the Ministry of Education and Sports on 18th August 2023 issued a circular stating that the Ministry of Education and Sports does not permit any form of discrimination against any persons in the delivery of education services, programs and projects.

- In light of that circular, the Ministry should ensure that there is no discrimination (including any form of bullying) against teachers and students on any grounds.

- The Ministry of Education and Sports will prepare project specific guidelines to address non-discrimination.

- Implementating entities should strengthen grievance redress mechanisms, including an independent hotline and third-party monitoring systems where necessary.

Ramathan Ggoobi
PERMANENT SECRETARY/SECRETARY TO THE TREASURY

Rt. Hon. Prime Minister, Office of the Prime Minister

Attorney General, Ministry of Justice and Constitutional Affairs

Hon. Minister of Finance, Planning and Economic Development

Hon. Minister of Education and Sports

Hon. Minister of Health

Hon. Minister of Gender, Labour and Social Development

Hon. Minister of Energy and Mineral Development

The Principal Private Secretary to H.E. the President

The Solicitor General, Ministry of Justice and Constitutional Affairs

The Permanent Secretary, Ministry of Health

The Permanent Secretary, Ministry of Education and Sports

The Permenant Secretary, Ministry of Gender, Labour and Social Development

The Director of Public Prosecutions

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BPD 86/179/01

Ministry of Finance, Planning & Economic Development,
P.O. Box 8147
Kampala, Uganda

10th July, 2023

All Accounting Officers (Central Government, Missions Abroad, and Local Governments)

All Chief Executive Officers of State-Owned Enterprises and Public Corporations

THE BUDGET EXECUTION CIRCULAR (BEC) FOR FINANCIAL YEAR 2023/2024

A. INTRODUCTION

1. This Circular is issued in fulfilment of Article 155 (1) of the Constitution, and Sections 13 (5) and 14 (1) of the Public Finance Management Act, 2015 (Amended).

2. The theme for the FY 2023/2024 Budget has been retained as: "***Full Monetization of the Ugandan Economy through Commercial Agriculture, Industrialization, Expanding and Broadening Services, Digital Transformation and Market Access***". The Budget for FY 2023/2024 was approved to address the strategic mission of facilitating more Ugandans to join the money economy.

3. The purpose of this Circular is to communicate the following:
   i. The FY 2023/2024 Annual Cash Flow Plan **(Annex 1)**;
   ii. The Policy, Operational and Administrative Guidelines for execution of the Budget in FY 2023/2024.

4. As you execute the Budget for FY 2023/2024, I urge all Accounting Officers to ensure that all program activities contribute towards addressing the following objectives:
   i. Completion of public investments with higher multiplier effects on attainment of NDPIII and the NRM 2021-2026 Manifesto;
   ii. Full-scale implementation of the Parish Development Model (PDM);
   iii. Enhanced revenue mobilization and collection; and

iv. Ensuring efficiency and effectiveness of Government through rationalization of public expenditure.

5. The key priorities to achieve the above objectives are detailed in the approved Budget for FY 2023/2024. For ease of reference, please follow the link **https//www.budget.finance.go.ug** to access the following key documents, among others:

i. The Budget Speech for FY 2023/2024;
ii. Approved Estimates of Revenue and Expenditure Volume I (Central Government Votes and Missions Abroad);
iii. Approved Estimates of Revenue and Expenditure Volume II (Local Governments); and
iv. Approved Estimates of Revenue and Expenditure Volume III for the State-Owned Enterprises and Public Corporations.

B. THE ANNUAL CASH FLOW PLAN FOR FY 2023/2024

6. In accordance with Section 36 (b) of the PFM Act 2015 (Amended), the Annual Cash Flow Plan for FY 2023/2024 has been generated off the Program Budgeting System (PBS) based on the quarterly projections in your respective Vote work plans for FY 2023/2024.

7. The purpose of the Cash Flow Plan is to guide and ensure that Government maintains sufficient liquidity to be able to sustain and make timely payments to meet service delivery requirements by aligning Vote cash inflows and outflows to your respective Program Implementation Action Plans (PIAPs).

8. In view of the above, and in line with Sections 15 and 21 (i) of the PFM Act, 2015 (Amended), all Accounting Officers are urged NOT to overcommit the vote budgets beyond the Annual Cash Flow Plan issued in this Circular. Furthermore, you should submit expenditure commitments, in line with the PIAPs, indicating the actual forecast commitments and the cash position of your respective Votes as per Section 16 (i) of the PFMA, 2015 (Amended) to inform decision-making on the subsequent quarterly expenditure releases.

