

**E4161**



**Government of Uganda**  
Ministry of Lands, Housing and Urban Development

## **Environmental and Social Management Framework**

Competitiveness and Enterprise Development Project (CEDP)

**FINAL REPORT**

Updated May 2024

## EXECUTIVE SUMMARY

### **Project description**

The World Bank is supporting the Government of Uganda (GOU) to implement a Competitive Enterprise Development Project (CEDP) starting in 2013. In order to aid various stakeholders to identify and effectively manage potential environmental and social impacts of the proposed project, certain due diligence environmental instruments, namely (i) Environment and Social Management Framework and (ii) Resettlement Policy Framework have to be prepared in accordance with international good practice as well as the World Bank safeguards and Government of Uganda requirements. These instruments will provide practical guidance for management of potential environmental and social issues associated with future sub-projects under the CEDP.

The development objective of the Project is to improve the competitiveness of enterprises in Uganda by providing support for: (i) the implementation of business environment reforms, including the land administration reform and (ii) the development of priority productive and service sectors. The project will be financed by a Specific Investment Loan in the amount of US\$ 100 million equivalent and comprises four components: (a) Land Administration Reform, (b) Business Registration and Business Licensing Reforms (c) Tourism Competitiveness Development, (d) Matching Grant Program for MSMEs, and (e) Project Implementation.

The Project's physical activities will be limited to site specific civil works for rehabilitation or construction of Zonal Land Offices in selected districts throughout Uganda, rehabilitation of offices of the Institute of Surveying and Land Management in Entebbe on Sebutinde Road and renovation or construction of the Hotel and Tourism Training Institute (HTTI) in Jinja.

The project physical activities will be located in Kampala, Jinja and throughout selected urban and municipal centers of Uganda, namely the Districts of Luwero, Mpigi, Mityana, Soroti, Kabale, Rukungiri, Tororo, Mukono and Moroto for land offices. Project reforms in support of the land registration systems, land dispute resolution, and other national reforms will have impacts nationwide on improving transparency and security of land tenure.

The land administration component will support the development of a gender promotion strategy in the first year of the project in order to promote gender equity in land registration. Similarly, civil society engagement and communication strategies will be developed during the first year of the project aimed at enhancing public participation and transparency in the whole exercise of documenting land rights. The project may enhance land market and land rights through an improved land registration system and accelerate the change in land use patterns, but is not expected to result in different land uses than those that would take place without the project.

### **Objective of the ESMF**

This document provides an Environmental and Social Management Framework (ESMF), which is to be used by the CEDP in order to ensure that all environmental and social safeguards are adequately addressed. The main purpose of the ESMF is to (a) Establish clear procedures and methodologies for the environmental and social assessment, review, approval and implementation of investments to be financed under the project; (b) Specify appropriate roles and responsibilities, and outline the necessary reporting procedures, for managing and monitoring environmental and social concerns related to project investments; (c) Determine the training, capacity building and technical assistance needed to successfully implement the provisions of the ESMF; and (d) Provide practical information resources for implementing the ESMF.

## Updating of the ESMF

In May 2024, following the enactment of the Anti-Homosexuality Act, 2023, this document and its annexes were updated to include specific measures to mitigate the risk of discrimination against or exclusion of any affected individuals and groups in providing or receiving benefits in World Bank–financed projects and program in Uganda. These measures are described in various sections of this document including section 7.3.1 and annexes I and J.

## Legislative framework

The National Environment Act, 1995 is the principal law governing environment management and conservation in Uganda. A number of supporting regulations include:

- Regulations on Environment Impact Assessment, 1998
- National Environment (Noise Standards and Control Regulations) 2003
- The Water (Waste Discharge) Regulations, 1998
- The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations (1999)
- The National Environment (Waste Management) Regulations (1999)
- Regulations 3 to 17 of the National Environment (Wetlands, River Banks and Lake Shores Management) Regulations (2000)
- The Occupational Safety and Health Act (2006)
- Water Act, Cap. 152
- The Land Act (1998)
- Public Health Act, 2000
- The Local Governments Act, 1997
- The Access Road Act, 1969 and The Roads Act, Cap 345

In regards to World Bank safeguard requirements, the following Operational Policies have been triggered by the Project and will require specific safeguard provisions: Environmental Assessment (OP 4.01), Cultural Resources (OP 4.11), Pest Management (OP 4.09) and Involuntary Resettlement (OP 4.12).

## Institutional roles and responsibilities

Under the proposed ESMF, there are several agencies that will play a key role in ensuring that mechanisms and recommendations provided in the ESMF are implemented effectively. These include at the national level, the Ministry of Lands, Housing, and Urban Development (MLHUD), the Ministry of Tourism, Wildlife and Antiquities (MTWA), Uganda Wildlife Association (UWA), Private Sector Foundation Uganda (PSFU) and the National Environmental Management Authority (NEMA). At the local level, District and Municipal government offices (through the D/MEOS) will also have roles in implementing provisions of the ESMF.

## EIA/EMP preparation, review and appraisal process

The ESMF outlines the environmental impact assessment procedures, reporting systems, and responsibilities to be adopted by the implementing agencies during the CEDP. The tools and mechanisms provided include:

- Screening of proposed sub-projects including applications under the Matching Grant Facility (MGF);
- Steps to be taken for an EIA, including an application for environmental approval;
- An annual environmental and social audit of the CEDP;
- Guidelines on the environmental and social impact of potential subprojects;
- Grievance redress mechanism;
- Compliance mechanisms; and
- Descriptions of roles and responsibilities.

An ESIA (February 2013) has already been prepared for the proposed renovation/construction of the HTTI in Jinja and is awaiting approval from NEMA. EIAs (February 2013) have also been prepared for seven district land offices in Luwero, Mityana, Soroti, Kabale, Rukungiri, Tororo, and Moroto and are awaiting approval from NEMA. EIAs for districts of Mpigi and Mukono are under preparation.

### **Main environmental and social impacts of the proposed Project investments**

The proposed CEDP is not likely to result in significant adverse environmental or social impacts. The project has a potential of localized, site-specific adverse environmental impacts associated with rehabilitation and civil works for construction and rehabilitation of administrative, training and tourist facilities, particularly the district land offices, and hotel school facilities. These include construction waste, dust and noise pollution during construction, impact of increase construction traffic, social and health impacts due to temporary establishment of workers' camps, etc. Most of these impacts are well known and can be mitigated using standard good construction practice embedded in the civil works contracts.

The project may enhance land market and lands rights through improved cadastral system, and accelerate the change in land use patterns but is not expected to result in different land uses than those that would take place without the project.

Impacts can be divided into environmental and social impacts associated with construction and operation which depends specifically on the size and nature of the subproject and the environmental and social context where the subproject will be situated. The implementation of the proposed CEDP will result in a number of environmental and social impacts for the program as a whole. Some of these impacts may be negative or adverse while others are positive and beneficial.

The main negative environmental and social issues of concern that were identified during the EIA consultations (by URTC) for the district land offices and the construction/renovation of the HTTI in Jinja include:

- Generation and disposal of construction debris;
- Strain to the existing infrastructure such as; <sup>[11]</sup>water supply since construction activities are known to be heavy water consumers and the increase in population proportionately increases water demand thus direct impact to the water supply during both the construction and occupation phases;
- Noise affecting the immediate environment;
- Run-off generated by rainfall that may cause flooding and its consequences;
- Generation of sewage and effluent. Sewage is of significant concern with respect to the environment and particularly to water and soil. In its raw form, it is serious health hazard and emits offensive odours;
- Generation of air pollutants in the form of dust particles and gas emissions (fumes) from machinery and vehicles;
- Vegetation clearance to give way for HTTI and Land Offices;
- Oil/grease spills / leaks in construction sites and in most areas that make use of petroleum products, which contain hard/hazardous elements that are detrimental to the environment;
- Increased solid wastes including stones, wood, glasses, plastics, containers, metal rods, pieces of iron sheets, sharp objects (nails) etc. On completion and occupation, the project will be generating waste products from various operations and activities; mostly house refuse including the polythene challenge;
- Increased occupational exposure to dust, air and noise pollution. These plus other safety hazards such accidents, falling objects, risks from poor scaffolding, ladder and formwork are considered negative impacts;
- Temporary interference with the road traffic along the access road to the residential areas road due to the movement of heavy trucks and construction equipment to and from the site during construction phase and operation;

- Bad behavior of the workers, such as indiscriminate solid waste disposal and use of abusive vulgar words during construction phase;
- Risk of discrimination against vulnerable or marginalized individuals or groups from project activities and benefits due to age, gender, ethnicity, disability, etc.; and
- Accidents and spread of diseases such as HIV due to influx of foreign workers in the area.

CEDP interventions may individually have minimal adverse environmental and social impacts. However, several subprojects in combination, or in combination with other government or private sector activities, could have a larger and more significant cumulative impact. This is likely to be the case in terms of potential vegetation clearing, groundwater depletion, or surface water pollution.

### **Mitigation plans**

As part of the EIA process, Environmental Management Plans (EMPs) will need to be prepared and implemented. Effective implementation of EMPs will ensure that the appropriate mitigation measures have been employed to avoid and/or minimize any potential impacts resulting from the proposed activity. The MWE should agree with NEMA and D/MEOs on the supervision of the EMP within the overall plan for the project. Proposed mitigation measures to address anticipated impacts during construction and operation of the district land offices, as outlined in the EIAs prepared by URTC, include:

- Re-vegetation of open patches of the site should be carried out to prevent gullies and stabilize the soil.
- Vegetation removal should be done with care and trees that may not affect the construction of the project should be left.
- Leguminous plants that have soil conservation qualities are particularly recommended.
- There is, therefore, need to create an instant grass cover which offers long term erosion <sup>[SEP]</sup>Control.
- An efficient drainage is a key role in erosion control and erosion checks or lining have been <sup>[SEP]</sup>designed in the architectural designs.
- Erosion control fences, silt traps, bare surface cover (mulching or geotextiles) to control soil erosion.
- In the foundation hard cores should be used to increase the firmness of the structure on the <sup>[SEP]</sup>ground
- Surface trenches should be constructed to help in the onsite water drainage in order to avoid <sup>[SEP]</sup>flooding.
- The architectural design development is planned as single storied building, with 500 high <sup>[SEP]</sup>grass embankments to be planted on the site to cater for the natural environment. The design also of the structure is to use natural ventilation and natural light within the building and avoid restricting the current open aspect of the site.
- The proper management of the land office block will minimize or eliminate the negative impacts that are likely to be caused by working within the office premises. Management of the office premises is committed to implementing the project in an environmentally sustainable manner. The Environmental Management and Monitoring Plan (EMP) will be implemented during all the phases of project (preparation, construction, operation and closure).

Accordingly, the supervision arrangements for the EMP should summarize key areas on which supervision will focus such as critical risks to implementation of the EMP and how such risks will be monitored during implementation and agreements reached with the Proponent. If identified as a requirement of the subproject through the screening process, a Resettlement Action Plan, a Pest Management Plan, and/or a Physical Cultural Resources Management Plan / Chance Finds Procedures or a combination of these, is prepared alongside or as an integrated part of the EMP.

### **Public consultations**

The key stakeholders include the Ministry of Lands, Housing and Urban Development, Ministry of Tourism Wildlife and Antiquities, Uganda Registration Services Bureau and other related agencies, local authorities and communities within the project area. The sub-national stakeholders include district governments and communities that will benefit from improved delivery of cadastral services in the towns of Jinja, Mpigi, Mityana,

Luwero, Moroto, Tororo, Kabale, Rukungiri, Mukono and Soroti. More broadly, the stakeholders include the private sector community and the owners and users of land in Uganda.

In order to ensure that key interests of the public, at various levels of governance, are addressed and incorporated into the design and implementation of the ESMF safeguard tools, stakeholder consultations were carried out as part of the ESMF process. Consultations for proposed investments under the CEDP were undertaken by Urban Research and Training Consultancy E.A Ltd (URTC), the consultant commissioned to undertake ESIA's for the proposed renovation of the HTTI in Jinja and the ESIA's of the nine local district offices. At the time of finalizing the RPF, only seven EIAs have been prepared (EIAs for Mukono and Mpigi are pending completion) and are awaiting approval from NEMA.

According to the ESIA prepared for the proposed HTTI in Jinja, extensive consultations were carried out between 22<sup>nd</sup> January and 5<sup>th</sup> February 2013 with the neighbours and key stakeholders on a one to one basis to ascertain any arising issues as a result of the proposed expansion of crested crane hotel and training institute. A structured questionnaire was administered to the public and interviews held with neighbors. The immediate neighbours have been consulted and they have no objection to the proposed project. During the EIA process for the district land offices, an initial list of project stakeholders was developed. The main positive aspects mentioned by the respondents were: the provision of jobs to the residents. Generally, the impacts of the Project were seen as largely positive with a potential to reduce significantly the lack of office accommodation. The overall negative impacts are rated as minimal and can be effectively managed through implementation of an EMP and adequate monitoring and capacity. Resettlement is typically addressed during the sub-county development plan as is the environmental screening and impact assessment. Consultations were also held with stakeholders on March 7, 2013 providing an overall description of the Project, the purpose of the ESMF and RPF and potential outcomes of the frameworks

In January 2024, additional consultations were undertaken on the Project to specifically discuss the vulnerability of some individuals and groups to discrimination.

### **Grievance Redress Mechanism**

In order to ensure transparency and accountability, a grievance redress mechanism (GRM) will be established as part of the ESMF implementation. The GRM will have a clear set of goals and objectives and a well-defined scope for its interventions and will contain set of procedures for receiving, recording, and handling complaints.

In addition, the World Bank will support the strengthening of the GRM to ensure it includes an effective, safe, ethical, and confidential mechanism to receive, manage, refer, and monitor grievances related to exclusion and discrimination. Further details of this support can be found in Annex J.

### **Capacity building and Training**

Successful implementation of the ESMF will rely on (a) establishing the PCU's capability to ensure that the subprojects are screened and appraised appropriately; and (b) regular monitoring and reporting to track performance of the subprojects. It is recommended that an Environmental Specialist be appointed to the PCU to ensure that the provisions of the ESMF are implemented accordingly.

The main role of the Environmental Specialist is to provide technical advice on environmental and social management and mitigation planning and ensure that the ESMF is fully implemented. The Environmental Specialist will report directly to the PCU responsible for project management activities of the CEDP.

In addition, it is recommended that an Environmental Consultant be procured under the MGF to support the Unit in screening applications using the Screening Checklist and in determining the level of environmental and social assessment needed. The Environmental Consultant will monitor the performance of the applicants and on an annual basis undertake an audit of at least 20% of total applications approved to measure the effectiveness of E&S provisions. The Consultant will report to the MGF Unit Manager.

Finally, the project will provide capacity building on every component including for agencies involved in the land administration, business registration and business licensing reform and tourism. Capacity building will include trainings, workshops, and technology transfer to the implementing agencies. The project will support ongoing maintenance costs associated with the various components during the five years of the implementation phase. After the implementation, maintenance costs will be borne by the respective agencies. It is recommended that this workshop be prepared and undertaken by a local Consultant with relevant experience in the proposed topics and highly familiar with the tourism sector and MSMEs in order to provide good case studies.

### **Monitoring**

The ESMF outlines a number of indicators as part of the ESMF implementation which will be included in the overall project monitoring. In addition, an Annual Audit on ESMF Implementation will be prepared by the PCU and delivered to NEMA and the World Bank. In addition, the World Bank will provide support for enhanced monitoring of the risk of exclusion or discrimination for individuals or groups who may be vulnerable or marginalized. Further details of this support are found in Annex J.

### **Proposed implementation budget**

It is estimated that the implementation of the ESMF including the required provisions, training and capacity building will cost approximately **\$735,000**. This entails:

Component 1: Land Administration Reform – US\$ 135,000

Component 3: Tourism Competitiveness Development – US\$ 200,000

Component 4: Matching Grant Program for MSMEs – US\$ 150,000

Component 5: Project Implementation – US\$ 250,000

The costs of preparing and implementing the safeguards aspects of the project are estimates as the size, type and location of the interventions to be financed under the MGF are not fully determined at this stage. It is not expected that there will be any significant land acquisition as part of the project; however, if there is a need for land acquisition, RAPs will be prepared and the project will consider any further re-allocation of budgets as needed when the project is reviewed at supervision and mid-term stages.

The actual costs may vary depending on when and how the ESMF implementation takes place; therefore it can be expected that the proposed ESMF budget may increase or decrease depending on the workplan agreed upon.

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## ACRONYMS AND ABBREVIATIONS

BLRC	Business Licensing Reform Committee	MoJCA	Ministry of Justice and Constitutional Affairs
BUDS	Business Uganda Development Scheme	MSMEs	Micro, small and medium enterprises
CAS	Country Assistance Strategy	MTWA	Ministry of Tourism, Wildlife and Antiquities
CEDP	Competitiveness and Enterprise Development Project	NCB	National Competitive Bidding
CICS II	Second Competitiveness and Investment Climate Strategy	NDP	National Development Plan
DANIDA	Danish Development Assistance Program	ORAF	Operational Risk Assessment Framework
DB	Doing Business	PDU	Procurement and Disposal Unit
DFID	Department for International Development	PPDA	Public Procurement and Disposal Authority
EAC	East African Community	PPDA	Procurement and Disposal of Public Assets Authority
EU	European Union	PRSC	Poverty Reduction Strategy Credit
GDP	Gross Domestic Product	PSC	Project Steering Committee
GNI	Gross National Income	PSCP II	Second Private Sector Competitiveness Project
GoU	Government of Uganda	PSC	Project Steering Committee
HACCP	Hazard Analysis Critical Control Point System	PSD	Private Sector Development
HTTI	Hotel and Tourism Training Institute	PSFU	Private Sector Foundation Uganda
IBRD	International Bank for Reconstruction and Development	PTC	Project Technical Committee
ICAS	Investment Climate Advisory Services	QCBS	Quality and Cost Based Selection
ICB	International Competitive Bidding	RFQ	Request for Quotation
ICT	Information and Computer Technology	SBDs	Standard Bidding Documents
IDA	International Development Association	SIL	Specific Investment Loan
IFC	International Finance Corporation	SRFP	Standard Request for Proposal
IGG	Inspector General of Government	SSA	Sub-Saharan Africa
IMF	International Monetary Fund	TA	Technical Assistance
INT	Institutional Integrity	ToR	Terms of Reference
IS	Implementation Support	TTCI	Travel and Tourism Competitiveness Index
ISO	International Organization for Standardization	TST	Technical Support Team
JLOS	Justice, Law and Order Sector	UICP	Uganda Investment Climate Program
LIS	Land Information System	UNHS	Uganda National Household Survey
LSSP	Land Sector Strategic Plan	URSB	Uganda Registration Services Bureau
M&E	Monitoring and Evaluation	USAID	United States Agency for International Development
MGF	Matching Grant Facility	USMID	Municipal Infrastructure Development
MLHUD	Ministry of Lands, Housing and Urban Development	UTB	Uganda Tourism Board
MoF	Ministry of Finance	WBG	World Bank Group
MoFPED	Ministry of Finance Planning and Economic Development	WEF	World Economic Forum

MITC Ministry of Industry, Trade and  
Cooperatives

## 1. INTRODUCTION

This document presents an Environmental and Social Management Framework (ESMF) for the Competitiveness and Enterprise Development Project (CEDP) [the Project] and has been developed in tandem with a Resettlement Policy Framework (RPF) as a combination of due diligence instruments required to address and manage environmental and social impacts associated with the CEDP.

The framework has been prepared to meet the World Bank safeguard requirements and Ugandan environmental procedures and will be disclosed as part of the project appraisal process. The PFSU is the agency responsible for implementing the provisions and recommendations outlined in the ESMF.

### 1.1 ESMF Approach and Methodology

#### 1.1.1 Objective of the ESMF

The objective of the ESMF is to provide a framework for effective management of environmental and social issues in the proposed CEDP. It seeks to both enhance environmental and social development benefits of the project and mitigate any adverse impacts, in line with GOU and World Bank policies and guidelines on management of environmental and social development issues. The exact site and scale of potential infrastructures will be identified and confirmed during project implementation, although the location of the district land offices has been proposed with sufficient detail to begin preparation of Environmental and Social Impact Assessments that will be submitted for clearance to the National Environment Management Authority (NEMA) and the World Bank.

#### 1.1.2 Methodology

The ESMF has been developed as a tool to be used in implementing recommendations for addressing environmental and social impacts associated with proposed infrastructure activities to be financed under the CEDP. Its purpose is to: (a) establish clear procedures and methodologies for the environmental and social assessment, review, approval and implementation of investments to be financed under the Project (e.g. screening or environmental impacts and their management for tourist infrastructure such as signage, park gates, boundary markers, tourist trails, etc); (b) specify appropriate roles and responsibilities, and outline the necessary reporting procedures, for managing and monitoring environmental and social concerns related to project investments; (c) determine the training, capacity building and technical assistance needed to successfully implement the provisions of the ESMF; and (d) provide practical information resources for implementing the ESMF.

This ESMF largely draws from a number of project preparation studies available in Uganda that have already been carried out on environmental and social aspects, particularly on the implementation plans and ESMFs developed for the proposed physical activities (small to medium scale infrastructure and tourism development).

The framework also takes into account findings of the 10-year Land Sector Strategic Plan (LSSP1 - 2002-2011) under the Second Private Sector Competitiveness Project (PSCP II). Additionally, the proposed mitigation and monitoring plan for the proposed subprojects has been built on the findings of the EIAs prepared for seven local district officers (Luwero, Mityana, Soroti, Kabale, Rukungiri, Tororo, and Moroto) to ensure that appropriate measures and tools are in place to address anticipated impacts and support proposed enhancements under the CEDP (ie tourism development). EIAs for

these seven districts are awaiting approval from NEMA. EIAs for the districts of Mukono and Mpigi, at the time of the ESMF preparation, were not yet completed.

The borrower has had prior experience with implementing World Bank Projects and therefore has some knowledge and capacity for safeguards management relating to Bank environmental and social safeguard policies. The environmental and social instruments developed during preparation will reassess this capacity and propose appropriate strengthening measures to be included in the project.

### **Updating of the ESMF**

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

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

The environmental and social risk management documents including this ESMF have been updated to identify the additional risks and describes mitigation measures to address these risks. They include the implementation, monitoring, and reporting arrangements, and roles and responsibilities to assess the efficacy of the additional mitigation measures being implemented. They also include the risks identified in the public consultations on these documents involving the Government of Uganda and civil society organizations. Noteworthy is that the World Bank will provide support to the Government of Uganda, particularly its Project Implementation Units, to help them to implement the additional mitigation measures for this project.

#### **1.1.3 Consultations**

Consultations for proposed investments under the CEDP were undertaken by Urban Research and Training Consultancy E.A Ltd (URTC), the consultant commissioned to undertake ESIA's for the proposed renovation of the HTTI in Jinja and the ESIA's of the nine local district offices. Findings of the consultations indicated that there are positive impacts associated with the proposed investments and that potential negative environmental and social impacts can be readily addressed through adequate implementation of an Environmental Management and Monitoring Plan. A summary of the consultations is provided in Section 7.

## January 2024: Additional Consultations on Non-Discrimination

In January 2024, additional consultations were undertaken on the project to specifically discuss the vulnerability of some individuals or groups to discrimination.

During the consultations, key issues raised relating to CEDP included:

- a. How has AHA affected the tourism sector financially? Has there been an analysis of this in government, particularly of how different embassies' travel advisories have affected the tourism industry?
- b. A critical risk in the tourism sector is around reporting, what if hotels and other service providers in the tourism sector report ?
- c. What happens if someone identifies themselves as a homosexual who benefits or works on your project – do you have safety measures in place?
- d. Can the need to increase the capacity of project staff to address non-discrimination issues be included in the Country Partnership Framework (CPF)?

The approach to managing these issues and other issues raised during the consultations are found at section 7 and Annex J of this ESMF. A summary of these additional consultations is posted on the World Bank website under Uganda Consultations on Non-discrimination and Inclusion. For more information see: <https://www.worldbank.org/en/country/uganda/brief/consultations>.

### 1.1.4 Public Disclosure

For projects such as the CEDP, the World Bank's Access to Information Policy requires that safeguard-related documents be disclosed before appraisal (i) at the InfoShop and (ii) in country, at publicly accessible locations and in a form and language that are accessible to potentially affected persons. This allows the public and other stakeholders to comment on the possible environmental and social impacts of the project, and for the World Bank Appraisal Team to strengthen the frameworks, particularly measures and plans to prevent or mitigate any adverse environmental and social impacts.

## 2. PROJECT BACKGROUND AND DESCRIPTION

### 2.1 Purpose of the Project

The proposed development objective of the CEDP is to improve the competitiveness of enterprises in Uganda by providing support for: (i) the implementation of business environment reforms, including the land administration reform and (ii) the development of priority productive and service sectors.

### 2.2 Project Components

The project will be financed by a Specific Investment Loan (SIL) in the amount of US\$ 100 million equivalent divided into:

Component Name	Cost (USD Millions)
Land Administration Reform	55.00
Business Registration and Business Licensing Reforms	10.00
Tourism Competitiveness Development	25.00
Matching Grant Program for MSMEs	8.00
Project Implementation	4.50

#### **Component 1: Land Administration Reform (US\$ 54 million)**

1. **This component will fund the continuation and scale-up of the land reform process carried out under the PSCP II.** As described in detail in Annex 2, the LSSP 2 is under preparation and the land component of CEDP is expected to support its implementation by:

- (i) **Modernizing land administration (US\$ 28.9 million).** Constructing eight zonal land offices; enhancing and rolling out a computerized LIS to 21 zonal land offices; strengthening valuation and land use planning; developing the legal and policy framework for land-related housing and urban development; developing and implementing policies for a geodetic reference framework, national spatial data infrastructure, and mapping; re-equipping the Survey and Mapping Department to service land administration; improving the land registration process to reduce time, cost, and number of procedures; and producing base and cadastral maps for land administration and other spatial purposes. In addition, the sub-component will fund technical assistance to advise the government on undertaking a government land inventory which was initiated under PSCP II and will be continued under the proposed project using government's own funds. Funding will also be available to support the review of the legal, institutional, and operational aspects of the Uganda Land Commission and to recommend programs for implementation.
- (ii) **Accelerating registration of communal and individually owned lands (US\$ 14 million).** Organizing and formalizing communal groups into Communal Land Associations (CLAs); demarcating and registering communal lands in the names of CLAs; and documenting individual land rights and issuing associated certificates and title deeds.

