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Republic of Uganda

Uganda National Roads Authority

NORTHEASTERN CORRIDOR ROAD ASSET MANAGEMENT PROJECT (NECRAMP) - TORORO-MBALE- SOROTI-LIRA-KAMDINI ROAD

ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK

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UGANDA NATIONAL ROADS AUTHORITY

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ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK

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BASIC INFORMATION

Basic Project Information

Country:	Uganda	**Project ID:**	P125590
Project Name:	North Eastern Corridor Road Asset Management Project (NECRAMP)		
Task Team Leader:	Negede Lewi		
Estimated Appraisal	13-Jan-2014	**Estimated Board Date:**	10-Jun-2014
Managing Unit:	AFTTR	**Lending Instrument:**	Specific Investment Loan
Sector(s):	Rural and Inter-Urban Roads and Highways (80%), Public administration- Transportation (10%), General transportation sector		
Theme(s):	Infrastructure services for private sector development (50%), Regional integration (20%), Rural services and infrastructure (20%), Administrative and civil service reform (10%)		

Financing (In USD Million)			
Total Project Cost:	380.00	Total Bank	245.00
Financing Gap:	0.00		

Financing Source	**Amount**
BORROWER/RECIPIENT	135.00
International Development Association (IDA)	245.00
Total	380.00

Environmental Category:	B - Partial Assessment
Is this a Repeater project?	No

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ACRONYMS & ABBREVIATIONS

AC	Asphalt Concrete
ACAO	Assistant Chief Administrative Officer
AfDB	African Development Bank
Ag. CAO	Acting Chief Administrative Officer Ag.
DE	Acting District Engineer
AIDS	Acquired Immunodeficiency Syndrome
CAO	Chief Administrative officer
CBD	Convention on Biological Diversity
CCCC	China Communications Construction Company Ltd
CEA	Certificate of Approval of the Environmental Impact Assessment
CEMP	Contractor Environmental Management Plan
CMS	Convention on the Conservation of Migratory Species of Wild Animals
CRBC	China Road & Bridge Corporation
CSC	Construction Supervision Consultant
DAO	District Agricultural Officer
DBOMT	Design Build Operate Maintain and Transfer
DBST	Double Bitumen Surface Treatment
DCAO	Deputy Chief Administrative Officer
DCDO	District Community Development Officer
DE	District Engineer
DEO	District Environment Officer
DPO	District Population Officer
DWO	District Wetlands Officer
DWRM	Directorate of Water Resources Management
EA	Environmental Assessment
EFP	Environmental Focal Person
EISM	Enhanced Implementation Support and Monitoring
ELU	Environmental Liaison Unit
EMS	Environmental Management System
EIA	Environmental Impact Assessment
EIR	Environmental Impact Review
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
ESCL	Environmental and Social Check List
ESIA	Environmental Social Impact Assessment
ESIS	Environmental Social Impact Statement
ESMF	Environmental Social Management Framework
ESMP	Environmental Social Management Plan
ESS	Environmental and Social Specialists
ESSF	Environmental and Social Screening Form
GDP	Gross Domestic Product

GNP	Gross National Product
GKMA	Greater Kampala Metropolitan Area
GoU	Government of Uganda
HIV	Human Immunodeficiency Virus
kV	Kilo Volt
ICCM	International Conference on Chemicals Management I
EA	Impact Environmental Assessment
IPC	Interim Payment Certificate
IRPF	Involuntary Resettlement Policy Framework
LDLG	Lira District Local Government
LG	Local Government
MoEMD	Ministry of Energy and Mineral Development
MoWT	Ministry of Works and Transport
MP	Member of Parliament
NEMA	National Environment Management Authority
NECRAMP	North Eastern Corridor Road Asset Management Project
NFA	National Forestry Authority
NGOs	Non-Governmental Organizations
NORAD	Norwegian Agency for Development Cooperation
OPRC	Output and Performance Based Road Contracting
OSH	Occupational Health and Safety
PAP	Project Affected Person
PAS	Principal Assistant Secretary
PB	Project Brief
PCR	Physical Cultural Resource
POPs	Persistent Organic Pollutants
PPE	Personal Protective Equipment
PWDs	People with Disabilities
RAMC	Road Asset Management Contract
RAP	Resettlement Action Plan
RDM	Road Design Manual
RE	Resident Engineer
SAICM	Strategic Approach to International Chemicals Management
SBST	Single Bitumen Surface Treatment
SOW	Supervisor of Works
STD	Sexually Transmitted Disease
STI	Sexually Transmitted Infection
TC	Trading Centre
ToR	Terms of Reference
UNDP	United Nations Development Programme
UNRA	Uganda National Roads Authority
UNTMP	Uganda National Transport Master Plan

USD	United States Dollar
VCT	Voluntary Counselling and Testing
WMD	Wetlands Management Department

GLOSSARY OF TERMS

Cumulative Impacts/ Effects: The total effects on the same aspect of the environment resulting from a number of activities or projects.

Developer/ Proponent/Sponsor: The entity/person/company/agency proposing to develop implement/install a new project/sub- project or expand an existing project under the road project.

Direct Impacts: An effect on the environment brought about directly by the project.

Disclosure: Information availability to all stakeholders at all stages of the development of projects.

***Environmental Impact Assessment (EIA*)**: A comprehensive analysis of the project and its effects (positive and negative) on the environment and a description of the mitigation reactions that will be carried out in order to avoid or minimize these effects.

Environment: physical, biological and social components and processes that define our surroundings.

Environmental Monitoring: The process of examining a project on a regular basis to ensure that it is in compliance with an Environmental Management Plan (EMP) as will be approved by NEMA after EIA study.

Environmental Audit: The process of verification that all or selected parameters measured by an environmental monitoring programme are in compliance with regulatory requirements, internal policies and standards, and established environmental quality performance limits.

Environmental Social Management Framework: – is an approach that establishes a unified process for addressing all environmental and social safeguards issues on subprojects from preparation, through review and approval, to implementation.

Involuntary resettlement: The forceful loss of land resources that requires Individuals, families and or groups to move and resettle elsewhere.

Impact: A positive or negative effect that a project has on an aspect of the environment.

Indirect impact: A positive or negative effect that a project indirectly has on an aspect of the environment.

Lead Agency: The agency with primary responsibility for the protection of the environment. For instance, the lead agency for environment matters in Uganda is the National Environment Management Authority (NEMA).

Mitigation Measures: The actions identified in an EIA to negate or minimize the negative environmental impact that a project may have on the environment. Project and Sub-project: a set of planned activities designed to achieve specific objectives within a given area and time frame. With respect to the road Project, the terminology can be confusing. The project in World Bank terms in the road project; and all proposals subject to intermediary loans are subprojects.

***Project Brief*:** An outline of the planned development giving brief background on the project in terms of inputs, activities to be undertaken and likely impacts.

Scoping: The initial stage in an environmental assessment that establishes the extent of the development and its likely environmental and social parameters that will be affected.

Screening: An initial step in which, a project will be considered for environmental assessment as well as, the level and focus of the assessment as per the Third Schedule of the National Environment Act Cap 153.

Significance: Level or scale of importance.

Significant effect: An impact with a magnitude on the environment.

Stakeholder: Any person, group, institution or agency that has an interest in the project, and the environmental effects that the project may bring about.

Executive Summary

Introduction

With support from the World Bank, the Government of Uganda has decided to pilot long-term Asset Management Contracts as a method of road management on the strategic corridor of Tororo - Mbale - Soroti – Dokolo - Lira - Kamdini linking South Sudan, parts of the Democratic Republic of Congo, northern and eastern Uganda with the port of Mombasa. The North Eastern Corridor Road Asset Management Project (NECRAMP) is an international trunk road and comprises the entire 340 km long A007 highway from Tororo via Mbale, Soroti, Dokolo and Lira to Kamdini. This corridor requires improvement to meet today and future forecast traffic demand.

The NECRAMP is different from the normal road construction projects as the Contractor will spear head the implementation processes including the implementation of the ESMF, preparation and implementation of the Environmental and Social Impact Assessments (ESIAs), Environmental and Social Management Plans (ESMPs) and the Resettlement Action Plans (RAPs). As a result, sufficient safeguards which include this ESMF and Resettlement Policy Framework (RPF) have been put in place as part of the process to guide management of environmental and social aspects of the project.

The ESMF is a guiding document and a practical tool to be used during the NECRAMP implementation and monitoring. It will be used as a reference manual by the Contractor and by other key stakeholders involved in the planning, implementation, management of the NECRAMP.

In September 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 programs in Uganda. These measures are described in various sections of this document including section 8 and Annexes 10 and 11.

The UNRA safeguard unit shall work in close collaboration with other departments such as Supervising Engineers (Consultant) Specialists and the Contractors specialist, etc., to ensure that safeguards issues are observed. As part of the contractor's team, a provision will be made to cater for an Environmentalist and Sociologist to specifically cover for the needs of the ESMF and ensure its implementation.

Although the Contractor will prepare the relevant ESIAs and ESMPs, independent reviews, disclosure and approval process will be conducted by UNRA in consultation with relevant lead agencies such as NEMA and other relevant national lead agencies to assess the validity of the documents/plans.

Purpose of ESMF

The purpose of this ESMF is to provide general policies, guidelines, code of practice and procedures to be integrated into the implementation of the NECRAMP. The framework defines the steps, process, and procedures for screening, alternative analysis, assessment, monitoring and management of the environmentally related issues. It also analyses relevant polices and legal framework of Uganda, presents relevant World Bank Safeguard policies, institutional and capacity assessments related to the environmental management and describes the principles, objectives, and approach to be followed while designing site specific environmental mitigation measures.

Approach and Methodology used in Developing the ESMF

This ESMF is basically the outcome of observations made along the Tororo, Mbale, Soroti, Lira - Kamdini Road as well as consultations made with key selected stakeholders, review of relevant records, procedures, guidelines and policy and legal framework applicable within the Uganda context. In addition a transect drive was conducted to observe baseline biophysical and social–economic features along the corridor. Interviews with responsible personnel for respective Districts and key national Institutions were held to capture environmental, social and operational issues.

The stakeholders consulted include key NEMA officials, road side traders UNRA Safeguards Team and District Officials. The stakeholders and community members were first informed and then given opportunity to raise their concerns regarding the NECRAMP and regarding probable environment and land requirements.

Key Issues arising from the Stakeholder Consultation

Several issues arose from the Stakeholder Consultation Process. A summary of main issues raised are highlighted below:

- Borrow pits must be acquired at fair benefit to the landowners and restoration must be done to ensure that the borrow pit can be of use to the affected PAPs
- Adequate protection must be provided for the numerous wetlands along the corridor not to interfere with existing socio economic activities (fishing, rice growing, watering livestock).
- Pollution (especially dust along the road during construction activities) must be minimized
- Construction activities that result into stagnant water provide mosquito breeding grounds. The contractor must ensure that this is avoided
- The contractor responsible for road maintenance must ensure that he/she plants trees to manage the environment besides the road corridor.
- Quarrying activities must not displace existing community livelihood activities. Where this happens, households after neglect to maintain road sections make them dangerous spots for accidents particularly for heavy trucks.
- Need to provide resting places for long distance drivers and passengers along the road was emphasized. These resting places need to have accommodation facilities.
- Safety of communities must be addressed especially at growth centres, road sections in proximity with schools, markets and health facilities found adjacent to the road corridor.

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 NECRAMP included:

Limited capacity of Project staff in assessing and addressing discrimination-related project risks.

(i) Risks of exclusion of vulnerable or marginalized individuals or groups from project opportunities and benefits.

(ii) The risk of vulnerable or marginalized individuals or groups declining to access project

services, including grievance redress mechanisms.

(iii) The need to build institutional capacity to ensure the participation of vulnerable or marginalized individuals or groups in public consultations.

The approach to managing these issues and other issues raised during the consultations is found in section 8 of this ESMF. A summary of these additional consultations is also posted on the World Bank Website under *Consultations on Inclusion and Non-Discrimination in World Bank-financed Projects in Uganda* (https://www.worldbank.org/en/country/uganda/brief/consultations).

The above issues must be taken into consideration in the implementation of the ESMF and development of RAPs for any sections of the road corridor. These will be considered in the preparation of the ESIAs and development of the Environmental and Social Management Plan (ESMP).

The Contractor will use the ESMF to guide the process of preparation of the ESIAs and ESMP. All the procedures as outlined in this ESMF will be followed throughout preparation and implementation, and assessment of potential environmental and social impacts, including monitoring and/of follow-up.

Legal Framework
The political and legal context for the application of ESMF is mainly governed by The Constitution of Uganda 1995 and The National Environment Act , CAP 153, the Water Act CAP 152, The Land Act of 1998 (as amended in 2004), the Roads Act, Cap 358.

Institutional Framework for Implementing of the ESMF
The institutional responsibility for overseeing the implementation of the ESMF falls within the Uganda National Roads Authority, anchored within the Directorate of Planning and specifically within the Safeguards Unit, supported by consultants.

Responsibility for Implementation of the ESMF
UNRA's safeguards unit is under the Directorate of Planning. It is headed by the Safeguards Manager, who reports to the Director of Planning. The Safeguards Manager is responsible for supervising and managing the activities of the following specialists:

- Land acquisition Specialist
- Environmental Specialist
- Surveyor and Road safety specialist

Capacity gaps in the Safeguard Unit arise from

- Limited exposure to ESMF
- Limited staff to supervise Land acquisition and resettlement related projects on a national level
- Insufficient resources to implement its mandate considering the national scope of services scattered in different parts of the country

There is also incapacity amongst local governments arising from inadequate funding to the Engineering, District Community Development and Environment offices that would otherwise provide supplementary services in ensuring that Environment and Resettlement issues are dealt with adequately and in time.

This ESMF recommends that capacity within the UNRA Safeguards unit needs to be enhanced through funding support and training of the Safeguards team in the development and enforcement of ESMF. Modalities for involving relevant district authorities in monitoring rehabilitation and maintenance works along the corridor also need to be initiated in conjunction with UNRA regional station offices. This would beef rapid reporting that is vital in the decision making processes related to maintenance of the corridor.

Since the road projects are based at local government levels, district authorities also form key stakeholders together with the companies contracted to maintain or improve the road corridor. All the local governments within the project area shall be involved right from planning up to implementation and monitoring as well as provide updated compensation schedules. These include the Local Governments of Tororo, Mbale, Bukedea, Kumi, Soroti, Kaberamaido, Dokolo, Lira and Oyam districts and the urban local governments of Tororo Municipal Council, Mbale Municipal Council, Bukedea Town Council, Kumi Municipal Council, Soroti Municipal Council, Dokolo Town Council and Lira Municipal Council.

Baseline Socio-economic Description of Project Area

The Tororo, Mbale, Soroti, Lira to Kamdini road passes through the district local governments of Tororo, Mbale, Bukedea, Kumi, Ngora, Soroti, Kaberamaido, Dokolo, Lira and Oyam found in in eastern, north-eastern and the central parts of northern Uganda.

Apart from the road corridor passing through Mbale (from Bunghoko Sub- County in Mbale district up to Nakaloke - a stretch of up to approximately 20km) where the settlements are concentric, most households own less than one acre of land and population density is estimated to be over 905 persons per square kilometre, other sections before and after Mbale, show fairly more sparsely distributed population with population densities not exceeding 185 persons per square kilometre and many households owning more than one acre of land.

The Table below shows the population of local governments based on 2012 estimates provided in the District development plans of these districts. The road corridor provides a vital link for all agricultural products that form the basis of trade and livelihoods for the local governments.

Population of Districts through which the Road Corridor passes

District	Estimated Population (2012)
Tororo	468,106
Mbale	553,900
Bukedea	189,774
Kumi	244,500
Ngora	101,807
Soroti	305,900
Kaberamaido	131,650
Dokolo	129,385
Lira	290,601
Oyam	268,415

Source: District Development plans of each local government 2012/13

Approximately 90% of the population along the corridor live in the rural countryside with most of the households practicing crop farming. Livestock farming is more predominantly seen as a feature of the Teso sub region from Bukedea, Kumi, Ngora to the Soroti to Dokolo sections of the road. Within the corridor are also found electricity installations, trading centres and Town/Municipal Councils. There are also growth centres that are often seen right into the road reserves. Human settlements (domestic dwellings) are found significantly far from the road reserves. A few dwellings can be seen approximately thirty meters from the road reserve between Tororo to

Mbale up to the Nakaloke to Kachumbala road sections. As one moves away from Kachumbala to Soroti as far as Kamdini, most human dwellings are relatively further away from the road reserve save for the growth centres already described.

In principle, resettlement and negative impacts to socio economic livelihoods must be avoided as much as possible. It is anticipated that avoidance is feasible especially in the event that most of the proposed maintenance and rehabilitation works under the NECRAMP are expected to fall within the existing road corridor. Where this is inevitable, a Resettlement Policy Framework has been developed and submitted under separate cover to guide the process of development of Resettlement Action Plans where the need for resettlement and mitigation against loss of livelihood may occur. The UNRA must enforce the application of the RPF whenever the need for resettlement arises throughout the implementation of the NECRAMP.

Baseline Environmental Description of Project Area

Within the corridors of road sections Mbale-Soroti-Lira–Kamdini, there seem to be no significant sources of air pollution. Howver, the existing road and associated works will be the linear sources which cause emission of air pollutants along the corridor of the proposed road sections. The Contractor shall ensure that all plant and equipment are regularly serviced to reduce emissions. Contract documentation must give supervising consultants the power to stop contractor operating polluting vehicles.

Noise is another threat to the quality of the environment. Within the corridors of road sections Mbale-Soroti-Lira–Kamdini, there are residential buildings as well as sensitive receptors such as hospitals and schools along the route. Enforcing the environmental guidelines for dust and noise shall be done. The Contract specifications should include dust control measures i.e. water sprinkling/spraying. The haul roads from borrow pits should be regularly maintained (lightly watered). The Contractor shall avoid or minimize operations likely to create dust during windy period.

The NECRAMP corridor is spotted with thrilling and strange rock formations. Large rocks, which include Kachumbala, Soroti and Nyero are found along and/off the Mbale-Soroti road sections. Where possible Road construction should avoid alignments that cut through known rocks and cultural sites; Cultural resources uncovered during road works must be reported to the Department of National Museum, and Monuments.

There exists several rivers and wetlands along the Tororo-Mbale-Soroti-Lira- Kamdini road corridor. The major rivers include Manafwa, Nabuyonga, Mamatala, Awoja and Tochi. These form part of the existing drainage structures of a total of 5 bridges, which span more than 2.5m of the Project Road. The The wetlands are considered to be important ecosystems contributing to rural livelihoods. These important ecosystems are currently under increasing pressure due to uncontrolled conversion into agricultural areas and unplanned developments. The contractor will avoid environmentally sensitive areas to prevent severe impacts on flora and fauna. The water bodies and wetlands crossings should be avoided, and buffer zones of undisturbed vegetation must be left between roads and watercourses.

Further Environmental Assessment & Biodiversity Conservation

Within the Soroti-Mbale-Lira-Kamdini road corridor, exist several points of soil erosion mainly associated with the road-rehabilitation work, and drainage of run off-water. Replanting should be done in the road corridor rights-of-way and adjacent areas to accelerate re-vegetation and succession. Where applicable engineering solutions such as intercepting ditches at the tops and bottoms of slopes, with gutters and spillways used to control the flow of water down a slope to minimize soil erosion.

In recognition of the above environmental baseline characteristics and that the road project belongs to Category B, modest risk to the environment and human is anticipated. Through conduction of relevant ESIAs the impacts to the land, wetlands and other natural/environmental resources shall readily be identified and easily be mitigated. Such ESIAs should be ready on availability of the technical design of the project and be done following EIA guidelines and adopt the Environmental Screening Form, ESMP, Monitoring and Reporting Form and Tor FOR site specific EA for road works.

Conclusions and Recommendations for ESMF

This report documents the current baseline of NECRAMP in regard to environment and social conditions, relevant laws and policies, institutional framework and looks into ways of minimizing resultant impacts. The following conclusions can be made based on the findings of the ESMF study:

- The Environmental and Social Management Framework is to ensure environmental and social sustainability of the project as it provides guiding principles for the assessment and management of environmental and social aspects of all physical works targeted under NECRAMP.
- The framework helps to symmetrically identify, predict and evaluate beneficial and adverse environmental and social impacts caused by road works activities, alignment enhancement measures for beneficial impacts, and implementing adverse measures for relevant impacts.
- The impacts will be different in different site conditions as determined by case basis. Site specific potential environmental impacts will be determined during the environmental screening, which provides information about the potential damage. Regardless of the outcome of the environmental screening, each sub-project shall have its site specific environmental and social management plan (ESMP).
- The ESMF provides the scope for conducting Environmental and Social Impact Assessments. Further, the ESMF lists out all the components to be included in the Environment and Social Impact Assessment report, Environmental and Social Management, Environmental Monitoring, Management and Reporting.
- The Contractor shall refer to and implement the ESMF. Key users of this framework will constitute a wide range of UNRA staff involved in policy making, planning implementation and monitoring of social and environmental mitigation measures in NECRAMP, Contractor, Supervising and Monitoring Consultants, NEMA and relevant Committees and Districts amongst others.

1 Introduction and Background

1.1 Overview

In pursuit of its goal of implementing sustainable road development and maintenance on its strategic road corridors, the Government of Uganda wish to pilot a Road Asset Management Contract (RAMC) for the North – Eastern – Corridor – Road –Asset – Management – Project (NECRAMP) of about 340km. The project location is presented in Figure 1-1 below;

Figure 1-1: Project Location Plan

In view of the poor condition of the Kamdini – Gulu section, UNRA intends to award separate Rehabilitation Works contract for that section before end of 2013.

Management of the road maintenance function in the road sector is presently being carried out through a mix of force-account and contracted works overseen by UNRA Stations. Studies on this mode of maintenance delivery have indicated the existence of many shortcomings that need to be addressed through reforms. The required changes are in accordance with GOU's general policy of public sector reform and will call for an increased level of private sector involvement in the management of national roads.

Government of Uganda has decided to introduce Asset Management Contracts as the future mode and method of road management of the key corridors on the national road network. The Asset Management strategy is designed to increase effectiveness and efficiency of road asset management and preservation. Under this strategy, a contractor or a joint venture comprising of a contractor and consultant have the responsibility to maintain these corridors of the national road network under their management at a service level prescribed by UNRA and using acceptable

intervention standards. The Asset Management Contract is based on a predetermined fixed cost and with fixed terms of payment for the outputs, thus performance based, not for inputs as in the conventional civil works contracts.

Performance based contracting for the management and operation (including maintenance) of roads is a relatively new concept. This type of contract significantly expands the role of the private sector from simple execution of works to the overall management of the road asset and in particular its conservation. Unlike traditional works contracts where the contractor's main incentive is to carry out as much work as possible to increase turnover and profit, Asset Management contracts promote innovation as contractors strive to achieve the set performance standards within an agreed budget.

A typical contract would include: (i) required works to bring the selected road corridor to the predetermined level of service, which may include rehabilitation and upgrading works; (ii) the obligation to maintain the road corridor at the prescribed level of service, (iii) the obligation to carry out necessary additional periodic maintenance works (such as pavement overlay) during the life of the project; and (iv) to hand over the roads to the Government at a predetermined quality and level of service. This will be done under a "Design Build Operate Maintain and Transfer" (DBOMT). The duration of such contracts will be 10 years.

The Government has specifically decided to pilot long-term Asset Management Contracts as a method of road management on the strategic corridor of Tororo - Mbale - Soroti - Lira - Kamdini linking South Sudan, parts of the Democratic Republic of Congo, northern and eastern Uganda with the port of Mombasa. This corridor requires substantial improvement to meet the current and forecast traffic demand. The current infrastructure bottlenecks on the route are a major constraint to: (i) sustainable economic growth, (ii) Uganda's competitiveness, and (iii) regional integration.

Since this is a new approach to total road asset management and operation, the project implementation will significantly affect the maintenance operation in Uganda sufficient safeguards that include an Environment and Social Management Framework will have to be put in place to ensure that local capacity is built through a systematic process of guidance that eventually avails local construction industry (consultants and contractors) with ample opportunity to participate in this new arrangement.

The successful contractor shall carry out detailed design of the rehabilitation works according to specified design criteria and such design shall be approved by the Project Manager.

The planned asset management contract for the 340 km long Tororo – Mbale – Soroti – Lira – Kamdini Road (A007) will comprise the following works:

1. Management Services
2. Routine and Recurrent Maintenance Works
   - Surface maintenance
   - Drainage maintenance
   - Roadside maintenance
   - Structure maintenance
   - Traffic safety maintenance
   - Minor rehabilitation works
3. Periodic Maintenance Works
4. Strengthening by approx. 50 – 95 mm asphalt concrete (AC) overlay of the various

sections of the project road according to an agreed implementation scenarios.

5. Rehabilitation & Improvement Works

a) Possible Rehabilitation Works on Lot 1, such as improvement of cross drainage, depending on the actual works currently being implemented by the contractor Dott Services.

b) Rehabilitation of the 66.5 km long Lira – Kamdini section. This rehabilitation is anticipated to include a reworking of the existing base course to serve as sub-base course in the new pavement and then apply new base course of 150mm crushed aggregate base plus 40mm AC surfacing.

6. Emergency Works

It is the intention to have only one OPRC contract for the entire project road. However, in view of the construction history and correlation with previous survey and investigation results, it has been found convenient to divide the project road in the following 3 lots instead of introducing a continuous stationing for the entire project road:

Lot 1: Tororo – Mbale – Soroti (151 km)

Lot 2: Soroti – Dokolo – Lira (123 km)

Lot 3: Lira – Kamdini (66 km)

The start of the Project Road is at the T-junction with the Kampala - Iganga - Malaba Road (A001) as shown in Figure 1-2.

Figure 1-2: Start of Project Road

The limits between Lot 1 and 2 at Kennedy Square in Soroti and between Lot 2 and 3 at end of Lira Bypass as well the end of the Project Road at Gulu District Headquarters on Harley Road is shown in Figure 1-3 and Figure 1-4.

Figure 1-3: Limit between Lot 1 and 2 in Soroti

Figure 1-4: Limit between Lot 2 and 3 at end of Lira Bypass (see Photo 1-4 below)

1.2 Construction and Treatment History

An overview of the construction and treatment history for the Project Road is shown in Table 1-2 overleaf.

The Contractor DOTT Services Ltd. is currently undertaking reconstruction of the Tororo - Mbale - Soroti section. By middle of July 2013 first bituminous seal on carriageway and shoulders using 14/20mm chippings had been completed on the 5 sections totalling 52.6km as listed in Table 1-1. The current production rate is only about 2 – 3 km per month but was planned to have been increased to 10 km per month.

Table 1-1: Sections completed with SBST on Tororo-Mbale–Soroti by middle of July 2013

Station (km)		**Length**
From	To	(km)
28.1	44.9	16.8
45.2	46.7	1.5
65.2	69.0	3.8
70.4	82.6	12.2
109.4	127.7	18.3
Total		52.6

Table 1-2: Overview of Construction and Treatment History

Section	Length	Original Construction				Previous or Ongoing Treatment								
	(km)	Year	Standard	Surfacing	Photo No.	Start	End	Type	Standard	Carriageway Surfacing	Shoulder Surfacing	Contractor	Supervision	Status May 2013
Tororo - Mbale	49.0	1969	6.0m c'way + 2x1.0m shoulders, but 8.0-9.4m c'way in Mbale & Tororo	DBST	2-1	Mar. 2012	Dec. 2013	Staged reconstruction	6.30m c'way + 2x1.50 SBST shoulders (2x2.35m shoulders in urban areas)	DBST	SBST	DOTT Services Ltd	GIBB until Nov 2012 PEC from Jan 2013	18 km SBST
Mbale - Soroti	102.0	1970		DBST	2-2 & 2-3	Mar. 2012	Mar. 2014	Staged reconstruction		DBST	SBST	DOTT Services Ltd		33.2 km SBST
Soroti - Dokolo	67.6	1995-97	6.00m c'way + 2x0.75m shoulders	Gravel			Mar. 2010	Upgrading to Bituminous (DBST) Standard	6.00m c'way + 2x1.50 SBST shoulders (2x2.00m shoulders in urban areas)	DBST	SBST	China Road & Bridge Corporation	J. Burrow Ltd. South Africa	
Dokolo - Boroboro	46.9	1995-97					Sept. 2010			DBST	SBST	China Road & Bridge Corporation		
Boroboro - Lira incl. Lira Bypass	8.5	2000		DBST			Sept. 2010	Rehabilitation to DBST		DBST	SBST	China Road & Bridge Corporation		

	Lira - Kamdini	66.5	1968		DBST		2009	Aug. 2011	Periodic maintenance		DBST	SBST	DOTT Services Ltd		
	Kamdini - Gulu	62.3			DBST		Only routine maintenance								

Note: China Road & Bridge Corporation (CRBC) is now called China Communications Construction Company Ltd. (CCCC)

New 60m long Awoja Bridge is presently under construction by SPENCON Technical Services on Lot 1, km 134 (refer Photo 1-7).

Photo 1-1: Lot 1, Km 7, March 2012, deteriorated section near Tororo

Photo 1-2: Lot 1, Km 104, March 2012, badly potholed section near Kumi

Photo 1-3: Lot 1, Km 132, March 2012: Heaving & rutting Awoja swamp

Photo 1-4: Lot 1, Km 0.5, May 2013, Widening by benching south of Tororo

Photo 1-5: Lot 1, Km 36, May 2013, SBST on carriageway and shoulders

Photo 1-6: Lot 1, Km 132, May 2013, Fill on Awoja swamp section

Photo 1-7: Lot 1, Km 134, New Awoja Bridge under construction

Photo 1-8: End of Lot 1 / Start of Lot 2 at Kennedy Square in Soroti

Photo 1-9: Typical Lot 2 section at Dokolo

Photo 1-10: End of Lot 2 / Start of Lot 3 at end of Lira Bypass

Photo 1-11: Lot 3, Km 41: Potholed and deformed section between Lira and Kamdini

Photo 1-12: Distressed pavement section between Kamdini and Gulu

1.3 Background

The population of Uganda is estimated to be around 36.35 million[1] inhabitants spread over a surface of 240,000 sq. km. Uganda's economy stabilized in 2012 with growth of 4.4% registered as one of the lowest in the world for more than a decade now. Such a low level of growth threatens the sustainability of the macroeconomic situation since the GoU has limited resources to finance its own development policies.

Agriculture has for several years formed the backbone of Uganda's economy with over 80% of its population deriving their livelihood from it and contributing approximately 37% of the Gross Domestic Product (GDP). Agricultural products contribute nearly all of Uganda's foreign exchange earnings, with coffee (of which Uganda is Africa's leading producer) contributing the largest percentage of 19% of the country's exports. Exports of non-traditional products, including hides, skins, vanilla, vegetables, fruits, cut flowers, and fish are growing, while traditional exports such as cotton, tea, and tobacco continue to be mainstays. There are registered inequalities in the distribution of income, with growth in the agricultural sector (where the majority of the poor are occupied) lagging considerably behind the performance of the other sectors. Limited performance of the agriculture sector raises concerns and indicates that the extent to which growth is broad- based is limited: half of the 46% of household active in "food crops" are below the poverty line, whereas the overall average of the population below this line is 35%.

Based on the UBOS' 2009/10 survey data, it is estimated that 24.5% of Ugandans are poor, corresponding to nearly 7.5 million persons in 1.2 million households.