C. POLICY DIRECTIVES, ADMINISTRATIVE AND OPERATIONAL GUIDELINES FOR IMPLEMENTATION OF THE BUDGET FOR FY 2023/2024

Policy Directives

9. The FY 2023/2024 Budget allocations directed resources to program areas meant for enhanced socio-economic transformation for all Ugandans through job and wealth creation, and increasing household incomes, by targeting the 39% of Ugandans still in the non-money economy. All Accounting Officers are urged to adhere to the following policy directives that guided the preparation of the Budget for FY 2023/24:

i. Fund key Government priorities to increase the momentum in socio-economic transformation, for example: the standard-gauge railway, the meter-gauge railway, solar-powered irrigation, PDM, *Emyooga*, road maintenance, coffee value addition, vaccines and pharmaceutical manufacturing etc.;
ii. Support development initiatives that drive private sector growth;
iii. Implement only ongoing projects and other multi-year commitments as approved in the Budget;
iv. Halt new non-concessional projects, except those already provided for in the fiscal framework, or those with no direct or indirect claim on the Consolidated Fund;
v. Hold back any recruitment plans in FY 2023/2024 except on a replacement basis where the resources are already available;
vi. No travel abroad, except for critical positions of the Executive, Legislature, Judiciary, security, diplomatic relations and resource mobilization; and
vii. **NO** purchase of new vehicles except hospital ambulances, tailored vehicles for medical supplies/distribution, and for agricultural extension services, security and revenue mobilization.

Non-Discrimination

10. Accounting Officers should ensure that all projects (whether Government of Uganda or externally funded) are implemented within the provisions of Article 21 (1) and (2) of the Constitution and Section 13 (11) (e) (i-ii) of the Public Finance Management Act, 2015 (Amended). This emphasizes equality of all persons in access to all opportunities and benefits presented by the above projects, without prejudice and discrimination on the ground of sex, race,

color, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.

Advertising by Ministries, Agencies and Local Governments

11. In his letter of Ref. No. PO/3 dated 6th March 2023, H.E. The President directed that in FY 2023/2024, **"all Government advertising must be through the Uganda Broadcasting Corporation. Any Accounting Officer who deviates from this will be sanctioned including dismissal"**. Print media advertising should be done through the New Vision. I therefore urge all Accounting Officers to strictly adhere to this directive.

Contracting in Ugandan Shillings versus Foreign Currencies

12. I have received numerous requests from a number of Ministries, Departments and Agencies (MDAs) to undertake contracts in foreign currency, especially in United States Dollars and Euros. In line with the fiscal and monetary policies agreed with Bank of Uganda, I wish to reiterate this Ministry's position that no procurements should be undertaken in foreign currency as previously communicated in FY 2016/17, FY 2017/18 and FY 2018/19. Contracting in the local currency, is meant to preserve the sanctity and value of the Shilling since the budget is appropriated in the local currency which is easily convertible.

13. Therefore, this is to guide all Accounting Officers as follows:

i. **That all contracts for works, goods and services shall be awarded in Ugandan Shillings to hedge against cost overruns due to global forex rates fluctuations that impact on the stability of the Shilling; and**

ii. **All contracts, including those that follow international competitive bidding procedures, shall be quoted in Ugandan Shillings. The only exemption will be where it is clearly expressed in the financing agreements with Development Partners to use other currencies in the bidding process, if necessary. This should be strictly the exception and not the norm. I request the Honorable Attorney General's chambers to take note and enforce this guideline while approving agreements.**

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IN ANY CORRESPONDENCE ON

THE REPUBLIC OF UGANDA

Ministry of Health
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UGANDA

THIS SUBJECT PLEASE QUOTE NO. **ADM:180/01**

5th June 2023

Circular

All Hospital Directors, National and Regional Referral Hospitals
All District Health Officers
All Medical Superintendents
All Health Facility In-charges
Executive Directors of Implementing Partners
Executive Directors of Faith Based Medical Bureaus
The Executive Director Uganda Healthcare Federation

PROVISION OF SERVICES TO ALL PEOPLE WITHOUT DESCRIMINATION

The constitution of the republic of Uganda recognises that health is a fundamental right and guarantees access to health care services for all. The Ministry of Health is mandated to provide Preventive, Promotive, Curative and Rehabilitative Health Services to all people in Uganda in their diversity **without any form of discrimination**. Furthermore, all services should be provided in a manner that ensures **Safety, Privacy and Confidentiality to all clients that seek health services in all facilities, both Public and Private.**

The Ministry of Health therefore reminds all health care workers and stakeholders about the above National commitments, and reiterates the following;

- **Not to deny services to ANY client who present themselves for services.**
- **Not to discriminate or stigmatize any individual who seeks health care services, for any reason – gender, religion, tribe, economic status, social status or sexual orientation.**
- **Patient rights and ethical values – Confidentiality, Privacy, Patient Safety as stipulated in the Patient's Charter should be upheld each time a patient seeks health care services at your facility**

Your cooperation in this matter is of great importance to improving access to service delivery for all our people.

