

**UGANDA SUPPORT TO MUNICIPAL INFRASTRUCTURE  
DEVELOPMENT PROJECT (USMID)**

**ENVIRONMENTAL AND SOCIAL SYSTEM  
ASSESSMENT (ESSA)**

**BACKGROUND ANNEXES  
VOLUME 2**

**DRAFT**

**November 2012**

## Table of Contents

<b>INTRODUCTION</b>	<b>1</b>
<b>SUMMARY PROGRAM DESCRIPTION</b>	<b>1</b>
<b>SUMMARY OF ESSA ANNEXES</b>	<b>1</b>
<b>ANNEX 1     <u>BASELINE CONDITIONS AND POTENTIAL IMPACTS</u></b>	<b>4</b>
1.1 INTRODUCTION	4
1.2 EXISTING ENVIRONMENTAL CONDITIONS IN USMID MUNICIPALITIES	4
1.3 EXISTING SOCIAL CONDITIONS IN USMID MUNICIPALITIES	6
1.4 DESCRIPTION OF USMID INFRASTRUCTURE WORKS	7
1.5 POTENTIAL PROGRAM BENEFITS	8
1.6 POTENTIAL NEGATIVE IMPACTS	10
1.6.1 DIRECT NEGATIVE IMPACTS	10
1.6.2 CUMULATIVE AND INDUCED IMPACTS	10
1.6.3 SUMMARY OF POTENTIAL IMPACTS	11
1.6.4 IMPACTS ON NATURAL HABITATS	16
1.6.5 RESETTLEMENT AND LAND ACQUISITION	17
1.6.6 SCOPE AND SCALE OF IMPACTS	17
<b>ANNEX 2     <u>PROGRAM ENVIRONMENTAL MANAGEMENT SYSTEM</u></b>	<b>18</b>
2.1 ENVIRONMENTAL MANAGEMENT SYSTEM AS WRITTEN	18
2.1.1 POLICY, LEGAL AND REGULATORY FRAMEWORK	18
2.1.2 INSTITUTIONS, ROLES, RESPONSIBILITIES AND COORDINATION	22
2.1.3 THE ENVIRONMENTAL MANAGEMENT PROCESS	24
2.1.4 THE NEMA ENVIRONMENTAL ASSESSMENT PROCESS	25
2.2 ENVIRONMENTAL MANAGEMENT SYSTEM AS APPLIED IN PRACTICE	29
2.2.1 PLANNING ENVIRONMENT	29
2.2.2 ENVIRONMENTAL ASSESSMENT SYSTEM	29
2.2.3 FULL ENVIRONMENTAL IMPACT ASSESSMENT	30
2.2.4 REVIEW AND DECISION MAKING	31
2.2.5 IMPLEMENTATION	32
2.2.6 SUPERVISION AND OVERSIGHT	32
2.3 RESOURCE CONSTRAINTS TO ENVIRONMENTAL MANAGEMENT	33
2.4 CONCLUSIONS	34
<b>ANNEX 3     <u>PROGRAM SOCIAL MANAGEMENT SYSTEM</u></b>	<b>35</b>
3.1 SOCIAL MANAGEMENT SYSTEM AS WRITTEN	35
3.1.1 FRAMEWORK FOR PROPERTY AND LAND RIGHTS	35
3.1.2 ACCESS TO INFORMATION	38
3.1.3 INSTITUTIONS, ROLES, RESPONSIBILITIES	38
3.2 SOCIAL MANAGEMENT SYSTEMS AS APPLIED IN PRACTICE	40
3.2.1 SOCIAL IMPACT ASSESSMENT PROCESS	40
3.2.2 PARTICIPATION	41
3.2.3 LAND ACQUISITION, RESETTLEMENT AND COMPENSATION	43
3.2.4 PROTECTION OF VULNERABLE GROUPS	44
3.2.5 ACCOUNTABILITY AND TRANSPARENCY	44
3.2.6 SOCIAL CONFLICT	46

<b>3.3</b>	<b>RESOURCE CONSTRAINTS TO SOCIAL MANAGEMENT</b>	<b>46</b>
<b>3.4</b>	<b>CONCLUSIONS</b>	<b>47</b>
<b><u>ANNEX 4</u></b>	<b><u>GAP ANALYSIS AND RISK ASSESSMENT</u></b>	<b><u>48</u></b>
<b><u>ANNEX 5</u></b>	<b><u>FIELD STUDY ON USMID MUNICIPALITIES</u></b>	<b><u>57</u></b>
<b><u>ANNEX 6</u></b>	<b><u>CONSULTATION RECORD</u></b>	<b><u>79</u></b>

## Tables

Table 1: Summary of environmental impacts arising from urbanization.....	5
Table 2: Potential Benefits of USMID Investments .....	9
Table 3: Potential Negative Impacts arising from construction and operation phases .....	12
Table 4: Environmental and Social Risk Assessment of USMID Program.....	49

## Figures

Figure 1: NEMA Environmental Impact Assessment Process .....	27
Figure 2: Location of municipalities under this project .....	57

## ACRONYMS

CAO	Chief Administrative Officer
CBG	Capacity Building Grant
CDO	Community Development Officer
DEO	District Environment Officer
DoOHS	Department of Operational Health and Safety, MoLGSD
DSC	District Service Commission
EIA	Environmental Impact Assessment
EIS	Environmental Impact Study
ESIA	Environmental and Social Impact Assessment
ESSF	Environmental and Social Screening Form
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESSA	Environmental And Social Systems Assessment
GOU	Government of Uganda
IDA	International Development Association
IGFT	Intergovernmental Fiscal Transfer
LDG	Local Development Grant
LG	Local Government
LGDP1	Local Government Development Program 1
LGDP2	Local Government Development Program 2
LGMSDP	Local Government Management and Service Delivery Program
LGPAC	Local Government Public Accounts Committee
LHUD-SWG	Lands, Housing and Urban Development Sector Work Group
LoGSIP	Local Government Sector Investment Plan
MCs	Municipal Councils
MDP	Municipal Development Plans
MEO	Municipal Environmental Officer
MGLSD	Ministry of Gender, Labor and Social Development
MoFPED	Ministry of Finance, Planning and Economic Development
MoLG	Ministry of Local Government
MoLG	Ministry of Local Governments
MoLHUD	Ministry of Lands Housing and Urban Development
MoLHUD	Ministry of Lands Housing and Urban Development
MoTWH	Ministry of Tourism, Wildlife and Heritage
MTEF	Medium Term Expenditure Framework
NEMA	National Environment Management Authority
NUDF	National Urban Development Forum
NWSC	National Water and Sewerage Corporation
OAG	Office of the Auditor General
OP/BP	Operational Policy/ Bank Procedures
PAP	Project Affected People/Person
PBG	Performance Based Grant
PforR	Program-for-Results
PPE	Personal Protective Equipment
PSC	Program Steering Committee
PST	Program Support Team
RAP	Resettlement Action Plan
RPF	Resettlement Policy Frameworks
SIL	Standard Investment Lending
TC	Town Clerks
TPC	Technical Planning Committee
UNRA	Uganda National Roads Authority
USMID	Uganda Support for Municipal Infrastructure Development
WB	World Bank

## INTRODUCTION

### Summary Program Description

As part of Uganda's overall decentralization policy, from 2000 – 2007 the World Bank and other Development Partners supported GoU to pilot the Local Government Development program (LGDP) to Local Governments (LGs). The core elements of the program were the local development grant (LDG) and capacity building grant (CBG). Under the program LGs were required to meet certain minimum conditions consistent with the legal and statutory provisions governing their operations. Every year the performances of LGs were assessed and those which performed above average were rewarded with an additional 20% in their grant allocation in the following year, while those which performed poorly were sanctioned and lost 20% of their grant allocation. From 2003 – 2007, with support from the Bank, and other donors through joint financing, the program was scaled nationally to cover all the 1445 LGs in the country (111 Districts LGs, 22 municipal LGs, 165 Town council LGs, and 1147 Sub-Counties LGs).

From 2008 to date, GoU has fully taken over the financing of the LDG and CBG through the Local Government Management and Services Delivery (LGMSD) program from its national budget and over the four years it has provided on average about UGX64 billion annually to all LGs. The government program (LGMSD) in the FY2012/13 will account for 27.26 percent of the decentralized funding to LGs (unconditional grants (UG), equalization grants (EG) and the LDG/CBG)

Like the LGMSD, The USMID Program will finance two major areas of activities namely (i) urban infrastructure investments with associated investments servicing costs (engineering design, preparation of bidding documents and supervision) - and (ii) capacity building activities to strengthen the institutional capacities of both the MoLHUD and the municipal LGs for the achievement of the Program objectives and results. Over the Program period US\$140 million will be transferred to the 14 municipal LGs of which US\$130 million will be municipal development grant (MDG) for infrastructure investments and US\$10 million as municipal capacity building grant (MCBG). The balance of US\$20 million will be retained at the center at the MoLHUD to support capacity building activities for urban development and management, and overall support for Program implementation.

The **Program Development Objective (PDO)** is to enhance the institutional capacity of selected municipal LGs to improve urban service delivery.

The **Program envelope** is US\$160 million of which IDA funding will be US\$150 million and GoU contribution from the existing LGMSD will be US\$10 million. The Program will be implemented over five years period (2013 – 2018)

The **Program scope and coverage** is 14 municipalities namely: Arua, Gulu, Lira (Northern Uganda); Soroti, Moroto, Mbale, Tororo, Jinja (Eastern Uganda); Entebbe, Masaka (Central); Mbarara, Kabale, Fort Portal and Hoima (Western Uganda).

### Summary of ESSA Annexes

PforR approaches environmental and social issues differently from other Bank operations: where standard investment lending applies the World Bank Safeguard Policies, PforR requires a comprehensive assessment of the systems in place for managing environmental and social effects (including benefits, impacts and risks) – this Environmental and Social Systems Assessment (ESSA) analyzes not just the system itself, but the capacity to plan, monitor and report on environmental mitigation measures; the risks from program activities; and related mitigation measures.

The ESSA examines the Program's systems for environmental and social management for consistency with the standards outlined in OP/BP 9.00 (*Program-for-Results Financing*), with an aim to manage Program risks and promote sustainable development. Paragraph 8 of OP 9.00 outlines what the ESSA should consider in terms of environmental and social management principles in its analysis. Those core principles are:

*Environmental Management Systems:*

- Promote environmental and social sustainability in the Program design; avoid, minimize, or mitigate adverse impacts, and promote informed decision-making relating to the Program's environmental and social impacts
- Avoid, minimize, or mitigate adverse impacts on natural habitats and physical cultural resources resulting from the Program
- Protect public and worker safety against the potential risks associated with: (i) construction and/or operations of facilities or other operational practices under the Program; (ii) exposure to toxic chemicals, hazardous wastes, and other dangerous materials under the Program; and (iii) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards

*Social Management Systems:*

- Manage land acquisition and loss of access to natural resources in a way that avoids or minimizes displacement, and assist the affected people in improving, or at the minimum restoring, their livelihoods and living standards
- Give due consideration to the cultural appropriateness of, and equitable access to, Program benefits, giving special attention to the rights and interests of the Indigenous Peoples and to the needs or concerns of vulnerable groups
- Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

The ESSA considers the consistency of the Program systems with these principles in two ways: (i) as systems are defined in laws, regulation, procedures, etc (the "system as written") and (ii) the capacity of Program institutions to effectively implement the Program environmental and social management systems (the "system as applied in practice").

The ESSA is divided into two volumes:

1. Volume 1, the **ESSA Analysis**, which summarizes the systems for environmental and social management and the main gaps, and presents and action plan to strengthen systems and mitigate risks; and
2. Volume 2, **Background Annexes**, the current volume, present the Program environmental and social context and existing conditions, potential impacts of Program activities, detailed descriptions of existing systems, a gap analysis with the PforR core principles, and a risk assessment.

Note that these annexes do not include recommendations to fill identified gaps and mitigate risks, and instead serve as the technical foundation for the ESSA Analysis. The

The ESSA was prepared by a multidisciplinary team from the World Bank in collaboration with relevant officials and technical staff members of the counterpart implementing agencies. The information in the Background Annexes was obtained from several sources:

**Desk review.** The review covered current environmental and social legislations and regulations, relevant environmental and social reports (e.g. ESMF and RPF), and district reports on the implementation of the previous and current World Bank projects (LGDP I and II and LGMSDP);

**Field visits.** Visits to 14 MCs to establish the status and standard of environmental and social safeguard systems at the municipal level and interviews with technical staff in relevant institutions within the Government and Development Partners. The field survey results are contained in ANNEX 5(USMID Field Survey for Municipalities)and ANNEX 6(Consultation Record);

**Initial Consultation meetings.** Meetings were held with environmental and social management counterparts in municipalities, MoLHUD and other ministries and government institutions, including MoLG, MGLSD, NEMA and National Water and Sewerage Corporation (NWSC) to develop understanding of procedures, standards, and approach. A list of personnel involved in this consultation is contained in Annex 6;

**Validation workshop.** A workshop was held on the 8th May 2012 with technical staff from the Government (both national and municipal levels), Development Partners and Civil Society Organizations. The ESSA draft report was provided in advance of this meeting. Feedback from the workshop has been incorporated into the ESSA and a full list of participants and summary of their feedback is attached in ANNEX 6.

## **ANNEX 1      BASELINE CONDITIONS AND POTENTIAL IMPACTS**

### **1.1      Introduction**

The decentralization process instigated by the GoU has delivered a number of improvements to its citizens, offering increased levels of self-determination and governance. However the process has inevitably been beset by a number of challenges leading to sub-optimal environmental and social outcomes, particularly in relation to the adequacy of resources to provide sufficient funds to efficiently manage the rapidly increasing number of districts (111 district governments, with 22 municipal governments). The lack of resources suffered by local government in general affects the environmental officers and their duties disproportionately, as their department heads and accounting officers have not always fully grasped the need to mainstream environmental and social issues<sup>1</sup>. Coupled with a lack of funding and resources in key technical line ministries and institutions, this results in challenges for environment and natural resource officers to fulfill their mandates. While structures exist on paper, there has also been a challenge to ensure that these are implemented in order to enable efficient, effective, accountable and transparent service delivery and performance, largely due to constraints cited at all levels in funding and personnel. The situation with regard to municipal government can be even more critical than in district government, as in most instances they are not yet as well established or resourced as the parent districts and in some instances rely on district staff to fulfill certain technical functions.

At the same time the municipal councils face a unique set of problems, due to the relatively dense populations living in areas with inadequate or outdated facilities and services, planned during colonial administration for much lower population levels. This leads to potentially unhygienic living conditions for the urban populations, degradation of the natural resource base (through both overuse and contamination), and a tendency for more vulnerable groups to become further disadvantaged through a lack of access to facilities, services and resources. The lack of a stringent planning environment and recent escalating trends in these urban populations leads to the growth of unplanned settlement on the periphery of the urban areas, further stressing the natural environment and putting pressure on already overloaded municipal services, resulting in constraints in providing citizens with a clean and safe environment.

A summary of existing environmental and social conditions follows. Full details of existing conditions in each municipality can be found in ANNEX 5.

### **1.2      Existing Environmental Conditions in USMID Municipalities**

Poor environmental conditions in many urban areas in Uganda are exacerbated by inadequate planning in some areas such as leading to development in inappropriate areas e.g. open spaces, swamps, and steep slopes. Common environmental degradation identified through surveys with municipal officers included: wetland encroachment, noise and air pollution in 86% of the 14 MCs, inadequate funding of environment department hence poor monitoring and supervision, political interference in environmental management leading to wetland degradation, poor sanitation and pollution of water sources especially in slums.

The expansion of these Municipalities is occurring at the expense of the environment in and around the urban centers. From the field surveys done, it was observed that the urban centers are typically

---

<sup>1</sup> Source: Interview MinLG 27.03.12, Annex 6



surrounded by a ribbon of wide green valleys with swamps, wetlands and forest reserves extending into the rural hinterland. This undeveloped land with associated natural resource components is under threat from the fast expanding urban centers. Threat for the environment is manifest in destruction of vital environmental components such as wetlands, forests, water resources and the natural landscape. According to interviews with Municipal Environmental Officers (MEOs), encroachment on the green areas/sensitive areas (wetlands, forests, swamps, and water resources) was one of their biggest environmental challenges.

It was observed that in all municipalities with exception of the Fort Portal MC that slum dwellings were predominantly located in low-lying areas and floodplains. These slums are rapidly expanding into protected areas particularly wetlands due to the increasing informal population in the municipalities. Projects seeking to deliver improved services to municipal populations can inadvertently result in further environmental and social harm, through displacement of marginalized people, particularly squatters and informal traders.

In addition, daytime population in the municipalities almost doubles, meaning that many who commute to municipalities actually reside outside them. This has put further pressure on already stretched public facilities and transportation systems in the MCs during the day. While the urban areas have to meet the demands of the commuters, government financial transfers to urban authorities are only limited to the permanent population.

**Table 1: Summary of environmental impacts arising from urbanization.**

<b>Environmental component</b>	<b>Process of urbanization putting the Environmental at risk</b>	<b>Impacts associated with urbanization process</b>
Land resources/ terrain/ soils	Uncontrolled construction Solid waste dumping Inappropriate agricultural practices	Land pollution from garbage disposal Lack of good access between neighborhoods
Water resources	Solid waste dumping Severe sanitation problems Poor maintenance of drainage systems	Pollution from a variety of sources Environmental health problems Malaria on the increase due to poor drainage Outbreak of epidemics like cholera
Wetlands/ Swamps	Poor maintenance of drainage systems Drainage for agriculture, industry, brick-making and other uses Burning and harvesting of papyrus	Perceived increase in air pollution but no hard data is available
Air quality	Rapid increase in motorization Indoor pollution from charcoal stoves and other inappropriate fuels Garbage burning is on the increase Uncontrolled industrial emissions	Perceived increase in air pollution Dust from roads is also a reported problem

### 1.3 Existing Social Conditions in USMID Municipalities

*Informal Settlements:* The housing stock in Uganda stands at 2,690,900 units while the household distribution of people averages 5.7 persons. The occupancy density is estimated at 1.05 giving a backlog of 235,906 units. Municipal councils have approximately 176,310 housing units and a backlog of 63,473 units. About 93% of the municipalities earmarked for the USMID project had areas with informal settlements or slums. These informal settlements were dominantly characterized by a lack of proper toilet facilities, poor or no access roads, poor drainage, limited access to safe drinking water and improper dumping of waste.

*Poverty:* Within the municipalities, urban poverty is attributed to the following:

- Inadequate land/land scarcity leading to low agriculture production. Most of the divisions in the Municipalities are largely peri-urban and do not have adequate land for farming owing to extensive land fragmentation.
- Low levels of education
- Poor health – HIV, malaria and other ailments. Morbidity and mortality have caused an unproductive population as much time is spent caring for the sick; poor health conditions coupled with shortage of food, matters are made worse.
- Large family size – inadequate access to family planning services has increased high population growth rates compared to the available resources.

*Health:* Due to high population growth in Municipal Councils (MC) a number of health impacts have resulted from improper waste disposal, lack basic of infrastructure services and poor sanitation. Although all MCs have health centres and major hospitals, they lack facilities, drugs and medical personnel.

Major health concerns of Municipal councils included malaria, waterborne diseases, dysentery, and respiratory diseases (a consequence of air pollution particularly from fossil fuel combustion and waste burning) and HIV/AIDS. Others were lack of medical personnel, inadequate funding for health projects and dilapidated health infrastructure.

*Prevalence of HIV/AIDS:* Uganda has been recognized for HIV/AIDS prevention as prevalence has significantly reduced, yet is still high at 6.5% <sup>2</sup>. In most of the Program municipalities the prevalence rate is above the 6.5% national average. This has led to high dependency ratios coupled with less income thus signifying increasing levels of poverty pockets. The major causes of this high prevalence rate in Municipal councils are poverty, prostitution and alcoholism, rapid urbanization, traditional beliefs, and mother to child transmission.

The disease has resulted in adverse health and socio- economic outcomes and challenges. HIV/AIDs has had far reaching impacts on society and the economy in the Municipalities which include among others:

- Large and ever increasing number of orphans that have overwhelmed the traditional social support systems leading to big number on streets and school drop outs.
- Rise in poverty levels attributed to the death of household heads
- Cost of treatment and funeral expenses exceed annual income of the family
- Rise in child-, single female-, and elderly-headed households

---

<sup>2</sup>UNICEF 2009: HIV/AIDS statistics. [http://www.unicef.org/infobycountry/uganda\\_statistics.html#89](http://www.unicef.org/infobycountry/uganda_statistics.html#89)

## 1.4 Description of USMID Infrastructure Works

As described above, support to the fourteen MC's will be provided through a Municipal Development Grant (MDG), where the main purpose is to enhance the governance systems of MCs and finance basic infrastructure works. This financing will be used only for municipal infrastructure investments. While the MDG is discretionary based on MC investment priorities, eligible investments do have limitations on the scope and scale. First, MC's select projects from a "menu" of eligible works - the sub-set of investment activities eligible for funding under the Program are presented in Box 1 below and are consistent with the mandates of municipal LGs under the LGs Act:

### Box 1: Activities eligible for funding under the MDG (investment menu) - US\$ 130 million

<b>Objective - enhance the financial resources of the participating municipal LGs for provision of improved core municipal services</b>	
1.	Urban Roads and associated infrastructure (rehabilitation and construction)
2.	Urban solid and liquid waste management <sup>3</sup>
3.	Water and sewerage extension <sup>4</sup> ; to peri-urban areas
4.	Urban Local Economic Infrastructure (markets, slaughter houses)
5.	Urban Transport (bus/taxi/lorry parks)
6.	Urban beatification <sup>5</sup>

The Municipal LGs will be required to prepare the various sub-projects to be funded under the Program in a participatory manner, with involvement of the municipal divisions as well as the Municipal Development Forum (MDF). This is consistent with the legal requirement which provides for bottom-up participatory planning and budgeting in Uganda LGs. To ensure transparency and accountability, the sub-projects to be funded under the Program will be included in the municipal five year development plan, which means it has been demanded by the community/CSOs/MDF; reviewed by the technical planning committee of the municipal LG; the municipal LG budget committee provided for the financing in the annual budget; and both the municipal plan and budget discussed and approved by the municipal elected council.

Each sub-project will be screened by the municipal technical planning committee (heads of departments) using the screening criteria which are outlined in Box 2 below:

### Box 2: Screening criteria in the selection of sub-projects to be funded under the Program

•	Municipal needs and a wide number of beneficiaries with due consideration of the gender balance;
•	Economic impact and justification, focusing of project which have large impact on the urban growth and local economic development;
•	Spatial location of the investments to ensure some equity across the areas; <sup>6</sup>
•	Focus on projects which will benefit more than one division, i.e. cross-divisional projects;
•	Crosscutting issues are properly addressed in the proposals;
•	Linked to the physical plan and the spatial development;
•	Capacity available for operational and maintenance; and support instruments in place to ensure this in future;
•	Consultations with the sectors on the links with sector plans, investments and prioritization;
•	HIV/AIDs implications and handling of these issues, e.g. in the contracting process and project implementation;

<sup>4</sup> Water and sewerage being under the jurisdiction of National Water and Sewerage Corporation (NWSC), may be included on a case by case basis through partnership arrangements between the corporation and the municipalities that chose to prioritize it.

<sup>5</sup> This may include Public parks; Play grounds; Urban landscaping; Planting of tree on roads verges

<sup>6</sup> See NPA: National Guidelines for Development Planning in Local Governments, Draft March 2011.

- Systems for project implementation and monitoring to ensure completion and future quality and sustainability;
- Issues of environmental and social impact and screening;
- Issues of land acquisition and its attendant measures and adherence to the Land Acquisition Framework.
- Projects, which can be efficiently completed within budgets and commissioned for use.

Note that the screening criteria include both “Issues of environmental impact and screening” and “Issues of land acquisition”. The screening process at the municipal level under the Program that feeds into the prioritization of investment activities for USMID financing will have criteria to exclude certain categories of projects as well as projects of a scale that would include significant negative impacts that are sensitive, diverse, or unprecedented on the environment and/or affected people. Such types of investments are excluded from the Program (per OP/BP 9.00). In addition to screening for significant impacts, the following exclusionary criteria apply to works financed under USMID:

- Wastewater treatment plants,
- New landfills,
- Activities that would significantly convert natural habitats or significantly alter potentially important biodiversity and/or cultural resource areas.

## 1.5 Potential Program Benefits

The investments under USMID are intended to have substantial environmental, economic and social benefits to municipalities, through better infrastructure, improved sanitation, participatory planning processes, and greening of public spaces.

Many of the Program components are expected to contribute positively to environmental sustainability. For example, new composting plants will convert a substantial fraction of solid waste to a useful resource, at the same time reducing the volume of waste that goes to disposal sites. Failure to find outlets for the compost produced would offset some of the benefit, but only partially. In the long term, continuing to dispose of solid waste in substandard and eventually (if not already) overloaded facilities is unsustainable, but USMID will only be supporting rehabilitation of existing disposal sites as a stopgap measure. Improved traffic flow because of rehabilitated or new streets, dedicated bus stops and parking areas for trucks and taxis, and relocated markets will lessen fuel consumption, congestion and air emissions.

From the perspective of socio-economic development, new or refurbished streets, centralized and modern market areas, and general improvement in municipal services are all enabling factors. The experience gained by MEOs and other municipal officials in managing the impacts of infrastructure should strengthen their capacity to manage municipal growth in more sustainable ways. An early test of that capacity will come in the form of the potential for unplanned development induced by new infrastructure that, in the absence of active efforts to control it, could result in a return to some of the undesirable, pre-project conditions.

The USMID Program may not directly contribute to poverty alleviation as a Program objective, but should improve conditions for all urban residents in terms of health and quality of life. There is one significant caveat: if new or improved services – water, sewer, septic tank maintenance, waste collection -- are not affordable, or if services formerly provided by the informal sector as income generating activities (such as water collection), are institutionalized, the poor may not benefit from them, or may be left worse off. Similarly, if new markets come with higher cost for rental space, small traders may actually be worse off economically, experiencing higher operating costs and, in the worst case, complete loss of livelihood. Therefore, it will be critical that pro-poor considerations are made during the selection of investment types and sites.

In addition to the benefits named above, municipal residents will experience improvements in the natural and the living environments, including more attractive urban landscapes, better air quality, reduced incidence of diseases related to water and wastewater.

Table 2 below provides a general outline of the types of benefits that can be expected from each type of subproject that an LG might choose to pursue with USMID financing.