The incidence of poverty remains higher in rural areas than in urban areas. The poor in the rural areas represent 27.2% of the population but only 9.1% in the urban areas. The rural areas with 85% of the population constitute 94.4% of national poverty. On the other hand, the urban areas represent 15% of the population and constitute 5.6% of national poverty. These results suggest that the majority of the poor are in rural areas, about 7.1 million out of the 7.5 million poor Ugandans.

The incidence of poverty remains highest in the Northern region and least in the Central region. On average, poverty incidence in Northern region (46.2%) remains higher than the national average (24.5%). Poverty in this region is driven largely by the North East sub-region although poverty intensity is higher in the mid-Northern sub-region. The incidence of poverty observed in the Western region, is driven largely by the sub- region of mid-Western Uganda.

Despite the good economic performance, poverty remains pervasive. Uganda remains one of the poorest countries in sub-Saharan Africa with a GDP per capita of about USD 300. In recognition of these remaining challenges, the Government has formulated policies, strategies and plans with the overall objective of reducing poverty.

The Government has shifted priority from urban to rural areas and smallholder farming has been made the focus of economic development with agricultural extension and credit schemes, expansion of primary education, primary health care, rural water supply and rural roads. The success of new credit schemes has increased the productivity of crop production and agricultural exports.

Agricultural growth should improve the conditions of food security in the country and irrigation

[1] *UBOS 2012 estimates*

would have to be introduced in a significant way. In order to make the agricultural production as the engine of growth, progress is considered to be made in terms of commercialization, with more intensive farming, increasing proportion of marketable output and decreased road transport costs.

The sustainability of increasing economic growth in Uganda is an issue. Firstly, with the majority of the population heavily dependent on agriculture, their vulnerability to drought and plant diseases is an issue. Secondly, the economy is subject to external terms of trade shock most notably arising from dependence on coffee (for exports) and oil (10% of its imports) prices. Thirdly, the potential for growth resulting from economic reforms and rehabilitation of the economy from the past has now been largely exploited, and therefore a broader agenda is required. To ensure continued high economic growth and to decrease vulnerability to exogenous shocks, an economic transformation is needed. Critical in this is the availability of an adequate and reliable transport infrastructure. This is a key pre-requisite of a well-functioning economy.

In this context, some of the key issues considered in increasing productivity and commercialization of agriculture is in ensuring international and domestic traffic as well as making it possible to access such markets as the Southern Sudan and the Democratic Republic of Congo through creating accessible road network from the Mombasa port in Kenya to Malaba and through the great north road that passes through Tororo from Malaba to Mbale, Soroti, Lira to Kamdini enroute to much of northern Uganda. This is expected to make eastern and northern Uganda more accessible and enhance its trade potential.

1.3.1 Economic benefits of Investing in the Tororo, Mbale, Soroti, Lira to Kamdini road corridor

Road transport is by far the dominant mode of transport in Uganda, catering for about 90% of passengers and freight traffic. Roads provide the only means of access to most of the rural communities particularly in the remote parts of eastern, north and north-western parts of the country. Effective management of this asset is therefore of vital importance to the GoU's strategy for economic development and poverty reduction.

The improvement and maintenance of the motor able condition of the Tororo-Mbale-Soroti-Lira-Kamdini road corridor is expected to have a positive impact to increasing the tempo of commercial activities and poverty reduction in northern Uganda[2]. It will also provide vital transport corridors linking the land locked regional countries of parts of Eastern Democratic Republic of Congo (DRC) and Southern Sudan to the sea. Like all transport projects, the corridor is expected to contribute to poverty reduction through its indirect impacts on economic growth or its direct impacts on personal welfare of the poor within these regions. For a region where local access roads particularly in the poor rural areas were laid to waste by a lengthy period of insecurity and insurgency, improvement and periodic maintenance of the corridor will contribute to national and regional income growth, as well as have a direct and significant impact on the daily life of the poor in the region. On the other hand inter-town connections as provided by the corridor as well as connections into the national trunk road will have an indirect and strategic influence on national growth and impact on poverty reduction.

[2] *Northern Uganda experienced one of Africa's longest running conflicts from 1987 through 2007. The Lord's Resistance Army terrorized communities, and abducted tens of thousands of children to train as child soldiers. The conflict exacted severe economic losses, leading to mass displacement of people, a breakdown in infrastructure, and severely weakened governance and social structures. In the years since 2007, Northern Uganda has rebounded from the shadow of conflict to become relatively peaceful and stable.*

Investment in the improvement and maintenance of the motor able condition of the Tororo-Mbale-Soroti-Lira-Kamdini road corridor will no doubt improve access to economic opportunities by reducing transport costs. These include lower market prices for final products (both rural products and consumer goods), spatial extension of the market (due to the transport-induced changes in production and consumption patterns), higher personal mobility, and stimulation of socio-economic activities. In addition to improving accessibility, transport investment affects employment. The provision of transport services, including the construction and maintenance of transport infrastructure, generates demand for labour (often unskilled labor) and provides income-earning opportunities for the poor. Where a transport project generates jobs for the poor who are otherwise unemployed or under-employed, it contributes to the reduction of poverty.

1.4 Route Description

1.4.1 Topography

Using the terrain classification specified in Sub-Section 5.2 of Geometric Design Manual, the Project Road is generally traversing flat to rolling terrain as listed in Table 1-3.

Table 1-3: Type of Terrain Traversed by the Project Road

Lot	Section	From (km)	To (km)	Type of Terrain
1	Tororo - Busiu	0	105	Gently rolling to flat
	Busiu - Namwalo	30	34	Rolling
	Namwalo - Kumi	34	105	Gently rolling to flat
	Kumi - Soroti	105	151	Flat
2	Soroti - Otuboi	0	47	Flat to gently rolling
	Otuboi - Aminkwac	47	68	Gently rolling
	Aminkwac - Lira	68	123	Flat to gently rolling
3	Lira - Kamdini	0	66.5	Flat to gently rolling

Tororo-Mbale-Soroti Section
The Project Road starts at an elevation of about 1171m at the T-junction with Bugiri – Malaba Road rising to an elevation of 1203m above sea level at the roundabout in Tororo (km 4.6). The highest elevation of 1220m on Lot 1 is found around km 10. The lowest elevation on Lot 1 of 1040m is found at the 5.1 km long Awoja Swamp crossing in km 129.5 – 134.6.

The road is crossing the Kanginima River at km 19.2 and the Manafwa River at km 31.8 at elevations of approx. 1135m and 1116m respectively. The approaches to Manafwa River are with gradients up to 5%.

From Manafwa River the road is rising to an elevation of 1207m at km 36 from where it is gradually declining to an elevation of around 1120m at Mbale in km 46.8 – 51.5.

Soroti-Dokolo-Lira Section
Lot 2 starts at an elevation of 1129m at the western corner of Kennedy Square in Soroti and descending from km 2.2 with gradient of about 2% to an elevation of 1067m at Akoyo River crossing in km 4.8.

In km 28.5 the road is crossing the Omunyal River valley with 700m wide swamp at elevation of about 1041m.

Between km 29 and until Otuboi village at km 47, the road is gently raising following a secondary watershed route and with the highest elevation of 1136 m at km 46.2.

From Otuboi the road is gently descending through rolling terrain to the 1.9km wide Aminkwac swamp crossing in km 68.1 – 70.0 at elevation of about 1050 m.

The lowest elevation on Lot 2 of 1035 m is found at the 2.8km wide Olweny swamp crossing in km 82.2 – 85.0.

The highest elevation of 1142 m on Lot 2 is found at Boroboro in km 113.

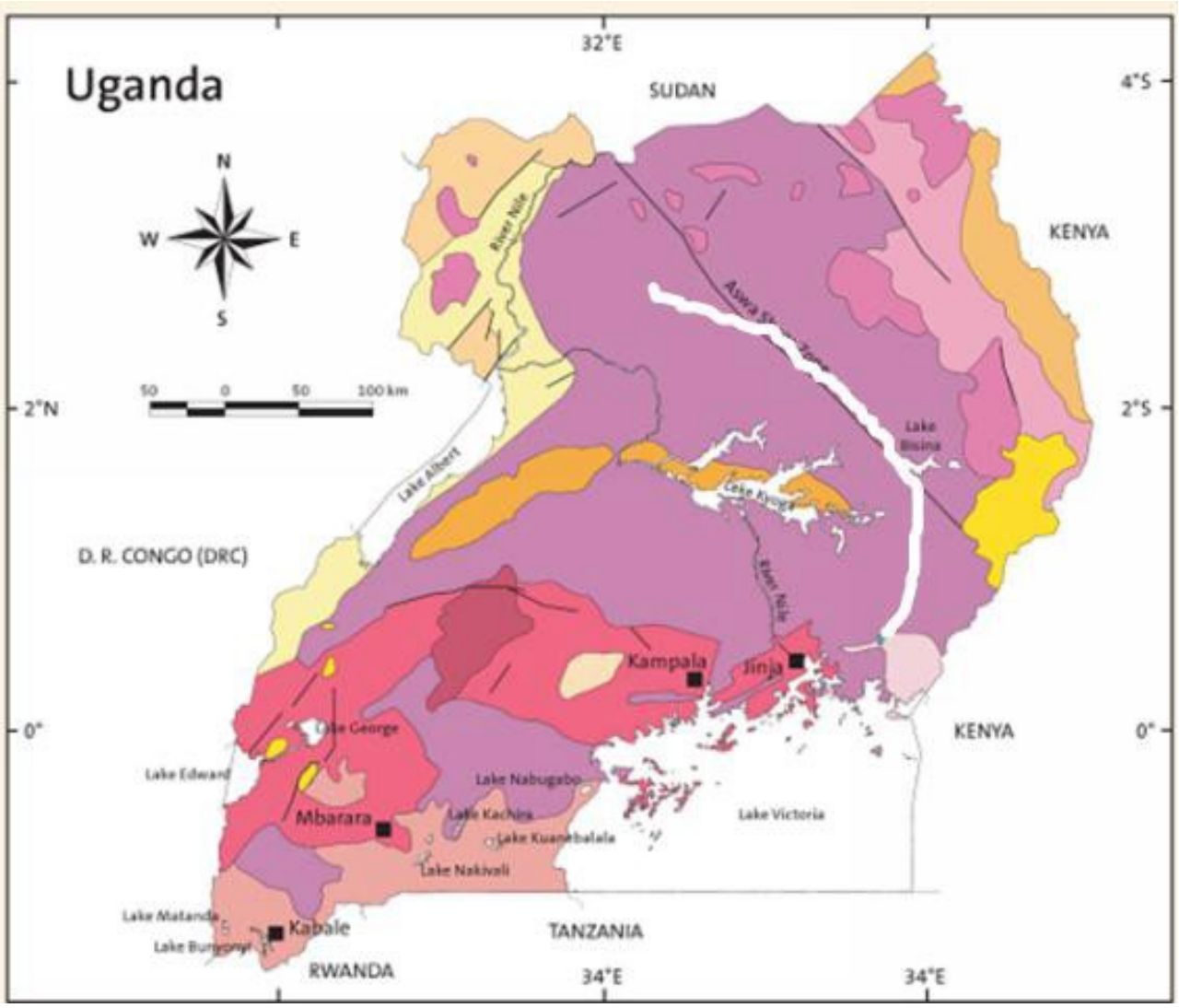
Lira-Kamdini Section
Lot 3 starts in Lira at the roundabout on Gulu Road (end of Lira Bypass) at an elevation of 1082m. Through slightly undulating terrain it raises to 1105m in km 6, where after it gently descends to an elevation of 1046m at the 1.1km wide Okole swamp in km 19.3.

The road is crossing the Tochi River at km 63.5 at an elevation of 1040m as well as further upstream in km 111.5 on the Kamdini – Gulu section at an elevation of 1057m. The highest elevation of 1121 m on Lot 3 is found at km 128 in Gulu.

1.4.2 Geology

More than two thirds of Uganda is underlain by Achaean and Protozoic rock. In the projects area these are dominated by Gneissic-Granolithic complexes. The oldest unit is proposed in the West Nile region comprising largely granulite facies grade rocks. The rock complex includes acid granites and banded gneisses. Basic granites are less common and pure calcareous rocks are unknown.

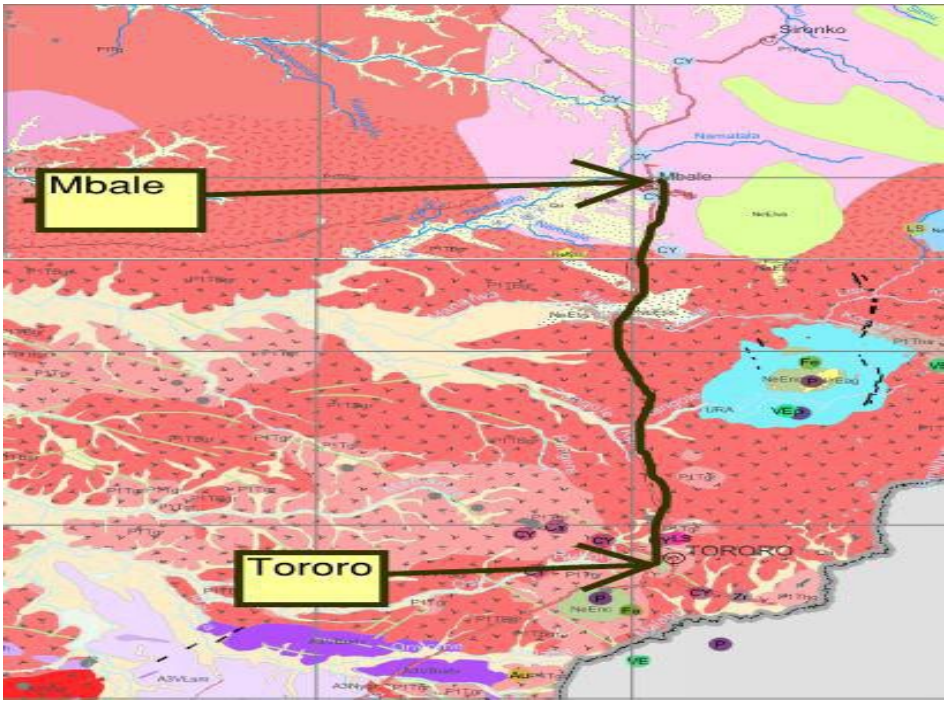
Figure 1-5: Geology of Uganda with project road marked in white. Lilac area where the road passes through is Gneissic-Granolithic complexes.



Tororo – Mbale

The section passes the western side of Mt. Elgon volcanic complex, through areas where the base rock is mainly formed by granitites (red color on geological map).

Figure 1-6: Geological map showing the base materials from Tororo to Mbale



West and north of Tororo the base rock is granitite whereas in the northern area of Tororo up to Bungokho, mainly the Bugishi granitoide complexes dominate. South of Mbale and into this city, the base rock is dominated mainly by areas with quartz schist's and diluvia materials, transported down from the Mt. Elgon complex by the east-west going rivers. These rivers are crossing the road on this section. It can be expected that the river beds comprises materials of volcanic origin. Volcanic materials are often easily deteriorated and corroded. On the section there are three larger river crossings, where diluvia materials might be found in large amounts.

On the section there are 3 larger river crossings, where diluvia materials might be found in large amounts. Though, due to the near presence of the volcanic complex upstream to the road a large concentration of volcanic materials might be concentrated in the materials.

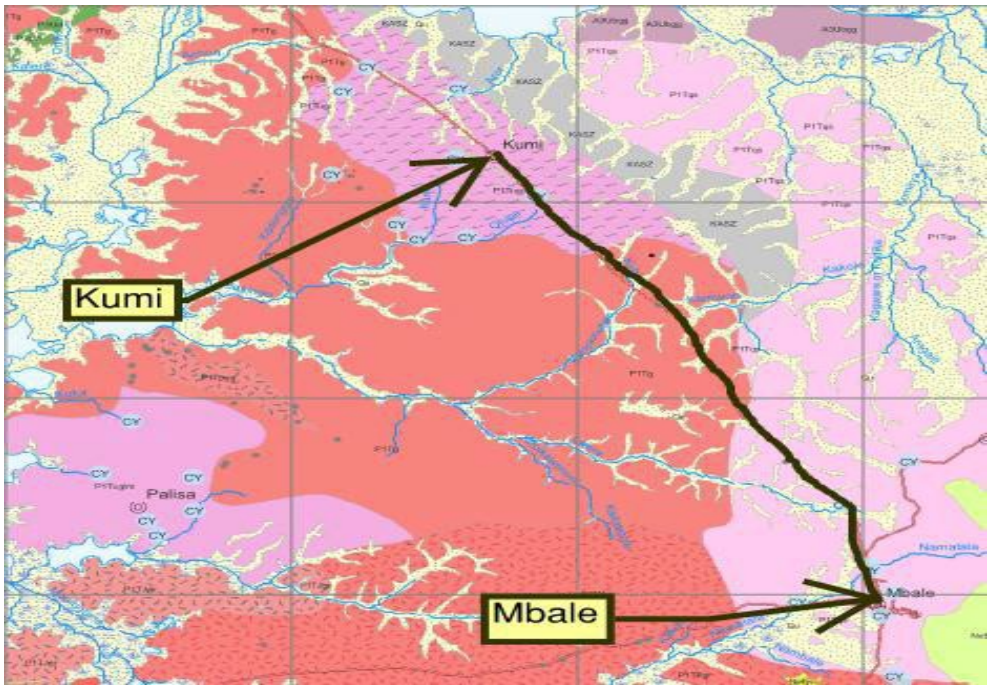
Mbale –Kumi

North of Mbale wide spread area with the quartz schist and diluvium continues (light lilac on the geological map in Figure 1-7). In between, where the swamps and lakes are present, the prevailing material is undefined swamp alluvium and lacustrine deposits which are inadequate for road construction.

Around Kachumbala the roads enters into granite base layer rocks area again, and in this area outcrops of base rock is expected to comprise solid granite materials (red area on the geological map). On the last 10 to 15 kilometres of this section the base rock changes into undefined gneisses, and still here plenty of solid materials are expected in outcrops (dark lilac on the geological map).

The three major base rock formations are envisaged on the geological maps in Figure 1-7.

Figure 1-7: Geological map showing the base materials from Mbale to Kumi



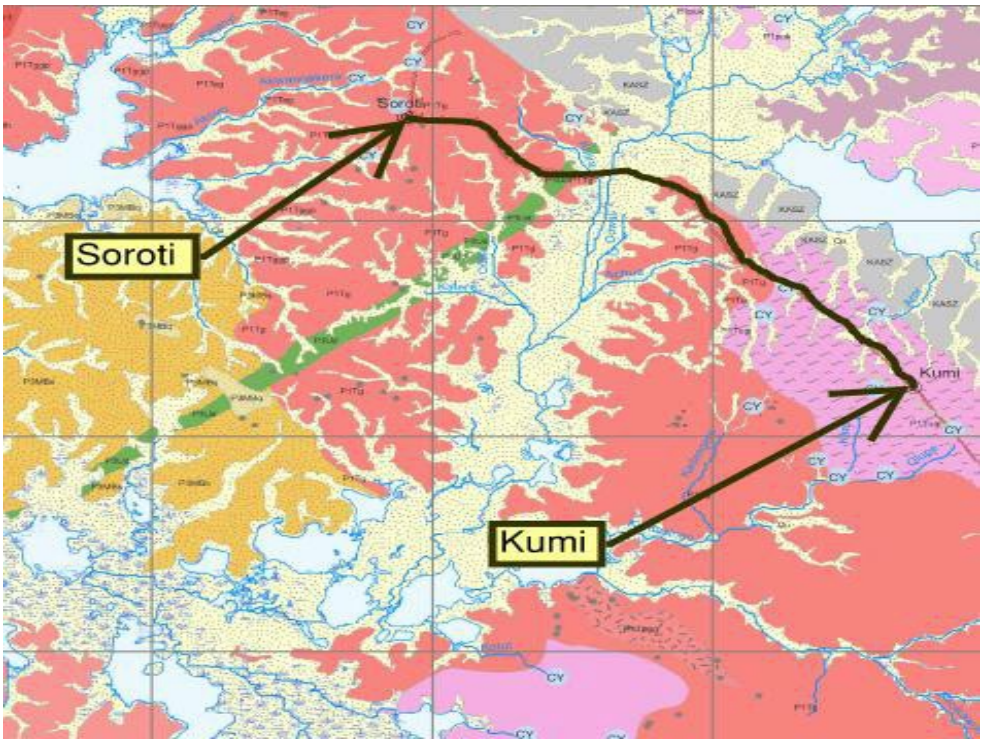
Also on this section major river crossings are found with plenty of diluvia materials. In this area there is no volcanic rock in the vicinity and the diluvia materials in the river beds is expected mainly to consist of quartz sand.

Kumi – Soroti

On the section from Kumi to Soroti the general presence of granitites continues to be dominating (red colors on geological map). Around Kumi up to the River Achua the gneisses are dominating, whereas from the river and North West to Soroti, granite prevails in the base rocks.

Between the two cities there is a wide river valley with diluvia materials (white area), selectively good quality sand due to the presence of granitite base rock. Crossing the road in south-western - north-eastern direction is a narrow area with undifferentiated dike materials (green area). Dike material is volcanic intrusion into the granitite base rock. This material, in case it is accessible in outcrops, might be interesting for further investigation.

Figure 1-8: Geological map showing the base materials along the road from Kumi to Soroti.



Soroti – Lira

On the section from Soroti to Lira the general presence of granitites continues to dominate (reddish colors on geological map). Around Soroti granite prevails. Around the middle of the section, the base rock changes to dominantly mica schist (lilac on the geological map). Schist base rock might give a more frequent occurrence of high plastic soils in this section. However, just a few kilometres before Lira, the base rock is again dominated by gneisses.

Generally, also on the section, major riverbeds are passed with selectively excess amount of diluvia materials. Schist base rock might give a more frequent occurrence of high plastic soils in this section (white on geological map).

Figure 1-9: Geological map showing the base materials from Soroti to Lira

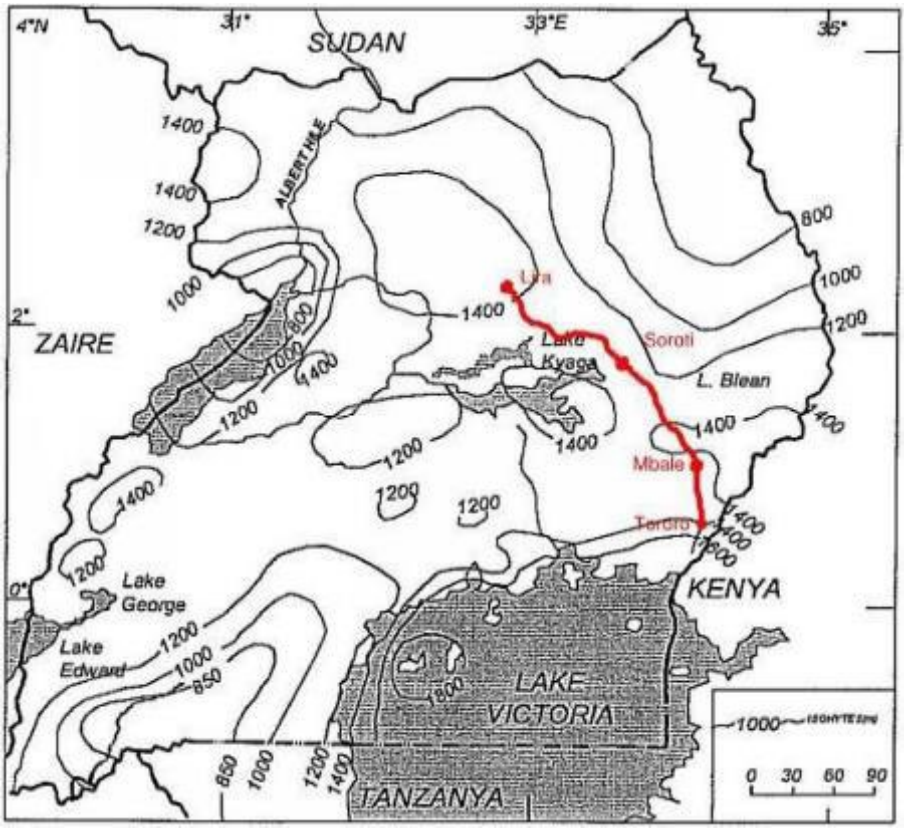
1.4.3 Rainfall

Rainfall in the project area is substantial, and occurs mainly during the 7 months of the year between April and October where precipitation averages in excess of 100mm/month. As can be seen from Figure 1-10 the average annual rainfall in the project area is generally in the range of 1300 – 1400mm, with peak rainfall being recorded in May, whilst the lowest rainfall is received during the 3 months of December, January and February.

The average annual rainfall at the towns along the Project Road is approximately as follows:

Tororo	1400 mm
Mbale	1390 mm (up to 1440 mm 30 km section north of Mbale)
Soroti	1300 mm
Lira	1430 mm

Figure 1-10: Mean Annual Rainfall



Source: Road Design Manual, Vol. 3: Pavement Design

1.4.4 Swamp Crossings

The Project Road crosses substantial stretches of perennially wet swamps and ephemeral wetlands, totalling some 28 km for the 3 lots as listed in Table 1-4.

Table 1-4: Length of Wetland Crossings

Lot	Length of Wetlands
1	7.6 km
2	14.8 km
3	5.6 km
Total	28.0 km

The road upgrading works on Lot 2 in the years 2008 – 2010 included raising and widening of the road on the 14.8 km swamp crossings. About

12.4 km of these 14.8 km where along existing road alignment, while 2.4 km were along new alignments (bypasses).

Locations and length of the individual swamp crossings on Lot 2 are provided in Table 1-5.

Table 1-5: List of Swamp Sections, Lot 2

No.	Name	From	To	Length	Perennial	Seasonal
1	Arapai/Akoyo	4,677	4,865	188	20	168
2	Awiokero	12,075	12,901	826	510	316
3	Ochuloi	14,376	15,157	781	540	241
4	Katine	18,412	19,562	1,150	860	290
5	Tiriri	25,640	25,905	265		265
6	Omunyal	27,791	29,211	1,420	637	783
7	Agore	51,219	51,339	120		120
8		52,778	52,868	90		90
9	Lwala	54,101	54,225	124	40	84
10	Alwa	58,895	59,027	132	7	125
11	Abalang	61,907	62,279	372	220	152
12		64,924	65,113	189		189
13	Aminkwac	68,138	70,022	1,884	1,760	124
14	Iguli	73,633	73,798	165		165
15	Akolodong	74,794	75,289	495		495
16	Oruk	76,946	78,168	1,222	524	698
17	Atwemerere	80,703	81,283	580		580
18	Olweny	82,215	84,969	2,754	2,534	220
19	Agwata	89,376	90,027	651		651
20	Adayi	96,574	96,865	291		291
21		104,663	104,813	150		150
22		105,997	106,173	176	8	168
23	Majan	106,932	107,367	435		435
24	Awero	109,972	110,043	71		71
25		112,050	112,161	111		111
26		115,238	115,422	184		184
Total				14,826	7,660	7,166

1.4.5 Towns and Villages

The project road is passing through the towns, trading centres and villages as listed in Table 1-6.

Table 1-6: List of Towns, Trading Centres and Major Villages along the Project Road

Station (km)		Length (km)	Town / Trading Centre
Lot 1: Tororo – Mbale - Soroti			
2.60	4.80	2.20	Tororo Town
9.40	10.10	0.70	Mukuju T.C.
28.80	30.20	1.40	Busiu T.C.
46.80	51.60	4.80	Mbale Town
55.80	56.80	1.00	Nakaloke T.C.
65.60	66.00	0.40	Kachumbala T.C.
82.80	83.80	1.00	Bukedea T.C.
102.10	103.70	1.60	Kumi Town
147.90	151.00	3.10	Soroti Town
Sub-total		16.20	
Lot 2: Soroti – Dokolo - Lira			
0.00	2.50	2.50	Soroti Town
5.30	5.50	0.20	Ojingai Village
25.90	27.00	1.10	Tiriri Bypass
35.10	36.00	0.90	Arapai Village
41.00	41.90	0.90	Amidakan Village
46.50	47.50	1.00	Otuboi Village
65.80	67.00	1.20	Dokolo Town
88.80	89.80	1.00	Agwata Bypass
120.00	123.00	3.00	Lira Town/Bypass
Sub-total		11.80	
Lot 3: Lira – Kamdini			
0.00	1.00	1.00	Lira Town
22.40	22.90	0.50	Ayer Village
41.50	42.40	0.90	Loro Village
66.20	66.50	0.30	Kamdini Town
Sub-total		2.70	

Speed limit of 50 km/h are or must be applied on these populated sections covering some 11%, 10% and 8% of the total length of Lot 1, Lot 2 and Lot 3 respectively.

1.4.6 Services / Public Utilities

Especially in the built-up sections i.e. the towns, villages and major villages as listed in Table 1-6 there are various public utilities (power- & telephone lines and underground water pipelines) within the road reserve. Any road upgrading works, which primarily may be required in such

built-up sections, is therefore likely to involve relocation of public utilities.

Overhead power lines (mostly 11 kV lines) are generally situated in sufficient distance from the road, but water pipelines were observed near in the side drain.

On approx. 35km section of Lot 2 from Kachung water intake via Agwata to Lira a 400mm diameter water supply pipeline is located along the road. During the upgrading in 2008 – 2010 the road was realigned to avoid interference with this water supply pipeline that otherwise would be located as close as 4.5m from the road centre line.

Photo 1-13: Water pipeline on LHS at km 40.6 located in front of culvert end structure

Monuments with the inscription "MOICT", refer Photo 1-8, were noted on the Tororo –Mbale section defining location of underground optic fibre cable.

Photo 1-14: MOITC Monument

1.5 Existing Alignment

1.5.1 Horizontal Alignment

Lot 1

The on-going rehabilitation works on Lot 1 is strictly following the existing road alignment with maximum 100mm deviation. The need to use the existing pavement materials to save cost has entailed, in some cases, a compromise between cost and minimum geometric requirements according to the Road Design Manual, Vol. 1: Geometric Design of July 2005.

As the existing alignment is made up of circular curves and straights, introducing transition spirals, recommended in the RDM, was waived in order not to cause undesirable deviation from the existing centre line. As a result, the super-elevation run-off length is being with two-thirds on the tangent and one-third inside the curve.

The controlling design parameter for the horizontal alignment is the minimum radius of curvature. According to GIBB a minimum radius of 195m corresponding to a design speed of 70 km/h for 7% super-elevation has been applied near the Manafwa River crossing at km 31.8 (refer Photo 1-9 and Photo 1-19).

Photo 1-15: Horizontal Curve at km 31 on southern approach to Manafwa Bridge

Photo 1-16: Horizontal Curve at km 32 on northern approach to Manafwa Bridge

Lot 2

The upgrading of **Lot 2** in 2010 from gravel to bitumen standard was generally along the alignment of the existing road except for realignments totalling 12.26km in length in order to achieve the minimum geometric requirements for Class II Paved Road. The realignments included bypasses totalling 6.0 km in length at Tiriri, Amidakan, Lwala and Agwata trading centres.

Furthermore, on a section of 25.9 km between Agwata and Lira the road was shifted some 15m east of the existing centre line to avoid damage to and disturbance of the Kachung – Lira water supply line.

1.5.2 Vertical Alignment

The on-going rehabilitation works on Lot 1 is as for horizontal alignment strictly following the existing vertical alignment leaving a nominal thickness of 100 mm for overlaying extra base and surfacing material. However, there are a few sections, which are being raised in consideration of drainage requirements such as the sag curve at km 37+900 because of its location in swamp, is raised by 600mm and at km 32+600 the profile is raised by 500mm to provide cover over a new 900mm diameter culvert.