Dr. Henry G. Mwebesa
DIRECTOR GENERAL HEALTH SERVICES

cc. Hon. Minister of Health
Hon. Minister of State for Health (GD)
Hon. Minister of State for Health (PHC)
Permanent Secretary, Ministry of Health
All UN Agencies
PEPFAR Coordinator
Head Country Team Global Fund, Geneva
Country Manager, World Bank
Country Director – CDC, USAID, DOD
Director General, Uganda AIDS Commission
Directors, Ministry of Health
All Chief Administrative Officers
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THE REPUBLIC OF UGANDA

Ministry of Education and Sports
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Kampala, Uganda

18th August 2023

All Heads of Education Institutions

PROVISION OF EDUCATION SERVICES TO ALL PEOPLE WITHOUT DISCRIMINATION

The Government of Uganda recognizes the Constitutional social objective to ensure all Ugandans enjoy rights, opportunities and access to education. Under our education objectives, the State is obligated to promote free and compulsory basic education, afford every citizen equal opportunity to attain the highest educational standard possible, and facilitate individuals, religious bodies and other non-governmental organizations to found and operate educational institutions if they comply with the general educational policy of the country and maintain national standards.

The Ministry is implementing the Gender in Education Policy which provides for equitable access to education for all without discrimination. To operationalize the Policy a number of policy strategies and guidelines exist including the National Strategy of Elimination of Violence Against Children, the Life Skills Toolkit, manuals on growth and sexual maturation. In addition, the Ministry has incorporated Sexuality Education into the curriculum to ensure age-appropriate information to enable young people to maneuver through the different challenges of life.

The purpose of this Circular, therefore, is to reiterate Article 21 (1) of our constitution with states that "All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law". The Ministry does not condone any forms of discrimination and exclusion of any persons, in delivery of education services, programs and projects.

You are, therefore, called upon to observe and ensure the above standards in the delivery of education services, programmes and projects.

Ketty Lamaro
PERMANENT SECRETARY

Cc: First Lady and Hon Minister of Education and Sports
Ministers of State, Education and Sports

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THE REPUBLIC OF UGANDA

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Our Ref: ADM 12/01
Your Ref:

Date: 25th August, 2023

CIRCULAR NO.18/2023

All Prosecutors,
Office of the Director of Public Prosecutions.

RE: MANAGEMENT OF CASES WITH CHARGES PREFERRED UNDER THE ANTI-HOMOSEXUALITY ACT 2023.

The Anti-Homosexuality Act (AHA) came into force on 30th May 2023. It has come to the attention of management that a number of charges of Homosexuality and Aggravated Homosexuality are now being preferred by some officers without internalizing some crucial aspects of the act.

It is important to note that the AHA only criminalises offences where a sexual act has been performed. The term "*sexual act*" is defined under Section **1** of the Act.

It is also important to note that Sections **2 (5)** and **3 (5)** of the AHA provide that "*for the avoidance of doubt, a person who is alleged or suspected of being a homosexual, who has not committed a sexual act with another person of the same sex, does not commit the offence of homosexuality under this section*".

Officers are therefore advised to peruse files with offences under the AHA cautiously while taking into account the abovementioned provisions.

You are hereby directed to ensure that all files with charges preferred under the AHA should first be submitted to Headquarters with a written legal opinion for further guidance before a decision to charge is made.

Management will soon organize sensitization meetings for all officers on the key aspects of the AHA.

Jane Frances ABODO
DIRECTOR OF PUBLIC PROSECUTIONS

Annex 7: Enhanced Implementation Support and Monitoring of Non-Discrimination

1. Background and Objectives

The World Bank and IFC has hired an international and credible entity (firm, agency) with a strong knowledge of the Ugandan context and a track record of enhanced third-party implementation support and performance monitoring to undertake the tasks described in this section for all projects presently being implemented in the Uganda portfolio. The entity is expected to work with NGO/CSOs and country-based development partners.

The Enhanced Implementation Support and Monitoring (EISM) will primarily focus on supporting project teams to implement mitigation measures to address grievances and concerns from beneficiaries, communities, and workers relating to discrimination from project benefits.