- (iii) **Strengthening institutions and mechanisms for land dispute resolution (US\$ 5 million).** Reviewing the judiciary's court processes and rules to improve court performance in the adjudication of land cases; strengthening the judiciary and other relevant agencies (land tribunals, local councils, Area Land Committees, recorders, and Traditional Institutions) in the use of Alternative Dispute Resolution (ADR) and mediation mechanisms to resolve land cases faster and cheaper; compiling and disseminating relevant legal documents to raise greater awareness of the law and people's appreciation of their land rights; developing the capacity of the judiciary and other land adjudication institutions through training; and reviewing the legal and institutional framework for restoration and functionality of land tribunals.
- (iv) **Reviewing land institutions, developing capacity, and providing technical support for the implementation of the land component (US\$ 6.1 million).** Reviewing the organization and functions of the land administration and management institutions in line with the ongoing modernization efforts to enhance efficiency and sustainability; reviewing skills gaps in public and private institutions in the land sector and implementing capacity development programs; consolidating the rehabilitation and modernization of the Institute of Survey and Land Management; developing and implementing gender<sup>1</sup>, civil society engagement, and communication strategies; and providing technical support for the implementation of the land component.

## **Component 2: Business Registration and Business Licensing Reforms (US\$10 million)**

This component aims to reduce the burden for businesses in dealing with registration and licenses procedures by creating an online one-stop shop for business registration and an e-registry for business licensing, as well by implementing measures aimed at the simplification and streamlining of business registration and business licensing procedures. The component will benefit from the Regional Communication Infrastructure Project (RCIP) under preparation. RCIP will support e-government application and will include e-payment and authentication. This component will finance the following activities:

- (i) **Business Registration One-Stop-Shop and Business Licensing E-Registry (US\$ 8.5 million).** Establishment of a one-stop shop which will serve as a single access point for business to complete the registration procedures and business licensing e-registry that will serve as the sole repository of all approved business licenses in Uganda. The activities will include: construction of the central office for the URSB; establishment of a business registry and licensing technology platform and software application; establishment of a network of local/regional offices of the business registration one-stop-shop; activities aimed at the streamlining of business registration and business licensing procedures and elimination of unnecessary licenses and procedures, including focus on priority sectors such as tourism and construction; and impact evaluation and identification of a package of incentives that works best in terms of impact on formalization and performance of newly established businesses.
- (ii) **Capacity-Building Initiatives (US\$ 0.5 million).** Capacity-building of the URSB staff and other relevant regulatory agencies; and

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<sup>1</sup> A gender promotion strategy developed within the first year will be aimed at promoting gender equity in land registration

- (iii) **Stakeholder Outreach, Transparency and Accountability (US\$ 1 million).** Activities under the subcomponent will include: (i) communication campaign on the reforms implemented using television, newspapers, radio, brochures, conferences and seminars; (ii) improving transparency and communication with businesses and the public through the establishment of a consultation portal where businesses will have the possibility to comment on upcoming licensing regulations or propose further simplification measure; (iii) improving accountability through introduction of an ex-ante impact assessment mechanism to prevent the introduction of new unnecessary licenses or procedures and setting benchmarks for measuring the quality of service delivery.

### **Component 3: Tourism Competitiveness Development (US\$ 25 million)**

The goal of this component is to provide support to the tourism sector through strengthening public and private sector stakeholders and their collaboration to develop a competitive tourism offering. The activities implemented in this component will include:

- (i) **Labor Force Capacity Development (US\$ 12.0 million):** Labor force development for the tourism sub-sector will be achieved through upgrading and repositioning Uganda's national HTTI and its Crested Crane Hotel in Jinja through:
- Upgrading to an international standard the operational teaching hotel and instructional facilities (e.g., classrooms, library, computer labs, language labs, kitchens);
  - Professional development of instructors and institute administrators;
  - Upgrading and international accreditation of instructional programs and curricula for traditional students and continuing professionals;
  - Repositioning with a sustainable business model and revenue generating activities;

Redevelopment of HTTI, Uganda's largest institute focused on the sector, will support labor force development at technical and vocational levels for new entrants to the sector as well as provide opportunities for skill enhancement for those already employed in the sector. HTTI will contribute to strengthening multiple links of the tourism value chain through providing up-to-date training to improve lodging operations, food and beverage offerings and tour guiding (i.e., for nature-based, cultural heritage and city-based tourism).

- (ii) **Institutional Capacity Building (US\$ 3.0 million):** The MTWA was created in 2012 and lags behind in several dimensions. Institutional capacity building activities will support the MTWA to develop technical skills of sector-focused staff; launch and manage systems for tracking sector performance through consistent collection, analysis and dissemination of tourism data; and design and implement a lodging classification/grading system facilitating an improved standard.
- (iii) **Tourism Product Planning, Packaging and Promotion (US\$ 10.0 million):** A competitive and economically productive tourism sector requires strengthening of the value chain through building supply and demand. With its support to tourism planning, packaging and promotion, CEDP will enable strengthening of tourism sector competitiveness through:
- **Planning:** support to activities defining tourism products beyond current offerings through integrated tourism destination planning at community, district and area levels. This will involve increasing community awareness and involvement in tourism as well as support for the development of SME's linked to tourism (e.g., handicrafts, local transport, travel related services).

- **Packaging:** development of the tourism value chain for domestic, intra-regional and international (long-haul) travelers and support to public and private sector entities (e.g., government/ministry agencies and local communities/municipalities; and trade associations) to develop key linkages (complementing and further supported by matching grant activities in the project) for tourism products that are competitive. Support for the development of tourism routes and services will be provided through establishing and addressing supply and demand gaps. Achieving a critical mass of tourism attractions and services is requisite for travelers to visit Uganda, stay longer and spend more than current levels.
- **Promotion:** development and implementation of traditional and innovative on-line marketing and promotion materials will facilitate building diversified demand for Uganda's tourism product for travelers from Uganda, neighboring African countries and from overseas markets. The development and launching of a national brand as well as promotion for a broader tourism offering (including cultural heritage and meeting-based tourism) supports supply and demand. Technical assistance and capacity building for UTB and UWA and other tourism focused agencies to communicate a comprehensive brand and deliver a high standard of targeted promotion for key segments (i.e., international, intra-regional and domestic tourism) of nature, culture and business tourism offerings will enable promotion of outcomes achieved through planning and packaging activity.

#### **Component 4: Matching Grant Program for MSMEs (US\$ 8 million)**

The component aims to improve enterprise capacity by enabling MSMEs access matching grants of up to 50 percent towards use of sub-sector specific business development services (BDS)<sup>2</sup>, skills and increasing productivity through raising standards at the firm level. The project will support a matching grant program for high potential sub-sectors identified in the Uganda CICS II: tourism, coffee, grains and pulses, horticulture, edible oils, fisheries, and information technology/business process outsourcing.

The Matching Grant Program (MGP) will be implemented by the project coordination unit (PCU) within PSFU. The MGP will have open submission of proposals (year round). This approach has successfully worked under PSCP II. In order to assess the project's effectiveness in reaching the project development objective, firm-level data will be first collected from participating MSMEs in the beginning of the project and then after two years and five years. Details of the MGF operation are outlined in the draft *MGF Operations Manual* which has been prepared by PSFU and will be combined in the Project Operations manual under preparation.

The MGF funds will be provided to procure the following types of business development services: (i) management training; (ii) acquisition of quality certification systems- International Organization for Standardization (ISO) and Hazard Analysis Critical Control Point System (HACCP); (iii) business plan preparation; (iv) marketing; (v) record keeping; (vi) finance; and (vii) production and product development techniques. Matching grants will not be used for matching credit from banks. The grant program will finance 50 percent of the cost of using consultants and other service suppliers, up to a US\$ 100,000 limit per beneficiary.

#### **Component 5: Project Implementation (US\$ 2 million)**

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<sup>2</sup> BDS are a binding constraint for MSME development and this has been indicated in the first Uganda Economic update, "Bridges Across Borders", Unleashing Uganda's Regional Trade Potential, World Bank, February 2013.

The Project will be implemented by two agencies, PSFU and MLHUD. The Project Coordination Unit (PCU) will be established in PSFU to implement Business Registration and Business Licensing Reforms; Tourism Competitiveness Development and Matching Grant Program for MSMEs. The MLHUD will have the responsibility for the implementation of the Land Administration Reform component.

The project staff contracted by the MLHUD and the PSFU will provide ongoing support to project activities, including those related to monitoring and evaluation (M&E) of project results during the implementation. In order to strengthen and complement capacities of the PSFU and MLHUD, the component will support staffing of these institutions to strengthen project-related operational requirements, procurement and financial management systems. The details of the implementation arrangements will be provided in the Project Operational Manual.

In order to address governance challenges encountered during the implementation of PSCP II, the project will build in preventive measures through collaboration with Inspector General of Government (IGG). The project will finance a diagnostic on governance constraints of the key implementing agency to identify project specific steps that could be undertaken to address governance challenges through a Governance Action Plan (GAP). Through lessons learnt from the governance challenges encountered during the implementation of PSCP II, the project will build in preventive, deterrent, and detection measures for corruption through collaboration with the IGG which is the primary national agency for investigation and prosecution of corruption cases. Triggers will be built into the project that call for the IGG's expeditious intervention to respond to any allegations of corruption in the project. The project will also provide TA to build IGG's capacity in the core areas of complaints handling, investigation and prosecution of corruption. In addition to these measures, the project will build in scope for non-state actors, professional groups, and civil society coalitions to participate in monitoring both implementation processes (i.e., through PSFU and MLHUD) at all stages of the project to enhance the chances of meeting the project development objectives.

In view of the experience of implementing PSCP II, the current project will institute measures to make sure that project implementation and reporting are streamlined. In addition, to inform beneficiaries about the reforms being implemented, the project will support communication campaigns with businesses and the public using television, newspapers, radio, brochures, bulk SMSs, a two-way consultation portal, conferences and seminars.

### **2.3 Proposed Investments and Target Areas**

The Project's physical activities will be limited to site specific civil works for rehabilitation or construction of Zonal Land Offices in selected districts throughout Uganda, rehabilitation of offices of the Institute of Surveying and Land Management in Entebbe on Sebutinde Road and renovation or construction of the Hotel and Tourism Training Institute (HTTI) in Jinja.

The project physical activities will be located in Kampala, Jinja and throughout selected urban and municipal centers of Uganda, namely the Districts of Luwero, Mpigi, Mityana, Soroti, Kabale, Rukungiri, Tororo, Mukono and Moroto for land offices. Project reforms in support of the land registration systems, land dispute resolution, and other national reforms will have impacts nationwide on improving transparency and security of land tenure.

The land administration component will support the development of a gender promotion strategy in the first year of the project in order to promote gender equity in land registration. Similarly, civil society engagement and communication strategies will be developed during the first year of the

project aimed at enhancing public participation and transparency in the whole exercise of documenting land rights. The project may enhance land market and land rights through an improved land registration system, and accelerate the change in land use patterns, but is not expected to result in different land uses than those that would take place without the project.

The CEDP will also support activities geared to reducing land disputes. A social diagnostics study is being undertaken ahead of project implementation to identify any social issues to address during project implementation. In addition, social, environmental and economic impact studies, with baseline and follow-up surveys, will be undertaken during implementation to assess issues and generate remedial measures.

### 2.3.1 Project Exclusion Activities

The CEDP will not finance the following activities:

- Religious infrastructure;
- Headquarters for cooperatives, groups, or executing organizations;
- Activities already covered by other sources of financing or are already included in other national, regional public development programs and where financing has been secured;
- Salaries to Government personnel;
- Contributions to political parties, trade unions or any other interest groups; and
- Category A subprojects.

### **3. KEY ENVIRONMENTAL AND SOCIAL ISSUES AND BASELINE ASSOCIATED WITH THE PROJECT**

#### **3.1 Project Beneficiaries**

The primary direct project beneficiaries, specifically from the Matching Grants Facility, are both existing and future entrepreneurs conducting business in Uganda.

MSMEs will particularly benefit from these reforms outlined in the Project, considering that they have much higher costs in complying with burdensome regulations and procedures, since they do not have the appropriate infrastructure, which can absorb such costs. Entrepreneurs in priority high-potential sub-sectors (summarized in Section 3.2 below) will also benefit from additional activities implemented as part of the project, such as tourism sector development initiatives and a matching grant program for MSMEs to procure business development services.

#### **3.2 Priority High Potential Sectors for Development Initiatives<sup>3</sup>**

##### **3.2.1 Tourism**

This is an important sector in Uganda and a great contributor to foreign exchange, employment, and investment in the recent past. The sector has become the second largest contributor of foreign exchange and fetched US\$ 805 million (about SHS 2 trillion) as of August 2011; yet more is to be explored. The MGF will seek to support private sector firms in the tourism sector towards improvements and encourage efficiency along the value chain at individual firm level and associations that bring together different firms in the sector. Under the MGF grant, support shall be availed to any enterprise in the form of MSMEs or community-owned ventures in the tourism-value-chain that plan to establish community-based-tourism business in activities such as accommodation establishment, catering, transport, retail outlets, guiding and entertainment. Support shall be availed to sectoral associations, and professional associations, any privately-controlled institution that support the tourism-industry, such as those that promote the adoption of industry standards, and ratings and to improve the quality of products and services etc. Private sector firms will be supported to undertake activities to: (a) expand their tourism business investment; (b) perform tourism assistance activities, recreational, cultural and sporting activities; (c) supply goods and services in the tourism-supply-chain, including to tourists' performing arts like dance, music, fine arts rooted in local cultures; (d) make direct sales of goods and services to tourists: this will include agricultural products, food and beverages, handicrafts, guiding, entertainment and other transportation services, entertainment and recreation; and (e) provide service related to nature-based tourism offerings such as hiking and trekking, involving local guides, and village-based tourism, where small groups of tourists stay in a traditional villages to learn about local life and culture; establishment of on-line presence.

##### **3.2.2 Coffee**

Coffee continues to play a leading role in the economy of Uganda as it currently contributes between 20- 30 percent of the country's foreign exchange earnings. The BUDS/MGF grant support will help to establish coffee as a key growth subsector. The support to private sector enterprises will help to increase their participation in the Coffee value chain, reduce inefficiencies and endeavor to eliminate constraints thereby leading to increased incomes and competitiveness in the subsector.

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<sup>3</sup> This summarizes the potential sectors as described in the Project Appraisal Document.

### 3.2.3 Grains and pulses

Maize and beans are widely used for household food and income security but they have become increasingly important non-traditional export crops. Investment in these cultures will increase income, food and nutrition security of many farming households. With support, partly provided by the MGF, the productivity of beans can double from current levels of 1.4 MT/ha to 2.5 MT/ha by 2017/8 leading to an increase of production from 900,000 MT to 2.5 million, which would lead to increase of potential for exports from 350,000MT to 100,000 MT.

### 3.2.4 Horticulture

Horticulture is one of the most productive subsectors with potential to increase income and enhance food and nutritional security. It provides an opportunity for achieving the national development goals if integrated in the broader national development agenda. Priority needs to be given to horticulture research programs in terms of funding and development of capacity to enhance full exploitation and subsector competitiveness. There is lack of research along the value chains, and collaboration and coordination among research institutions and stakeholders is limited. Under the MGF, grant support will be extended to private sector firms along the different value chains. Support shall be extended to enable increased production, standards, post-harvest handling, related training and increased marketing.

### 3.2.5 Edible oils

The edible oil sub sector is one of the growing economic subsectors in Uganda. Even as Uganda's edible oil production registers tremendous growth, demand for the products has continued to outstrip supply, forcing the country to rely on imports. Edible oil is extracted from Cotton, Maize, Simsim, Sunflower, Palms and other crops. The private sector firms in this subsector can greatly improve and with support from the MGF, they will be assisted to undertake activities aimed at improving competitiveness. The program will also seek to work with identified key players in the subsectors including BIDCO, Mukwano and other private firms, to improve efficiency along the value chains by addressing recognized firm level constraints.

### 3.2.6 Fisheries

About 1.2 million Ugandans are employed in the fisheries subsector but their livelihoods are threatened by use of illegal gears, which leads to overfishing and threatens sustainability of the sector. GoU is taking measures to reduce use of illegal gears by over 50 percent in order to reduce harvesting of immature fish by 70 percent and to increase commercial fishing to at least 200,000 MT per annum. The measure will include putting in place appropriate policies, legal and regulatory frameworks to create an enabling environment for the sector to grow. This will include revision of Fisheries Act of 2004, National Fisheries policy of 2004, standard Operation procedures (SOPs), lake management plans, mapping of the lakes, etc.

### 3.3 Specific Baseline Associated with Jinja HTTI<sup>4</sup>

#### 3.3.1 Siting and Location Description

The proposed project is located on Nalufenya road and plot number 3 and 5 on Hannington Square measuring approximately 1.565 hectares and plot numbers 16-21 and 4, 6, 8 on Jackson Crescent, Hannington Square within Jinja Municipality.

**Figure 3.1 Proposed location and alternatives to siting of the project**



Source: ESIA for Proposed HTTI Development, UTRC, Feb 2013.

The Proponent owns the site which is approximately 1.56 ha, on a lease term of 49 years with possibilities of extensions and has a title deed for the land which is identified as plot 6-9 Hannington Square along Nalufenya road and Jackson crescent. However the hotel also acquired permission to use plot 3-5 Nalufenya road for recreational purposes.

The system of land tenure in the project area is leasehold. Land use in this area is planned as a hotel and institutional area according to the Jinja Municipal Structure 2008-2018. Crested crane hold a title and lease hold for all the land currently used by the institute.

The neighborhood is comprised of mainly residential houses and institutions. Some of the institutions in the immediate neighborhood include: Bilkon Hotel, Deliverance Church, 2 Friends Hotel and Riverside Secondary School. Abutting uses include residential, commercial, schools, church institutions and other social facilities in keeping with the dominant user. The proposed project is collaborated by the ever increasing demand for hotel room accommodation and training due to population growth and economic development.

<sup>4</sup> The following information has been derived from the detailed description provided in the ESIA prepared for HTTI in Jinja by UTRC.

The Institute is located in Jinja, 80 kms from Kampala. It offers training in all Hospitality- related, Management and Entrepreneurship courses. It is the only government-aided Hospitality training institution in Uganda under the Ministry of Tourism, Wildlife and Antiquities. The project is within the present Hotel and Tourism Training Institute (HTTI) campus. An investment in HTTI will include renovation of the institute's facilities, including expansion of the training kitchens and labs, acquisition of modern equipment for kitchen, laundry facilities and engineering demonstration labs. This will also include Integration of the classrooms and learning resource facilities such as a library, computer and management systems lab. The proposed development will consist of the following:

- 60 No. residential rooms including one room for disabled
- Reception
- Administration unit
- Conference hall
- Bar cum lounge □ Dining hall
- Kitchen
- Ladies and gents toilets
- Service block facilities C/W 80 parking bays

Each of the rooms and the apartments are self-contained having the provision of WC, bathrooms, wardrobes, beds, TV, furniture and good air conditioning.

### 3.3.2 Demography

The average population density for Jinja District is approximately 586 persons as per 2002 census with a population for the District at 413,937, the Municipality at 86,520, then the Central Division with up to 27,426 people. 75% of the district population comprise of Basoga who are mainly subsistence farmers.

### 3.3.3 Economic activity

The major source of livelihood in Jinja is employment income, trading and property income. Jinja once the most industrialized town in Uganda boasts of various Industries whose revamp will go a long way in alleviating socio-economic status of residents. The major industries now include 4 Fish Processing Plants, BIDCO Vegetable Oil and Soap Factory, Steel Rolling Mills, Grain Millers, 2 tanneries, BAT, 2 Steel Rolling Mills and PAPCO paper factory. Jinja also boasts of a booming tourism industry, including attractions at the source of the Nile, Hotels and white water rafting.

### 3.3.4 Utilities and services

The location of the hotel is within the well-serviced part of the town complete with most of the basic services. The site is served by a main water network currently being operated by NWSC.

The area is also well served by a drainage system assisted by the gradient as well as the porous nature of the rock structure. To ensure reliable water supply, the proponent proposes to harvest water from the roof tops and construct a 50,000 litre underground water storage tank complete with a pump and a roof tank.

The area realizes unreliable power supply as the mains from the national grid serves the entire area. The commissioning of the Bujagali Dam project has boosted the reliability in supply to the town and the hotel. As a stop gap measure, the hotel will have a stand by generator and solar just in case of interrupted power supply.

There are private waste and sewer disposal collectors within Jinja Municipal Council at a fee to the residents and establishments. This will ensure compliance with the cleanliness standards set by the authorities. Its location makes it also able to enjoy good road transport to and from the town centre.

### 3.3.5 Cultural and historic sites

There are no sites of cultural, historic or traditional significance in the immediate neighborhood.

### 3.3.6 Infrastructure

#### (a) Roads and Accessibility <sup>[11]</sup><sub>[SEP]</sub>

The property is situated along the Nalufenya road serving as a secondary road. The access road is bitumen. The proponent will be required to maintain the quality of the roads and avoid oil spillages from the vehicles that transport materials to the site. <sup>[11]</sup><sub>[SEP]</sub>

#### (b) Sewage and Waste Disposal

Sewage from the hotel will be disposed of in designated sewer line as established by NWSC upon application and payment of necessary fees for connection on the sewer line. The proponent is therefore advised to adequately consult with the relevant authorities within NWS for easy management of waste. After the consultation with NWSC the proponent shall do a contract with a licensed plumber to construct link sewer lines to match sewage from the dwelling units. <sup>[11]</sup><sub>[SEP]</sub>

#### (a) Water Supply <sup>[11]</sup><sub>[SEP]</sub>

The proponent will obtain water for domestic use from the NWSC water supply network upon application and payment of the required fees. All plumbing work shall be carried out using galvanized steel piping of equal measures and approved whereas drainage shall be accomplished <sup>[11]</sup><sub>[SEP]</sub>using UPVC piping.

#### (d) Power Supply

The contractor will need to apply to UMEME for authority to connect to the existing National power grid. These include some of the services that will be affected by the project within the neighboring estates.

### 3.3.7 Bio-physical environment

Jinja municipality is located within the Lake Victoria basin areas. Jinja is one of the wettest districts with 2 major rain seasons. Jinja enjoys a pleasant climate with temperatures varying between 20°C and 28°C. Average rainfall is approximately 112.5 centimeters. The climate of Jinja region is pleasant for most of the year experiencing a double (bi-modal) seasonal rainfall pattern (which peaks during the months of April and November) with high to moderate rainfall from April-May and November-December. Mean annual rainfall range is 500-1000mm/year. Relative humidity mean values range from 70 to 80%. Temperature fluctuates between 20°C and 25°C in most areas.

Jinja Town in particular is characterized by comparatively small seasonal variations in temperature. Due to a high rate of evaporation from the lake surface and to regular winds, which drift across the lake from east to west all seasons, the average rainfall is high 1,558 millimetres (61.3in). There is a tendency of the rainfall to decrease as one moves northwards from the lake shores. The rain falls in 160 to 170 days each year, with two peaks from March to May and from October to November.

### 3.3.8 Geology and Soils

Jinja district is underlain by un-differential gneisses formerly seen as part of basement complex. Rhodi ferrelistic Nitisol is the most predominant soil type comprising 42% of the total land area (30415.6 ha), with patches of Epi/Endopetric Plinth sols (constituting 0.8 % of the total land area i.e. 595.1ha) superimposed on the Nitisols in isolated and very small areas. This is mainly in the Jinja municipal council. The site at HTTI is generally thinly covered with loamy topsoil's, laterite followed by clay formations, amphibolites, weathered gneiss and fresh granites. A variety of clay, light soils and sandy loamy soils are commonly found in some valleys with a well-defined course and shallow alluvium beds. There are also the ferrisol soils (red soils) on basic rocks.

Excavations are possible to a depth up to 40m. However, leachate collection sumps and an impervious lining either of clay or PVC will be required to avoid ground water contamination if excavations are made to that depth.

### 3.3.9 Vegetation

Vegetation in the project area is generally modified by development. What remains are pockets of tree stands scattered throughout the hotel site. The area has grass and some flowers which are planted for aesthetic purposes.

Given the nature of anthropogenic impacts already evident around the crested crane hotel and tourism training institute, the only remaining species are birds and rodents.

### 3.3.10 Water Resources

The hotel is connected to piped water system from National Water and Sewerage Corporation and this water is being used as the main source of drinking water together with other domestic activities. The hotel and institute has a water tank/ reservoir which is used by the hotel in instances where water is not available in the municipality.

### 3.3.11 Sanitation

The hotel is connected to Jinja central Sewer network. The hotel uses flash toilets because it is connected to water and sewerage.

### 3.3.12 Solid Waste Management

The major types of solid waste generated by the hotel and tourism training institute include polythene bags, bottles, papers, organic food wastes, metallic wastes, and medical wastes. There is a municipal solid waste skip in the crested crane site; however it is not properly used. It was also observed that there are litter bins placed at different points in the hotel premises.

## 3.4 ENVIRONMENTAL AND SOCIAL BASELINE OF THE DISTRICTS TARGETED UNDER THE PROJECT

The following section provides a summary of the baseline associated with Luwero, Tororo, Moroto, Soroti, Kabale, Rukungiri, and Mityana district land offices to be financed under the CEDP that has been derived from the EIAs prepared by URTC. During preparation of the ESMF, the EIAs for Mpigi and Mukono were not yet complete.

### 3.4.1 Site of Luwero District Land Offices

#### (a) Rainfall

The region has a bi-modal rainfall pattern. The first rains are in March –May and second rains are in September - December with a mean annual of ranging from 1171 mm to 1330 mm. The dry spell falls between June and July and December and March. Rain fall is evenly distributed in most parts of the district. The mean maximum temperatures ranges between 27.6 – 31.1 Degrees Celsius while the mean minimum temperatures range between 15.9 – 17.2 Degrees Celsius.