2 Purpose and Scope of the Framework

The Environmental and Social Management Framework (ESMF) provides general policies, guidelines, code of practice and procedures to be integrated into the implementation of the World Bank supported Northeastern Corridor Road Asset Management Project (NECRAMP). It defines the steps, process, and procedures for screening, alternative analysis, assessment, monitoring and management of environmental and social issues. In addition, the ESMF analyzes relevant polices and legal framework of Uganda, presents institutional and capacity assessments related to the environmental and social management and describes the principles, objectives, and approach to be followed while designing site specific environmental and social mitigation measures.

The ESMF is intended to be used as a practical tool during the NECRAMP implementation and monitoring. It will be used as a reference manual by key stakeholders involved in the planning, implementation, management and improvement of the NECRAMP.

Implementation of this ESMF will also support and assist the achievement of compliance with applicable laws and regulations and with relevant World Bank policies on environment and social development issues. As a guideline document, the framework would be useful to the Uganda National Road Authority, Developmental Partners/Funding agencies, Sector Environmental Management Coordinators, District Council Officers and Committees responsible for the management of projects etc.

In order to ensure sustainability of the project activities, the ESMF is expected to cover the environmental unknowns, to help in the Environmental Screening, and to recommend appropriate mitigation measures. The screening and review process will determine how and when a particular activity/subproject will trigger a given environmental safeguard /policy, and what mitigation measures need to be put in place to guide the implementation of the project. Ideally, the screening and review process will also ensure that, projects activities with potentially significant impacts will require further environmental studies whose scale will be appropriate to the planned activities.

The Contractor shall take all measures and precautions necessary to avoid any nuisance or disturbance arising from the execution of the works. This shall, wherever possible be achieved by suppression of the nuisance at source rather than abatement of the nuisance once generated. The provisions of this sub- clause shall however, be subject to emergency enforcement measures or emergency works that may include saving life and occupational safety. Under these circumstances reference must be made to annex 2 of the Uganda EIA guidelines, 1998; the Uganda Occupational, Health and Safety Act 2006, the National Environment Act CAP 153; and all related environmental management legislation.

The ESMF stipulates among others, the Environmental and Social Management Plan (ESMP) together with its mitigation measures, monitoring indicators as well as, institutional responsibilities which have to be integrated into the Environmental and social assessment framework. Such a framework is what is important at this preparatory stage of the Project as the exact details and location of the project activities are not yet confirmed with certainty. The Social Safeguard Policies also require that, the ESMF must be disclosed as a separate and stand-alone by the Government as a condition for Bank Appraisal of the NECRAMP.

Following the World Bank Group's communication of its concerns with the enactment of the Anti-Homosexuality Act (AHA), the Government of Uganda issued five Circulars (see Annex 10). 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.

2.1 Objectives of the Environmental and Social Management Framework

The main objective of the ESMF is to provide operational principles, procedures and standards for complying with the national Environmental management laws and regulations as well as the World Bank's policy on Environmental Assessment and management within the roads sub-sector. The Framework identifies options for strengthening in-country Environmental Assessment capacity and for increasing awareness of the environmental issues in the sector. The Framework will serve as the basis for environmental assessments and management on all individual road constructions being carried out under the project. The ESMF is to provide Environmental and social screening for the planned project. It is intended to be used as a practical tool during project implementation. It explicitly describes the environmental steps to be undertaken in the implementation and to ensure that activities will be carried out in an environmentally and socially sustainable manner.

2.1.1 Specific Objectives of the Environmental and Social Management Framework

The specific objectives of the ESMF are:

1. To establish clear procedures and methodologies for environmental and social planning, review, approval and implementation of subprojects to be financed under the Output and Performance Based Road Contract (OPRC) for NECRAMP;
2. To provide practical guidance on the implementation of the environmental and social

management measures that adequately address World Bank's environmental and social safeguards regime and those specified in the Uganda's national laws governing environmental management as found applicable to the Output and Performance Based Road Contract for NECRAMP;

3. To provide practical guidance on the development of mitigation measures which will effectively address identified negative impacts in the implementation of the Output and Performance Based Road Contract for NECRAMP;
4. To specify institutional arrangements, appropriate roles and responsibilities, and outline the necessary reporting procedures for managing and monitoring environmental and social concerns related to subprojects; and
5. To determine the training, capacity building and technical assistance needed to successfully implement the provisions of the ESMF by the various stakeholders.

2.1.2 Application of the ESMF

The ESMF is being/will be integrated into the preparation and implementation stages of the NECRAMP. It is an essential ingredient aligned with the project/sub-project activities and is to be followed through the entire project cycle from planning, including site identification; design; implementation and operation/ maintenance to attain the above outlined purpose and objectives.

The use/implementation of the Environment and Social Management Framework will also support compliance with applicable legal/regulatory requirements of Govt. of Uganda as well as with the requirements set forth in the relevant World Bank policies.

The application of ESMF will enable potential social and environmental concerns of the NECRAMP thoroughly assessed in the planning and design phases allowing for appropriate measures to be considered during project implementation. The framework serves as a tool to guide the project implementers to select the optimal project intervention required to address social and environmental concerns, prepare mitigation plan, and to ensure complete integration of social concerns and mitigation measure in the design of the project activities.

Aware of the fact that the National Environment Management Authority (NEMA) is in the process of reviewing the Environment Policy and the laws for environmental management for Uganda, the ESMF will be a live document taking into consideration probable changes in the legal/regulatory regime [3].

Accordingly, the unexpected situations and/or changes in the proposed project or subcomponent design will from time to time be assessed and appropriate mitigation measures incorporated by updating the Environment Management Framework project. Based on the experience of application and implementation of the framework, the provisions and procedures will be updated as appropriate in consultation with the World Bank and the Uganda National Roads Authority (UNRA).

The application and implementation of the ESMF therefore, will:

[3] *Currently NEMA is undertaking the policy review to identify gaps and establish the level at which the policy has been useful to drive the environmental framework. With support of The United Nations Development Programme (UNDP), NEMA will proceed to review the EIA guidelines for Uganda and selected sectoral guidelines, under the Oil for Develop ment Programme supported by Norwegian Agency for Development Cooperation (NORAD), NEMA is currently reviewing the National Environment Act Cap 153 and a number of regulations including the Environmental Impact Assessment (EIA) regulations, the National Environment (Audit) Regulations, the National Environment (Standards for Discharge of Effluents into Water or on Land) Regulations and the National Environment (Waste Management) Regulations, the National Environment (Noise Standards and Control) Regulations, among others*

1. Support the integration of environmental aspects into the decision-making process of all stages related to planning, design, execution, operation and maintenance of sub-projects, by identifying, avoiding and/or minimizing adverse environmental impacts early-on in the implementation cycle of the Output and Performance Based Road Contract for NECRAMP.

2. Minimize environmental degradation to the extent possible resulting from either individual sub-project or through indirect, induced and cumulative effects of project activities.

3. Enhance the positive/sustainable environmental and social outcomes through improved/appropriate planning, design and implementation of sub-activities/sub-components.

4. Build the capacity of the Project Coordination Office of the Ministry of Works and Transport to take-up and coordinate responsibilities related to application and implementation of the ESMF, including the preparation of the sub-project specific Environmental Assessment and Management Plans where necessary.

5. Protect human health and safety and minimize impacts on cultural property.

3 Legal and Institutional Framework

The purpose of this section is to set out the legislative, regulatory, and policy context in which the road construction being proposed and with which the project must comply. This chapter discusses policy, legal and institutional framework within which future ESIAs and environmental management should be conducted. National regulations are discussed along with relevant international agreements and conventions to which, Uganda is a party. Key legislations governing the conduct of ESIA and environmental management in Uganda are the National Environmental Act (Cap 153) and the Environmental Impact Assessment Regulations (1998). The National Environmental Act established the National Environment Management Authority (NEMA), and entrusts it with responsibility to ensure compliance with the ESIA process in planning and execution of infrastructural projects. Relevant policies have also been analysed as summarized herewith.

3.1 National Policy/Legislation Framework

3.1.1 The National Transport Master Plan

The National Transport Master Plan set out a framework for development of the transport sector over the next 15 years, 2008-23, in three (3) five-year phases. Since transport is the circulation system of any economy, the Plan constitutes an essential element of the overall planning process in Uganda. The National Transport Plan includes a set of commonly purposed activities, intended to achieve specific objectives. Both the Uganda National Transport Master Plan (UNTMP) and the Greater Kampala Metropolitan Area (GKMA) Transport Master Plan were developed within a long-term vision of development, with the expectation that they will serve as long-term reference frameworks within the continually changing transport landscape. The existence of long-term plans for different economic sectors will help the overall planning effort to be well coordinated, and will help avoid development blockages that might impinge on the advancement of other sectors. ***In all, the Plan serves not only the Ugandan economy and its people but extends to grasp the regional picture.***

3.1.2 Uganda's Vision 2040

The Uganda Vision 2040 articulates clear strategies and policy directions to transform the country into a competitive upper middle-income country with per capita income of USD 9,500 building from previous development strategies such as Vision 2025. The development prospects include the discovery of oil and gas reserves, green economy, demographic profile, E-revolution, globalization and regional economic integration among others, as well as associated challenges.

From the environmental perspective, the Vision 2040 intends to conserve and wisely use the country's environmental, natural resources and cultural diversity for collective benefit of the present and future generations and adopts patterns of production, consumption and reproduction that safeguards the environment will be undertaken as a matter of urgency.

In recognition of these aspirations, this road project should conduct ESIAs to mitigate any potential impacts to the natural resources and enhance conservation and sustainability. Such ESIAs will be ready as soon as the technical design of the project is available.

3.1.3 Uganda's Vision 2025

In 'Vision 2025' Ugandans set themselves many goals to achieve by the year 2025. The goals range from political, economic, social, environmental, and cultural among others. Concerning the environmental goals, Ugandans aspire to have a sustainable social-economic development that ensures environmental quality and the resilience of the ecosystem. ***In recognition of these, the project should conduct ESIAs, which should be ready on availability of the technical design of the project. The ESIAs should be consistence with the Uganda Vision 2025 with respect to ensuring sustainable environment and maintenance of environmental quality.***

3.1.4 Uganda National Development Plan 2010/11 – 2014/15

The Plan provides a number of strategies and policies to achieve short to medium term goals for the various sectors in Uganda. Its intention is to build into the Vision 2020 and Vision 2040 aspirations. Under the environmental sector, the plan seeks to among many strategies; promote compliance with environmental laws and policies through a number of interventions including enforcement of EIA compliance through monitoring implementation of mitigation measures. ***This roads project is subject to the national development plan and is obligated to contribute to achieving its goal of environmental conservation and sustainability thus should conduct an ESIA to identify and mitigate any project related impacts.***

3.1.5 The National Environment Management Policy, 1994

The overall goal of the National Environment Management Policy is the promotion of sustainable economic and social development mindful of the needs of future generations and ESIA is one of the vital tools it considers necessary to ensure environmental quality and resource productivity on long- term basis. The policy calls for integration of environmental concerns into development policies, plans and activities. ***Hence, the policy requires that projects (like this road project) likely to have significant adverse ecological or social impacts undertake an ESIA before their implementation.***

3.1.6 The National Water Policy, 1999

The Government of Uganda produced a National Water Policy in 1999, which emphasizes the need for participatory planning at the lowest possible level and specifically mentions the requirement for districts to set priorities, by-laws and annual development plans within policies and guidelines set by national level ministries. ***The policy emphasizes the need for an ESIA for projects that traverse water areas and streams as is the case in this road project. The road project crosses a number of low-lying areas that get water logged, hence the need for an ESIA.***

3.1.7 National Wetlands Policy, 1995

This policy aims at promoting conservation of Uganda's wetlands in order to sustain their ecological, social and economic functions for the present and future generations. In addition, it aims at curtailing the rampant loss of wetland resources and ensuring that benefits from wetlands are sustainable and equitably distributed to all people of Uganda. It calls for no drainage of wetlands unless more important environmental management requirements supersede; sustainable use to ensure that benefits of wetlands are maintained for the foreseeable future; environmentally sound management of wetlands to ensure that other aspects of the environment are not adversely affected; equitable distribution of wetland benefits; the application of environmental impact assessment procedures on all activities to be carried out in a wetland to ensure that wetland

development is well planned and managed.

The policy emphasizes the wise use of wetland resources and incorporation of wetlands into the EIA process. This road project transverses a number of wetlands thus must ensure that these wetland resources are recognized during impact assessment and any project based effects mitigated against.

3.1.8 The National Gender Policy, 1997

The aim of this Policy is to guide and direct at all levels, the planning, resource allocation and implementation of development programmes with a gender perspective. Its overall goal is to mainstream gender concerns in the national development process in order to improve the social, legal/civic, political, economic and cultural conditions of the people in Uganda in particular, the women. ***This policy obliges UNRA to ensure gender dimensions are mainstreamed into road projects at all its stages.***

3.1.9 The National HIV/AIDS Policy, 2004

This Policy provides overall policy framework for national HIV/AIDS response, and in a nutshell, it mandates sectors to mainstream HIV/AIDS into its their programmes, plans and activities hence, the need to have HIV/AIDS mitigation measures integrated into the project during its design and implementation process.

3.1.10 Sectoral Policy Statements & Guidelines for Mainstreaming Cross-Cutting Concerns

The Ministry of Works and Transport (MoWT) has prepared sub-sectoral specific Policy Statements and Guidelines for mainstreaming the following thematic aspects into its development programmes. These are Policy Statements and Guidelines for mainstreaming: HIV/AIDS interventions; Gender; Occupational Health and Safety (OSH); Issues of People with Disabilities (PWDs) and the Elderly. ***These are all deliberate sectoral initiatives to ensure that, specific and special peculiarities and needs with respect to thematic cross cutting issues are integrated into the road sub- sector. These guidelines further provide steps and processes that are to be followed in mainstreaming cross-cutting issues into road projects.***

3.1.11 Resettlement/Land Acquisition Framework 2002

The Resettlement Policy Framework is an institutional safeguard against severe adverse impacts of the planned road projects activities on the social and proposes mitigation measures by:

- minimizing displacement of potentially affected project persons during project implementation;
- endeavouring to ensure that, the project affected persons are adequately compensated; and
- putting in place measures to ensure adverse concerns where it is inevitable.

This policy framework focuses on measures on how to reduce involuntary resettlement, ensuring that, the PAPs are resettled and are not worse than they were before the project. The framework outlines measures to be undertaken with respect to land acquisition matters and which is in tandem with the existing national and international provisions governing land acquisition.

The RPF implementation and subsequent preparation and implementation of the RAP(s) shall be done by the Contractor. The UNRA shall ensure that the contractor in preparing the Sub project RAPs comply with the guidance provided in the project RPF and also oversee an exhaustive

process of disclosure to all stakeholders and approval by the Chief Government Valuer (Valuation Division of the MoLHUD). Where applicable, RAP payments shall be paid before commencement of any civil works.

3.1.12 The MOWT General Specifications for Road and Bridge Works, 2005

The document provides specifications for all activities under road and bridge projects including specifications for environmental management in series 1700 and instructions for HIV/AIDS awareness in series 1800. ***This project must observe these instructions during project implementation.***

3.1.13 National Land Use Policy, 2008

The government of Uganda is instituting reforms in its policy over land. Today we have The Land Use Policy 2008 that provides guidelines on effective land use for socio-economic development and on minimizing land degradation.

The 2004 Land Act Amendment was introduced to reinforces issues of spousal consent and gives women the right of consent about land transaction of household property.

A national land policy (NLP) has also been drafted through an internal consultative process within the government. The final draft of the NLP was presented to Cabinet in March 2011 and in April 2012 was still at that level. Once adopted, it will guide the legal reforms in the land sector. The draft NLP supports the registration of land rights under customary tenure and contains a number of important reform proposals to cause gender equality with regard to land rights and inheritance of land. The draft includes also measures geared at rationalizing and streamlining the land dispute resolution structures and recognizes the role of customary institutions in making rules governing land, resolving disputes and protecting land rights.

3.2 Legal Framework

Uganda Legal section presents a summary of the legal and institutional frameworks governing the construction and operation of the planned upgrading of the road projects. It also summarizes the relevant lead agencies and departments that administer and monitor issues related to the proposed investment.

3.2.1 The Constitution of the Republic of Uganda, 1995

The importance of environment in Uganda is recognized by the Constitution of the Republic of Uganda of 1995. The Constitution provides for inter alia, matters pertaining to land, natural resources such as rivers and lakes and the environment. It is the duty of Parliament to protect and preserve the environment from abuse, pollution and degradation and also to provide for measures intended to manage the environment for sustainable development and promotion of environmental awareness. The Constitution puts upon all Ugandans the duty to create and protect a clean and healthy environment. In this context, ESIAs under this road's project should be conducted so as to identify, assess and put in place measures to ensure that, during implementation of the project the environment does not compromise the environmental and social settings for the project.

3.2.2 The National Environmental Act Cap 153

The National Environment Act is a framework law that provides for the sustainable management of the environment and establishes the National Environment Management Authority (NEMA) as the

principal agency responsible for the management of the environment. NEMA's functions include the integration of environmental concerns in overall national planning through coordination with the relevant institutions of Government; review and approve EIAs and environment impact studies submitted in accordance with the Environment Act and any other law; and ensuring observance of proper safeguards in the planning and execution of all development projects that are likely to have a significant impact on the environment.

NEMA is authorized to delegate any of its functions by statutory instrument to a lead agency, technical committee, the executive director or any other public officer. A lead agency is required to continue performing its duties as prescribed by law notwithstanding NEMA's coordination, monitoring and supervisory function. Environment is defined in the Act to mean the physical factors of the surroundings of human beings including land, water, atmosphere, climate, sound, odour, taste, the biological factors of animals and plants and the social factor of aesthetics and includes the natural and built environment. EIA means the systematic examination conducted to determine whether or not a project will have any adverse impact on the environment. A lead agency means any Ministry, department, parastatal agency, local government system or public officer in which or in whom any law vests functions of control or management of any segment of the environment. A lead agency is required under the Act to submit a report to NEMA on its operations every two years. Further reports shall be submitted on the state of that segment of the environment and the measures taken by the lead agency to maintain or improve the environment if so required.

The National Environment Act is premised on the principle of sustainable development. In its Third Schedule are listed those activities that would require an environment impact assessment (EIA) prior to commencement. An EIA is required for any activity that is out of character with its surroundings including petroleum exploration and production activities and, in particular, for exploration for the production of petroleum in any form.

Section 20 of the Act makes it a legal requirement for every developer to undertake an environmental assessment for projects listed in the Third Schedule of the Act. ***The activities of the planned road works fall under those which are out of character with the surrounding and hence, require an ESIA to be conducted before implementation which therefore justifies the need for ESIAs to be conducted for this road project.***

3.2.3 The Water Act, Cap 152

This Act provides for the use, protection and management of water resources and supply; the constitution of water and sewerage authorities; and facilitates the devolution of water supply and sewerage undertakings. The objectives of the Act are to amongst others: promote the rational management and use of the waters of Uganda through the progressive introduction and application of appropriate standards and techniques for the investigation, use, control, protection, management and administration of water resources; and to allow for the orderly development and use of water resources for purposes other than domestic use, such as the watering of stock, irrigation and agriculture, industrial, commercial and mining uses, the generation of hydroelectric or geothermal energy, navigation, fishing, preservation of flora and fauna and recreation in ways which minimize harmful effects to the environment. Developers planning to conduct activities requiring acquisition/supply of water shall obtain the permit issued by the Director in line with Article 5 of this Act.

For construction works that may require hydraulic works or the use of water, the Act in section 18 mentions that such works shall only be conducted after authorization and permission of the Director by issue of a permit subject to a number of procedures under this section of the Act. Thus any works under this project that may impact or transverse waters must employ the procedures mentioned under this Act.

The objective of the Act is to enable equitable and sustainable management, use, and protection of water resources of Uganda through supervision and coordination of public and private activities that may impact water quantity and quality; hence ESIAs conducted under this project are to outline such measures before project implementation is undertaken.

3.2.4 National Forestry and Tree Planting Act, 2003

The National Forestry and Tree Planting Act 2003 is the main law that regulates and controls forest management in Uganda by ensuring forest conservation, sustainable use and enhancement of the productive capacity of forests, to provide for the promotion of tree planting and through the creation of forest reserves in which human activities are strictly controlled. ***Specifically, the Act provides for tree planting and ownership which should be undertaken in this project as part of environmental mainstreaming.***

3.2.5 The Local Government Act, 1995

This Act provides the legal foundation of the Government Policy on decentralization and devolution of functions, powers, and services to Local Governments. Under this Act, district and lower local councils are given the responsibility of managing their natural resources including environment at the local government level. ***With reference to this project, the local governments should be involved in issues of land acquisition, compensation and environmental monitoring and compliance.***

3.2.6 The Uganda National Roads Authority Act, No.15 of 2006

The mandate of the Uganda National Roads Authority is derived from an Act of Parliament - *The Uganda National Road Authority Act, No. 15 of 2006*. The Authority came into being late 2006 through a statutory instrument by the Hon. Minister of Works and Transport and subsequent appointment of Board of Directors. The Executive Director of UNRA was appointed in November 2007 and UNRA became fully operational on 1st July 2008.

The mandate of UNRA is to develop and maintain the national roads network which currently stands at about 10,800 km.

UNRA's Strategic objectives are;

1 Improving access to most rural and urban areas of the country,
2 Sustainably maintaining at least 80% of the national roads network in fair to good condition, and
3 Enhancing transport safety through improved design and maintenance of the roads, better markings, signage and furniture, education and sensitization of road users.

3.2.7 Land Acquisition Act, 1965

This Act makes provision for the procedures and methods of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Act requires that adequate, fair and prompt compensation is paid before taking possession of land and property. Dispute arising from the compensation to be paid should be referred to the court for decision if the Land Tribunal cannot handle. ***These are all meant to ensure that the process of land acquisition is in compliance with existing laws and that the affected persons receive fair, timely, adequate compensation.***

3.2.8 The Roads Act, Cap 358

The Roads Act of 1964 provides for the establishment of road reserves and for the maintenance of roads. Section 3 of the Act declares as Road Reserve Area

"... an area bound by imaginary lines parallel to and not more than 50 feet from the centre line of any road" and "... no person shall, save with written permission of the road authority, erect any building or plant any tree or permanent crops within a road reserve".

In this respect all the property that follows within the right of way and the road reserve will be valuated and compensated for by the project.

However, this has to be customized since in some cases, there is no clear demarcation of the road reserve. Crops and trees will be evaluated and compensated and a period of six months will be given to the affected people to harvest all their crops in the road reserve.

The Roads Act of 1964 also makes provision for the existence of a road reserve. The Act defines the road reserve as that area bounded by imaginary lines parallel to and not more than fifty feet (~15 metres) distant from the centreline of any road and declared to be a road reserve. The Act furthermore states that no person shall erect any building or plant, trees or permanent crops within a road reserve.

The Roads Act also allows the road authorities to dig and take materials from the road reserve for the construction and maintenance of roads. Contractors will be required to compensate the owners of areas of land used for borrow pits, quarries, camp sites etc. at market rates. ***These instructions must be adhered to during this project implementation considering that possibilities of misuse of road reserves may be evidenced along the route.***

3.2.9 Roads Safety Act (1991)

The Roads Safety Act (1991) protects the community from accidents, by putting them off the Right-of-Way and it gives provision for social infrastructure. Unlike what has happened in the history of roads in Uganda, in the Proposed Construction of the New Bridge across the River Nile at Jinja, the road reserves will be included in the road survey process and be formally gazetted as part of the implementation of the RAP. This consideration is being made to minimize future encroachment.

3.2.10 The Access Roads Act, Cap 350

The Act seeks to ensure that a private landowner/developer who has no reasonable means of access to public highway may apply for leave to construct a road of access to a public highway. The Act permits the owner of any land over which an access road is to be constructed to be paid compensation in respect of the use of land, the destruction of crops or trees and other property on the land. ***The Act also has provisions for grievance resolution between the developer and owner of land over which the access is to be constructed by applying to magistrate's court for leave to construct a road of access. This Act is applicable to this road as design and implementation of the road project is likely to affect access roads to the road to be upgraded.***

3.2.11 The Land Act, 1998

The Land Act provides for the tenure, ownership, and management of land in Uganda. The tenure systems are customary, freehold, mailo and leasehold. Section 43 of the Act empowers the GoU to acquire land compulsorily in accordance with Article 26 (92) and Article 237 of the Constitution.

However, the Constitution and the Land Act have both guaranteed security of occupancy of land to lawful and bona fide occupants. Key considerations on this law is that, the land owner has to sue the land consistently with the existing laws and that, all forms of land tenure are recognized on matters of land acquisition for the project.

3.2.12 The Workman's Compensation Act, 2000

The Workman's Compensation Act outlines responsibilities and obligations for both parties (employer and employee) in guaranteeing the safety and health of the workers. The Act outlines matters of compensation for injuries and accidents as well as the responsibility of employees to take care of their health and safety while on the project.

3.2.13 The Mining Act, 2003

This law, consisting of 12 Parts, describes the mineral and mining development including set-up of new quarries and/or sandpits. Article 110 (1) provides for inclusion in exploration license or a mining lease granted, a condition that the holder shall submit an environmental restoration plan of the exploration or mining area that may be damaged or adversely affected by his or her exploration or mining operations and such an environmental restoration plan is to include the following; identification of the exploration or mining area concerned, its current uses and productivity prior to exploration or mining operations; and a detailed time table of the accomplishment of each major step to be carried out under the restoration plan which is to include:

- the reinstatement, levelling, re-vegetation, reforesting and contouring of the affected land;
- the filling in, sealing, or fencing off of excavations, shafts and tunnels, or
- any other method that may be prescribed;
- the use to which the land is proposed to be put following restoration, including a statement of the utility and capacity of the restored land to support a variety of alternative uses.

3.2.14 The Occupational Safety and Health Act, 2006

The Occupational Safety and Health (OSH) Act replaces the Factories Act (1964). The Act provides for the prevention and protection of persons at all workplaces from injuries, diseases, death and damage to property. The OSH Act covers not just the 'factory' but also any workplace where persons are employed and its provisions extend not just to employees but to the self- employed and any other persons that may be legitimately present in the workplace who may be exposed to injury or disease. ***Employers must provide for the protection of workers from adverse weather, provision of a clean and healthy work environment, sanitary conveniences, washing facilities, First Aid and facilities for meals. The Act provides for safe access to the workplace and safe work practices which applies to this project as well.***

3.2.15 The Employment Act, 2006

This Act provides for matters governing individual employment relationships in terms of circumstances of provision of labor and that, no one should be forced to work, there should be no discrimination with regard to recruitment process, and it prohibits sexual harassment in employment. ***Of relevance to this project the Act provides for matters of grievance settlement and issues of payment of wages and salaries and most important it also obliges employers to repatriate employees especially those from other countries as well as those coming from more than 150km from their home areas.***

3.2.16 The Petroleum Supply Act, 2003

The Petroleum Supply Act of 2003 provides for the transportation, monitoring, importation, exportation, processing, supply storage and distribution among others of petroleum products. It also provides for the licensing and control of activities and installations as well as for the safety and protection of health and the environment in petroleum supply operations and installations. ***This implies the installations of project diesel pump and related petroleum products have to be done in line with the provisions of this Act and also the guidance of the Petroleum Supplies Department in the Ministry of Energy and Mineral Development (MoEMD).***

3.2.17 Historical Monument Act, 1967

The Act provides for the preservation and protection of historical monuments and objects of archaeological, paleontological, ethnographical and traditional interest. The salient provisions relevant to road projects as in Section 10 (1) require that, any person who discovers any object which may reasonably be considered to be of archaeological, paleontological, ethnographical, historical and traditional interests to report such a matter to an inspector of monuments, the Chief Administrative officer (CAO) or curator of the museum within fourteen days. Section 10(2) requires that any person who discovers any such object takes such measures as may be reasonable for its protection. This implies, the project will undertake the chance find measures in addressing possible encounters of any archaeological resources during project implementation and this will be in line with the provisions in the General Specifications for Road and Bridge Works 2005.

3.2.18 Environmental Impact Assessment Regulations, 1998

The procedures for conducting EIAs and guidelines for EIA practitioners and regulatory bodies are stipulated in this document. The regulations require a detailed study to be conducted to determine the possible environmental impacts, and measures to mitigate such impacts. The EIA Regulations detail the procedures for undertaking an EIA and the various stakeholders involved in the EIA process. The Regulations stipulate that it as an offence for any person to commence, proceed with or execute any project requiring an EIA without approval from NEMA. The Regulations advocate for the principle of full disclosure in the conduct of EIAs and makes it an offence to make false statements in an EIA study.

An EIA must be undertaken by experts whose names and qualifications are approved by NEMA. A project brief should be submitted by the developer for consideration. If the project has no significant effects on the environment or if it provides sufficient mitigation measures, it may be approved. In all other instances, the developer will be required to carry out a study and submit an environment impact statement (EIS). In accordance with regulations 13 & 14, in carrying out the study, the developer is required to pay attention to the issues laid down in the First Schedule to the Regulations and prepare a statement whose contents include environmental, economic and social issues.

The First Schedule stipulates that an EIA should take into consideration ecological issues including biological diversity, sustainable use of renewable resources and ecosystem maintenance. The EIS should include findings on social considerations including employment, social cohesion or disruption, human health, migration, communication, local economy, culture and cultural objects of value. The impact of the project on the landscape and on the land uses, current and potential, should be assessed. The developer must seek the views of the communities which may be affected by the project (regulation 12). Once the EIS has been submitted and comments made by the lead agency, comments shall be invited from the persons

specifically affected by the project (regulation 20). According to regulation 21, a public hearing may be required by NEMA if the project is likely to have trans-boundary impacts or if there is controversy.

3.2.19 National Environment (Waste Management) Regulations, 1999

The National Environment (Waste Management) Regulations, 1999 apply to all categories of hazardous and non-hazardous waste and to the storage and disposal of hazardous waste and its movement into and out of Uganda. The regulations promote cleaner production methods and require a facility to minimize waste generation by eliminating use of toxic raw materials; reducing toxic emissions and wastes; and recovering and reuse of waste wherever possible. ***The Regulations oblige the project to put in place measures for proper management of waste. It is also important to note that measures for hazardous waste management in the project should be equally emphasized.***

3.2.20 The National Environment (Wetlands, River Banks and Lakeshores Management) Regulations, 2000

This law, consisting of 4 Parts, describes management policy and directions for important wetlands, riverbank and lakeshore areas that exist in Uganda. Any development projects, within those registered areas need ESIA studies and permission to be granted by NEMA in accordance with Regulation 34 of this law. ESIAs under this project should provide measures for utilization of wetland areas that are traversed by the project amongst other requirements.

3.2.21 The National Environment Regulations (Noise Standards and Control), 2003

The National Environment (Noise Standards and Control) Regulations, 2003 Section 7 of these regulations requires that no person shall emit noise in excess of permissible noise levels, unless permitted by a license issued under these Regulations. Section 8 imparts responsibility onto the owner of a facility to use the best practicable means to ensure that noise do not exceed permissible noise levels. ***The project is obliged to observe these regulations by instituting measures for minimizing noise in the project such measures include proper maintenance of equipment and providing workers with PPEs.***

3.2.22 The National Environment (Audit) Regulations, 2006

The National Environment (Audit) Regulations operationalize the provisions of Section 22 of the National Environment Act Cap 153 which provide amongst others that, an audit shall be conducted on all activities that are likely to have significant effects on the environment (especially road activities) and this should be done in consultation with NEMA. Under Regulation 31, it is mandatory for the project to undertake an Environmental Audit of its on- going activities especially after the commencement of implementation as well as having in place an Environmental Management System (EMS). Furthermore, these Regulations oblige every owner or operator of facilities whose activities are likely to have significant impacts on the environment to establish an EMS.