**Table 2: Potential Benefits of USMID Investments**

Sector	Expected Environmental Benefits
<p><b><i>Urban Roads and associated infrastructure (rehabilitation and construction)</i></b></p> <p>Tarmac roads, Gravel roads, Road side drains, Culverts, Paving – for pedestrian walkway, Street lights, Street furniture (seating platforms at bus stops, etc.), Street signage</p>	<ul style="list-style-type: none"> <li>• Improved air quality due to improved traffic flow and reduced dust entrainment</li> <li>• Improved pavement life, reduced road flooding, reduced roadside erosion</li> <li>• Improved pedestrian safety because of walkways, street lights, seating at bus stops</li> <li>• Reduced vehicle accident hazard because of street lights and signage</li> </ul>
<p><b><i>Urban solid and liquid waste management</i></b></p> <p>Dumpsite rehabilitation, Composting plant, Liquid/solid waste equipment, Public sanitation points, Waste collection points</p>	<ul style="list-style-type: none"> <li>• Public health improvement because of better removal of solid waste from city streets and residential and commercial areas, removal of sludge from septic tanks and cesspools.</li> <li>• Improved air and water quality because of improvements at existing dump sites</li> <li>• Reduction in volume of waste to be disposed of because of composting</li> <li>• Beneficial reuse of organic fraction of solid waste for horticulture and agriculture</li> <li>• Water quality improvement from improved septic tank and cesspool maintenance, and, as an indirect benefit, substitution of compost for chemical fertilizer</li> <li>• Aesthetic improvement and improved drainage because of reduction in accumulations of solid waste in city streets and storm drains</li> </ul>
<p><b><i>Water and sewerage extension to peri-urban areas</i></b></p> <p>Water pipes, connections and stand pipes, Sewage ponds, sewage pipes and interconnections</p>	<ul style="list-style-type: none"> <li>• Public health benefits from extension of services to larger fraction of the population, including informal settlements</li> <li>• Improvements to groundwater through replacement of under-performing on-site sanitation systems with sewers</li> </ul>
<p><b><i>Urban Local Economic Infrastructure</i></b></p> <p>Markets, Slaughter houses/abattoir</p>	<ul style="list-style-type: none"> <li>• Opportunity for improved management of wastes because of modernized facilities and consolidation of market and slaughterhouse activities in centralized locations</li> <li>• Reduce traffic congestion and improved flow because of</li> </ul>

	relocation of vendors from street sides to formal market areas
<b><i>Urban Transport</i></b> Bus parks/stops, Taxi parks, Lorry parks	<ul style="list-style-type: none"> <li>• Reduced traffic congestion and improved flow leading to reduced air emissions</li> <li>• Reduced pedestrian accident hazard</li> </ul>
<b><i>Urban beautification</i></b> Public parks, Play grounds, Urban landscaping, Planting of tree on roads verges	<ul style="list-style-type: none"> <li>• Decreased storm water runoff</li> <li>• Decreased erosion and water pollution</li> <li>• Aesthetic amenity</li> <li>• Favorable microclimate</li> <li>• Reduced traffic accident hazard for children</li> </ul>

## 1.6 Potential Negative Impacts

### 1.6.1 Direct Negative Impacts

While the types of works to be financed by USMID are intended in part to remedy negative impacts of urbanization, many of them have the potential for adverse impacts on the natural, built and human environments. These are largely associated with the construction phase and include mainly the normal impacts of civil works -- dust, noise, erosion, surface water sedimentation, traffic interruptions and accidents, impeded pedestrian access, pollution from construction wastes as well as waste from worker campsites, interference with local businesses, disruption of water service, and transmission of HIV/AIDS and other communicable diseases. Because of the nature and relatively moderate scale of the works, the impacts are expected to be minor, temporary, and confined to the area immediately surrounding the construction. The short-term construction impacts for the most part can be prevented or mitigated with standard operating procedures and good construction management practices.

The direct negative social effects from the USMID Program activities are limited to potential loss of land and the properties on it as a result of new subprojects or rehabilitation and expansion or alignment of existing infrastructure. This effect would be more serious if there were no alternative land available for people to relocate to. However, there are not expected to be major land requirements with the projects envisaged for USMID. There is also a potential for physical cultural resources that have not been recognized or valued to be lost.

The potential for the less than ideal levels of consultation, participation, and transparency, taken with the lack of grievance mechanisms (discussed in Section 3.2.5 below) could exacerbate any minor negative effects that may occur.

### 1.6.2 Cumulative and Induced Impacts

Because of the significant geographic dispersion of the participating municipalities and the scale of proposed investments, cumulative effects of the Program as a whole are unlikely, other than general improvements in access to municipal services. Cumulative effects at the individual municipality level are overall expected to be positive, including improved road infrastructure reducing transportation costs and impacts, reduced flooding, from improved drainage infrastructure, reduction in water-borne illnesses from extended sewerage and better sanitary conditions with solid waste management improvements. As with most of the project-specific impacts mentioned above, cumulative negative impacts, if any, are more likely during the construction phase. Simultaneous implementation of multiple projects in one area -- road rehabilitation and sewer and water main installation, for example -- could cause cumulative impacts such as traffic congestion, prolonged disruption of businesses, and accident hazard, however these types of

cumulative impacts will be temporary and the likelihood is low since MCs are not expected to have the resources to implement several projects at one time.

Induced impacts may include a minor increase in job seekers for construction work and other people who will seek to provide support services in the area. Population influx may occur due to the enhanced services and facilities available, conversely such influx to project areas would increase demand for services, social facilities and amenities including healthcare, food, shelter, water, transport and recreation. Influx of people can also cause increase in crime, social disorder and HIV/AIDS and other sexually transmitted infections due to the risk from prostitution. While some of these issues could be captured through environmental and social management of Program activities, these are mostly outside of the ESSA scope and instead are addressed through other areas of the Program such as participatory planning processes.

### 1.6.3 Summary of Potential Impacts

These potential negative impacts occurring in socio-economic environment during the planning, construction, and operation phase are summarized in Table 3 below.

**Table 3: Potential Negative Impacts arising from construction and operation phases**

Sector	Potential Impacts during construction phase	Potential impacts during operation phase
<p><b>All construction related activities</b></p>	<ul style="list-style-type: none"> <li>• Low representation of women getting jobs on sites.</li> <li>• In-migration leading to influx of people. Increase in crime, HIV/AIDs transmission, etc.</li> <li>• Loss of land and other assets on land</li> <li>• Unclear ownership of land and multiple and conflicting rights on the same piece of land in mailo areas</li> <li>• Lack of and inadequate compensation of affected persons/ households.</li> <li>• Decentralisation compensation</li> <li>• Displacement of low-income or slum communities</li> <li>• Loss of livelihood or insufficient opportunities for livelihood restoration through employment on project activities, especially for women and other vulnerable groups</li> <li>• Loss or access to land and/or assets, community resources/structures</li> <li>• Loss of informal housing occupied by tenants.</li> </ul>	<ul style="list-style-type: none"> <li>• Fraudulent claims for eligibility of compensation</li> <li>• Continued in-migration of people not eligible for benefits under the project</li> <li>• Housing affordability and willingness to pay for improved housing</li> <li>• Determining the rights of people claiming land ownership but lacking legal title</li> <li>• Inadequate grievance redress mechanisms leading to social conflict</li> <li>• Inadequate assistance to segments of the displaced population lacking legally recognized land rights</li> <li>• Inadequate assistance provided to vulnerable groups.</li> </ul>
<p><b>Urban Roads and associated infrastructure (rehabilitation and construction)</b></p> <p>Tarmac roads, Gravel roads, Road side drains, Culverts, Paving – for pedestrian walkway, Street lights, Street furniture (seating platforms at bus stops, etc.), Street signage</p>	<p><b>Direct Environmental Impacts:</b></p> <ul style="list-style-type: none"> <li>• Typical environmental impacts of road construction and rehabilitation: dust, noise, soil erosion and stream sedimentation, disruption of vehicle and pedestrian traffic, increased incidence of HIV/AIDS and other STDs.</li> <li>• Opening of borrow pits, quarries and spoil areas</li> <li>• Pedestrian accidents caused by heavy equipment movements and open trenches</li> <li>• Damage to other infrastructure caused by heavy equipment movement, excavations</li> <li>• Temporary interruption of businesses</li> <li>• Worker accidents</li> <li>• Improperly managed waste from pavement demolition</li> <li>• Destruction of physical cultural property (PCR)</li> </ul> <p><b>Direct Social Impacts:</b></p> <ul style="list-style-type: none"> <li>• Loss of land and other assets on land</li> <li>• Existence of non-land owners using the land like roadside kiosks, etc. whose livelihoods/incomes may be interrupted and may need</li> </ul>	<p><b>Direct Environmental Impacts:</b></p> <ul style="list-style-type: none"> <li>• Increased risk of pedestrian accidents due to higher traffic speeds</li> </ul> <p><b>Indirect/Induced Impacts:</b></p> <ul style="list-style-type: none"> <li>• Uncontrolled commercial development along improved roads</li> <li>• Increased traffic beyond planned flows, causing both congestion and increased traffic accidents and negating some of the planned benefits.</li> </ul> <p><b>Direct Social Impacts:</b></p> <ul style="list-style-type: none"> <li>• Inadequate attention to gender specific issues related to proper titling or properties and access to financial markets</li> <li>• Continuation of informal/unauthorized economic activity</li> </ul>



Sector	Potential Impacts during construction phase	Potential impacts during operation phase
	<p>temporary relocation for the construction period</p> <ul style="list-style-type: none"> <li>• Relocation of squatters on public safety zones, including Right-of Ways (RoWs), especially where there are no areas from them to "shift-back" from RoW</li> <li>• Relocation of enterprises without licenses or property titles</li> <li>• Relocation of markets and mobile vendors on publically owned land.</li> <li>• Lack of or inadequate compensation to affected persons/households</li> </ul>	
<p><b>Urban solid and liquid waste management</b></p> <p>Dumpsite rehabilitation, Composting plant, Liquid/solid waste equipment, Public sanitation points, Waste collection points</p>	<p><b>Direct Environmental Impacts:</b></p> <ul style="list-style-type: none"> <li>• Dust and noise during site clearing, preparation, and construction</li> <li>• Erosion and waterway sedimentation</li> <li>• Worker accidents</li> <li>• Improperly managed debris from site clearing</li> </ul> <p><b>Direct Social Impacts:</b></p> <ul style="list-style-type: none"> <li>• Existence of non-land owners using the sites informally whose incomes out of scavenging may be affected, etc.</li> <li>• Opportunity for jobs and income from waste sorting.</li> <li>• Loss of livelihood from waste picking and scavenging</li> <li>• Displacement of scavengers and waster pickers and identification of suitable sites for their resettlement and livelihood restoration.</li> <li>• Possible minor land acquisition for sanitation/waste collection points</li> </ul>	<p><b>Direct Environmental and Social Impacts:</b></p> <ul style="list-style-type: none"> <li>• Odors and disease vectors in vicinity of solid waste facilities</li> <li>• Litter along access roads and around solid waste collection, processing and disposal facilities</li> <li>• Risk to worker health and safety</li> <li>• Health, safety and environmental risk from hazardous or medical waste delivered to facilities not designed to dispose of it</li> <li>• Soil and water pollution from dumping of solid waste or septic tank sludge at unauthorized locations by truck operators</li> </ul> <p><b>Indirect/Induced Impacts:</b></p> <ul style="list-style-type: none"> <li>• Improvement in solid waste collection leads to worsened environmental conditions at disposal sites</li> <li>• Waste pickers migrate to solid waste facility locations</li> <li>• Conflicts between residents and “foreign” waste pickers</li> <li>• Injury to waste pickers from dangerous material and heavy equipment</li> <li>• Health and safety risks associated with poorly managed sites</li> </ul>
<p><b>Water and sewerage extension to peri-urban areas</b></p> <p>Water pipes, connections and stand pipes, Sewage ponds, sewage pipes and interconnections</p>	<p><b>Direct Environmental Impacts:</b></p> <ul style="list-style-type: none"> <li>• Typical environmental impacts of pipeline construction: dust, noise, soil erosion and stream sedimentation, disruption of vehicle and pedestrian traffic, increased incidence of HIV/AIDS and other STDs.</li> <li>• Pedestrian accidents caused by heavy equipment movements and open trenches</li> <li>• Destruction of PCR, potential loss of land or other goods</li> <li>• Damage to other infrastructure caused by heavy equipment movement,</li> </ul>	<p><b>Direct Environmental Impacts:</b></p> <ul style="list-style-type: none"> <li>• None, provided that the sustainable yield of the water source is not exceeded.</li> </ul> <p><b>Indirect/Induced Impacts:</b></p> <ul style="list-style-type: none"> <li>• Loss of livelihood for water vendors, who are often poor</li> <li>• Health and safety risk of poorly managed sites, but otherwise</li> </ul>

Sector	Potential Impacts during construction phase	Potential impacts during operation phase
	excavations • Temporary interruption of businesses • Worker accidents <b>Direct Social Impacts:</b> • Possible land acquisition for extensions/civil works	beneficial health outcomes
<b>Urban Local Economic Infrastructure</b>  Markets, Slaughter houses/abbatoir	<b>Direct Environmental Impacts:</b> • Landscape degradation • Increased noise, vibration and air pollution during construction • Destruction of PCR  <b>Direct Social Impacts:</b> • Poor identification of the most affected and vulnerable may cause them to be disproportionately effected through inequitable re-allocation of new facility among previous and new users especially those that may not afford the dues of the new facility • Impact on affected persons incomes due to temporary stop and/or reduction of trading/selling and buying activities due to lack of alternative sites for markets or slaughter houses (for existing facilities) during construction phase • Possible land acquisition for markets/abbatoirs  <b>Indirect/Induced Impacts:</b> none	<b>Direct Environmental and Social Impacts:</b> • Traffic congestion on market access roads • Odors and pollution from large amounts of market and slaughterhouse wastes if not properly stored and regularly removed  <b>Indirect/Induced Impacts:</b> • Uncontrolled commercial development around markets
<b>Urban Transport</b>  Bus parks/stops, Taxi parks, Lorry parks	<b>Direct Environmental Impacts:</b> • Typical but minor environmental impacts of land clearing, grading and paving: dust, noise, soil erosion and stream sedimentation, disruption of vehicle and pedestrian traffic. • Pedestrian accidents caused by heavy equipment movements and open trenches • Damage to other infrastructure caused by heavy equipment movements • Temporary interruption of businesses • Destruction of PCR • Worker accidents <b>Direct Social Impacts:</b> • Existence of non-land owners using the land like vendors, hawkers, etc., whose livelihoods/incomes may be interrupted and may need temporary relocation for the construction period • Disruption to transport and potential resultant traffic congestion during	<b>Direct Environmental and Social Impacts:</b> • Increased runoff from impervious surfaces and associated surface water quality degradation • Air quality degradation by emissions from idling vehicles  <b>Indirect/Induced Impacts:</b> • Proliferation of informal enterprises around bus and lorry parks

Sector	Potential Impacts during construction phase	Potential impacts during operation phase
	construction • Possible land acquisition for urban transport sites	
<b>Urban beautification</b>  Public parks, Play grounds, Urban landscaping, Planting of tree on roads verges	<b>Direct Environmental Impacts:</b> <ul style="list-style-type: none"> <li>• Dust and noise from site clearing and grading</li> <li>• Damage to other infrastructure from heavy equipment movements</li> <li>• Worker accidents</li> </ul> <b>Direct Social Impacts:</b> <ul style="list-style-type: none"> <li>• Potential displacement of informal traders, such as roadside hawkers and stall operators who may not be able to afford market dues if asked to relocate.</li> </ul>	
<b>Investment servicing cost</b>  Consultants design and preparation of bidding documents, Consultants supervision of works	<ul style="list-style-type: none"> <li>• Consultants under estimation of land requirements and other social impacts like HIV/AIDs in construction related activities and ensuring measures are part of the documents</li> <li>• Inadequate or weak proposed mitigation measures including their monitoring, reporting and evaluation.</li> </ul>	

#### 1.6.4 Impacts on Natural Habitats

Field studies found that most municipalities contain some land of environmental sensitivity. In most instances this is recognized by law, including protected wetlands, water bodies, and forest reserves. The assessment process has not so far looked at the location of these resources with regard to the sub-projects, and there is a risk that the sub-projects could entail conversion of valuable natural habitat providing important ecosystem service functions. Whilst any instance of a project occurring in land with a protected designation should automatically be picked up and subjected to an ESIA, it is clear from past experience that this has not been sufficient to ensure their protection.

It is possible that some projects may be located in wetlands, or degraded peri-urban forests, but equally likely is that increasing competition for land, including for municipal development, will further displace marginalized people to wetland and forest areas. There also exists a potential for program benefits to occur in such areas, where project planning and mitigation explicitly requires the clean-up of existing degraded resources, in order to restore them to a better than pre-project state.

*Wetlands:* In 1964, the total area of wetlands in Uganda was estimated at 32,000 km<sup>2</sup> but by 1999, it had decreased to 30,000 km<sup>2</sup>, or about 13 percent of the total area of Uganda. Preliminary data from the National Biomass Study Unit of the National Forestry Authority (NFA) (2008) suggest that Uganda's wetlands cover, as estimated in 2005, has now been reduced to 26,308 km<sup>2</sup>, or 11 percent of total land area. The key underlying causes of this decline is the conversion of wetlands for economic activity, such as reclamation for agriculture (rice in Eastern Uganda and Vegetables in South Western) and other industrial and commercial purposes (Central region); overharvesting of water for domestic and commercial use; over harvesting of materials mainly for construction and handicraft, poor use of wetland catchments leading to siltation of wetlands and rivers. Declining availability of land leads to substantial subsistence cultivation in the fertile wetlands. Many of the municipalities have wetland areas within their boundaries, some of which are cited to be undergoing rapid degradation<sup>7</sup>, including Masaka, Lira, Arua, Gulu, Mbarara and Entebbe, and the location of these wetlands vis-a-vis project locations should be further assessed.

*Peri-urban Forests:* With an aggregate forest cover of 80,000 ha lost annually (73,000 ha on private land and 7,000 ha in Protected Areas in Uganda<sup>8</sup>, some experts have been warning that at the current rate of deforestation, Uganda's forests will be lost by 2050. The situation is more urgent with regard to the peri-urban forests, many of which have already been converted to other uses, with 8 of the 14 municipalities having applied for urban forest reserves to be degazetted in recent years to make way for development<sup>9</sup>, whilst other reserves are heavily encroached. In addition, there are land tenure and compensation issues, as some of these lands are occupied and developed, with structures and crops on the land. The encroachers have established permanent structures like schools, health centers, government administrative centers and permanent residential buildings<sup>10</sup>. It is possible that some of the municipalities will have forest reserves that may be affected through development of USMID sub-projects. The location of any USMID Program sub-project in a natural or formerly natural habitat needs to be made explicit through the screening process.

---

<sup>7</sup> Paul Omoka, Mbarara Town Clerk, 2011;  
Socio-economic benefits and pollution levels of water resources, Gulu Municipality, 2011  
Opio, Lukale, Masaba and Oryema, Gulu University.

<sup>8</sup> Moses Watasa, Public Relations Manager, NFA, 2011

<sup>9</sup> Minister of Water and Environment, Press Statement, October 2009

<sup>10</sup> Source: NFA, Uganda's Forests, Functions and Classification, June 2005

### 1.6.5 Resettlement and Land Acquisition

The scope of activities under USMID like those under LGDPI and II, and LGMSDP, are highly unlikely to cause major relocation of households, although tracts of land will be sought for purposes of construction, extension and or rehabilitation of the required infrastructure. Therefore individuals and communities in the respective locations in the municipalities may lose land (however small), and other assets or properties that is on this land. The losses may include structures (semi permanent and temporary mainly for trading purposes), crops and other vegetation, and shared facilities like water points, community roads, roadside markets, etc. Therefore major displacement of people is not likely to happen and from previous experience in local government supported subprojects the cost of involuntary resettlement activities per subproject is estimated to be 0.2% of its total budget. It is not possible to estimate the number of people that may be resettled, though large-scale displacement is unlikely given the scope of works (mainly in existing rights-of-way and upgrading of existing infrastructure) and available budget which limits the size to small to moderate scale.

### 1.6.6 Scope and Scale of Impacts

Evidence from related projects reviewed through the ESSA suggests that similar subprojects of a larger scale than would feasibly be financed under USMID are consistent with a Category B rating per World Bank Safeguard Policy 4.01 on Environmental Assessment, for example composting plants in several municipalities and small to moderate road upgrading. Slaughterhouses/abattoirs are also small to medium-scale operations, rather than large industrial facilities that could be considered operations with substantial environmental and social risks.

Most negative impacts associated with the types of works would be limited to the construction phase, as well as the possibility of land acquisition, and compensation for land, buildings and crops, resettlement, and livelihood impacts. Potential adverse environmental impacts include air pollution from dust and exhaust; nuisances such as noise, traffic interruptions, and blocking access paths; water and soil pollution from the accidental spillage of fuels or other materials associated with construction works, as well as solid and liquid wastes from construction sites and worker campsites; traffic interruptions and accidents; and accidental damage to infrastructure such as electric, wastewater, and water facilities.

The investments prioritized by LGs in the first two years of the Program are focused on the Central Business District (CBD) areas within the municipalities, and most are likely to finance upgrading of existing roads which all have a legally-designated road reserve. While the exact investments have not yet been selected and environmental and social impact assessments are yet to be conducted, conversations with technical officers involved in the process have confirmed that impacts of the types of projects likely to be implemented will be modest, and that displacement of households from the project area is unlikely since residential settlements are not typically located in the CBD of these municipalities. It should be noted that even in these legally-designated road reserves, there are encroachments which raise compensation challenges. In some cases the designation of the road reserves did not allow for land acquisition and compensation at the time of designation, in which case claims would still exist.

## ANNEX 2 PROGRAM ENVIRONMENTAL MANAGEMENT SYSTEM

As mentioned above, the ESSA examines the system for environmental and social management in two ways: (i) as systems are defined in laws, regulation, procedures, etc (the “system as written”) and (ii) the capacity of Program institutions to effectively implement the Program environmental and social management systems (the “system as applied in practice”). ANNEX 2 and 0 undertake this assessment, and the identified gaps are summarized in an integrated fashion in ANNEX 4.

An environmental management system is already established in the USMID municipalities as a result of past World Bank support to local governments in Uganda, to which many aspects of environmental management have been decentralized to local governments. This Annex describes the Ugandan system for environmental and social impact assessment as relevant to basic service infrastructure projects implemented by municipalities.

### 2.1 Environmental Management System as Written

#### 2.1.1 Policy, Legal and Regulatory Framework

*The Constitution of Uganda, 1995 (as amended)* is the supreme law of Uganda. It imposes obligations on the Government of Uganda to promote sustainable development and environmental protection, and it obliges the state and citizens to endeavor to preserve and protect public property and Uganda’s heritage.

The Constitution gives every Ugandan a right to a clean and healthy environment. Parliament must provide measures intended to protect and preserve the environment from abuse, pollution and degradation and to manage the environment for sustainable development. Parliament holds natural lakes, rivers, wetlands, forest reserves, game reserves, national parks and any land to be reserved for ecological and tourism purposes in trust for the people, and must protect them for the common good of all citizens.

Uganda has a well-developed legal and regulatory framework for environmental management. It flows from *The National Environment Management Policy (1994)* that aims to promote sustainable economic and social development. Among the provisions of the policy is a requirement for an Environmental Impact Assessment (EIA) to be conducted for any policy or project that is likely to have adverse impacts on the environment. There are several other Ugandan policies for environment and natural resource management relevant to USMID including:

- *The National Policy for the Conservation and Management of Wetland Resources (1995)*. This policy establishes the principles by which wetland resources can be optimally used now and in future. It calls for the application of EIA to all activities to be carried out in a wetland, and aims at ensuring that the environmental goods and services provided by wetlands are safeguarded and integrated in development considerations.
- *The National Water Policy (1999)*. This policy’s objective is the management and development of the water resources of Uganda in an integrated and sustainable manner. The policy requires EIA for all water related projects and integration of water and hydrological cycle concerns in all development programs. It covers water quality, water use, discharge of effluents and international cooperation on trans-boundary water resources.
- *Disaster Management and Preparedness Policy*. This policy aims to promote the implementation of prevention, preparedness, mitigation and response measures for disasters, in a manner that integrates disaster management with development planning.

The most important of the Ugandan environmental laws relevant to development of urban infrastructure in Uganda is *The National Environment Act, Cap 153*. This law established the National Environmental Management Authority (NEMA) and provides tools for environmental management. It sets requirements for management of various aspects of the environment, including wetlands, waterways and shorelines, forests, and hillsides. It authorizes NEMA to set environmental standards in consultation with cognizant line ministries. It makes EIA mandatory for certain types of projects.

A number of regulations have been issued to implement the National Environmental Act. Those most relevant for USMID are described below.

*National Environment (Environmental Impact Assessment) Regulations, 1998* define the role of EIA as a key tool in environmental management, especially in addressing potential environmental impacts at the pre-project stage. The regulations define the EIA preparation process, required contents of an EIA, and the review and approval process including provisions for public review and comment. EIAs and related documents such as project briefs, terms of reference, hearing reports and comments are defined as public documents. Regulation 31(2) requires that a developer carries out an environmental audit within a period of 12 months and not more than 36 months after the completion of a project or the commencement of its operations. The Third Schedule lists the types of projects for which EIA is mandatory and the circumstances under which EIA is mandatory for project types not listed (see Annex 2). The regulations are interpreted for developers and practitioners through the *Guidelines for Environmental Impact Assessment in Uganda (1997)*. The process is described in section 3.3.

*The National Environment (Conduct and Certification of Environment Practitioners) Regulations 2001*. The regulations provide for a uniform system of certification and registration of EIA practitioners and set minimum standards and criteria for qualification as an EIA Practitioner. The Regulations also establish an independent Committee of Environmental Practitioners whose roles include, among others, to regulate the certification, registration, practice and conduct of all environmental impact assessors and environmental auditors.

*The National Environment (Noise Standards and Control) Regulations, 2003* state the permissible noise levels for day/night in five types of area: institutional (45/35 dB(A)), residential (50-35 dB(A)), mixed residential and commercial (55/45 dB(A)), residential with industry and commerce (60/50 dB(A)), and industrial (70/60 dB(A)). It is important that these standards are written into contract documents for construction and enforced, they should also be used to guide the location of potentially noisy developments, including taxi and bus parks and markets and as a basis for follow-up monitoring.

*The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations 1999* promulgate discharge standards for 54 chemical and physical constituents of wastewater. These standards should be adhered to for discharge from liquid waste management plants and included in ESMPs and follow-up monitoring.

*The National Environment (Wetlands, River Banks and Lake Shores Management) Regulations, 2000* highlight the importance of wetlands and other water bodies in the maintenance of a healthy ecosystem and state that they should be protected from the negative effects of development projects. Under Regulation 5, EIA is mandatory for all activities in wetlands that could have an adverse impact. Regulation 8 provides for declaration of certain wetlands as fully protected wetlands because of national or international importance for biodiversity, ecology, natural heritage or tourism, and it prohibits all activities in such wetlands except for research, tourism, or restoration or enhancement. Various of the regulations require protection zones of between 30 and 200 meters along riverbanks and lake shores and state that no activity shall be permitted in the protection zones without the approval of the NEMA Executive Director. Local government environmental officers have a duty to assist in implementation of

the regulations. It should be noted that many of the wetland areas within municipalities are said to be in a degraded state and may need provision for restoration to be included in plans, not just protection, in order to comply with these regulations<sup>11</sup>.