#### (b) Geology and Soils

The site lies within an area of Precambrian Basement with mainly undifferentiated acid gneisses.

#### (c) Physical Infrastructure

The site is accessed from Wobulenzi Township on the Kampala – Gulu Highway. It is then followed by a murrum road (1.5 km away) from Wobulenzi Town Centre which leads to Bukalasa Agricultural College which shares a boundary to the north of the site. The murrum road is also in a good condition and connects to various areas including Ndejje University and also has connectivity back to the main Kampala-Gulu highway.

#### (d) Topography

The topography of the site can be described as generally flat.

#### (e) Vegetation

The vegetation is modified by landscaping and human activities which include compound maintenance activities and office movements by several visitors to the site and there are no mature trees or threatened species and therefore have low ecological significance.

#### (f) Electricity Grid

The site has access to hydroelectricity power line which could easily to suit energy demand of the proposed establishment.

#### (g) Telecommunications

This site is within an area that is well serviced by all wireless phone networks.

#### (h) Water Supply

The proposed office buildings will obtain water by connection to the Directorate of Water Department (DWD) line.

#### (i) Solid Waste Disposal

The disposal of solid waste must be in compliance with the laws. A designated waste dumping site should be used.

### 3.4.2 Site of Mityana District Land Offices

#### (a) Meteorology

Microclimate of the site affects on site conditions, activities and operations hence influencing extent and intensity of socio-economic and environmental impacts of the project. More soil erosion would for example be experienced during rain seasons than in drier months. Dry seasons will be characterized by higher water demand for cleaning dusty areas and watering lawns. The section below provides a quantitative situation of the microclimate of Mityana area which is relevant to the proposed office facility development.

(b) Rainfall

Mityana experiences two distinct rain seasons. The shorter and lighter rains fall from March to May while heavier and longer rains are experienced from August to November.

(c) Topography

The topography of the site can be described as flat to gently sloping with slopes approximately 5 % or less. The ground elevation is approximately 1152 m above mean sea level. The site is located on part of a gentle slope which drains to the valley and therefore the site is naturally well drained.

(d) Vegetation

The vegetation of the site has been modified by human activities including subsistence agriculture and grazing. The site consists of typical short savannah grassland and shrubs which form most of the vegetation surrounding the area and there are no mature trees on the site. There are no threatened species and therefore have low ecological significance.

(e) Electricity Grid

The site has no electricity, however a 11 kV hydroelectricity power line, which could easily be stepped down to either single-Phase (240 volts) or three-phase (415 volts) to suit energy demand of the proposed establishment is about 500 metres-1kilometre away

(f) Telecommunications

This area is within the Mityana Town Council and is well serviced by all wireless mobile phone networks.

(g) Water Supply

The proposed office buildings will obtain water by connection to the NWSC grid, which is about 500 metres-1 kilometre from the site.

(h) Sewerage Disposal

Disposal of sewerage from the proposed project will be by connection to NWSC sewer network however before the network reaches to the area, buildings will be connected to a septic tank.

(i) Solid Waste Disposal

The disposal of solid waste must be in compliance with the laws of the town. Mityana has recently benefited from a Clean Development Mechanism Composting site and therefore have well designated area for waste management.

### 3.4.3 Site of Moroto District Land Offices

(a) Site location

The proposed site is part of the Chain linked fenced land and will be carved out of a bigger chunk of land presently housing both the Moroto District Headquarters and Municipal Council. The land is located within in Boma North ward, Northern Division, Moroto Municipality and can be accessed from Lorika road. Moroto Municipality is found in Moroto District in the Eastern region of Uganda in the western foot of Mount Moroto. It covers an area of approximately five square kilometers and is surrounded by Matheniko county of Moroto District. It is bordered by Katikekile Sub County from East, Rupa Sub County from north and Nadunget Sub County from west.

(b) Topography

The area is characterized by flat leveled site with a gradual slope originating from the mountainous slope and the Karamoja landscape plateau which slopes gently westwards.

(c) Soils

The area is characterized by volcanic soils, which are known to be acidic with low phosphorous content.

(d) Climate

Moroto Municipality is characterized by prolonged dry season extending from October to March and a short rainy season from April to September. The rainfall ranges between 300mm to 1000mm per annum with temperatures ranging between 21 degrees Celsius to 30 degrees Celsius. Mount Moroto generally influences the cold climatic conditions and windy period during the rainy season and the dry spell of the year.

(e) Vegetation

The project area is characterized by modified savannah grassland with a few mature trees which are well spread and are typical of semi-arid vegetation.

(f) Population Composition and Characteristics<sup>[11]</sup>

According the 2002 population and housing census, Moroto District report, Moroto Municipality had a total population of 7380 of which 3,580 (48.5%) were males and 3800 (51.5%) were females. According to the 2002 census, only 8% of the households lived in owner occupied dwelling units on opposed to 92% of the household population who either live in rented or without housing at all. The North Division was the worst with 1.7% of the household living in owner occupied dwelling unit thereby leaving 98.3% renting or without housing accommodation.

(g) Main Economic Activities

The main economic activities in Moroto Municipality comprise of commercial activities in Lopoduru market located in South Division, Main market in North Division, few wholesale shops mainly in South Division a number of retail shops both in South and North Divisions, service shops and one or two garages, mainly in North Division.

The major contributing economic activity in Moroto Municipality is the public service, education and health followed by other social service organizations, sale of foodstuffs, household and personal goods, construction work and owner small engagements.

(h) Electricity Grid

The site has access to the thermal electricity power line which could easily be tapped to suit energy demand of the proposed establishment.

(i) Telecommunications

This site is within an area that is well serviced by most wireless phone networks.

(j) Water Supply

The proposed office buildings will obtain water by connection to the Directorate of Water Department (DWD) line.

(k) Solid Waste Disposal

The disposal of solid waste must be in compliance with the laws. A designated waste dumping site should be used.

### 3.4.4 Site of Soroti District Land Offices

#### (a) Climate and Rainfall

The project area is located in a hot and humid region with a mean annual rainfall generally in the range of 800-1100mm. The rain is primarily falling during two wet seasons with heavy rains in March-May and the “short rains” in September-November with about 80mm/Month separated by Dry seasons of about 40-60mm/month. There is normally a short dry spell between the two rain seasons during mid June – mid July. The long dry season sets in during late November through to early March. The distribution is such that areas bordering Northeast experience earlier dry seasons. Typically, the rain falls in the form of short afternoon showers, lasting normally between one to two hours.

#### (b) Temperature, Humidity, Wind and Evapo-transpiration

The project area generally records a mean annual maximum temperature of around 31.3o C and a mean minimum of around 18oC. Its extreme highest temperatures are in the month of February when it records approximately 35oC. The highest ever recorded was in February 1949 where temperatures reached 40oC. Relative humidity ranges from 66% to 83% at 0600GMT in the morning. However, it reduces much in the afternoon (35%-57% at 1200GMT) thereby reducing chances of rainfall. During the N.E monsoon the area is swept by a wind that has traversed Somalia, passed between Abyssinian massif and Kenya highlands and the hills of Karamoja. The water vapour content of this wind is consequently low.

The southwards passage of the inter-tropical convergence zone in October would appear to bring no more rain than is sufficient to produce a gradual falling off from the July peak. There are relatively high rates of evaporation in Soroti District as it lies near the equator. Evaporations are particularly high in the dry seasons.

#### (c) Geology and Soils

The project area and its surrounding are composed of underlain rocks of the basement complex Precambrian age that include granites, mignalites, gneiss, schists and quartzites. Generally, the geology of Soroti comprises wholly granitized or high to medium grade metamorphic formations of undifferentiated gneisses including elements of partly granitized and metamorphosed formations and, in the north, granulite facies rocks. The soils fall mainly under four major units; Serere and Amuria catena; Metu complex and Usuk type series. These are mainly of the ferralitic type (sandy sediments and sandy loams). They are well drained and friable.

#### (d) Vegetation

The vegetation of the project area can best be described as modified dry savannah grassland comprising scattered mivule trees with a few short shrubs. In general the site has been modified by construction activities such as site leveling and compound maintenance activities.

#### (e) Topography, Geology and Soils

The topography of the area is generally flat. Teso region (Soroti district in particular) lies within a plateau that is between 1,036 and 1,127 meters above sea level.

#### (f) Drainage

The project area is located on a generally flat area. The area around the site is fairly well drained by natural/onsite drainage/water infiltration. Natural drainage (onsite water infiltration) has been one of the major forms of drainage in this project area.

#### (g) Demographic Information

Soroti district has a total population of 369,789; of which 180,147 are males and 189,642 are female. It has a population density of over 150.6 persons per sq. km

(h) Land Tenure System

Land tenure is a system by which land is owned, occupied, used and disposed off. It constitutes rules, regulations and procedures that govern the rights, duties and liabilities of the people in their use and control of land as a resource. The proposed project site is owned by Soroti District Local Government. The land is surveyed and titled.

(i) Infrastructure and Amenities

The proposed site is well accessed by Central Avenue; Central Avenue connects to the main Soroti-Lira Highway, Soroti-Mbale Highway and Serere road. The site has access to hydro- electricity power, piped water and is connected to the main Soroti sewer network.

### 3.4.5 Site of Tororo District Land Offices

(a) Climate

The project area has a sub-humid climate with bi-modal rainfall with peaks during the months of May and October. The total rainfall is between 1,130mm and 1,720mm, with temperatures ranging from 16.20 C to 28.70 C. The relative humidity ranges from 52% to 89%. Tororo Municipality is 1,459.5 metres above sea level.

(b) Rainfall

Tororo district experiences a bimodal rainfall. The first rains run from March to June and secondary ones are from August to November. Rainfall amounts vary with the area. The counties of Budama, West Budama and Bunyole receive a mean annual rainfall of about 1495mm with a range of 1130 to 1730mm. Busia sub district (Samia Bugwe County) which is slightly wetter receives a mean annual rainfall of 1514mm with a range of 1080mm to 1940mm. However, it has a shorter principal peak period which runs from March to May.

(c) Temperature and Humidity

The area experiences high temperatures ranging from 15.7°C to 30.6°C. The hottest months start from November to March while relatively cool months are July to September. The district also experiences high humidity in the mornings of 84% to 91% and reduces to 58 to 40% in the afternoons. This has a negative influence on rainfall availability. The district is influenced by two types of winds. During the month of November up to February, strong dry winds of a speed of 7 knots blow from north to south. From around March to June the winds change direction and blow inland from south to east. These are moisture laden and they are the ones which bring the rain in the district. High precipitation particularly during the wet season may significantly increase surface run-on and runoff from the proposed site, thus requiring adequate controls. Seasonality of rainfall patterns should be taken into account during project planning to minimise negative impacts associated with increased runoff.

(d) Water Resources

Tororo Municipal Council obtains its piped water from a treatment plant on Malaba River, seven kilometers south of Tororo Municipal. Only 2.1% of the population relies on piped water the rest rely on water from unprotected springs and open wells. Other sources include streams, rivers, lakes and ponds. These sources are generally unsafe due to the lack of adequate treatment facilities. The site is within easy reach of piped water, the impact on water availability for the project given its required water demand will be minimal since water is available.

(e) Topography

The proposed site is characterized by gently sloping topography. The degree of sloping exceeds 5%. Site topography site may experience surface run off during heavy storms.

(f) Vegetation

The vegetation of the project area can best be described as modified moist savannah grassland comprising of scattered mango trees with a few short shrubs. In general the site has been modified by subsistence agriculture

(g) Drainage

The project area is located on a generally gentle slope. The area around the site is fairly well drained by natural/onsite drainage/water infiltration towards District Road. Natural drainage (onsite water infiltration) has been one of the major forms of drainage in this project area.

(h) Socio-Economics

The proposed project is to be located within Tororo Municipality, with most residents employed in small-scale trade and agricultural produce, carpentry, hospitality and accommodation services (hotels and restaurants). Livelihood activities include cultivation, sale of food stuffs retail and wholesale trade in general merchandise. Population density in the project area is generally dense.

(i) Transportation and communication

Commuter taxis and buses are the main modes of transportation along the project area. “Boda-boda” cycles are also a preferred means of short-distance travel. The area has access to all major telecommunication networks, such as Uganda Telecom, Zain, MTN and Warid Telecom. The proposed site is sufficiently close to the adjacent highway and access roads (District Road and Lukiko Crescent). The site is within reach of basic communication infrastructure such as mobile network coverage

(j) Waste Management and Infrastructure

Currently the municipality dumps its solid waste within Mukujju Village LC1 along Tororo- Mbale Road. The distance from the project area to the current dumping site is approximately 5km. The divisions in the Municipality provide the funding for the waste management.

(k) Population and Demographics

Tororo is a densely populated district with an overall average of 1085 persons per square km (National Housing and Population Census, 2002). Tororo is experiencing a rapid growth rate approximately 3%. At this rate, the district is already experiencing population pressures as indicated by out migrations and shortage of arable land. This high population growth exerts a high demand on both natural resources as well social services.

(l) Land Use and Land Ownership

The proposed project is to be located within Tororo Municipality, with most residents employed in small-scale trade in groceries and agricultural produce, general merchandise, carpentry, and hospitality and accommodation services (hotels and restaurants). Livelihood activities include cultivation and sale of food crops such as ground nuts, sorghum, maize, sweet potatoes, cassava; as well as rearing of livestock (goats, cattle and chicken). The project site is owned by Tororo District Local Government.

### 3.4.6 Site of Kabale District Land Offices

(a) Rainfall

The project area receives ample rainfall with a mean annual total of 1475 mm. The project area receives ample rainfall with a mean annual total of 1475 mm. According to the analysed rainfall data for 33 years, a maximum of 2869mm and a minimum of 859mm were recorded. Kabale Municipality experiences two rainy seasons which are separated by two dry seasons in a year. The average annual temperature is 250 degrees Celsius.

(b) Physical Infrastructure

The site is accessed from Archer road which is a murrum road a few metres from the district headquarters. The murrum road is in a good condition and connects to various areas of Makanga zone.

(c) Topography

The topography of the site can be described as relatively sloppy at approximately 40 % or less. The ground elevation varies of the site is 1340m-1400m above mean sea level. The site is located on a relatively steep slope therefore well drained.

(d) Vegetation

The proposed site is composed of modified vegetation. The site has been modified by some subsistence farming leaving only a few pockets of grass characteristic of urban environments. The site has some potatoes hips and a few scattered banana stems. The proposed site is enclosed by a chain link shared by former Legal Aid offices-now the district chairperson's residence. There are no threatened species and therefore have low ecological significance.

(e) Settlement

Kabale Municipality is fairly densely built with low and medium income houses dominating, followed by commercial premises especially in the Central Business District (CBD) and then high-income housing. The proposed site is located in a low density residential area.

(f) Electricity Grid

The site has access to electricity. The Municipality is served by hydro-electric power from Jinja and of recent has become unreliable due to constant load shading. The area is connected to the national power grid from the Kabale substation that supplies the whole residential area in Makaga residential/civic area where the land offices are proposed for construction. It is supplied by UMEME.

(g) Telecommunications

This area is within the town and well serviced by both landline and all wireless phone networks (i.e. Utl, Warid, airtel and Mtn).

(h) Water Supply

There is sufficient and reliable water supply by the national water and sewerage corporation. The proposed Land office building will obtain water from the existing water lines in the area in liaison with NWSC.

(i) Sewage Disposal

Disposal of sewage from the proposed project will be by connection to the NWSC Sewerage system which leads to the Kabale Sewerage treatment plant.

(j) Solid Waste Disposal

The disposal of solid waste must be in compliance with the laws of the town.

### 3.4.6 Site of Rukungiri District Land Offices

#### (a) Rainfall

Microclimate of the site affects site conditions, activities and operations hence influencing extent and intensity of socio-economic and environmental impacts of the project. More soil erosion would for example be experienced during rain seasons than in drier months. Dry seasons will be characterized by higher water demand for cleaning dusty areas and watering lawns. The proposed site has a mean annual rainfall varying from 750mm to 1520mm. The average annual rainfall of 1125mm. There are two rainy seasons from late August to December and February to April.

#### (b) Topography

The topography of the site can be described as gently sloping with slopes approximately 20 % or less. The ground elevation varies of the site is 1340 m-1394m above mean sea level. The site is located on a gentle slope therefore well drained.

#### (c) Vegetation

The vegetation is composed of modified short grass on the site with some shrubs and surrounded by a hedge of trees that forms an enclosure. There are no threatened species and therefore have low ecological significance.

#### (d) Socio-Economic Environment

Rukungiri municipality is fairly densely built with commercial streets in the central business district, low, medium and high-income residential housing dominating the town out skirts. The proposed site is located in the civic area (district headquarters), next to the grade 1 magistrate's court, Rukungiri central prison, municipal council offices and the office of the attorney general.

#### (e) Electricity Grid

The Municipality is served by hydroelectric power connected to the national power grid. The power is supplied by UMEME. The district headquarters when the land offices are to be constructed is connected to power and also has a stand by generator.

#### (f) Telecommunications

This area is within the town and well serviced by all wireless phone networks (i.e. Utl, Warid, airtel and Mtn). The district headquarters are connected with internet services provided by Uganda telecom (Utl).

(g) Physical Infrastructure

The site (i.e. plot 336 block 5) is accessed from Rwamahwa road close to the junction of Rwamahwa and Ishaka roads. The access road is tarmac but with erosion there is a lot of soil in the road. This is the main access to the district headquarters and the government prison.

(h) Water Supply

There is sufficient and reliable water supply by the national water and sewerage corporation. The proposed land office building will obtain water from the existing water lines in the district area in liaison with the NWSC.

(i) Sewage Disposal

There is no central sewer network in the district and most of the sewerage is disposed by septic tank systems. It is therefore planned and anticipated that a septic tank will be constructed within the proposed project area.

(j) Waste Disposal

The municipality has several garbage skips in different areas of the town. The municipality has access to waste collection trucks and a dumpsite. The proposed land office will have proper in house management by providing garbage bins both during construction and operation. The disposal of solid waste must be in compliance with the laws of the town.

#### 4. ENVIRONMENTAL MANAGEMENT REQUIREMENTS AND PRACTICES

This document will comply with both the World Bank safeguard policies and the relevant GOU legislation as summarized below. Where there is a difference between the local regulations and World Bank policies, the Project will aim to apply the more stringent requirements.

##### 4.1 World Bank Safeguard Policies and Requirements

The CEDP has been assigned an EA Category B given that significant adverse environmental and social impacts are not expected due to the nature of the proposed activities and those identified can be addressed through adequate environmental and social mitigation and monitoring measures. The applicable safeguard policies are:

Yes/No	If applicable, how might it apply?
Yes	<p><a href="#">Environmental Assessment (OP/BP/GP 4.01)</a> Safeguards policy OP 4.01 has been triggered, given that the project will include civil works, primarily for rehabilitation and refurbishment of office buildings and a hotel school. Some new structures, e.g. new offices, will be built. The site and scale of proposed infrastructures have not been identified in sufficient detail; hence an Environmental and Social Management Framework (ESMF) will be prepared, consulted upon, and publicly disclosed in Bank InfoShop and locally to guide identification and management of potential environmental and social impacts. Consultations with project stakeholders will be carried out as a part of ESMF preparation. For the first few sites for which sufficient information is available to carry out site-specific environmental and social due diligence, an ESIA has been prepared.</p>
No	<p><a href="#">Natural Habitats (OP/BP 4.04)</a> Given the anticipated small scale of projects physical interventions, and their location in the built up residential and administrative urban and rural centers, the project is not anticipated to have a potential for significant adverse impacts on critical natural habitats or lead to significant conversion of natural habitats. Nonetheless, identification of potential natural habitat issues will be built into the ESMF screening protocol and assessed in detail as a part of site-specific ESIA as a matter of good practice.</p>
No	<p><a href="#">Forests ((OP/BP 4.36)</a> The project is not expected to affect the health or management of forests, and will not support forestry or logging operations.</p>
Yes	<p><a href="#">Pest Management (OP 4.09)</a> Project is not envisioned to entail or directly support any pest or pesticide management. Nonetheless, matching grant facility (MGF) support to improved efficiency and productivity of private enterprises in the agricultural sector may indirectly encourage adoption of more sophisticated production techniques that may include the use of pesticides; similarly it may indirectly lead to increased production that may correspondingly increase the levels of pesticide use. Handling of issues related to potential use of pesticides will be included in the ESMF screening protocol, and in the Operational Manual governing the MGF.</p>
Yes	<p><a href="#">Physical Cultural Resources (OP 4.11)</a> The project civil works may lead to accidental finds or physical cultural resources. The ESMF and preparation of site specific EIAs will include assessment of potential impacts on physical cultural resources, and guidelines for handling chance finds. For</p>

activities targeting known physical cultural resources, an ESIA will be prepared.

Yes	<a href="#">Involuntary Resettlement (OP/BP 4.12)</a> There is a possibility of land acquisition or displacement of land uses due to civil works and rehabilitation of infrastructure. The specific sites or locations of some of the projects physical activities are not known. A Resettlement Policy Framework (RPF) will be prepared to specify the process for preparing, reviewing, approving and implementing subsequent Resettlement Action Plans (RAPs) for the project before the relevant civil works are initiated, should any be required. The RPF and PAD will also describe the land tenure arrangements and any risks that could affect land acquisition leading to involuntary resettlement and/or restrictions of access to resources and livelihoods.
No	<a href="#">Indigenous Peoples (OP 4.10)</a> The project is not expected to include known indigenous people's areas.
No	<a href="#">Safety of Dams (OP/BP 4.37)</a> This project will not support dams or depend on them for achieving its objectives.
No	<a href="#">Projects in Disputed Areas (OP/BP/GP 7.60)</a> No impacts on international waterways are envisaged.
No	<a href="#">Projects on International Waterways (OP/BP/GP 7.50)</a> No disputed areas were identified in any potential project locations.

## 4.2 Ugandan Policy and Legal Framework for Environmental Management

The following section outlines the policies and regulations most relevant to the CEDP.

### 4.2.1 The National Environment Management Policy

The National Environment Management Policy (NEMP) was developed in 1994 as a follow up to the recommendations of the National Environment Management Action Plan. The NEMP sets out the overall policy goals, objectives and principles for environmental management in Uganda.

The NEMP recommended, among other actions, revision and modernization of sectoral policies, laws and regulations and establishment of an effective monitoring and evaluation system to assess the impact of policies and actions on the environment, the population and economy. The Policy also allowed for the formulation of sectoral or lower level policies concerning environment and natural resources management. Some of the policies that have been formulated in conformity with the NEMP include: the National Water Policy (1999), the National Wetlands Management Policy (1996), the Wildlife Policy (1996), the Fisheries Policy (2000), the Forestry Policy (2001), the draft National Soils Policy, and several District Environment Management Policies.

#### 4.2.2 The National Environmental Act, Cap.153

The National Environmental Act, 1995, is the principal law governing environment management and conservation in Uganda. The objective of the Act is to promote sustainable development by:

- a) Integrating environmental requirements into all planning and production processes; and
- b) Ensuring that renewable resources are optimally used through reduced waste, use of appropriate technology and finding of alternatives to present use of resources.

The Act also establishes NEMA as the overall body, charged with the overall responsibility of the management of environmental issues in Uganda. NEMA, in consultation with the lead agencies, is empowered under the Act, to issue guidelines and prescribe measures and standards for the management and conservation of natural resources and the environment in general.

#### 4.2.3 Relevant Environmental Regulations and Standards

In order to operationalize the provisions of the National Environmental Act, a number of specific regulations and standards have been developed together with the accompanying guidelines for managing the environment. Those directly applicable to the proposed investments include:

- Regulations on Environmental Impact Assessment, 1998;
- National Environment (Noise Standards and Control Regulations) 2003
- The Water (Waste Discharge) Regulations, 1998
- The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations (1999)
- The National Environment (Waste Management) Regulations (1999)
- The National Environment (Wetlands, River Banks and Lake Shores Management) Regulations (2000)
- The Occupational Safety and Health Act (2006)
- Water Act, Cap. 152
- The Land Act (1998)
- Public Health Act, 2000
- The Local Governments Act, 1997
- The Access Road Act, 1969 and The Roads Act, Cap 345
- National Environment (Noise Standards and Control Regulations) 2003

### 4.3 Environmental Impact Assessment Guidelines

#### 4.3.1 The National Environmental Act, Cap.153,

The National Environment Act Cap.153 regulates environmental management in Uganda. Schedule III of the Act provides a list of projects that require an EIA to be undertaken prior to project implementation (refer to Table 4.1). The Act defines an EIA as a systematic examination conducted to determine whether or not a project will have any adverse impacts on the environment.

Table 4.1 Schedule III Annex 1: Projects which Require an EIA

Category	Activity
<b>Urban development</b>	<ul style="list-style-type: none"> <li>• establishments of industrial estates</li> <li>• shopping centres/malls</li> <li>• expansion of recreational townships in areas like national parks or protected areas</li> </ul>
<b>Transportation</b>	<ul style="list-style-type: none"> <li>• all major roads</li> <li>• all roads in scenic, wooded areas</li> <li>• railway lines</li> <li>• airports / fields</li> <li>• water transport, pipelines</li> </ul>
<b>Aerial spraying</b>	
<b>Mining:</b>	<ul style="list-style-type: none"> <li>• quarrying and open cast extraction of precious metals, metalliferous ores, limestone etc.</li> </ul>
<b>Dams, rivers and water storage sources:</b>	<ul style="list-style-type: none"> <li>• storage dams</li> <li>• river diversions and water transport catchment areas</li> <li>• drilling for purposes of utilising ground water resources</li> </ul>
<b>Forestry activities:</b>	<ul style="list-style-type: none"> <li>• timber harvesting</li> <li>• use of pesticides and fertilizers</li> <li>• introduction of new crops</li> </ul>
<b>Processing and manufacturing products:</b>	<ul style="list-style-type: none"> <li>• mineral processing</li> <li>• foundries</li> <li>• glass works</li> <li>• oil refineries</li> <li>• tanning and dressing of hides and skins</li> <li>• food processing</li> <li>• brewing and malting</li> </ul>
<b>Electrical infrastructure:</b>	<ul style="list-style-type: none"> <li>• generation stations, transmission lines, electrical substations, manufacturing storage schemes</li> </ul>
<b>Waste disposal:</b>	<ul style="list-style-type: none"> <li>• sites for disposal</li> <li>• sewage disposal</li> <li>• works offensive odours</li> <li>• atmospheric emissions</li> </ul>
<b>Natural conservation areas:</b>	<ul style="list-style-type: none"> <li>• creation of buffer zones, national parks</li> <li>• establishment of wilderness areas</li> <li>• introduction of alien species of fauna and flora</li> <li>• policies for management of ecosystems</li> </ul>

#### 4.3.2 Ugandan EIA Process

EIA regulations and procedures focus on the following points<sup>5</sup>:

<sup>5</sup> Local Government Management And Service Delivery Program (LGMSDP), Environmental And Social Management Framework, July 29, 2007.