The objectives of the Enhanced Implementation Support and Monitoring include:

- Assisting project teams to enhance existing project-level grievance mechanisms and develop and operate an independent mechanism that would identify, manage, and monitor cases of discrimination.
- Assisting the WB in strengthening the capacity of Project Implementation Units (PIUs), workers, and contractors, subcontractors, and service providers.
- Ensuring contracts, codes of conduct, hiring procedures, whistle-blower protection protocols, and other measures, as needed, are in place to allow remediation of cases of discrimination.
- Develop a strong data management system and process that secures personal data and information in a manner that is safe, ethical, and confidential.
- Where cases of discrimination are reported through the above mechanism, the EISM will report the grievances to the Bank, propose appropriate remediation, and follow up on agreed actions to resolve the case.
- Support the WB/IFC to monitor the efficacy of the agreed measures to mitigate the impacts on WB/IFC financed operations.

Table 10 illustrates the enhanced implementation support and monitoring steps. Figure 2 contains the enhanced implementation support and monitoring process. Figure 3 contains the Complaint Management for Vulnerable or Marginalized Individuals or Groups.

2. Scope of Work and Activities

To provide enhanced implementation and monitoring support to the World Bank/IFC operations in Uganda the EISM will: 2.1 Establish an effective and confidential mechanism to receive, manage, refer, and monitor grievances related to discrimination across the WB/IFC portfolio.

To do so the EISM will:

- **Enhance existing project-level grievance redress mechanisms** to safely, ethically, and confidentially receive cases related to discrimination on World Bank/IFC financed operations and refer them to an appropriate grievance handling mechanism.
- **Design and operate a mechanism for receiving grievances** related to discrimination on WB/IFC financed operations (including from project level grievance mechanisms noted above).
- **Establish a hotline or an alternative complaint mechanism**, for individuals to lodge complaints of discrimination on WB/IFC financed projects or voice their concerns without fear of reprisal. The EISM is an alternative to lodging complaints through a GoU-led project-level GRMs.

Table 10: Enhanced Implementation Support and Monitoring Steps

Enhanced Implementation Support and Monitoring Steps	
Act as a key first step in the referral process from project-level GRMs	Designed specifically to handle complaints restricted to WB/IFC projects
Step 1	Receives and document complaints of discrimination in accessing WB/IFC projects' benefits, services, and opportunities,
Step 2	Develops specific security protocols to ensure that communications are safe, ethical, and confidential.
Step 3	Establishes a data management system on an international server guaranteed by the provider as safe and secure encryption and privacy.
Step 4	Implements a data privacy and protection policy to include confidentiality clauses to be signed by all personnel entrusted with managing referrals or referral-related information.
Step 5	Handles complaints in a confidential, anonymous, and non-judgmental manner which is sensitive to local context and in local languages
Step 6	Provides detailed monthly reports of complaints received to the WB/IFC
Step 7	Provides ad hoc incident reports of all allegations to WB/IFC within 48 hours of receipt
Step 8	Reports grievances to the WB/IFC, proposes appropriate remediation, and follows up on agreed actions to resolve the case.
Step 9	Maps available services for vulnerable or marginalized individuals or groups including counselling, legal services, protection, and other services,
Step 10	Refers individuals to the appropriate local services or organizations as needed
Step 11	Reports grievances to the WB/IFC, proposes appropriate remediation, and follows up on agreed actions to resolve the case.
Step 12	Regularly evaluates the effectiveness of mitigation measures to determine whether and how well the mitigation measures are functioning.
Step 13	Recommends and supports the implementation of adjustments to mitigation measures based on regular evaluations and their impact.

2.2 Outreach and sensitization to project beneficiaries and communities involved with the World Bank/IFC Portfolios

Activities related to Outreach and sensitization to project beneficiaries and communities include:

- **Assist the WB/IFC to prepare and implement a plan to disseminate information** about the support provided by the entity including support to existent GRMs.
- **Prepare community/beneficiary information materials** on their rights within the Constitution of Uganda and World Bank/IFC policies informed by various official circulars issued by the GoU on non-discrimination and World Bank/IFC policies.

- **Develop and implement a methodology to conduct periodic outreach to beneficiaries/communities** to hold consultations on non-discrimination to identify issues and risks in a safe, ethical, and confidential manner.

2.3 Capacity strengthening and technical support

Activities related to capacity strengthening and technical support include:

- **Support to the WB/IFC on training** of government staff and private sector consultants/clients, workers, and contractors on non-discrimination by developing training materials, identifying venues, providing trainers, etc.
- **Support to the WB/IFC with training project level GRMs** on non-discrimination in World Bank and IFC financed Projects by developing training materials, identifying venues, providing trainers, etc.
- **Preparing training modules for call center operators, data management personnel, and community outreach personnel** on appropriate handling of sensitive information.
- **Providing technical support to the GoU for the development of Guidelines** on Non-discrimination of Workers.