3.2.23 The National Environment (Control of Smoking in Public Places) Regulations, 2004

Under Regulation 4, it is stipulated that, no person shall smoke a tobacco product or hold a

lighted tobacco product in an enclosed, indoor area of a public place such as office buildings, corridors etc. It further states that, the owner of a public place where smoking is prohibited shall post clearly legible signs, prominently, stating that smoking is prohibited.

It is important to note that:

The signs shall be at least 19 cm by 19 cm in dimension;

The text of the signs shall read "**NO SMOKING"** and shall be accompanied by a no smoking sign of a cigarette in a red circle with a red line passing through the cigarette diagonally from top left to bottom right or any other pictorial representation (Figure 3-1);

Figure 3-1: Illustration of Smoking Prohibition

- The text above shall cover 60% of the sign; and
- The signs shall be posted throughout the premises.

In all, these regulations are to control smoking in public in the project areas.

3.2.24 The Water Resources Regulations, No. 33/1998

Provides amongst others that, (1) a person who, occupies or intends to occupy any land; wishes to construct, own, occupy or control any works on or adjacent to the land referred to in regulation 10 may apply to the Director for a water permit. Factors to be taken into account when considering such an application shall include: the existing and projected availability of water in the area; the existing and projected quality of water in the area; any adverse effect which the facility or allocation or use of water under the permit is likely to have on, existing authorized uses of water; the drainage regime; the environment, including the riverine and riparian environment and in-stream uses of water amongst other considerations. Therefore, in this project, the contractor will put in an application for a water permit for the project and operations of such a permit shall be as per consideration herein under these Regulations.

3.2.25 The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations 1999

The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations 1999, together with National Environment (Waste Management) Regulations of 1999 were put in place to ensure sustainable use of environment and natural resources across the country. Amongst others, under these Regulations, the standards for effluent or waste before it is discharged into water or on land shall be as prescribed in the Schedule of the Regulations.

3.3 International Conventions

Uganda has signed and/or ratified several international agreements and conventions relating to the environment both at regional and global level.

Agreements or conventions of potential relevance to the proposed project include:

3.3.1 The Convention on the protection of the World Cultural and Natural Heritage (World Heritage Convention, 1972)

The Convention cites the need for the states to reorganize the duty of ensuring the identification, protection, conservation and transmission to future generations of the cultural and natural heritage. Bwindi Impenetrable National Park, Rwenzori National Park and Kasubi Royal Tombs are among the few sites in Uganda featuring on the World Heritage List. The proposed project and its associated activities lie outside the known cultural heritage sites in Bwindi and Rwenzori, which are approximately 150 km away from the site.

3.3.2 Convention for the Safeguarding of Intangible Cultural Heritage, 2003

The Convention highlights the need to identify, define and inventory the various elements of Intangible Cultural Heritage in a State Party territory, with the participation of local communities, groups and individual practitioners. It calls upon State Parties and communities to develop Action Plans for safeguarding culture. Safeguarding those traditions entails their research, documentation, and education and transmission appropriate legal protections among others.

3.3.3 The Convention on Biological Diversity (CBD)

The Convention's main objective is to ensure the conservation of biological diversity and sustainable use of its components. The study process should undertake thorough investigation of the sites and come up with lists of biodiversity in the areas and available information indicate that, none of the groups are threatened, rare or vulnerable, hence no impact of the project on such groups.

Uganda has signed but not yet ratified ***the Convention on the Conservation of Migratory Species of Wild Animals (CMS):*** The Convention is aimed at conserving species of wild animals that migrate across or outside national boundaries. None of the species belonging to this category will be affected by the proposed project or any of its activities.

3.3.4 The Convention on Wetlands of International Importance (Ramsar Convention)

The project must ensure that all relevant Ramsar sites will not be directly affected by the planned project activities. Uganda ratified ***the African Convention on the Conservation of Nature and Natural Resources (1968)***, and also signed the Protocol Agreement on the Conservation of Common Natural Resources (1982).

3.3.5 Stockholm Convention On Persistent Organic Pollutants

The **Stockholm Convention on Persistent Organic Pollutants** is a global treaty to protect human health and the environment from chemicals that remain intact in the environment for long periods, become widely distributed geographically and accumulate in the fatty tissue of humans and

wildlife. Exposure to **Persistent Organic Pollutants (POPs)** can lead to serious health effects including certain cancers, birth defects, and dysfunctional immune and reproductive systems, greater susceptibility to disease and even diminished intelligence. In response, the Stockholm Convention, which was adopted in 2001 and entered into force 2004, requires Parties to take measures to eliminate or reduce the release of POPs into the environment. For this project, it is important to note that, the contractor should not engage is waste disposal by burning as this releases POPs to the atmosphere. Measures in which waste material is recycled or recovered should be very much encouraged. For instance, if the communities are willing to take used/old truck tyres will be encouraged rather than burning.

3.3.6 Strategic Approach to International Chemicals Management (SAICM)

Adopted by the International Conference on Chemicals Management (ICCM) on 6 February 2006 in Dubai, United Arab Emirates, the Strategic Approach to International Chemicals Management (SAICM) is a policy framework to foster the sound management of chemicals. SAICM was developed by a multi- stakeholder and multi-sectoral Preparatory Committee and supports the achievement of the goal agreed at the 2002 Johannesburg World Summit on Sustainable Development of ensuring that, by the year 2020, chemicals are produced and used in ways that minimize significant adverse impacts on the environment and human health. Progress in the implementation of SAICM was reviewed at the second session of the ICCM held from 11 to 15 May 2009.

In all, the Project Developer (UNRA) will take into consideration the relevant provisions contained in the above Agreements and/or Conventions at all stages of the proposed project implementation. Emphasis is focused on safe transportation, storage and handling of any chemicals to be used in the project.

3.4 World Bank Safeguard Policies that are likely to apply

The World Bank has developed Operational Policies (OPs) to guide the Bank operations not to harm the people and the environment. There are 10 safeguard policies, comprising the Bank's policy on Environmental Assessment (EA), Natural Habitats,, Physical Cultural Resources, Projects in Disputed Areas, Forests, Indigenous Peoples, Projects on International Waterways, Involuntary Resettlement, Pest Management, and Safety of Dams. The Bank undertakes screening of each proposed project to determine the appropriate extent and type of EA to be undertaken and whether or not the project may trigger other safeguard policies.

The following is a short summary of World Bank operational guidelines and procedures, which are relevant to the proposed project, and offer elements of policy, procedure, good practices and guidance:

OP/BP 4.01 Environmental Assessment (EA)**:** An Environmental Assessment is conducted to ensure that the Bank's financed projects are environmentally sound and sustainable, and that decision-making is improved through proper analysis of actions and their likely environmental impacts. The EA evaluates a project's potential environmental and social risks and impacts in its areas of influence, examines project alternatives, identifies ways of improving project selection, siting, planning, design, and implementing by preventing, minimizing, mitigating or compensating and enhancing positive impacts. It includes the process of mitigating and managing adverse environmental impacts throughout project implementation. They take into account the natural environment (air, water, land etc.), human health and safety, social aspects, trans-boundary and global environmental aspects. The borrower is responsible for carrying out the EA and the Bank advises the Borrower on the EA requirements.

The project belongs to Category B because it will have modest risk to the environment and human

health. The impacts associated with this kind of project are readily identified and can be easily mitigated. The project will follow the existing road alignment and in only in a few unavoidable circumstances deviate from the original alignment, especially in areas of sharp bends/ corners.

The project's subprojects that require an EA will be done following EIA guidelines and adopt instruments attached in Annex1-5. The adverse environmental impacts and mitigation measures to be addressed in the environmental and social management plan (ESMP)-Annex 2.

OP/BP 4.04 – Natural Habitats, The Bank is committed to protecting natural habitats and provides compensatory measures when lending results in adverse impacts. The natural habitats policy is triggered by the project/subprojects with potential to cause significant conversion/loss or degradation of natural habitats whether directly through construction or indirectly through human activities induced by the project. The policy has separate requirements critical and non- critical habitats. This policy will be triggered as the road works will impact on the existing ecosystems along the road including but not limited to major wetlands, forest plantations adjacent to the road.

OP/BP 4.11 – Physical Cultural Resources, defined as movable or non-moveable objects, sites, structures and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious aesthetic, or other cultural significance. The Bank is committed to protecting archaeological sites, historic monuments and settlements. The policy is triggered by any project/subproject that requires an EA and involves significant excavations or is located in the vicinity of known physical cultural resources. Some of the project works are likely to have adverse impacts, on the physical cultural resources and will need appropriate mitigation measures for avoiding or mitigating the impact as part of the EA process. A number of rocks lie within the NECRAMP area of influence that need be evaluated during the project works. In line with this policy, the project shall conduct a detailed PCR study to map out the archaeological resources in the project area and propose measures where such resources are encountered.

OP/BP 4.36 – Forests- The policy envisages the protection of forests through consideration of forest related impact of investment operations, ensuring restrictions for operations affecting critical forest conservation areas and improving commercial forest practice. This policy is likely to be triggered given that there are a few forest plantations of mainly eucalyptus and pine tree species along the road corridor.

OP/BP 4.12 Involuntary Resettlement: The impetus of this Policy is that development projects should not cause the impoverishment of the people who are within the area of influence of the projects. In cases where resettlement of people is inevitable, the project RPF shall be a guiding document for use by the contractor in preparing Resettlement Action Plans for individual sub-projects once their location and scope are known. Proper action plans should be restore and/or better people's standard of life prior to the projects. Concerning public consultations, persons who are likely to be displaced as well as the host communities should be consulted for the successful implementation of the resettlement process.

Given that this project will include rehabilitation and/ upgrading and routine and periodic maintenance as well as instituting road safety measures and traffic management along the road corridor there will be likely need some land acquisition for possible road re-alignment, borrow-pit areas, soil spoil material, workers camps, equipment storage areas and quarry sites, which may have substantial environmental and social impacts.

3.5 Institutional Framework

Taking into consideration the potential risks to the success of NECRAMP, an effective and efficient institutional and management structure is a critical foundation for the implementation of the project and prevention of possible negative impacts to the natural environment and to the vulnerable communities in the project areas of influence.

Uganda National Roads Authority (UNRA)
The Government of Uganda has established a Roads Authority to manage, maintain and develop the 10,800 km national road network. The Mission of UNRA is: to develop and maintain a national roads network that is responsive to the economic development needs of Uganda, to the safety of all road users and to the environmental sustainability of the national roads. UNRA is mandated to ensure that, environmental and social considerations are mainstreamed in all its operations, in order to achieve an acceptable level if environmental performance for all projects implemented by the Organization. On matters of environmental and social compliance, UNRA has set up its Environmental and Social Safeguards Unit which oversees all ESIA and RAP related issues in its road projects. This Unit will take a lead in monitoring compliance of project works with the ESIA and its ESMP provisions during implementation.

The institutional framework for implementation of the NECRAMP contract is demonstrated in Figure 3-2. The contractor will be responsible for most components of the road works. As part of the contractor's team, a provision will be made to cater for an Environmentalist and Sociologist to specifically cover for the needs of the ESMF.

Under the NECRAMP, the Contactor shall be responsible for the for the condition of the relevant Environmental Assessments, while UNRA, relevant Government Agencies and Local Government play their oversight and/or regulatory roles. The contractor will be responsible for implementing the ESMF and other environmental management programmes identified e.g. implementation of the Environment and Social Management Plan (ESMP). The UNRA will provide financing for this purpose.

The Local Governments of Tororo, Mbale, Bukedea, Kumi, Soroti, Kaberamaido, Dokolo, Lira and Oyam districts and the urban local governments of Tororo Municipal Council, Mbale Municipal Council, Bukedea Town Council, Kumi Municipal Council, Soroti Municipal Council, Dokolo Town Council and Lira Municipal Council for monitoring purposes.

All the above authorities must be involved right from planning up to implementation.

The national institutional framework under which NECRAM will be monitored and supervised with the involvement of other key institutions elaborated below:

The National Environment Management Authority (NEMA)
NEMA, the principal agency in Uganda on matters of environment management is empowered by the National Environment Act Cap. 153 to manage, coordinate, and supervise all activities in the field of environment.

NEMA is established by Act of parliament in May 1995 and became operational in December 1995. NEMA was established as a body corporate with perpetual succession and a common seal, in its own name, be capable of suing and being sued and doing and suffering all acts and things as bodies corporate may lawfully do or suffer. NEMA is the principal agency in Uganda on matters of environmental management. NEMA manages coordinates, and supervises all activities in the field of environment. NEMA's functions include the following -

- ensure integration of environment concerns in overall national planning through coordination with relevant ministries, departments and agencies of the Government, liaise with private sector, intergovernmental organizations, NGOs, government agencies of other states on issues relating to environment [s.6(b)&(c)].
- Propose environment policies and strategies the policy committee, initiate legislative proposals standards and guidelines on the environment [6(1) (d) (e)].
- Review EIA.
- Promote public awareness through formal, non-formal and informal education about environmental issues.
- Undertake research and disseminate information.
- prepare and disseminate a state of the environment report once in every two years.

The actual implementation of ESIA is however the responsibility of the lead agencies/developers. NEMA is responsible for undertaking enforcement, compliance, review and monitoring of the environmental and impact assessment (ESIA). In that regard, NEMA facilitates the public participation for the environmental decision-making, and exercises general supervision for all environmental issues. The contractor's role is to provide an environmental social management plan highlighting mitigation measures for anticipated environmental impacts and monitor and implement these measures. In the event that a new ESIA is to be conducted, then the contractor should follow the ESIA processes provided in subsequent chapters of this ESMF.

National Forestry Authority (NFA)
The National Forestry Authority is an autonomous body responsible for improving the management of central forest reserves, expand partnership arrangements as well as financial sustainability. The mandate of the National Forestry Authority NFA is to: Plant trees, establish private plantations, maintain immature Plantations, regulate harvesting of timber trees in plantations, map and verify private tree farmers, maintain and supply seedlings. The role of NFA in respect of NECRAMP are to regulate the use of the central forest reserves and issue permits.

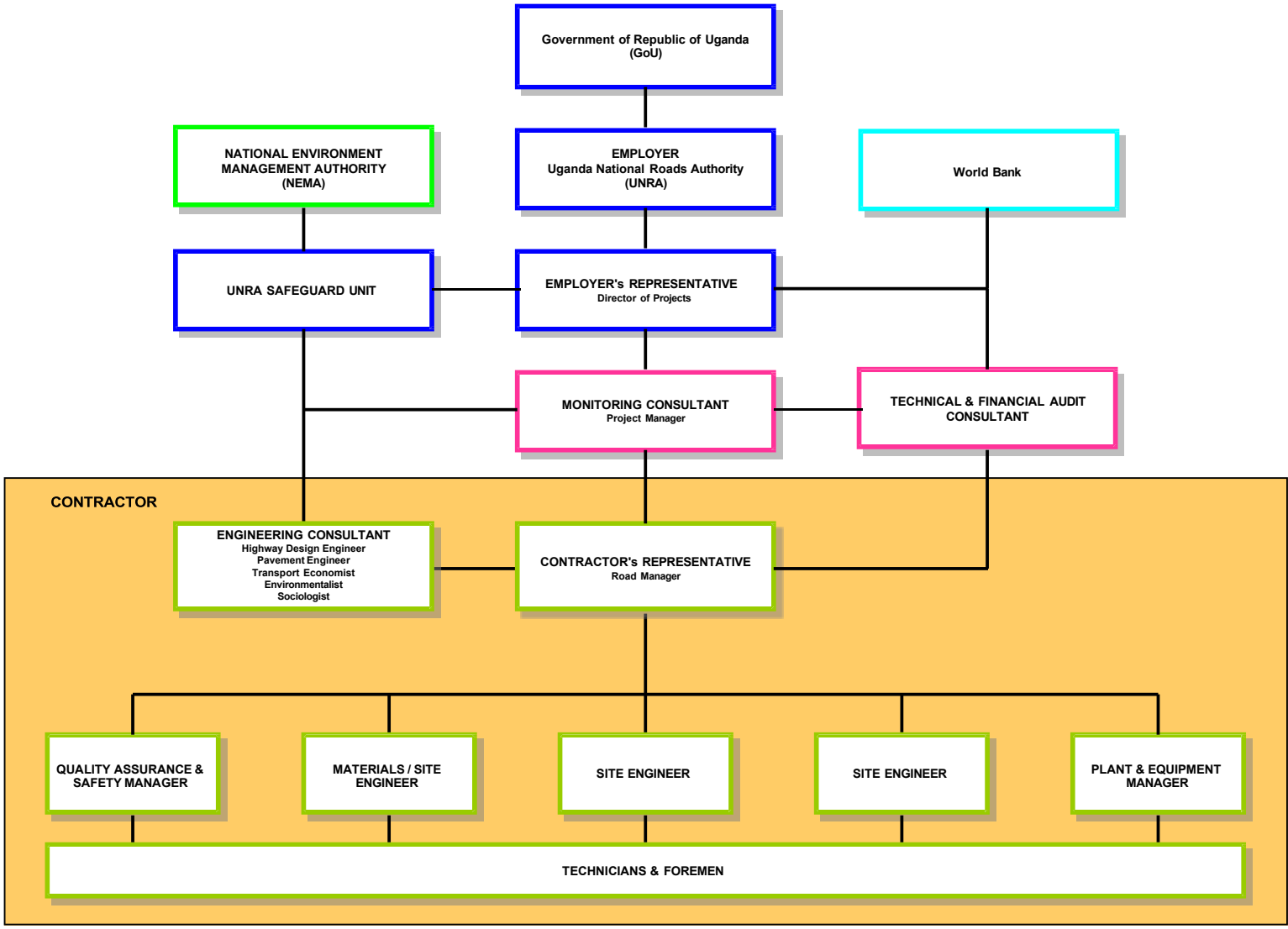
Specifically, NFA will:

- Perform sensitivity assessment of the forest area
- Receive applications for operations in area
- Issue permits with appropriate conditions

Directorate of Environment Affairs
The Directorate of Environment Affairs works towards the overall goal to have a sustainable productive environmental resource and ensure healthy environment for improved livelihood, poverty eradication and economic growth. The Directorate is organised in three departments:

- Department of Forestry Sector Support
- Environment Support Services Department
- Wetlands Management Department

Figure 3-2: Implementation Matrix for the North Eastern Road Asset Management Project Illustration of Smoking Prohibition



4 Institutional Capacity for Implementation of the ESMF

The institutional responsibility for implementation of the ESMF falls directly under the Uganda National Roads Authority supported by consultants. Since the road projects are based at local government levels, district authorities also form key stakeholders together with the companies contracted to maintain or improve the road corridor.

4.1 The UNRA Safeguards Unit

The responsibility for implementation of the ESMF within the Uganda National Roads Authority is anchored within the Directorate of Planning and specifically within the Safeguards Unit. Figure 4-1 shows the current structure of the unit.

UNRA's safeguards unit is under the directorate of planning. It is headed by the Safeguards Manager, who reports to the Director planning. The Safeguards Manager is responsible for supervising and managing the activities of the following specialists:

- Land acquisition Specialist,
- Environmentalist,
- A Surveyor and
- Road safety specialist

The Unit has been in existence for about one year now having been constituted as result of the amalgamation of the former environment, sociologist and land acquisition units of UNRA. It is important to maintain a consistent structure of the safeguards unit within UNRA to enhance its performance. The Unit's basic role in respect to Environmental and Social Management, Land Acquisition and Resettlement Action planning and implementation is to:

- Undertake the overall coordination and oversight for all the social safeguards activities.
- Ensure that Persons affected by road project activities are protected, where inevitable compensated and not left in a worse situation than pre project status.
- Ensure that all environmentally sensitive areas identified and those identified during project implementation are protected in line with the already set national and international standards and environmental management tools.
- Coordinate and link with partners on matters regarding land acquisition, occupational safety and health etc.
- Coordinate and link with partners on matters regarding planning, review and management of environmental and social management measures.

Figure 4-1: Current Structure of the Safeguards Unit of UNRA

Designed by: Davis Muhwezi (TPO)

The Safeguard Unit is responsible for coordination and oversight for all the environmental and social safeguards activities for all UNRA projects in Uganda. Specifically, the Unit:

Provides guidelines and guidance to service providers and to ensure compliance with Environmental and Social Management, Land Acquisition and Resettlement Action planning and implementation regulations. These include supervision and review of reports during preparation of documents for all the above supervision of adherence by the service providers and also during operation and maintenance of the completed road projects.

- Supervises and monitor processes of Resettlement Action Planning and implementation, as well as;
- Ensure that Resettlement issues are well articulated in all phases of the road project cycle.
- Ensure that the Environmental and Social Management, Land Acquisition and Resettlement Action planning and implementation are recognized and mainstreamed in the entire project cycle – planning phase, implementation and operation and maintenance.
- Also ensure that the needs and requirements of the development partners are observed.

The safeguards unit works in close collaboration with other departments such as Supervising Engineers (Consultant) Specialists and the Contractors specialist, etc., to ensure that safeguards

issues are observed. The unit will also work with CSOs/NGOs to carry out trainings and awareness campaigns on non-discrimination for staff, communities, contractors and other relevant stakeholders.

4.2 Capacity of the UNRA Safeguards Unit

It is envisaged that, effective implementation of this ESMF will require adequate capacity enhancement within UNRA and the collaborating institutions.

Table 4-1 below shows a summary of capacity issues identified for key staff within the UNRA Safeguards unit. The table also recommends capacity interventions necessary to ensure that the capacity of the unit in ensuring the effective implementation of ESMFs and RPFs is enhanced. In light of this, the ESMF has provided for a capacity building component through which, the capacity of UNRA staff will be strengthened through tailor made training programs.

Table 4-1: UNRA Safeguards Unit Capacity Issues and Recommendations for Redress

Structure within Unit	Status	Qualifications	Capacity Issues	Recommended Capacity Intervention
Safeguards Management	Position of Safeguards Manager Filled	PhD in Social Anthropology.	Limited Exposure to development and implementation of ESMF	Require basic training and exposure to ESMF development and implementation Approaches to the Enforcement of ESMF requirements and contract conditions adherence
Environment	Position of 1 Environmental Specialist and 1 Assistant both Filled	Environmental Specialist at M. Sc or equivalent qualifications, with 10 years of experience in ESIA related assignments and implementation of Environment and Social Management Plans	Too thin to cover the number of projects to supervise as well as cover Environmental Monitoring and Auditing Limited Exposure to development and implementation of ESMF Inadequate exposure in emerging international requirements.	More Environment staff required to boost current capacity Require professional training and exposure to ESMF development and implementation Approaches to the Enforcement of ESMF/RPF requirements and contract conditions adherence
Land Acquisition Specialist	Position of 1 Land Acquisition Specialist and 1 Land Acquisition Officer filled	Acquisition Specialist with M.Sc. with more than 7 years' experience	Too thin to cover the number of projects/ supervise as well as cover Land Acquisition related Monitoring	More staff required to boost current capacity Require basic training and exposure to ESMF/RPF development and implementation

Structure within Unit	Status	Qualifications	Capacity Issues	Recommended Capacity Intervention
Right of Way	Filled (on temporary contract)			Require basic training and exposure to ESMF/RPF development and implementation

The training focus, emphasis and mode of delivery including the content will be in line with the capacity needs of UNRA. The training will also address the implementation needs of the ESMF as well as, the technical aspects relevant to this road project.

The training will cover the implementation of the ESMF including project screening, impact identification and analysis, Environmental and Social Assessment procedures as well as ESMP. Additional training will be provided on non-discrimination including on the implementation of the guidelines outlined in ***Annex 11***. A training package will also be designed for the national level players in collaborating institutions. This package will mainly entail the fundamentals of ESMF with emphasis on approaches to the enforcement of the guidelines provided in this ESMF policy and legislative requirements and contract conditions adherence. The attendant project activities arising from implementation of the ESMF will also need to be reviewed to help provide a background to cardinal areas for the Safeguards unit to oversee and monitor.

In addition, the unit requires sufficient resources to implement its mandate. Considering the national scope of services scattered in different parts of the country, and limited exposure to ESMF and RPF development and implementation, the main capacity interventions necessary are the indicated in the table 4-2 below.

Table 4-2: UNRA Safeguards Unit proposed Capacity Interventions and Budget Estimate

Capacity Gap	Recommended Interventions	5 Year-Est. (US)
Inadequate staff for both Environmental and Land Acquisition parts of the Unit's structure	Recruitment of additional : 1) 2 Environmental Assistants (Monitoring and Audit) 2) 2 Land Acquisition Assistants 3) 1 Safety Specialist 4) 1 Safety Assistant	540,000
Limited Exposure to development and implementation of ESMF	Orientation training on: • development and implementation of ESMF for all Safeguard Unit Staff • Supervision of Contractor implementation of ESMF • Monitoring and Evaluation Skills	50,000
Grand Total		610,000

4.3 Involvement of Other Key Stakeholders in Enhancing UNRA's Capacity

The structural operations of UNRA have no operational provisions to accommodate facilitation of the local governments to provide monitoring functions or even enhance capacity of its consultants and contractors. All consultants and contractors will have to be given basic orientation to the requirements of the ESMF and RPF with instructions on use.

It is important to observe, however, that local governments suffer the consequences of poor road maintenance, safety as well as environmental and land deprivation issues related to road projects that are the responsibility of UNRA. Incapacity amongst local governments arises from inadequate funding to the Engineering, District Community Development and Environment offices that would otherwise provide supplementary services in ensuring that Environment and Resettlement issues are dealt with adequately and in time.

This ESMF recommends that modalities for involving relevant district authorities in monitoring rehabilitation and maintenance works along the corridor need to be initiated in conjunction with UNRA regional station offices. This must commence with a basic orientation to the requirements of the ESMF and RPF. Involving relevant district authorities in monitoring rehabilitation and maintenance works along the corridor is expected to beef rapid reporting that is vital in the decision-making processes related to maintenance of the corridor.

Since it is primarily the contractor's responsibility to conduct the ESIAs under the NECRAMP, UNRA must oversee and ensure that good planning and early conduct of ESIAs is done in close consultation with the respective Districts (DEOs & CDOs) during the ESIS preparation process.. During implementation, the respective Districts (DEOs & CDOs) will also be involved and the following will be their specific responsibility:

1. The District Environment Officer will take on the roles of;

   › Be a key stakeholder in the ESIA process and participate in review of mitigation measures for various impacts

   › Monitor implementation progress of the ESMP for the road works

   › Monitor for localized impacts to local resources and communities and suggest mitigation measures or alternatives to these impacts

2. The District Community Development Officer will carry out the roles of:

   › Review and monitor implementation progress of the ESMP and the project RPF for the road works specifically taking note of project impacts to vulnerable communities within the road works section and advising on remedial measures where this is inadequate during implementation

   › Participate in land acquisition and compensations activities and render appropriate advise in resolving of any land and property issues from the communities in a manner that does not jeopardise the socio economic status of the PAPs

   › Monitoring for any disturbances to the community in relevance to the development works

The necessary facilitation for these officers will be embedded in the Contractor's Bills of Quantities (BOQs). A sum to cater for this will be agreed during contract negotiation since it is the contractor's responsibility to protect the environment and local resources within the sub project areas.

After signing the contract, with the successful contractor at commencement, UNRA will provide notice to the DEO and CDO through their respective CAOs on their role and the facilitation available under the various sub projects. The respective DEO and CDO will have to review the contractor's ESMP and provide a monitoring work plan to be incorporated into the contractor's work plan in accordance with the resources available. All approvals, complaints and clarifications shall be copied to these officers through their CAOs to enhance transparency, ownership and improve management of the works.

5 Application/Use of ESMF in ESIA Process in Uganda under NECRAMP

5.1 Environmental Assessment

The EIA process follows Guidelines for environmental Impact Assessment in Uganda (1997) and the ESIA Guidelines for the road sector (2008). The latter guidelines outline sector specific ESIA needs, categorizing road projects into those that may require full and mandatory ESIA to be conducted before implementation.

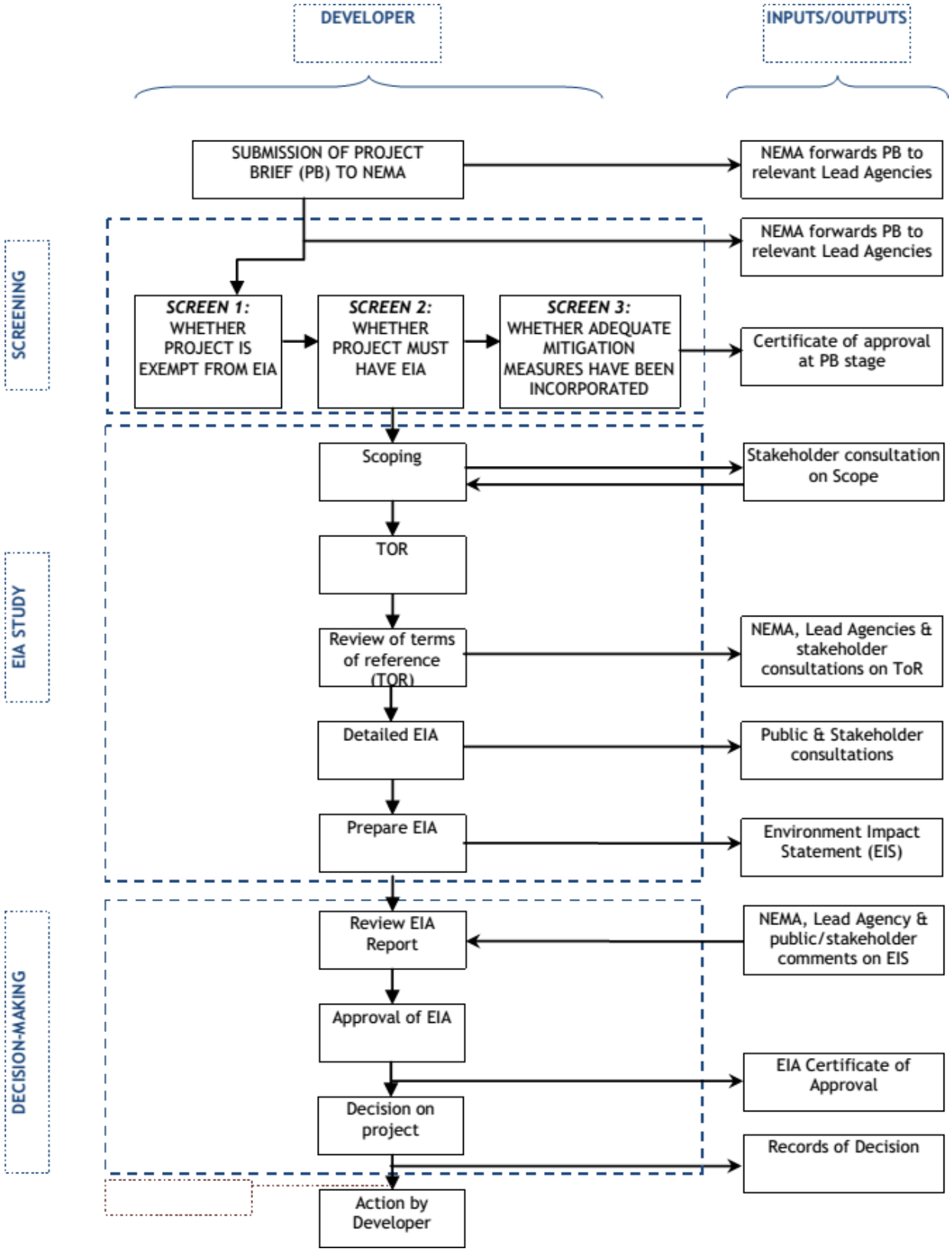
Further, EIA process follows the legal procedures as contained in EIA reference manual for Uganda 2002. The environmental Assessment follows stages illustrated in *Figure 5-1*.