### (a) Screening Process

The screening process is designed to determine which projects require a full EIA process. The nature, type and location of the project are described in the environmental screening form with a preliminary indication of potential socio-economic and biophysical impacts (number of people/communities affected, sensitive habitats, threatened species, etc). Based on the screening exercise, NEMA makes a decision on whether an EIA is required or not. In the event of an EIA is not required, the proponent is still obliged to describe methods and procedures for proper environmental management (storage of semi-hazardous materials, solid waste disposal, etc).

### (b) Screening Form

A standardized Project Brief is submitted by a developer using a Screening Form. The form requires that the developer submit information on the proposed project/activity and inter-alia, on the following:

- Developer;
- Contact points;
- Location and size of the site/facility;
- Inputs required (utilities and raw materials);
- Products and by-products (finished products and wastes);
- Methods of waste disposal;
- Anticipated environmental and social impacts (number of people/communities likely to be affected, sensitive habitats, vulnerable groups and species etc).

General information is required at this first stage. If in-depth analysis has already been done, results should be indicated on the screening form. If however, only preliminary analysis/surveys have been done, this will in general suffice for the screening form.

Where the developer needs assistance to complete the screening form, a lead sectoral department concerned or a consultant can be enlisted for help. Upon completion by the developer, the form is submitted to the lead department or the Authority. If the form has been completed correctly, the lead department forwards the form to the Authority for consideration. The Authority determines the follow-up actions required in consultation with the lead department. If necessary, the Authority, the lead department, and/or a designated sectoral working group may visit the proposed project site to clarify details or complete the information required.

### (c) Authority Project Classification

Based on information obtained from the screening form, a systematic review of the information is completed by the Authority to determine whether an EIA needs to be conducted. Evaluation criteria have been established which provide a general guide for determining whether or not a full EIA is required. This ensures a fair and consistent review of all proposed projects at this screening stage, based on the information provided by the project proponent. As a result of this screening, the project is classified in the following manner<sup>6</sup>:

**Class A: EIA Required** – If the Authority, either based on the screening form or after additional information has been provided, has sufficient reason to believe that the project will cause a

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<sup>6</sup> Local Government Management And Service Delivery Program (LGMSDP), Environmental And Social Management Framework, July 29, 2007.

significant negative impact on the environment, it will require that an EIA be made in accordance with the provisions stipulated below.

**Class B: Additional Information Necessary** – In cases where doubts remain as to the significance of potential impacts on the environment, further information is required.

Projects categorized as Class B will be required to provide additional information prior to the Authority making a decision on classification. In this case, the Authority will give the project proponent, in writing, a clear indication of the information that needs to be provided. The Executive Director reserves the right to determine what additional information is required. After additional information has been provided, the Authority will reassess the proposed project and will determine if it falls into Class A or C.

**Class C: No EIA Required** – A project may be categorized as Class C if it is determined that the proposed project will have no significant or adverse impact on the environment. The Executive Director may grant environmental approval to the project without further analysis.

Apart from the EIA content, the procedures require a public survey prior to the issuance of any authorization on the basis of the EIA. The EIA conducted by the consultants at the request of the proponent is submitted for approval to the NEMA that looks after the procedure for the preparation of EIAs (approval of the TOR, approval of the studies, authorization given to consultants and consultancy firms, etc.).

#### (d) Consultations during the EIA process

The Authority, upon receiving a project brief consults the lead sectoral department. It invites public comments on statements of project intent submitted to it especially from those most likely to be affected by a proposed project. It is only subsequent to these two consultations that the Authority is required to invite interested organs of the State to comment on both the statement and the comments to follow. A public enquiry is the final form of consultation.

To facilitate the EIA process, the following arrangements are proposed:

- A special file is opened for every developer. Proper documentation of all the transactions and consultations for each EIA case, in addition to, where deemed necessary an environmental and social statement.
- The Authority designs standard letters to be issued to developers who have submitted project briefs. The letter specifies the class of EIA required.
- The Statement or its summary is published in local papers, also: (i) requesting members of the public to forward to the Authority any comments they may have and (ii) inviting the public to study and comment on the Statement which will be available at the Authority, the lead sectoral Departments and Local Government Offices in the relevant region.
- The Authority, the developer, and the Permanent Advisory Group on EIA and interest groups hold consultative meetings with the communities after the public comments on a Statement.
- The Authority issues a Certificate of Environmental Approval to any developer whose project has been approved.
- Test cases assess the capabilities of local consultants to contribute to an environmental impact study (and in the process receive training); assess the strengths and limitations of the guidelines.
- Testing will lead to modifications of procedures and guidelines. Documentation and annual statistics will be vital for modelling possible future expansion of development activities and related projects requiring EIA.

The impacts due to implantation of various industries in urban and peri-urban areas or the resettlement of populations close to these centers of economic activity will have to be dealt with in a timely manner for the safety, security and health of the communities. These issues will be addressed in the RPF. In cases where it is obvious that a project will not be in line with the laws of Uganda the Executive Director may reject a project without any obligation to carry out an EIA.

#### 4.4 Environmental Categories for Proposed CEDP Activities

The environmental categories to be applied to CEDP interventions will rely on the screening of environmental and social impacts which takes place during the pre-appraisal of the investments. Under the CEDP ESMF and in line with local regulations, the following categories will be used to screen subprojects<sup>7</sup>:

- **Category A** are defined as those that pose significant environmental and social impacts (due to the scale, type and location of the investment) and will require the preparation of a site specific EIA for approval. Such interventions would be ineligible for CEDP support.
- **Category B** (e.g. rehabilitation of office buildings, access roads, etc) have moderate or limited environmental and social impacts, which can be mitigated and managed through an Environmental Management Plan (EMP) and associated safeguard management plans. For example, construction of a hotel or building may require an EIA/EMP during the design and preparation of the investment in order to ensure that engineering and feasibility options being considered are environmentally sound. In the case of the HTTI and district land offices, EIAs were required by NEMA and the World Bank in accordance with OP 4.01.
- **Category C** (e.g procurement of patents or manufacturing rights, procurement of prototypes, technology transfer to facilitate the physical development of new products ie raising the skills, standards, and quality of firms in export supply chains, including enhancing the technologies of the selected sectors, new quality control equipment, staff training) have minimal or no negative environmental and social impacts and the insertion of environmental clauses in the construction and supervision contracts for subprojects is adequate.

The majority of the proposed CEDP investments (both in tourism and through the matching grants facility such as in rural markets, agro-industry or SME finance) will be considered Category B or C since they are local level small-scale interventions which can be managed effectively by an EMP and related safeguard management plans where applicable. However, in cases where the proposed location and nature of the investment present potential adverse environmental and social impacts such as the siting of the HTTI, an EIA will be required and findings will be used to determine whether the CEDP will proceed with this investment.

#### 4.5 International Conventions and Treaties

In 1998, Parliament enacted the Foreign Treaties and Relations Act which provides for entering into international, regional agreements and conventions. Uganda has entered into several international environmental conventions and agreements. Those which may apply to the CEDP, primarily Component 4: Tourism Development include:

- Convention on Wetlands of International Importance especially as Waterfowl Habitat -

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<sup>7</sup> For the CEDP ESMF, environmental ‘categories’ are equivalent to Ugandan environmental screening ‘classes’; however the term ‘category’ is used to ensure consistency with the WB OP 4.01.

Ramsar Convention (1971)

- Convention Concerning the Protection of the World Cultural and Natural Heritage (1972)
- Convention on the International Trade in Endangered Species of Wild Fauna and Flora CITES (1973)
- Convention on the Conservation of Migratory Species of Wild Animals (1979)
- Vienna Convention for the Protection of the Ozone Layer (1985)
- Montreal Protocol on Substances that Deplete the Ozone Layer (1987)
- Convention Concerning Safety in the Use of Asbestos (1986)

In addition, Uganda has also entered into several regional environmental conventions and agreements:

- African Convention on the Conservation of Nature and Natural Resources (1968)
- Kagera Basin Agreement (1997)
- Technical Cooperation Committee for the Promotion of the Development and Environmental Protection of the Nile Basin (TECCONILE)
- Cooperation Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora (the Lusaka Agreement) 1996.

## 5. INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

### 5.1 Project Implementation Arrangements

The Project will be implemented by two agencies, PSFU and MLHUD. The Project Coordination Unit (PCU) will be established in PSFU to implement Business Registration and Business Licensing Reforms; Tourism Competitiveness Development and Matching Grant Program for MSMEs. The MLHUD will have the responsibility for the implementation of the Land Administration Reform component.

The MoFPED will formally delegate responsibility for project implementation to the PSFU and the MLHUD. The assignment of implementation functions and the transfer of funds to the PSFU and the MLHUD will be detailed in a subsidiary agreement to be signed by the government and the PSFU and the MLHUD (refer to Figure 5.1).

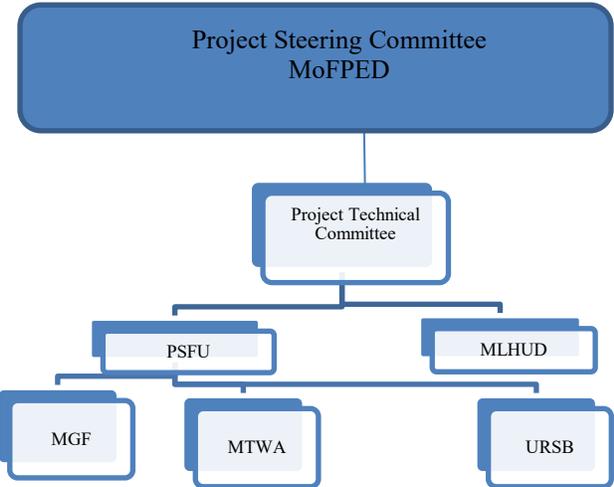
The project staff contracted by the MLHUD and the PCU will supervise and coordinate the project. These personnel will consist of qualified project experts (project manager, procurement specialist, financial management specialist/accountant, a matching grants specialist, civil engineer, tourism development specialist, environmental specialist, and an internal auditor). Where adequate skills are available within the implementing agency, no new recruitments will be carried out. Fiduciary aspects of the project will be managed by the ED/PSFU and PS/MLHUD who will also be responsible for (i) project financial management, including project accounts, payments, disbursements of IDA funds, project budgeting and auditing (ii) procurement (iii) monitoring of project progress and evaluation of results; and reporting to the Government and IDA. The financial and procurement assessment of the project are detailed below.

To ensure proper coordination and supervision of the project, a PSC will be established to provide policy guidance and oversight and a PTC to provide day-to-day technical guidance and supervision of the project activities. The PSC will be chaired by the Permanent Secretary/Secretary to the Treasury and will be comprised of Permanent Secretaries from respective Ministries, responsible for the respective project components and private sector representatives. The scope of work of the PSC will be to provide strategic guidance, policy formulation and to receive and take action on reports from the PTC.

The PTC will comprise of the Executive Director of PSFU, the Executive Director of UWA, The Executive Director of UTB, the Principal of HTTI, the Registrar General of URSB and the Director of Land Management. The PTC will be responsible for overall project implementation including: (i) development and approval of annual plans for project activities, project budget, and consolidated procurement plan, as well as regular reviews of project M&E data to determine progress and make adjustments, if need be, to ensure satisfactory achievement of end of project outcomes; (ii) consensus building on key policy issues related to implementation; (iii) monitoring of issues related to implementation of reforms; and (iv) coordination with, assistance and facilitation of the role of the World Bank financed Enhanced Implementation Support and Monitoring.

For the implementation of the Land Administration Reform component, an additional technical committee comprising of technical heads of the Lands Registration, Land and Surveys, Physical Planning, Land Valuation, and Land Commission will be established to provide technical oversight to the project component.

**Figure 5.1: Project implementation arrangements**



**5.2 Roles and responsibilities in the ESMF Implementation**

Component activities will be achieved through comprehensive support and engagement across MoLHUD, PSFU, and MWTA (see Figure 6.1 below) and through engagement with ministries also involved in the tourism value chain. The MWTA will coordinate with NEMA on ensuring that environmental and social issues are addressed effectively throughout the lifecycle of the Project.

Implementation of the ESMF may involve multiple institutions whose mandate is summarized in Table 5.1.

Table 5.1 Institutional roles and responsibilities for environmental management

MINISTRIES AND DEPARTMENTS	MANDATES/RESPONSIBILITIES
The Ministry of Housing, Lands and Urban Development (MHLUD)	The main roles and functions of the Ministry cut across the three sub sectors of Lands, and urban development which are: i) Formulate national policies, strategies and programmes on lands, housing and urban development sectors; ii) Initiate, review and make amendments to existing legislation on lands, housing and urban development; iii) Set national standards on matters regarding sustainable use and development of land and safe, planned and improved housing/human settlement; and iv) Monitor and coordinate national lands, housing and urban development initiatives and policies as they apply to Local Governments; and v) Provide support supervision and technical back-stopping to Local Governments on matters regarding lands, housing and urban development.
The Ministry of Water and Environment (MWE)	The Ministry of Water and Environment (MWE) has the overall mission: to promote and ensure the rational and sustainable utilization, development and effective management of water and environment resources for socio-economic development of the country. The ministry has three directorates: Directorate of Water Resources Management (DWRM), Directorate of Water Development (DWD) and the Directorate of Environmental Affairs (DEA).

Ministry of Local Government	The Ministry is mandated to carry out a number of responsibilities in the Local Government Act as follows: to inspect, monitor, and where necessary offer technical advice/assistance, support supervision and training to all Local Governments; to coordinate and advise Local Governments for purposes of harmonization and advocacy; to act a Liaison/Linkage Ministry with respect to other Central Government Ministries and Departments, Parastatals, Private Sector, Regional and International Organizations; and to research, analyze, develop and formulate national policies on all taxes, fees, levies, rates for Local Governments.
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**STATUTORY AGENCIES**

National Environment Management Authority (NEMA)	<p>NEMA was formed under the Environment Act 1995 is the principal agency in Uganda for the management of the environment. Its role is to coordinate, monitor and supervise all activities in the field of the environment. NEMA is under the Ministry of Water and Environment, and has a cross-sectoral mandate and is also to review and approve EIS submitted to it. NEMA has issued guidelines on EIAs (NEMA 1997), and the Environmental Impact Assessment Regulations (1998) was approved by the Ugandan Parliament. The actual implementation of the EIA process remains a function of the relevant line ministries and departments, the private sector, NGOs, the developers, recipient communities and the general public.</p> <p>NEMA retains its mandatory role of coordination, supervision and monitoring environmental issues. As for the implementation of the EIA process, NEMA's role will involve coordinating the review of the EIS of the planned interventions with relevant line agencies. Other lead agencies that would participate in the review are the Ministry of Local Government and local governments.</p> <p>Specifically, the Environmental Monitoring and Compliance Division of NEMA is responsible for the review and approval of EIAs, post-implementation audits and monitoring of approved projects. Although project sponsors have a responsibility for monitoring their own activities, NEMA carries out its own monitoring largely through district environmental officers and environmental inspectors at NEMA's head office.</p>
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Uganda Wildlife Authority (UWA)	Uganda Wildlife Authority (UWA), under the Uganda Wildlife Act, provides for sustainable management of wildlife; to consolidate the law relating to wildlife management, to establish a coordinating, monitoring and a supervisory body for that purpose and for other matters incidental to or connected with the foregoing. UWA in this case will have the role of monitoring the implementation of the EMPs to specifically ensure that the provisions for mitigating the impacts across protected areas are implemented by the project.
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National Forestry Authority (NFA)	National Forestry Authority (NFA), was established by the National Forestry and Tree Planting Act 2003 to conserve, develop, and manage the Central Forest Reserves and to supply quality forestry-related products and services. NFA manages Central Forest reserves on behalf of government and in partnership with the private sector and local communities. NFA will closely monitor the activities of the project across forested areas.
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National Water and Sewerage Corporation (NWSC)	The National Water and Sewerage Corporation (NWSC) is a parastatal that operates and provides water and sewerage services for 23 large urban centers across the country including Kampala. NWSC's activities are aimed at expanding service coverage, improving efficiency in service delivery and increasing labour productivity. Key among its objectives is to plough back generated surpluses for infrastructure improvements and new investments.
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**DIRECTORATES**

Directorate of Environmental Affairs (DEA)	The DEA is responsible for environmental policy, regulation, coordination, inspection, supervision and monitoring of the environment and natural resources as well as the restoration of degraded ecosystems and mitigating and adapting to climate change. DEA comprised the four departments of Environmental Support Services (DESS), Forestry Sector Support Department (FSSD), Wetlands Management (WMD) and the Department of Meteorology (DOM). DEA works in collaboration with NEMA and NFA.
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## DISTRICTS

District Environment Officer (DEO)	<p>The functions of the district environment officer includes the following:</p> <ul style="list-style-type: none"> <li>• advise the district Environment committee on all matters relating to the environment;</li> <li>• liaise with the authority on all matters relating to the environment;</li> <li>• to make such reports to the authority as may be prescribed;</li> <li>• promote environmental awareness through public educational campaigns;</li> <li>• assist local environment committees in the performance of their functions as provided for in the National Environment Act Cap 153;</li> <li>• gather and manage information on the environment and the utilisation of natural resources in the district;</li> <li>• to serve as secretary to the district Environment committee and such other functions as may be prescribed by the District council in consultation with the authority.</li> </ul>
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District Environmental Committees	<p>The functions of the District Environment Committees include:</p> <ul style="list-style-type: none"> <li>• Act as a forum for community members to discuss and recommend environmental policies and bye laws to the District Council;</li> <li>• Advise the District Technical Planning Committee, the District Council and NEMA on environmental management issues in the district.</li> <li>• Mobilize members of the public to initiate and participate in environmental activities;</li> <li>• Develop, in consultation with the District Technical Planning Committee, District Environment Action Plans;</li> <li>• Receive draft District Development Plans from the District Technical Planning Committee for review and endorsement;</li> <li>• Co-ordinate the activities of the District Council relating to the management of the environment and natural resources;</li> <li>• Ensure that environmental concerns are integrated into all district plans and projects; and</li> <li>• Coordinate with NEMA on all issues relating to environment management.</li> </ul>
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## MUNICIPAL

Municipal Environmental Officer	<p>The functions of the a Municipal Environment Officer include the following:</p> <ul style="list-style-type: none"> <li>• advise the urban Environment committee on all matters relating to the environment;</li> <li>• liaise with NEMA on all matters relating to the environment;</li> <li>• to make such reports to NEMA as may be prescribed;</li> <li>• promote environmental awareness in urban areas through public educational campaigns;</li> <li>• assist local environment committees in the performance of their functions as provided for in the National Environment Act Cap 153;</li> <li>• gather and manage information on the environment and the utilisation of natural resources in urban areas; and</li> <li>• perform any such other functions as may be prescribed by the Council in consultation with NEMA.</li> </ul>
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<b>Private Sector</b>	<b>Private Sector firms</b> undertake design and construction in the sector under contract to local and central government.
<b>NGOs</b>	
<b>Local Environmental Committees</b>	Local Environment Committees are appointed by the Local Government System on the advice of the District Environment Committee. The functions of Local Environment Committees include: <ul style="list-style-type: none"> <li>• Prepare Local Environment Work Plans;</li> <li>• Mobilize people, through self-help projects to conserve the environment, restore the degraded environment and improve the natural environment, and</li> <li>• Monitor and report on any event or activity, which has or is likely to have a significant impact on the environment.</li> </ul>
<b>COMMUNITY</b>	
Beneficiary Communities	

## 6. PUBLIC CONSULTATIONS

### 6.1 Consultations for the Proposed HTTI in Jinja

Consultations for proposed investments under the CEDP were undertaken by Urban Research and Training Consultancy E.A Ltd (URTC), the consultant commissioned to undertake ESIA's for the proposed renovation of the HTTI in Jinja and the ESIA's of the nine local district offices.

According to the ESIA prepared for the proposed HTTI in Jinja, extensive consultations were carried out between 22nd January and 5th February 2013 with the neighbours and key stakeholders on a one to one basis to ascertain any arising issues as a result of the proposed expansion of crested crane hotel and training institute. A structured questionnaire was administered to the public and interviews held with neighbors.

Feedback from the consultations indicated that the proposed hotel project will generally have a positive impact on the development of the area. The following positives impacts were identified:

- Jobs Creation both skilled and unskilled workers will be involved in this project during construction and operation.
- Source of revenue to JMC and government such as Value Added Tax (VAT) on construction materials/ tools to be purchased and NEMA fees among others
- During the operation of the project, security will be enhanced in the premise and the houses through distribution of suitable security lights and presence of a security guard. This will lead to improvement in the general security in the surrounding area.
- Project activities will lead to improvement of infrastructure (access road, sewerage, and water supply and telecommunication networks.
- The proposed project shall also promote healthy competition in the hotel market, which has an effect on improved service and fair prices.
- The proposed project has the potential to influence the commercial trends in the area in various ways and in the long run the multiplier effect will lead to development and reduction of poverty.
- The proposed hotel and training institute project shall consume various materials during construction such as stones, cement, sand, glass, steel products, wood products, PVC products, and ceramic products thus creating market for goods and services and secondary businesses.

Annex H provides the list of consultees and copies of the presentation slides for the ESMF.

### 6.2 Consultations for the Seven Local District Offices Covered under the Project

During the EIA process for the district land offices (7 EIAs prepared and awaiting approval from NEMA, 2 still under preparation), an initial list of project stakeholders was developed. This list has been reviewed and updated (provided in the separate EIAs) on an on-going basis to ensure that it is comprehensive and accurately represents the array of stakeholders. Key stakeholder groups included: Project Proponents/ Developer (MLHUD), District Land office Site, Local Government, Vulnerable groups (e.g. women,) Local authorities and Local community members. The main positive aspects mentioned by the respondents were: the provision of jobs to the residents and also possible increase of land employs that would increase the purchasing power of the local goods especially agriculture items.

### **6.3 Summary of Consultation Findings**

Generally, the positive impacts of the Project on the district land offices were seen as largely positive with a potential to reduce significantly the lack of office accommodation. The overall negative impacts are rated as minimal and can be effectively managed through implementation of an EMP and adequate monitoring and capacity.

For the HTTI construction/renovation, the stakeholders consulted (as indicated in the consultation plan provided in the ESIA) have no objection to the proposed project. The project will have to be approved by JMC.

## 7. IMPACT ANALYSIS AND PROPOSED MITIGATION MEASURES

The proposed CEDP is not likely to result in significant adverse environmental or social impacts. The project has a potential of localized, site-specific adverse environmental impacts associated with rehabilitation and civil works for construction and rehabilitation of administrative, training and tourist facilities, particularly the district land offices, hotel school facilities, as well as small nature tourism related infrastructure upcountry. These include construction waste, dust and noise pollution during construction, impact of increase construction traffic, social and health impacts due to temporary establishment of workers' camps, etc. Most of these impacts are well known and can be mitigated using standard good construction practice embedded in the civil works contracts.

The project may enhance land market and lands rights through improved cadastral system, and accelerate the change in land use patterns but is not expected to result in different land uses than those that would take place without the project. Social implications of the ongoing land reform will be identified and assessed and presented in the Social Diagnostic Study of Land Reform, currently under preparation.

### 7.1 Key Environmental and Social Issues and Impacts Associated with the Project

The following section describes the key environmental and social issues associated with the proposed Project based on a study of the EIAs for the seven local district offices and for the HTTI in Jinja, and from consultation findings with CEDP stakeholders undertaken in January and February 2013 as summarized on in Section 7 of the ESMF. The key issues identified relate to (i) water, (ii) land, (iii) biodiversity, (iv) general disturbances (noise, air, waste), and (v) discrimination of vulnerable or marginalized individuals or groups, including the elderly, the youth, ethnic minorities and others, from project activities and benefits. The proposed solutions are applicable to all small and medium scale infrastructure and will require adequate implementation of mitigation and monitoring measures.

Impacts can be divided into negative and social impacts associated with construction and operation, which depends specifically on the size and nature of the intervention, site location, and affected parties (i.e., communities and other stakeholders).

### 7.2 Positive Environmental and Social Impacts

The objective of the CEDP is aligned with promoting environmental and social benefits through its key indicators, especially in tourism development and supporting entrepreneurship, which includes:

- Tourism sector employment
- Increase in exports of non-traditional commodities
- provided training in tourism sector issues
- Number external industry and educational bodies which have accredited HTTI
- Number of HTTI graduates in updated certificate and diploma tourism skills programs
- Number of new tourism MSMEs
- Number of female-owned new tourism MSMEs
- Number of new employees hired by the MSMEs benefiting from the matching grants program
- Increase in sales of firms supported under the matching grant scheme
- Rehabilitating the HTTI in Jinja in order to address the shortage of skilled labor in lodging, food/beverage and tour guiding operations
- Increasing awareness of Uganda's tourism offerings leading to the inclusion of the country in multi-destination itineraries with neighboring countries.