2.4 Monitoring and Evaluation

Activities related to monitoring and evaluation include:

- **Developing a system to regularly monitor WB/IFC projects** for 1) implementation of agreed GoU actions to mitigate the risk of discrimination on WB/ IFC projects, 2) incidents of discrimination on World WB/IFC financed projects.
- **Regularly evaluating the effectiveness of mitigation measures** to determine whether and how well the mitigation measures are functioning to improve WB/IFC awareness of incidents of discrimination on WB/IFC financed operations.
- **Recommending and supporting the implementation of adjustments to mitigation measures** based on regular evaluations and their impact.

3. Roles and Responsibilities

The GOU and its PIUs remain responsible for the implementation of all project activities including mitigation measures supported by the EISM. The enhanced implementation and monitoring support mandate is specifically focused on:

1) supporting the WB/IFC to ensure the agreed measures on non-discrimination in the portfolio are implemented fully, ethically, safely, and to an appropriate standard of quality; and
2) to support the WB/IFC to enhance our awareness of cases of discrimination across the WB/IFC portfolio.

The GOU will facilitate the work of the entity and collaborate as needed on all activities requiring their direct involvement, such as outreach and sensitization activities, capacity strengthening and technical support as well as the monitoring and evaluation of mitigation measures. The GoU will also ensure that the work under the EISM can be undertaken safely in accordance with existing circulars and their dissemination.

Figure 2: Description of Enhanced Implementation Support and Monitoring Process

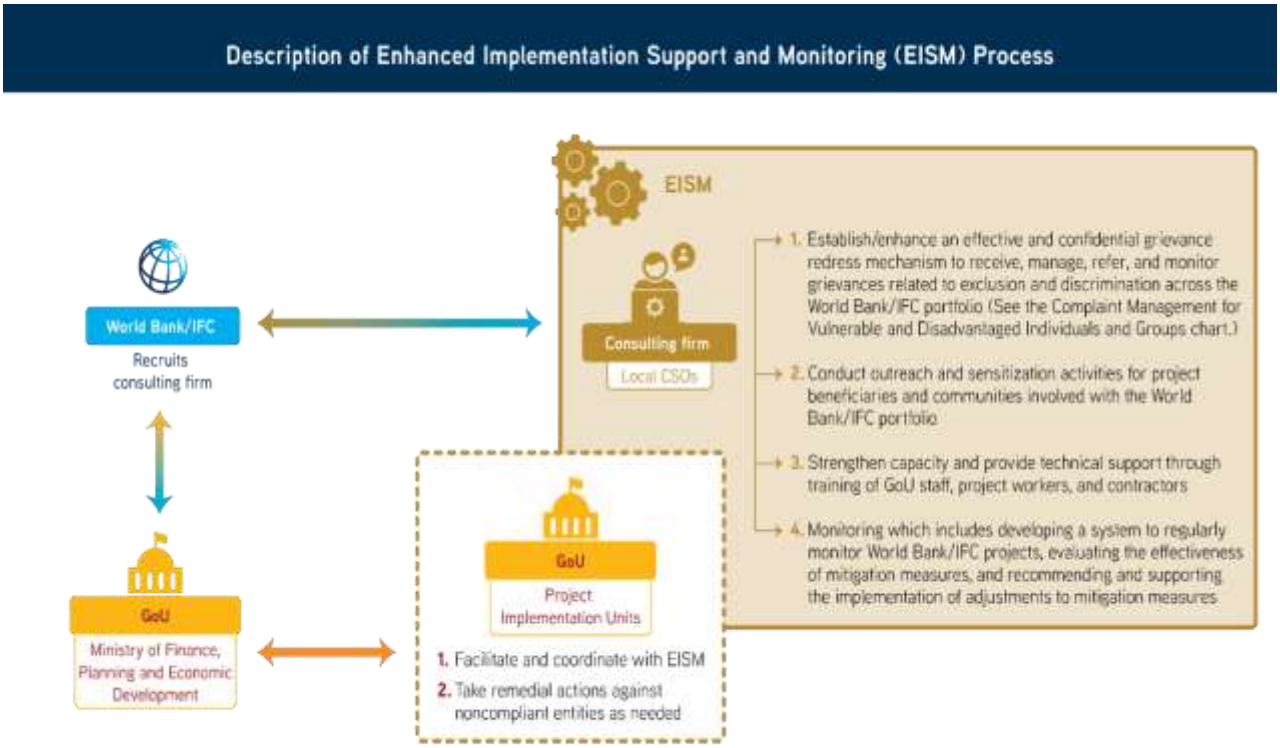
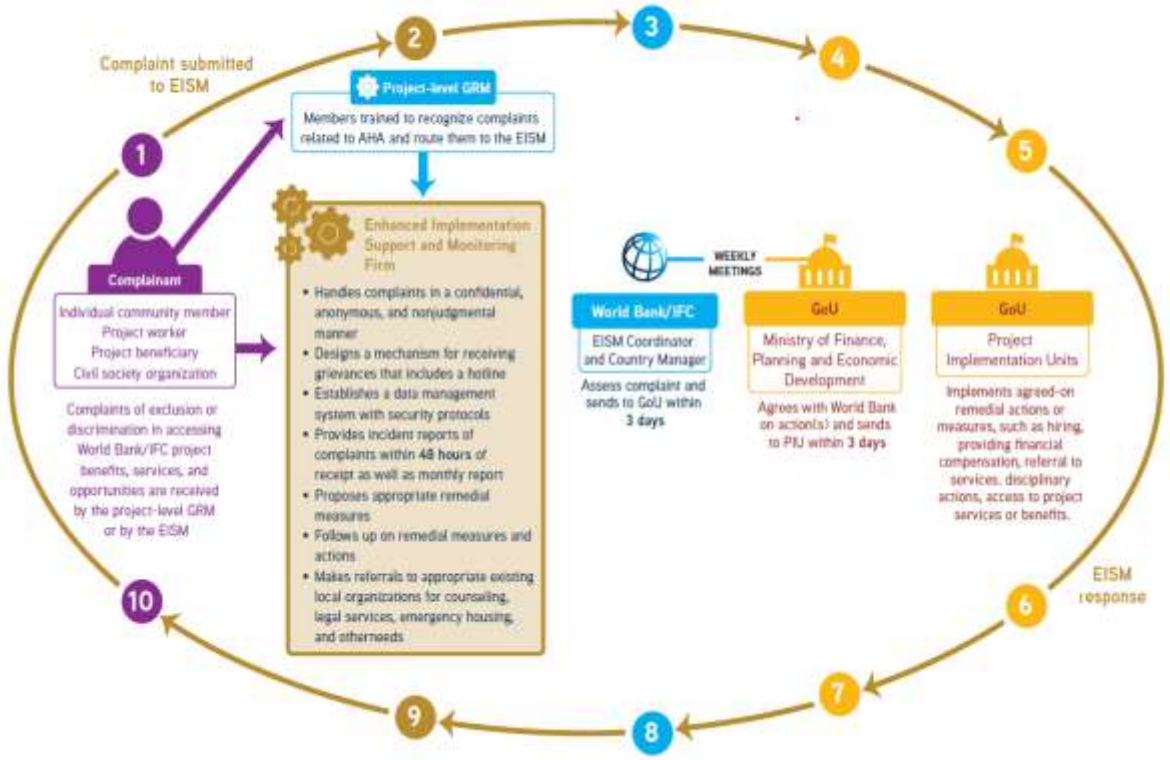