The critical steps for the ESIA process include:

1. Screening (classification) of projects
2. Preparation of the EA (scoping)
3. Managing the EA
4. Reviewing the adequacy of the EA
5. Monitoring and supervision of the EA
6. Evaluating the effectiveness of the ESIA

The ESIA process as described and illustrated under this section shall be used to guide implementation of the NECRAMP.

Figure 5-1: The EIA process in Uganda


DEVELOPER
INPUTS/OUTPUTS
SCREENING
EIA STUDY
DECISION-MAKING
SUBMISSION OF PROJECT BRIEF (PB) TO NEMA
NEMA forwards PB to relevant Lead Agencies
NEMA forwards PB to relevant Lead Agencies
SCREEN 1: WHETHER PROJECT IS EXEMPT FROM EIA
SCREEN 2: WHETHER PROJECT MUST HAVE EIA
SCREEN 3: WHETHER ADEQUATE MITIGATION MEASURES HAVE BEEN INCORPORATED
Certificate of approval at PB stage
Scoping
Stakeholder consultation on Scope
TOR
Review of terms of reference (TOR)
NEMA, Lead Agencies & stakeholder consultations on ToR
Detailed EIA
Public & Stakeholder consultations
Prepare EIA
Environment Impact Statement (EIS)
Review EIA Report
NEMA, Lead Agency & public/stakeholder comments on EIS
Approval of EIA
EIA Certificate of Approval
Decision on project
Records of Decision
Action by Developer

5.1.1 Environmental and Social Screening Process

The screening process is designed to determine which projects require a full EIA process and which do not. Screening is done with the aid of EIA Screening Forms, a copy of which is attached as Annex 1. The screening process ensures objectivity and transparency.

Not all development projects may necessarily cause adverse effects on the environmental due to differences in scale and types of activities to be undertaken during their implementation and their location. This therefore implies that, not all proposed projects requiring Environmental Assessments shall undergo full scale EIA process.

The objective of the screening phase therefore is to determine if a proposed project does/or does not have significant environmental impacts. If it is determined not to have potential to cause significant environmental impacts, it shall be categorically excluded from further environmental impact assessment, and an appropriate decision shall be made to approve and implement the project, with, where appropriate, recommendations to the developer, for sound environmental management of the project.

If it is not exempt, and is found to have potential significant environmental impacts, further screening is conducted to determine if mitigation measures can readily be identified through further Environmental Impact Review (EIR) or a full Environmental Impact Study (EIS) shall be required. If in conducting the EIR adequate mitigation measures are incorporated for the identified impacts, the environmental aspects of the project can be approved.

The screening process, therefore, assists in determining whether a proposed sub- project clearly does not require EIA i.e. exempt category, has significant environmental impacts for which mitigation measures can readily be identified either directly or through environmental impact review or has significant environmental impacts whose mitigation measures cannot readily be identified, hence requiring a detailed Environmental Impact Study.

If a decision is made at the screening stage to exempt a project, or to approve its environmental aspects on the basis of identified mitigation measures, such a decision shall be contained in a Certificate of Approval of the Environmental Impact Assessment issued by the Executive Director of the National Environment Management Authority.

If, however, after screening, it is determined that the project requires a detailed Environmental Impact Study (El study), such a certificate shall only be issued after approval of an Environmental Impact Statement (EIS) done subsequently.

Screening Steps

The environmental and social screening process for sub-projects consists of the follows: initial screening; assignment of appropriate environmental categorization; environmental work; review and approval; public consultation and disclosure; environmental monitoring and follow-up.; and Monitoring Indicators.

Each of these is described in more detail below.

Step I: Initial Screening

Initial screening facilitates identification of potential environmental and social impacts of the sub-project; determine their significance; assign the sub-project to the appropriate environmental category according to the World Bank guidelines; propose appropriate impact mitigation measures or recommend, where necessary, that a sub- project be subjected to a full EIA.

Step 2: Assignment of Appropriate Environmental Categorizations
Based on the information provided, each sub-project will be assigned to one of the following categories:

Category C: Clearly does not require EIA i.e.; exempted category,

Category B: Has less significant environmental and social impacts for which mitigation measures can readily be identified either directly or through environmental impact review, or

Category A - Has significant environmental impacts whose mitigation measures cannot readily be identified, hence requiring a detailed Environmental and Social Impact Study. Activities that are assigned a Category A during screening are not eligible for financing under NECRAMP.

If a decision is made at this stage of the screening process is to exempt a project or to approve its environmental aspects on the 'basis if identified mitigation measures, such a decision shall be contained in 'a" Certificate: of Approval of the Environmental Impact Assessment issued by the Executive Director of the National Environment Management Authority.

If, however, after screening, it is determined that the project requires a detailed Environmental Impact Study (El Study), such a certificate shall only be issued after approval of an Environmental impact Statement (EIS) done subsequently.

Based on the recommendation arising from the screening process, the following Environmental work can be carried out:

5.1.2 Scoping exercise (environmental & social baseline data collection & mapping)

Scoping will entail identification of potentially significant environmental impacts and/ or elimination of insignificant impacts. This will include meetings with relevant agencies and stakeholders to obtain their comments on what should be included in the study and what alternatives to be considered in the planned sub-project designs and implementation arrangements. Scoping covers the physical, biological, social-economic, and environment including project affected communities.

Physical Environment
The core physical environment disciplines will be:

- Air quality;
- Noise and vibration;
- Water quality;
- Transportation; and
- Natural disaster.

Biological Environment
The core Biological disciplines will be:

- Large and medium mammals;
- Birds;
- Reptiles and Amphibians;
- Fishes;
- Insects;
- Plants.

Social Economic environment:

- recreation/tourism;
- land use and agriculture;
- Socio-cultural/archaeological properties (graveyards, shrines etc.);
- property, settlements, project affected communities, community facilities; health and safety aspects;
- recreation/tourism induced development resulting from the construction of the planned alternate road access;

Security implications and other issues of concern other issues of concern.

During scoping, the developer, in consultation with the Authority, Lead Agency, and other appropriate and interested parties, stakeholders and the members of the general public, shall establish the following, among others:

The biophysical features, geological features, ecological features, critical and vulnerable locations and species including those that are endangered, biodiversity features, forests, water bodies such as rivers, streams, lakes, wetlands, etc.;

Suggested delineation of the appropriate boundaries to be considered in the EIA study;

The activities that shall be undertaken during and after the development of the project;

i. identification of the potentially significant impacts of the project which shall be addressed in the EI Study;
ii. Alternatives to the proposed action;
iii. The full range of stakeholders to be consulted and suggestions for full public involvement in the process;
iv. identification of the full range of stakeholders who may be affected or are interested in the proposed project;
v. the technical aspects related to the proposed development;
vi. the materials that the project shall use, including both construction materials and inputs;
vii. the possible products and by-products, including waste generation of the project;
viii. the number of people that the project will employ, the economic and social benefits to the local community and the nation in general;
ix. the environmental effects of the materials, methods, products and by products of the project, and how they will be eliminated or mitigated;
x. Identification of other past, present, or foreseeable future projects in the area that may be impacted upon by, or will impact on the proposed project;
xi. how the proposed project conforms to existing laws, policies and regulations;
xii. Any other matter which may be required by the Authority (NEMA).

The scoping exercise should, to the extent possible, involve consultation with potentially affected communities, relevant government agencies, representatives of other interested parties including Non-Governmental Organizations (NGOs), the private sector, independent experts and all other

stakeholders including the general public.

5.1.3 Identification of significant impacts during scoping

The identification of potentially significant impacts is left to the discretion of all the parties involved in the scoping exercise. Significance is a project and site, specific determination, depending upon the context of the project and its associated activities, its scope and magnitude, and the nature of the proposed project site.

In identifying potentially significant environmental impacts, participants in the scoping exercise shall use their own experience, expertise and knowledge of the project areal\site, or they may utilize a Checklist to assist them in identifying the potentially significant impacts. Participants with little knowledge of the project area\site may consider visiting it to acquaint themselves with the site conditions prior to the scoping exercise. The participants shall also consider direct and indirect impacts, as well as cumulative and any likely growth inducing impacts of the proposed actions.

Once the potentially significant impacts are identified, the participants shall review the proposed alternatives and suggest, if necessary, other alternatives which should be assessed. Impacts which the participants agree must be addressed to protect the environment shall be considered potentially significant.

The scope of this process element would include reviewing the intervention proposals i.e. the extent of works being proposed to identify and scope out Environmental & Social issues for further assessment. The scope of works being proposed on a section of the road network could include;

- Rehabilitation requirements
- Improvement / Widening requirements
- Network Performance (Routine Maintenance) activities

The scoping exercise shall conclude with the identification of the relevant inter- disciplinary expertise necessary to address the identified significant impacts. The names and qualifications of the experts identified to undertake the Environmental Impact Study shall be approved by the Authority.

The responsibility for scoping shall be that of the developer, but NEMA, the lead agencies and other interested parties stakeholders shall also be consulted. The developer (beneficiary community for instance) shall undertake then to prepare a scoping report/ Project Brief which will summarize the results of scoping as provided for both in the EIA Guidelines of 1997 and the EIA Regulations of 1998.

5.1.4 NEMA's Decision on the Scoping Project Brief

The developer will then submit copies of the Scoping Project Brief to the Executive Director NEMA and if the Executive Director deems the Project Brief to be complete, he may transmit a copy of the Report to the lead agency for comments.

If the Executive Director is satisfied that the project will have no significant impact on the environment, or that the Project Brief discloses sufficient mitigation measures to cope with the anticipated impacts he may approve project. The Executive Director of NEMA or his delegated official shall then issue a Certificate of Approval for the project.

However, if the Executive Director finds that the project will have significant impacts to the environment and that, the Project Brief does not disclose sufficient mitigation measures to cope with the anticipated negative impacts, he shall require that, the developer undertakes and EIA for the planned sub- project/works.

The Terms of Reference shall therefore define the scope of the EI Study. Such Terms of Reference shall be submitted to the NEMA who in-turn will forward them to the appropriate lead agencies for comment. The Terms of Reference shall be reviewed by the Authority, in consultation with the responsible Lead Agencies before an Environmental Impact Study is conducted.

Carrying out Environmental Impact Assessment (EIA) is done in cases where the screening process indicated that the scheduled activities are more complex, and would require that a separate EIA be carried out. The terms of reference for these based on the Draft Terms of Reference in Annex would be prepared by NEMA and conducted by qualified consultants authorized by UNRA and NEMA.

The EIA will identify and assess the potential environmental impacts of the planned sub-projects, assess alternative solutions and will design the mitigation, management and monitoring measures to be adopted. These measures will be quoted in the Environmental and Social Management Plan (ESMP) that will be prepared as part of the EIA for the project. The preparation of the EIA and EMSP will be done in consultation with all relevant stakeholders. These will include those likely to be affected by the project.

5.2 Carrying out the Environmental and Social Impact Study

The basic components of the EIA process, including scoping follows a determination by the competent authority that a proposed project or activity requires an EIA, and it follows on from the Screening exercise. The scoping process is used before the preparation of an EIA to reduce the scope and bulk of an EIA, identify only those potentially significant issues relevant to the proposed project, define the form, level of detail, content, alternatives, timetable for preparation of the EIA, and to determine the permits for which information will be developed concurrently with the EIA.

The scope of this process is to identify and assess likely/potential adverse environmental and social impacts due to implementation of proposed road interventions.

The environmental impact assessment study report will incorporate, but not be Limited to, the following information:

i. the proposed location of the project;
ii. a concise description of the national legislative and regulatory framework, baseline information, and any other relevant information related to the project;
iii. the objectives of the project;
iv. the technology, procedures and processes to be used in the implementation of the project;
v. the materials to be used in the construction and implementation of the project;
vi. the products, by-products and waste generated by the project;
vii. a description of the potentially affected environment;

viii. the environmental effects of the project including the social and cultural effects and the direct, indirect, cumulative, irreversible, short- term and long term effects anticipated;

ix. alternatives technologies and processes available and reasons for preferring the chosen technology and processes;

x. analysis of alternatives including project site, design and technologies and reasons for preferring the proposed site, design and technologies;

xi. an environmental management plan proposing measures for eliminating, minimizing or mitigating adverse impacts on the environment; including the cost, time frame and responsibility to implement the measures;

xii. provision of an action plan for the prevention and management of foreseeable accidents and hazardous activities in the cause of carrying out activities or major roads/industrial and other development projects;

xiii. the measures to prevent health hazards and to ensure security in the working environment for the employees and for the management of emergencies;

xiv. an identification of gaps in knowledge and uncertainties which were encountered in compiling the information;

xv. An economic and social analysis of the project;

xvi. an indication of whether the environment of any other state is likely to be affected and the available alternatives and mitigating measures; and

xvii. Any other matters as NEMA may require.

5.2.1 Use of the Environmental and Social Checklists

The environmental and social check list will be completed by the developers or where need be and depending on the availability of resources, an external consultant may be hired to provide such services.

5.2.2 Assigning the Appropriate Environmental Categories

The assignment of the appropriate environmental category to a particular sub- project activity will be based on the information provided in the environmental and social screening form and this will be the responsibility of the developers. The sub-projects can be categorized either as A, B, or C based on the level of anticipated activities to be undertaken.

Category A: Project activities requiring a detailed Environmental Impact Assessment.

Category B: Activities requiring an environmental impact statement or the implementation of simple mitigation measures compiled in an environmental scoping report, a project brief and/or an Environmental Management Plan. .

Category C: Activities neither requiring an environmental impact statement nor an environmental impact assessment. This will be compiled into a project brief and submitted to NEMA for approval.

The assignment of the appropriate environmental category will be based on a combination of consideration of the provisions in World Bank OP/BP 4.01 environmental Assessment and National Environment Act Cap 153.

This project primarily falls under Category B as it is associated with less significant

environmental impacts for which mitigation measures scan readily be identified either directly or through environmental impact review. However, some of the NECRAMP sub-project activities might be categorized as "C" if the environmental and social screening results indicate that such activities will have no significant environmental and social impacts and therefore do not require additional environmental work. Thus, if the screening form has only "none" impacts, the proposed activity will not require further environmental work and screening report and/or scoping reports can be submitted to NEMA for approval before the project can proceed.

5.2.3 Managing the EIA

The EIA will be carried out in conformity with the provisions and procedures of the Uganda Nation Environmental policy framework described the various laws and policy statements mentioned elsewhere in this document: consistent with World Bank OP/BP 4.01.

5.2.4 Review and Approval

The review will be carried out in conjunction with the relevant sector heads. In carrying out the review, they shall ensure that all environmental and social impacts arising from the sub-project have been identified and effective mitigation measures proposed and incorporated into the sub-projects including an ESMP with associated costs.

After approval by the relevant sector heads, the EIA will then be sent to NEMA for its review and approval. NEMA will review these in the context of the EFP's recommendations and if satisfied, approve the EIA and issue the necessary environmental permit to confirm the successful completion of the EIA.

5.2.5 Public Consultation and Disclosure

In line with transparency' principles, the public will be consulted on the proposed works/sub-projects. Public consultations will be held as part of the environmental and social screening and scoping process and during preparation of the Environmental Impact Assessment. The purpose of these consultations is to allow for the identification of the main issues and how the concerns of all parties should be taken into account and tackled in the terms of reference for the EIA.

The procedures governing the EIA provide that public information and participation must be ensured during the scoping period and during the preparation of TOR for the EIA process. The EIA report shall be made available to the public by the UNRA, through NEMA for approval and subsequent disclosure as the ESIA is a public document to be accessed by all stakeholders.. The public information campaign will include particularly:

On or more meetings for the presentation of the sub-project to a gathering(s) of local authorities, population and concerned organizations; and the opening of a register available to all the populations where the concerns, comments and suggestions regarding the project will be recorded.

Wherever there are significant public concerns over the project and / or the impacts are extensive and far-reaching, it is the discretion of the executive director of NEMA to call for a public hearing basing on the outcomes of the Public Disclosure during the ESIS review process. For the Public Hearing to be conducted the Executive Director of NEMA makes a written request to the Lead Agency to hold the Public Hearing. Public Hearings are conducted in line with the relevant national laws and established guidelines. The results of this hearing will be taken into account in deciding whether or not to issue a permit for a sub-project.

5.2.6 Environmental Monitoring and Follow-up

The purpose of environmental monitoring is to check the effectiveness and relevance of the implementation of the proposed mitigation measures. Monitoring will be done by consultant's environmentalist, UNRA environmentalist, station officials, contractors and road committees basing on the scale and complexity of the sub-project. It shall be carried out in accordance with the procedures and at the intervals prescribed in the Project Implementation Plan including Maintenance Schedules where appropriate.

Oversight monitoring by the UNRA will be carried out at quarterly intervals and by the higher-level Local Governments working (where applicable) with NEMA on an annual basis. Additionally, a World Bank-financed Enhanced Implementation Support and Monitoring (EISM) entity will be engaged to assess the level of non-discrimination in the Project and the effectiveness of the actions outlined in Annex 11 of this report. This will be carried out on a quarterly basis.

Monitoring will be carried in accordance with the Environmental Management Plan prepared for each sub-project, which shall include the monitoring indicators for the project. Environmental Indicators may include but need not be limited to the following:

- Loss of Vegetation;
- Land Degradation;
- Legislative Compliance.

Social Indications may include but need not be limited to the following:

- Population Incomes;
- Environmental and Social Awareness;
- Social Inclusion and Non-Discrimination;
- Effect of Project implementation on local household economies.

5.2.7 Preparation of the Environmental and Social Impact Statement (ESIS)

Based on the information from the scoping exercise as contained in the Terms of Reference, an Environmental and Social Impact Study shall be conducted and an Environmental and Social Impact Statement (ESIS) will be prepared. The developer shall submit copies of the ESIS to the Authority that shall in-turn forward copies to the Lead Agency and to other stakeholders and interested parties for comment and review, before approval is considered. Any comments received shall be taken into account in making a decision on the ESIS.

ESIS The findings of the ESIA/IEA report should have contents outlined as follows and should include:

- Acknowledgement
- Executive summary
- Introduction
- ESIA object and methodology
- Project description
- Policy, legal and institutional framework
- Environmental background of the project area
- Project alternatives
- Potential environmental impacts and mitigation
- Environmental Management and Monitoring Plan
- Conclusion and recommendation
- Appendices

5.2.8 Public Disclosure of the ESIA Report

This will entail exposure of all the EIA documents at strategic points within the project's area of influence so as to allow all stakeholders to read and understand how they stand to be affected by the project. The public disclosure period will last a minimum of 21 days and will be advertised in local dailies that are widely read in Uganda, and will be supplemented by public meetings where the project will be explained to local stakeholders. Upon expiry of the public disclosure period, the ESIA team will organize the written comments either into an additional chapter or a volume to the ESIA report. This chapter will clearly explain how each of the comments and concerns have been addressed and resolved.

The comments can be integrated into the report itself as well. This will be issued under the same conditions as is the case of the project report.

5.2.9 Review and Approval

The onus is on NEMA to approval/ disapproves the review results and proposed mitigation measures. On approval NEMA will issue a certificate of Approval with conditions to be met during the implementation of the project.

The Authority, in consultation with an appropriate Lead Agency, shall review the contents of the EIS, paying particular attention to identified environmental impacts and mitigation measures related thereto, as well as the level of consultation and involvement of the project affected stakeholders in the El Study process. In this review, the level of address of approved Terms of Reference set out for the study shall be considered. The Lead Agency, stakeholder and public comments shall be taken into account in making a decision to approve/disapprove the ESIS by the Authority.

5.2.10 Decision Making

Either on the basis of a finding that a project is exempt, appropriate mitigation measures have been incorporated for identified potential environmental impacts, or the preparation of an Environmental and Social Impact Statement, a decision shall be made to approve or disapprove the environmental aspects of a proposed project. If approved, the necessary action shall be taken by the developer. The basic steps in the approval process for the ESIS are as provided in the Guidelines for EIA in Uganda (1997).

The approval and licensing requirements are provided in Table 5-1 below;

Table 5-1: Main EIA/ESIA approval and licensing requirements

No	Regulatory Clearances	Corresponding Regulations	Approving Authority	Typical Time Required
01	Project Brief	EIA Regulations 1998 NEA CAP 153	NEMA	Not more than 7 working days from submission to Authority
02	ESIA, ESMP and monitoring plan in the ESIS	EIA Regulations 1998 NEA CAP 153	NEMA	Within 180 days from submission to Authority
03	Method Statement	MOWT General Specifications for Road and Bridge works 2005	UNRA	Continual
05	Permits and Licenses	• EIA Regulations 1998 • NEA CAP 153 • Water Act CAP 152 • The National Environment (Waste Management) Regulation, 1999. • EIA Wetlands, River banks and Lake Shore regulations 2000 • Water Resources regulations 1998 • OHS Act 2006 • Land Act CAP 227	NEMA and Lead Agencies	Continual
06	Restoration and Decommissioning plans and tree planting schedule	The National Environment Act, Cap 153 EIA Regulations 1998 MOWT General Specifications for Road and Bridge works 2005	UNRA	Continual

6 Environmental and Social Baseline

Baseline social and environmental settings in the proposed areas of the project were documented based on a combination of methodologies such as secondary data, field surveys and consultative meetings with the key stakeholders.

The road works to be covered by the project will be on the existing Tororo- Mbale-Soroti-Lira-Kamdini road, which will likely have minimal change to the alignments. The road corridor goes through urban, semi urban and rural areas, which traverse several districts, towns, municipalities, rural centres and villages. The road corridor crosses diverse social and biophysical environments which include several rivers/streams and swamps crossings, forests, rock areas and agricultural land. The baseline conditions are summarized as follows:

6.1 Socio-Economic Characteristics

6.1.1 Introduction

The Tororo, Mbale, Soroti Lira to Kamdini road passes through ten district local governments in eastern, north-eastern and northern Uganda. These include the district local governments of Tororo, Mbale, Bukedea, Kumi, Ngora, Soroti, Kaberamaido, Dokolo, Lira and Oyam districts.

The road corridor passing through Mbale contrasts heavily in distribution of settlements compared to other sections of the road corridor. Right from Bunghoko sub county up to Nakaloke a stretch of up to approximately 20km, the settlements are concentric, most households own less than one acre of land and population density is estimated to be over 905 persons per square kilometer. Other sections before and after Mbale, show fairly more sparsely distributed population with population densities not exceeding 185 persons per kilometre and many households owning more than one acre of land.

6.1.2 Population of local governments where the road passes

The Tororo, Mbale, Soroti Lira to Kamdini road corridor in one way or the other serves the population of local governments through which it passes. Table 6-1 shows the population of local governments based on 2012 estimates provided in the District development plans of these districts. The road corridor provides a vital link for all agricultural products that form the basis of trade and livelihoods for the local governments.

Table 6-1: Population of Districts through which the Road Corridor passes

District	Estimated Population (2012)
Tororo	468,106
Mbale	553,900
Bukedea	189,774
Kumi	244,500
Ngora	101,807
Soroti	305,900
Kaberamaido	131,650
Dokolo	129,385
Lira	290,601
Oyam	268,415

Source: District Development plans of each local government

6.1.3 Land Use

Photo 6-1 to 6-7 depict some of the features characteristic of human activity besides and along the road corridor. Agricultural activities dominate the landscape along the corridor.

Photo 6-1: (left) Electricity poles found at the margin of the road reserve within the first 1km of the road corridor at Tororo. This is a characteristic feature along the corridor particularly between Tororo and Soroti
Photo 6-2: (right) Banana plantations also found at the margin of the road reserve. This is particularly common within the road stretch between Mbale and Nakaloke

Photo 6-3: Above left: A cassava crop

Photo 6-4: Above right: A promising sorghum crop

Photo 6-5: Rice growing in the wetlands

Photo 6-6: Orange plantation in the Teso sub-region

Photo 6-7: Left: cattle rearing at Kapir (Ngora district) and Right: private forest plantation at Kachumbala all besides the Mbale to Soroti road. NFA has plantations in Kumi & Kachung

Within the corridor are found;

a) Electricity installations within the road reserves particularly along the first 6 km into Tororo and thru road sections between Awoja and Soroti town. These need to be considered where road sections have to be widened at the road reserve

b) Human activity is closer to the road reserve at all major trading centres and Town/Municipal Councils. Approximately 90% of the population along the corridor lives in the rural countryside with most of the households practicing farming (sometimes right close to the road reserve as seen within the Mbale to Nakaloke sections of the Mbale to Soroti road). Livestock farming is also practiced along the road corridor. Livestock farming is more predominantly seen as a feature of the Teso sub region from Bukedea, Kumi, Ngora to the Soroti to Dokolo sections of the road. There are also growth centres that are often seen right into the road reserves. Table 6-2 below shows the major growth centres and Towns falling under this category (contract Lots 4- 3). The practice of farming close to and within the road reserves as seen in the Mbale section of the road corridor presents future road improvement challenges if expansion is necessary since settlements here are concentric and land scarcity is rife. However, if maintenance works are restricted to the road reserve of the existing road corridor, no resettlement is foreseen.

c) Within most of road corridor human settlement (domestic dwellings) are found significantly far from the road reserves. A few dwellings can be seen approximately thirty meters from the road reserve between the Tororo to Mbale up to the Nakaloke to Kachumbala road sections. As one moves away from Kachumbala to Soroti as far as Kamdini, most human dwellings are relatively further away from the road reserve save for the growth centres already described.

Table 6-2: Major Rural Growth centres and Towns along the corridor (Lots 1 -3)

Town / Trading Center	Length (km)
Lot 1	
Tororo Town	**2.2**
Mukuju T.C.	0.7
Busiu T.C.	1.4
Mbale Town	**4.8**
Nakaloke T.C.	1.0
Kachumbala T.C.	0.4
Bukedea T.C.	1.0
Kumi Town	**1.6**
Soroti Town	**3.1**
Sub Total	**16.2**
Lot 2	
Soroti Town	**2.5**
Ojingai Village	0.2
Tiriri Bypass	1.1
Arapai Village	0.9
Amidakan Village	0.9
Otuboi Village	1.0
Dokolo Town	**1.2**
Agwata Bypass	1.0
Lira Town/Bypass	**3.0**
Sub Total	**11.8**
Lot 3	
Lira Town	**1.0**
Ayer Village	0.5
Loro Village	0.9
Kamdini Town	**1.0**
Sub Total	**3.4**

Source: COWI Survey Investigations Report 2013

6.1.4 Ethnic characteristics of communities along the Corridor

Table 6-3 below highlights the native people found within the local governments through which the road corridor passes. There are 6 major tribes within the districts that the road corridor passes. These include the Jopadhola, Iteso[4], Bakenye, Bagisu, Kumam and the Langi (Luo).

[4] *Although they are described as Iteso, the Iteso of Tororo speak a fairly more different dialect compared to those found in Bukedea, Kumi, Ngora or Soroti.*

Table 6-3: Ethnicity within the Districts through which the Road Corridor passes

District	Ethnicity	Major Local Languages Spoken
Tororo	Jopadhola and Iteso	Jopadhola and Ateso
Mbale	Bagisu	Lugisu
Bukedea	Iteso	Ateso
Kumi	Iteso	Ateso
Ngora	Iteso and Bakenye	Ateso
Soroti	Iteso, Kumam and Bakenye	Ateso and Kumam
Kaberamaido	Kumam	Kumam
Dokolo	Kumam and Luo (Langi)	Kumam and Luo Langi)
Lira	Luo (Langi)	Luo (Langi)
Oyam	Luo (Langi)	Luo (Langi)

Source: Consultation meetings

6.1.5 Social Infrastructure

The most dominant infrastructures seen along the road corridor are health facilities and schools. A social infrastructure count reveals that the dominant infrastructures are schools. There are 93 schools (both primary and secondary schools right from Tororo to Kamdini). All major district headquarters have hospitals. There are more than 30 health facilities located within the road corridor.

6.2 Environmental Characteristics

This section provides a description of the physical environment along the road project's route. This includes the geography, topography, geology, swamp crossings, rainfall, and villages. Below is a summary of the major biophysical features:

6.2.1 Air Quality

Data on measured air composition is not available. However, it is important to note that the Tororo-Mbale-Soroti-Lira-Kamdini road is expected to have a traffic growth of approximately 5% as indicated by the traffic count done (2013). Therefore, it is likely to expect that existing levels of air pollutants, associated with traffic emissions, within the corridor of the proposed road section will not significantly increase. It is, however, important to mention adoption of the new guidelines on operation and management of quarries if the stone base is to be sourced from areas of influence. The guidelines should be harmonized with various legislative instruments that are currently in use and/or being developed.

Within the corridors of road sections Mbale-Soroti-Lira–Kamdini, there seem to be no significant sources of air pollution. The existing road and associated works will be the linear sources which cause emission of air pollutants along the corridor of the proposed road sections.

6.2.2 Noise

Noise is another threat to the quality of the environment. Within the corridors of road sections Mbale-Soroti-Lira–Kamdini, there are residential buildings as well as sensitive receptors such as hospitals and schools along the route.

It is expected that there will be an increase of heavy vehicles such as trucks, buses and cars moving on the roads both during the day and at night. These vehicles can generate high noise in

these road sections. Based on the expected traffic load, the planned road works and operation of roads may not increase existing levels of noise within the corridor of proposed road works. It is, however, important to include noise control, mitigation and management measures in the Environmental and Social Management Plan (ESMP), which are fully harmonized with various legislative instruments that are currently in use and/or being developed.

6.2.3 Rocks

Uganda is spotted with thrilling and strange rock formations. Large rocks, which include Kachumbala, Soroti and Nyero are found along and/off the Mbale-Soroti road section are shown in photos 6-8 to 6-10.

Nyero Rock is an important archaeologically site of the Later Iron Age period. The **Nyero Rock paintings** are found off the Mbale-Soroti road. Their three- tiered rock shelter has primitive paintings on their inner surfaces. This site was added to the UNESCO World Heritage list, retrieved on 2009-03-23.

Soroti Rock is a striking prominent granite formation that forms a characteristic "*signature*" of Soroti town. The rock towers above the town center, offering good views across to Lake Kyoga from the pinnacle. The rock is located in Soroti town, which is approximately 112 kilometres, by road, northwest of the Mbale town. The rock itself is a volcanic plug, which are common in the region.

At the back of the rock, there are graves from Uganda's colonial period. On the other side of the airport is a much larger municipal cemetery with Arabic writing.

There is increased human activity around the rock as evidenced by stalls of fresh fruit and vegetables, dry goods and local fish. The rock itself seems to be encroached as evidenced by stone blasts and deliberate fires in areas surrounding the rock.