- Increasing the supply of trained work force capable of delivering competitive hospitality and tourism services.<sup>8</sup>

The matching grants component will support improvement of enterprise capacity by investing in sub-sector specific business development services, skills and increasing productivity through raising standards at the firm level. It will support a matching grant program for high potential sub-sectors identified by the Uganda CICS II. The expected benefits from the implementation of this component include:

- Creation of new jobs;
- Strengthening of the competitiveness of enterprises and raised value addition in the selected sub-sectors through access to business development services; and
- Strengthened linkages between firms themselves, as well as firms and the markets, which will enable firms to be more competitive, create jobs, and grow their businesses.

In terms of the construction and rehabilitation work to be undertaken, there are also several positive impacts associated with the civil works and establishing these land offices, such as employment of local labour, creation of jobs, improvement of associated existing infrastructure (secondary or access roads, rehabilitation of walkways/paths, improved waste management and traffic flows), and positive economic impacts on small market suppliers for raw materials needed during construction (ie building materials).

### 7.3 Potential Negative Environmental and Social impacts

The main negative environmental and social issues of concern that were identified during the EIA consultations (by URTC) for the district land offices and the construction/renovation of the HTTI in Jinja include:

- Generation and disposal of construction debris;
- The proposed development may cause some strain to the existing infrastructure such as; <sup>[1]</sup><sub>[SEP]</sub>water supply since construction activities are known to be heavy water consumers and the increase in population proportionately increases water demand thus direct impact to the water supply during both the construction and occupation phases;
- Construction activities are likely to generate noise and hence affecting the immediate environment;
- Run-off generated by rainfall may cause a myriad of consequences in various facets including flooding and its consequences;
- During construction and operation, there is likely to be generation of sewage and effluent. Sewage is of significant concern with respect to the environment and particularly to water and soil. In its raw form, it is serious health hazard and emits offensive odours;
- Construction activities have the potential to generate air pollutants in the form of dust particles and gas emissions (fumes) from machinery and vehicles
- Vegetation has a great effect on the general and localized environment and normally can modify microclimate. In consequence, de-vegetation to give way for HTTI development may result to negative effects on the fauna;
- It is important to note that oil/grease spills / leaks are prevalent in construction sites and in most areas that make use of petroleum products, which contain hard/hazardous elements that are detrimental to the environment;
- Construction activities contributes to increased solid wastes including stones, wood, glasses, plastics, containers, metal rods, pieces of iron sheets, sharp objects (nails) etc. On

<sup>8</sup> ESIA for the Proposed HTTI in Jinja, URTC, February 2013.

- completion and occupation, the project will be generating waste products from various operations and activities; mostly house refuse including the polythene challenge;
- During construction, there are chances for increased dust, air and noise pollution. These plus other safety hazards such as accidents, falling objects, risks from poor scaffolding, ladder and formwork are considered negative impacts;
  - Temporary interference with the road traffic along the access road to the residential areas road due to the movement of heavy trucks and construction equipment to and from the site during construction phase and operation;
  - Bad behavioral tendencies of the workers, such as indiscriminate solid waste disposal and use of abusive vulgar words during construction phase;
  - Accidents and spread of diseases such as HIV due to influx of foreign workers in the area; and
  - **Potential risk of vulnerable or marginalized individuals or groups** being excluded from project benefits. *This refers* to all vulnerable individuals or groups who by virtue, for example, of their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, economic hardships , and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project’s benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so.

### 7.3.1 Discrimination of vulnerable or marginalized individuals or groups.

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

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

- An individual or groups with concerns or grievances would be afforded appropriate avenues to submit their grievances or concerns including through the grievance mechanism corresponding to World Bank financed project.
- The implementors of the referred mechanisms, the World Bank and the Government of Uganda will do what is required of them to ensure that such concerns or grievances are addressed promptly and effectively.

## Risks

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

Identified risks include:

- The risk of vulnerable or marginalized individuals or groups declining to access project benefits or services for fear of rejection, retaliation, or being reported to the police.
- In the tourism sector, the risk vulnerable or marginalized individuals or groups being reported to the police if their status is disclosed or suspected by hotels or service providers.

- The risk of business facilities who provide services to or employ vulnerable or marginalized individuals or groups being shut down for allegedly "promoting homosexuality" or illegally keeping "premises."
- The possibility for exclusion from employment opportunities and project benefits for vulnerable or marginalized individuals or groups.
- Limited capacity of project staff to assess and address exclusion risks.
- Project staff inability to ensure vulnerable and marginalized individuals or groups' participation in public consultations.
- Vulnerable and marginalized individuals or groups unwillingness to use the project's GRM for fear of retaliation.

### **Mitigation measures**

The following mitigation measures are proposed to manage the risk of exclusion and discrimination.

These mitigations will be implemented by the project implementation unit with the support of an Enhanced Implementation Support and Monitoring (EISM) firm to be hired by the World Bank and IFC with a strong track record of providing implementation support and monitoring project performance and knowledge of the Ugandan context. This entity is expected to work with NGO/CSOs and country-based development partners in implementing these mitigation measures.

Specifically, the firm will:

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

A more detailed explanation of the enhanced implementation support this organization will provide is found at Annex J.

### **Mitigation measures to be implemented by PIUs with the support from the organization listed above include:**

- Develop training, sensitization and Information, Education and Communications material on the obligations of project participants to ensure non-discrimination of individual or groups who vulnerable or marginalized, and to ensure they have access to appropriate expertise to help them do that.
- Undertake targeted consultations with external stakeholders, including as appropriate NGO/CSOs, local governments, security services and other stakeholders to ensure there is broad understanding of the obligations of project participants to ensure non-discrimination under the project.

- Review all contracts, Codes of Conducts, human resource procedures and protocols, whistle-blower protection protocols, and other measures, as needed, to ensure they require remediation of cases of discrimination.
- Review the human resource procedures and protocols, whistle blower protections and other relevant policies and protocols of all project participants to ensure appropriate principles of non-discrimination.
- Augment the project Grievance Redress Mechanism includes an effective, safe, ethical and confidential referral pathway to ensure vulnerable or marginalized individuals or groups are comfortable reporting incidents of discrimination and that such grievances are addressed quickly, efficiently and appropriately.
- Facilitate the monitoring of implementation of all measures to promote non-discrimination under the project by supporting the World Bank financed organization to ensure all measures are implement and all reported incidents are shared with the Bank and addressed in a timely fashion.

### 7.3.2 Potential negative impacts associated with tourism investments

Tourism investments to be financed under Component 3 of the CEDP have the potential to result in negative environmental and social impacts if not carefully planned and managed through government regulated land use policies and tourism development plans. Typically, negative impacts from tourism occur when the level of visitor use is greater than the environment's ability to cope with this use within the acceptable limits of change. Uncontrolled conventional tourism can put enormous pressure on an area and lead to impacts such as soil erosion, increased pollution, discharges into the sea, natural habitat loss, increased pressure on endangered species and heightened vulnerability to forest fires.

Tourism can create great pressure on local resources like energy, food, and other raw materials that may already be in short supply. Greater extraction and transport of these resources exacerbates the physical impacts associated with their exploitation. Because of the seasonal character of the industry, many destinations have ten times more inhabitants in the high season as in the low season. A high demand is placed upon these resources to meet the high expectations tourists often have (proper heating, hot water, etc.).

Increased construction of tourism and recreational facilities has increased the pressure on natural resources (minerals, fossil fuels, fertile soil, forests, wetland and wildlife) and on scenic landscapes. Direct impact on natural resources, both renewable and nonrenewable, in the provision of tourist facilities can be caused by the use of land for accommodation and other infrastructure provision, and the use of building materials. Forests often suffer negative impacts of tourism in the form of deforestation caused by fuel wood collection and land clearing.

Tourism can cause the same forms of pollution as any other industry:

- Air emissions and noise pollution (such as from engine boats and road vehicles)
- Solid waste and littering;
- Impact on sanitation system and water resources (lack of adequate sanitation facilities or over pressure on existing waste disposal systems resulting in groundwater pollution and possible contamination of drinking water for people and wildlife, and disposal of sewage in rivers);
- Impacts on natural resources as a result of illegal access to nature parks/protected areas (e.g. unmarked trails, illegal camps, and unregulated tourist traffic); and

- Discrimination against vulnerable or marginalized individuals or groups, including the disabled, the elderly, the youth, ethnic minorities and others, from project activities and benefits.

Physical impacts are caused not only by tourism-related land clearing and construction but by continuing tourist activities and long-term changes in local economies and ecologies.

#### **7.4 General Environmental and Social Concerns during Construction and Operation**

Impacts resulting from construction/renovation of small and medium scale infrastructure does not present significant impacts if carefully managed. These concerns are usually manageable and can be easily addressed using appropriate mitigation measures in the civil works contracts.

The most important issues include:

- Construction and demolition waste
- Risk of damage to archaeological or historical sites
- Risk of destruction of wildlife habitats

General issues during operation include:

- Availability of functioning and maintained sanitation facilities (often not functioning due to a water shortage);
- Improper disposal of wastewater (e.g. construction of infrastructure may dispose wastewater in percolation pits without conducting an assessment of the surrounding environment, so it is important to identify its sensitivity and accordingly whether there are potential environmental and/or public health risks);
- Improper management of solid waste generated by the subproject (and other potential sources). This usually results in the accumulation of waste on or around the subproject premises/area; and
- Discrimination of vulnerable or marginalized individuals or groups from project activities and benefits.

#### **7.5 Potential Cumulative Impacts**

CEDP interventions may individually have insignificant adverse environmental and social impacts. However, several interventions in combination, or in combination with other government or private sector activities, could have a larger, more significant cumulative impact. This is particularly likely to be the case for:

- Deforestation due to the exploitation of forest resources, owing to the use of timber and poles for construction. The CEDP will take necessary measures to ensure that deforestation and use of forest resources which are not sourced from certified sustainable forests is avoided and minimized to the extent possible;
- Groundwater depletion owing to the demand for water for construction;
- Surface water depletion, for the same reasons as above.

In addition, resettlement due to the acquisition of land for sub-projects may combine with induced migration of people (for labour, services, etc.) to place greater pressure on natural resources in particular areas. The avoidance and mitigation of cumulative impacts requires: avoidance and mitigation of the impacts of individual projects; careful planning, based on sound technical

knowledge, of the location, size, and material requirements of infrastructural projects, within the district and regional planning cycles.

## 7.6 Proposed Mitigation and Monitoring Measures

In order to avoid or minimize impacts associated with activities to be funded under the Project, mitigation measures must be implemented as part of the subproject construction and operations to ensure compliance with local and international environmental and social guidelines and standards. These measures must be included as part of the subproject EMP and will be budgeted for in the Technical Specifications of each subproject.

A set of monitoring indicators will be used to verify compliance with local and international standards and to identify correction actions for subprojects failing to meet these standards. These indicators will be applied when undertaking annual monitoring reports. Examples of mitigation and monitoring guidelines have been provided in Annex G for the types of activities anticipated to be funded under this Project.

The EIAs prepared for the HTTI in Jinja and the seven district land offices propose a set of mitigation measures which include:

- Measures for avoidance of in-filling of the lower area near the wetland area with excavation material, construction wastes/debris, or silt;
- Machines should be regularly maintained to reduce fumes generated from exhausts;
- All employees in high noise prone areas will be provided with appropriate ear defenders and no compromise will be made on enforcement;
- Maintain liaison with neighbouring community;
- Need to adhere to National Environmental Standards during all phases of the proposed development;
- Roof catchments should be provided with rainwater harvesting systems (gutters, down pipes and water storage facilities) to enhance collection and storage of the would be run-off;
- Avoid unnecessary clearing of vegetation by conserving vegetation not in the sections being built up;
- The drainage layout should ensure effective flow of the anticipated surface run-off emanating from the roof catchments and other areas within the site;
- Workers should be provided with relevant personal protective equipment (PPE)/materials;
- Machineries should be maintained regularly to reduce noise resulting from friction;
- Sanitary facilities must be kept clean always, through regular washing and disinfecting;
- All machinery must be keenly observed not to leak oils on the ground. Maintenance must be carried out in a designated area (protected service bays more suitably outside) and where oils are completely restrained from reaching the ground;
- Control over areas generating dust particles through regular cleaning or sprinkling of water to reduce dust;
- A first aid kit(s) should be provided within the site. This should be fully equipped at all times and should be managed by a trained person. The contractor should not expose workers to stress inducing factors; and
- The wastes should be properly segregated at source to encourage recycling of some useful waste materials; i.e. some demolished stone and concrete materials used as backfills.
- Risks of discrimination will be addressed by measures outlined in the Guidelines and Circulars issued by the GOU and by an enhanced grievance redress mechanism, including a independent toll-free hotline, to handle sensitive complaints, capacity building on social

inclusion for community members, contractors, and other stakeholders, and third-party monitoring of the proposed measures (see Annexes I and J).

## 8. PROCESS FOR SUBPROJECT PREPARATION, IMPLEMENTATION AND MONITORING

This section sets out the environmental and social assessment procedures, reporting systems, and responsibilities to be adopted by the implementing agencies for the CEDP. The design of this assessment system complies with both the World Bank's safeguard policies and the Ugandan EIA regulations and related guidelines.

The section begins with details of issues that will be addressed, and the specific next steps to be taken and is supported by tools and guidelines provided as ESMF Operational Tools and Guidelines (Annexes). It then describes the various elements of this ESMF including:

- Steps to be taken for the screening, review and appraisal of proposed investments;
- Procedures for preparation of ESMPs and related management plans for subprojects;
- Guidelines on the environmental and social impact of project investments; and
- Compliance mechanisms.

The following table outlines the key roles and responsibilities for implementing the subproject screening, appraisal, review, and monitoring requirements under the ESMF.

Table 8.1 Roles and responsibilities in subproject environmental and social planning and implementation

Activity	Responsible person/authority
Initial screening in the field	PCU/PSFU and MGF Unit (for MGF investments)
Assignment of environment category	PCU/PSFU and MGF Unit (for MGF investments)
Analysis of screening findings and preparation of EIAs/EMPs and related management plans	PCU/PSFU, MLHUD (for Land Administration Reform), MGF Unit (for MGF investments) and independent contractor
Issue environment permit that confirms EIA is satisfactory	NEMA
Environmental monitoring	PCU/PSFU, MLHUD and NEMA

### 8.1 Screening and Review Process

Once a subproject has been submitted for financing, the investment will have to be screened using the screening form provided as Annex A. For the Matching Grant Facility (MGF), the proposals submitted by the eligible firms<sup>9</sup> (MSMEs) will be screened during submission of the beneficiary's application. The screening form will determine what level of environmental and social assessment is required.

A key element of the national guideline document is the distinction between three categories of projects:

- **Class/Category A:** Projects which may have adverse and significant environmental impacts, and may, therefore, require full EIA; these projects, including investments through the MGF, would be ineligible for CEDP support;

<sup>9</sup> Any private business entity, legally established in Uganda and with established business interests in the selected subsectors, will be eligible for support. The MGF will also be able to support the informal firms operating in the eligible sectors through their respective associations and to recognize that the vast majority of such firms are not yet officially registered with the appropriate business registration authorities.

- **Class/Category B:** Projects of the type or scale that have potential to cause some significant environmental impacts but which do not warrant a full EIA;
- **Class/Category C:** Projects which would have no impact and do not require EIA.

The PCU will be responsible for categorising an activity as an A, B, or C in coordination with NEMA. Under the MGF, an Environmental Consultant will be hired to assist the MGF Unit in screening all applications against the EIA requirements for eligible activities/services (see Table 8.2). The Consultant will report to the MGF Manager.

Based on the eligible activities, it is unlikely that MGF investments will be category A.

**Table 8.2: Eligible activities/services for the MGF**

The MGF shall offer matching grants for the purchases of services eligible for support. Support shall be for the use of any specialized service, considered by the MGF as likely to make a significant contribution to addressing identified key weaknesses, critical challenges from input supply, production, processing or gaps at firm level. Payments for services may be for service fees and, where appropriate, for associated travel and subsistence costs, incurred directly and exclusively in connection with the delivery of eligible services. A sample list is here below:

- Installation of standards and specific sector standards including ISO and HACCP
- Accessing technical assistance
- Branding
- training in management,
- business plan preparation,
- marketing and market access (local and international markets)
- record keeping and improving financial management
- Improving production techniques
- Improving post harvesting techniques
- Introduction of techniques in order to improve quality along the sub-sector value chain.
- Support to sub-sector business associations will also be provided

Source: Competitive and Enterprise Development Project, Matching Grant Facility (MGF) Draft Operations Manual, 2013.

## 8.2 Appraisal and Approval

### 8.2.1 Appraisal

After analyzing the data contained in the environmental and social screening form and after having identified the right environmental category and level of assessment needed, the PCU/MGF Unit will make a recommendation to NEMA establishing whether: (a) any environmental assessment will be required; (b) the implementation of mitigation measures via an EMP (and associated management plans, ie Pest Management Plan and RAP) will be enough; or (c) a separate EIA is required.

The EIA will identify and assess the potential environmental and social impacts for the planned activities, assess alternative solutions and present the mitigation, management and monitoring measures to be adopted. These measures will be quoted in the EMP that will be prepared as part of the EIA for each subproject. The preparation of the EIA and the EMP will be done in consultation with all relevant stakeholders and project affected people.

## 8.2.2 Preparation of an EIA

For project interventions, such as infrastructure services, that are screened and categorized as a B project, the Proponent will be required to prepare an EIA/EMP (or Project Brief) and obtain approval from NEMA. A terms of reference for an EIA is provided in Annex B.

## 8.2.3 Preparation of an ESMP

The Proponent will undertake the assessments in consultation with NEMA. Under the proposed MGF arrangements, an EIA/EMP will be prepared based on findings of the initial environmental and social screening.

The format for the ESMPs will follow the requirements under the NEMA guidelines document and the OP 4.01 requirements. As part of the EA process, ESMPs will need to be prepared and implemented for Category B projects. For those subprojects which trigger the safeguard policy on pest management or cultural property, associated plans will be required (e.g. a pest management plan). The EMP should be a short and concise document (between 5 – 10 pages) and must contain the necessary sections as outlined in Annex C.

Environmental contract clauses should be included in the Technical Specifications and be accounted for as part of the Project investment's overall implementation budget. Effective implementation of the ESMP will ensure that the appropriate mitigation measures have been employed to avoid and/or minimize any potential impacts resulting from the proposed activity.

The ESMP for each investment scheme will outline the appropriate budget required to implement measures for mitigation and monitoring. It will also indicate the costs of training and capacity building required. Costs should be calculated based on estimates provided by Contractors for any mitigation measures required during the civil works. For example:

- Costs of ensuring the appropriate dust suppression mechanisms are in place during excavation works must be calculated and included in the tender documents;
- Costs of installing erosion control measures should be estimated as part of the engineering costs;
- Training of staff on environmental and operational, health and safety issues should be outlined in detail; and
- Costs of monitoring noise during construction should be calculated based on the frequency of monitoring and cost of equipment.

The Environment and Social Management Plans developed in accordance with this ESMF will contain specific provisions on the management non-discrimination of vulnerable or marginalized individuals or groups. These provisions are consistent with recent GoU measures to ensure non-discrimination in accordance with Article 21, including circulars issued by the GOU included in Annex I.

The purpose and objective of these provisions is to ensure that in accordance with World Bank policies and Article 21 of the Ugandan Constitution: (i) project impacts do not fall disproportionately on individuals and groups who, because of their particular circumstances, may be vulnerable or marginalized; (ii) there is no prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of those who may be vulnerable or marginalized; (iii) Bank financed operations are implemented through their respective life cycles in a manner that is aligned with the non-discrimination principles embedded in applicable Bank requirements.

To facilitate the implementation of the provisions for non-discrimination that cover vulnerable or marginalized individuals or groups, the Project Operation Manual (POM) will be updated to specify how the mitigation measures will be implemented. The POM will clearly lay out how the project will ensure non-discrimination of individuals and groups. The POM will also provide details of how the mitigation measures will be implemented. Furthermore, it will specify the timelines and roles and responsibilities to implement the different mitigation measures. The POM will also provide detailed information on how exactly the project will support and interact with the World Bank Enhanced Implementation Support and Monitoring. The POM will be developed or updated no later than two months after the redisclosure of the project's instruments or before the Enhanced Implementation Support and Monitoring mitigation measures are agreed to and in place.

#### 8.2.4 Preparation of Management Plans Related to Resettlement, Pest Management, and Physical Cultural Resources

If identified as a requirement of the subproject through the screening process, a Resettlement Action Plan, a Pest Management Plan, and/or a Physical Cultural Resources Management Plan, or a combination of these, is prepared alongside or as an integrated part of the subproject's management plan.

##### (a) Resettlement Action Plan

Abbreviated RAPs will be needed for each subproject that may result in the loss of access to resources. An abbreviated RAP will focus on the procedure and amount of loss and compensation and be around 10 pages at most (refer to the CEDP RPF). The District Offices responsible for planning and implementing the subprojects will coordinate with the MLHUD in preparing the RAP. The RPF outlines the relevant steps required in order to ensure that appropriate measures are put in place to safeguard the rights of affected communities.

##### (b) Pest Management Plan

As the CEDP has triggered the OP 4.09 for pest management, it is important to ensure that Pest Management Plans (PMP) are prepared for the proposed CEDP investments when applicable (refer to Annex D). These would encompass requirements under the World Bank OP 4.09 for Pest Management and the Ugandan Control of Agricultural Chemicals Act (Ch 29). Pesticide legislation in Uganda is primarily based on the 20 years old Statutory Instrument Supplement No. 23 of the Agricultural Chemical Regulation. An Agricultural Chemicals Board is responsible for the registration of agricultural chemicals of which pesticides are an important part. The criteria for registration is that it, in regular use, has proved efficacious against the pest(s) it is supposed to control over three growing seasons, and that its profile of toxicity to humans and animals as well as its ecotoxicology, including degradation data and proof of its maximum residue limits in agricultural produce, are acceptable. Consequently, the registration criteria in Uganda follow the same lines as elsewhere, for example to comply with the Plant Protection Product Directive of EU, US Environmental Protection Agency, FAO code of conduct and international conventions on pesticide exports and restrictions.

In the context of the CEDP, the assessment of pest management requirements is made in the context of the subproject's environmental assessment and screening and is recorded in the subproject documents. In the case of MGF applications, the proposal should include (in the text or in an annex) a list of pesticide products authorized for procurement under the Project, or an indication of when and how this list will be developed and agreed on. This authorized list is included by reference in

legal documents relating to the Project, with provisions for adding or deleting materials. Any required measures to manage and/ or mitigate adverse impacts of pesticides should be considered as part of the EMP.

### (c) Physical Cultural Resources Management

As the CEDP has also triggered the OP 4.11, it is important that the EIA also identify the process for addressing impacts on cultural property. Measures will need to be integrated into the EMP to address the following areas:

- Avoidance or mitigation of identified adverse impacts;
- Provisions for chance finds;
- Measures for strengthening institutional capacity; and
- Monitoring systems to track progress of these activities.

The plan should be consistent with the Uganda's overall policy framework and national legislation, the World Bank OP 4.11 for Physical Cultural Resources, and should take into account institutional capabilities relating to the management and preservation of physical cultural resources. Examples of contract clauses to address physical cultural resources are outlined in Annex E.

#### 8.2.5 Approval

The PCU and MGF Unit will review the EIAs/EMPs in consultation with NEMA and the MHLUD to ensure that as appropriate, the results of EIAs to ensure that all environmental and social impacts have been identified and effective mitigation measures have been proposed and incorporated into the sub-projects and an EMP with associated costs prepared. EIAs will then be reviewed and cleared for disclosure by the World Bank.

Following the Bank review of the EIA, the EIA will be forwarded to NEMA for final review and clearance. If the EIA is approved, NEMA issues the necessary environmental permit that confirms the EIA has been satisfactorily completed and the project may proceed. A record of the decision explains how environmental issues were addressed in the process.

It is important to note that this review and approval process is to be carried out in parallel with the review and approval of the technical, economic, financial and other aspects of the subprojects. Implementation of subprojects cannot commence until the environmental and social aspects have been reviewed and appropriate mitigation measures have been adopted.

As regards social impacts due to land acquisition, the implementation of subprojects cannot proceed until the resettlement and/or compensation plans have been prepared and implemented. This is further detailed in the CEDP RPF.

### **8.3 Disclosure of subproject information**

In compliance with World Bank guidelines and in Ugandan EIA regulations, before a subproject is approved, the applicable documents (EIA, EMP and/or RAP and associated management plans) must be made available for public review at a place accessible to local people (e.g. at a local government office), and in a form, manner, and language they can understand.

## 8.4 Monitoring and Annual Reports

Monitoring is done by the PCU in consultation with NEMA (for Category B subprojects) and the MHLUD. The PCU in conjunction with the relevant Districts and Directorates will monitor the implementation of environmental mitigation measures based on the Contractor's workplan for subproject investments.

### 8.4.1 Monitoring and Reporting of Subproject Mitigation and Management Plans

The PCU should agree with the implementing agencies participating in the CEDP on the supervision of the EMP within the overall plan for the project. Accordingly, the supervision arrangements for the EMP should summarize key areas on which supervision will focus—critical risks to implementation of the EMP, how such risks will be monitored during implementation and agreements reached with the Proponent.

Supervision of the EMP, along with other aspects of the project, covers monitoring, evaluative review and reporting and is designed to:

- determine whether the project is being carried out in conformity with environmental safeguards and legal agreements;
- identify problems as they arise during implementation and recommend means to resolve them;
- recommend changes in project concept/design, as appropriate, as the project evolves or circumstances change; and
- identify the key risks to project sustainability and recommend appropriate risk management strategies to the Proponent.

It is vital that an appropriate environmental supervision plan is developed with clear objectives to ensure the successful implementation of an EMP.

The PCU in collaboration with NEMA will monitor the implementation of the environment and social mitigation measures on a sample of subprojects on quarterly basis, and report these to the World Bank with the same frequency. On annual basis the PCU in collaboration with NEMA and the MHLUD will carry out a national assessment of subproject performance in environment and natural resource management as part of the Project's overall monitoring program.