Figure 3: Compliant Management for Vulnerable or Marginalised Individuals or Groups

Complaint Management for Vulnerable or Marginalized Individuals or Groups



Note: For the IFC, the complaint management process is similar, but instead of government, it is done through private sector borrowers.

Annex 8: Guidelines for Implementing Mitigation Measures to Address AHA-Related Risks

In July 2024, following the enactment of the Anti-Homosexuality Act (AHA) in 2023, the Uganda Learning Acceleration Program (ULEARN) ESSA and its annexes were updated to include specific measures to mitigate the risk of discrimination against or exclusion of any affected individuals and groups in providing or receiving benefits in World Bank-financed projects and programs in Uganda.

The measures involve ensuring access to a project-level grievance redress mechanism (GRM), establishing a dedicated hotline for receiving AHA-related complaints, requiring contract clauses and codes of conduct on nondiscrimination, and training project workers and contractors on inclusion and nondiscrimination.

Through a competitive process, the World Bank and International Finance Corporation (IFC) have contracted with the international firm SREO Consulting Ltd. (SREO) to support the implementation of the mitigation measures. SREO will partner with local civil society organizations (CSOs) and/or individuals with expertise and experience in inclusion and nondiscrimination in Uganda.

The World Bank will support the Ugandan government in the rollout of the mitigation measures through Enhanced Implementation Support and Monitoring (EISM), targeting project implementation units (PIUs), contractors, subcontractors, frontline service providers, and local stakeholders, as required and set out in the E&S documentation.