*National Environment (Waste Management) Regulations, 1999* aim to prevent waste from being generated or minimize that fraction that is likely to be generated. They also address the issues of effective storage, transportation and general handling of waste once it has been generated. Regulation 15(1) states that an EIA is required before a license can be issued for operation of a waste treatment plant or disposal site. As no new sites are envisaged, it is unlikely that any of the planned sub-projects will need an EIA, but the MEO should ensure that the regulations are adhered to in project contracts for the rehabilitation of existing sites and compliance is monitored on an ongoing basis.

*The Water Act, Cap 152* provides for the management of water resources and the protection of the water supply. The act regulates public and private activities that may influence the quality and quantity of water available for use and establishes the Water Policy Committee to maintain an action plan for water management and administration. It gives general rights to use water for domestic purposes, fire fighting or irrigating a subsistence garden. A permit is required to use water for constructing or operating any works or to discharge wastewater. Pertinent regulations issued to implement the Water Act include *The Water (Water Resources) Regulations (1998)* that describe the water permit system; and *The Water (Waste Discharge) Regulations (1998)* that regulate effluent and waste water discharges, and require discharge permits to be acquired.

*The National Forestry and Tree Planting Act (2003)* provides for the conservation, sustainable management and development of forests and establishes the National Forestry Authority (NFA). It defines forest reserves and specifies what actions can and cannot be carried out in them. The Act commits government to protect and sustainably manage the Permanent Forest Estate (PFE), set aside permanently for conservation of biodiversity and environmental services and sustainable production of forest produce. The Land Act of 1998 recognizes Central Forest Reserves (CFRs) as it prohibits their leasing or alienation and requires all landowners to manage and utilize their land in accordance with the Forests Act and other relevant laws. The PFE lands are set aside permanently for the conservation of biodiversity, the protection of environmental services, and the sustainable production of domestic and commercial forest produce. The CFRs are held in trust for the people of Uganda and managed by the National Forestry Authority (NFA). EIA is required for projects that may have a significant impact on any forest. This Act has not been enforced adequately with regard to municipal peri-urban forests which are heavily encroached or degazetted (see section 5.2 for detail).

*The Uganda Wildlife Act (1996)*. In general, activities in national parks are limited to biodiversity conservation, recreation, scenic viewing, scientific research and other economic activities. Activities permitted in wildlife reserves include those for national parks plus “regulated extractive utilization of natural resources.” No designated wildlife conservation areas occur in the 14 municipalities but there may be cases of wildlife species occurring on natural habitat such as wetlands, water bodies and forests, or other open ground, which may be affected by USMID sub-project development and would need to be identified in the screening process.

*The Historical Monuments Act Cap 46* law allows a minister to declare any object of archaeological, ethnological, traditional or historical interest to be a preserved or historical object, and to acquire any land necessary for preserving it on behalf of the Uganda Land Commission. It also provides protection of

---

<sup>11</sup>Paul Omoka, Mbarara Town Clerk, 2011;  
Socio-economic benefits and pollution levels of water resources, Gulu Municipality, 2011



historical sites in development. The Department Of Monuments And Museums in the Ministry of Tourism, Wildlife and Heritage (MoTWH) states that physical cultural heritage in Uganda has not been surveyed adequately and that potential monuments and other cultural resources may exist which are not known, implying that this is an area requiring further consideration in the USMID sub-project screening process to assist MEOs in recognizing potential resources.

*The Occupational Safety and Health Act, 2006* addresses the duty of the employers to safeguard the health and safety of employees and the public in the workplace. Section 13 of the Act states that: “it is the duty of an employer to take, as far as is reasonably practicable, all measures for the protection of his or her workers and the general public from the dangerous aspects of the employer’s undertaking at his or her own cost.” Section 18 of the Act tries to safeguard the environment by requiring employers to monitor and control the release of dangerous substances into the environment when handling chemicals or any dangerous substance that is liable to be airborne or to be released into rivers, lakes or soil and that is a danger to animal and plant life. However, at the moment very few LG’s nationwide refer developers plans to the MoGLSD to ensure compliance with this Law and no enforcement of recommendations is possible as action can only be taken retrospectively in case of accident.

*The 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. Of particular interest to USMID is a requirement for employers to provide Personal Protective Equipment (PPE) to employees.

*The Employment Act* gives authority to labor officers to engage in inspections and enforce legal provisions relating to conditions of work and the protection of workers. Labor officers, either at Ministry or at LG level are also empowered to issue improvement orders or to close down a work place or discontinue any work if he or she is of the opinion that there is imminent danger to the health or safety of workers. However, there are only 35 officers at District LG, with none in the municipalities, and severe resource constraints in the parent Ministry, so there is little chance of this Act being enforced at present.

*Local Governments Act, Cap 243.* This law evolves functions, powers and services to local governments and provides for the election of local councils and the system of local governance. The District or Municipal Council is the highest political authority within its area of jurisdiction and has power to enact district ordinances and by-laws. It may use the ordinances to protect and preserve the natural resources within the district, or municipality, from abuse, pollution and degradation and to manage them sustainably.

*The Public Health Act, Cap 281* provides local authorities with administrative powers to take measures for preventing or dealing with any outbreak of infectious, communicable or preventable disease. It imposes a duty on the local authority regarding pollution of the drinking or domestic water supply, and directs where to locate waste disposal facilities in relation to settlements and food points. MCs should ensure that in USMID sub-projects involving rehabilitation of landfill or installation of compost plants, the original landfill complies with the recommendations for location.

In addition to the national legislation governing management of environmental resources, Uganda has signed and ratified a large number of international treaties and conventions. The ones potentially relevant to USMID are listed below.

- The RAMSAR Convention on Wetlands of International Importance
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
- Convention Concerning the Protection of the World Cultural and Natural Heritage

- Convention on the Conservation of Migratory Species of Wild Animals
- The United Nations Framework Convention on Climate Change
- The Kyoto Protocol
- The Convention on Biological Diversity
- EAC Protocol on Environment and Natural Resources Management 2006
- The Stockholm Declaration 1972
- The Rio Declaration (1992) and Agenda

#### 2.1.2 Institutions, roles, responsibilities and coordination

*The Ministry of Water and Environment (MoWE)* is the line ministry responsible for the formulation and implementation of water and environment-related policies, laws and regulations in Uganda. NEMA, NFA and DWRM all fall under the oversight of MoWE. Its main functions include:

- mobilization of resources required to run and implement environmental related projects and related issues;
- overall responsibility for environmental policy formulation and implementation;
- introduction of new draft laws and regulations to Parliament and draft amendments of existing laws and regulations; and
- coordination with local governments on environment related issues.

*The National Environment Management Authority (NEMA)*. NEMA is established under Section 4 of the National Environment Act as the principal agency in Uganda for the management of the environment to coordinate, monitor and supervise all activities in the field of the environment and many elements of natural resource protection. NEMA has promulgated general guidelines for EIA as well as EIA guidelines for specific economic sectors and is currently in the process of updating them. NEMA also plans to issue guidelines for strategic environmental assessment (SEA), currently in draft. It has among its many functions the following that are relevant to USMID:

- co-ordination of the processes of environmental impact assessments (EIAs),
- review of EIAs and issuing of certificates of approval;
- implementation of environmental monitoring and audits;
- issuing environmental standards and guidelines;
- monitoring and enforcement of compliance with environmental standards and with the conditions contained in certificates of approval for EIAs.

*The National Forest Authority (NFA)* was established by the National Forestry and Tree Planting Act. It is mandated to ensure the conservation, sustainable management and development of the national forest estate. Under the 1993 Local Government (Resistance Councils) Statute, co-ordination of development programs, including forest management, were decentralized to the district level. The NFA is thus responsible for 506 central forest reserves (CFR), with District Forest Service (DFS) responsible for local forest reserves (LFRs) – although these amount to less than one per cent of the total forested areas<sup>12</sup>. EIAs are required for all developments within gazetted forests, which will be reviewed by NFA as a Lead Agency.

*Directorate of Water Resources Management (DWRM)*. Under the MoWE, it has the mandate to “promote and ensure rational and sustainable utilisation, effective management and safeguard of water for

---

<sup>12</sup>Social Control and Decentralized Forestry: ‘Good’ Governance and Participation in Uganda, 2011, Graeme Reniers International Development Studies Saint Mary’s University Halifax, Canada

social and economic welfare and development as well as for regional and international peace”. It is responsible for managing, monitoring and regulating water resources through issuing water use, water abstraction and wastewater discharge permits.

*National Water and Sewerage Corporation (NWSC)* is a state-owned utility within the Ministry of Water and Environment. It is responsible for construction and operation of water supply and sewerage facilities in much of Uganda, because these functions have not been decentralized to local governments. If any of the USMID participating municipalities chooses to invest in extension of water or sewer systems, they will do so in collaboration with NWSC.

*The Ministry of Tourism, Wildlife and Heritage (MoTWH)* is a new Ministry formed by splitting the former Ministry of Tourism, Trade and Industry. The *Department of Wildlife* liaises with the Uganda Wildlife Authority and the *Department of Museums and Monuments* has the responsibility of protecting physical cultural resources and is a line Ministry called in by NEMA when required.

*The Uganda Wildlife Authority (UWA)* was established by the Uganda Wildlife Act. It monitors regulatory compliance of activities in wildlife protected areas (national parks and reserves); harmonizes national and international performance standards on wildlife protected areas; monitors impact of development activities on wildlife protected areas; and participates in evaluation of EIAs and environmental audits, mandatory where development takes place within a protected area, but also will be called in by NEMA for EIA review in cases where wildlife might be affected outside of protected areas.

*Ministry of Local Government (MoLG).* The Ministry is mandated to carry out a number of responsibilities in the Local Government Act, including to inspect, monitor and offer technical advice, support supervision and training to all Local Governments, to coordinate and advise Local Governments for the purposes of harmonization and advocacy, to act as a liaison ministry with respect to other Central Government Ministries and other institutions and to research and develop national policies on all taxes, fees, etc, for Local Governments. The Ministry was the client for the LGDP/LGMSDP Projects and thus has experience of working with the World Bank. Environmental support staff for the LGMSD Project are still in place and could provide valuable advice to the MoLHUD as part of the Program Steering Committee.

*Ministry of Lands Housing and Urban Development (MoLHUD).* This project will be executed by MoLHUD which is to undertake policy formulation, quality assurance, coordination, monitoring and evaluation of infrastructure development in the municipalities.

*Ministry of Gender, Labor & Social Development.* This ministry sets policy direction and monitoring functions related to labor, gender and general social development. Its OHS unit in the ministry is responsible for inspection and mentoring of occupational safety in workplaces and should be involved during project construction and operation of the facilities. Unfortunately the Ministry are under-resourced and with few staff in place in districts and none in Municipal government and state they have little capacity to carry out inspections, unless there is cause for concern, or with regard to a major project.

*Municipal Local Governments.* In addition to being the implementers of the investments that USMID will support, the municipalities are responsible for development planning and for oversight of environmental impact management within their boundaries. The key person for environmental management is the Municipal Environmental Officer (MEO), whose functions are described in detail in the discussion of the Program framework

### 2.1.3 The Environmental Management Process

Based on the review of infrastructure investments proposed under USMID in ANNEX 1, most of the USMID subprojects will be of type, scale and location such that they will not require full ESIAs, and the responsibility for management of their impacts will fall to the MC. The key actor in this part of the environmental management system is the Municipal Environmental Officer (MEO), who is employed by the Municipal Council and reports to the Director of Works. The MEO has the primary responsibility for carrying out the environmental management procedure at the municipal level. Performance is primarily assessed through the Annual Performance Assessment (APA), which is carried out by the Ministry of Local Government.

Previous World Bank projects (LGDP and LGMSDP) implemented at the local level have led to the adoption of Bank systems and screening procedures by the MoLG and the municipalities, as no national system for environmental and social screening and mitigation of projects outside of the EIA structure existed at the onset of those projects. The World Bank Operational Policy OP4.01 is reported to have now been mainstreamed into common usage. The result is a seven-step process:

**Step 1: Screening of the USMID Sub-Project Activities.** The project proponent (engineers department) submits information on the proposed subproject using an Environmental and Social Screening Form (ESSF). The ESSF requires information that will allow reviewers to determine the characteristics of the prevailing local bio-physical and social environment with the aim of assessing the potential project impacts on it. The ESSF should also identify potential socio-economic impacts that will require mitigation measures and or resettlement and compensation.

**Step 2: Assigning Environmental Category.** The MEO will assign the appropriate environmental category to a subproject based on the information contained in the ESSF. The potential categories, in line with the National Environment Act and EIA Guidelines are:

1. Category A: Activities that require a full Environmental Impact Study (EIS), either because (i) they meet the general criteria in the Third Schedule of the National Environment Act, i.e. are out of character with their surroundings, are of a scale not in keeping with surroundings, or involve major changes in land use; (ii) are types of projects listed in the Third Schedule; (iii) are located in a nature conservation area; or (iv) are identified in other laws or regulations as requiring EIA because of their location<sup>13</sup>.
2. Category B: Activities for which additional information is needed to determine what level of environmental analysis and/or management is appropriate and for which mitigation is easily identifiable. Described in step 3.
3. Category C: Activities that are determined to have no significant or adverse potential impact on the environment (List A, annex 2 of the 1998 EIA guidelines). Projects defined as List A will not need any further work as they are predicted to have little or no impact

The MEO makes a recommendation to the Municipal Technical Planning Committee (TPC) on the environmental work to be carried out, based on the environmental category. The findings of the ESSF are also factored into the overall prioritization process to select municipal development projects, which is led by the TPC.

---

<sup>13</sup> As described in 4.5.1, *The National Environment (Wetlands, River Banks and Lake Shores Management) Regulations, The National Forestry and Tree-Planting Act, and The Uganda Wildlife Act* all define circumstances under which EIA is required as well as prohibitions on development in protected areas.

It should be noted here that abattoirs and sites for solid waste disposal are the only ones of the types of subprojects that USMID may support that are listed in the Third Schedule - composting facilities (which are eligible activities under USMID) are considered by law as sites for solid waste disposal.

Additionally, “Category A” as defined in the ESSF includes projects that would not be considered as Category A by the Bank’s definition in Safeguard Policy 4.01. Therefore some projects that fall in the Category A/mandatory EIA requirement in the Ugandan system would not be considered as high-risk activities per Bank policy (both the Safeguard policies and OP 9.00 on Program-for-Results Financing).

**Step 3: Carrying out Environmental Work.** Third Schedule subprojects will require an EIA, described in Section 2.1.4, without further preliminary work by the municipality. For all other projects, the MEO (or a consultant contracted to carry out EIA work) includes mitigation measures for potential impacts in an Environmental and Social Management Plan (ESMP), for which a standard format is available. The ESMP includes for each potential impact: mitigation measures, monitoring indicators, implementing and monitoring agencies, frequency of monitoring, cost of implementation, and necessary capacity-building.

It is possible (but unlikely for the majority of USMID sub-projects given the menu of eligible sub-projects) that after completing the ESSF, the MEO will recommend that the subproject concerned should be subjected to a full EIA, and submitted to NEMA for review and decision making.

**Step 4: Review and Approval.** Where an EIA is not required, the Technical Planning Committee (TPC) with the assistance of the MEO, should review the ESSF and decide whether the results of the screening process reports are acceptable – i.e., whether all environmental and social impacts have been identified and the ESMP contains effective mitigation measures for them. Approved ESMPs are incorporated in the project profiles<sup>14</sup> in the Municipal Council Development Plan, and should be included in bidding documents.

**Step 5: Public Consultations and Disclosure.** Public consultations are expected to take place during the screening process, and the screening report (including consultation summary) should be communicated to the public by the MEO.

**Step 6: Environmental Monitoring and Follow-up.** The MEO must undertake the monitoring exercises in sequences and frequencies stipulated in the ESMP (including where appropriate, a Maintenance Schedule), either prepared by the municipality or by an EIA consultant.

**Step 7: Monitoring indicators.** The monitoring indicators will be developed by the MEO based on the mitigation measures and the ESMP.

At the end of project construction, a certificate for the completion of works must be completed by the municipality in order to issue the final payment to the contractor. As a check to ensure that the ESMP was carried out by the contractor, through the LGMSDP an additional sign-off by the MEO was introduced. The “Environmental and Social Mitigation Form”, to be signed by the MEO, describes mitigation measures from the ESMP and includes a field to indicate the status of completion and the total value of mitigation works.

#### 2.1.4 The NEMA Environmental Assessment Process

---

<sup>14</sup> Project profiles are developed for every infrastructure project and include information on costs and budgets, technical descriptions, M&E, certification (environmental and sector heads),

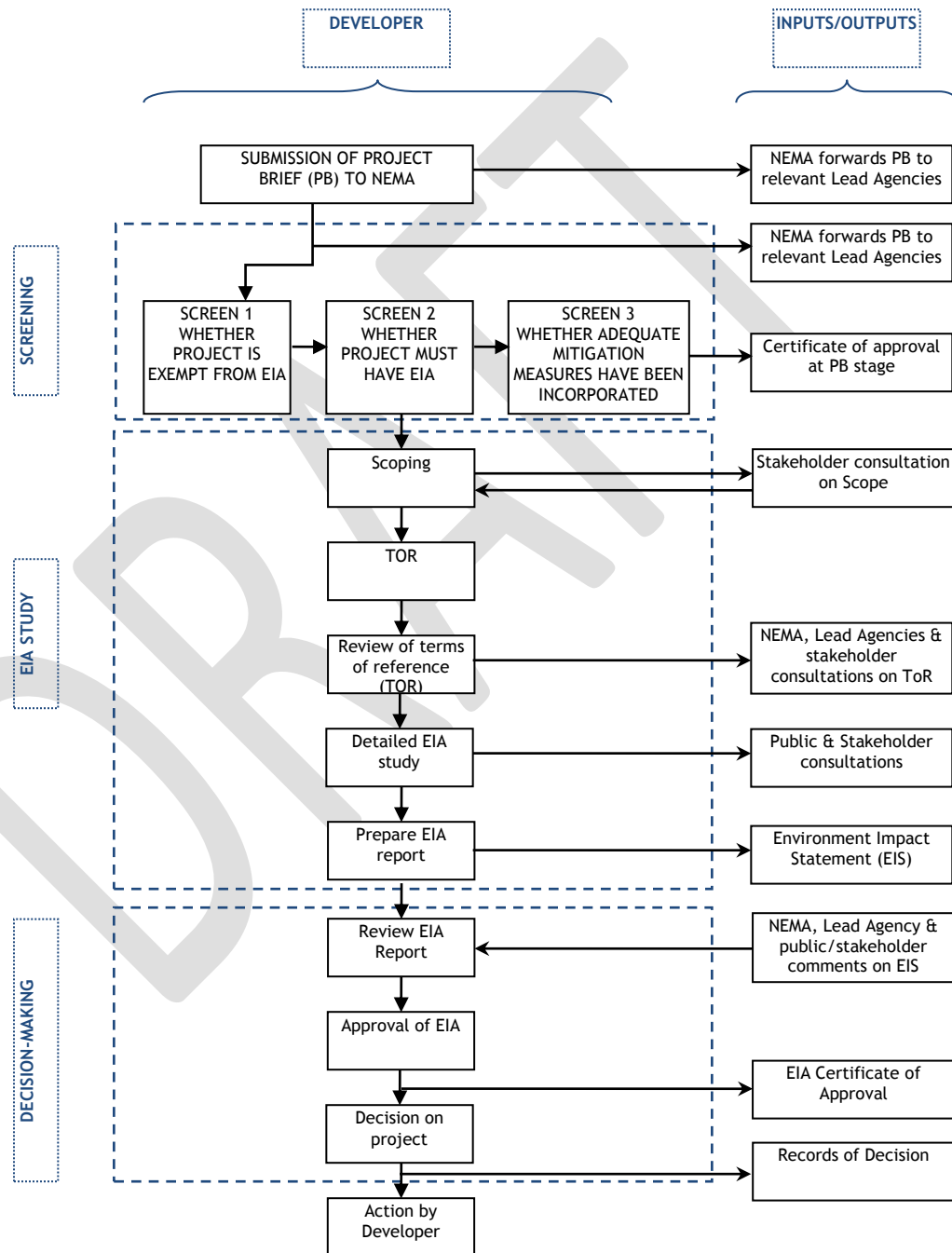
Environmental and social due diligence for most of the sub-projects in USMID will follow the process just described in Section 2.1.3. Only composting facilities and abattoirs are on the mandatory EIA Schedule 3 in the National Environment Act (also contained in Annex 3 in the 1997 EIA guidelines as List B projects), unless other sub-projects have the characteristics that would make them subject to EIA under the Act's more general provisions, such as being out of character with their surroundings, of a scale not in keeping with surroundings, or involving major changes in land use; again the sub-projects as selected are highly unlikely to fall into these categories. Lastly the individual laws concerning wetlands, forests, or wildlife may be invoked for any project proposed to be located on land with a conservation status. For those that might require EIA, the system is well established in Uganda under the Act and its implementing EIA regulation. It is centralized, administered by the National Environment Management Authority (NEMA), and consistent with international practice.

The EIA process in Uganda is described in Figure 1 below:

DRAFT

**Figure 1: NEMA Environmental Impact Assessment Process**

Source: Appendix C (EIA Process in Uganda) of EIA Reference Manual, NEMA, June 2002)



It is initiated by the submission of a project brief – a document that contains similar information as the ESSF and a format for which is contained in the EIA guidelines. Once the information is judged to be complete, NEMA requests comments from the lead agency (in this case, the municipality) and then screens the project. The Executive Director has three options: (a) approve the proposed project, if the EIA is not mandatory and the project brief includes adequate mitigation measures, or (b) request the developer to prepare an Environmental Impact Study (EIS)<sup>15</sup> if a decision cannot be made on the basis of the project brief. If the TPC/MEO has ascertained that the project is on the mandatory EIA list, NEMA states that the project brief stage is normally omitted, moving straight into the EIA process. If the decision is for an EIS, the proponent obtains NEMA approval of the proposed EIA consultant, conducts a scoping exercise, and agrees with NEMA on the study terms of reference. The study is conducted, and culminates in submission of an Environmental Impact Statement (EIS) to NEMA for review and decision.

Stakeholder consultation is mandatory at scoping, Terms Of Reference preparation, during the environmental study, and preparation of the draft Environmental Impact Statement (EIS). The content of an EIS, as specified in the EIA regulations, covers the recognized elements of environmental and social assessment good practice, including consideration of technical and site alternatives and induced and cumulative impacts.

The EIA regulations (First Schedule) lists the issues to be considered in an EIA, including: biodiversity, ecosystem maintenance, fragile ecosystems, social considerations including employment generation, social cohesion or disruption, immigration or emigration, local economy. Effects on culture and objects of cultural value, visual impacts, documentation of stakeholder consultation and grievance redress measures are not specifically called for.

The NEMA review process begins with transmittal of the EIS to the relevant lead agencies for comments. For USMID, the lead agency will be the Municipal Council, and the responsibility to review and comment will fall to the MEO and the TPC. However, EIA Regulation 18(6) states that when the lead agency is the developer, it submits the EIS to NEMA and the Executive Director makes comments or invites other lead agencies to comment. Various departments within the MoWE (water, wetlands, urban forests), the MoTWH (physical cultural resources), the Uganda National Roads Authority (UNRA) or other agencies may also be consulted as appropriate. NEMA is then required to invite the general public to comment; the duration of the comment period is 28 days from the date the invitation is published in the newspapers. The EISs are public documents, in order to allow the public to access information and raise concerns regarding the project. NEMA also invites comments from persons specifically affected by the project, with a comment period of 21 days. Information on the project is expected to be distributed through local government in languages understood by the majority of the affected persons, a process that would be the mandate of the MEO. Based on NEMA's own review and the comments received, the Executive Director may decide to hold a public hearing, which must take place no less than 30 nor more than 45 days after the end of the comment period.

The Executive Director of NEMA must reach a decision on the proposed development in less than 180 days from the date of EIS submission. The decision may be approval, referral to the developer for additional information, study or project redesign, or rejection. The Executive Director may (and normally does) accompany the approval with conditions. Project briefs, EISs and conditions of approval are all

---

<sup>15</sup> In practice this term is rarely used. The acronym EIS will be used in this document to mean environmental impact statement, and the term EIA will be used for the environmental impact assessment process, as it is in more common useage and widely understood. Although most assessments submitted are now termed 'Environmental and Social Impact Assessment', in common with best international practice, this term is not used in the environmental Regulations or Guidelines. Instead the term EIA should be taken to include social assessment.



public documents and are expected to be publicized to allow transparency and accountability in the decision-making process.

As the developer, the municipality will have the responsibilities specified in the EIA regulations to implement the measures called for in the project brief or the EIS, and to comply with any conditions NEMA issues in its certificate of approval. The MEO will have the lead role in monitoring to ensure that these obligations are met, and to comply with the requirement for an environmental audit by qualified individuals approved by NEMA, not less than 12 nor more than 36 months after project completion or commencement of operations.

NEMA have an environmental monitoring and compliance team, who are expected to ensure compliance by the developer with permits, standards, regulations and mitigation measures. Where a developer fails to put in place mitigation measures as set out in his EIS, NEMA environmental inspectors may issue an improvement notice and/or commence criminal or civil proceedings against him as laid out in the NES. However, NEMA state that they are extremely constrained in carrying out this function and do not usually carry out inspections unless complaints are received from the public, instead relying on the statutory audit to provide information.

## **2.2 Environmental Management System as Applied in Practice**

In addition to the assessment of the system for environmental and social impact assessment in this section, attention should be given to the issues with participation, consultation, grievance mechanisms and accountability and transparency, which are described in more detail in Sections 3.1.2, and 3.2.5. These gaps may also lead in inadequate understanding of the environmental context of particular projects, in particular the importance of environmental system functioning and environmental services to the communities.

### **2.2.1 Planning Environment**

Municipal council planning is done at council level, planning is done for a five year period and this is well documented in the Five Year Development Plan. All council technical staff and politicians are involved in the planning process, thus catering to all departments in the municipality. Municipal council partners like CBO's and NGO's are also involved in the planning. Jinja and Gulu municipality are partnering with towns in Sweden to enhance sustainable development.

All municipal councils were found to have up to date five year development plans, the municipalities of Lira, Mbarara, Hoima, Gulu, Fort Portal, Soroti and Tororo have 2011/12 – 2015/2016 development plans while Mbale, Entebbe, Kabale, Masaka, Jinja, have 2010/11 – 2014/15 development plans.

Integration of environment and social issues has been done from parish, division to Municipal level into the five year development plan. Environmental action plans are normally formulated at parish, division and Municipal levels which are then integrated into the division and Municipal development plans.

### **2.2.2 Environmental Assessment System**

The Laws and Regulations for the EIA system in Uganda are generally strong and sufficient to ensure that significant impacts will be picked up. The system itself, as stated above, is also consistent with international practice. However the system is constrained by human resource issues at the various levels and in the various institutions (see below) and is likely to be less rigorous, leading to a risk that key

unexpected or unanticipated impacts could be missed, through officers lacking resources (e.g. to make site visits, or adequately carry out consultations).