Monitoring of the compliance of project implementation with the mitigation measures set out in its EMP and associated management plans will be carried out by the MEO / DEO respectively. These officers will have responsibility for carrying out this monitoring by regularly visiting the projects, and pursuing the following corrective measures as required. Compliance monitoring comprises on-site inspection of construction activities to verify that measures identified in the EMP are included in the clauses for contractors are being implemented. This type of monitoring is similar to the normal tasks of a supervising engineer whose task is to ensure that the Contractor is achieving the required standards and quality of work.

Once implementation of the subproject has started, regular supervision missions should be carried out (preferably by a third party) and an annual monitoring report must be submitted to the MHLUD, PSFU and World Bank for review.

## 8.4.2 World Bank Enhanced Implementation Support and Monitoring

In addition, the World Bank will support the strengthening of the GRM to ensure it includes an effective, safe, ethical, and confidential mechanism to receive, manage, refer, and monitor grievances related to exclusion and discrimination. Further details of this support can be found at Annex J.

## 8.5 Annual reviews

An independently commissioned environmental and social audit will be carried out on an annual basis. The audit team will report to NEMA, the MHLUD, the PSFU and the World Bank, who will lead the implementation of any corrective measures that are required. An audit is necessary to ensure (i) that the ESMF process is being implemented appropriately, and (ii) that mitigation measures are being identified and implemented. The audit will be able to identify any amendments in the ESMF approach that are required to improve its effectiveness.

The annual audit also provides a strong incentive for the PCU to ensure that the ESMF will be implemented, and the individual EMPs will be developed and implemented. An annual audit report (refer to example format in Annex F) will include:

- A summary of the environmental performance of the CEDP based on EIAs and EMPs;
- A presentation of compliance and progress in the implementation of the subproject EMPs;
- Number of written warnings of violation of EIAs/EMPs issued to project proponents;
- A synopsis of the environmental monitoring results from individual subproject monitoring measures (as set out in the subproject EIA/EMPs).

The MGF Unit (through the contractor) will also perform an annual audit (of 20% of total applications) using the MGF E&S Audit Form provided in Annex F and submit the audit to the PCU.

## 8.6 Grievance Redress Mechanism

In order to ensure transparency and accountability, a grievance redress mechanism (GRM) should be established by the Project Coordination Unit in line with the ESMF implementation. The GRM should have a clear set of goals and objectives and a well-defined scope for its interventions. A set of procedures for receiving, recording, and handling complaints should be available in the GRM. These will be managed by a Grievance Redress Committee (GRC) consisting of a MLHUD Chair, the CEDP PCU, the assigned Resettlement Officer/Social Scientist, the Project's Environmental Specialist, the chair of the community mediation board, a member of a recognized non-government organization, and a community leader. The GRC members should be qualified, experienced, and competent personnel who can win the respect and confidence of the affected communities. The GRM should include procedures for:

- recording, registering, and sorting grievances;
- conducting an initial assessment of grievances;
- referring grievances to appropriate units or persons;
- determining the resolution process;
- making decisions, including parameters and standards for accurate and consistent decision making;
- directing relevant agencies responsible for implementing decisions;
- notifying complainants and other affected parties of eligibility, the resolution process, and outcomes; and
- tracking, monitoring, documentation, and evaluation.

Depending on the nature and the severity of the complaint/s, the GRC in consultation with the Project Affected Persons (PAPs), should identify and decide on an approach for grievance resolution. Where appropriate, APs should be given the choice of selecting an affordable approach with which they are comfortable and confident and that is beneficial to them. For vulnerable or marginalized individuals or groups, the World Bank will support the strengthening of the GRM to ensure it includes an effective, safe, ethical, and confidential mechanism to receive, manage, refer, and monitor grievances related to exclusion and discrimination. Further details of this support can be found at Annex J.

In projects with small-scale infrastructure, construction-related complaints can be numerous and managing them is the Contractor's responsibility under its contract with the implementing agency (refer to Table 8.2). Usually these kinds of complaints are described as environmental impacts and include issues related to dust, flooding, blasting (noise, vibration, evacuation), lost access, dangers to life, damage caused to public roads from heavy machinery, deteriorating water quality and quantity, damage to property and crops, soil erosion, and others.

Table 8.2 Types of grievances expected and recommended measures to address them

Grievance	Redress
<ul style="list-style-type: none"> <li>• Damage to house walls and roofs due to blasting, vibration, and heavy vehicle movement</li> <li>• Damage to access roads, culverts, and canals</li> <li>• Temporary evacuation of residents</li> <li>• Obstructions to access roads</li> </ul>	<ul style="list-style-type: none"> <li>• Providing alternate land for house construction</li> <li>• Referral to conduct vibration tests and/or post-crack surveys</li> <li>• Conducting assessments on the current status of damaged houses, e.g., quality standards and monitoring the situation</li> </ul>
<ul style="list-style-type: none"> <li>• Damage to private property</li> <li>• Decrease in water level and water pollution in private and public wells due to blasting</li> <li>• Damage to crops and business premises, with concomitant loss of income</li> </ul>	<ul style="list-style-type: none"> <li>• Issuing assurance letters to PAPs (by contractors and/or road agencies for reconstruction or repair after completing the road construction work)</li> <li>• Providing alternate access roads</li> <li>• Getting relevant agencies to construct or improve drainage systems, roads, culverts, and wells</li> <li>• Getting contractors to pay compensation for damage and loss of livelihood</li> </ul>
<ul style="list-style-type: none"> <li>• Waterlogging and flooding</li> <li>• Dust, noise, and air pollution</li> <li>• Dumping of solid wastes around houses</li> <li>• Threats to statues and monuments</li> <li>• Requests for alternative land or compensation for remaining land (as it can no longer be used as a separate entity)</li> <li>• Disputes related to ownership rights</li> <li>• Lack of clarity concerning boundary marks on acquired land</li> <li>• Discrimination of vulnerable or marginalized individuals or groups</li> </ul>	<ul style="list-style-type: none"> <li>• Referral to technical experts to conduct necessary assessments of damage to property, livelihood, and environment, e.g., engineers, environmental officers</li> <li>• Referral to relevant agencies to take appropriate action, e.g., contractors, road agencies</li> <li>• Getting contractors to spray adequate water to control dust emissions</li> <li>• Enhancing GRM (hotlines, toll-free numbers, e-GRMs) to facilitate the reporting of sensitive complaints</li> </ul>

The PCU would be responsible for monitoring impacts based on the GRM. Duties would include:

- Maintaining a database of all complaints related to environmental issues and forwarding them to the supervision consultants;
- Assisting the PAPs to submit their environment-related complaints directly to the contractor;
- Maintaining a list of PAPs who are directly or indirectly affected by construction, operations, and maintenance work, and monitoring the implementation of mitigation plans;
- Consulting the environmentally affected PAPs and communities and participating in grievance resolution processes; and
- Ensuring that compensation for PAPs complies with the entitlement matrix in respect of resettlement and land acquisition (refer to CEDP RPF).

## 9. CAPACITY BUILDING AND TRAINING

Successful implementation of the ESMF will rely on (a) establishing the PCU's capability to ensure that the subprojects are screened and appraised appropriately; and (b) regular monitoring and reporting to track performance of the subprojects. The project staff within the MLHUD and the PCU will supervise and coordinate the project. These personnel will be contracted by the MLHUD and the PSFU and will consist of qualified project experts. However, the PCU, responsible for coordinating the Project, will not be capable of handling the workload under the ESMF without a dedicated person to manage the E&S issues.

To ensure that the provisions of the ESMF are clearly understood within the PCU and MGF Unit, a workshop describing the procedures and tools of the ESMF should be provided for implementing agencies during the first month of the project as part of this capacity building program. This will be supplemented by an ongoing capacity building and training budgeted for under the Project.

### 9.1 Appointing an Environmental Specialist to the Project Coordination Unit

It is recommended that an Environmental Specialist be appointed to the PCU to ensure that the provisions of the ESMF are implemented accordingly. The role and responsibilities for this Specialist are outlined in Box 9.1 and proposed budget for the appointment of the Specialist is included in Section 10.

#### Box 9.1 Role and responsibilities of the PCU Environmental Specialist

##### Role and responsibility

The main role of the Environmental Specialist is to provide technical advice on environmental and social management and mitigation planning and ensure that the ESMF is fully implemented. The Environmental Specialist will report directly to the PCU responsible for project management activities of the CEDP. The Environmental Specialist should hold a degree in environmental science, environmental engineering and/or related discipline, have a minimum of 5 years experience working with similar projects especially those involving infrastructure development, and be highly familiar with Ugandan environmental laws and regulations.

##### Tasks

- Liaise with NEMA on a regular basis;
- Ensure EIAs/EMPs are carried out, as required, to meet Ugandan and World Bank requirements;
- Commission an independent consulting firm to carry out an environmental performance audit of the CEDP on an annual basis;
- Provide technical advice to regions and districts on all technical issues related to natural resources and environmental management. These issues will relate to impacts on surface water, groundwater, agricultural resources and vegetation, sourcing of materials used in construction, human health, ecology and protected areas, land and soil degradation;
- Provide specific technical advice on mitigation measures for construction and operational activities related to the project (district land offices/HTTI construction/renovation);
- Monitor the implementation of safeguard management plans (EIAs/EMPs, RAPs, etc) using monitoring indicators provided in the ESMF and prepare quarterly monitoring reports; and
- Raise awareness and proactively create demand for this technical advice among District/Municipal Officers.

## 9.2 Support to the MGF Unit for the Matching Grants Facility

The MGF will be operated as a Unit under the CEDP. The Unit shall report administratively to the PSFU and technically to CEDP Steering Committee through the Matching Grant Facility-Review Committee (MGF-RC). This unit will consist of professionals, working full-time, under specific term contracts. The unit will be headed by the Manager assisted by a team of professionals who will be locally-recruited consultants, with wide knowledge of the Ugandan private sector and with experience in providing consulting advice to SMEs and more specifically in the selected sub-sectors. It is recommended that an Environmental Consultant be procured under the MGF to support the Unit in screening applications using the Screening Checklist and in determining the level of environmental and social assessment needed. The Environmental Consultant will monitor the performance of the applicants and on an annual basis undertake an audit of 20% of total applications approved to measure the effectiveness of E&S provisions. The Consultant will report to the MGF Unit Manager.

## 9.3 Training

The project will provide capacity building on every component including for agencies involved in the land administration, business registration and business licensing reform and tourism. Capacity building will include trainings, workshops, and technology transfer to the implementing agencies. The project will support ongoing maintenance costs associated with the various components during the five years of the implementation phase. After the implementation, maintenance costs will be borne by the respective agencies.

To ensure that the provisions of the ESMF are clearly understood within the PCU and MGF Unit, a workshop describing the procedures and tools of the ESMF should be provided for implementing agencies during the first month of the project as part of this capacity building program. The workshop outline in Table 9.2 provides attendees with the basic approach to implementing the guidelines provided in the ESMF combined with the use of the appropriate tools, such as the screening form, EMP template and ESMF Annual Reporting Form. Refresher courses should be held as needed during the course of the project lifecycle.

It is recommended that this workshop be prepared and undertaken by a local Consultant with relevant experience in the proposed topics and highly familiar with the tourism sector and MSMEs in order to provide good case studies.

Table 9.2 Proposed training format for ESMF implementation

Module	Duration
<b>Day 1</b>	
Introduction	1
<ul style="list-style-type: none"> <li>• Objective of the ESMF</li> <li>• Key stakeholders with a role in the ESMF</li> <li>• Relevant legislative and regulatory acts and World Bank safeguard policies</li> <li>• Structure and role of relevant governmental authorities and NGOs as relates to tourism development and MSMEs</li> </ul>	
<b>Day 2</b>	
Summary of guidelines for the subprojects	0.5
<ul style="list-style-type: none"> <li>• Screening</li> </ul>	

Module	Duration
<ul style="list-style-type: none"> <li>• Appraisal and approval</li> <li>• Disclosure</li> <li>• Annual Review</li> <li>• Annual Reporting</li> </ul>	
Capacity building requirements	0.25
Budgeting for the implementation of EMPs, RAPs and other safeguard management plans	0.25
<b>Total</b>	<b>2 days</b>

## 10. ESMF IMPLEMENTATION BUDGET

It is estimated that the implementation of the ESMF including the required provisions, training and capacity building will cost approximately **\$735,000**. This entails:

Component 1: Land Administration Reform – US\$ 135,000

Component 3: Tourism Competitiveness Development - US\$ 200,000

Component 4: Matching Grant Program for MSMEs - US\$ 150,000

Component 5: Project Implementation - US\$ 250,000

The costs of preparing and implementing the safeguards aspects of the project are estimates as the size, type and location of the interventions to be financed under the MGF are not fully determined at this stage. It is not expected that there will be any significant land acquisition as part of the project; however, if there is a need for land acquisition, RAPs will be prepared and the project will consider any further re-allocation of budgets as needed when the project is reviewed at supervision and mid-term stages.

The costs outlined below may vary depending on when and how the ESMF implementation takes place; therefore it can be expected that the proposed ESMF budget may increase or decrease depending on the workplan agreed upon.

Table 10.1 Budget Estimate for the Implementation of the ESMF

Recommendation	Responsible authority	Schedule	Estimated cost
<b>Component 1: Land Administration Reform</b>			
<ul style="list-style-type: none"> <li>Implementation and monitoring of the ESIA/EMP for the proposed district land offices in Luwero, Mpigi, Mityana, Soroti, Kabale, Rukungiri, Tororo, Mukono and Moroto</li> </ul>	PCU/MHLUD	FY 2013 - 2015	US\$ 15,000 per district land office = \$135,000
<b>Component 3: Tourism Competitiveness Development</b>			
<ul style="list-style-type: none"> <li>Implementation and monitoring of the ESIA/EMP for the proposed HTTI in Jinja</li> </ul>	PCU and MTWA	FY 2013 - 2015	\$200,000
<b>Component 4: Matching Grant Program for MSMEs</b>			
<ul style="list-style-type: none"> <li>Contract for independent Environmental Consultant assigned to the MFG Unit</li> </ul>	MFG Unit	FY 2013 – 2018 (renewed annually)	\$20,000 x 5 = \$100,000
<ul style="list-style-type: none"> <li>Annual environmental audit</li> </ul>	MFG Unit	Annual	\$10,000 x 5 = \$50,000
<b>Component 5: Project Implementation</b>			
<ul style="list-style-type: none"> <li>Appointment of Environmental Specialist to the PCU</li> </ul>	World Bank / MHLUD	FY 2013 – 2018	\$150,000
<ul style="list-style-type: none"> <li>2 day workshops on ESMF implementation</li> </ul>	PCU/MHLUD	FY 2013	\$25,000
<ul style="list-style-type: none"> <li>Refresher trainings on ESMF implementation</li> </ul>		Annual	\$15,000 x 5 = \$75,000

# **Environmental and Social Management Framework**

Competitiveness and Enterprise Development Project (CEDP)

## **OPERATIONAL TOOLS AND GUIDELINES**

## Annex A: CEDP E&S Screening Form

<b>1. Proposal Information</b>		
<b>Recipient Name and Contact Details:</b>		
<b>Funding source:</b>	MGF: <input type="checkbox"/>	Other: <input type="checkbox"/>
	If other, explain:	
<b>Application/proposal #</b>		
<b>Name of reviewer:</b>		<b>Date of screening:</b>

<b>Subproject Details: Attach location map (longitude – latitude coordinates (GPS reading) if available):</b>	
Subproject name:	
Location: (region/district/village)	
Type of activity:	
Estimated Cost:	
Proposed Date of Commencement of Work:	
Technical Drawing/Specifications Reviewed:	Yes/No – refer to Application Portfolio

<b>2. Physical Data:</b>	Comments
Subproject Site area in ha	
Extension of or changes to existing land use	
Any existing property to transfer to subproject	
Any plans for new construction	
Is there adjacent/nearby critical natural habitat?	

<b>3. Preliminary Environmental and Land Information:</b>	Yes/No	Comments
Is there an EIA required for this subproject? If so, is there a permit?		
Has there been litigation or complaints of any environmental nature directed against the proponent or subproject?		
Will the subproject require the acquisition of land?		
What is the status of the land holding (customary, lease, etc)?		
Is there evidence of land tenure status (affidavit, other documentation)?		
Are there outstanding land disputes?		
What is the plot currently being used for? (e.g. agriculture, gardening, etc)		List the key resources.
Will the proposed activities have any impact on any ecosystem services, biodiversity issues or natural habitats?		

Will the subproject require use of pesticides?		
Does the applicant (company) have in place an established Environmental Management System?		
Does the applicant currently incorporate clean technologies and/or sustainable practices?		

#### 4. Impact identification and classification:

When considering the location of a subproject, rate the sensitivity of the proposed site in the following table according to the given criteria. Higher ratings do not necessarily mean that a site is unsuitable. They indicate a real risk of causing undesirable adverse environmental and social effects, and that more substantial environmental and/or social planning may be required to adequately avoid, mitigate or manage potential effects. The following table should be used as a reference.

Issues	Site Sensitivity		
	Low	Medium	High
Natural habitats	No natural habitats present of any kind	No critical natural habitats; other natural habitats occur	Critical natural habitats present
Water quality and water resource availability and use	Water flows exceed any existing demand; low intensity of water use; potential water use conflicts expected to be low; no potential water quality issues	Medium intensity of water use; multiple water users; water quality issues are important	Intensive water use; multiple water users; potential for conflicts is high; water quality issues are important
Natural hazards vulnerability, floods, soil stability/ erosion	Flat terrain; no potential stability/erosion problems; no known volcanic/seismic/ flood risks	Medium slopes; some erosion potential; medium risks from volcanic/seismic/ flood/ hurricanes	Mountainous terrain; steep slopes; unstable soils; high erosion potential; volcanic, seismic or flood risks
Cultural property	No known or suspected cultural heritage sites	Suspected cultural heritage sites; known heritage sites in broader area of influence	Known heritage sites in project area
Involuntary resettlement	Low population density; dispersed population; legal tenure is well-defined; well-defined water rights	Medium population density; mixed ownership and land tenure; well-defined water rights	High population density; major towns and villages; low-income families and/or illegal ownership of land; communal properties; unclear water rights
Indigenous peoples	No indigenous population	Dispersed and mixed indigenous populations; highly acculturated indigenous populations	Indigenous territories, reserves and/or lands; vulnerable indigenous populations

## 5. Checklist of environmental and social impacts

Roads and Footpaths	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
Soil erosion or flooding concerns (eg, due to highly erodable soils or steep gradients)					
Number of stream crossings or disturbances					
Wet season excavation					
Creation of quarry sites or borrow pits					
Significant vegetation removal					
Wildlife habitats or populations disturbed					
Environmentally sensitive areas disturbed					
Cultural or religious sites disturbed					
Economic or physical resettlement required					
New settlement pressures created					
Other (specify):					

Drinking Water Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
New access (road) construction					
Existing water sources supply/yield depletion					
Existing water users disrupted					
Downstream water users disrupted					
Increased numbers of water users due to improvements					
Increased social tensions/conflict over water allocation					
Sensitive ecosystems downstream disrupted					
Economic or physical resettlement required					
Local incapacity/inexperience to manage facilities					
Other (specify):					

Irrigation Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
Existing water sources supply/yield depletion					
Existing water users disrupted					
Downstream water users disrupted					
Water storage requirement and viability (soil permeability)					
Vulnerability to water logging (poor drainage)					
Vulnerability to soil and water salinization					
Sensitive downstream habitats and waterbodies					
Environmentally sensitive areas disturbed					
Cultural or religious sites disturbed					
Increased agric. chemicals (pesticides, etc) loading					
Increased social tensions over water allocation					
Local incapacity/inexperience to manage facilities					
Local incapacity/inexperience with irrigated agriculture					
Other (specify):					

Catchment, Forestry, Grasslands Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
New access (road) construction					
Wet season soil disturbance					
Potential for debris flows or landslides					
Sensitive downstream ecosystems					

Catchment, Forestry, Grasslands Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
Removal of native plant/tree species					
Introduced plant/tree species					
Invasion of native species					
Wildlife habitats or populations disturbed					
Environmentally sensitive areas disturbed					
Insufficient capacity to manage catchment ponds					
Insufficient capacity to prohibit or control open grazing					
Insufficient capacity to manage new plantations/pastures					
Economic or physical resettlement required					
Other (specify):					

Infrastructure Projects	Potential for Adverse Impacts				
	None	Low	Med	High	Unknown
New access (road) construction					
Alteration of existing drainage conditions					
Vegetation removal					
Wet season soil disturbance					
Construction materials impact on adjacent forests/lands					
Quarries and borrow pits created					
Cultural or religious sites disturbed					
Water supply development effects in available supply					
Effect of sanitation development on existing disposal sites					
Effects of medical waste on existing disposal system					
Economic or physical resettlement required					
Number of potential Project Affected Persons (PAPs)					
In-migration/settlement induced by facilities development					
Local incapacity/inexperience to manage facilities					
Other (specify):					

<p><b>6. Identify type of activities and likely environmental and social impacts:</b></p> <p>What are the likely environmental and social impacts, risks associated with the subproject?</p>
--

**7. Mitigation and Management Measures to be applied**

List actions required for mitigation and management of potential risks and impacts.

**8. ADDITIONAL INFORMATION**

**(a) Has the Applicant complied with national laws and regulations (e.g. obtained an environmental permit/clearance from NEMA)?**

In case of Yes, please attach the declaration of the Applicant in this regard. In case of No, please provide details in this regard:

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**(b) E & S assessment comments based on site visit:**

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**(c) Determination of environmental category based on findings of the screening: A \_\_\_ B \_\_\_ C \_\_\_**

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Requires an EIA and/or RAP

Requires preparation of additional E&S information (e.g. to address pesticide use)

Does not require further environmental or social due diligence

Reviewer: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Annex B: Sample Terms of Reference for an EIA

**Introduction:** state the purpose of the terms of reference.

**Background information:** briefly describe the need for, objectives of and major components of the proposal.

**Objectives:** summarise the scope of the EIA and timing in relation to project preparation, design, and approval.

**EIA requirements:** identify the regulations and guidelines governing the conduct of the EIA and/or specify the content of its report.

**Study area:** outline the time, space and jurisdictional boundaries of the study.

**Scope of work:** identify the tasks to be carried out, information deficiencies to be addressed, studies to be carried out, methodologies etc.

**Task 1.** Description of the proposed project: provide a brief description of the relevant parts of the project, using maps (at appropriate scale) where necessary.

**Task 2.** Description of the environment: assemble, evaluate and present baseline data on the relevant environmental characteristics of the study area. Include information on any changes anticipated before the project commences.

**Task 3.** Legislative and regulatory considerations: describe the pertinent regulations and standards governing environmental quality, health and safety, protection of sensitive areas, protection of endangered species, siting, land use control, etc.

**Task 4.** Determination of the potential impacts of the proposed project: distinguish between significant positive and negative impacts, direct and indirect impacts, and immediate and long-term impacts. Identify impacts that are unavoidable or irreversible. Wherever possible, describe impacts quantitatively, in terms of environmental costs and benefits.

**Task 5.** Analysis of alternatives to the proposed project: describe alternatives that were examined in the course of developing the proposed project and identify other alternatives which would achieve the same objective.

**Task 6.** Development of management plan to mitigate negative impacts: recommend feasible and cost-effective measures to prevent or reduce significant negative impacts to acceptable levels and describe the actions necessary to implement them.

**Task 7.** Identification of institutional needs to implement environmental assessment recommendations: review the authority and capability of institutions at local, provincial/regional, and national levels. Recommend steps to strengthen or expand them so that the management and monitoring plans in the environmental assessment can be implemented.

**Task 8.** Development of a monitoring plan: prepare a detailed plan to monitor the implementation of mitigation measures and the impacts of the project during construction and operation.

**Task 9.** Public/NGO participation and inter-agency co-ordination: describe how the arrangements for obtaining the views of local NGOs and affected groups, and in keeping records of meetings and other activities, communications, and comments and their deposition.

**EIA report:** keep it concise and limited to significant environmental issues. The main text should focus on findings, conclusions and recommended actions, supported by summaries of the data collected and citations for any references used.

## Annex C: Terms of Reference for an EMP

The EMP should be formulated in such a way that it is easy to use. References within the plan should be clearly and readily identifiable. Also, the main text of the EMP needs to be kept as clear and concise as possible, with detailed information relegated to annexes. The EMP should identify linkages to other relevant plans relating to the project, such as plans dealing with resettlement issues. The following aspects should typically be addressed within EMPs.

Summary of impacts: The predicted adverse environmental and social impacts for which mitigation is required should be identified and briefly summarized.

Description of mitigation measures: The EMP identifies feasible and cost effective measures to reduce potentially significant adverse environmental and social impacts to acceptable levels. Each mitigation measure should be briefly described with reference to the impact to which it relates and the conditions under which it is required (for example, continuously or in the event of contingencies). These should be accompanied by, or referenced to, designs, equipment descriptions, and operating procedures which elaborate on the technical aspects of implementing the various measures. Where the mitigation measures may result in secondary impacts, their significance should be evaluated.

Description of monitoring program: Environmental performance monitoring should be designed to ensure that mitigation measures are implemented, have the intended result, and that remedial measures are undertaken if mitigation measures are inadequate or the impacts have been underestimated within the EIA report. It should also assess compliance with national standards and World Bank Group requirements or guidelines.

The monitoring program should clearly indicate the linkages between impacts identified in the EIA report, indicators to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions, and so forth. Although not essential to have complete details of monitoring in the EMP, it should describe the means by which final monitoring arrangements will be agreed.

Institutional arrangements: Responsibilities for mitigation and monitoring should be clearly defined. The EMP should identify arrangements for coordination between the various actors responsible for mitigation.

Budget: Outline the estimated costs for implementation of the mitigation and monitoring measures.

Example formats for an EMP are provided overleaf.