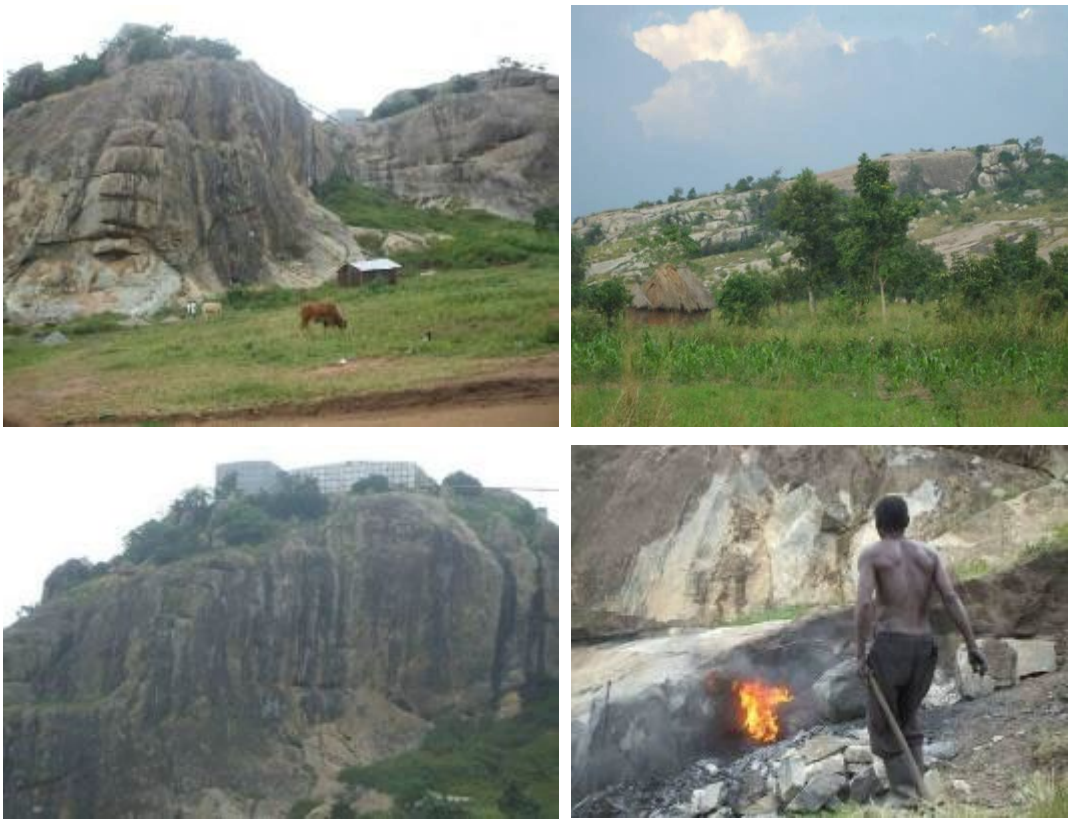


Photo 6-8 (Top left and below left): Overview of Soroti Rock

Photo 6-9: Top right and below right: Human activity in the vicinity of Soroti rock

Kachumbala Rock is also a major archaeological feature in the Tororo-Mbale- Soroti-Lira-Kamdini road corridor. It lies along the Mbale –Kumi road and considered valuable for its aesthetic nature.

Photo 6-10: Overview of Kachumbala Rock. Left –spectacular characteristic feature of rocks sitting on rocks and right, Kachumbala sub county buildings and electricity installations close to the rock

6.3 Biological Environment

6.3.1 Rivers/streams and drainage structures

Some of the major rivers along the Tororo-Mbale-Soroti-Lira-Kamdini road corridor are shown in pictures photos 6-11 to 6-23. These include: Manafwa, Nabuyonga, Mamatala, Awoja and Tochi. These form part of the existing drainage structures of a total of 5 bridges, which span more than 2.5m of the Project Road. Four of the bridges are on Lot 1(Tororo-Soroti) and one on Lot 3 (Lira-Kamdini) as shown in Table 6-4.

Table 6-4: Rivers along the project route

Lot	Location	River
1	Km 31.77	Manafwa
	Km 49.38	Nabuyonga
	Km 52.30	Namatala
	Km 133.63	Awoja
2	Km 63.65	Tochi

River Manafwa

River Manafwa is a raw water source for several upstream communities as well as for Manafwa Water Treatment Plant in Mbale town. Currently, River Manafwa water has brownish coloration attributed to soil erosion and high organic content from the catchment area. We were informed that the amount of Total Suspended Solids (TSS) was often above the recommended limit due to heavy sediment load in the river Manafwa. This results in poor water quality and even at the extraction point to the Water Treatment Plant.

Photo 6-11: River Manafwa, close to abstraction point for Bungokho WTP

Photo 6-12: Km 31.77 Manafwa Bridge, composite deck, edge beam and railings

Photo 6-13: Manafwa Bridge, dangerous narrowing, new bridge with shoulders & sidewalks proposed

Photo 6-14: Land use: sand Mining and farming at Manafwa Bridge

River Nabuyonga and Bridge

River Nabuyonga and its major tributary Namatsio drain across the northern area of the Mbale town. The rivers provide water to the local communities and to the Bungohko Water Treatment Plant. It has variable water flow, which diminishes to a third of its maximum volume during the dry season.

Photo 6-15: Nabuyonga Bridgein northern part of Mbale, good condition but stronger railing proposed

Photo 6-16: Km 49.38 Nabuyonga Bridge, 3 x 5.0m span

Namatala River and Bridge

The river Nashibiso and its tributary Napwoli drain the southern part of the town. These are bound by an extensive plain under Mbale forest plantation (Central Forest Reserve). Several primary and secondary streams originating from within the area drain into R. Namatala that forms the North Western boundary of Mbale town.

Photo 6-17: Km 52.30 Namatala Bridge deck

Photo 6-18: Km 52.30 Namatala Bridge, 1 x 9.0m composite

The following concerns were noted as threats to Rivers Manafwa, Nabuyonga, and Namatala:

- Deteriorating quality of raw water due to siltation and sedimentation from the degraded catchment and road works;
- Water from rivers is dirty due to high turbidity especially during rainy season;
- Agricultural malpractices e.g. de-vegetation, deforestation and bush burning, generate environmental concerns in the catchment areas and need to be addressed in the environmental and social management plans (ESMPs);
- Climate change effects on water flow regimes i.e. Nabuyonga provides much less water during dry season.

River Awoja and Bridge

The Awoja River and Swamp connects Lake Kyoga to Lake Bisina. The Awoja River and Awoja swamplands experience extreme weather conditions such as drought and floods. The Awoja Bridge is frequently out of use due to the flooding in the river and swamplands.

Photo 6-19: Awoja Bridge constructed by SPENCON Technical Services, opened for traffic mid Oct. 2013

Photo 6-20: Km 133.63, Awoja Bridge, composite deck, opened for traffic middle of October 2013

Awoja Swamp

The water colour of Awoja swamp is clear. The swamp has several patches of floating macrophytes and schools of fish, suggestive of high diversity.

Photo 6-22: Awoja patched clear waters
Photo 6-21: Awoja Macrophytes

The Torchi River:

The bridge across Tochi River on Lira – Kamdini section is in generally good condition (refer Photo 6-23).

Photo 6-23: Tochi River Bridgeon Lira-Kamdini Section Km 63-65

6.3.2 Wetlands Ecosystems

Wetlands cover about 30,000 km of Uganda's land area and are considered to be important ecosystems, which contribute considerably to the national economy and rural livelihoods. However, these important ecosystems are currently under increasing pressure due to factors such as population growth, economic reforms, climate change and the desire for increase in per capita income and other pressures of the development process. Threats include among others uncontrolled conversion of the wetlands into agricultural areas and unplanned developments and wetland uses which may have adverse effects on the capacity of the wetlands to perform natural functions. In order to address these threats, there is need to promote wise use of the wetland ecosystem. This can be done using existing guidelines or by developing other guidelines that will assist the various districts in developing ordinances and bye-laws to regulate the use of wetlands in their areas of jurisdiction.

The Opeta-Bisina Wetland System

The Opeta-Bisina wetland system is located in Eastern Uganda. Lake Opeta is primarily fed by rainfall on Mount Elgon and drains into Lake Kyoga via Lake Bisina. It is surrounded by an extensive swamp and floodplain.

The Opeta wetland system is very important for the conservation of dry land bird species especially the Fox's Weaver Ploceus spekeoides, Uganda's only endemic bird that breeds in this wetland. Part of the system covers the Pian- Upe Wildlife Reserve that provides a refuge for the local animals during the dry season. Pian-Upe constitutes the drier parts of the Karamoja region and hence is richer in the drier-terrestrial biodiversity. It is adjoined to the Bisina - Opeta wetland system by a series of marshes and papyrus swamps.

The Opeta and the Lake Bisina sites were both designated as Ramsar sites in 2006. They are both Important Bird Areas (IBAs). Together, this wetland system covers an area of 123,141ha and is shared by the districts of Kumi, Katakwi, Soroti, Bukedea, Nakapiripiriti and Sironko. This system consists of one of the only remaining most important and intact wetland marshes in Uganda (WMD/NU 2008).

Lake Bisina

Lake Bisina is a freshwater lake in eastern Uganda. It is connected upstream via a wetland to Lake Opeta and drains into Lake Kyoga. Lake Bisina is one of Uganda's 33 Important Bird Areas and since 2006 is a Ramsar-listed wetland of international importance. The wetland is part of the Kyoga lakes system, through which the Nile River flows north from Lake Victoria and is important for the conservation of global biological diversity and for sustaining human life through the maintenance of its ecosystem. The system includes several lakes connected by large areas of papyrus swamp. Lake Bisina covers approximately 150 km with a mean depth of 3 m (Vanden Bossche & Bernacsek, 1990). The Lake has over 100 cichlids, representing including tribes Haplochromini and Tilapiin, several of which are included in the Red List of 'Threatened Species' mentioned by the International Union for Conservation of Nature (IUCN, 2010)

Photo 6-24: (Left) Overview of Opeta-Bisina Wetland system

Photo 6-25: (Right) Dependent community on Opeta- Bisina Wetland system

6.3.3 Vegetation and Forests

Uganda's Forestry sector is of high economic importance to people's development and environmental protection. Under the forestry sector, the country possesses abundant potential in areas for investment like timber processing for export, manufacture of high quality furniture/wood products and various packaging materials.

The distribution of forests in Uganda varies greatly by region; the northern region is dominated by woodland, while the majority of the tropical high forest is in the western region and some parts of central region.

The plantation resources along the Mbale-Soroti-Lira –Kamdini road are currently very small but with great potential for expansion in areas along the road corridor. The National Forestry Authority (NFA) and private forests are located along the road corridor. A total of 8 pine, 1 teak and 2 eucalyptus plantations were observed along the Lira-Kamdini road stretch alone.

Kumi and Soroti Forests are located on Kumi-Soroti road sections are shown in photos 6-26 to 6-27. Each is located within 5 km from the Town Centre.

Photo 6-26: Kumi Forest Reserve

Photo 6-27:Soroti Forestry Reserve

6.3.4 Borrow pits

Photo 6-28 to 6-29 show some of the various semi rehabilitated borrow pits of various sizes along the Mbale-Soroti road, which were used by the past contractors. The vegetation in the borrow sites is typical of that growing on leached and infertile soils. The general state of management of the borrow pits is inadequate, posing public health and environmental hazards. In general, a large number of old borrow pit sites do not meet technical requirements. It is, however, important to mention the adoption of the new guidelines on borrow pit management, which is fully harmonized with various legislative instruments that are currently in use and/or being developed.

Photo 6-28: Borrow pits along Mbale-Soroti road

Photo 6-29:Water logged borrow pits along Mbale-Soroti road

6.3.5 Water course and soil erosion

Within the Soroti-Mbale-Lira-Kamdini road corridor, exist several points of soil erosion mainly associated with the road-rehabilitation work, and drainage of run off-water (photo 6-30). The drainage is not ensured to the gutters or over the gutters into the ditches or along the slopes of the embankments. In several places, the gutters and ditches to culverts are lacking. There is potential pollution associated with run-off and soil disposal into the water sources/wetlands during the on-going rehabilitation works of Mbale–Soroti road.

Photo 6-30: Borrow pits along Mbale-Soroti road

7 Stakeholder Consultations

7.1 Introduction

This ESMF is basically the outcome of observations made along the Tororo, Mbale, Soroti, Lira to Kamdini road as well as consultations made with key selected stakeholders.

A transect drive was conducted to observe land use and property for households along the corridor. Some interviews were also conducted and literature review done particularly relating to the World Bank safeguards together with relevant policy and legal framework applicable within the Uganda.

Other methods used include Desk-based research; Site Visits throughout the Study Area to assess the current probable impacts. The primary method of consultation was through Key Informant Interviews conducted through unstructured questions to key stakeholders.

7.2 The Consultation Process

Road projects have environmental and social impacts. Consulting with key stakeholders is therefore important in determining mitigation measures to address the probable impacts. Consultation provides opportunities to create understanding about the project among those it will likely affect or interest, and to learn how these external parties view the project and its attendant risks, impacts, opportunities, and mitigation measures. For stakeholders, the consultation process is an opportunity to raise issues and concerns, ask questions, and potentially help shape the project by making suggestions. Listening to stakeholder concerns and feedback can be a valuable source of information that can improve project and helps to form the basis for future liaison and support.

Stakeholder consultative meetings were held during the ESMF preparation process. These meetings were held in order to involve the stakeholders in planning the development of the ESMF. The key national stakeholders consulted include UNRA Safeguards Team, NEMA, NFA, District Officials such as the Chief Administrative Officer, Officers in charge of Environment, Water, Forests, Land and Production amongst others.. The stakeholders and community members were first informed and then given opportunity to raise their concerns regarding the NECRAMP and regarding probable environment and land requirements.

List of Stakeholders consulted is provided in Table 7-1 below.

Table 7-1: List of Stakeholders Consulted

LIST OF STAKEHOLDERS CONSULTED- TORORO - 04/10/2013			
#	**NAME**	**DESIGNATION**	**CONTACTS**
1	BALABA SWAIBU	DEPUTY CHIEF ADMINISTRATIVE OFFICER	0772 367274
2	LUGOLOBI HAROLD	ASSISTANT CHIEF ADMINISTRATIVE OFFICER	0772 305442 harolbrucee@gmail.co
3	OSUNA EMMANUEL	DISTRICT CHAIRPERS ON-TORORO	emmaosuna@yahoo.com
4	EKANYA GEOFREY	MEMBER OF PARLIAMENT	Ekanya1@hotmail.com
5	OGUTI VINCENT	DISTRICT COMMUNITY DEVELOPMENT OFFICER	0772 555391/0704 403691 Ogutivinc2000@yahoo.com
6	CONGO JOHN	DISTRICT ENVIRONMENT OFFICER	0752 6266817 weseyf@yahoo.com
7	MULABYA WILLIAM	DISTRICT PLANNER	Mulawilliam2gmail.com
8	ASAYA ANDREW P	SUPERVISOR OFWORKS	0772 885374 andrewasaya@yahoo.co.uk
LIST OF STAKEHOLDERS CONSULTED- MBALE - 04/10/2013			
#	NAME	DESIGNATION	CONTACTS
1	WAUSBOW DAVID	PRINCIPAL ASSISSTANT SECRETARY	0782 966450
2	NANGOSYAH WILLY	DISTRICT ENGINEER	0772 433683 nangosyahw@yahoo.co.uk
3	NAKAYENJE ANNA	SENIOR ENVIRONMENTAL OFFICER	0772 555387/0701 555387 nakayenzeanna@gmail.com
4	KASAATA E	MUNICIPAL ENGINEER	0772 459706 timtownguesthouse@yahoo.c om

LIST OF STAKEHOLDERS CONSULTED - SOROTI - 05/10/2013			
#	NAME	DESIGNATION	CONTACTS
1	GRALUDU TOM	ACTING CHIEF ADMINISTRATIVE OFFICER	0772 685856
2	WAKWESA EMMA	STATICIAN	0772 689633 emmawakwesa@yahoo.com
3	ADUTU GEORGE	DISTRICT FORESTRY OFFICER	0772 682954
4	OPOLOT FRANCIS	ENVIRONMENT OFFICER	0782800692
5	DR. EYUDU PATRICK	ACTING DISTRICT PRODUCTION OFFICER	0772 581630
LIST OF STAKEHOLDERS CONSULTED - LIRA - 05/10/2013			
1	EYAL LILLIAN	DEPUTY CHIEF ADMINISTRATIVE OFFICER	0772 663258/0750342001 lillianeyal@yahoo.com
2	OTIKE PABIOUS	ENVIRONMENT OFFICER - LIRA DISTRICT LOCAL GOVERNMENT	0772 453435 pabious@yahoo.com
3	ARIONG FRANCIS	ENGINEERING ASSISTANT	0772 562191 ariongfrancis@gmail.com
LIST OF STAKEHOLDERS CONSULTED - KUMI - 06/11/2013			
#	NAME	DESIGNATION	CONTACTS
1	ORONE JUSTINE	ACTING DISTRICT ENGINEER	0772 199888 oronejustine@yahoo.com
2	ODEKE VALDO	DISTRICT AGRICULTURAL OFFICER	0772 463936
3	IKARA EMMANUEL	ASSISTANT CHIEF ADMINISTRATIVE OFFICER	0782 909304/0700913790
4	AMANO LUCY	DISTRICT POPULATION OFFICER	0751 810383
LIST OF STAKEHOLDERS CONSULTED - BUKEDEA - 06/11/2013			
#	NAME	DESIGNATION	CONTACTS
1	ETIANG JOSEPH	DISTRICT AGRICULTURAL OFFICER	0772 452606 joerets@gmail.com
2	ODENY WILFRED	POPULATION OFFICER	0782 431374 freodeny2000@gmail.com
3	MALINGA JAMES PETER	ENVIRONMENT OFFICER	0772 392187

Table 7-2: Consultation dates with description of stakeholders

S. N.	Date	Stakeholder Group
1	03/10/2013	• Tororo district stakeholders (Technical staff and the political leadership)
2	04/10/2013	• Mbale district stakeholders (Technical staff and the political leadership)
3	07/10/2013	• UNRA Safeguard Unit team
4	10/10/2013	• Lira district
5	05/11/2013	• Soroti district (Technical staff)
6	06/11/2013	• Kumi district (Technical staff)
7	06/11/2013	• Bukedea district (Technical staff)
8	7/01/2014	NEMA: Director,Environmental Monitoring & Compliance (Waiswa Ayazika Arnold) •
9	9/01/2014	• COWI Ltd: Rose Mugide • NFA: Rukundo Tom • NFA: Paul Buyera Musamali
10	10/01/2014	NEMA: Margret Aanyu
11	10/01/2014	• WMD/MWE: Barugahare Vincent
		•

7.3 Key Issues Arising from the Stakeholder Consultation

Several issues arose from the Stakeholder Consultation Process. A summary of main issues raised are highlighted below:

1. All communities along the road corridor must be adequately compensated for livelihoods and properties affected. There must be a commitment on the part of the Contractor to ensure fair, timely and adequate compensation. Resettlement should bring on board the current levels of poverty and not end up impoverishing people the more.

2. Safety of communities must be taken into consideration especially at growth centres, road sections in proximity with schools, markets and health facilities found adjacent to the road corridor

3. Land acquired for borrow pits must be negotiated in a manner that benefits the PAPs. Where the extraction of materials from borrow pits stops, restoration must be done to ensure that the borrow pit can be off use to the affected PAPs

4. Where the contractor's works interferes with existing access roads, alternative provisional arrangements must be made to mitigate the impact of this to business and safety of road users.

5. Compensation rates set by the districts need to be periodically reviewed to ensure relevance and applicability where necessary.

6. There are several wetlands within the corridor. There protection needs to be maximized to ensure sustainable use of these wetlands. This is more particularly important where

communities affected fish, grow rice or even use these wetlands for watering livestock.

7. Dust along the road during construction activities needs to be minimized as it is a cause of ill health as well as destroying the food markets along the road corridor

8. Construction activities that result into stagnant water provide mosquito breeding grounds. The contractor must ensure that this is avoided

9. Neglect to maintain road sections make them dangerous spots for accidents particularly for heavy trucks

10. Maintenance works done without consideration of other facilities within the road reserve such as telecommunication cables and electricity poles expose them to damage destroying lines. This must be mitigated

11. The contractor responsible for road maintenance must ensure that he/she plants trees to manage the environment besides the road corridor.

12. Contractors must as part of social responsibility, support in promoting business along the road. There are markets and trading centres without proper infrastructure. The contractor should help develop them

13. There is need to provide resting places for long distance drivers and passengers long the road. These resting places need to have accommodation facilities.

14. By –passes need to be planned and included particularly in Tororo, Mbale and Soroti as the current traffic load has had a negative impact on the roads within the Municipalities and pose a danger to pedestrians and other road users

15. Quarrying activities must not displace existing community livelihood activities. Where this happens, households affected must be compensated.

The above issues should be considered in the development of ESMF and in its subsequent implementation.

Photo 7-1 below shows some of the stakeholders consulted along the road corridor.

Photo 7-1: Stakeholders consulted in Kumi District Office

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 this project included:

(i) Limited capacity of Project staff in assessing and addressing discrimination-related project risks.

(ii) Risks of exclusion of vulnerable or marginalized individuals or groups from project opportunities and benefits.

(iii) The risk of vulnerable or marginalized individuals or groups declining to access project services, including grievance redress mechanisms.

(iv) The need to build institutional capacity to ensure the participation of vulnerable or marginalized individuals or groups in public consultations.

The approach to managing these issues and other issues raised during the consultations is found in section 8 of this ESMF. A summary of these additional consultations is also posted on the World Bank Website under *Consultations on Inclusion and Non-Discrimination in World Bank-financed Projects in Uganda* (https://www.worldbank.org/en/country/uganda/brief/consultations).

8 Potential Environmental and Social Impacts and Mitigations

The proposed project and its sub projects are anticipated to have potential direct and indirect, on site and off site impacts where *Direct Impacts,* are effects that arise from activities that form an integral part of the project (e.g. site clearance etc.); and *Indirect Impacts*, are impacts that arise from activities not directly and clearly forming part of the project (these include noise changes due to an increase in road traffic flows on existing roads resulting from the construction).

The potential impacts presented in *Table 8-1* provide a conceptual framework through which the identified environmental and social impacts are mitigated, controlled or eliminated through planned activities to be implemented throughout the project life. It also provides opportunities for the enhancement of positive impacts, gives details of the mitigation measures to be undertaken for the impacts, and identifies the responsible institutions to implement the mitigation measures. On this basis the information provided here, appropriate checklists specific environmental assessments will be used.

Anticipated environmental and social impacts and mitigation measures for the different issues may include:

Table 8-1 Anticipated environmental and social impacts and mitigations for the road project;

	ISSUE	IMPACTS	MITIGATION
1	Landscape Alteration Impacts (borrow pits)	> Landscape modifications occur sometimes very severely in areas surrounding road developments, particularly where the road construction leads to conflict with adjoining landscape features (e.g. natural relief and morphology, hydrology, recreational areas, cultural heritage sites). > Vegetation clearing Quarrying, borrow pits and gravel winning associated with road construction potentially scar and degrade the landscape.	> Borrow pits should be rehabilitated at project completion, with input from the contractor, the supervising Consultant and the Department of Roads. Its maintenance and subsequent rehabilitation methodology should be included in the borrow pit operation plan supplied by the contractor. Re-vegetation and tree planting initiatives should be conducted under the project.
2	Impacts on Soil	Important soil properties used to support productive activities and biodiversity are	Minimizing the area of ground clearance along the construction

	ISSUE	IMPACTS	MITIGATION
		lost through compaction with heavy machinery, topsoil removal and sheet erosion in high rainfall areas, road waste dumping, spillages, and excavations and borrow pits, among others. • Erosion might result in adverse cumulative effects far beyond the road corridor and the project area of influence, affecting slopes, streams, rivers, and dams. • Agriculture and fishing may be affected through sediment transfer in run-off into water bodies. • Road development although narrow and linear in character removes considerable amount of land from production. • Spillage of hazardous products in transit is also a potential source of soil pollution	corridor; • Avoiding sensitive alignments, including steep slopes; Progressive replanting of disturbed areas during construction; • Specifying as contractors' obligation to cover issues such as erosion control, spillage prevention during construction, and planting and ensuring effective re-vegetation; • Engineering solutions such as intercepting ditches at the tops and bottoms of slopes, with gutters and spillways used to control the flow of water down a slope; • Enforcement of emission and discharge standards under the National Environment Act; • Enforce guidelines for transport of hazardous substances defining permissible routes; and • Development of emergency response procedures for spillages

3	Water Resources Impacts	› Road development activities can modify the hydrology of an area, affecting aquifer re-charge, surface water, groundwater, and the water table and flow characteristics. › There can also be deterioration in water quality of both surface and groundwater, particularly from leakages and spillage of oils, lubricants and other hazardous substances. › Potential sources of impacts are site preparation and clearing activities, heaping of materials, blocking and narrowing water channels and flows at certain points.	› Minimizing the number of water crossings through alternative route surveys; › Using clean fill materials around watercourses such as quarried rock containing no fine soil; › Providing reservations/buffer zones of undisturbed vegetation between road sites and water bodies; › Constructing run-off channels, contouring or other means of erosion control; › Paving sections of roads susceptible to

	ISSUE	IMPACTS	MITIGATION
		• In some cases the speed of flow may be increased resulting in flooding, ponding, soil erosion, channel modification and siltation of streams. Earthworks, road drainage and excavation, erection of embankments and structures can reduce or raise the water table (through restricting flow). • Other sources of water pollution include sedimentation, changes in biological activity in streams and on their banks, exhaust emissions, pavement and tyre wear, and corrosion of metals, among others.	erosion and sedimentation; and, • Compensating by providing alternative source of water such as bore holes for communities adversely affected; • Enforcing the environmental guidelines for water courses, wetlands and river banks.
4	Agriculture and forestry	• Involuntary land acquisition and displacement • Deforestation, habitat destruction and loss of biodiversity › Land degradation & soil erosion	• Conducting land acquisition assessment, land use planning and resettlement • Environmental assessment & biodiversity conservation › Appropriate engineering design

5	Habitat Destruction and Disruption	• Important wildlife habitats, threatened and endangered species of flora and fauna may be destroyed in the road project. Road corridors, disturbance of ecosystems stability and health. • Plant and animal communities may be fragmented into weaker ecological sub-units, rendering them vulnerable to invasions and degradation. • The opening up of borrow pits and quarries to support road construction is equally destructive to wildlife and habitats. • Erosion from poorly constructed and rehabilitated sites (of both road and related areas) can lead to downstream siltation, contaminating water resources and ruining fish spawning grounds. • Alterations of flow regimes, flood cycles,	• Avoiding environmentally sensitive areas to prevent severe impacts on flora and fauna; • Crossing of water bodies should be avoided, and buffer zones of undisturbed vegetation must be left between roads and watercourses; • Replanting in road rights-of-way and adjacent areas to accelerate re-vegetation and succession; • Using existing quarries that would not impact on sensitive habitats • Re-engineering road cross-section designs along existing road corridors. Opening of new roads should be avoided at all costs. • Providing wildlife and animal crossings

	ISSUE	IMPACTS	MITIGATION
		tidal flows and water levels can upset trophic dynamics by affecting the life cycle of plankton, with corresponding effects on the entire food chain. Re-channelling of waterways is often undertaken as part of road construction to avoid flooding and make crossing structures simpler. In the process, natural streambeds are interfered with adverse consequences.	to facilitate movements; Fencing or planting barriers to reduce the risk of collisions between animals and vehicles; Installing traffic control measures, e.g. speed limits, particularly at night in areas of frequent animal crossing, erection of warning signs, etc.; and Installing roadside reflectors to scare animals away from the roadway when vehicles approach at night.
6	Waste Generation and Disposal Impacts	Different forms of solid and liquid waste including excavation spoil, construction waste, waste asphalt, sewage, garbage and oil spills from construction equipment are generated. Areas alongside road construction may become centres of intense trading which leave in its trail serious sanitation problems.	Waste management should include compliance with licensing requirements under the National (Environment (Waste Management) regulations 1999 and the National Environment (Standards for Discharge of Effluents into Water or on Land) Regulations, 1999 Disposal of construction and related waste materials at designated and approved waste dump sites; Adoption of waste minimization measures; Incorporation of waste management plan in road planning and contract specifications; Collaboration with relevant District Authorities to enforce appropriate sanitation and other bye laws;

7	Traffic Disruptions and Diversion Impacts	There can be serious disruptions to local traffic and also accidents during road construction and rehabilitation. The situation can be aggravated without carefully planned detours and road closures. The effect of traffic disruptions includes increased travel time, congestion, social stress and agitation.	Haul routes should be carefully designed to ensure minimum disruption to traffic. Relevant maximum speed limits should be applied to all construction vehicles within residential areas.

	ISSUE	**IMPACTS**	**MITIGATION**
8	HIV/AIDS	An influx of migrant workers during construction of roads can be a socially disruptive force (spread HIV/AIDS): Construction camps can lead to increased incidence of sexually transmitted diseases (STDs) including HIV/AIDS and other social diseases, which can result in increased load on local health facilities. Absences of migrant workers from family for prolonged periods have the potential to fuel the practice of extramarital affairs and unsafe sexual practices	Employ Locals to reduce migrant workers and their related problems. Eliminate stigma and discrimination against employees infected with HIV/AIDS. HIV/AIDS prevention clauses must be incorporated into works contracts and the bills of quantity. Dismissals must not be based on HIV status. An HIV/AIDS prevention and treatment policy for work places must be prepared HIV/AIDS awareness campaigns should be conducted frequently including dispensation of condoms.

9	Health and Safety Impacts	• The main hazards are likely to be conflict between public road users and construction trucks on public route(s). • Also the likely impact is collision of public vehicles with construction trucks and stones falling from trucks damaging windscreens of public and private vehicles. • Injuries may also arise from road traffic accidents which may occur when parts of roads are being piled while road construction is still underway. This has the potential of harming both workers and road users, including pedestrians.	• Alternative haul routes for construction trucks should be identified to avoid conflicts and accidents along public roads. • The contractor should have his own health and safety policy, which is implemented and monitored by a responsible person on site. This must be approved by the consultants/road officials or engineer.
10	Occupational Health Impacts	• The proposed Roads project exposes the contractor's employees to occupational health and safety hazards. Amongst the most serious of the health concerns is the spread of HIV/AIDS. The effects of construction work can have an effect on the health of the construction employees, and those living in or visiting construction sites.	• The contractor should comply with national health and safety guidelines and legislation. • The contractor should have his own site specific occupational health and safety plan, which is implemented and monitored by a responsible person on site. This must be approved by the

	ISSUE	IMPACTS	MITIGATION
		• Refuse from construction operations, inadequate sanitation and domestic waste from sites offices can cause a health hazard. These include damage to health from air pollution, communicable diseases such as tuberculosis, and also malaria whose transmission may be enhanced by pits (collecting water) created from excavation and quarrying during construction activities, as well as injuries.	consultants/road officials or engineer. • Operators should be provided with protective clothing, first aid equipment and other suitable safeguards, but most of all, staff must be given adequate training.

11	Health Damage from Air Pollution(Dust)	Construction activities produce large quantities of dust especially in the dry season. Additionally, airborne pollution can be produced by badly maintained vehicles and machinery. Airborne particles have negative impacts on health as they can easily be inhaled. Apart from construction personnel, local residents will be affected by dust and airborne pollution. The borrow pits will be used to provide needed sources of construction material. Dust and air pollution will be experienced along the haul routes, some of which are public highways. The resultant effects are acute respiratory disorders, lung and heart diseases.	Contract specifications to include dust control measures i.e. water sprinkling/spraying if used, the haul roads from borrow pits should be regularly maintained (lightly watered) Avoid or minimize operations likely to create dust during windy weather. Minimize stripping of vegetation so that surface soil is less susceptible to erosion Ensure that all plant and equipment is regularly serviced to reduce emissions. Contract documentation must give supervising consultants the power to stop contractor operating polluting vehicles
11	Land Acquisition and Property Loss	Compulsory land acquisition (expropriation of property for public projects) and demolishing of structures such as buildings, shops associated with road developments can result in displacement of communities, loss of business, properties and incomes, social stress, social and psychological disruption for the affected individuals and families	Choosing route locations away from built-up areas and restricting the extent of road works to avoid interference with existing activities. Adoption of a reduced speed design, reduced right-of-way land requirements, or design changes to reduce impacts on properties and activities. > Alternative considerations in route selection. Compensation rates for owners of the land, properties, etc.