The use by municipalities of the Environmental and Social Screening Form (ESSF) for assessment of projects which fall outside the scope of full EIA is not yet consistently implemented, although the government (led by NEMA and MoLG) is in the process of formalizing these systems and procedures. Under the LGDP2 a National Committee was set up to prepare standardized training materials and guiding notes for use in capacity building and training workshops. A series of tools for environmental management was prepared in order to standardize procedure and build on the World Bank safeguard systems used under earlier projects, and provide guidance for environmental planning and the roles of MEOs more broadly, but including the ESIA process. These tools are in three parts: (i) Participant's Manual for Environment Management in Local Governments, (ii) Facilitator's Manual for Environment Management in Local Governments, and (iii) guidelines for environmental management. These tools have been completed and disseminated to MEOs by MoLG, but the training program has not been carried out to date due to a lack of resources.

Questions on the ESSF cover protected areas, sensitive areas such as wetlands, aquatic ecology, geological hazards, landscape and aesthetics, all aspects of physical cultural resources, hazardous materials and wastes. Reports received from both the municipalities and the MoLG do suggest that this is widely practiced by the Municipal Environment Officer, however the Mid-Term Report on the World Bank supported LGMSD Program suggests that the screening framework is not completed as often, or as thoroughly as has been reported by the local and national government officers interviewed. This is confirmed by a MoLG assessment<sup>16</sup>, which shows that projects were screened in 58% of the USMID MCs, although only a third of them provided explicit budget for project screening.

Project briefs are not prepared for projects that automatically require EIA (NEMA Schedule 3) and no instance of a project brief being submitted to NEMA by the municipalities for Category B projects in the current World Bank project had occurred. The ESSF is apparently the only tool used to determine environmental and social impacts and unless the project is on Schedule 3 of the Environmental Regulations, the only oversight for the MEO is the Technical Planning Committee at MC level, however the Summary Report for Environmental and Social Management in the Districts (August 2011) showed that no ESMPs had in fact been reviewed by the TPCs in any municipality.

### 2.2.3 Full Environmental Impact Assessment

The EIS prepared under the remit of NEMA (for projects under Schedule 3 of the Environmental Regulations), must be carried out by registered environmental practitioners approved by NEMA. A social expert (sociologist) is always part of the team, as are biodiversity experts and with additional personnel on the EIA team picked for their experience in handling the likely significant issues as identified. While not called for specifically in the regulations, the EIS is more commonly referred to as an ESIA (Environmental and Social Impact Assessment) or ESIS (Environmental and Social Impact Statement). The process is generally well handled and contains the required elements of EA.

A selection of ESIA's prepared for municipal infrastructure projects varied in quality, but were well detailed<sup>17</sup>. Direct social impacts were generally well captured, although there was less rigorous consideration of induced or cumulative impact and little evidence of the consideration of alternatives, including 'no action'. Potential or actual weaknesses in EIAs and EMPs are balanced by NEMA issuing

---

<sup>16</sup>Summary Report for Environment and Social Management in the Districts, August 2011, MoLG

<sup>17</sup> EIA for compost plant and Sanitary landfill in Arua Municipality, EIA for Waste Composting Project in Entebbe Municipality, Arua water supply.

very detailed Conditions of Approval these to some extent substitute for mitigation measures articulated in the EMP included in the EIA, since the subsequent compliance monitoring and auditing is carried out against those conditions of approval rather than the measures articulated in the EMP<sup>18</sup>.

#### 2.2.4 Review and decision making

Where an EIA is not required, the TPC with the assistance of the MEO will review the ESSF and make a decision on whether the results of the screening process reports are acceptable. No guidance exists on how this review is carried out and decisions made, so it is not possible to assess the criteria used to assess adequacy. Based on the 2011 assessment of environmental and social management in LGs carried out by MoLG, in none of the 12 USMID municipalities did the TPC review the ESSF.

On submission of an EIS to NEMA, relevant lead agencies are asked to review the statement for its adequacy, with the choice of lead agency based on the issues raised within the document. It is therefore crucial that issues such as land acquisition, resettlement, compensation, physical cultural heritage resources, etc. are correctly identified within the statement by the EIA practitioners in order for the correct line ministries to be consulted. As there is usually adequate representation of expertise on the team, this is likely to be captured.

In practice, the public consultation period of 28 days commences immediately when the EIA is received by NEMA, in conjunction with the Lead Agency review period. No invitation is published in media, nor are EIAs always made available to the public (contained in the library, available on the website or otherwise displayed). However, if a member of the public is aware that an EIA has been submitted, they can make a request to NEMA to be availed a copy, which may be. NEMA cites personnel and financial constraints in complying with this requirement, as they have only four officers to carry out all work connected with the EA process for approximately 700 EIA's per year (in addition to project briefs and other enquiries). NEMA states that they do not always receive comments from Lead Agencies within the 30 day stipulated period, and to comply with timelines for project approval, they must proceed without this input.

NEMA must also invite comments from persons specifically affected by the project, with a comment period of 21 days. Information on the project is expected to be distributed through local government in languages understood by the majority of the affected persons, a process that would be the mandate of the MEO. In practice there is also little possibility of the MEO carrying out any consultation on the ESIA at review stage, as they are required to do, due to funding constraints.

If EIA's are not of acceptable standard, they will be returned with detailed advice from NEMA about the areas requiring additional information or consideration. Otherwise a decision is made based on the contents, with conditions of approval dealing with any potential risk areas, or issues with potentially inadequate mitigation. NEMA may disapprove EIA's, but in practice this rarely happens.

NEMA states that for government projects more emphasis is put into providing guidance in the form of conditions of approval, to ensure acceptable standards. These conditions may run to some pages, as environment officers have little training or capacity in carrying out environmental assessment and monitoring, however, this may be a disincentive to providing more quality of work and emphasis on the EMP by MEOs.

---

<sup>18</sup> This practice also provides little incentive for EIA preparers to improve the quality of EIAs and EMPs. Incomplete EMPs are simply substituted by detailed conditions of approval, rather than being rejected and returned for reworking.

### 2.2.5 Implementation

The municipalities follow the practice of incorporating the ESMPs in project profiles that are developed for every infrastructure project and attached as annexes to the five year development plans approved by Municipal Councils on a rolling basis. The Municipal Works and Technical Services Departments report that they incorporate the ESMPs in project bidding documents, and they also become the frameworks for monitoring by the MEOs, however this only applies to construction related impacts. One third of the MCs had ESMPs in place and 50% had included mitigation measure in the bidding documents. Overall, projects met environmental standards in about 40% of the MCs.

Payment of contractors' invoices should be contingent on certification by the MEO that the contractor has properly implemented mitigation measures. During the consultation workshop, MEOs stated that in some cases the engineer may issue completion certificates without the environmental compliance certification from the MEO. Only 33% of USMID municipalities followed this requirement in 2011, based on the MoLG assessment. It is unclear if the implementation of mitigation measures is rigorously ensured and the MoLG reports evidence of supervision in only 58% of the MCs. Resource constraints are reported to prevent all but a few projects from receiving any follow-up during construction and there is no evidence of any system in place to ensure follow-up occurs during implementation, unless complaints are received.

### 2.2.6 Supervision and Oversight

Performance is primarily assessed through the Annual Local Government Performance Assessment (LGPA), which includes some indicators for environmental performance: key has been whether EIA's are undertaken, and also whether project screening has been completed. The LGPA falls short of determining whether issues were addressed. NEMA have no involvement in municipal environmental performance beyond the EIA approval process.

MoLG states that the LGPA is being reviewed and that environment is a key area that will be strengthened, with an emphasis on ensuring results, with the Terms of Reference for an Urban Area assessment subtool, to include architecture, beautification, infrastructure, and solid waste management.

For projects handled by the MEO, the system is in place and required to be followed under the provisions of the ESMP, with project certification needing to be signed off by the MEO. However, there is a potential lack of independent oversight, as the MEO both prepares the EA and ESMP, ensures that it is implemented and then certifies it, reporting directly to the 'client' or municipal engineer. This gives no opportunity for oversight or to correct bad practice, such as picking up unpredicted impacts, which are unlikely to be reported by the officer responsible. No requirement for regular reporting of follow-up appears to be in place. In practice, interviews conducted through the ESSA showed that the engineer often signs the certification on behalf of the MEO<sup>19</sup>.

There is no clear and acceptable structure for oversight of project implementation in place at a national level. NEMA is expected to carry out compliance inspections on a sample of projects, although with unclear compliance strategies. While audits are required by the Environment Act for projects for which an ESIA has been prepared, and must be undertaken by a certified practitioner; it is not clear whether these indeed always take place and whether there is sufficient capacity at either national or local level to carry out follow-up monitoring to ensure that impacts are managed as planned. Consultation shows that there is little possibility of NEMA visiting for follow-up and monitoring of site construction and implementation, relying entirely on the audit by the practitioner to ascertain whether mitigation measures have been implemented, and whether they are adequate.

---

<sup>19</sup> Reported during the consultation workshop.

## 2.3 Resource Constraints to Environmental Management

**Municipal Human Resources:** At the municipal level, key environmental management personnel are Municipal Environmental Officers (MEOs). Interviews during preparations of the ESSA preparation with MoLG suggested that MEOs report to the Head of the Department of Works. Another arrangement was reported by the Entebbe Municipal Council. In Entebbe, there is no MEO, but instead there are 3 Focal Point Persons (1 for the MC and 2 for the divisions), who report directly to the Town Clerk. This was apparently a trade-off made for other staff in other departments. The status of these staff needs further assessment to ensure that they have appropriate skill sets to operate the environmental assessment process adequately.

The institutional report, November 2011 also makes it clear that lack of transport and equipment is a chronic problem in both departments, therefore affecting the MEO no matter where he or she actually sits. MoLG points out that MEOs are responsible for monitoring ESMP implementation but do not have the equipment they need to do it. Again Entebbe operates a different system; with the focal point person conducting quarterly monitoring visits to groups of projects. It is unclear whether these personnel suffer similar resource constraints to MEO's elsewhere but they appear not so severe as to prevent monitoring. In addition, Entebbe has a Gender Coordinator, who happens to be a Deputy Town Clerk, and an HIV/AIDS coordinator, suggesting that social issues are not neglected in planning and impact assessment and management, at least in that municipality. The picture could be quite different at MCs that do not function as well as Entebbe.

According to NEMA, MEOs lack sufficient training and have not been exposed to the capacity building that the District EOs have had. MoLG agrees (MEOs have only had introductory training in the use of the ESSF) but suggests that other officials in MCs including council members need some environmental training as well, in order to understand why environmental and social impacts are important considerations in development decisions.

NEMA states that MEOs do not participate in the annual budgeting process because there is no separate environment department and do not receive sufficient budget. Most sectors in LG receive some funds from the central government (no distinction made between district and municipalities governments), but environment gets very little. What does come is mostly for wetlands management.

**National Human Resources:** At the national level, at NEMA, the Department of Environmental Monitoring and Compliance has four professionals with two assistants who do all EIA reviews and follow up. With an average of 57 EIAs, EIRs or Project Briefs to review each month, this is an enormous workload. The volume of review work makes very little time available for monitoring in the field, so the Department gives priority to highly sensitive projects and projects on which they have received complaints. About 30% of active projects receive follow-up. The main need is for more people for review and monitoring, including someone with expertise in social impacts, which is totally lacking in NEMA despite explicit requirements for coverage of social issues in EIAs. An institutional review recommended three additional staff, but approval was not given. If recruitment of additional staff is not possible, NEMA would like funding to engage a review contractor and funding for field monitoring, using the National Environmental Fund (derived from Statutory Fees).

**Financial Resources:** The capacity building budget, a unified grant from the central government, is provided for all departments of the Municipal Council. The Operational budgets of the different departments in the municipalities rely on local revenue, which falls short at every annual collection. The environmental office at municipalities is further disadvantaged because they do not have an independent budget, instead all their funding is through the Department Of Works, with different prioritization of available finances. Overall, there is a broad consensus that financial resources for functioning of either

national or municipal level of environmental management related to urban development are insufficient. USMID financing is an excellent opportunity to address this shortcoming.

## **2.4 Conclusions**

The environmental legislation in Uganda is robust and covers most of the aspects required under best practice. In as far as direct impacts resulting from infrastructure projects, this system is adequate to ensure that impacts are generally identified and mitigated through planning documents, ESIA and ESMP. However, there are minor gaps in the system as written and more substantial issues in the system as implemented in practice. These gaps and subsequent risks are summarized against the environmental and social principles of World Bank OP/BP 9.00 in ANNEX 4.

DRAFT

## ANNEX 3      PROGRAM SOCIAL MANAGEMENT SYSTEM

A social management system was introduced in the USMID municipalities as a result of past World Bank support to local governments in Uganda, but feedback and consultation during the ESSA preparation suggests that while these systems exist on paper they have not yet been utilized by the municipalities. Some Ugandan legislation exists for management of social issues and effects, and is described here, but in most cases this has not been followed through into practice (e.g. for the application of resettlement frameworks). The MoLG in particular has recognized these gaps and have been moving to introduce systems based on the previous World Bank social safeguards instruments. The systems described in this section focus on the current practice and where appropriate refer to new developments that may be relevant to USMID. The adequacy of the existing legislation to ensure acceptable social performance is considered and compared to current practice.

According to the Bank's policy on PforR financing, a comprehensive and adequate Social Management System is expected to have among others the following:

- A policy, legal and regulatory framework;
- Institutional arrangements for preparation, implementation, monitoring and evaluation of mitigation measures;
- Grievance redress mechanisms that includes procedures and tools to identify and mitigate existing and potential conflicts as a result of loss of assets, complete with centers of responsibility;
- Opportunities and ability of relevant stakeholders including the project affected to actively participate in decisions that affect them and make informed choices.

The following Annex considers these elements in terms of land acquisition, impacts on vulnerable groups, Indigenous Peoples, public participation, transparency, and grievance redress.

### 3.1 Social Management System as Written

The policy, legal and regulatory context for the management of land acquisition including its relevant measures within the confines of USMID is governed by the following:

- The Constitution of the Rep of Uganda (1995)
- The Land Act Cap. 227 (1998, *and as amended in 2004*)
- The Land Acquisition Act Cap. 226 (1965)
- The Roads Act, Cap 358
- The Physical Planning Act, 2010
- The Registration of Titles Act Cap.230 (1908)
- The Access to Information Act, 2005
- The National Land Policy (not yet approved by Cabinet)

#### 3.1.1 Framework for Property and Land Rights

The ***Constitution of Uganda*** 1995 vests all land directly in the Citizens of Uganda, and states that every person in Uganda has the right to own property. The Constitution also sets the standard for any form of compensation in Uganda and provides for prompt payment of fair and adequate compensation prior to the taking possession or acquisition of the land/property. Ugandan law recognizes four distinct land tenure systems: Customary tenure, Freehold tenure, Mailo tenure and Leasehold tenure.

*Customary land* is owned in perpetuity and is governed by the customary laws by the peoples who have customary tenure. It is governed by rules generally acceptable as binding and authoritative by the class of people to which it applies. These people have propriety interest in the land and can acquire a certificate of customary ownership or a freehold certificate of title by requesting one through the Parish Land Committee (which will then be granted by the District Land Board). Land is owned in perpetuity under customary tenure.

*Freehold tenure* involves the holding of land in perpetuity or for a period less than perpetuity fixed by a condition. It enables the holder to exercise full power of ownership. A freehold title can be subjected to conditions, restrictions or limitations which may be positive or negative in their application.

*Mailo tenure* involves the holding of land in perpetuity. It was established under the Uganda Agreement of 1900. It permits the separation of ownership of land from the ownership of developments on land made by a lawful occupant. Additionally, it enables the holder to exercise full power of ownership, subject to the customary and statutory rights of those persons lawful or bonafide in occupation of the land at the time that tenure was created and their successors in title.

*Leasehold tenure* is created either by contract or by operation of the law. The landlord or lessor grants the tenants or lessee exclusive possession of the land, usually for a period defined and in return for a rent. The tenant or lessee has security of tenure and a proprietary interest in the land.

Additionally, under common law the statute of a “licensee” or “sharecropper” is also recognized. Licensees are granted authority to use land for agricultural production, usually limited to annual crops. They have no legal security of tenure or any propriety right in the land.

***National Land Policy (not yet approved):*** Consultations for the national land policy were completed when a National Conference was held in May 2010. The policy was submitted to the Cabinet and now awaits approval. Once approved, it will lead to further changes in the legal and policy framework including Uganda’s National Constitution, 1995. The following are key:

- Delegates in the National Land Conference dropped the earlier proposal of expanding the grounds of compulsory land acquisition to include re-settlement, physical planning and orderly development.
- Further, Section 2.3, Policy Statement 11 states, “The State as a trustee for the citizens of Uganda, shall exercise the power of compulsory acquisition, responsibly and strictly in public interest”. (*Refer to National Land Policy Final Draft – Nov 2011*), The National Land Policy recommends among others, a National Resettlement policy that will clarify on procedures for the management of land taking and displacement due to development projects, disasters, etc., and including resettlement and other relevant measures like compensation, and their centers of responsibility.
- The Act states ‘To clarify the power of compulsory acquisition, the Constitution, the Land Act and the Land Acquisition Act shall be amended to:
  - automatically reconstitute original owners where public interest or purpose justifying the compulsory acquisition of land/property fails or expires;
  - limit exercise of this power to the Central Government under terms prescribed by the citizens of Uganda;



- prescribe a uniform method for application of the power of compulsory acquisition especially the payment of prompt, adequate and fair compensation irrespective of tenure category;
- establish the mechanism for local governments to exercise this power in respect of meeting the requirements for compensation;
- Prescribe a set of regulations and guidelines, the roles and responsibilities of the different state organs and agencies in the exercise of this power’.
- Section 3.9 of the Policy: *Land Rights of Ethnic Minorities* Over the years, the land rights of ethnic minorities as ancestral and traditional owners, users and custodians of the various natural habitats have not been fully acknowledged even though their survival is dependent upon access to natural resources.
- Policy Statement 58(b) states; “Government shall pay prompt, adequate and fair compensation to ethnic minority groups that are displaced from their ancestral land by government action”.

Therefore, government will take measures to consider land swapping or compensation or resettlement in the event of expropriation of ancestral land of minorities for preservation or conservation purposes; pay compensation to those ethnic minorities that have in the past been driven off their ancestral lands for preservation or conservation purposes;

**Land Acquisition.** Both *The Constitution, 1995* and *The Land Act, Cap 227* gives the government and local governments power to compulsorily acquire land. The *Constitution* states that “no person shall be compulsorily deprived of property or any interests in or any right over property of any description except” if the taking of the land necessary “for public use or in the interest of defence, public safety, public order, public morality or public health.”

The Land Acquisition Act, 1965 makes provision for the procedures and method of compulsory acquisition of land for public purposes. Whenever government has decided that any land is required for a public purpose, it may, by statutory instrument, make a declaration to that effect. An instrument made under sub sec (1) shall specify the location of the land to which it relates, its approximate area, and if the plan of the land has been made, a place and time at which the plan may be inspected. Further, the *Land Acquisition Act, 1965* states that the minister responsible for land may authorize any person to enter said land to survey the land, bore the subsoil, or any other examination necessary for determining whether the land is suitable for a public purpose. Additionally, once the assessment officer takes possession, the land immediately becomes vested in the land commission. Any dispute as to the compensation payable is to be referred to the Attorney General or Court for decision.

**Right of Way/Road Reserve.** The 1965 *Roads Act* defines the road reserve/”right of way” for a road as the area bounded by imaginary lines and of no more than 50 feet from the center line of the road. This area is declared by statutory instrument as the road reserve. The act also states that no person may build any structure, or plant any tree, plant or crop in the road reserve. The road authorities are allowed to take materials and/or dig within the road reserve for the construction and maintenance of the road.

**Valuation.** Section 77 of the Land Act gives valuation principles for compensation; i.e. crops are compensated at rates set by the District Land Boards; the basis of compensation for land is open market value. The value of buildings is to be taken at open market value for urban areas and depreciated replacement cost in the rural areas. In addition, a 15% or 30% disturbance allowance must be paid if six months or less notice is given to the owner respectively.

**Compensation:** The *Constitution of Uganda* requires that if a person’s property is compulsorily acquired, that person must receive prompt payment “of fair and adequate compensation prior to taking possession”

of the property. However there is no clarification in the Land Acquisition Act on the promptness, fairness and adequacy of the compensation.

***Land Acquisition Dispute Resolution:*** The *Land Act, Cap 227* states that land tribunals must be established at district level. It empowers the District Land Tribunals to determine disputes relating to amount of compensation to be paid for land acquired compulsorily. However, not all districts have functioning Land Boards or Tribunals, and yet these same institutions are also responsible for the municipalities. The affected person may appeal to a higher ordinary court. Similarly the Land Acquisition Act allows for any person to appeal to the High Court within 60 days of the award being made. All land disputes must be processed by the tribunals, before the case can be taken to the ordinary courts. The act also states that traditional authority mediators must retain their jurisdiction to deal with, and settle, land disputes.

### 3.1.2 Access to Information

The *Constitution of the Republic of Uganda* provides for the right of access to information in Article 41 and states: “Every citizen has a right of access to information in the possession of the state or any other organ or agency of the state 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 *Access to Information Act, 2005* provides for the right of access to information pursuant to article 41 of the Constitution; prescribes the classes of information referred to in that 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. Further, Article 29, *Protection of safety of persons and property* provides that: An information officer –

- a) shall refuse a request for access if the disclosure of the record could reasonably be expected to endanger the life or physical safety of a person; or
- b) may refuse a request for access to a record of the body if the disclosure of the record is likely to prejudice or impair the security of a building, structure or system, including, but not limited to a computer or communication system; a means of transport; or any other property.

However, the *Access to Information Act* exists on paper and has not been implemented due to undefined responsibility centers and therefore no financial and human resources available for its operationalization. If implemented, this policy would help in clarifying on information related to land to be acquired for public use and the procedures to be followed including the responsible agencies.

***Indigenous Peoples:*** The project area has no evidence of known indigenous peoples (IPs) in Uganda, as determined by a screening during preparation of the ESSA. IPs in this country are the Ike located on a limited area on Mount Moroto, and the Batwa found in South Western Uganda in the forests of the Mount Muhavura in the Virunga mountains and areas bordering the Republic of Congo. No municipalities that will benefit from USMID are in the areas mentioned above.

### 3.1.3 Institutions, Roles, Responsibilities

***Land Acquisition, Resettlement and Rehabilitation:*** The Ministry of Lands, Housing and Urban Development (MoLHUD) is the executing ministry for USMID at national level and therefore provides

oversight of all Program activities to be funded. MoLHUD is also responsible for oversight of all land related matters including policy guidance, supervision and monitoring. The ministry is expected to have 13 zonal/regional land offices, and currently only 7 are ready with office premises and no technical officers yet. It is expected that Ministry of Public Service will recruit the relevant officers next FY (12/13). These officers will ease the lack of staffing in the districts as the neighboring districts will be equally allocated to them. The officers report to the Office of Land Administration in MoLHUD.

The Office of the Chief Government Valuer (CGV) is responsible for compensation issues in terms of clearing resettlement packages for the project affected people based on the current policy, legal and regulatory framework in section 4.1. However, the valuation methodologies used may not necessarily reflect international best practices hence likely to put the project affected households and people at the risk of impoverishment. For example, valuation for fruit trees is not based on the value of harvests lost until the replacement trees come into full production. Similarly, there is no provision for in kind compensation for subsistence crops, and structures are valued at depreciated values. All these imply that with such valuation, a project-affected household may not be able to restore or even improve their livelihoods. In fact complaints of inadequate compensation for both crops and structures lost are very common and were cited in the consultations undertaken in the municipalities for purposes of drafting this assessment.

The municipalities are at the centre of land acquisition for USMID activities and will be responsible for drawing the terms of reference for the preparation of the compensation plans including the valuations of the properties following the rates established by districts within which the municipality is located. These are then approved by the CGV. The process of updating district rates is expected to be undertaken annually. Some districts promptly update and submit the rates to the CGV while others do not.

Similarly, implementation of Program activities will be undertaken at municipal level with the Town Clerks as the accounting officers. Similarly land acquisition related issues will be handled at municipal level with MoLHUD coming in to provide clarifications and approval of compensation plans in the Office of the Chief Government Valuer (CGV).

Every district has a land office and each office is expected to have at least 5 staff that includes a surveyor, a physical planner, a land officer, a land valuer and a registrar. However not all districts are adequately staffed and existing district land office staff are not likely to be well conversant with municipal or urban area concerns which are very distinct from those of rural areas. Key issues in urban areas include among others solid waste disposal, sewerage services, and informal settlements. For example, the consultations revealed practices such as the District Land Board allocating land in a wetland in an urban center for industrial development. The consultation workshop showed that there is frustration on the part of the municipal officers that their physical development plans can be overlooked by the Land Board in the allocation of land and expressed a clear desire to have municipal representation on the Land Board.

**Budget:** If land acquisition is related to a national program like USMID, then the budget to meet compensation or resettlement where applicable is born by the executing ministry. Otherwise the local authority concerned takes the responsibility of meeting the costs of land acquisition and its related measures of compensation, resettlement and rehabilitation. The consultations in the municipalities showed that the current practice when such compensation is required (and in the absence of allocated budgets) is for the municipality to negotiate with the land owner and either (a) convince him or her about the need for the land to be given for development purposes and by which the individual may benefit in future or (b) provide a nominal sum of money in exchange for the land. It is important therefore that a budget for compensation of project affected people for their losses is made available at MoLHUD.

***Vulnerability and Equity.*** Matters relating to vulnerable groups like orphans, marginalized groups like the disabled and women are a responsibility of the Ministry of Gender, Labour and Social Development (MoGLSD). Further, the same ministry coordinates Health and Safety, including HIV/AIDS, in work places and therefore it is imperative that MoLHUD and MoGLSD coordinate in resolving land acquisition related matters especially inclusive compensation, HIV/AIDS in construction related activities and provision of job opportunities and other rehabilitation measures to the project affected persons. Currently no coordination exists between these government agencies.

## **3.2 Social Management Systems as Applied in Practice**

### **3.2.1 Social Impact Assessment Process**

Screening for social impacts including those that are construction related and land acquisition is done using the Environment and Social Screening Form (ESSF) provided by the MoLG (discussed in Section 2.1.3 above). This process is intended to establish the extent and nature of social impacts so that appropriate measures are designed and implemented to address the relevant issues. The ESSF to be used in each municipality for each sub-project has questions about the need for land for a new facility or extension of existing, construction related social impacts like concentration of labor in one place and its effect on transmitted diseases like HIV/AIDS, etc. The criteria in the ESSF for social effects has to date been carried out by the MEO as the municipalities do not have a position for social staff.