This annex presents guidelines on how to implement the mitigation measures, including main steps and the roles and responsibilities of task teams, the Ugandan government, PIUs, the World Bank, CSOs, SREO, and other stakeholders.

Steps for Implementing Mitigation Measures

Depending on the status of a particular project, the following steps may or may not be followed sequentially. One or more of the steps might not be relevant to a project, or it might be possible to accomplish two or more steps at the same time.

SREO and the relevant World Bank task team leader, social development specialist, and PIU should discuss and agree on the relevance and sequence of steps prior to their implementation.

1. Assess the Status of the Project

The approach, type, and level of effort will vary depending on a project's implementation status:

- **Ongoing projects.** Ongoing projects require retrofitting to include mitigation measures. Such projects should be considered high priority for monitoring because of the existing risk of discrimination.

- **Early-stage projects.** Projects at an early stage of implementation require retrofitting to include mitigation measures, but the need for monitoring is not as urgent as for ongoing projects. The priority level for early-stage projects will depend on the status of activities on the ground and whether or not a PIU and service providers are in place.

- **Closing and closed projects.** Projects that have closed since the enactment or that will be closing in the next six months require a due diligence review to assess if there are any outstanding

complaints or issues related to the discrimination of vulnerable and marginalized groups or individuals who may be adversely impacted .The results of the due diligence should be incorporated into the standard E&S closure review unless it has been completed already. No further action is needed.

- **Pipeline projects.** A project that has not yet begun implementation provide the opportunity to integrate risk mitigation measures and monitoring into its design.

2. Enhance Existing Project-Level Grievance Redress Mechanisms

SREO will distribute a questionnaire to World Bank and PIU social development specialists to assess existing project-level GRMs. Based on a review of responses, it will recommend actions that the PIU or service providers can take to improve the GRMs.

With the support of SREO, the PIU and the social development specialist will revise the project GRMs to include effective, safe, ethical, and confidential referral pathways, ensuring that individuals or groups feel secure reporting incidents and that grievances are addressed quickly, efficiently, and appropriately.

SREO will provide training to GRM staff so they can recognize Inclusion and Non Discrimination elated complaints and route them to the EISM. The enhanced process will enable the PIU to identify complaints of exclusion or discrimination sent to the GRM and forward them to SREO within 48 hours of receipt.

Hotline on Discrimination and Exclusion

SREO has designed and operates a hotline as an alternative way to receive complaints about the exclusion or discrimination of vulnerable or marginalized groups or individuals who may be adversely impacted following the enactment of the AHA 2023, related to accessing benefits, services, or opportunities in World Bank/IFC operations. The design of the hotline will allow it to:

- Receive complaints in a confidential, anonymous, and nonjudgmental manner that is sensitive to local context and available in local languages
- Compile detailed monthly reports of complaints
- Advise complainants on remedial actions
- Map available services for vulnerable or marginalized groups or individuals who may be adversely impacted following the enactment of the AHA 2023, including counseling, legal services, and protection
- Refer individuals to appropriate local services or organizations
- Implement a data privacy and protection policy that includes confidentiality clauses which must be signed by all personnel handling referrals
- Establish a data management system that guarantees safety through secure encryption and privacy protocols
- Develop specific security protocols to ensure communications are safe, ethical, and confidential
- Ensure all grievance mechanisms have appropriate whistle-blower protection protocols in place that enable safe reporting.

World Bank's Grievance Redress Service. In addition to the enhanced project-level GRM and the dedicated hotline, the World Bank has developed a specific window under its exiting Grievance Redress Service to manage complaints related to any World Bank project globally. A protocol has been developed to process all complaints related to exclusion or discrimination in the Uganda portfolio.

3. Conduct Outreach and Sensitization Activities

The World Bank team, PIUs, and service providers should contact SREO to assist with:

- The preparation and implementation of a plan to disseminate information about existing GRMs and the dedicated hotline
- The development and implementation of outreach activities on nondiscrimination delivered to beneficiaries and communities in a safe, ethical, and confidential manner.

4. Strengthen Capacity and Deliver Technical Support

The World Bank team, PIUs, and service providers should contact SREO to assist with:

- Training workers, contractors, and project-level GRM staff on nondiscrimination and inclusion, including developing training materials, identifying venues, and hiring trainers
- Delivering any other needed technical support related to the implementation of the mitigation measures.

SREO will prepare training modules for call center operators, data management personnel, and community outreach personnel on the appropriate handling of sensitive information .

5. Conduct Monitoring and Evaluation

Task team leaders, social development specialists, PIUs, and service providers should contact SREO to:

- Support the monthly and quarterly monitoring and evaluation of the implementation of agreed measures and actions to mitigate the risk of exclusion and discrimination and to reduce incidents of discrimination or exclusion.
- Provide comments on regular evaluations of the effectiveness of mitigation measures
- Offer feedback on recommendations and support the implementation of adjustments to mitigation measures based on their effectiveness.