## Environmental Management Plan A. Mitigation

<b>Project Activity</b>	<b>Potential Environmental and Social Impacts</b>	<b>Proposed Mitigation Measures</b> (Incl. legislation & regulations)	<b>Responsibilities</b>	<b>Cost Estimates</b>	<b>Comments</b> (e.g. secondary impacts)
<b>Pre-Construction Phase</b>					
<b>Construction Phase</b>					
<b>Operation and Maintenance Phase</b>					

## Environmental Management Plan B. Monitoring

<b>Proposed Mitigation Measure</b>	<b>Parameters to be monitored</b>	<b>Location</b>	<b>Measurements</b> (incl. methods & equipment)	<b>Frequency of measurement</b>	<b>Responsibilities</b> (Incl. review and reporting)	<b>Cost</b> (equipment & individuals)
<b>Pre-Construction Phase</b>						
<b>Construction Phase</b>						
<b>Operation and Maintenance Phase</b>						
<b>Total Cost for all Phases</b>						

## Annex D: Proposed Format of a Pest Management Plan

1. PEST MANAGEMENT APPROACHES USED IN COUNTRY
  - 1.1 Overview of forest, livestock and crop management problems
  - 1.2 Current crop/pest management approaches
  - 1.3 IPM experience
2. PESTICIDE USE AND MANAGEMENT
  - 2.1 Pesticide use in country
  - 2.2 Circumstances of pesticide use and competence to handle chemical products
  - 2.3 Assessment of risks
  - 2.4 Promoting IPM/ICM in the context of current practices
3. POLICY, REGULATORY FRAMEWORK AND INSTITUTIONAL CAPACITY
  - 3.1 Plant protection policy
  - 3.2 National capacity to develop and implement IPM/ICM (IPPM)
  - 3.3 Control of the distribution and use of pesticides
4. IMPLEMENTING THE PEST MANAGEMENT PLAN (PMP)
  - 4.1 Strengthening national capacities
  - 4.2 Activities of the PMP
5. INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF THE PMP
6. PHASING PLAN
7. MONITORING AND EVALUATION
8. BUDGET ESTIMATES

Annex 1. List of pesticides approved for importation and use in country

Annex 2. Documents consulted in the preparation of this PMP

Annex 3. Key contacts/persons encountered

## Annex E: Examples of Contract Clauses for Civil Works

Proper environmental management of construction projects can be achieved only with adequate site selection and project design. As such, the EA for projects involving any new construction, or any rehabilitation or reconstruction for existing projects, should provide information as to screening criteria for site selection and design including the following:

### Site selection

Sites should be chosen based on community needs for additional projects, with specific lots chosen based on geographic and topographic characteristics. The site selection process involves site visits and studies to analyze: (i) the site's urban, suburban, or rural characteristics; (ii) national, state, or municipal regulations affecting the proposed lot; (iii) accessibility and distance from inhabited areas; (iv) land ownership, including verification of absence of squatters and/or other potential legal problems with land acquisition; (v) determination of site vulnerability to natural hazards, (i.e. intensity and frequency of floods, earthquakes, landslides, hurricanes, volcanic eruptions); (vi) suitability of soils and subsoils for construction; (vii) site contamination by lead or other pollutants; (viii) flora and fauna characteristics; (ix) presence or absence of natural habitats (as defined by OP 4.04) and/or ecologically important habitats on site or in vicinity (e.g. forests, wetlands, coral reefs, rare or endangered species); and (ix) historic and community characteristics.

### Project design

Project design criteria include, but are not limited to, the consideration of aspects such as heating, ventilation, natural and artificial light energy efficiency, floor space (ft<sup>2</sup>) per bed/ward, requirements for x-ray rooms, adequacy of corridors for wheel chair/bed access, adequate water supply and sanitation systems, historical and cultural considerations, security and handicapped access.

### Construction activities and environmental rules for contractors

The following information is intended solely as broad guidance to be used in conjunction with local and national regulations. Based on this information, environmental rules for contractors should be developed for each project, taking into account the project size, site characteristics, and location (rural vs. urban).

After choosing an appropriate site and design, construction activities can proceed. As these construction activities could cause significant impacts on and nuisances to surrounding areas, careful planning of construction activities is critical. Therefore the following rules (including specific prohibitions and construction management measures) should be incorporated into all relevant bidding documents, contracts, and work orders.

### Prohibitions

The following activities are prohibited on or near the project site:

- Cutting of trees for any reason outside the approved construction area;
- Hunting, fishing, wildlife capture, or plant collection;
- Use of unapproved toxic materials, including lead-based paints, asbestos, etc.
- Disturbance to anything with architectural or historical value;
- Building of fires;
- Use of firearms (except authorized security guards);
- Use of alcohol by workers.

## **Construction Management Measures**

### Waste Management and Erosion:

Solid, sanitation, and, hazardous wastes must be properly controlled, through the implementation of the following measures:

#### Waste Management:

- Minimize the production of waste that must be treated or eliminated.
- Identify and classify the type of waste generated. If hazardous wastes (including health care wastes) are generated, proper procedures must be taken regarding their storage, collection, transportation and disposal.
- Identify and demarcate disposal areas clearly indicating the specific materials that can be deposited in each.
- Control placement of all construction waste (including earth cuts) to approved disposal sites (>300 m from rivers, streams, lakes, or wetlands). Dispose in authorized areas all of garbage, metals, used oils, and excess material generated during construction, incorporating recycling systems and the separation of materials.

#### Maintenance:

- Identify and demarcate equipment maintenance areas (>15m from rivers, streams, lakes or wetlands).
- Ensure that all equipment maintenance activities, including oil changes, are conducted within demarcated maintenance areas; never dispose spent oils on the ground, in water courses, drainage canals or in sewer systems.
- Identify, demarcate and enforce the use of within-site access routes to limit impact to site vegetation.
- Install and maintain an adequate drainage system to prevent erosion on the site during and after construction.

#### Erosion Control

- Erect erosion control barriers around perimeter of cuts, disposal pits, and roadways.
- Spray water on dirt roads, cuts, fill material and stockpiled soil to reduce wind-induced erosion, as needed.
- Maintain vehicle speeds at or below 10mph within work area at all times.

#### Stockpiles and Borrow Pits

- Identify and demarcate locations for stockpiles and borrow pits, ensuring that they are 15 meters away from critical areas such as steep slopes, erosion-prone soils, and areas that drain directly into sensitive waterbodies.
- Limit extraction of material to approved and demarcated borrow pits.

#### Site Cleanup

- Establish and enforce daily site clean-up procedures, including maintenance of adequate disposal facilities for construction debris.

## **Safety during Construction**

The Contractor's responsibilities include the protection of every person and nearby property from construction accidents. The Contractor shall be responsible for complying with all national and local safety requirements and any other measures necessary to avoid accidents, including the following:

- Carefully and clearly mark pedestrian-safe access routes.
- If school children are in the vicinity, include traffic safety personnel to direct traffic.
- Maintain supply of supplies for traffic signs (including paint, easel, sign material, etc.), road marking, and guard rails to maintain pedestrian safety during construction.
- Conduct safety training for construction workers prior to beginning work.
- Provide personal protective equipment and clothing (goggles, gloves, respirators, dust masks, hard hats, steel-toed and –shanked boots, etc.) for construction workers and enforce their use.
- Post Material Safety Data Sheets for each chemical present on the worksite.
- Require that all workers read, or are read, all Material Safety Data Sheets. Clearly explain the risks to them and their partners, especially when pregnant or planning to start a family. Encourage workers to share the information with their physicians, when relevant.
- Ensure that the removal of asbestos-containing materials or other toxic substances be performed and disposed of by specially trained workers.
- During heavy rains or emergencies of any kind, suspend all work.
- Brace electrical and mechanical equipment to withstand seismic events during the construction.

### **Nuisance and dust control**

To control nuisance and dust the Contractor should:

- Maintain all construction-related traffic at or below 15 mph on streets within 200 m of the site.
- Maintain all on-site vehicle speeds at or below 10 mph.
- To the extent possible, maintain noise levels associated with all machinery and equipment at or below 90 db.
- In sensitive areas (including residential neighborhoods, hospitals, rest homes, etc.) more strict measures may need to be implemented to prevent undesirable noise levels.
- Minimize production of dust and particulate materials at all times, to avoid impacts on surrounding families and businesses, and especially to vulnerable people (children, elders).
- Phase removal of vegetation to prevent large areas from becoming exposed to wind.
- Place dust screens around construction areas, paying particular attention to areas close to housing, commercial areas, and recreational areas.
- Spray water as needed on dirt roads, cut areas and soil stockpiles or fill material.
- Apply proper measures to minimize disruptions from vibration or noise coming from construction activities.

### **Community Relations**

To enhance adequate community relations the Contractor should:

- Following the country and EA requirements, inform the population about construction and work schedules, interruption of services, traffic detour routes and provisional bus routes, as appropriate.
- Limit construction activities at night. When necessary ensure that night work is carefully scheduled and the community is properly informed so they can take necessary measures.
- At least five days in advance of any service interruption (including water, electricity, telephone, bus routes) the community must be advised through postings at the project site, at bus stops, and in affected homes/businesses.

### **Chance Find Procedures for Culturally Significant Artifacts**

The Contractor is responsible for familiarizing themselves with the following “Chance Finds Procedures”, in case culturally valuable materials are uncovered during excavation, including:

- Stop work immediately following the discovery of any materials with possible archeological, historical, paleontological, or other cultural value, announce findings to project manager and notify relevant authorities;
- Protect artifacts as well as possible using plastic covers, and implement measures to stabilize the area, if necessary, to properly protect artifacts
- Prevent and penalize any unauthorized access to the artifacts
- Restart construction works only upon the authorization of the relevant authorities.

### **Environmental Supervision during Construction**

The bidding documents should indicate how compliance with environmental rules and design specifications would be supervised, along with the penalties for non-compliance by contractors or workers. Construction supervision requires oversight of compliance with the manual and environmental specifications by the contractor or his designated environmental supervisor. Contractors are also required to comply with national and municipal regulations governing the environment, public health and safety

## Annex F: Format of an Annual Environmental Report for the MGF Investments

<b>Relevant environmental authority:</b>							
<b>Reporting dates:</b>							
<b>Region/District/Municipality/Town:</b>							
<b>Investment grants approved:</b>							
<b>Investment grant title</b>	<b>Activities</b>	<b>Project phase <sup>(1)</sup></b>	<b>Env.category</b>	<b>EIA / EMP completed?</b>	<b>Environmental Permit granted?</b>	<b>Effectiveness of EMP</b>	<b>Issues <sup>(2)</sup></b>
(name, location, title or reference)	(new construction, rehabilitation, maintenance)	See note below	(A, B or C)	Yes, No or N/A	Yes, No or N/A	Good, poor, or needs improvement	See note below
1							
2							
3							
etc							
<b>Investment grant rejected:</b>							
<b>Investment title</b>	<b>Activities</b>	<b>Reasons for rejection</b>			<b>Remarks <sup>(3)</sup></b>		
1							
2							
etc							

### Notes:

- a) Investment phase will be one of the following: (a) under project preparation or appraisal, (b) appraised, or (c) implementation.
- b) Issues: accidents, litigation, complaints or fines are to be listed.
- c) e.g. if an environmental permit was not granted, explain why.

## Annex G: Generic Impact and Mitigation Guidelines For Proposed CEDP Physical Interventions in Construction / Renovation of Buildings

Impact	Mitigation measures
<b>Site and design</b>	
Change land use pattern	Ensure that present land use at project site is not critical and the activities can be carried out on nearby land before the site is selected
Destroy important ecological, cultural or historical areas	Evaluate to verify that endangered or endemic species and critical ecosystems will not be adversely affected An alternative site should be used if the effects are identified as critical
Contaminate soil and water from sewage and solid waste	Site human waste and solid waste disposal systems to avoid contamination of surface and groundwater, taking into account soil characteristics and historical groundwater and surface water conditions Install adequate, appropriate sewage and solid waste disposal systems. For example, use above-ground compost latrines in areas with high water tables.
Create risks for residents due to possible natural dangers	Ensure that the project site is not located in areas subject to landslides, fires, or flooding; with slopes over 20%; or below areas likely to undergo significant deforestation or land clearing If the site is in an area subject to natural dangers, an alternate site should be used or appropriate mitigation measures taken to minimize risk in areas where unavoidable. Measures should include construction of firebreaks, slope stabilization, drainage construction, or elevating housing units on pilings.
Create risks for residents due to human activity near the site	Ensure that the project will not be located within the area of influence (1km) of pollution sources or hazards, including factories and mines. Ensure the project is not downwind of contamination sources. If groundwater will be used for drinking, test for chemical and microbial contamination. Identify sources of noise pollution.
Puts excessive pressure on existing facilities (schools and health centers)	Include the expansion or construction of necessary infrastructure in the layout and design
Causes deforestation	If forest is dense or is part of a critical habitat, alternative sites should be found. for each tree cut, plant 20 no later than 6 months after the residents have moved in
Initiate excessive use of fuelwood as energy source	Encourage other energy sources, such as gas, electric, solar
Create housing/building that is inadequate for local climatic conditions	Ensure that the design, construction materials, and placement of windows and doors takes into account local conditions in cool and hot seasons and seasonal variation in precipitation and winds Use local materials
Install adequate ventilation	Design building to ensure adequate ventilation matched in the heating and cooking sources to be used. Take advantage of wind direction.
Inadequate management of solid waste	Prepare and implement a solid waste disposal management plan, including system maintenance and disposal, effects on groundwater and wind direction
Create health hazards due to lack of sanitation facilities (water, sewage, and solid waste disposal)	Sanitation facilities must be included in the project design Ensure all sanitation facilities are installed and running by the time occupants move in

Make potable water supplies unsafe	Ensure siting of supply systems and choice of supply technologies minimize health hazards Conduct seasonal testing of water quality, particularly for coliform bacteria and arsenic.
Cause social impacts in and around the project site	Conduct a social diagnosis of beneficiaries and communities around the proposed site before project is designed. Implement development program in each community before or during construction phase
<b>Construction</b>	
Risk injury to construction workers and local inhabitants	Ensure that workers have proper PPE and follow sound safety practices, including use of safety ropes, proper blasting safety, noise and dust protection, boots and gloves Ensure that pits are covered or access impeded during construction Excavate and rebury trenches quickly Manage quarry slopes to avoid cave-ins
Interrupt local transportation	Schedule construction for low traffic days or hours, phase construction to distribute the impacts of road closure. Conduct work to permit at least alternating one-way road passage
Noise disturbance	Use less noisy construction techniques including making a work schedule to minimize impact
Create dust or mud	Spread water to keep dust down. Drain areas prone to mud. Schedule land-clearing excavation and similar activities to avoid extremely dry and wet conditions.
Create breeding grounds for disease vectors (standing water in borrow pits, demolition debris)	Excavate and rebury trenches quickly and arrange for proper permanent disposal for construction and demolition debris, away from watercourses. Fill borrow pits or assure drainage. Use shallow wells or streams for construction water, rather than diverting natural flows to the site.
Erosion	Soil conservation measures should be included in the design and implemented. The exact measure will depend on the site and the severity of the impact. Install checks and barriers, berms, hay bales, or other vegetation to trap sediment runoff. Revegetate disturbed areas.

## Annex H: Summary of Public Consultations on ESMF and RPF

### Agenda for the Workshop

1. Introduction of Participants
2. Opening Remarks: World Bank-Mr. Moses Kibirige
3. Environmental Social Management Framework-Consultant-Dr. Koojo Charles Amooti
4. Discussion
5. Health Break
6. Resettlement Policy Framework-Consultant-Dr Koojo Charles Amooti
7. Discussions
8. Closing Remarks –PSFU

The participants who attended the ESMF and RPF meeting at Metropolitan Hotel on the 7<sup>th</sup> of March 2013.

No.	NAME	ORGANIZATION	TELEPHONE	E-MAIL
1	Kagoro Grace	MLHUD	0706-581455	kagoro@mlhud.go.ug
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5	Bbira Yasin	Mityana District Local Government	0782-600905	bbirayasin@yahoo.com
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16	Naomi Obbo	NEMA	0774-391306	nobbo@nemaug.org
17	Morris Okello	PSFU	0773-480595	Mokellopsfuganda.org.ug
18	Kinyosi Micheal	Moroto District Local Government	0772-615819	Kcabrals2000@yahoo.co.uk

NB: The Participants were District Environmental Officers, MOLH&UD, UWA,NEMA,PSFU and URBS.

### **Summary of Issues raised by the participants**

- The issue of institutional roles and coordination of environmental management of the project was raised and wanted to understand their roles in the design and implementation phase.
- Support of the environmental officers by the project
- Disclosure mechanism to include workshops to be mentioned specifically
- Implementation mechanism of the Environmental audits
- The introduction of the Pest Management Plans and the RAPs to the project relevance was further sought in order for the participants to appreciate its relevance in the ESMF
- The issue of the district being informed on the progress of the project was raised as at times information flow from the project is not availed to them
- The participants wondered why Resettlement Policy Framework (RPF) was being developed for the land Offices and HTTI as they were clear manifestation from records that there would be no compensation or relocation.

### **Response and how it is addressed in the ESMF and RFP**

- The EMSF experience of the previous projects did not have an ESMF and it was assumed that the district environmental Officers would be fully involved in the implementation. The ESMF singled out this aspect and has proposed under the PCU to have an Environmental Specialist who would provide and technical advises and also coordinate with various stakeholders including the DEO's in each respective district. The district Environmental officers would also be involved under capacity building of which the project activities will detailed in form of workshops, consultations and monitoring programmes.
- It was agreed that continuous engagement of the project on environmental and social aspects throughout the project time horizon right from the planning, design and implementation stages.
- The PCU would support the environmental officers under capacity building whenever they undertake project activities i.e through workshops etc.
- The Disclosure procedure was agreed that it was elaborate and both the Ugandan and the World Bank procedures and laws takes care of means of disclosure right from the preparation of the ESIS,EMP.RAP and associated management plans with specific details i.e public hearing, newspaper, Infoshop, workshop etc
- The environmental audits would be part monitoring the performance of the applicants and on an annual basis undertake an audit of the project and submitted to NEMA and the World Bank.
- It was explained to the participants that in case of any project using pests or hazardous chemicals then the Pest management Plan would guide and also it was observed that termites were cited as being common in buildings. The possibility of resettlement or location was taken care of by either presenting a full RAP or an abbreviated one.
- Information from the project/client would be disseminated to the districts and other stakeholders on a timely basis through the environmental Specialist.

- The RPF has been developed because there is a possibility of land acquisition or displacement of land uses due to civil works and rehabilitation of infrastructure and the specific sites or locations of some of the projects physical activities are not known.

## Work Shop Presentation on the ESMF

### Environmental and Social Management Framework

Competitiveness and Enterprise Development Project (CEDP)  
FINAL DRAFT REPORT  
Presented by Dr Koojo Charles Amooti

### Validation and Disclosure

- ✓ ESIA for the 9 Land Offices –MOLH&UD
- ✓ Hotel Tourism and Training Institute(HTTI) –Jinja
- ✓ Environmental and Social Management Framework (ESMF) for the Competitiveness and Enterprise Development Project (CEDP) and has been developed in tandem with a Resettlement Policy Framework (RPF) as a combination of due diligence instruments required to address and manage environmental and social impacts associated with the CEDP.

### Project Description

- ✓ The World Bank is supporting the Government of Uganda (GOU) to implement a Competitive Enterprise Development Project(CEDP) starting in 2013
- ✓ The project is proposed to be for 5 years from 2013 to 2018.The proposed physical activities will be located in Kampala, Jinja and throughout selected urban and municipal centers of Uganda, namely the Districts of Luwero, Mpigi, Mityana, Soroti, Kabale, Rukungiri, Tororo, Mukono and Moroto for land offices.

### Objective of the ESMF

- a) Establish clear procedures and methodologies for the environmental and social assessment, review, approval and implementation of investments to be financed under the project;
- (b) Specify appropriate roles and responsibilities, and outline the necessary reporting procedures, for managing and monitoring environmental and social concerns related to project investments;
- (c) Determine the training, capacity building and technical assistance needed to successfully implement the provisions of the ESMF; and
- (d) Provide practical information resources for implementing the ESMF.

### Legislative framework

- NEA Cap 153
- ✓ Regulations on Environment Impact Assessment, 1998
- ✓ National Environment (Noise Standards and Control Regulations) 2003
- ✓ The Water (Waste Discharge) Regulations, 1998
- ✓ The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations (1999)
- ✓ The National Environment (Waste Management) Regulations (1999)
- ✓ Regulations 3 to 17 of the National Environment (Wetlands, River Banks and Lake Shores Management) Regulations (2000)
- ✓ The Occupational Safety and Health Act (2006)
- ✓ Water Act, Cap. 152
- ✓ The Land Act Cap 227

### Legislative framework

- Public Health Act, 2000
- The Local Governments Act, 1997
- The Access Road Act, 1969 and The Roads Act, Cap 345
- World Bank safeguard requirements, the following Operational Policies have been triggered by the Project and will require specific safeguard provisions: Environmental Assessment (OP 4.01), Cultural Resources (OP 4.11), Pest Management (OP 4.09) and Involuntary Resettlement (OP 4.12).

### Institutional roles and responsibilities

- These include at the national level,
- the Ministry of Lands, Housing, and Urban Development (MLHUD),
- the Ministry of Tourism, Wildlife and Antiquities (MTWA),
- Hotel and Tourism Training Institute
- Uganda Wildlife Authority (UWA),
- Private Sector Foundation Uganda (PSFU)
- Uganda Registration Services Bureau (URSB)
- National Environment Management Authority (NEMA).
- At the local level, District and Municipal government offices (through the D/MEOS) will also have roles in implementing provisions of the ESMF.

### ESIA/EMP preparation, review and appraisal process and tools

- The ESMF outlines the environmental impact assessment procedures, reporting systems, and responsibilities to be adopted by the implementing agencies during the CEDP
- ✓ Screening of proposed sub-projects including applications under the Matching Grant Facility (MGF);
- ✓ Steps to be taken for an EIA, including an application for environmental approval;
- ✓ An annual environmental and social audit of the CEDP;
- ✓ Guidelines on the environmental and social impact of potential subprojects;
- ✓ Grievance redress mechanism;
- ✓ Compliance mechanisms; and
- ✓ Descriptions of roles and responsibilities.

### Physical Activities

- The Project's physical activities will be limited to site specific civil works for rehabilitation or construction of Zonal Land Offices in selected districts throughout Uganda, and renovation or construction of the Hotel and Tourism Training Institute (HTTI) in Jinja.

## Approach to ESMF

- ✓ This ESMF largely draws from a number of project preparation studies available in Uganda that have already been carried out on environmental and social aspects, particularly on the implementation plans and ESMFs developed for the proposed physical activities (small to medium scale infrastructure and tourism development).
- ✓ The borrower has had prior experience with implementing World Bank Projects and therefore has some knowledge and capacity for safeguards management relating to Bank environmental and social safeguard policies. The environmental and social instruments developed during preparation will reassess this capacity and propose appropriate strengthening measures to be included in the project.

## Approach to ESMF

- Consultations for proposed investments under the CEDP were undertaken by Urban Research and Training Consultancy E.A Ltd (URTC),

## Public consultations

- In order to ensure that key interests of the public, at various levels of governance, are addressed and incorporated into the design and implementation of the ESMF safeguard tools, stakeholder consultations were carried out as part of the ESMF process through preparation of the ESIS for HTTI in Jinja and the EIAs prepared for the 9 district land offices.

## KEY Stakeholders

- Key Stakeholder Groups included:
  - ✓ WB
  - ✓ PSFU
  - ✓ Project Proponents/ Developer (MLH&UD ),
  - ✓ HTTI
  - ✓ District Land office Site,
  - ✓ Local Government,
  - ✓ Vulnerable groups (e.g. women,)
  - ✓ Local authorities and
  - ✓ Local community members.

## Approach to ESMF

- ✓ Public Disclosure-  
For projects such as the CEDP, the World Bank's Access to Information Policy requires that safeguard-related documents be disclosed before appraisal
  - (i) at the InfoShop and
  - (ii) in country, at publicly accessible locations and in a form and language that are accessible to potentially affected persons.

This allows the public and other stakeholders to comment on the possible environmental and social impacts of the project, and for the World Bank Appraisal Team to strengthen the frameworks, particularly measures and plans to prevent or mitigate any adverse environmental and social impacts.

## Site Specific

- Updating of ESIA (February 2013) has already been prepared for the proposed renovation/construction of the HTTI in Jinja and is awaiting approval from NEMA. EIAs have been prepared (February) for the 9 district land offices in Luwero, Mpigi, Mityana, Soroti, Kabale, Rukungiri, Tororo, Mukono and Moroto and will be submitted for NEMA for their records

### Main environmental and social impacts of the proposed Project investments

- The proposed CEDP is **not likely to result in significant adverse environmental or social impacts**. The project has a potential of **localized, site-specific** adverse environmental impacts associated with rehabilitation and civil works for construction and rehabilitation of administrative, training and tourist facilities, particularly the district land offices, and hotel school facilities.
- The project **may enhance land market and lands rights** through improved cadastral system, and **accelerate the change in land use patterns** but is not expected to result in different land uses than those that would take place without the project.
- These include **construction waste, dust and noise pollution** during construction, impact of **increase construction traffic**, social and health impacts due to temporary establishment of construction yards, etc.
- Most of these impacts are **well known and can be mitigated using standard good construction practice** embedded in the civil works contracts.

### Public Consultations

- Findings of the consultations indicated that there are **positive impacts associated** with the proposed investments and that potential negative environmental and social impacts can be readily addressed through adequate implementation of an Environmental Management and Monitoring Plan.
- **Extensive consultations** were carried out between 22nd January and 5th February 2013 with the neighbours and key stakeholders on a **one to one basis to ascertain any arising issues** as a result of the proposed expansion of crested crane hotel and training institute.
- The **immediate neighbours** have been consulted and they **have no objection** to the proposed project.