The system in place for social assessment at the national level, if a full EIA is required, is the same as that for environmental assessment, with the EIA guidelines requiring social assessment ‘to predict and prevent or moderate unacceptable adverse social effects on the proposed actions or projects’. The process to be followed is the same as for environmental impacts and should be carried through at every stage of the project life cycle. The EIA guidelines include sections advising on public consultations, resettlement and compensation and grievance redress mechanisms, as described in detail in Section 2.1.4. However, the checklists in the EIA guidelines are not as thorough in relation to social impact identification as for environmental impacts. The TORs for the EIA (agreed between NEMA and the developer) usually stipulate that the EIA consultant team must have a social scientist on the staff, if there is any potential for social impacts to occur (and normal practice is to refer to the assessment as an ESIA). The social scientist is expected to carry out a full social baseline assessment to inform the ESIA. In addressing social impacts, NEMA should include relevant line ministries so that they are able to comment on these issues in the review.

It is clear that the lack of designated focal points on social issues in the municipal staff could affect the ability of the USMID Program to adequately screen for social issues and identify appropriate mitigation measures. There is, therefore, an urgent need to train the MEOs who will be responsible for use of the checklist, to ensure that they are correctly and reliably able to use the screening checklist for social issues, consult with CDOs (who have some awareness of social issues) and identify potential measures to address such issues. Similarly, for projects requiring a full EIA, NEMA is constrained in analyzing the social impacts on sight due to the lack of social scientists on the NEMA staff. In practice no line ministries are regularly consulted who would be able to ensure that impacts are correctly identified or mitigated. The only line ministry regularly consulted on social aspects is MoTWH, who advise on cultural heritage issues.

Generally there is little in the way of formal guidance or regulation of social impact assessment in Uganda. In the EIA process, normal practice for the EIA consultant companies exceeds the requirements of National Laws and Guidance and tends to follow good international practice with regards to social

issues. However, without standardized assessment tools available, consultants stress that their work is hampered (e.g. resettlement frameworks, scoping tools for social issues and environmental services). While NEMA state that the EIA guidelines from 1997 are in the process of being reviewed, this remains an area that is dependent on the consultants professional capacity rather than on adequate regulations and guidance.

In the majority of USMID projects which do not require EIA, the performance of the USMID social management system will depend on new systems that are being put in place by MoLG, informed by the experience gained under Local Government Development Programs (discussed above in ANNEX 2). This comprises the training<sup>20</sup> and assessment manuals, which give examples of the ESSF, resettlement and compensation forms. In the context of challenges such as the delay in approving a key land policy and its recommendations, inadequate implementation of policies, laws and regulations, and low capacity in terms of both human and financial resources, the systematic use of these manuals will be essential. The uneven implementation of the instruments that had been developed under the LGDPs (resettlement frameworks, screening forms and assessment checklists), and the shortcomings in the system of land acquisition to protect municipal land (due to the malpractices by the District Land Boards and the practice of persuading PAPs to donate land) are clear gaps. MoLHUD will need to liaise with MoLG to ensure that the MEOs (and possibly CDOs in a supportive role) have adequate capacity to understand and address the social impact, to apply the instruments and to ensure that these are implemented in all cases. The scope of project interventions and the likely moderate extent of land acquisition, should mean that the municipalities in active collaboration with their mother districts are able to adequately address any land acquisition providing that the system is fully implemented. It is critical that sufficient emphasis is placed on compliance being directly tied to USMID contributions to municipalities.

Threats arising from inadequate and sometimes delayed compensation, concentration of labor, population influx as a response to improved services, spread of diseases and disparity of incomes are likely to arise and may not be adequately understood and mitigated within the current system and bearing in mind the lack of trained social officers. While the scope of activities under USMID are not anticipated to pose any major displacement threat, tracts of land will be sought for purposes of construction, extension and or rehabilitation of the required infrastructure and it is vital that systems are in place to ensure that these will be adequately and appropriately handled in accordance with law, policy and best practice.

The municipalities were expected to identify and prepare subprojects to be funded under the Program in a participatory manner with all the divisions of each municipality and the Municipal Development Forum involved. This participatory approach would have helped in reaching consensus over priority sub-projects, their sequencing and discussion around alternatives to ensure the planning for and implementation of the required social measures. However, this did not take place in all MCs to date, and in some cases will be done in late stages of Program preparation and into implementation. Consequently, there is a heightened need for consultation and participation during environmental and social assessment, exploring options to minimize impacts on the poor and vulnerable members of the community who may be disproportionately affected by sub-projects. Such groups of people include those in unplanned settlements, those that don't own land and those categorized as vulnerable, e.g. the disabled, orphans headed households, HIV/AIDs affected, etc.

### 3.2.2 Participation

While there is some evidence of participatory planning at early stages and efforts to focus development on the eradication of poverty, the MCs' own documentation makes clear that this is not fully achieved in

---

<sup>20</sup>Participant's Handbook on Environmental Management for use by Higher Local Governments. February 2012

practice. Detailed project planning and selection and implementation stages have very little participation, other than consultation through the ESIA process. Additionally, with no robust and well-documented grievance mechanism in place, it is not possible to gain feedback on whether the projects have achieved their stated objectives, or avoided causing harm.

***Participation in ESIA process:*** Uganda's *Environmental Impact Assessment Regulations, 1998*, envisage a broad scope for public participation. Regulation 12 (1) requires a project proponent or developer to "take all necessary measures to seek views of the people in communities, which may be affected by the project during the process of conducting the study...". In furtherance of this, the developer must (a) publicize the project, its anticipated effects and benefits for at least fourteen days in the mass media and in a language understood by the affected communities; and (b) hold meetings thereafter with the affected communities regarding the project at such times and in such venues as are agreed with leaders of local councils in the area. After the study has been completed, the general public is invited through newspaper announcements to make written comments on it. Notices to those most likely to be affected are to be issued in languages understood by the majority of them and published in newspapers circulating in their locality as well as distributed through local government units. The Executive Director of the National Environment Management Authority (NEMA) is empowered to decide whether or not a public hearing should be held on the study. He or she may base their decision on comments submitted on the study or on the view that a hearing is "necessary for the protection of the environment and the promotion of good governance."

Thus the Ugandan regulations provide for public involvement in the course of the preparation of an Environment Impact Assessment (EIA) study as well as for a further possibility at the stage where it is being reviewed by government agencies.

In practice the remit of participation with regard to EIA falls on the MEO, however municipal councils are hampered in this duty by severe resource constraints, which means that officers are not in place: four municipalities have no environment officer, all are inadequately trained to understand social impacts, and all municipalities have resource constraints so that officers are unable to secure transport to project areas, thus constraining their ability to effectively promote participation.

While sufficient provisions exist to ensure participation in the assessment of environmental impacts, system is less robust in identifying social impacts, and the environment officer is relied on to gather any relevant information during the environmental consultation. Project implementers have no regulatory duty to work with communities to ensure adequate participation. Therefore all responsibility to encourage public participation in the social impact assessment rests with the project promoter/developer.

***Participation in Local Government Infrastructure Planning:*** Uganda's Decentralization Policy and The Local Government Act 1997 require public participation in decision making at a local level. In addition, Uganda's Environmental Impact Assessment Regulations, 1998, also require "taking all necessary measures to seek the views of the people in the communities, which may be affected by the project during the process of conducting environmental studies for projects". During interviews in municipalities it was established that Municipal Development Plans and Municipal Environment Action Plans are developed with consultation and involvement of stakeholders through their political leaders and community based organizations (CBOs) and other NGO's working in the project affected areas. The Physical Planning Act, 2010 Regulations and Guidelines provide legal guidance on physical development plans.

Municipal council planning processes are documented in the Five Year Development Plan. All council technical staff and politicians are involved in the planning process, thus catering for all departments in the municipality. It was established during interviews in the 14 municipalities that CBO's and NGO's are also involved in municipal planning. This planning process is intended to begin with a 'bottom-up'

approach through which communities come up with wish lists at ward level. Mbale MDP states that “special attention should go to the areas that remove the binding constraints that impede socio-economic transformation and prosperity”. However, some municipalities in their own assessment of the process determined that this had not been fully actualized (reasons not stated).

All councils do have Community Development Officers (CDO’s) in place, whose remit includes mobilization of local communities and ensuring that they participate in municipal planning exercises.

No public participation was found specifically in regard to USMID due to the limited time MoLHUD allowed municipalities to submit proposals. In many cases, municipalities adopted projects in their Five-Year Development Plans as proposals for USMID submissions. However, it should be noted that projects in Five-year development plans were developed with participation of local communities and stakeholders, as in the process described above.

### 3.2.3 Land Acquisition, Resettlement and Compensation

**Land Acquisition Guidance:** Uganda is moving from a period of small and uncontroversial subprojects like water points, community roads, etc., when communities and individuals of good will would voluntarily give away land for community development projects to medium and large scale subprojects which require substantial tracts of land that cannot easily be given away by individuals or communities for free. In a context of increasing land pressures, the MoLG received and accepted the World Bank Resettlement Policy Framework and used it as a way of introducing land acquisition to the local authorities including municipalities in the form of a broader guidance manual<sup>21</sup>. However details of these documents and how they are to be applied is not common knowledge to the technical teams at district level. In comparison with districts, municipalities have even less knowledge of the existence of the manual although some technical staff, specifically the MEO and to some degree the town clerk may have some exposure. Generally, the municipalities have no experience in handling land acquisition or its attendant measures especially in relation to the project affected parties.

In practice NEMA requires developers to include resettlement and compensation plans as part of ESIA’s if these issues are picked up during scoping, and would then be responsible for forwarding these to the correct ‘Lead Agency’, but they have no remit to follow up or ensure that these are implemented.

Reports by most municipal officials indicate that detailed land acquisition procedures and processes have never been required and therefore find no need to use the Resettlement Policy Framework that is provided to the municipalities by the Ministry of Local Government (MoLG) under previous World Bank projects. In other words the municipal staff did not see the relevancy of the procedures in cases of small sub projects land acquisition.

**Roles and Responsibilities:** According to the Municipal officials there is no officer appointed to handle land acquisition for projects and very often the physical planner and district engineer find ways to informally manage such issues, which frequently entails convincing land owners and users that the project at hand is important to them, citing its benefits and accepting the land without any compensation. Where the individual or community is resistant, then the local authority seeks to purchase the land. Some municipalities purchase land from individual owners who negotiate on land price Land prices are not set by the District Land Boards In other instances, records of the transactions, details of the seller and other information may be difficult to find.

---

<sup>21</sup>Participant’s Handbook on Environment and Natural Resources Management for use by Higher Local Governments. October 2011

For reviewed Municipal projects that have involved land acquisition, some of the consulted Municipal Councils have in the past ignored, convinced, or forcefully displaced Project affected peoples (PAP)s without compensation or livelihood assistance depending on the circumstances. According to some Municipal officials, consultations with the affected persons when possible are done with the help of local council leaders, Community Development Officers (given the role of sensitizing the PAP's to projects), Physical Planner, and engineers or in some Municipalities the town clerk. Meetings are organized where PAPs are informed about proposed projects and thereafter convinced to give part of their land or asked to move or settle somewhere else without compensation (particularly in the case of customary ownership). This approach, say municipal staff, has in some cases been successful, and in others where some PAPs know land values, projects have stalled as a result of PAPs resistance. It should be noted that with the commercialization of land market and increased land values, such an approach may no longer be feasible.

**Compensation:** Compensation in Uganda is covered under the Land Act (1998) and subject to the the Uganda Constitution (1995), described in section 4.1. Land acquisition processes lack the participatory provisions outlined in Uganda's *Environmental Impact Assessment Regulations, 1998*. Both *The Constitution, 1995* and *The Land Act, Cap 227* gives the government and local governments power to compulsorily acquire land and provides no framework to detail participatory methods in the acquisition. While *The Constitution* sets the standard for any form of compensation in and provides for prompt payment of fair and adequate compensation, the definition of 'fair and adequate' is not defined and all too frequently compensation is not guaranteed. In terms of individual transactions, when land users and owners are allowed to negotiate for compensation, this is done with no community participation or oversight. While a number of willing buyer and willing seller transactions do proceed satisfactorily, there is a risk that such individual negotiations can lead to unequal compensation and this places vulnerable groups (such as the poor, or women-, child- or disabled-headed household) in a position where they might be unable to represent themselves fairly.

#### 3.2.4 Protection of vulnerable groups

An implicit pro-poor focus is enshrined as the main objective of the municipal development plans. An extract from Mbale Municipal Development Plan states its over-riding objective (derived from the national development plan) as: 'provide strategic directions that will promote growth, employment, create wealth and reduce poverty disparities among the people of Mbale Municipality'. All the MDP's have sections describing poverty levels in their area; some are more detailed with analysis of the poverty trends.

However, other than through stipulating consultation with community members, there are currently no systems in place to ensure this pro-poor focus is carried through into planning and construction of infrastructure, or to ensure that disadvantaged groups will be positively impacted by specific developments. A review system is needed to ensure that the selected projects fulfill this aim.

There is a need to ensure that the Program includes activities aimed at strengthening capacities of municipalities' ability to implement pro-poor programs by enhancing the local population's awareness and skills by providing opportunities for them to participate in affairs that affect them especially when directly impacted by Program activities.

#### 3.2.5 Accountability and Transparency



**Grievance Redress:** Grievance resolution mechanisms are designed to ensure that Project Affected Persons (PAPs) have the opportunity to access the project and have their concerns addressed. It was found that grievance procedures within 14 Municipalities surveyed varied<sup>22</sup>. There was no specific office that handled project related grievances in any municipality. In 4 of the municipalities there was no provision or experience or provision known (Entebbe, Arua, Lira and Mbale), 5 municipalities reported that grievances were handled through the Local Council offices, whereby aggrieved parties appeal to the local councilor, usually at village and parish level, for assistance in arbitrating any grievance (Kabale, Masaka, Mbarara, Soroti and Hoima), 1 municipality stated that either LC's or elders would handle disputes in the area (Tororo), 2 municipalities had land committees established for land specific grievances (Jinja and Moroto), whilst 2 municipalities reported some involvement in grievances or disputes (Gulu handled through the physical planner and Fort Portal through their lawyer). If intervention by any of these methods failed, aggrieved persons would have recourse to a court of law. However, vulnerable groups, such as the poor, or women-, child- or disabled-headed household, are frequently unable to access the legal system due to the financial burden and therefore have no access to arbitration should appeals to the Local Council fail.

In addition to general grievance procedures, for land related disputes the Land Act creates District Land Tribunal Courts (DLT) to determine disputes relating to the amount of compensation to be paid for land acquired compulsorily.. However, the DLT ceased to operate in 2008, and yet these same institutions are also responsible for the municipalities. The affected person may appeal to a higher ordinary court. Similarly the Land Acquisition Act allows for any person to appeal to the High Court within 60 days of the award being made. The Land Act also provides that traditional authorities, mediators, or other persons can mediate a dispute when requested to do so by the Land Tribunal. The Land Boards are not involved in resolving disputes but mandated to facilitate registration of land at district level, and as referred to specifically by two of the municipalities (Jinja and Moroto). Therefore the linkage between Land Board activities and Land Tribunals is in relation to registered land only. The public can also bring complaints before the tribunals in respect of allocations of land by the Board and extensions of leases. Feedback from the ESSA consultations indicates that there is wide variation in the approach to handling grievances and that the municipal councils have had no more than informal involvement to date, relying on the ability of Local Councils to sufficiently manage grievances and disputes. The lack of a standardized process in the filing and resolution of grievances has led to complaints that the system does not quickly and adequately resolve conflicts. There has also likely been underreporting of grievances filed, as elders and Local Councils have no system, incentive or responsibility to report the grievances to a higher authority.

**Transparency:** The field survey reported considerable effort at transparency in municipal government fiscal budgetary allocations for various development projects. Financial information was commonly displayed on notice boards at municipal councils for viewing by the general public. Environmental information such as reports and approval conditions were also held at Municipal environment offices, however such information was available only in English, which may be a limitation to some non-English speaking people in communities. It was not ascertained whether communities are aware that this information exists or understand how to access and use it. These limits to information exist despite the existence of the *Access to Information Act, 2005* that provides for the right of access to information.

**Social Accountability:** A number of problems with regard to accountability have been registered including lack of accountability, weak record keeping and auditing<sup>23</sup>. Previous World Bank studies (2008) found that social accountability in Uganda is typically interpreted to mean holding civil servants,

---

<sup>22</sup> Source: AWE interviews with Municipal Officers undertaken for ESSA

<sup>23</sup> Muriisa R. K, 2008: Decentralization in Uganda: Prospects for Improved Service Delivery. Vol. XXXIII, No. 4, 2008, pp. 83–95, CODESRIA.

service providers and elected leaders accountable for carrying out their roles and responsibilities in delivering services. For the most part, civil society is more focused on ensuring that service delivery meets basic and urgent needs and accountability can be seen as a lower priority<sup>24</sup>.

The conclusion is that Uganda's typically top-down approach to service delivery and vertical accountability from service providers to development partners and national level government through reports and audits does not effectively engage civil society, including communities. Therefore there are typically limited opportunities for civil society and end-users to systematically comment on municipal plans and their resultant services. The municipalities participating in USMID are likely to conform to these general findings.

With regard to the decentralized structures in operation in the municipalities, two forms of accountability must be considered in addition to the social accountability described above: (a) political accountability in which the elected representatives account to their electorates, and (b) administrative accountability, or the extent to which managers and leaders are held responsible for achieving set targets by both their municipal governance structures and the Line Ministries for technical staff. Usually, the focus is on the extent to which targets are achieved within the limits of the budget. Both accountability types are applicable.

Administrative accountability for environmental issues is reasonably good, with both NEMA and the Ministry of Local Government having structures and systems for reporting in place. However, accountability for social issues is hampered by the lack of personnel, no clear system and structures for reporting and the lack of involvement of most line ministries, due to financial and human resources constraints, and their ensuing failure to support officers at the municipal level. In many instances municipal councils simply do not have personnel in place and officers at district level are expected to report on municipal issues (including for land issues, gender, worker health and safety<sup>25</sup>).

### 3.2.6 Social Conflict

Major causes for conflict are not expected out of the planning, designing and implementation of USMID subprojects. However, in Uganda as in many other countries conflict comes as a result of efforts to share scarce resources and sometimes politically motivated. The lack of participation, perceptions of inadequate compensation and lack of grievance mechanisms discussed above could increase risks of conflict arising locally as a result of specific projects. It is essential that the use of participatory approaches, transparency of procedure and entitlements, and continued consultations of the affected people should be instigated to promote key social development outcomes of inclusion and cohesion, and that grievance mechanisms allow for timely understanding of any issues that may arise from project construction or operation, including unpredicted impacts (social and environmental), lack of compliance with mitigation measures and conditions, accidents or failure to comply with laws and regulations.

## 3.3 **Resource Constraints to Social Management**

**Human Resources:** At the national level, the Chief Government Valuer's Office has two Senior Valuers who serve all projects in the entire country. They are expected to deal with a subproject from inception up to closure; an impossible task with sub-optimal levels of human resources. All 14 Municipalities under the USMID Program lack a person with social inclination in terms of skills and knowledge to handle all land acquisition related issues in sub projects. Very often, the

---

<sup>24</sup> World Bank Uganda 2008: Policy Note on social accountability

<sup>25</sup> Ref section 3.1 and 3.2 for detail on MoGLSD and Health and Safety Laws

Physical Planner and the Municipal Engineer find ways to informally manage such issues, though convincing land owners and users to voluntarily contribute their land without any compensation given the project's benefits. Where the individual or community is resistant, then the local authority may seek to purchase the land. Some municipalities purchase land from individual owners who negotiate on land price basing on the district established rates. In other instances, records of the transactions, details of the seller and other information may be difficult to find. Especially in the case of voluntary land contributions, there is little record keeping or transparency, which can lead to disputes. In addition, although the Community Development Officers (CDO) are in place, their job descriptions do not require them to handle land acquisition and its relevant measures, and are required to only mobilize and sensitize communities on project activities and their related social issues. Given the lack of designated responsibility, in cases where Resettlement Action Plans or other mechanisms for compensation are developed there can be little oversight to ensure PAPs are actually paid or assisted.

***Financial Resources:*** Municipalities have no designated budget for land acquisition and its related resettlement or rehabilitation measures. Central governments transfers do not include funds to meet land acquisition needs, and responses from municipalities suggest that this is one of the reasons why land acquisition is incorrectly handled at present. However, when subprojects are linked to a main project centrally then the relevant ministry seeks the required budget from Ministry of Finance, though this would not be the case with USMID.

### **3.4 Conclusions**

In general the social management systems, structures and practices are inadequate at present to ensure that social risks are either mitigated or eliminated, despite the fact that the planned project activities are not expected to result in significant social impacts. For resettlement, compensation and rehabilitation, there are significant gaps both in the system as written and as applied in practice. These gaps and subsequent risks are summarized against the environmental and social principles of World Bank OP/BP 9.00 in ANNEX 4.

## **ANNEX 4      GAP ANALYSIS AND RISK ASSESSMENT**

The analysis of environmental and social management systems presented above identifies clear gaps and opportunities with respect to effectively addressing the environmental and social impacts associated with the Program to generate positive outcomes for the environment and communities. The following Annex summarizes the gaps in the systems as written and the systems as applied in practice vis-à-vis the Core Principles in World Bank OP/BP 9.00, Program-for-Results Financing. This Annex then describes the risks of implementing the Program without strengthening systems based on the identified gaps (described in ANNEX 2 and ANNEX 3), as well as the Program context and potential impacts of the Program (described in ANNEX 1).

The Gap Analysis and Risk Assessment in Table 4 below is the main input for measures developed in the ESSA Action Plan, which is included in ESSA Volume 1 and integrated into the overall Program design, including the Program Action Plan, Annual Performance Assessment (including Minimum Access Conditions and Performance Indicators), and Program Operational Manual. Please also refer to ESSA Volume 1 for an analysis that considers the baseline information presented above, summarizes the gaps in the system as written and in the system as applied in practices, and describes the proposed actions in order to strengthen the system for resettlement and compensation for those projects financed by the MDG that require land acquisition.

**Table 4: Environmental and Social Risk Assessment of USMID Program**

Core Principle 1		
Environmental and social management procedures and processes are designed to (a) promote environmental and social sustainability in Program design; (b) avoid, minimize or mitigate against adverse impacts; and (c) promote informed decision-making relating to a program's environmental and social effects.		
System as written	System as Implemented	Risks and Applicability
<b>Operate within an adequate legal and regulatory framework to guide environmental and social impact assessments at the program level.</b>		
The national environmental framework is adequate for any projects that will require full EIA.	NEMA has inadequate capacity to review assessments and to carry out monitoring and follow-up. There is no means to verify if project mitigations and ESMPs are implemented, or to ensure that operation complies with national standards and regulations.	
For projects that do not require full EIA, EA is decentralized to the municipality which has a framework for procedures.	The framework and the standardized forms are provided by MoLG and all LGs are required to use them, but this is not always done. Where ESIA is required municipalities use qualified and certified practitioners, with NEMA oversight.	
The existing national policy, legal and regulatory framework does not adequately assess social impacts.	Social impact assessments are carried out according to the EIA Guidelines. Guidelines are inadequate but practitioners tend to apply reasonable international practice. Direct impacts are generally adequately captured.	Social issues are not well covered by law, and together with weak capacity on the ground there is a significant risk that social impacts will go unidentified and unmitigated.
For projects that do not require full EIAs, there is no known national or decentralized system to guide social impact assessments.	Social impacts are included in the ESSF, but are not well captured during the municipal screening process due to a lack of staff trained in social aspects.	
<b>Incorporate recognized elements of environmental and social assessment good practice, including: early screening of potential effects, consideration of strategic, technical, and site alternatives (including the no action alternative), explicit assessment of potential induced, cumulative, and trans-boundary impacts, identification of measures to mitigate adverse environmental or social impacts that cannot be otherwise avoided or minimized, clear articulation of institutional responsibilities and resources to support implementation of plans, responsiveness and accountability through stakeholder consultation, timely dissemination of program information, and responsive grievance redress measures.</b>		
For environment impacts, the EIA system at the national level administered by NEMA covers all of these items.	The ESSF is apparently not thoroughly applied, for three main reasons: (i) lack of oversight to ensure they are carried through; (ii) lack of MEOs in 4 municipalities and (iii) lack of capacity in MEOs to carry out assessment work, particularly social issues.	The absence of MEO's is a critical risk, because they play the lead role in subproject screening and ESMP development. NEMA will be involved in very few subprojects, and even then, the MEO still conducts screening, EIS review and follow-up. If the MEO is not in place environmental and social, objectives will not be met.
The municipal government screening and		

<p>ESMP development procedures and associated screening form incorporate the same concepts to an extent that is appropriate for the scale and riskiness of projects for which EA is handled locally.</p> <p>The ESSF in use by the municipalities explicitly asks for consideration of alternatives whenever impacts are predicted.</p>	<p>Most direct and construction related impacts are identified and mitigation measures included and detailed in the ESMP. Where they are included there is no clear responsibility to ensure they are implemented as mitigation measures are aimed at the project developer (usually through inclusion in construction contracts), while social issues are often outside the remit of the developer to address.</p> <p>Alternatives are not normally given due consideration, nor are induced, cumulative and trans-boundary impacts treated rigorously in ESIA's.</p>	<p>The lack of adequate environmental assessment capacity at municipal level is moderately critical; there will be shortfalls in environmental and social best practice compliance in subprojects because of errors in subproject screening, ESMP and bidding document preparation; delays in subproject implementation and certification; slow response to problems; delays in completing EIA reviews for NEMA; less-than-adequate stakeholder engagement; suboptimal project monitoring.</p> <p>Whilst project types selected are not expected to have serious impacts, these could be inadvertently increased by failure to consider alternatives. Cumulative and induced impacts in the municipalities may be greater than direct impacts, as improved services lead to further rapid in-migration, potentially negating project benefits.</p> <p>Failure to identify mitigation measures beyond construction mitigation, or to identify responsible parties for mitigation will have negative environmental and social consequences.</p>
<p>There is acceptably clear articulation of the responsibilities of national government bodies and other environmental institutions, although it is not clear how well they coordinate with either each other or local level government.</p> <p>Other than NEMA, and to some extent MoTWH, other ministries with a social remit do not appear to have clearly articulated guidelines to ensure that they are able to apply the national laws and regulations, where these exist. Their role with respect to projects in the municipalities is unclear.</p>	<p>While articulation of responsibilities in NEMA are clear, there are no resources and personnel to ensure that these are implemented fully, other than the submission of ESIA statements.</p> <p>MoLG require regular reporting and ensure that EA protocols are applied but stop short of ensuring they are implemented. Other line ministries do not appear to have regular communication with MEOs.</p> <p>MoLG, MoLHUD and NEMA appear to coordinate well through existing channels. LoGLSD do not communicate adequately with other govt. agencies.</p> <p>Current indicators in annual performance assessment are insufficient to ensure environmental and social performance is adequate.</p>	
<p>Resources are allocated by Government after each ministry, department, govt. entity puts in an annual budget</p>	<p>Resources are inadequate at Ministry and municipality level to ensure implementation of ESMPs. Budgets requested are not received and the MEO does not have the authority to set his/her own budget.</p> <p>USMID institutional assessment has noted that in most of the municipal governments, a substantial fraction of authorized positions are not filled. A streets maintenance unit was identified in the assessment as</p>	<p>After the presence and capacity of the MEO, lack of sufficient financial and equipment resources is the highest risk area affecting USMID program performance.</p> <p>In the context of tight budgets, maintenance may suffer. Streets and drainage systems, parking areas, and new markets will deteriorate. This risk is beyond the scope of the ESSA action plan but is covered in other areas of the Program.</p>

	something that is missing in many of the municipalities.	
<p>The EA process documents the need for responsiveness and accountability explicitly in the EIA guidelines. Consultation is an integral part of the environmental legislation and EIA guidelines.</p> <p>Responsiveness and accountability are described through the publication of documents and system for the public to comment and request public hearings.</p>	<p>EIA consultation is normally carried out by practitioners for projects requiring full EIA. However, participation is lacking for assessments carried out by the municipalities.</p> <p>Laws require NEMA to publicize information at various stages of the EIA process and to make reports publically available, but this is not carried out in practice.</p>	<p>There is a risk of lack of accountability in the identification and mitigation of impacts if project information is not available and accessible throughout the project planning and implementation process, not merely at the end.</p> <p>The lack of compliance with regulations by NEMA in failing to publicise and display information is a low risk to the USMID projects</p>