	ISSUE	IMPACTS	MITIGATION
			that reflect current market realities. Resettlement / rehabilitation of affected persons where possible (preparation of resettlement action plan)
12	Communities and Economic Activities Impacts	Road development can have significant long term adverse impacts on human communities. These impacts include splitting up of communities, loss of roadside community business and social activities, disruption of links between villages and their farmlands, increased land and property values leading to higher rents, and displacement of lower income tenants. The introduction of faster traffic, access controls, and median barriers generally cuts traditional lines of travel or communication in communities	Where possible, local construction companies and labor should be employed so that financial benefits remain in the locality and the number of migrant workers is minimized. Where possible use local companies to supply construction materials. Consider pre-contract clearance of vegetation by local villagers. Benefits will be in the form of employment and the felled/cleared timber

13	Noise and Vibration Impacts	› Construction activities such as excavation, compaction and general movement of plant and machinery create noise and vibration far beyond the immediate road corridor. The impacts are likely to be experienced by › Passing motorists, wildlife and those at the nearby offices. › The effects of excessive noise and vibration include physiological disruption, hearing impairment and communication problems. These may cause elevated stress levels and associated behavioural and health problems. › They can also cause auditory fatigue, sleep disorders, and even contribute to learning problems in children. › Vibrations can damage roadside structures, particularly makeshift or lightly constructed buildings. Noise also has the potential to disrupt wildlife	› Plant and machinery should be properly maintained to reduce noise. › Construction works should only take place during reasonable working hours. › Note pre-development condition of buildings within the road corridor in the village. The Project implementers should conduct a structural survey of buildings deemed "too close" to the project area and document them for future reference in case compensation claims arise (due to vibrations). › Providing reservations/buffer zones of undisturbed vegetation between road sites and households to act as noise barriers, including "tree belt" or "tree buffer". › Road design standards must be adhered to in order to avoid steep grades and sharp corners to reduce

	ISSUE	IMPACTS	MITIGATION
		habitats and movement in sensitive areas	noise resulting from acceleration, braking, gear changes, and the use of engine brakes by heavy trucks at Critical locations.

14	Impacts on Cultural Resources	Road developments lead to damage to areas of historic, scientific, social and amenity values, and also affect the aesthetics of cultural monuments and archaeological resources. This can occur where road design and construction do not take account of such cultural heritage and resources. Damage may also be caused by road construction related works such as quarries and borrow sites, and unregulated access to cultural heritage sites	Undertake detailed archaeological impact studies for all new borrow pits Undertake watching briefs for construction activities in built up areas Where possible Road construction must avoid alignments that cut through known cultural sites; Cultural resources uncovered during road works must be reported to the Department of National Museum, and Monuments Salvage excavation must be considered where it may not be prudent to realign the road to avoid sites.
15	Social exclusion and discrimination	– Vulnerable or marginalized individuals or groups may be excluded from project benefits and activities.	Provide training on non-discrimination and social inclusion for Bank staff, clients, contractors and communities through service providers if required. Enhance project monitoring and supervision through a World Bank-financed Enhanced Implementation support and Monitoring entity, if necessary. Bolster consultations to detect instances of discrimination. Establish a GRM process that provides vulnerable PAPs with an effective and secure pathway to lodge complaints without fear of retaliation. Include contract provisions and CoC clauses which guard against all forms of discrimination. Implement the actions outlined in ***Annex 11*** of this report.

8.1 Discrimination against Vulnerable or Marginalized Individuals or Groups

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

Vulnerable or marginalized refers to individuals or groups who, by virtue of, for example, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, economic disadvantages, 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.

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

Risks

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

Identified risks include:

(i) Limited capacity of project staff in assessing and addressing risk of discrimination.

(ii) Project staff's inability to ensure vulnerable or marginalized individuals or groups' participation in public consultations.

(iii) The possibility that vulnerable or marginalized individuals or groups may be unwilling to use the project's GRM for fear of retaliation, as addressing some of these complaints might cause harm to the parties involved.

(iv) The need to build institutional capacity to ensure the participation of vulnerable or marginalized individuals or groups in public consultations.

Mitigation Measures

These mitigations will be implemented by the Project Implementation Unit with the support of an Enhanced Implementation Support and Monitoring (EISM) firm or agency 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 firm 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 firm will provide is found in Annex 11.

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

- Develop training, sensitization and Information, Education and Communications material on the obligations of project participants to ensure non-discrimination of individuals or groups who are vulnerable or marginalized, and to ensure they have access to appropriate expertise to help them do that.
- Undertake targeted consultations with external stakeholders, including as appropriate NGO/CSOs, local governments and other stakeholders to ensure there is broad understanding of the obligations of project participants to ensure non-discrimination under the project.
- Review all Project contracts, Codes of Conducts, human resource procedures and protocols, whistle-blower protection protocols, and other measures, as needed, to ensure they have a requirement regarding remediation of cases of discrimination.
- Review the human resource procedures and protocols, whistle blower protections and other relevant policies and protocols to ensure appropriate principles of non-discrimination are included.

- Enhance the project Grievance Redress Mechanism to include an effective, safe, ethical and confidential referral pathway to ensure that vulnerable or marginalized individuals or groups are comfortable reporting incidents of discrimination or exclusion and that such grievances are addressed quickly, efficiently and appropriately.

- Facilitate the monitoring of implementation of all measures to ensure non-discrimination under the project by supporting the EISM firm to ensure all measures are implemented and all reported incidents are shared with the Bank and addressed in a timely fashion.

9 NECRAMP Environmental Planning & Implementation

In order to achieve the goals of the ESMF, a model Environmental and Social Planning and Management Process will be adopted as shown in *Figure 9-1*. The Contractor shall review and replicate a similar framework as part of his overall Project Management Framework and Systems.

The mitigation measures outlined in the ESMF and relevant ESIA will be implemented following the project's implementation schedule as all environmental and social activities have been incorporated into the project design and implementation. The Project's environmental and social compliance progress and challenges will be reported together within the overall quarterly/annual progress reports which will be timely addressed by the project management team and the Bank.

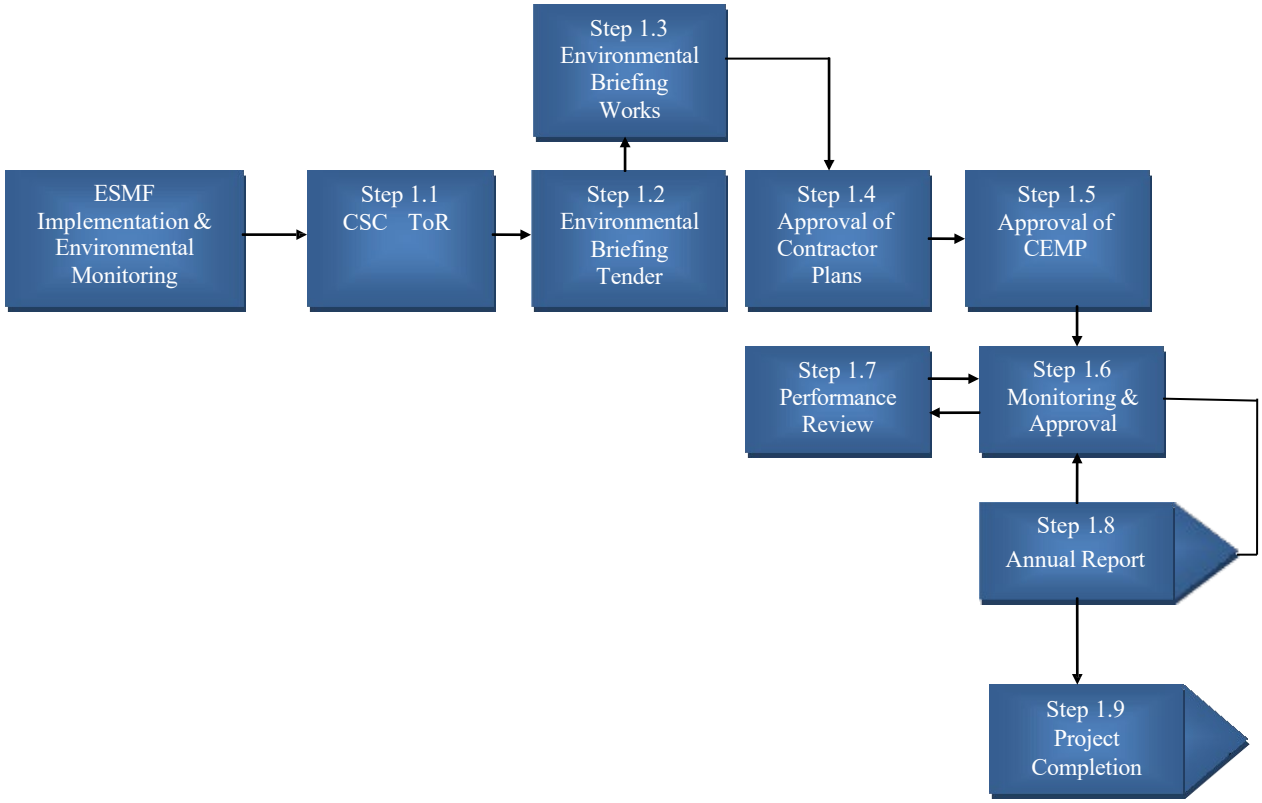
The Environmental and social team from the Contractor's team as well as that of UNRA will provide the input to these reports.

9.1 Incorporating Environmental and Social Assessment into the Project Cycle

The overall framework for Environmental Management on the NECRAMP is provided in Figure 8-1, which highlights main steps in the implementation of Environmental & Social Management Framework (ESMF). The ESMF implementation and monitoring framework applies to this project as it moves into the rehabilitation/construction phase of the project cycle. The overall framework for Environmental Management on UNRA projects is provided by the ESMF. It is essential that subsequent Contractor Environmental Management Plan (CEMP) should ensure compliance with the information contained in the ESMF of documents and should address all works and completion activities. The ESMF shall be used by the Contractor and the Construction Supervision Consultant (CSC) to ensure implementation of mitigation measures alongside the road works.

The UNRA Environmental Safeguard team (Environmental and Social Specialists); UNRA Engineers and Project Managers; UNRA Construction Supervision Consultants and their Environmental and Social Specialists and Contractors and their Environmental and Social Specialists should be conversant with ESMF.

Figure 9-1: Flow chart highlighting the main steps in the Environmental & Social Management Framework (ESMF)



Step 1.1: Construction Supervision Consultant and Terms of Reference (ToR)

The UNRA Environmental Safeguard team will liaise with the UNRA Technical Services Manager to ensure that the ToR reflect the true needs and demands of the project. The particular requirements of the project as defined in the ESMF as well as ESIS/PB must be reflected in the terms of reference for the Environmentalist and Sociologist, who should be present for at least 1/3rd time on site.

Step 1.2: Environmental Briefing and Tender

At the tender meetings for both CSC and for Contractors, a designated agenda item should be assigned to briefing on environmental matters and dealing with any questions that may arise. The briefing of potential CSC's shall be undertaken by the UNRA Environmental Safeguard team. The environmental briefings should be given jointly by the CSC (if appointed), UNRA Project Manager and UNRA Environmental Safeguard team. This may also include support from the UNRA Land Acquisition Specialist. Technical support will be provided by the CSC Environmental Specialist and Sociologist (as appropriate and if appointed). This assistance will include preparation of briefing notes to be issued to the Contractor. A copy of the ESM/ESIS/Project Brief/RAP will be provided to the contractor at the pre-tender meeting.

Matters to be covered in the briefing include the following:

- The background and context of the approach to environmental management which will be taken during the construction phase, drawing attention to the following points;
- UNRA is an organization of a Government whose publicly stated policies include commitment to environmentally sustainable development and protection of the environment;
- UNRA has a statement of environmental and social commitment which requires Government funded projects to incorporate appropriate measures to avoid adverse environmental impacts, and also has other specific requirements concerning environmental matters;
- The construction contracts contain a number of clauses whose intention is to control adverse impacts, in line with meeting the environmental policies of both Government and UNRA;
- Contract clauses relating to environmental matters have equal standing in contract law with those relating to engineering matters and the contracts will be administered accordingly;
- Construction supervision will include monitoring of, and reporting on, environmental aspects, on a daily basis. In this regard, Contractors shall be required to have in place an Environmental Management System

(EMS) in line with regulation 8 of the National Environment (Audit) Regulations, 2006;

- Environmentally-friendly construction involves little more than the adoption of good construction practices;
- A summary of key adverse impacts and the contractual obligations which will be imposed on contractors in order to minimize occurrence and severity of construction impacts;
- The desire by UNRA to have demonstrated environmentally conscious business partners through national and international environmental accreditation mechanisms;
- Emphasis on the need for pricing of tenders to take into account fully compliance with environmental requirements set out in the tender documents, so as to facilitate compliance and to avoid subsequent disputes;
- An outline of what will be required in the selected contractor's method statements and plans, submitted for the approval of the Engineer;
- A reminder that opening of new quarries, borrow pits, camps and establishment of new hot-mix plants has to be done in accordance with current environmental legislation (which may require the development and submission of an additional Project Brief or ESIS to NEMA). Compliance with the official procedures involved can take time, and any resulting delay to the works will not be entertained as a valid claim;
- A reminder of the role of Road Committees as a community interface;
- If applicable, that Environmental and Social performance is tied to the approval of monthly reports to be produced by the Contractor – non- compliance will result in non-payment; and
- If applicable define and explain the working relationship and payment mechanisms for any nominated subcontractors or service providers that UNRA may be using through the works contract (for example a HIV/AIDS service provider or specialist tree planting or landscaping agent).

Step 1.3: Environmental Briefing Works

With a Contractor in place, at the first pre-construction meeting the briefing which was undertaken during step 1.2 will be repeated. A designated agenda item should be assigned to briefing on environmental matters and dealing with any questions that may arise. As in step 1.2 the environmental briefings will be given jointly by the Construction Supervision Consultant (CSC), UNRA Project Manager and UNRA Environmental Safeguard team. If a UNRA Nominated Service Provider for activities such as HIV/AIDS is being employed, they will also be in attendance and the modalities of this relationship explained.

Step 1.4: Approval of Contractor Plans

The construction contracts will require the Contractor to seek the prior approval of the Resident Engineer in relation to a number of aspects which have environmental implications. The approval for proposals and plans regarding the sitting, nature, designs and scope of base-camp facilities are done at this stage and will be guided by attached guidelines in ***Annex-8***. Some aspects of temporary works approval may also have environmental implications, for example matters relating to temporary diversion of watercourses, de-watering arrangements and silt control during drainage works construction.

The Contractor will be given guidance concerning the general form and content of environmental aspects of method statements by the CSC or the CSC site representative (Resident Engineer (RE)), jointly with the UNRA Safeguard team at pre-works meeting on site.

Step 1.5: Approval of Construction Environmental Management Plan (CEMP)

The contractor will prepare a CEMP based on the Environmental and Social Management Plan (ESMP) as outlined in ***Annex-2*** and on the ESIS/Project Brief, on environmental and social aspects of design, conditions of the CEA approval from NEMA, conditions of contract and on emerging conditions on site.

The CEMP must be submitted to the CSC Resident Engineer for approval. The CSC will forward a copy of this document to the UNRA Environmental team for review and comment. The CEMP will be a primary mechanism for the Contractor and the Contractor's specialist Environmentalist, Social Specialist, Health and Safety officer and HIV/AIDS Specialist to monitor environmental aspects of project works. This document should therefore link environmental and social management measures/ activities to the main works. In addition, the CEMP will detail the status of all environmental licenses and permits that are required BEFORE works can commence. Monitoring and Reporting Forms are provided in **Annexes 2 and 3** will be adopted by ESMF team.

Step 1.6: Monitoring and Approval

With the commencement of works, day-to-day environmental monitoring will be carried out by the CSC Site Supervisors, working under the supervision and immediate direction of the Resident Engineer. To aid this process, the Contractor will have to put in place an Environmental Management System (EMS) in line with the National Environment (Audit) Regulations, 2006 and ensure that this system is signed off by the persons' assigned responsibilities. Under this system, the Contractor will use their Environmental Specialist for coordination and internal self-monitoring. The Resident Engineers inspections will also cover wider environmental matters not directly concerned with actual construction such as Contractors' base-camps, off-site temporary storage and temporary work areas. This monitoring will also include cross cutting issues such as HIV/AIDS awareness and mitigation, gender mainstreaming and occupational health and safety.

Step 1.7: Performance Review

As a means of reinforcing commitment to environmental and social management, as well as a means of drawing the Contractor's attention to, and assisting in the resolution of, outstanding ESMF issues, regular i.e. monthly progress meetings will include an agenda item which specifically covers environmental and social matters. This will also include the activities of any HIV/AIDS service provider, progress on aspects of gender mainstreaming, discrimination against vulnerable or marginalized individuals or groups, and occupational health and safety (including welfare of the workforce and their accommodation and supporting facilities).

Routine Check Monitoring and Reporting

In order to assess the efficiency of project activities, the will be need to provide monitoring indicators to bench mark the activities. Monitoring will act as a check balance between environment and development i.e. to determine whether the mitigation measures have been successful in such a way that the pre- program environmental and social conditions have been restored, improved upon or worse than before and to determine what further mitigation measures may be required. The responsibility for monitoring and evaluation of the mitigation measures is assigned at two different levels i.e. the local and national levels and will adopt the Monitoring form provided in ***Annex 2.***

This section provides a proposed Environment and Social monitoring plan specifying mitigation measures and monitoring actions with time frames, specific responsibilities assigned and follow-up actions defined in order to check progress and the resulting effects on the environment by the construction works of the project. Monitoring must begin right away and should continue through both the construction stage and through to the operation phase. One important aspect of monitoring must be to assess the effectiveness of the mitigation measures suggested, where they are found lacking, appropriate new actions to mitigate any adverse effects will be undertaken as spelt in the Environmental Social Management Plan (ESMP) outlined in *Annex 2.* The ESMP for projects should follow the Guidelines for Environmental Impact Assessment in Uganda and the Environmental Assessment OP/BP 4.01 of the World Bank.

Routine check monitoring, in the form of inspections covering the site, will be carried out by the UNRA Project Manager/Engineer/Environmental Safeguard team. Environmental aspects will be incorporated alongside reporting on engineering observations.

Periodically the UNRA Environmental Safeguard team will also undertake inspections i.e. at least once every 6 months. Follow up checks will be undertaken by the relevant Site Supervisor who will report to the RE on progress. The findings of these checks will be discussed in the Monthly Site Progress Meeting and included in Monthly reports submitted to the UNRA Project Manager.

Continued non-compliance will be subject to punitive measures as defined in the Construction Contract; this may include a daily fine or retention of monies through the Interim Payment Certificate (IPC).

At least once a year, a site inspection shall be undertaken which includes a representative from NEMA and a representative of the Occupational Health and Safety Department (Ministry of Gender, Labor and Social Development) and other relevant Lead Agencies. UNRA will take the lead in organizing these joint inspections for purposes of performance evaluation.

Community based monitoring by Road Committee Representatives should also be facilitated.

Step 1.8: Post Environmental Assessment Audits/Annual Report to NEMA

In accordance with the National Environment Act CAP 253, Part II, Section 22 and National Environment (Audits) Regulations 2006 under is normally a condition under the CEA relevant reports will be prepared and approved by UNRA and NEMA.

The CSC, with input from the Contractor and assistance from their Environmental Specialist shall ensure that a Post Assessment Environmental Audit Reports are prepared. Further, the CSC with input from the Contractor and assistance from their Environmental and Social Specialist shall prepare such an annual report and submit it to the Environmental Specialist at UNRA for review.

In accordance with the National Environment Act CAP 253, Part II, Section 22

(3) and the National Environment (Audits) Regulations 2006 under is normally a condition under the CEA, the *operator of a project for which an environmental impact statement has been made shall keep records and make annual reports to the authority describing how far the project conforms in operation with the statements made in the environmental impact statement".*

Environment *Step 1.9*: Project Completion

Following completion of project works, the CSC, with input from the Contractor and assistance from their Environmental Specialist shall ensure that a Final Environmental Mitigation Reports are prepared. This report is a standard condition of the General Specification for Road and Bridge Works and reinforced by the CEA. The report details how the environmental issues have been addressed during the course of the project and how the action plan and decommissioning plans have been complied with. Rehabilitation of Borrow pit and Quarries will follow TOR and Guidelines provided in ***Annexes 6 and 7*** respectively. The report will demonstrate that the project has taken all practicable measures to ensure that the predictions made in the project brief of environmental impact assessment are complied with and that borrow pits, quarries, stockpile areas, road diversions, camps and other work areas (as appropriate) have been rehabilitated in accordance with law and the conditions of the CEA.

The report shall be submitted to the Environmental Safeguard team and/or Specialist at UNRA for approval. Once approved by UNRA, the report shall be submitted to NEMA for final approval.

9.2 Possible Impacts Levels and their Nature

These effects identified during the ESIAs must be subdivided into groups according to the phases (pre-construction, construction and operational) in which, they may occur. In each of these categories, the environmental impacts must further be sub-divided according to the activities associated with the project component and on the basis of their Magnitude (High-H, Medium-M, Low-L, Negligible-N) and Duration (short term, medium or long term) and Permanency (Reversible or Irreversible). Table 9.1 provides specific potential impacts according to project stages.

Table 9-1: A summary of possible Impacts Levels and their Nature

No.	Project Component	Activities	Impacts	Project Phase	Nature of Impact (Direct/Indirect)	Permanency of Impact (Reversible/ Irreversible)	Magnitude of the Impact	Duration of Impact			Overall Impact		
							H, M,L,N						
01.	Route Surveying and mapping	Clearing of roadside vegetation and marking of km chainages.	Visual intrusion from paint markings and anxiety on the part of the communities.	Preconstruction issues	Direct	Reversible	L	S			X		
02.	Earth works and clearings	Clearing of vegetation and cutting of areas to attain the required alignments.	Soil erosion and loss of vegetation implications are likely to be generated	Construction and in road operations	Direct	Reversible	M	L			XX		
03.	Earth works and clearings	Grading, grabbing and haulage of rock materials and general levelling.	Sedimentation of streams and water bodies.	Construction and operations	Direct	Reversible	M	S			XX		
04.	Earth works and clearings	Impact on water supply in urban areas	Damage to the water supply pipes in urban areas and trading centres	Construction	Direct	Reversible	L	L			X		
05	Road Safety	Construction based activities will likely involve a number of equipment and construction fleet on the road.	Incidence of accidents will likely rise.	Construction	Indirect	Irreversible	L	L			X		
06	Operation of plant and equipment as well as activities of the project workforce	General operations of the equipment and workers.	Noise pollution from equipment and the workers which will be a nuisance. There will also be vibrations from equipment	Construction	Direct	Reversible	L	S			X		

No.	Project Component	Activities	Impacts	Project Phase	Nature of Impact (Direct/Indirect)	Permanency of Impact (Reversible /Irreversible)	Magnitude of the Impact	Duration of Impact	Overall Impact
							H,M,L,N		
07	Earth works and clearings	Clearance of vegetation and cuts and general vertical alignments as well as general extraction of construction materials.	Generation of dust which will be a nuisance to the communities along the roadsides.	Construction and Operations	Direct	Reversible	M	L	XX
08	Land and Property Expropriation Impacts	Surveying and evaluation of properties and lands.	Loss of agricultural lands, impacts on kiosks and roadside cottage businesses	Construction	Direct	Irreversible	L	L	X
09	Asphalt plant operations	Processing of asphalt through heating.	Generation of bad odours and cause atmospheric pollution.	Construction	Direct	Reversible	L	S	X
10	Extraction of construction materials (sand, murram etc.)	Clearing of over-burden and vegetation materials.	Creation of borrow pits	Construction	Direct	Reversible	M	M	XX
11	Embanking, extraction of construction materials and Improvements of vertical alignments	Slope cuts and backfilling of low lying areas	Slope failures	Construction	Direct	Reversible	L	L	X

No.	Project Component	Activities	Impacts	Project Phase	Nature of Impact (Direct/Indirect)	Permanency of Impact (Reversible/ Irreversible)	Magnitude of the Impact	Duration of Impact	Overall Impact
							H,M,L, N	L	
12	Storage and dispensing of fuel	Operations of the fuel/diesel pump facility	Concerns over oil/fuel spillages from fuel pump areas and workshop areas of the project. There are also fears of fuel spillages in generator houses and are sources of concern to the environment.	Construction	Direct	Irreversible	L	L	X
13	Storage of petroleum products	Dispensing and transportation of petroleum products	Accidental spills and risks of fires. There are also fears of fuel spillages in generator houses and are sources of concern to the environment.	Construction	Direct	Irreversible	M	S	XX
14	Generation of waste from the camp site and sites where works are undertaken	Operations of the camp site are like to generate office and domestic waste of varying degrees. Waste in terms of solid waste such as polythene bags, effluent waste etc.	Pollutions and disease concerns. Putting in place waste collection bins in strategic positions in the compounds.	Construction	Indirect	Reversible	L	L	X
15	Influx of people in	The youth unemployment will likely draw a number of people	HIV/AIDS and STI/STD	Construction	Indirect	Reversible	M	L	XX

No.	Project Component	Activities	Impacts	Project Phase	Nature of Impact (Direct/Indirect)	Permanency of Impact (Reversible/ Irreversible)	Magnitude of the Impact H,M,L,N	Duration of Impact L	Overall Impact
	search of jobs can generate a number of social concerns on the project.	from near and far into the project areas.	incidences will likely rise						
16.	Construction process	Operation of machinery and earth works	Interruption of school learning environment	Construction	Indirect	Reversible	L	L	X
17.	Construction works	Extension and realignment of road sections	Agricultural land uptake	Construction	Direct	Irreversible	L	L	X
18.	Construction works and extension of road sections.	Realignments and improvements of some sections	PCR likely to be impacted	Construction	Indirect	Irreversible	L	L	XX
19.	The project will employ a huge number of workers with a majority being men	Workers will be needed in most of the manual and machine based project activities and most of these will be done largely by women.	Potential marginalization of a few women who may gain employment in the project **(Gender Mainstreaming)**	Construction	Indirect	Reversible	L	L	X
20.	Mobilization of workers	People searching for job opportunities likely to flock to the area	Influx of people in search of jobs likely to cause social conflicts and crime increase	Construction	Indirect	Reversible	M	S	XX

No.	Project Component	Activities	Impacts	Project Phase	Nature of Impact (Direct/Indirect)	Permanency of Impact (Reversible/ Irreversible)	Magnitude of the Impact	Duration of Impact	Overall Impact
							H,M, L,N		
21.	Construction works on the highway	Construction of the highway will involve diversion of traffic on some sections of the road.	Creation of deviation routes that will likely take up land; Construction works will likely cause traffic holdings to allow smooth flow across the sections.	Construction	Indirect	Reversible	L	L	X
22.	Roadside works	Widening, clearing and grabbing of road side areas.	Disruption of roadside sources of livelihoods/trade (kiosks etc)	Construction	Direct	Irreversible	L	M	XX
23.	Construction of side drains	Creation of roadside drainage channels along the road sections.	Hindered access to homesteads due to the depth of the ditches created along the road.	Construction	Indirect	Irreversible	L	L	X
24.	Public health and human safety in the project	Some materials for use in the project may likely be hazardous as well some bye-products are likely to be a potential risk to the health and safety of the workers; and numbers of people working on project likely to grow to about 600	Concerns on health and safety of the workforce are likely to arise.	Construction	Indirect	Reversible		L	X

No.	Project Component	Activities	Impacts	Project Phase	Nature of Impact (Direct/ Indirect)	Permanency of Impact (Reversible/ Irreversible)	Magnitude of the Impact	Duration of Impact			Overall Impact		
							H,M, L,N						
25.	Camp site Impacts	Welfare of workers	Housing concerns especially for workers, harassment of workers etc. Hazardous waste generation and management	Construction	Indirect	Reversible	L	L			X		
26.	Camp site	Landscaping and general clearance and levelling of the sites.	Soil erosion and siltation	Construction and operational phases	Direct	Reversible	M	S			XX		
27.	Camp site	Operations of the camp site	Security and safety in the camp site	Construction	Direct	Reversible	L	S			X		
28.	Camp site	Waste management	Pollution from effluent waste	Construction	Direct	Reversible	L	L			X		
29.	Camp site	Operations of the camp site	Improper wiring and operations of the camp site	Construction	Indirect	Irreversible	L	S			X		
30.	Discharge of roadside storm waters	Construction of the road pavement surface area will discharge huge amount of water to the roadside areas and nearby gardens	Siltation and flooding of roadside areas and gardens from siltation in the runoff.	Construction	Direct	Reversible	LM	S			X		
31.	PCR impacts	Construction, quarrying of stone or borrow pit penning.	Loss archaeological resources and information.	Construction	Direct	Irreversible	L	L			X		

9.3 The Resettlement Policy Framework

The Resettlement Policy Framework clarifies resettlement principles, organizational arrangements and design criteria to be applied to subprojects to be prepared during project implementation.

The underlying principle in determining compensation is that resettlement activities be conceived in consultation with the affected persons and executed as sustainable development programs, providing sufficient investment resources to enable the affected persons to share in project benefits and improve the livelihoods of affected persons to restore them to pre-displacement levels.

The Affected persons will be compensated for affected property that includes land housing, crops, or thriving business enterprises situated in the area identified for development.

The criteria for selection and compensating affected persons will emphasize the existence of evidence of formal legal, customary or cooperative rights to land or a claim to such land or assets where such claims are lawfully recognized in Uganda or become recognized through a process identified in the RAP.

A detailed Resettlement Policy Framework is given as a separate study report and will be easily accessed for reference at UNRA Headquarters and Station Offices in the project region, respective Districts and sub- counties where the project road will pass, the World Bank infoshop and other identified relevant offices.

10 Handling of PCR and Chance Finds Procedure

10.1 Archaeological Chance Find Procedures

These procedures were developed in accordance with the Uganda Government Regulations and the World Bank Guidelines - OP 4.11 of August 1999 and are included as standard provisions in construction contracts to ensure the protection of cultural heritage.

10.2 Protection of Archaeological and Historical Sites

Excavation for materials and any other road works in sites of known archaeological interest should be avoided. Where this is unavoidable, prior discussions must be held with the Department of Monuments and Museums (DMMs) in order to undertake pre- construction excavation or assign an archaeologist to log discoveries as construction proceeds. Where historical remains, antiquity or any other object of cultural or archaeological importance are unexpectedly discovered during construction in an area not previously known for its archaeological interest, the Contractor shall exercise care so as not to damage artefacts or fossils uncovered during excavation operations and shall provide such cooperation and assistance as may be necessary to preserve the findings for removal or other disposition by the Employer. The following procedures should be applied:

a) In line with the General Specification for Road and Bridge and WB Physical Cultural Resource Safeguard Policy Guidebook, the Contractor must stop work immediately after discovering evidence of possible scientific, historical, prehistoric, or archaeological data and notify the Resident Engineer giving the location and nature of the finds.

b) Delineate the discovered site area and ensure that the site is secured to prevent any damage or loss of removable objects. In case of removable antiquities or sensitive remains, a night guard should be present until the responsible authority takes over.

c) Notify the responsible foreman/Resident Engineer/Sociologist who in turn, should notify the Department of Monuments and Museums of such finds for verification and salvage in line with GOU's Historical Monument Act 1967, Section 11 (1&4) and section 12b (within 24 hours)

d) An evaluation of the finding will be performed by the DMMs. The significance and importance of the findings will be assessed according to various criteria relevant to cultural heritage including aesthetic, historic, scientific or research, social and economic values.

e) Decision on how to handle the finding will be reached based on the above assessment and could include changes in the project layout (in case of finding an irrevocable remain of cultural or archaeological importance), conservation, preservation, restoration or salvage.

f) Implementation of the authority decision concerning the management of the finding.

g) Construction work could resume only when permission is given from the DMMs after the decision concerning the safeguard of the heritage is fully executed.