### Impacts

- The **main positive aspects** mentioned by the respondents were: the provision of jobs to the residents. Generally, the impacts of the Project were seen as largely positive with a potential to **reduce significantly the lack of office accommodation**. The overall negative impacts are **rated as minimal** and can be **effectively managed through** implementation of an EMP and adequate monitoring and capacity

### Main environmental and social impacts of HTTI

- Generation and disposal of **construction debris**;
- **Strain** to the existing infrastructure such as; water supply since construction activities are known to be heavy water consumers and the increase in population proportionately increases **water demand thus direct impact to the water supply** during both the construction and occupation phases;
- **Noise** affecting the immediate environment;
- **Run-off generated by rainfall** that may cause flooding and its consequences;

### Main Environmental and Social Impacts of HTTI

- Generation of sewage and effluent. Sewage is of significant concern with respect to the environment and particularly to water and soil. **In its raw form**, it is serious health hazard and emits offensive odours;
- Generation of **air pollutants** in the form of dust particles and gas emissions (fumes) from machinery and vehicles;
- **Vegetation clearance** to give way for HTTI and Land Offices;
- **Oil/grease spills / leaks in** construction sites and in most areas that make use of petroleum products, which contain hard/hazardous elements that are detrimental to the environment;

### Main Environmental and Social Impacts of HTTI

- **Increased solid wastes** including stones, wood, glasses, plastics, containers, metal rods, pieces of iron sheets, sharp objects (nails) etc. On completion and occupation, the project will be **generating waste products from various operations and activities**; mostly office and house refuse including the polythene challenge;
- Increased occupational exposure to dust, air and noise pollution. These plus other **safety hazards such accidents, falling objects, risks from poor scaffolding, ladder and formwork** are considered negative impacts;

### Main Environmental and Social Impacts of HTTI

- Temporary interference with the **road traffic** along the access road to the residential areas road due to the **movement of heavy trucks and construction equipments** to and from the site during construction phase and operation;
- **Bad behavior of the workers**, such as indiscriminate solid waste disposal and **use of abusive vulgar words** during construction phase; and
- Accidents and **spread of diseases such as HIV/STD's** due to influx of foreign workers in the area.

### Mitigation Plans-Land Offices

- **Re-vegetation of open patches** of the site should be carried out to prevent gullies and stabilise the soil.
- Vegetation **removal should be done with care** and trees that may not affect the construction of the project should be left.
- **Leguminous plants** that have soil conservation qualities are particularly recommended.
- There is, therefore, need to **create an instant grass cover** which offers long term erosion control.

### Mitigation Plans-Land Offices

- An **efficient drainage** is a key role in erosion control and erosion checks or lining have been designed in the architectural designs.
- Erosion **control fences, silt traps, bare surface cover** (mulching or geotextiles) to control soil erosion.
- In the foundation **hard cores** should be used to increase the firmness of the structure on the ground
- Surface trenches should be constructed to help in the onsite water drainage in order to avoid flooding.
- **Water harvesting** from the roof tops to be provided

### Mitigation Plans-Land Offices

- The architectural design development is planned as single building, with **grass embankments to be planted on the site** to cater for the natural environment. The design also of the structure is to **use natural ventilation and natural light within the building** and avoid restricting the current open aspect of the site.
- The **proper management of the land office** block will minimise or eliminate the negative impacts that are likely to be caused by working within the office premises. **Management of the office premises** is committed to implementing the project in an environmentally sustainable manner.

### Mitigation Plans-Land Offices

- Accordingly, the **supervision arrangements for the EMP** should summarize key areas on which supervision will focus such as critical risks to implementation of the EMP and how such risks will be monitored during implementation and agreements reached with the Proponent. If identified as a requirement of the subproject through the screening process, a Resettlement Action Plan, a Pest Management Plan, and/or a Physical Cultural Resources Management Plan / Chance Finds Procedures or a combination of these, is prepared alongside or as an integrated part of the EMP

### Capacity building and Training

Successful implementation of the ESMF will rely on

- (a) establishing the **PCU's capability** to ensure that the subprojects are screened and appraised appropriately; and
- (b) regular monitoring and reporting to track performance of the subprojects. It is recommended that an **Environmental Specialist be appointed to the PCU** to ensure that the provisions of the ESMF are implemented accordingly.

The main role of the Environmental Specialist is to **provide technical advice** on environmental and social management and mitigation planning and **ensure that the ESMF** is fully implemented.

### Capacity building and Training

- **Environmental Consultant** be procured under the MGF to support the Unit in screening applications using the Screening Checklist and in determining the level of environmental and social assessment needed.
- The Environmental Consultant will **monitor the performance of the applicants and on an annual basis undertake an audit of at least 20%** of total applications approved to measure the effectiveness of E&S provisions.

### PROCESS FOR SUBPROJECT PREPARATION, IMPLEMENTATION AND MONITORING

Environmental and social assessment **procedures, reporting systems, and responsibilities** to be adopted by the implementing agencies for the CEDP various elements of this ESMF including:

- ✓ Steps to be taken for the **screening, review and appraisal** of proposed investments;
- ✓ Procedures for preparation of **EMPs** and related management plans for subprojects;
- ✓ **Guidelines** on the environmental and social impact of project investments; and
- ✓ **Compliance** mechanisms.

### Screening and Review Process

- **Class/Category A:** Projects which may **have adverse** and significant environmental impacts, and may, therefore, require full EIA; these would be ineligible for CEDP support;
- **Class/Category B:** Projects of the **type or scale that have potential to cause** some significant environmental impacts but which do not warrant a full EIA;
- **Class/Category C:** Projects which would have **no impact and do not require EIA.**

The PCU will be responsible for categorising an activity as an A, B, or C in coordination with NEMA.

### Appraisal and Approval

- Appraisal
- After analyzing the data contained in the **environmental and social screening form** and after having identified the right environmental category and level of assessment needed, the PCU/MGF Unit will make a **recommendation to NEMA establishing whether:** (a) any environmental assessment will **be required;** (b) the implementation of mitigation measures via an **EMP** (and associated management plans, ie Pest Management Plan and RAP) will be enough; or (c) a separate EIA is required.

### Preparation of an EIA

- **Preparation of an EMP**
- ✓ The format for the EMPs will follow the requirements under the NEMA guidelines document and the **OP 4.01 requirements.** As part of the EA process, EMPs will need to be prepared and implemented for Category B projects.
- ✓ Environmental **contract clauses should be included in the Technical Specifications** and be accounted for as part of the Project investment's overall implementation budget

### Preparation of Management Plans Related to Resettlement, Pest Management, and Physical Cultural Resources

- **Abbreviated RAPs** will be needed for each subproject that may result in the loss of access to resources. An abbreviated RAP will focus on the procedure and amount of loss and compensation and be **around 10 pages at most (refer to the CEDP RPF).** The District Offices responsible for planning and implementing the subprojects will coordinate with the MLHUD in preparing the RAP. **The RPF outlines the relevant steps required** in order to ensure that appropriate measures are put in place to safeguard the rights of affected communities.

## Approval

- The PCU and MGF Unit will review the EIAs/EMPs in consultation with NEMA and the MHLUD to ensure that as appropriate, the results of EIAs to ensure that all environmental and social impacts have been identified and effective mitigation measures have been proposed and incorporated into the sub-projects and an EMP with associated costs prepared. EIAs will then be reviewed and cleared for disclosure by the World Bank.
- Following the Bank review of the EIA, the EIA will be forwarded to NEMA for final review and clearance. If the EIA is approved, NEMA issues the necessary environmental permit that confirms the EIA has been satisfactorily completed and the project may proceed.

## Disclosure of subproject information

- In compliance with World Bank guidelines and in Ugandan EIA regulations, before a subproject is approved, the applicable documents (EIA, EMP and/or RAP and associated management plans) must be made available for public review at a place accessible to local people (e.g. at a local government office), and in a form, manner, and language they can understand

## Monitoring

- The ESMF outlines a number of indicators as part of the ESMF implementation which will be included in the overall project monitoring. In addition, an Annual Audit on ESMF Implementation will be prepared by the PCU and delivered to NEMA and the World Bank.

## Grievance Redress Mechanism

The GRM should include procedures for

- recording, registering, and sorting grievances;
- conducting an initial assessment of grievances;
- referring grievances to appropriate units or persons;
- determining the resolution process;
- making decisions, including parameters and standards for accurate and consistent decision making;
- directing relevant agencies responsible for implementing decisions;
- notifying complainants and other affected parties of eligibility, the resolution process, and outcomes; and
- tracking, monitoring, documentation, and evaluation.

## **Annex I: Actions taken by the GOU to Ensure Non-Discrimination**

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

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

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

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

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

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

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

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Kampala, Uganda

ALD 141/259/01 TC

21<sup>st</sup> September 2023

All Accounting Officers  
All Ministries, Departments and Agencies  
All Local Governments



### **UGANDA'S SOCIAL SAFEGUARD POLICIES**

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

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

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

*Mission*

*"To formulate sound economic policies, maximize revenue mobilization, ensure efficient allocation and accountability for public resources so as to achieve the most rapid and sustainable economic growth and development"*

## **Specific Measures for High Risk Sectors**

### **Health**

- The Ministry of Health issued a circular on August 8, 2023 that guarantees access to health care services for all and prohibits the discrimination or stigmatization of any individual who seeks health care services on any grounds.
- The Ministry of Health will widely disseminate and socialize health sector guidelines for the effective implementation of the circular.
- Implementating entities should strengthen grievance redress mechanisms, and third-party monitoring systems in collaboration with national and international partners.

### **Education**

- The Permanent Secretary in the Ministry of Education and Sports on 18<sup>th</sup> August 2023 issued a circular stating that the Ministry of Education and Sports does not permit any form of discrimination against any persons in the delivery of education services, programs and projects.
- In light of that circular, the Ministry should ensure that there is no discrimination (including any form of bullying) against teachers and students on any grounds.
- The Ministry of Education and Sports will prepare project specific guidelines to address non-discrimination.
- Implementating entities should strengthen grievance redress mechanisms, including an independent hotline and third-party monitoring systems where necessary.



Ramathan Ggoobi

**PERMANENT SECRETARY/SECRETARY TO THE TREASURY**

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

Attorney General, Ministry of Justice and Constitutional Affairs

Hon. Minister of Finance, Planning and Economic Development

Hon. Minister of Education and Sports

Hon. Minister of Health

Hon. Minister of Gender, Labour and Social Development

Hon. Minister of Energy and Mineral Development

The Principal Private Secretary to H.E. the President

The Solicitor General, Ministry of Justice and Constitutional Affairs

The Permanent Secretary, Ministry of Health

The Permanent Secretary, Ministry of Education and Sports

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

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BPD 86/179/01

10<sup>th</sup> July, 2023

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

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

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

### A. INTRODUCTION

1. This Circular is issued in fulfilment of Article 155 (1) of the Constitution, and Sections 13 (5) and 14 (1) of the Public Finance Management Act, 2015 (Amended).
2. The theme for the FY 2023/2024 Budget has been retained as: **"Full Monetization of the Ugandan Economy through Commercial Agriculture, Industrialization, Expanding and Broadening Services, Digital Transformation and Market Access"**. The Budget for FY 2023/2024 was approved to address the strategic mission of facilitating more Ugandans to join the money economy.
3. The purpose of this Circular is to communicate the following:
  - i. The FY 2023/2024 Annual Cash Flow Plan (**Annex 1**);
  - ii. The Policy, Operational and Administrative Guidelines for execution of the Budget in FY 2023/2024.
4. As you execute the Budget for FY 2023/2024, I urge all Accounting Officers to ensure that all program activities contribute towards addressing the following objectives:
  - i. Completion of public investments with higher multiplier effects on attainment of NDPIII and the NRM 2021-2026 Manifesto;
  - ii. Full-scale implementation of the Parish Development Model (PDM);
  - iii. Enhanced revenue mobilization and collection; and

  
Minister

*"To formulate sound economic policies, maximize revenue mobilization, ensure effective allocation and accountability for public resources as to achieve the most rapid and sustainable economic growth and development"*

- iv. Ensuring efficiency and effectiveness of Government through rationalization of public expenditure.
5. The key priorities to achieve the above objectives are detailed in the approved Budget for FY 2023/2024. For ease of reference, please follow the link <https://www.budget.finance.go.ug> to access the following key documents, among others:

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

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

6. In accordance with Section 36 (b) of the PFM Act 2015 (Amended), the Annual Cash Flow Plan for FY 2023/2024 has been generated off the Program Budgeting System (PBS) based on the quarterly projections in your respective Vote work plans for FY 2023/2024.
7. The purpose of the Cash Flow Plan is to guide and ensure that Government maintains sufficient liquidity to be able to sustain and make timely payments to meet service delivery requirements by aligning Vote cash inflows and outflows to your respective Program Implementation Action Plans (PIAPs).
8. In view of the above, and in line with Sections 15 and 21 (i) of the PFM Act, 2015 (Amended), all Accounting Officers are urged NOT to overcommit the vote budgets beyond the Annual Cash Flow Plan issued in this Circular. Furthermore, you should submit expenditure commitments, in line with the PIAPs, indicating the actual forecast commitments and the cash position of your respective Votes as per Section 16 (i) of the PFMA, 2015 (Amended) to inform decision-making on the subsequent quarterly expenditure releases.



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

***Policy Directives***

9. The FY 2023/2024 Budget allocations directed resources to program areas meant for enhanced socio-economic transformation for all Ugandans through job and wealth creation, and increasing household incomes, by targeting the 39% of Ugandans still in the non-money economy. All Accounting Officers are urged to adhere to the following policy directives that guided the preparation of the Budget for FY 2023/24:
- i. Fund key Government priorities to increase the momentum in socio-economic transformation, for example: the standard-gauge railway, the meter-gauge railway, solar-powered irrigation, PDM, *Emyoga*, road maintenance, coffee value addition, vaccines and pharmaceutical manufacturing etc.;
  - ii. Support development initiatives that drive private sector growth;
  - iii. Implement only ongoing projects and other multi-year commitments as approved in the Budget;
  - iv. Halt new non-concessional projects, except those already provided for in the fiscal framework, or those with no direct or indirect claim on the Consolidated Fund;
  - v. Hold back any recruitment plans in FY 2023/2024 except on a replacement basis where the resources are already available;
  - vi. No travel abroad, except for critical positions of the Executive, Legislature, Judiciary, security, diplomatic relations and resource mobilization; and
  - vii. **NO** purchase of new vehicles except hospital ambulances, tailored vehicles for medical supplies/distribution, and for agricultural extension services, security and revenue mobilization.

***Non-Discrimination***

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

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

*Advertising by Ministries, Agencies and Local Governments*

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

*Contracting in Ugandan Shillings versus Foreign Currencies*

12. I have received numerous requests from a number of Ministries, Departments and Agencies (MDAs) to undertake contracts in foreign currency, especially in United States Dollars and Euros. In line with the fiscal and monetary policies agreed with Bank of Uganda, I wish to reiterate this Ministry's position that no procurements should be undertaken in foreign currency as previously communicated in FY 2016/17, FY 2017/18 and FY 2018/19. Contracting in the local currency, is meant to preserve the sanctity and value of the Shilling since the budget is appropriated in the local currency which is easily convertible.
13. Therefore, this is to guide all Accounting Officers as follows:
  - i. **That all contracts for works, goods and services shall be awarded in Ugandan Shillings to hedge against cost overruns due to global forex rates fluctuations that impact on the stability of the Shilling; and**
  - ii. **All contracts, including those that follow international competitive bidding procedures, shall be quoted in Ugandan Shillings. The only exemption will be where it is clearly expressed in the financing agreements with Development Partners to use other currencies in the bidding process, if necessary. This should be strictly the exception and not the norm. I request the Honorable Attorney General's chambers to take note and enforce this guideline while approving agreements.**



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E-mail : [ps@health.go.ug](mailto:ps@health.go.ug)  
Website: [www.health.go.ug](http://www.health.go.ug)

IN ANY CORRESPONDENCE ON



Ministry of Health  
P. O. Box 7272  
Plot 6, Lourdel Road  
KAMPALA  
UGANDA

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

THE REPUBLIC OF UGANDA

5<sup>th</sup> June 2023

### Circular

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

### PROVISION OF SERVICES TO ALL PEOPLE WITHOUT DISCRIMINATION

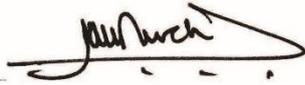
The constitution of the republic of Uganda recognises that health is a fundamental right and guarantees access to health care services for all. The Ministry of Health is mandated to provide Preventive, Promotive, Curative and Rehabilitative Health Services to all people in Uganda in their diversity **without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

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

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

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

A handwritten signature in black ink, appearing to be 'M. N. N.', with a long horizontal stroke extending to the right.



Dr. Henry G. Mwebesa  
**DIRECTOR GENERAL HEALTH SERVICES**

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

**Telegram:** "EDUCATION"  
**Telephone:** +256-41-7893602  
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In any correspondence on  
this subject please quote: EPD 191/336/03



**Ministry of Education and Sports**  
Embassy House  
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E-Mail: [permasec@education.go.ug](mailto:permasec@education.go.ug)  
Website: [www.education.go.ug](http://www.education.go.ug)  
Kampala, Uganda

18<sup>th</sup> August 2023

All Heads of Education Institutions

### **PROVISION OF EDUCATION SERVICES TO ALL PEOPLE WITHOUT DISCRIMINATION**

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

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

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

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

**Ketty Lamaro**  
**PERMANENT SECRETARY**

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

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P.O. Box 1550,  
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[www.dpp.go.ug](http://www.dpp.go.ug)

Our Ref: ADM 12/01  
Your Ref:

Date: 25<sup>th</sup> August, 2023

### CIRCULAR NO.18/2023

All Prosecutors,  
Office of the Director of Public Prosecutions.

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

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

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

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

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

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

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

A handwritten signature in black ink, appearing to read 'JFABODO'.

Jane Frances ABODO  
DIRECTOR OF PUBLIC PROSECUTIONS

## Annex J: Enhanced Implementation Support and Monitoring of Non-Discrimination

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

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

The objectives of the Enhanced Implementation Support and Monitoring include:

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

Figure 1 illustrates the enhanced implementation support and monitoring steps. Figure 2 contains the Enhanced Implementation Support and Monitoring process. Figure 3 contains the Complaint Management for vulnerable or marginalized individuals or groups.

### 1 SCOPE OF WORK AND ACTIVITIES

To provide enhanced implementation and monitoring support to the World Bank/IFC operations in Uganda the EISM will:

2.1 Establish an effective and confidential mechanism to receive, manage, refer, and monitor grievances related to discrimination across the WB/IFC portfolio.

To do so the EISM will:

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

Figure 1: Enhanced Implementation Support and Monitoring Steps

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

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

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

- **Assist the WB/IFC to prepare and implement a plan to disseminate information** about the support provided by the entity including support to existent GRMs.
- **Prepare community/beneficiary information materials** on their rights within the Constitution of Uganda and World Bank/IFC policies informed by various official circulars issued by the GoU on non-discrimination and World Bank/IFC policies.
- **Develop and implement a methodology to conduct periodic outreach to beneficiaries/communities** to hold consultations on non-discrimination to identify issues and risks in a safe, ethical, and confidential manner.

## 2.3 Capacity strengthening and technical support

Activities related to capacity strengthening and technical support include:

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

## 2.4 Monitoring and Evaluation

Activities related to monitoring and evaluation include:

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

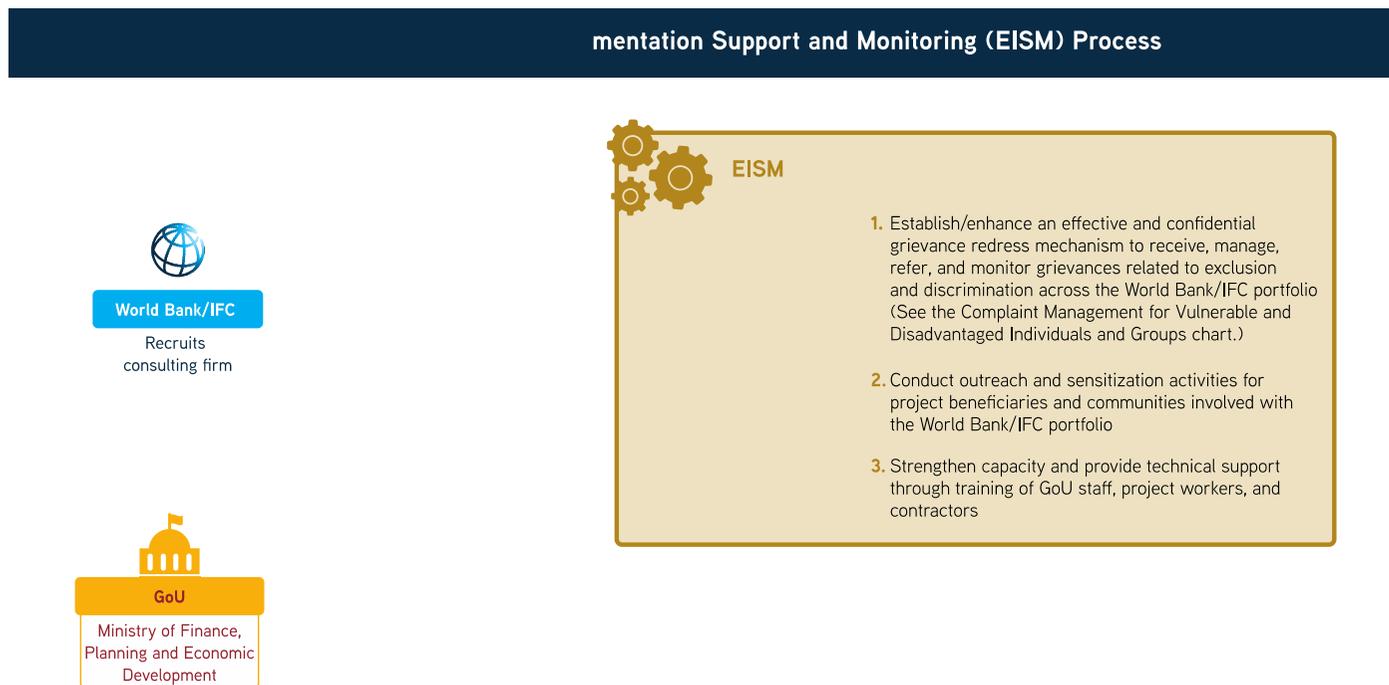
## 3. ROLES AND RESPONSIBILITIES

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

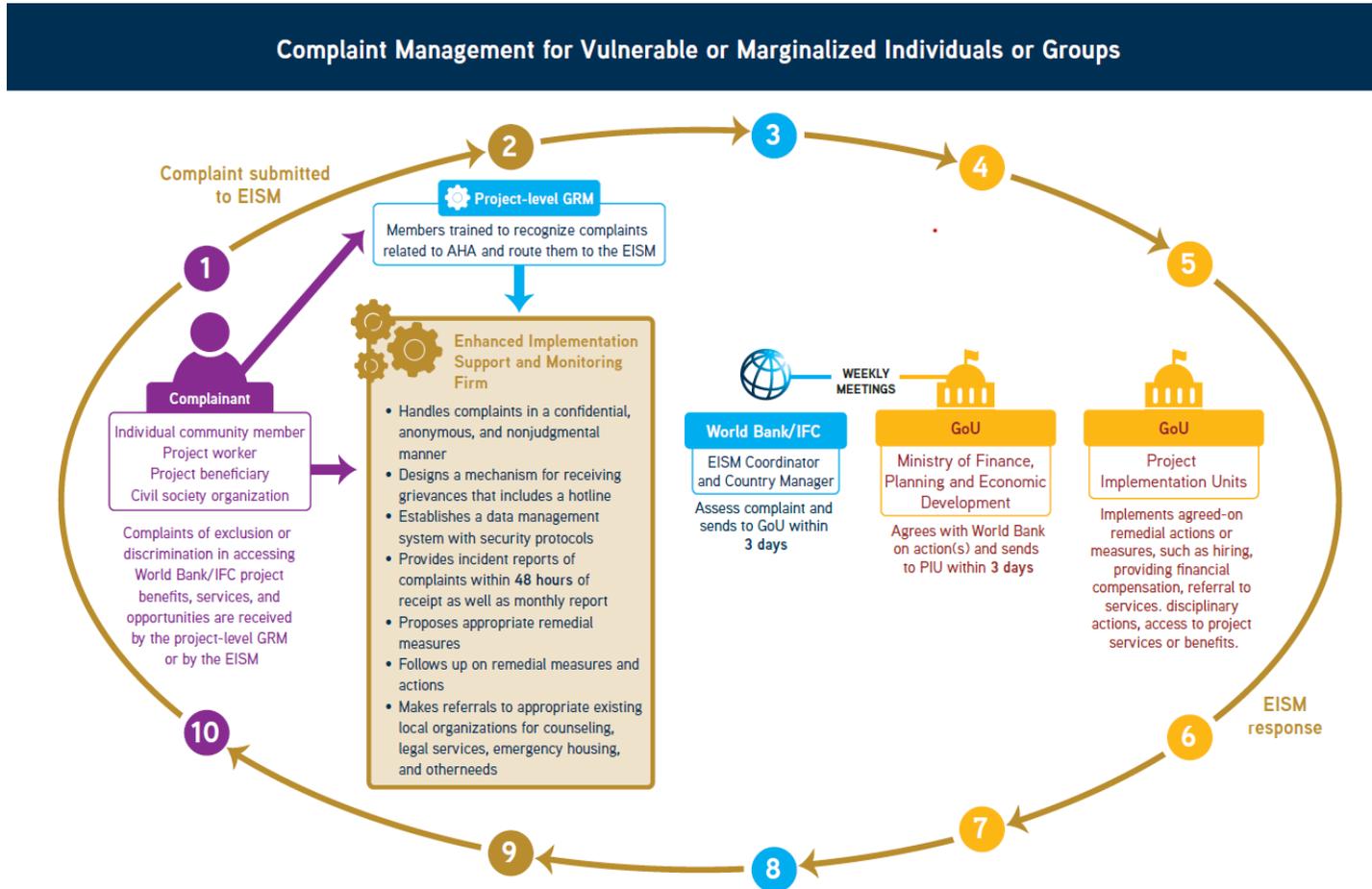
- 1) supporting the WB/IFC to ensure the agreed measures on non-discrimination in the portfolio are implemented fully, ethically, safely, and to an appropriate standard of quality; and
- 2) to support the WB/IFC to enhance our awareness of cases of discrimination across the WB/IFC portfolio.

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

**Figure 2: Description of Enhanced Implementation Support and Monitoring (EISM) Process**



**Figure 3: Complaint Management for Vulnerable or Marginalized Individuals or Groups**



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