## Core Principle 2

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

System as written	System as Implemented	Risks
<b>Includes appropriate measures for early identification and screening of potentially important biodiversity and cultural resource areas</b>		
<p>The NEMA Project Brief format and the municipal Environmental and Social Screening Form (ESSF) require this information. National laws for the protection of various resources including wetlands, lakes and rivers, forests, water and air quality, soils, monuments, wildlife, protected areas all apply to local government and have been taken into account in the design of the screening form, checklist, and ESMP format used by MEOs for impact assessment.</p>	<p>Important biodiversity is normally adequately identified where it is known to exist. Little biodiversity is likely to exist in municipal areas outside of already-designated protected areas, including wetlands and forests.</p> <p>The Department of Museums and Monuments is contacted in case of ESIA's identifying a risk to physical cultural resources, however, this relies on the environmental practitioner identifying the presence of PCR. In practice there is little knowledge beyond a few known historical sites and monuments unless communities give information during consultations. Independent Archeological investigations are rare as part of ESIA.</p> <p>For municipal screening, the ESSF covers PCR, but again this is reliant on the MEO identifying their presence (and consultation and field visits are rare due to capacity and resource constraints).</p>	<p>No significant risk that areas of biodiversity will not be identified.</p> <p>Physical cultural heritage is not well understood or listed and could be lost unintentionally.</p>
The EIA system does not itself impose a	Conversion of critical natural habitats is not avoided;	Municipal areas are increasingly losing natural resources and vital

<p>ban on conversion of critical natural habitats but does require an EIA for any activities that might affect critical natural habitat in the form of national parks and other protected areas. Other regulations issued under the National Environment Law prohibit development in protected wetlands and restrict development activities in buffer zones around lakes and along rivers. The Forestry and Tree Planting Act and the Uganda Wildlife Act prohibit development in parks and conservation areas within their purview unless permission is first obtained and require an EIA for proposed activities in natural areas with lesser protection, such as forest and wildlife reserves.</p>	<p>although mitigation measures to minimize the damage are included, this does not extend to offsets or other compensation measures for the lost values, except for World Bank supported activities. The protected area regulations are not robust enough to prevent development within these areas, as provided an ESIA is approved, permission is normally always granted. Follow-up on projects is lacking, so non-compliance with mitigation measures, standards and best practice is not ensured. Municipalities themselves reacting to land pressures have also requested degazettment of forest reserves for development and proposed infrastructure development in wetland areas.</p>	<p>ecosystem services for future environmental and public health, and which may provide potentially important coping mechanisms for people living in poverty without means of subsistence.</p> <p>Most MCs do have areas of environmental sensitivity within their boundaries, including forest areas and wetlands. If environmental management does not adequately account for natural habitats, there is a risk of both direct impacts (in the case of discrete projects) and/or encroachment (in the case of land use and development planning that does not account for environmental services).</p>
<p><b>Takes into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects.</b></p>		
<p>The Historical Monuments Act protects declared monuments or discovered items that might be classed as monuments. The EIA Regulations require consideration of impacts on culture and cultural resources. The ESSF requires information on PCR, and the ESMP will include mitigation measures when any PCR could be affected.</p>	<p>The Department of Museums and Monuments is contacted in case of ESIA's identifying a risk to physical cultural resources, however, this relies on the environmental practitioner identifying the presence of PCR. In practice there is little knowledge beyond a few known historical sites and monuments unless communities give information during consultations. Independent Archeological investigations are rare as part of ESIA.</p> <p>For municipal screening, the ESSF covers PCR, but again this is reliant on the MEO identifying their presence (and consultation and site visits are rare due to capacity and resource constraints.)</p>	<p>There is a low risk of physical cultural property being impacted by projects as most will take place in built areas and existing rights-of-way, and screening should identify impacts. Without adequate training for identifying impacts during the screening, there is a risk that impacts on, for example, historic sites could be impacted.</p>



### Core Principle 3

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

System as written	System as Implemented	Risks
<b>Promotes community, individual, and worker safety through the safe design, construction, operation, and maintenance of physical infrastructure, or in carrying out activities that may be dependent on such infrastructure with safety measures, inspections, or remedial works incorporated as needed.</b>		
<p>The Uganda Constitution 1995, Article 40 and the Health and Safety Act of 2006 consider biological, chemical, physical, and economic factors that affect the occupational health and safety of workers. However, the Law only applies retrospectively, i.e. to prosecute in case of an accident or incident. There are no powers for MoGLSD to enforce adequate standards during construction or operation.</p> <p>The EIA Regulations include public health impacts in the required EIS content but do not mention worker safety.</p> <p>The ESSF used by municipalities explicitly includes questions on worker safety.</p>	<p>The Department of Occupational Health and Safety (DoOHS), MoGLSD liaise with NEMA, who inform them of ESIA's with issues relating to worker safety. A review of a sample of EIAs for composting plants shows that NEMA routinely includes workplace safety among the conditions attached to its Certificates of Approval of EIA.</p> <p>Practice with regard to inspection is poor, with only 17 of 38 posts currently filled at national level in the DoOHS<sup>26</sup> and in practice only high risk activities are inspected.</p> <p>The situation is reported to be worse at municipal level, with only 35 of 112 districts having officers in place and none at municipal level.</p>	<p>The risk of occupational hazards is relatively low based on the types of works that will be implemented under the program, which are basic infrastructure construction such as road works and small- to moderate-sized structures. However, if works contracts do not include procedures for occupational health and safety, contractors are not monitored to ensure a safe environment for workers, and/or there are inadequate sanctions for contractors, there is a risk that Program activities could contribute to unsafe working conditions.</p>
<b>Promotes use of recognized good practice in the production, management, storage, transport, and disposal of hazardous materials generated through program construction or operations; and promotes use of integrated pest management practices to manage or reduce pests or disease vectors; and provides training for workers involved in the production, procurement, storage, transport, use, and disposal of hazardous chemicals in accordance with international guidelines and conventions.</b>		
These issues are not relevant to USMID.	N/A	N/A
<b>Includes measures to avoid, minimize, or mitigate community, individual, and worker risks when program activities are located within areas prone to natural hazards such as floods, hurricanes, earthquakes, or other severe weather or climate events.</b>		
	N/A	A higher risk of health and safety effects due to induced effects of influx of different socio-economic migrants, or displacement of vulnerable

<sup>26</sup> DoOHS: Department of Operational Health and Safety, MoLGSD

		people to areas prone to hazards may be harder to identify and mitigate.
--	--	--

### Core Principle 4

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.

System as written	System as Implemented	Risks
<b>Avoids or minimizes land acquisition and related adverse impacts.</b>		
None. The National Land policy that has been stayed for four years would greatly help to give guidance on land matters if approved by Cabinet. Within this policy is a recommendation to prepare a national resettlement policy that would clarify most of the issues local authorities staff are grappling with on land acquisition.	None except for World Bank supported projects. No significant land acquisitions are expected due to the size of sub-projects and activities to be funded by USMID, but activities and sub-projects may expand or align existing facilities and therefore need linear tracts of land that may displace households. Past practice in the absence of regulation and budgets for land acquisition or resettlement have led to Municipal staff requesting land to be given for free.	The lack of national policy or law together with the attitude, level of knowledge and skills in handling of land acquisition by municipality staff poses a moderate risk that land acquisition may not be adequately handled
<b>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.</b>		
National laws related to land acquisition are inadequate as they do not provide sufficient guidance on compensation and no guidance on resettlement or rehabilitation. The draft national land policy which recommends the development of a national resettlement policy among others is yet to be approved by Cabinet (pending for the last 4 years). The Land Acquisition Act needs to be revised and some aspects in the Land Act need to be reviewed	Practice in land allocation is currently confused and resulting in disagreement between municipalities, districts and Land Boards, who may have conflicting opinions on who should make decisions, and how/which land should be allocated.  There is a failure to enforce zoning and physical development plans.	Land allocated by municipalities for development or protection may be allocated to private development by the Land Board.  i) Improvements in municipal environment, quality of life and attractiveness for investors are not sustained due to weak land development administration and control. ii) In the absence of appropriate government control, new informal market areas and settlements may spring up to take advantage of new infrastructure and better services.
Both the Constitution of Uganda 1995 and the Land Act (1998) cite the right of Ugandans to own property and the Constitution protects owners from deprivation (under Article 26)	None except for World Bank supported projects. In some projects, licensees have been compensated.	There is a low-moderate risk that land acquisition will impact the livelihoods of communities and individuals by inappropriate or inadequate land acquisition methods. There is a low risk that useful natural resources will be unavailable through development which destroys, or otherwise renders resources inaccessible.

<b>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.</b>		
The Constitution of Uganda 1995 emphasize the need for adequate and fair compensation. However there is no clarification on what is fair or adequate.	Payment of compensation is not consistent except for Bank supported projects where emphasis on preparation of RAPs is made. Otherwise in isolated cases may receive market rates as opposed to replacement rates. Common practice of requesting land to be given freely to municipal projects.	Moderate risk of communities losing assets for which they perceive compensation to be inadequate.
<b>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).</b>		
None	None.	Refer compensation risks
<b>Restores or replaces public infrastructure and community services that may be adversely affected.</b>		
Not applicable	N/A	N/A

Core Principle 5		
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.		
System as written	System as Implemented	Risks
<b>Undertakes free, prior, and informed consultations if Indigenous Peoples are potentially affected (positively or negatively) to determine whether there is broad community support for the program. Ensures that 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.</b>		
None and not applicable to USMID municipalities	N/A	N/A
<b>Gives attention to groups vulnerable to hardship or disadvantage, including as relevant the poor, the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, special measures are taken to promote equitable access to program benefits.</b>		
The existing policy on orphans and vulnerable children or that on the disabled does not relate to equitable access to program benefits. Constitution MDPs	Attention to vulnerable groups is made in development initiatives targeted to these groups.  The USMID Program did not include participatory selection of sub-projects, nor any explicit pro-poor planning or consideration of vulnerable groups.	As no specific consideration of pro-poor aspects have been included in the Program, there is a risk that the poor may not benefit from USMID or may be negatively affected by it.  The concern is that if water and sewer service and waste collection are extended into informal settlements and payment is required for the services, the poor may not be able to afford

	Issues of vulnerability and equity in land acquisition, access to labor opportunities, access to project benefits, etc., are likely not to be considered in environmental assessment.	access to them. If rental space in new markets is too costly, vendors will incur higher operating costs and lower profits or, in the worst case, will not be able to afford space at all and will lose livelihood.
--	---	--

### Core Principle 6

Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

System as written	System as Implemented	Risks
<b>Considers conflict risks, including distributional equity and cultural sensitivities.</b>		
None	<p>With no specific office to handle grievances in municipalities or nationally, MCs expected these to be handled through LC offices, or by tribal elders, with only 2 MCs reporting some involvement in grievances (Gulu handled through the physical planner and Fort Portal through their lawyer). Otherwise aggrieved persons have recourse to a court of law. Vulnerable groups are unable to access the legal system due to the financial burden.</p> <p>The Land Act creates Land Tribunals (district level), to help resolve disputes over registered land. The public can bring complaints before the tribunals in respect of allocations of land by the district Land Boards and extensions of leases.</p>	There is no substantial risk of social conflict from the projects as envisaged. However cases of social conflict and grievances could arise (for instance as an induced impact if concerns are not well handled, or negative impacts not avoided). At present these are addressed through the LC system and it is unlikely that the CDO's, as the community link, would have the capacity or authority to address issues arising (note: In Hoima there are already social conflict situations arising from land tenure and exacerbated by the oil industry, Gulu also may have some experience due to the former LRA conflicts)

## ANNEX 5 FIELD STUDY ON USMID MUNICIPALITIES

This report provides environment and social characteristics of the 14 Municipalities under this assignment (Figure 2). The information has been compiled from interviews, secondary sources of information including the five year development plans and municipal statistical abstracts, by AWE Civil Engineering and Environmental Consultants.

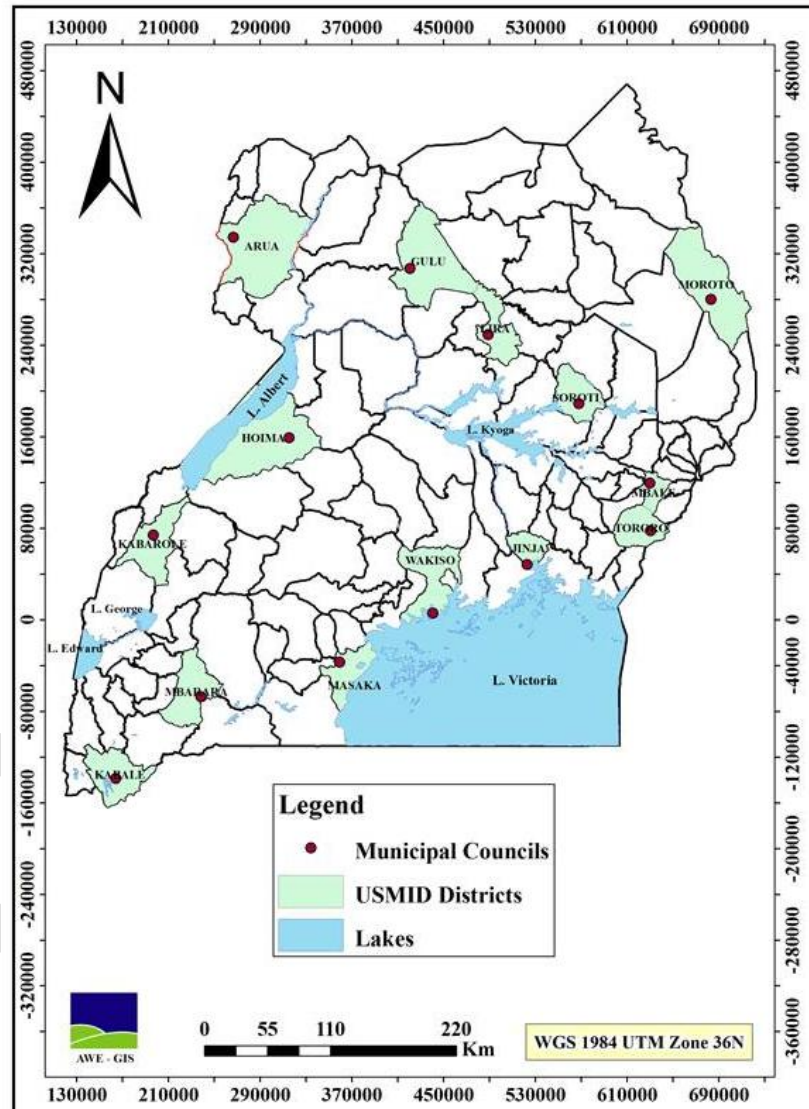


Figure 2: Location of municipalities under this project

### ENTEBBE MUNICIPALITY

Entebbe Municipality lies at 0°.04N, 32°.28E, which is 37 kilometers South of Kampala, the Capital City of Uganda. Situated in Wakiso district, the municipality is located on a peninsular into Lake Victoria covering an area of approximately 56.2 Sq km. Socio-environmental conditions in Entebbe Municipality are described below.

#### **a) Demography and Economy**

According to the 2002 population and housing Census, the population of Entebbe Municipality stood at 55,086 people of which 51% are females and 49% Males. Entebbe's population size has been increasing at an average annual growth rate of 2.2% implying that it was 63,820 people according to the projection of 2009 and 69,700 people by the next census in 2013. There are a number of livelihood groups that contribute to the social economic development of Entebbe Municipality and these include; civil servants, contractors, casual laborers, pensioners, artisan, brick makers, vehicle repairers, fisher folk, farmers, traders, hoteliers and aviation related occupations.

#### **b) Land use**

Entebbe's total land size is 56.2 Square Kilometers. As of 2005, 9.34% (5.3 sq. km) of land was used for human settlement, Agriculture covers 33.92% (19.1 sq. km) and 1.25% (0.7 sq. km) was used for commercial farming. 33.79% (19.0 sq. km) of the land was under public utilities while 1.83% (1.028 sq. km) was occupied by forest reserves.

#### **c) Education and literacy**

The majority of the 263 secondary school teachers in the municipality (65%) are university graduates and none are Grade III or IV teachers. There are 426 primary school teachers most of whom are Grade III (61%) while 20% hold a Diploma in Primary Education (DPE) and 15 primary school teachers hold no qualification in the teaching profession.

In Entebbe Municipality 83% population are literate.<sup>27</sup> Over 84% of male people above 10 years are literate and 81% of females can also read.

#### **d) Infrastructure and services**

##### ***Roads and transport***

The municipality has one trunk road (the Kampala-Entebbe highway) which is maintained by the Ministry of Works. In addition to this road, there are 3 major types of roads namely; paved, gravel and earth roads which are managed at division level in the municipality.

The main bottleneck to having well maintained roads is the inadequate funding for that cause. Of the 45 paved roads in the municipality 27 are located in the central ward while the remaining 18 are shared between Kiwafu and Katabi and none exist in Kigungu.

##### ***Safe Water Coverage***

There is 93% safe water coverage in the municipality. Most households have access to tap water in their homes and others normally buy water from the neighbor within a radius of 200 Meters.

The Municipality has two protected springs, one in Luyo East (Central ward) and the other in Kiwafu central (Kiwafu ward).

##### ***Latrine Coverage***

There has been an increasing trend in the percentage of latrine coverage over the past three years. This implies a high latrine coverage given a national coverage of 60%. pit latrine stands at 55%, VIP latrines stand at 30%, flush toilet at 10%, and only 5% has no toilet.

#### **e) Health**

Entebbe municipality has 1 hospital and 4 health centers that are owned by government. The HIV/AIDS prevalence rate is 8.6% reflecting a total of approximately 6287 people living with HIV/AIDS. HIV/AIDS

---

<sup>27</sup>Entebbe Municipal Council five year Development plan (2010/2011/2014/2015)

prevalence in Entebbe is due to its urban nature where people's life styles expose them to contracting HIV. The disease is most prevalent among fishing communities like those living at Nakiwogo landing site where fishermen use their hard earned cash to buy sexual favors from multiple partners. The disease also has a high occurrence among army officers whose long stays away from their homes and wives lead to infidelity. There are 4 HIV-counseling centers in the municipality such as Entebbe Hospital and TASO Entebbe (Central ward) Katabi air force, and Kigungu HCIII in Kigungu.

### ***Maternal and Child Health***

The number of supervised deliveries by skilled personnel for 2009/2010 stands at 3654 deliveries as compared to the targeted 3508 giving a percentage of 104.2%. This is due as a result of an increase in the number of people from outside Entebbe using the services. The number of mothers receiving antenatal care stands at 6807 as compared to the total number of 1445 receiving both antenatal and postnatal care. Number of mothers practicing family planning is at 5933 mothers.

### **f) Urban Poverty**

Entebbe has only one slum which is located in Lugonjo. It accommodates about 1500 people per sq.km. Infrastructure facilities are poor with people relying on stand taps as a way of accessing water. Waste within the slum is collected by the Municipality however there is inefficiency in collecting it. Very few households within the slum have constructed toilets; however pit latrines are available although they are not well maintained. This is due to the poor attitudes of the people. Within the slum, the drains are open and not covered. As a result, they are often suffocated as garbage is dumped in them.

### **g) Heritage**

Entebbe has important heritage places, some of the heritage sites include, a burial site of one of Buganda kingdom's King, the only and first international air port in the country, the site where the first missionaries landed, the zoo (wild life center). There are all kinds of religious institutions that are recognized in the Municipality. However there is a challenge with Pentecostal churches that are stabilized on vacant land without approval from the municipal councils, no structural plan for the churches, complains of noise from neighbors and the poor and unsafe building materials.

## **MASAKA MUNICIPALITY**

Masaka municipality is found in the Central Region of Uganda in about 130 km south-west of the capital city- Kampala, along the Trans-African highway to Rwanda and the Democratic Republic of Congo (D.R.C). It also provides the main route to the republic of Tanzania. The main Post Office is found at longitude 31° 44' 11.18" East and latitude 0° 20' 28.12" South at the heart of Masaka district and has access routes to different districts of Rakai, Kalangala, Mpigi, Kalungu, Bukomansimbi and Lwengo which makes it a transport centre for the region. Socio-environmental conditions in Masaka Municipality are described below.

### **a) Demography and Economy**

The population of Masaka municipality was 67,768 in 2002 of which 32,118 were males (47.4%) and 35,650 were females (52.6%). A review of the previous censuses population figures revealed that there was a general reduction in the inter censal population growth rates from 5 per cent in the period 1980-1991 to 2.68 per cent in the period 1991-2002.

The municipality has both formal and informal businesses and agricultural related activities. A lot of people are employed in the informal sector, which comprises trade ranging from food vending, to barber shops, to garage or metal workshops. The people employed in the informal sector, are mostly poor earning less than Ug. Shs 1,500 (less than 1 US dollar) per day.

**b) Land use**

Both agriculture, and residential use (12.5%), take up the highest percentage of land use within the Municipality, followed by institutional (4.8%), commercial (0.7%), industrial (0.5%), recreational/open spaces (1.1%) and parks, transportation, forest reserves agricultural and special purposes.

**c) Education and literacy**

Masaka Municipality like other Municipalities has implemented successfully the Universal Primary Education program known as UPE. The Municipality has a total of 59 primary schools. Of these, 14 are government aided, while 44 are private owned. For secondary schools, the Municipality has 16 schools of which 3 are government aided and 13 are privately owned. These schools are distributed in the municipality.

**d) Infrastructure and services*****Road and Transportation***

The road leading to the Municipality is a tarmac road with a distance of about 190km from Kampala, the national capital. However other Municipality roads are bad with a number of pot holes. Therefore needs rehabilitation to facilitate increased trade. There is an airstrip on Senyange hill. This however has been out of use for over three decades now. The municipal Council has turned part of the land for this facility into a refuse dumping site. There is no air, rail and water transport in Masaka Municipality. All transport is by road.

***Water supply***

The various water sources in Masaka Municipality include: shallow wells, springs wells, bore holes, rivers, rain water and piped water supply. The provision and supply of piped water in Masaka municipality is under a specialized parastatal body, the National Water and Sewerage Corporation (NWSC). NWSC is responsible for provision of piped water and sewerage services in the major urban centers in Uganda.

***Energy***

The 2002 Census indicated that a big proportion of the population (51.6%) in the municipality uses electricity while (46.9%) used paraffin in conventional lanterns and locally fabricated small lanterns locally called "Tadooba". 0.2% used petroleum gas, while 1.1 per cent used candle wax and 0.2% used firewood for lighting. On the contrary, charcoal and firewood are the most popular sources of energy for domestic and institutional cooking. The 2002 Census results indicated that charcoal and firewood account for 54.4 per cent and 30.2 per cent respectively of energy for cooking in most households. Electricity, gas, paraffin accounted for just 11.9 per cent of the households.

**e) Health**

Health facilities in Masaka Municipality are categorized between public health units and private ones. Public health units are those owned by the central and municipal local government. They include one regional referral hospital, one health sub-district and seven health centers of a second level of health units (Health centre 2) as categorized in the Uganda health delivery system.

Like most cities in the tropical zone, malaria is the leading disease in Masaka, accounting for over 70 per cent of all outpatient attendances in municipal health units. Other common illnesses include diarrhea (especially in prisons) upper respiratory tract infections, sexually transmitted diseases, HIV and tuberculosis.

The rate of infection with the HIV virus remarkably reduced from around 30% in 1992 to about 12.4% in 2003. This has been due to the efforts of the various partners in the HIV/AIDS care and prevention



struggle both locally in the Municipality and globally. However, the members of people living with HIV/AIDS (Prevalence) has continued to rise and will continue rising for a very long time. The most affected categories of people are the very active Age-groups in Society (18-50 years) and current data shows that females are more affected and infected than males.

#### **f) Urban poverty**

These are mainly slum areas around Masaka Municipality where the majority of the population are living below the poverty line. They include: Buchulo, Kitaka, Kimaanya, Kisuuna, Kasijjagirwa. Within the slums, people do not have access to basic services including roads, health units and minimal economic activities take place there. The major causes of poverty in other areas are:-

- Excess alcohol consumption
- Illiteracy
- Idleness and disorderly

For the last ten years, the Municipal Local Government has put in place projects e.g. piped water, tarmac and earth roads, New Kumbu housing estates and power extensions. Never-the-less, very little has been done to curb household poverty i.e. the lack of basic needs and services like food, clothing, beddings, basic health care and shelter at the household level. Hence, much as community poverty is reducing, household poverty is still a very big problem within the municipality. Household-based projects will need to be more emphasized in this 3-year plan period.

#### **g) Heritage**

Nabajjuzi Wetland System from which the municipality and other areas draw water is a Ramsar site.

### **MBARARA MUNICIPALITY**

Mbarara Municipal Council is one of the 15 Municipalities in Uganda and the third largest town after Jinja Municipality and Kampala capital city. It is located 266 kilometers from Kampala city on Kampala-Kabale road in the south-western Region of Uganda. Socio-economic and environmental characteristics of the municipality are described in sections below.

#### **a) Demography and Economy**

During the 2002 Uganda National Census, Mbarara Municipality had a population of 69,363 people, 35,149 of which are females and 34,214 males. The population in 2011 was estimated to be 103,078. In this population, females are 50,156 while males are 52,923. The population growth rate is estimated at 4.5% per annum which is above the national average.

The majority of the people in Mbarara get their livelihood from employment income at 54.3%. Business/industry is the second dominant component of the economy at 26% followed by subsistence farming at 7.1%, Property 1.6% and other incomes at 10.9%. Commerce is the dominant component of the economy followed by the service sector, industry, construction and agriculture. There is great potential for exploiting the resources in these sectors of the Municipality's economy. Commerce is carried out in the form of wholesale and retail trade and is mainly conducted by private individuals.

#### **b) Land use**

The Municipality boundary encloses a total land area of about 51.47 sq.kilometres that is 5,147 hectares. Land use types in Mbarara Municipality may be classified as follows;

- Agricultural based activities (both subsistence and commercial)

- Conservation and recreation activities e.g. forest and wetlands.
- Private forest estate (e.g. individual, community and commercial forest estates).
- Sites for settlements and industries.
- Public utilities (including roads, power transmission and higher institutions of learning)
- Earth material extraction (mining and quarrying)
- Disposal of polluting wastes.