6. Take Remedial Action

When a discrimination or exclusion complaint is reported to the dedicated hotline, the following process should be followed:

- SREO will report the grievance to the World Bank, propose appropriate remedial actions, and follow up on agreed actions to resolve the case.

- The World Bank's EISM coordinator and country manager will assess the complaint and then forward it to the Ministry of Finance, Planning and Economic Development. If the ministry does not object to the World Bank's recommendations, they will be forwarded to the project implementation unit.

- The project implementation unit is responsible for implementing the agreed measures, which might include training and retraining, hiring, offering financial compensation, providing service referrals, taking disciplinary actions, and providing access to project services and benefits.

7 Roles and responsibilities for the Implementation of Mitigation Measures

The different steps presented are guidance on the how to do and the sequencing for the implementation of the mitigation measures bearing in mind that the sequencing can vary from one project to another, and activities done in parallel in some instances. Each Step identifies the roles and responsibilities of the GOU, PIU, WBG, CSOs and SREO. The roles and responsibilities are summarized in this section in table 10-04.

This section also provides more specific information on roles and responsibilities to implement the mitigation measures of the Enhanced Implementation Support and Monitoring (EISM) firm RSEO and the Project Implementation Units (PIUs). The mitigations measures identified in the updated environment and social instruments will be implemented by the GOU through the PIU with the support of the EISM firm RSEO hired by the World Bank with NGO/CSOs and country-based development partners in implementing these mitigation measures. SREO's specific responsibilities include:

- Helping project teams improve existing project-level grievance mechanisms, and developing and operating an independent mechanism to identify, manage, and monitor cases of discrimination

- Developing a robust data management system and process that secures personal data and information safely, ethically, and confidentially

- Working with the World Bank to strengthen the capacity of project implementation units, workers, contractors, subcontractors, and service providers

- Ensuring that contracts, codes of conduct, hiring procedures, whistle-blower protections, and all other needed protocols are in place to remediate cases of discrimination

- Supporting the World Bank in monitoring the efficacy of the agreed mitigation measures

- Reporting complaints of discrimination to the World Bank, proposing appropriate remedial actions, and following up on agreed actions to resolve cases.

With the support of SREO, PIUs are responsible for implementing mitigation measures as described in the E&S instruments, including:

- Developing training, sensitization, information, educational, and communications materials on the principle of nondiscrimination of individual or groups who are vulnerable or marginalized

- Conducting consultations on nondiscrimination with targeted external stakeholders, including nongovernmental organizations, CSOs, local governments, and other stakeholders, as appropriate

- Integrating clauses on nondiscrimination and codes of conduct on nondiscrimination into all project contracts, which must be signed by all contractors, subcontractors, and service provider staff

- Reviewing all relevant policy and protocol documents, include those for human resources and whistle-blower protections

- Facilitating the monitoring of all measures to ensure their implementation, hat all reported incidents are shared with the World Bank, and that they are addressed promptly.

Box 1: Roles and Responsibilities for the Implementation of Mitigation Measures

Government of Uganda

- Facilitating the implementation of mitigation measures under the leadership of the Ministry of Finance, Planning and Economic Development and through project implementation units (PIUs)
- Following up on reported cases of discrimination in coordination with the World Bank EISM coordinator and country manager
- Achieving agreement with the World Bank on remedial actions and forwarding recommendations to PIUs

Project Implementation Units

- Reviewing and enhancing project-level grievance redress mechanisms (GRM)
- Ensuring the implementation of mitigation measures
- Facilitating capacity strengthening an community outreach efforts
- Implementing agreed-on remedial actions and measures

World Bank (task team leaders, social development specialists, and the EISM coordinator)

- Supporting capacity strengthening and training sessions
- Facilitating communication between SREO and the Ugandan government, SREO and task team leaders, and SREO and PIUs
- Overseeing the remediation of reported cases, makes recommendations, and follows up to ensure their resolution

Civil Society Organizations

- Hired by the EISM firm (SREO) to coordinate the monitoring of activities in Uganda
- Participate in capacity-building and outreach activities to disseminate information about the hotline and the GRS to relevant populations
- Receive and manage referrals for issues outside the EISM's scope

SREO Consulting, Ltd.

- Establishes a dedicated hotline and assists PIUs in improving existing GRMs
- Conducts outreach and sensitization activities
- Provides capacity-strengthening and technical support to PIUs
- Monitors and evaluates discrimination complaints