### **c) Infrastructure and services**

#### ***Roads and transport***

The main modes of transport used are coaches and taxis (minibuses) traveling from Kampala to Kabale via Mbarara. This route also enables transit of goods to Rwanda, Burundi and the Democratic Republic of Congo via Kabale Municipality; more especially fuel and other consumables. Small taxi cars and motor bikes (Boda-bodas) also carry passengers from one place to another. The area has access to all major telephone networks including Uganda Telecom, Celtel and MTN networks.

#### ***Water Supply***

There is a sufficient and reliable water supply provided by the National Water and Sewerage Corporation, which serves about 47.5% of the population. The rest, especially in the fringe areas, survive on protected point sources, as well as on unprotected ones.

#### ***Energy***

The Municipality is served by hydro-electric power from Jinja which has of recent become unreliable due to constant load shedding. This power covers about 90% of the Municipality area and serves nearly 98% of the Municipality's population. It is supplied by UMEME.

### **d) Urban Poverty**

Economic conditions are deteriorating much faster for Mbarara Municipality residents than the national trend; the proportion of people living below the national poverty line is increasing dramatically, from about 10% in 2006, 11% in 2007, 12% in 2008, 13% in 2009 and 14% in 2010 to about 15% in 2011. The most evident features of this degeneration include slum expansion, higher numbers of people living and begging on the streets, and a rise in crime. If these trends are to be reversed, increasing inequalities, rural to urban migration and economic stagnation need to be addressed as a matter of urgency.

The slums located within the Municipality are Kajoogo, Kirehe, Ruti, Kiyanja and Kishenyi. All these do not have access to pit latrines, water and drainage system.

## **KABALE MUNICIPALITY**

The Municipality is situated in the South of Western Uganda, and is the only urban municipal Council in the District. Kabale municipal council is one of the eighteen municipalities in Uganda. Kabale.

Municipality borders with Kitumba subcounty in the south, Bubaare to the north and Kyanamira to the East. Sections below provide socio-environmental characteristics of the municipality.

### **a) Demography and Economy**

The Municipality population is about 41,344 according to the results of 2002 population and housing census UBOS, Entebbe. Females are 20,760 compared to 20,584 males. Most of residents carry out subsistence farming on the mountain slopes out of the municipality. A few of the locals are public

servants. Other people do small jobs such as grazing other people's cattle out of the municipality, motorcycle riders (boda boda) and traders-business owners.

#### **b) Land use**

The predominant land use in Kabale Municipality is residential followed by mixed farming as most people also practice urban farming. The residential areas can be classified as high, medium and low density. The high density covers about 8.9% of the urban area while the medium and low densities cover 12% and 9.7% respectively. Commercial developments within the town cover a total land use area of 86 hectares. The industrial area covers approximately 31 hectares with the main activity being small scale enterprises. A large area of the municipality comprises hilly areas with steep slopes which are unsuitable for settlement and cannot accommodate growth. This means that development in the already built up areas needs to be intensified systematically.

#### **c) Education**

The Municipality has 44 primary schools of which 23 are government aided, 47 private nursery schools, 22 secondary schools of which seven are Government aided while 12 privately owned. The Municipality also has 3 private Universities, 3 government institutions of higher learning (1 Commercial college, 1 National Teachers' training college and a Technical) and other private institutions totaling to 15.

#### **d) Infrastructure and services**

##### ***Roads and transport***

The road network in the Municipality is a combination of tarmac, grade I murrum, grade 2 murrum and community/access roads. It has a road network of 88km of which 17.92km (20.5%) are paved while the rest are either gravel or earth. The trunk roads namely Kable-Mbarara, Kabale-Kisoro and Kabale-Katuna roads are under the jurisdiction of the central Government while the rest are under the municipal council. Most of the roads within the municipality are in poor state save for the recent paved ones.

All roads in Kabale Municipality do not have clearly designated lanes for cyclists or pedestrians. Additionally, there are no visible crossing points for pedestrians (zebra crossings and overhead bridges). There are no lane markings and road signs to guide traffic.

Within the Municipality, the only mode of transport presently is by road. Movement on these roads is through both motorized and non-motorized means. Motorized means include public service vehicles and private cars while non-motorized includes walking, cycling and carts. The municipal authorities do not provide transport services.

##### ***Water supply***

National water and Sewerage Corporation is the main provider of piped water from a source at Kiyoora stream in Kagarama Parish and Lake Bunyonyi. However, this serves the Central Divisions and some villages of Southern and Northern division. According to Five year development plan, about 40% of the households are served by piped water and lesser than this are connected to sewage systems. The rest either draw water from protected springs or proposed springs or streams.

Owing to its location in the valley bottom, Kabale faces a serious drainage problem. Large volumes of storm water descend from the hills on to the town severely straining the current drainage system.

Sewerage system is a problem in most low lands of Central Division; garbage collection is still a major problem, as most communities do not use skippers. Another problem is that the Municipality has no one refuse collection truck.

Sanitary facilities in the Municipality are very unfavorable. Waste disposal problems feature mainly in the Central Division and relate to refuse dumping, littering delayed collection of filled garbage skips.

At present the community collects waste/garbage at specific areas gazetted by the authorities and the Municipal/Division authorities collect the garbage using trucks and deposits in the sand and clay quarry pits around the Municipality. This implies that the Municipality does not have a specific garbage disposal site. Community response to properly collect garbage to the identified areas is poor leading to garbage littering in most parts of the Municipality.

### ***Energy***

Kabale Municipality is connected to the national electricity grid. The major sources of energy in the Municipality are charcoal and paraffin for cooking and lighting respectively.

### **e) Health**

Kabale has a total of 32 health facilities including 10 government health centers and a referral hospital at Makanga hill central division. The rest are privately owned Nursing homes, clinics and drug shops/pharmacies. The health facilities are evenly distributed within the municipality and that the majority of the health facilities are privately owned. The 2002 census indicated that 23% of the population in Kabale was within less than ½ km from the nearest health centre and 44% within 1 to 5 km. The Percentage of latrine coverage is at 72%, the Percentage of households using hand-washing facilities is 80% and the Percentage of households using water-borne toilets is 18%

### **f) Urban poverty**

Kabale Municipality has a number of informal settlements that cut across all divisions<sup>28</sup>. The main serious slum pockets are: Kakabano in upper Bugongi, Mukihaha in Kirigime ward, Igabiro in Mwanjari ward, Kekubo in Mwanjari ward, Kingongi in Kingongi ward, Konyo in Butobere ward and Rushaki in Rushaki ward. Generally they lack the following; water, toilets, Garbage skips, access roads, drainage system connection, electricity, space for accommodation (housing), security lights and security, access to health units, jobs, community projects, recreational and meeting centers and productive activities. They have poor housing conditions, street kids and drug abusers, prostitutes, hooligans and school dropouts

## **FORT PORTAL MUNICIPALITY**

Fort Portal Municipality is found in Kabarole District in Western Uganda and serves as an administrative and commercial center of the District. Fort Portal lies on the slopes of mount Rwenzori commonly known as the Mountains of the moon. It lies about 316 km away from Kampala via Mubende. The Municipality Divisions are bordered by Mugusu, Kicwamba, Busoro and Karambi Sub-counties. Socio-economic conditions of the Municipality are described below.

### **a) Demography and Economy**

The 2002 Uganda population and housing census indicates that Fort Portal Municipality had a total population of 40,993 people contributing 1 percent of the total population of the Country. Sex ratio is 1:1 with an estimate growth rate of 2% and an average house hold size of 5 persons per household.<sup>29</sup> The most common economic activities carried out in Fort Portal Municipality, being un-urban centre is trade. Agriculture is on a low scale compared to trade where most people are engaging in business both retail and whole sale however generally agriculture is on a large scale as you move away from the business

<sup>28</sup> Actogether Uganda 2010: National Slum Dwellers Federation of Uganda. Kabale City

<sup>29</sup> Amicaall Uganda programme

centre where food crops are largely grown than cash crops plus small scale cattle rearing. This is also supplemented by the existence of NAADS programs in all the divisions of the Municipality.

#### **b) Land use**

The Municipality covers an area of 27.82 sq km of which the Central business district is 4 sq km and the remaining pieces of land are used for residential purposes and agriculture related activities. The area is also expected to increase towards other sub counties of the district.

#### **c) Infrastructure**

##### ***Roads and transport***

Fort Portal Municipality has an extensive road network, transport terminals and parking facilities. It has some roads covered by bitumen while others are under murram/gravel and loose surface. The concentration of good roads in the Municipal council has a direct impact on traffic, with most cars having to pass through the Municipal centre. This bears the results of an increased vehicle volume beyond the carrying capacity of its narrow streets.

The sector has a road network of 146.3km consisting of 47.35km (tarmac), 98.95km (murram). Out of the 47.35km tarmac roads, 10.2 km are trunk section and 37.15 km are Town street roads.<sup>30</sup>

##### ***Water supply***

The majority of residents utilize the services of National water and Sewerage According to Five year development plan; about the MC has 44 existing stand pipes, 11 protected springs, 9 boreholes and 7 shallow wells.

##### ***Energy***

The major sources of energy in Fort portal Municipality is charcoal, electricity, firewood, solar energy and petroleum products (fossil fuels) like Kerosene, petrol and diesel. Charcoal and firewood are mainly used for cooking while electricity is basically used for lighting. Use of biogas, wind energy and other renewable energy forms are not yet well developed in the Municipality and the district in general.

##### ***Health***

The main health facilities include a Regional Referral hospital, several private clinics and one privately owned hospital. The major health concerns of the Municipal council now include malaria, waterborne diseases such as cholera and dysentery, and respiratory diseases and HIV/AIDS. Others include human resources for health services, funding for health projects and inadequate health infrastructure.

#### **d) Urban poverty**

Fort Portal is relatively different from all other 14 municipal councils in this study in regard to absence of slums outside the municipality.

#### **e) Heritage**

Heritage sites in Fort Portal municipal council are River Mpanga, royal palace and the Fort.

### **JINJA MUNICIPALITY**

Jinja Municipality is situated on the northern shore of Lake Victoria and the east shore of the Victoria Nile at a point where River Nile issues from Lake Victoria in the former Rippon Falls (It is located at the

---

<sup>30</sup>Fort Portal Five Year Development plan

source of the River Nile). The town site takes the form of a tapering plateau and stands at an altitude of approximately 3750 feet (1,230 meters) above sea level. It covers an area of approximately 28 square kilometers. Socio-environmental conditions in Jinja Municipality are described below.

#### **a) Demography and Economy**

The 2007 Uganda Population and Housing Census Analytic Report Uganda Bureau of Statistics (UBOS, 2005) put Jinja Municipality's total population to 71,213, of which 36,325 are males and 34,888 are females. Jinja Municipality projected population size for 2011 is 89,700. This figure is far lower than that of day population estimated to fluctuate between 100,000 to 400,000 persons. People who work and go to school but do not reside within Jinja Municipal Council explain the higher daytime figure.

Commerce is the dominant component of the economy followed by the Service Sector, Manufacturing Sector, Construction and then Agriculture. The greatest concentrations of commercial activities occur in the Town Centre especially along Main Street.

About 25% of the working population is involved in public services-, 18% in agricultural services, 13% in the manufacturing sector and 8% in the financial institutions<sup>31</sup>.

#### **b) Land use**

Jinja Municipal Council is a well-planned town, and the Municipal Authority has effectively enforced observance of the 1994 structural plan. Predominant existing land-uses include residential (18%), industrial (8%), government (6%), and agricultural/undeveloped (51%) a total of approximately 1100 hectares (40% of the Municipality) is currently undeveloped and available for future new development. A further 42% is presently developed, while the remaining 18% can be classified as un-developable for reasons of environmental protection. Over 133 hectares of land are reserved for new industrial development. There are also substantial industrial premises, which are lying dormant and could be rejuvenated into functional industries.

#### **c) Education and literacy**

The National Household Survey indicates that 84.5% of the population aged 10 years and above is literate and mentions that literacy has continued to rise over the years. This is attributed to the national policy of Universal Primary Education and Functional Adult Literacy (2002 Population and Housing Census Analytical Report, 2007).

#### **d) Infrastructure and services**

##### ***Roads and transport***

Jinja Municipal Council has a tarmac road network of 85 kilometers of and 30 kilometers of murrum. Over 40% of tarmac road length (35 kilometers) is in very poor state and JMC is working on plan to rehabilitate them.

##### ***Water supply***

The main water source for JMC is NWSC piped water with coverage of 100%. In rural areas of Jinja District, access to clean water has increased from 8% in 1990 to 52% in 2001 and 56% in 2004. Jinja relies on Lake Victoria and Nile waters for both industrial and domestic uses.

##### ***Health***

Although there are a number of private health outlets in terms of clinics, drug centres or dispensaries; access to government health services is still difficult. The concept of a health sub-district has firmly taken route in the Municipality. There are two functional health sub-districts with a theatre and doctors' house.

---

<sup>31</sup> Jinja municipality profile, 2012

There are two health centres IV (Mpumudde and Walukuba), one health centre III (Jinja Central), and four health centres II (Kikaramoja, Kimaka, Masese and Kisiima) run and managed by the Municipality. The health centres II and III do not offer in-patient services but the health centres IV, which are being upgraded to mini hospitals, offer in-patient services that include maternity and child healthcare units. All the facilities suffer from similar problems such as inadequate funding, are poorly equipped to handle even basic services like laboratory investigations, minor surgery and emergency obstetric operation, inadequate infrastructure to house the available staff, dilapidated buildings, lack of transport for community-based health activities. The major health concerns of the Municipal council now include malaria, waterborne diseases such as cholera and dysentery, and respiratory diseases (a consequence of air pollution particularly from fossil fuel combustion and waste burning) and HIV/AIDS. Others include human resources for health services, funding for health projects and inadequate health infrastructure.

Although Uganda has successfully reduced the national HIV/AIDS prevalence from 30% in the early 1990s to the current 7%, HIV/AIDS prevalence remains higher in urban areas as compared to rural areas. Poverty, rapidly increasing urbanisation associated with rapidly changing lifestyles and few programs targeting high risk and vulnerable populations in urban areas, are some of the reasons for the persistently high prevalence in urban setting. Over the years, HIV/AIDS epidemic has mostly affected the age group of 18-35 years, which is the most productive and most of the affected are girls.

### ***Energy***

There is reasonable coverage of electricity though there are still few areas not yet connected to electricity. Electricity is mainly used for household lighting, used in medium scale industries and street lighting. However, due to high charges per unit of electricity, and high cost of electrical appliances most households still prefer to use alternative sources for cooking e.g. charcoal and firewood, which have left their toll in the district forest resources.

### ***Urban poverty***

Poverty is one of the more urgent problems facing the population of Jinja Municipality. Approximately 80% of Jinja residents live in poverty and suffer from persistent and endemic health problems arising from overcrowding; poor sanitation, unsafe water and poor nutrition. The already low levels of formally educated are declining, particularly among the female population. The number of female-headed households is on the rise (about 40-60% in each parish). This is due to a number of factors: including the AIDS pandemic, men's search of formal employment outside Jinja as the employment situation worsens, the inaccessibility of knowledge regarding family planning and unequal gender relations.

### ***Heritage***

There are various historical sites in the Municipality operated by the Municipal Council. The major attraction to Jinja is the source of the Nile, and white water rafting.

## **LIRA MUNICIPALITY**

Lira Municipality is located in Lira District in Northern Uganda. It is geographically located at latitude 20° 17' north of the equator and longitude 32° 56' east of the principal meridian. It started as a trading centre in 1919 and became a township in 1933. In 1954 the township became a Town Board. At independence in 1962 Lira became a Town Council and it was not until 1985 that it was elevated to its current status of a Municipal Council.

Lira Municipality exhibits a unimodal rainfall pattern with a single rainfall maximum. The rainy season stretches from March to November with a short dry spell in June. The dry season stretches from December to March. Ngetta Meteorological Station figures indicate that the amount of rainfall ranges

from 1000mm to 1600mm per annum.. The average temperature of Lira Municipality ranges from 22<sup>0</sup> and 26<sup>0</sup>C but the diurnal temperature range is high in the dry season and may reach 40<sup>0</sup>C.

The relief of Lira Municipality is generally flat but gently undulating in some areas. The altitude is between 1075 and 1100 meters above sea level. The Municipality is generally well-drained except for some peripheral areas which have swamps. Other socio-environmental characteristics of the municipality are described below.

#### **a) Demography and Economy**

Lira Municipality is located in Northern Uganda, slightly over 370 km from Kampala City. The Municipality covers a land area of 7745 hectares.

According to the 2002 census results (UBOS 2002), Lira Municipality had a population of up to 80,879, with 16,833 households and an urban population growth rate of 10.1%.

The main source of livelihood for the Municipal council population is employment, trading, and other sources. The Municipal council is a centre for economic and industrial activities, with better social services and this has attracted a large population. The industries are mainly medium size dealing in manufacturing, small-scale agro-processing, informal small sector ranging from metal fabrication to commercial shops. Subsistence farming is characterized by the immediate neighborhood.

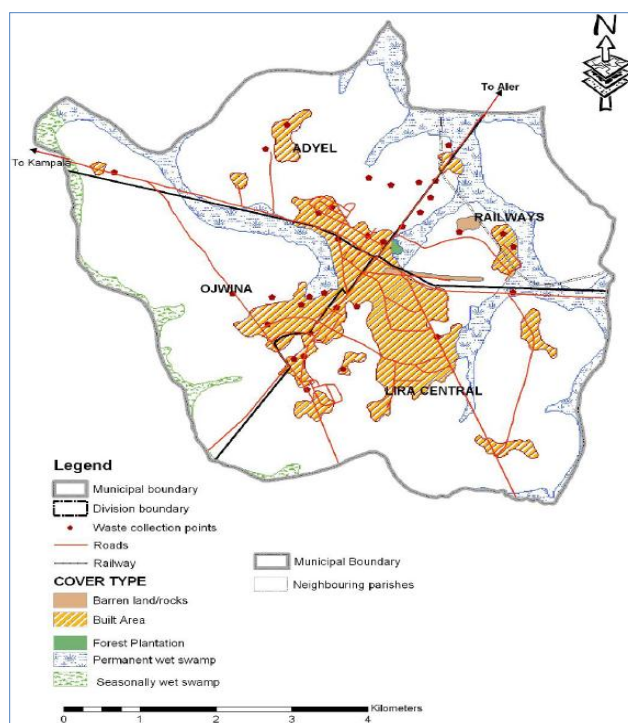
#### **b) Education and literacy**

The Municipal council has government and privately run institutions, attracting students from the immediate catchments within the region considering that the area has been relatively stable during the 20-year insurgency in northern Uganda. The private sector plays a significant role in providing education infrastructure for the Municipal council community.

Lira Municipality has:

- A health training institute
- Uganda Technical College





Source: NEMA 2007: *Environmental Impact Statement for the Proposed Waste Composting Plant and Landfill in Aler Village, Anyomore Parish, Adekokwok Subcounty, Lira District*

### c) Land use

Land use in Lira Municipality is characterized by residential and commercial buildings while some areas on the periphery of the municipality are used for small-scale urban agriculture. Sections of the northeastern part of the Town Council are covered in permanent swamp.

### d) Infrastructure

#### **Roads and transport**

Lira Municipal has an extensive road network, transport terminals and parking facilities. It has some roads covered by bitumen while others are under murrum/gravel and loose surface. The concentration of good roads in the Municipal council has a direct impact on traffic, with most cars having to pass through the Municipal centre. This bears the results of an increased vehicle volume beyond the carrying capacity of its narrow streets.

#### **Water and Sanitation**

Water and sewerage is taken care of by the National Water and Sewerage Corporation and the percentage of the population with access to potable water is 65%. There is therefore need for water extensions to more communities.

About 100 tons of solid waste is generated in the municipality per day, of which only 20 tons are collected per day. Of the amount of solid waste that is collected per day, only about half (10 tons) are disposed off at the compost plant at Aler. Although there is a solid waste by-law, this has not been very well implemented. Few premises are connected to the public sewer and most use septic tanks or pit latrines.

#### **Health**

The main health facilities include Lira referral hospital, several private clinics and one privately owned hospital.

The major health concerns of the Municipal council now include malaria, waterborne diseases such as cholera and dysentery, and respiratory diseases (a consequence of air pollution particularly from fossil fuel combustion and waste burning) and HIV/AIDS. Others include human resources for health services, funding for health projects and inadequate health infrastructure.

### ***Energy***

The major source of energy in Lira Municipality is charcoal, electricity, firewood, solar energy and petroleum products (fossil fuels) like Kerosene, petrol and diesel. Charcoal and firewood are mainly used for cooking while electricity is basically used for lighting. Use of biogas, wind energy and other renewable energy forms are not yet well developed in Lira Municipality and the district in general.

There is reasonable coverage of electricity though there are still few areas not yet connected to electricity. Electricity is mainly used for household lighting, used in medium and large-scale industries and street lighting. However, due to high charges per unit of electricity, and high cost of electrical appliances most households still prefer to use alternative sources for cooking

## **MBALE MUNICIPALITY**

Mbale Municipality is located 34° 10' East of the prime meridian and 1° 03' North of the Equator, situated at the foot of Wanale Ridge (8,000 ft), the most prominent westerly ridge of Mt. Elgon. As it can be seen from the map above it lies in the East of Mbale District which is in Eastern Uganda. The town is situated 45 kilometers North of Tororo Town, 56 kilometers south east of Kumi Town, 57 kilometers east of Pallisa Town and 55 kilometers south west of Kapchorwa Town. Mbale is 256 kilometers and 220 kilometers via Tororo and Tirinyi respectively from Kampala the capital city of Uganda and 52 kilometers from the Western Kenya Boarder.

Mbale has gentle hills and valleys covering a geographical area of 2,435 hectares, 10 square miles (24.35 sq.km). Its relief varies from 4,040 ft above sea level in the South Eastern Border region to 3,600 ft. above sea level, in the west.

The town is drained from east to west by three major rivers that have their sources on Wanale Ridge. River Nashibiso and its tributary Napwoli drain the southern part of the town. These are bound by an extensive plain under forest reserve management. River Nabiyonga and its major tributary Namatsio drain across the northern area of the town. Several primary and secondary drains have been developed to originate from within the town area and drain into these rivers. All the mentioned rivers drain into River Namatala that forms the Northwest boundary of Mbale Town. Other socio-environmental characteristics of the Municipality are described in sections below.

### **a) Demography and Economy**

According to the 2002 Uganda Population and Housing Census Analytical Report (UBOS 2007), Mbale Municipality had a total population of 91,800 of which 44,900 were males and 46,900 females with a sex ratio of 98.1 males per 100 females. Commerce is the dominant component of the Municipal economy followed by service sector, agriculture and industry. The greatest concentration of commercial activity is on Republic Street, Naboa Road, Cathedral Avenue and Market Street.

### **b) Land use**

Mbale has an old structure plan that specifies land uses according to various zones. According to Municipal officials, residential area constitutes the biggest proportion of land use followed by commercial and institutional uses. Wetlands were also identified in the municipality.

### **c) Education and literacy**

The education sector plays a vital role in promoting sustainable development through capacity building of the population in various skills. It also raises awareness on various issues of national importance and improves general standards of living. Enrolment in all institutions has drastically increased; more schools, institutions, colleges and universities have sprung up, mainly under private ownership.

Universal Primary Education has since been introduced, and with tremendous increment in Primary School enrolment. Enrollment in educational institutions by 2003 was at 32,634.

The Municipal council has government and privately run institutions, attracting students from the immediate catchments within the region considering that the area has been relatively stable during the 20-year insurgency in northern Uganda. The private sector plays a significant role in providing education infrastructure for the Municipal council community.

### **d) Infrastructure and services**

#### ***Roads and transport***

Mbale Municipality is severed with a total of over 120 Km of roads both tarmac and earth roads, of which 59.8km are tarmac, 29.1km gravel & 32.3km earth. Mbale is the nodal centre for the Mbale-Kampala highways either via Tororo Town or through Tirinyi road; it also connects this region of Uganda via the Soroti Highway. It is also well connected to other district towns such as Pallisa and Kapchorwa. Because of its good network, Mbale's hinterland includes the districts of Apac, Lira, Moroto, Kapchorwa, Bukwo, Bukedi, Teso, Pader, Nakapiripiti, Gulu, Manafwa, Bududa, Sironko, Butaleja, Pallisa, Namutumba.

Within the Municipality are tarmac, gravel and earth roads whose state ranges from poor to fair state. A larger part of the Central Business District is well served with tarmac roads.

#### ***Water and Sanitation***

Water and sewerage is taken care of by the National Water and Sewerage Corporation and the percentage of the population with access to potable water is 65%. There is therefore need for water extensions to more communities. About 100 tons of solid waste is generated in the municipality per day, of which only 20 tons are collected per day. Of the amount of solid waste that is collected per day, only about half (10 tons) are disposed off at the compost plant at Aler. Although there is a solid waste by-law, this has not been very well implemented. Few premises are connected to the public sewer and most use septic tanks or pit latrines.

In the late 1970s, Mbale municipality used to be the cleanest town in East Africa but not anymore. It is now overcrowded due to population pressure. The population that was 23,544 in 1969 rose to 70,437 in 2002. Many of the buildings are old and sewerage systems have broken down. Since jobs are not readily available, so many idlers crowd around restaurants "waiting to harvest money from where they have not sown" consequently increasing cases of theft. There has been an effort to plant trees and shrubs in the municipality but this has been rendered difficult by roaming livestock in the municipality.

### **Health**

The Mbale Regional Hospital is most significant healthcare facility in Mbale Municipality. It is also a referral hospital for the Eastern Region of Uganda. Others include the CURE Hospital for specialized orthopedic services, Ahamadiya Hospital, Municipal Health Centre, Namakwekwe Maternity Centre,

Namatala Operating Theatre HC IV, Busamaga HC II, Maluku HC II. Private Clinics, First Aid Posts and drug shops are numerous and fairly well distributed among the population.

### **Energy**

The major source of energy in Lira Municipality is charcoal, electricity, firewood, solar energy and petroleum products (fossil fuels) like Kerosene, petrol and diesel. Charcoal and firewood are mainly used for cooking while electricity is basically used for lighting. Use of biogas, wind energy and other renewable energy forms are not yet well developed in Lira Municipality and the district in general.

There is reasonable coverage of electricity though there are still few areas not yet connected to electricity. Electricity is mainly used for household lighting, used in medium and large-scale industries and street lighting. However, due to high charges per unit of electricity, and high cost of electrical appliances most households still prefer to use alternative sources for cooking.

### **e) Urban poverty**

Mbale Municipality has about 9 slums, these according to the Municipal Five Year Development plan are referred to as slum pockets. These include Kiteso, Kikyafu, Namatala, Kikamba, Doko, Maluku, Mooni, Buyonjo Road and police barracks. Only Kikamba has access to piped water and the rest depend on stand pipes. Toilet facilities within these slums are very poor and a small percentage of road system is functional. The basic infrastructure facilities in the slum indicates that they are minimal and inadequate and need to be strengthened.

## **GULU MUNICIPALITY**

Gulu Municipal Council, GMC, is the civic center of Gulu District administration. It is the largest commercial and social coordinating point in the district as well as for many regional activities in the North. GMC lies approximately 332Km North of Uganda's Kampala City. It stands at 32° 17' longitude East and Latitude 2-47 North of Equator. The area coverage of GMC is 54.4Km<sup>2</sup> which represents about 2 % of the District Land coverage. Existing characteristics of Gulu Municipality are shown below.

### **a) Demography and Economy**

During the 2002 population and housing census, Gulu Municipality had a population of 119,430 people, 59,023 of which are male and 60,407 are females. Commerce is the dominant component of the economy followed by the service sector, industry, construction and then agriculture. Commerce is carried out in form of wholesale and retail trade and is mainly by private practitioners. The commonest agricultural activities are small-scale subsistence farming around town with very low harvest. Most of the crops are legumes, vegetables and some cereals. A fair production is being realized from dairy cows.

### **b) Education and literacy**

Gulu Municipal Council has many educational facilities like nursery schools (13% of total number), Primary schools (46%), University (1%), secondary schools (25%) and other learning institutions (15%).

### **c) Infrastructure and services**

Gulu Municipal Council has three different types of roads, namely tarmac, gravel and earth roads. The total distance of tarmac roads in the municipality is 19 km. Gravel roads are 31.6km and they are all third class murrum roads. The ones that had been opened were upgraded to murrum road. The existing murrum roads are very muddy which is a problem to storm water drains because of the high rates of siltation.

### ***Water and sanitation***

There is sufficient and reliable water supply by the national water and sewerage corporation serving about 47.5% of the population. The rest especially in the fringe area survive on bore holes, protected point sources and unprotected ones.

### ***Health***

Gulu Municipality has three hospitals namely; Gulu regional referral hospital, St. Mary's hospital Lacor and Gulu Independent Hospital.

Gulu Municipal Council has one small clinic with very limited facilities. This is a general outpatient treatment with no laboratory services, no necessary equipment and immunization kits. It is located in Pece Division, Labour Lines Parish. There are about 32 private clinics and drug shops operating in the Municipality, most of them concentrated in the city center and in the local shopping centers of Bardege, Layibi and Pece. Most of them are operated by registered/Enrolled Nurses or Nursing aids and in some cases, midwives.

HIV/AIDS is both a health problem and a development problem because of the fact that it has caused deaths to mainly the middle aged residents of the Municipality who are the main engine of development in any Locality in the World. This has led to slashed life expectancy, large numbers of orphans, destroyed whole families and therefore lead to increased dependency, declined human development, declined Socio-economic development and therefore increased poverty

### ***Energy***

Electricity is available except like water supply, its distribution is still limited due to expensiveness of buying poles. The Municipality is served by hydroelectric power from Jinja and is reliable in most parts of the town. This power covers about 40% of the Municipal area and serves nearly 48% of our population. It is supplied by UMEME Company. The distribution has been fairly regular as opposed to the periods when there was a rampant load-shedding exercise across the Country

### **d) Urban poverty**

Most of the populations in the Municipality are generally leaving below the poverty line although there is limited availability of household data for the review period. Their living conditions are undoubtedly below standard and they are not able to contribute to urban productivity in officially recognized ways. Infrastructure and public utilities are totally inadequate not only to meet the needs of the majority but also to support the growth of urban productivity, which is essential for overall development.

## **HOIMA MUNICIPAL COUNCIL**

Hoima Municipal was created and became a Municipality in 2010 through the Act of Parliament. The Municipality was carved out of Hoima Town Council, Busiisi Sub County, some parts of Buhanka, Kitoba and Bugambe sub counties. Hoima Municipal council is located in Hoima District in Mid western Uganda, about 200km Northwest of Kampala city. It's also the headquarters of the district. It is bordered by other Local Governments namely Buhanka Sub-county in the east, Kitoba in the west, Buhimba in the North and Kyabigambire in the South. Hoima Municipal council is composed of four Divisions which are further subdivided into sixteen wards. Characteristics of the municipal council are described below.

### **a) Demography and Economy**

The Municipal council has a total area of 50 sq km and a population of 102,300, with a ratio of man to women of 100: 114, population growth rate of 3.2%.

With the oil industry taking root the economic landscape has changed to adapt to the emerging business demands like accommodation, foods and beverages, transport and poultry and are engaged in small-scale production activities.

### **b) Land use**

Hoima's total land size is 50 Square Kilometers. Human settlement in Hoima Municipal Municipality is exhibited in three forms: sparse settlements, clustered settlements, and nucleated settlements. On average,

the majority of the land is densely settled. Clustered settlements in the Municipality are mainly found in the emerging rural growth centres as a result of petty trade. However, with increasing population, this type of settlement is not common. Kahoora Division on the other hand has nucleated settlement with an estimated population density of 561.2 persons per sq. km (2002 census).

### **c) Education and literacy**

There are 33 Primary and 5 Secondary schools sponsored by the government and 23 Primary and 14 Secondary schools under private ownership in Hoima municipality. There are 426 school teachers with 311 holding Grade III certificates while 25 hold a Diploma in Primary Education (DPE) and 10 are graduate teachers.

The education sector is facing a number of challenges some of which include;

- Inadequate teachers
- Inadequate sanitation facilities
- Inadequate funds and their late release
- Poor attitude towards Education by the community
- HIV/AIDS amongst Teachers

Much as the National Standards requires that the pupil teacher ratio be 55:1, in Hoima municipality, it is not applicable. In some instances, you find a teacher handling 120 learners or even above.

According to the National Standards, one latrine stance is supposed to accommodate 25 girls and the same stance to accommodate 40 boys. In schools of Hoima Municipal Council, in some instances you find one stance being used by 80 girls and the same stance being used by more than 100 boys.

With the introduction of UPE and USE, many people took it that everything in education has to be provided by the Government, which is not the case. As a result, this has increased dropouts in schools because sometimes learners don't have what to use at school e.g. books, uniform and pencils/pens.

### **d) Infrastructure and services**

#### ***Roads and transport***

The main form of transport in Hoima Municipal is road. Hoima Municipal has a road network of 132 Km of which 10.56 km is paved and the rest is either murrum or earth roads. These roads are plied by all categories of vehicles. There are many bridges in the Municipal. Among them are; Wambabya, Bigajuka, Rwenkondwa, Kanyendaki, Kalyabuhire, Nyakana bridge.

#### ***Safe Water Coverage***

There has been an increase in access to safe water supply in rural areas over the years and currently safe water coverage in the municipality Stands at 74. 2%, with NWSC contributing to over 80% of this water coverage. Other major sources of safe drinking water in the municipality include boreholes and protected springs.

#### ***Latrine Coverage***

There has been an increasing trend in the percentage of latrine coverage over the past three years. This implies a high latrine coverage given a national coverage of 60%.pit latrine stands at55%, VIP latrines stand at 30%, flush toilet at 10%, and only 5% has no toilet.

#### ***Health***

Hoima municipality has 1 hospital, 2 Health Centers III and 5 Health Centers II that are owned by government.

**e) Urban Poverty**

On average less than 15% of the population of Hoima Municipal falls below the poverty line (i.e. the population is spending less than US \$ 1 per person per day on basic human requirements such as health, food, shelter and clothing). Because many women are engaged in petty employment, this has led to the mushrooming of slums e.g. in Kiryatete, Isaka Lower, Kiganda and Lusaka. Infrastructure facilities are poor with people relying on stand taps as a way of accessing water in these slums with no skips or central collection points to handle garbage. Households within the slums communal toilets(pit latrines); however these are not well maintained.

**f) Heritage**

The important heritage sites in Hoima Municipal Council are the Royal Tombs of Bunyoro kingdom's Kings and "Mparo". The kingdom is also in the process of construction of a museum in the municipality.

## References

1. Arua Municipality slum profile 2010
2. Entebbe Municipal Council five year Development plan (2010/2011/2014/2015)
3. Actogether Uganda 2010: National Slum Dwellers Federation of Uganda. Kabale City
4. Fort portal Five Year Development plan 2011/12 – 2015/2016
5. Lira Five Year Development plan 2011/12 – 2015/2016
6. Mbarara Five Year Development plan 2011/12 – 2015/2016
7. Hoima Five Year Development plan 2011/12 – 2015/2016
8. Gulu Five Year Development plan 2011/12 – 2015/2016
9. Fort Portal Five Year Development plan 2011/12 – 2015/2016
10. Soroti Five Year Development plan 2011/12 – 2015/2016
11. Tororo Five Year Development plan 2011/12 – 2015/2016
12. Mbale Five Year Development plan 2010/11 – 2014/15
13. Entebbe Five Year Development plan 2010/11 – 2014/15
14. Kabale Five Year Development plan 2010/11 – 2014/15
15. Masaka Five Year Development plan 2010/11 – 2014/15
16. Jinja Five Year Development plan 2010/11 – 2014/15
17. HIV AIDS work place policy, September 2009
18. Jinja municipality profile: 2010
19. Entebbe Municipality 2009: statistical abstract
20. Environmental impact statement for Mbarara municipal council: 2007
21. Environmental impact statement for Kabale municipal council: 2007
22. National slum dwellers federation of Uganda: 2010
23. UN Habitat 2010: Strategic Urban Development Plan for Masaka Municipality
24. Kabale Municipal Council Municipal Environment Action Plan(2010-2015)
25. Actogether Uganda 2010: Arua Municipality Slum Profile
26. Lira Municipal Council, February 2007: Environmental Impact Statement for the Proposed Waste Composting Plant and Landfill
27. The Abbreviated Resettlement Plans (ARAPs) for the Municipal solid waste composting Project in Fort-Portal Municipality (for Project Activities Land and Access Roads). November, 2011.
28. Uganda Bureau of Statistics, profile of higher local governments: May 2009



## Questionnaire Summary from field study:

### PforR Questionnaires - USMID - 14 municipalities

y - dedicated staff; n- no staff; \* - shared responsibility

	MC	Staff Employed				Env committee (y/n)	Needs	Associated with NEMA (y/n)	By-laws in place (y/n)	Budgeted (y/n)	Training/Cap bldg budget (y/n)	Overall challenges	Work Process in place			Prior project experience	
		Env Officer (y/n/*)		Soc Staff (y/n/*)									Environmental Assessment	Resettlement/ Compensation	Grievance Mechanism (y/n)	Projects	Env and Soc Issues
1	<b>Arua</b>	y	Biology, Health, pollution mgmt	*	Physical planner, engineer, CDO, EO		equipped office space; Computer, Internet access, meters, camera, office space, website	y	n	in progress	y		EA checklist (LG)	Involuntary Resettlement Framework for local gov't. BUT NEVER USED		Solid waste mgmt; Lagoon at referral hospital; Road maintenance	Compensation and negotiations with land owners
2	<b>Entebbe</b>	*	agri officer (Ms in NRM)	*	Physical planner, engineer, town clerk		GIS software; Training on RAPs, Policy Framework	y	?	y	y	Field visits/monitoring take most effort	EA checklist (LG)	Resettlement manual (municipality)	n	Municipal solid waste; Roads	Negotiated with owners for Land Acquisition (No compensation paid)
3	<b>Fort Portal</b>	y	env mgmt	*	Physical planner, engineer		Resettlement framework, safeguards policies; No Internet, GPS, monitoring equipment, computer, printer;	n	under implementation	y (under-utilized)	y	NRM training, conflict resolution training	EA checklist (LG); Env audits	Resettlement checklist (LG); Manual	n (lawyer on staff)	Solid waste mgmt; Deforestation, wetland encroachment	Municipal market; Roads; Surface compensations done
4	<b>Gulu</b>	y	1 (EA, proj. mgmt)	*	CAO, physical planner, engineer		transport, website, internet, PPE; GIS software	y	n	y	y (no dedicated budget)	Project supervision is an challenge; field visits - most effort	Checklist in place (big projects screened)	Resettlement checklist (LG); Manual	n (physical planning handles grievances)	Roads projects; solid waste; carbon compensation scheme; health centre	Land acquisition, consultations
5	<b>Hoima</b>	y	1 (shared between 2 divisions)	*	project mgmt committee		training in solid waste, computer, equipped office, motorcycle	y	y (old, under update)	n	y (insufficient) - SAME AS JINJA??		EA Checklist	Resettlement framework for LG (NEVER BEEN USED)	n (local council in charge)	composting plant; waste water treatment; road maintenance	no funding for compensation provided; EIA done after projects start
6	<b>Jinja</b>	y	2	n	physical planning committee	y	wetlands mgmt, water resource mgmt, GIS, safeguards, PPE, equipped office, meters	y	n (only old wetland bi-laws)	y	y (insufficient) - SAME AS HOIMA??		EA Screening in place	Resettlement checklist (NEVER BEEN USED)	n (land committee)	Demarcating wetlands, compost plant	lack of meters, PPE
7	<b>Kabale</b>	n	staff avail. In dept of works	*	Physical planner, engineer			y	y (but under review)	y	y (insufficient, no dedicated budget)	Conflict resolution techniques, resettlement, GIS, reviewing	EA checklist (LG); Part of general reporting	Resettlement checklist (NEVER BEEN USED)	n (local council in charge)	Drainage construction, roads	Land acquisition, but no resettlement

												EA					
8	Lira	y	env mgnt	*	physical planning committee	?	no camera, GPS, PPE, meters,transport	y	y (but only solid waste)	y	y (insufficient)	conflict resolution, ea policy,GIS, EA review	EIA, inspection forms	none	n	composting plant; road maintenance, classroom and health center construction	demarcating wetlands, consultations,
9	Masaka	y	1 (new staff, env mgnt)	*	Tech planning committee , Standing Comm. Council	?	need for env mgnt system; meters, GIS system; camera; PPE	not yet (new staff)	n	y (not sufficient)	y (insufficient, no dedicated budget)	conflict resolution, resettlement ,	EA inspection forms;EA checklist , Env Action Plan	public consultations, district rates for compensation. No framework in place. Resettlement has never been done before.	n (local council in charge)	drainage upgrade	no funding for compensation provided; no sufficient Env budget
10	Mbale	y	1	*	Physical planner, engineer, town clerk		internet, GPS, meters, camera, printer, PPE, transport	y	n	y	y (no dedicated budget)	formulation of bi-laws, proj. mgnt.	EMP, audits	Resettlement checklist (NEVER BEEN USED).		roads projects; municipal waste mgnt	No experience with resettlement; compensation
11	Mbarara	y	1 EO	*	Social services comm.	y	GPS, meters, transport, PPE, transport,meters,	y	y (only solid waste, drugs)	y (under-utilized)	y (insufficient, no dedicated budget)	resettlement , monitoring/supervision	Env checklist (LG); EIA; audits	Resettlement checklist (not included in BOQ) - (NEVER BEEN USED).	n (local council in charge)	roads projects; municipal waste mgnt	Municipal waste mgnt, enforcement of EMP, NEMA feedback, consultations
12	Moroto	*	Physical planner	*	Physical planner	y (non functional)	office space, transport, PPE, computer	n	n	n	y (general budget)	No activity since July 2010; no dedicated funding; monitoring/supervision is a challenge	EA checklist (LG)	none	n (land committee, sometimes mayor)	road projects, classrooms, hospital	compensation (no funding), noise tests, community involvement, compliance, political risks (petrol station affected)
13	Soroti	y	1 staff	*	Physical planner, engineer (PART TIME) town clerk	?	meters, computer, internet, PPE, GIS, transport, website	y	?	y (not included in bidding)	y	Resettlement training, Haz Mat Mgmt training, bi-law formulation	EA checklist (LG)	No formal procedure, Consultations/sensitization	no (council, court)	Roads, solid waste, compost plant, petrol station	No land titles from Customary owners, land valuation, lack of compensation funding
14	Tororo	*	1 staff (engineering dept)	*	Physical planner, engineer, town clerk	?	dedicated equipment: computer, transport (opt), meters, GPS, PPE	y	n	y	y (no dedicated budget)	EIA/audits, Resettlement	EA checklist (LG)	No formal procedure.	n (elders, local council)	compost plant, petrol stations, quarry, warehouse	Facilitation, enforcement, tree cutting, no compensation

## ANNEX 6 CONSULTATION RECORD

### 1. Meeting with NEMA, Monday 26<sup>th</sup> March, 14:30pm

#### Attending:

Waiswa Ayazika	Director Planning, Monitoring and Compliance	<a href="mailto:wayazika@nemaug.org">wayazika@nemaug.org</a>
Margaret Aanyu	EIA Coordinator	<a href="mailto:maanyu@nemaug.org">maanyu@nemaug.org</a>
Christine Kasedde	EIA Officer	<a href="mailto:ckasedde@nemaug.org">ckasedde@nemaug.org</a>
Edward Odipiyo	District Support Coordinator, Dept of District Support	
Lammeck Kajubi	President, AWE	<a href="mailto:l.kajubi@awe-engineers.com">l.kajubi@awe-engineers.com</a>
Pamela Tashobya	Social Development Spec	<a href="mailto:p.kwolekwa@awe-engineers.com">p.kwolekwa@awe-engineers.com</a>
Oyen Ben David	Env. Engineer	<a href="mailto:d.oyen@awe-engineers.com">d.oyen@awe-engineers.com</a>
Martin Fodor	WB	
Tom Walton	WB	
Elizabeth Mutesi	World Bank, Procurement Spec	<a href="mailto:emutesi@worldbank.org">emutesi@worldbank.org</a>
Svetlana Khvostova	WB	
Sarah Prinsloo	WB	

#### Documents requested:

- Checklist/guidelines for Project Briefs (developed by NEMA/MoLG in collaboration).

### 2. Ministry of Local Government, Tuesday 27th March

#### Attendance

Margaret Lwanga	Env. Spec. LGMSD Project	
Ronald Mbala	Urban Officer, Dept. of Urb. Admin	<a href="mailto:mbalaronald@yahoo.co.uk">mbalaronald@yahoo.co.uk</a>
Lammeck Kajubi	President, AWE	<a href="mailto:l.kajubi@awe-engineers.com">l.kajubi@awe-engineers.com</a>
Martin Fodor	WB	
Tom Walton	WB	
Dan Gibson	WB	
Sarah Prinsloo	WB	
Svetlana Khvostova	WB	

#### Documents requested:

- Annual local government performance assessment (LGPA).
- Dept of Urban Admin TORs for assessment tool specifically for urban areas.
- Joint annual review of decentralization (JARD) recent review
- Job descriptions CDOs
- Project brief screening checklist
- Project profile example.
- Framework for assessment: guidelines/manuals incorporating aspects of assessment.

### 3. Ministry of Lands, Housing and Urban Development, Office of Chief Valuer, March 27, 2012

#### Attendance:

Mr. Gilbert Kermundu	Ag. Chief Government Valuer	<a href="mailto:kermundugilbert@mlhud.go.ug">kermundugilbert@mlhud.go.ug</a> 0772-501-183
Ms. Lucy Kabega	Senior Government Valuer (SGV)	0772-415-417

Dan Gibson	WB	
Mary Bitekerezozo	WB	
Ben Oyen	AWE	<a href="mailto:d.oyen@awe-engineers.com">d.oyen@awe-engineers.com</a>

**Documents requested:**

- list of 13 district offices planned,
- Land Acquisition Manual,
- Land Information System (MoLHUD website),
- Principles and Guidelines for the T-Lines.

**4. Ministry of Gender, Labour and Social Development, Wednesday 2nd March**

**Attending:**

Katula Yusuf M	Principal Safety Inspector, Department of Occupational Health and Safety (DOHS)	
Kapsabi Eva	Senior Specialised Safety Inspector (Construction)	
Mary Bitekerezozo	WB	
Sarah Prinsloo	WB	

**5. Entebbe Municipal Council, March 29, 2012**

**Attending:**

Kawesi Daniel Christopher	Town Clerk	
Frederic Kaweesi Mutagubya	Chief Finance Officer	
Naakandi Sophie	Senior Assistant Town Clerk/Gender Coordinator	
Muklibi Joseph Kiwanuka	Principle Executive Engineer	
Ssemombwe Joseph	Senior Economist/Planner	
Kobusingye Pamela Baguma	Procurement Officer	
Tom Walton	WB	
Stu Solomon	WB	

## **STAKEHOLDER CONSULTATION WORKSHOP**

**VENUE: GOLF COURSE HOTEL 08.05.12**

### **INTRODUCTIONS**

**INTRODUCTION: Martin Olaa, USMID Team Leader, World Bank**

**OFFICIAL OPENING: Mr Gavinda Damosoke, Director physical planning (representing PS)**

**USMID and PforR PRESENTATION: Martin Olaa**

**ESSA INTRODUCTION: Martin Fodor, Senior Environmental Specialist, World Bank**

**DISCUSSION ON INITIAL PRESENTATIONS: Plenary**

Topics Raised:

- Day versus night census as basis for assessing population
- Adaptability of program for unforeseen issues
- Information systems for MEOs and CDOs (including GIS)
- Where environmental and social assessment costs of project assessment/project implementation will be sourced
- Focal person for USMID in MCs
- Involvement of private sector in consultation
- Potential for technical backstopping for MCs
- Capacity building for MEOs
- Use of program funds for compensation
- Use of seconded or acting staff
- Investment servicing costs
- Definition of roles and responsibilities under USMID

**ASSESSMENT FINDINGS: Lammeck Kajubi, AWE Environmental Consultants**

**REPORT CONCLUSIONS AND RECOMMENDATIONS (ENVIRONMENT): Martin Fodor, World Bank**

**REPORT CONCLUSIONS AND RECOMMENDATIONS (SOCIAL): Mary Bitekerezoo, Senior Social Development Specialist, World Bank**

**DISCUSSION ON FINDINGS: Plenary**

Topics Raised:

- How many projects need national EIA?
- How can we strengthen social assessment?
- Equipment and training needs.
- Need for resettlement guidelines.
- Need for database system for record keeping
- Physical cultural resources recommendations required
- Informal settlement – requirement for compensation?
- No recommendations for Occupational safety and health, MoLGSD role beyond EHS to be clarified.
- Discussion of relationship between District Land Board and MC.
- Clarification of MEO conflict of interest as developer and enforcer.

- Contracts to be developed with guidelines to ensure that safeguards are implemented, especially the social safeguards.
- How the Program will assess municipalities if problems arise with MoLHUD not responding to requests (eg for staff?)
- Concern that works, good and consultancy services are eligible for funding but no facilitation is included for screening of projects by MEO.
- Does this program have a project support team?
- Eligibility of projects for funding;
- Challenges in social development as critical staff. Importance of community role.
- Request for environmental issues training for Town Clerks and Engineers.

## LIST OF PARTICIPANTS

NAME	TITLE	ORGANIZATION
GLADYS NATUGONZA	ENVIRONMENTAL OFFICER	FORTPORTAL MC
KOMUNTARO ALICE	SENIOR COMMUNITY DEVT OFFICER	FORTPORTAL MC
AHIMBISIBWE ALFRED	ENVIRONMENTAL OFFICER	KABALE MUNICIPALITY
EDWARD ODIPIO	D. SUPPORT CORDINATOR	NEMA
KATSIGAIRE SAVINO	DIRECTOR PHYSICAL PLANNING & URBAN DEVELOPMENT	MIN LANDS HOUSING AND URBAN DEVELOPMENT
MTWGYEEGEZE REUBEN	PRICIPAL COMMUNITY DEVT OFFICER	KABALE MUNICIPALITY
KYAMANYWA RONALD	ENVIRONMENTAL OFFICER	HOIMA MC
EDEMA GEOFREY	COMMUNITY DEVT OFFICER	ARUA MC
TUMWEBAZE EUNICE	PRICIPAL COMMUNITY DEVT OFFICER	MBARARA MC
KIBUUKA DENIS	PROGRAMME MANAGER	UGANDA LAND ALLIACE
MUSALIZI SARAH	CONSERVATOR	UGANDA MUSEUMS
MARTIN OLAA	Sr. URBAN SPECIALIST	WORLD BANK
ACHOM ANN O	PROJECT OFFICER	MIN LANDS HOUSING AND URBAN DEVELOPMENT
VICKY KAKAIRE	ENVIRONMENTAL OFFICER	JINJA MC
TASHOBYA PAMELA	SOCIOLOGIST	AWE
EDITH KABESIIME	PROGRAM MANAGER NRM	CARE INTERNATIONAL IN UGANDA
KATUBI LAMMECK	CONSULTANT	AIR WATER EARTH (AWE)
NAOMI OBBO	ENVIRONMENTAL IMPACT OFFICER ASSESSMENT	NEMA
OYEN BEN DAVID	ENVIRONMENTAL ENGINEER	DIR. AWE
JOACHIM BAGONZA	ENVIRONMENTALIST	UAIA
SEMAKULA SAMSON	ENVIRONMENTAL CONTACT PERSON	ENTEBBE MC
DOUGLAS MUWONGE	SENIOR COMMUNITY DEVT OFFICER	ENTEBBE MC
ATINO JULIET	ENVIRONMENTAL OFFICER	LIRA MC
MONDAY B. JOSEPH	TOWN CLERK	FORTPORTAL MC
BIRUNGI STANISLAUS	PRINCIPAL COMMUNITY OFFICER	HOIMA MC
SAM OKETCH. O.	SENIOR COMMUNITY DEVT OFFICER	TORORO MC
APIO CHRISTINE	PRINCIPAL COMMUNITY DEVT OFFICER	LIRA MC
ASEDRI FRED	ENVIRONMENTAL OFFICER	ARUA MC

NYARIBI RHODA	ENVIRONMENTAL OFFICER	MBALE MC
ENGULU ERIC PAUL	ENVIRONMENTAL OFFICER	SOROTI MC
KATUSHABE EVA	SSSI	MIN GENDER LABOUR & SOCIAL DEVT
AKWASO SARAH	COMMUNITY DEVT OFFICER	MOROTO MC
MUGENYI STEVEN	SENIOR ECONOMIST	MIN LANDS HOUSING AND URBAN DEVELOPMENT
LOMISE FLORENCE	ENVIRONMENTAL OFFICER	MOROTO MC
MABALA SAMUEL	COMMISSIONER URBAN DEVT	MIN LANDS HOUSING AND URBAN DEVELOPMENT
AKOL M. MARION	ENVIRONMENTAL OFFICER	TORORO MC
TUMWEBAZE HERBAT	ENVIRONMENTAL OFFICER	MBARARA MC
NEUMBE ANGELLA	COMMUNITY DEVT OFFICER	MBALE MC
ARTHUR ABIGABA	URBAN DEVT OFFICER	MIN LANDS HOUSING AND URBAN
EDSON KICHEMBO	PROJECT OFFICER	MIN LANDS HOUSING AND URBAN
PETER M OUMO	ECONOMIST	IRISH AID
ALAJO HELLEN	COMMUNITY DEVT OFFICER	SOROTI MC
MUHINDE MUHASA KINTU	Ag. COMMISSIONER LAND ADMINISTRATION	MIN LANDS HOUSING AND URBAN