2. In case of delay incurred in direct relation to Archaeological findings not stipulated in the contract (and affecting the overall schedule of works), the contractor may apply for an extension of time. However the contractor will not have to construe discovery of chance finds as an automatic entitlement for an extension of time.

11 Grievance Redress Mechanism

The sub-project safeguards team will establish an independent grievance mechanism. The procedure for management of appeals will be as follows:

a) The Contractor will constitute a Grievance management Committee that will comprise of a LC representative from the village from whence the aggrieved party comes from as well as the respective members of the Land Committee, the Sub county Assistant Secretary and an opinion leader from the locality.

b) Based on an information dissemination and publicity system acceptable within the locality, all PAPs will be informed about how to register grievances or complaints, including specific concerns about

- Flaws in the consultation process
- Noise and pollution
- Roads and traffic
- Access to natural resources
- Access to project benefits (e.g., no or insufficient jobs created for local communities)
- Compensation and relocation
- Access to land, land acquisition, and resettlement
- Influx and in-migration of workers
- Social exclusion and discrimination
- Access roads and heavy traffic
- Security forces

The PAPs should also be informed about the dispute resolution process. This information should include the following:

- Who can raise complaints (affected communities),
- Where, when, and how community members can file complaints,
- Who is responsible for receiving and responding to complaints, and any external parties that can take complaints from communities,
- What sort of response complainants can expect including timing of response,
- What other rights and protection are guaranteed and;
- How the disputes will be resolved in an impartial and timely manner.

c) All PAPs with grievances must fill out a Grievance and Resolution form (see sample in Appendix 3) formally routed through local and sub-county leaders. In the case of sensitive complaints, the GRM will include provisions for confidentiality, such as a toll-free number.

d) All incoming grievances should be acknowledged as soon as possible, properly filed and a formal confirmation—with a complaint number, or other identifier, and a timeline for response provided.

e) The Grievance management Committee on receipt of the grievance resolution form must within 30 days investigate the grievance. Depending on the circumstances of the complaint, various units or departments may need to get involved, including senior management if their direction and decision is required by the established procedures and division of responsibilities. To begin this process, the team must establish the nature of the grievance to determine the measures needed for review and investigation. A judgment will be taken and an appropriate response will be made and addressed to the complainant in

writing indicating the course of further action.

f) The Grievance management Committee will notify relevant authorities on the action needed to be taken based on its assessment of the case to ensure that the complainant's issues are addressed.

g) Overall, the Grievance Management Procedure will involve a four-stage process and constitutes the main responsibility of the Grievance management Committee i.e.:

- Establishment of a Grievance Management & Care centre to which all complaints will be submitted by the respective complainants.
- Administrative review at project level (involving land surveyors and valuers) of filled out Grievance forms based on the action recommended by an Grievance management Committee;
- Area Magisterial Court of competent jurisdiction and The High Court to resolve issues that are beyond the capacity of the Appeals Management Tribunal to handle.

The Safeguards Team must closely track grievances and ensure that aggrieved parties understand the decisions made or abide by the action and decision made. The team will produce a Report containing a summary of all grievances. If needed, the dispute resolution process should include Ugandan Courts of Law, but traditional institutions can be an effective first step in both receiving and resolving grievances.

12 Conclusions and Recommendations for ESMF

The guiding principle behind this Environmental and Social Management Framework (ESMF) is to ensure environmental and social sustainability of the project. The ESMF is to provide guiding principles for the assessment and management of environmental and social aspects of all physical works targeted under NECRAMP. It will help to symmetrically identify, predict and evaluate beneficial and adverse environmental and social impacts caused by road works activities, alignment enhancement measures for beneficial impacts, and implementing adverse measures for relevant impacts. The impacts will be different in different site conditions as determined by case basis. Site specific potential environmental impacts will be determined during the environmental screening, which provides information about the potential damage. Regardless of the outcome of the environmental screening, each sub-project shall have its site specific environmental and social management plan (ESMP).

The Scope for conducting Environmental and Social Impact Assessments has been provided in the ESMF. The Contractor and UNRA shall refer to the ESMF that lists out all the components that are to be included in the Environment and Social Impact Assessment report, Environmental and Social Management, Environmental Monitoring, Management and Reporting.

The key users of this framework will constitute a wide range of UNRA staff involved in policy making, planning implementation and monitoring of social and environmental mitigation measures in NECRAMP, Contractor, Supervising and Monitoring Consultants, NEMA and relevant Committees and Districts amongst others.

Annex 1: Environmental Screening Form

ENVIRONMENTAL SCREENING FORM (ESF)

This form should be attached to all Environmental Impact Assessment documents sent to the National Environment Management Authority (NEMA) for approval. While you may modify this form to fit your needs, you must ensure that the form includes information detailed below and must have your modifications reviewed and approved by the NEMA.

A. Project Information

Project Name: .....

Project Location: .....

Proponent(s): ..... Purpose and

Need for the Screening: .....

B. Project Description:

(Provide information on the type and scale of the project (project area, area of required land, approximate size of total building floor areas, etc.) and on the natural environment: (land formation, topography, vegetation in/adjacent to the project area (e.g. is it a low lying land, water logged, rocky, and swampy or wetland, etc.)) Provide possible impacts caused to these environments and suggest mitigation measures).

C. Screening Checklist:

The Checklist below provides a list of resources to evaluate so as to determine the level of ESIA required for the sub project; Evaluator should tick level of effect and weight them;

Weighting Criteria	
Majority scoring in No effect to Negligible effects	No further ESIA required
Majority Scoring in Minor Effects	Environmental Social Management Plan (ESMP) required
Majority Scoring in Exceeds minor effects	Subject to mandatory checklist

	Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects
1	Geological resources – soils, bedrock, streambeds, etc.				
2	From geohazards				
3	Air quality				
4	Soundscapes				
5	Water quality or quantity				
6	Stream flow characteristics				
7	Marine or estuarine resources				
8	Floodplains or wetlands				
9	Land use, including occupancy, income, values, ownership, type of use				
10	Rare or unusual vegetation – old grow th timber, riparian, alpine				
11	Species or special concern (plant or animal; state or federal listed or proposed for listing) or their habitat				
12	Unique ecosystems, biosphere reserves, World Heritage Sites				
13	Unique or important wildlife or wildlife habitat				
14	Unique, essential or important fish or fish habitat				
15	Introduce or promote non-native species (plant or animal)				
16	Recreation resources, including supply, demand, visitation, activities, etc.				
17	Visitor experience, aesthetic resources				
18	Archaeological resources				
19	Prehistoric/historic structures				
20	Cultural landscapes				
21	Ethnographic resources				
22	Museum collections (objects, specimens, and archival and manuscript collections)				
23	Socioeconomics, including employment, occupation, income changes, tax base, infrastructure, concessions				
24	Minority, vulnerable, and low income populations, ethnography, size, migration patterns, etc.				
25	Energy resources				
26	Other agency or tribal use plans or policies				
27	Resource, including energy, conservation potential, sustainability				
28	Urban quality, gateway communities, etc.				
29	Long-term management of resources or land/resource productivity				
30	Other important environmental resources				

	Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects
	(e.g., geothermal, paleontological resources)?				

Conclusion: (provide weighting summary and determination of ESIA level)

.....

.....

For projects that majorly score in the 'exceed minor effects' weighting, the mandatory checklist provided below should be filled to determine the requirement for a full ESIA; If number of 'YES' exceeds number of 'NO', then full ESIA is required otherwise an ESMP is sufficient.

. MANDATORY CRITERIA Mandatory Criteria: If implemented, would the proposal:	Yes	No	Comment or Data Needed to Determine
A. Have significant impacts on public health or safety?			
B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas?			
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources?			
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknow n environmental risks?			
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?			
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?			
G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?			
H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?			
I. Violate a federal law , or a state, local, or tribal law or requirement imposed for the protection of the environment?			
J. Have a disproportionately high and adverse effect on low income, vulnerable or minority populations?			
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites?			
L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?			

Conclusion: (provide weighting summary and determination of ESIA level)

.....
.....

Recommendations:

.....
.....

Annex 2: Format of Environmental and Social Management Plan (ESMP)

The ESMF emphasizes that an Environmental and Social Management Plan (ESMP) should fit the needs of a subproject and be easy to use. The basic elements of an ESMP are:

1. A description of the subproject activity

This should provide a brief description of the project including the location of the road and its activities/tasks.

2. A description of potential Environmental and Social impacts

The various potential environmental and social impacts should be described in relation to the project activities. These impacts can be both positive and negative.

3. A description of planned mitigation measures

This section shall provide the environmental mitigation and management measures to be undertaken for the various rehabilitation activities in the project area. A table (see sample table 1) describing the measures for the various envisaged impacts, the responsible persons, monitoring requirements as well as the time frames and cost estimates for the various mitigation measures should be developed.

4. An indication of institutional/individual responsibility for implementing mitigation measures (including enforcement and coordination)

Project Specific duties shall be provided here for the key persons/institutions responsible for adequate implementation of the project. These key implementers will include but not be limited to the contractor's environmental and social manager, the supervising consultant's environmental specialist, Client (UNRA), District environment officer, National Environment Management Authority (NEMA).

5. A program for monitoring the Environmental and Social effects of the subproject both positive and negative (including supervision)

An environmental monitoring program shall be provided in this section describing the parameters to monitor for all activities of the project, the schedule for monitoring, responsible persons and reporting formats. These shall be presented in a matrix.

6. A time frame or schedule

An implementation time frame/ schedule for the mitigation measures for the various impacts at the different project stages should be provided in the ESMP.

7. A cost estimate and source of funds

Implementation strategies and mitigation measures are associated with costs which should be provided in the ESMP as well as the source of funding. This allows for easier monitoring and later auditing.

Table 1: Showing the mitigation measures, responsibilities , timeframes and cost estimates

Subproject Activity	Potential Environmental or Social Impacts	Proposed Mitigation Measures	Responsibility (including enforcement and coordination)	Monitoring Requirements (including supervision)	Time Frame or Schedule	Cost Estimate

The Environment and Social Management Plans (ESMPs) developed in accordance with this ESMF will contain specific provisions on the management of 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 10.

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 or groups who, because of their particular circumstances, may be vulnerable or marginalized; (ii) there is no prejudice or discrimination toward individuals or groups in accessing 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 vulnerable or marginalized individuals or groups.

The POM will 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.

Annex 3: Monitoring Form

Project Site:				**Date:**			
Brief Description of Construction activities currently being undertaken at the site:							
Key: 1= non Compliance; 2 = Poor Compliance; 3 = Fair Compliance; 4 = Good Compliance; 5 = Full Compliance							
Environmental Issues		**SCORE**					**Comments (Guidelines to follow when completing monitoring form)**
		1	2	3	4	5	
Borrow Pits and Quarries	Acceptable site selection (previous or new)						*No attempt to open site in sensitive ecological area. Preference for use of previously opened and approved sites. Are permits in place?*
	Working plan (top soil /trees retained, etc)						*Do agreed plans exist for rational site(s) development taking into account need to conserve topsoil and trees wherever possible? The site should be managed so there is no impounding of water, eroding slopes or sediment transport off site.*
	Restoration plan (agreed/implemented)						*Is there agreement on restoration either to or "as was" or alternative use with land owner or local government authority; at completion, degree to which satisfactorily accomplished?*
	No pollution/siltation of adjacent watercourse						*Are local water bodies/courses safe from pollution, erosion or sediment transportation off site? Are silt traps/sediment barriers or traps working? Are repairs needed for these?*
	Erosion control measures						*Are all control measures in place, functioning correctly and effective?*
	No avoidable nuisance: dust, noise, traffic						*Is there proper consideration of local communities? Any justifiable complaints?*
Habitat & Landscape Protection	No avoidable nuisance: dust, noise, traffic						*Is there proper consideration of local communities? Any justifiable complaints?*
	Access through sensitive areas agreed						*If through sensitive area, are there avoidable indirect impacts on flora and fauna or habitats?*
	No alteration of river courses						*River banks and water courses should be left unaffected.*
	No undue clearance /drainage impact						*Vegetation should be safeguarded to extent possible*
	Trees, valued landscape features retained						*Is there respect for integrity of local environment?*

	No rubbish, un-restored spoil tips						*Is there proper clean-up and avoidance of littering the environmental with debris*
Fuel & Material Storage	Compliance with petroleum industry guidelines						*Have all necessary guidelines been followed and implemented?*
	Protected and bunded hard standing						*Are fuel facilities located with reference to any possible fire or ecological hazard? Do they sit in bunded overspill area for capture of accidental spills?*
	Fire precautions in place						*Are hazard sources marked? Is there fire equipment in place? Is it serviceable? Does site staff knowhow to use?*
	Runoff collection drain/oil interceptor						*Is there plan for confining and storing used oils? How are they captured and how will they be disposed of? Is this satisfactory?*
	Acceptable temporary materials storage						*Are there hazards or nuisance to the general public from storage sites? Are better alternatives apparent?*
	Secure fencing around and within site						*Are sites adequately demarcated and safe to public?*
Waste Collection & Disposal	No pollution risk to surface /groundwater						*No risk of runoff or leaching of chemicals on site into groundwater. No risk from pit storage of oils? Are there provisions for toilets on site?*
	Appropriate hazardous waste disposal						*Ask how oil or chemical waste is being disposed of? What is the plan? Is it legal?*
	Adequate refuse/scrap disposal/clean-up						*Is waste being separated and kept in tidy areas for subsequent disposal? Is the site going to be cleared of metal, plastic and other waste in acceptable and legal manner? How will the site be cleaned up? Is it clean?*
Occupational Health & Safety	Emergency and accident plan (Safety Officer)						*Ask who is designated Safety Officer on given/different site(s), establish at other visits if alternative person designated when offsite? Did he do a course? Does he know anything? Has he trained other staff? Ask what emergency number is to be used in case of accident. Have them prove it works. Is there an alternative plan...?*

							Are measures proposed being implemented?
	Safety protection equipment employed						*What protective equipment is being used: boots, helmets, mufflers, eye protection, Is this appropriately used? Are accidents being recorded?*

	First Aid kit available and complete						*Is First Aid Box available, adequate, and kept complete. Does staff all know where it is? Ensure not locked or easy possible access organized. Safety Officer should be responsible for accident log and box.*
	Sobriety of labor force						*Has there been any evidence of the use or possession of alcohol or drugs amongst the labor force?*
	Organization and tidiness of site(s)						*Tidy working is indicator of contractor seriousness in health and safety. Is site tidy and well organized, clear of dangers to safety, e.g. by tripping/falling, restricted access to potentially harmful tools/materials/chemicals.*
	Local nuisance mitigation (noise, dust, traffic)						*Are there avoidable impacts to local community?*
	Adequate street lighting and w arning signs						*Is site safe for public?*
Rehabilitation Works	Maximum w orking corridor of 25mor as described in contract						*…to avoid unnecessary local disturbance*
	Adequate roadside drainage						*Are drains effective and kept clean, i.e. not blocked with sediment, trash, etc.?*
	Spoil tip slopes less than 1:4						*…erosion risks mitigated, especially in rainy season?*
	Road (safety) signs in place						*Are adequate temporary signs in place? Are permanent (post-construction) signs placed appropriately?*
W a t	Installation of Temporary drainage system						*Is installed drainage system effective*

	Maintenance of drainage system						*Are drainage system maintained in a timely manner and after flood events*
	Stock piles protected during rain to prevent erosion						*Are stockpiles adequately protected from rainfall events?*
	Installation of sediment control measures						*Are silt traps installed and in place? I.e. are measures in critical area?*
	Maintenance of sediment control measures						*Are sediment control structures re-deployed, repaired or replaced on a timely basis?*
Air Pollution/ Air	Watering of unpaved areas to avoid dust generation						*Is potential and existing dust producing areas watered on a regular basis?*

	Vehicles transporting materials covered en route.						*Are vehicles fitted with tarpaulin or other covering material during transportation of material?*
	Phasing of vegetation removal to minimize exposure of soil.						*Does the scheduling of vegetation removal activities or site clearance activities phased to minimize the impact on the environment?*
Noise	Notifying community on work activity/schedule						*Does the local community receive adequate notice about work activities?*
	Breaks in noisy activity to reduce stress levels						*Are activities near residences phased to reduce the impact of noise nuisance?*
	Work done during normal working hours						*Are working hour structured to comply with standard daylight hours (7:00 a.m. – 6:00 p.m.)*
Community Relations	Short-term employment						*Do local community members benefit from employment on the site?*
	Traffic management system						*Is there a traffic management plan in place? Is there adequate signage at the work site?*
	Community Relations protocol						*Does the contractor/consultant hold regular consultation/meeting with the local community?*
Additional Comments or clarification of issues noted on the site:							

Annex 4: Reporting Form

Project Site:			**Date:**			
Brief Description of project activities currently being implemented on site:						
Sl Nº	**Chapter**	**Item**	**Presented in the REPORT**			**Other details/Remarks**
			Y	N	NA	
1	Introduction	Construction activities in the month				
		Environmental issues identified				
2	Air Pollution and Dust Abatement	Description of air and noise pollution control measure				
		EM5: Vehicle log of water tanker				
		EM6: Maintenance log of Vehicles and equipment				
		EM10: Haul road maintenance				
		Description of emission reduction equipment at hotmix and crusher plant				
3	Borrow areas	Borrow area redevelopment plan				
		EM11: NOC/Agreement with land owner for borrowing				
		EM12: Certificate of satisfactory completion of borrowing				
4	Soil conservation	Description, photograph and location of soil erosion				
		Slope stabilisation measures undertaken				
		Observations on water quality near stockpiles and erosion				

Project Site:			**Date:**			
Brief Description of project activities currently being implemented on site:						
Sl N°	**Chapter**	**Item**	**Presented in the REPORT**			**Other details/Remarks**
			Y	N	NA	
		EM9: Topsoil Conservation with photographs				
		Description of oil spills if any and measures taken				
5	Waste disposal	Description of Waste disposal				
		Quantity of bitumen disposed and its location				
		N° of lime bags disposed, method and location disposed				
		EM4: Trees cut by girth size				
		EM7: NOC fromland owner for disposal of cut to spoil				
		EM8: Certificate of satisfactory disposal fromland owner				
		EM13: Schedule of maintenance for Concrete Soak Pit, Kitchen Compost Pit and Oil Interceptor Sump				
		EM17: Details of Disposal Site with photographs				
6	Occupational Health and Safety	Description occupational safety issues identified				
		Description of additional safety measures undertaken				

Project Site:			**Date:**			
Brief Description of project activities currently being implemented on site:						
Sl N°	**Chapter**	**Item**	**Presented in the REPORT**			**Other details/Remarks**
			Y	N	NA	
		New signages for occupational health and safety location and photo				
		Description of Fire safety measures				
		Maintenance log of fire extinguishers				
		EM1: Incident report for construction staff				
		EM2: Reporting of PPE Issued				
		EM14: Minutes of Tool box meeting				
		EM15: Report of treatments in first aid clinic				
7	Road safety	Description of road safety issues				
		Description of additional safety measures introduced				
		Signages for road safety – location and Photo				
		Barricades and other equipment – location and Photo				
		New speed humps placed – location and Photo				
		New diversions laid – location and Photo				
		Diversion removed – location and Photo				

Project Site:			**Date:**			
Brief Description of project activities currently being implemented on site:						
Sl N°	**Chapter**	**Item**	**Presented in the REPORT**			**Other details/Remarks**
			Y	N	NA	
		EM3: Flagmen employed on site by date				
8	Campsite management	Description of measures for campsite management				
		EM16: Camp site details				
9	HIV/AIDS Gender management and Non-discrimination	Summary of activities and outcome				
		Attach monthly progress report of HIV/AIDS Sensitization and Control Service Provider				
		Percent of local labour amongst workforce				
		Percent w omen workforce				
		Number of sensitizations/trainings on non-discrimination				
10	Chance find	Description, photograph, location and measures for addressal of chance find cultural properties, if any.				
11	Consultations and Meetings	List of all consultations and meetings				
		Agenda of meetings/consultations				
		Minutes of meeting/consultations and outcome				
		Photographs of the meeting/consultations				
		Signed list of attendees				

Project Site:			**Date:**			
Brief Description of project activities currently being implemented on site:						
Sl N°	**Chapter**	**Item**	**Presented in the REPORT**			**Other details/Remarks**
			Y	N	NA	
		Complaints received and resolution				
Additional Comments, recommendations and conclusion about the site:						
Report Prepared by: ..... Authorised by:						

Annex 5: ToR for Site Specific EA of Road Works

Terms of Reference for the Site-Specific Environmental Assessments for Road Works under the Output and Performance Based Contract for Tororo-Mbale-Soroti-Lira- Kamdini Road Corridor Project.

1 Overview of the Document

These Terms of Reference for this Environmental Impact Study are meant to assist the team undertaking this study. This study shall be conducted so as to fulfil the requirements of the National Environment Act Cap 153, and the Environmental Impact Assessment Regulations. The following tasks should be undertaken during the Environmental Impact assessment.

2. Description of the Proposed Road Works

This description shall include the following aspects and any other aspects, which the team conducting this study regards as being relevant:

- location of the roads;
- the area of influence of the road;
- justification of the proposed road works;
- components of the road works;
- activities to be undertaken during the road works;
- scheduling of project activities;
- staffing and accommodation of employees;
- sources of materials to be used during the proposed road works; and
- generation and disposal of waste.

The Environmental Planning, Design and Management that has already been included in this project shall be described.

3. Review of Legislation and Regulations

Undertake a review of policies, legislation and regulations that will affect the environmental management of the proposed road works. The following and any other relevant legislation shall be reviewed.

- The Constitution of Uganda 1995
- National Environment Act CAP 153
- Environmental Impact Assessment Regulations, 1998.
- Local Governments Act
- Uganda Wildlife Act
- Land Act CAP 227
- Water Act CAP 152
- Roads Act
- Forests Act
- Mining Act 2003
- Town and Country Planning Act
- National Forestry and Tree Planting Act, 2003;
- Urban Authorities Act
- Land Acquisition Act, 1965;
- The Employment Act, 2006;
- The Occupational Health and Safety Act,2006;
- Ministry of Works and Transport's 2005 general specifications for road and bridge works

It should be noted that NEMA is in the process of reviewing a number of the environmental legislations. Thus this ToR should be considered a living document and the prevailing relevant environmental legislation at the time of the EIA should be considered.

4. Describe the Environmental and Social Setting

Collect and analyse baseline data of environmental elements that will affect the environmental management of the proposed road works, and also assist the public including decision-makers to understand the setting of the project. The environmental elements to be covered include but not limited to the following:

1. Physical elements: geology, topography, soils, climate, air quality, drainage patterns, surface water, groundwater, water quality, soil erosion.
2. Biological elements: flora and fauna, habitats, rare and endangered species, protected areas that may exist in the area of influence of the road, trends in flora and fauna.
3. Socio-economic elements: demographic characteristics, land-uses, agricultural and economic activities, modes of transport, road networks and their usage, origin and destination of goods and passengers transported in the area of influence of the road, administrative structures in the area of influence of the road, employment.
4. Cultural elements: archaeological, historical and cultural features

5. Public Involvement

Establish the views of the public with regards to the potential impacts of the proposed road works. The team undertaking this study will be required to identify the different groups of stakeholders, and then use the most appropriate method to establish their views. The team should pay particular attention to vulnerable or marginalized groups (e.g. children, the elderly, and women) that may be affected by the proposed road project.

Minutes of meetings conducted during this public involvement should be recorded for submission as part of the report.

The team undertaking this study will be required to participate during any public hearings related to this study that may conducted.

6. Identification, Analysis and Assessment of Potential Impacts

The EIA Team shall identify, analyse and assess environmental impacts of the proposed road works. While the study should not be limited to these issues, it should investigate in detail the potential for the following impacts arising due to the proposed road works:

- soil erosion;
- vegetation loss;
- destruction of animal habitats;
- loss of agricultural and residential lands;
- destruction of properties;
- relocation of infrastructures;
- unplanned settlements;
- social disruptions;
- traffic accidents;
- unplanned settlements;

- noise;
- threat to cultural and historical sites or artifacts;
- changes to drainage patterns including wetlands; and
- demographic changes.

Environmental impacts shall be analysed in terms of the following and any other relevant characteristics:

- Nature (positive (beneficial), negative (adverse));
- direct, indirect, cumulative;
- magnitude;
- spatial coverage;
- stages of the project at which they occur;
- duration (intermittent, continuous, short-term, long-term);
- reversibility, irreversibility; and
- likelihood of occurrence.

Wherever possible the above and any other impact characteristics shall be analysed quantitatively. The cost of each of the impacts must be indicated wherever possible. The significance of impacts of the proposed road works shall be assessed, and the basis of this assessment shall be specified. The EIA Team shall take into consideration any national and international environmental standards, legislation, treaties, and conventions that may affect the significance of identified impacts. The Team shall use the most up to date data and methods of analysing and assessing environmental impacts. Uncertainties concerning any impact shall be indicated. All the data collected shall be presented in both hard copy and digital forms.

7. Analysis of Alternatives

The EIA Team shall identify alternatives to those proposed for these road works, and compare the impacts of the selected road works against those of the alternatives. The alternatives that shall be considered but not limited to these are:

- alternative means of satisfying project objectives including alternative transportation modes;
- location;
- design;
- construction methods; and
- operation and maintenance of the road.

In comparing the impacts of the selected road works against those of the alternatives, the study team shall include aspects such as:

- capital and operating costs;
- costs of mitigation measures for adverse impacts;
- suitability under local conditions; and
- institutional and training requirements.

The study team shall include the no project option (i.e. the proposed road works are not undertaken) as one of the alternatives.

8. Mitigation Plan

The EIA Team shall suggest cost-effective measures for minimising or eliminating adverse impacts of the proposed road works. Measures for enhancing beneficial impacts should also be recommended.

The costs of implementing these measures shall wherever possible be estimated and presented. If compensation is recommended as one form of mitigation, the EIA Team shall identify all the names and physical addresses of people to be compensated. Similarly if relocation of properties is recommended, the names and physical addresses of owners of properties to be relocated shall the presented. The EIA Team shall prepare an impact management plan, which will include budget estimates, schedules, staffing and training requirements. Institutional arrangements required for implementing this impact management plan shall be indicated.

9. Environmental and Social Monitoring Plan

The EIA Team shall develop an environmental monitoring plan that will enable

- the project to comply with conditions of project approval;
- ensure that mitigation measures are effective;
- indicate the occurrence of impacts which may not have been identified during this study; and
- provide data that will be used during environmental audits.

The cost of implementing this monitoring, including staffing, training and institutional arrangements must be specified. Where monitoring will require inter-agency collaboration, this should be indicated.

10. Environmental and Social Impact Assessment Reporting

The EIA Team shall produce a report, which is easily understood by the public, and without the use of too technical language. The report shall have the following structure:

- Executive Summary
- Introduction
- Description of the Environmental Setting
- Description of the Proposed Road Works
- Policy, Legal and Administrative Framework.
- Public Consultation
- Analysis and Assessment of Impacts
- Mitigation Plan
- Monitoring Plan
- List of References
- Appendices
  - List of Names and CVs of the EIA Team
  - Records and/or Minutes of Public Consultations
  - Data Used During the Analysis
  - Any technical explanation of methods used (Optional)
  - Terms of Reference of this EIA

11. Approval Procedures

The Client shall be responsible for the review and comment on the submitted Draft ESIA report within

180 days from the date of report submission. NEMA and other relevant Government agencies shall review the Draft ESIA and advice accordingly. Where necessary, the reports shall also be publicly disclosed in Uganda for review. Comments will be incorporated into the Final ESIA report which will be submitted for approval by NEMA.

12. Composition of Environmental Impact Study Team

The team shall include persons with the following expertise

- Environmental Impact Assessment
- Road Planning, Construction and Operation
- Physical Geography
- Soil Science
- Terrestrial Ecology/Biological Sciences
- Sociology
- Environmental Economics
- any other expertise which may be deemed to be relevant for this study.

Annex 6: ToR for Stone Quarries

Terms of Reference for the Site-Specific Environmental Assessments for Stone Quarry Sites under the Output and Performance Based Contract for Tororo-Mbale-Soroti- Lira-Kamdini Road Corridor Project

1 Overview of the Document

This document provides Terms of Reference (ToR) for conducting Environmental Impact Assessments (EIA) for Stone Quarries under the Output and Performance Based Road Contract for Tororo-Mbale-Soroti-Lira-Kamdini Road Corridor project. This study shall be conducted so as to fulfil the requirements of the National Environment Act Cap 153; it is to be guided by the National EIA Regulations for Uganda, 1998 and in accordance with the Uganda EIA guidelines, 1997.

2 Terms of Reference for the EIA

The Environmental Impact Assessments for Stone Quarry sites under this project shall follow the structure:

2.1 Description of the Proposed Project

A full description of the project and its existing setting must be provided in this section. This description shall include the following aspects and any other aspects, which the team conducting this study regards as being relevant:

- location of the quarry;
- the area of influence of the site;
- justification of the proposed project works;
- components of the project works;
- activities to be undertaken during the project;
- scheduling of project activities;
- staffing and accommodation of employees;
- generation and disposal of waste.

The Environmental Planning, Design and Management that has already been included in this project shall be described.

2.2 Legislative and Regulatory Considerations

A review will be conducted of the pertinent policies, Laws, regulations, standards and regulatory bodies governing environmental quality, health and safety, protection of endangered species, parks and protected areas, siting and land use control relevant to the project. The EA should highlight the importance of this legislation to the specific project. These will include but not be limited to;

- The Constitution of the Republic of Uganda, 1995;
- The National Environment Act CAP 153;
- The Mining Act, 2003;
- The Plant Protection Act CAP 31;
- The Water Act CAP 152;

- The Land Act CAP 227;
- Land Acquisition Act, 1965;
- The Employment Act, 2006;
- The Occupational Health and Safety Act,2006;
- The National Environment Management Policy, 1994;
- The National Water Policy; 1999;
- The National Gender Policy, 1997;
- The Uganda ESIA Regulations, 1998;
- The Uganda ESIA guidelines, 1997;
- The National Environment (Waste Management) Regulations, 1999;
- The National Environment (Noise Standards and Control) Regulations, 2003;
- Ministry of Works and Transport's 2005 general specifications for road and bridge works Series 1000 and 3000
- World Bank Safeguards; OP4.01, OP4. 04, OP4.11, OP4.10
- The IFC performance Standards; PS1, PS2, PS3, PS4, PS5, PS6, PS7 and PS8.

It should be noted that NEMA is in the process of reviewing a number of the environmental legislations. Thus this ToR should be considered a living document and the prevailing relevant environmental legislation at the time of the EIA should be considered.

2.3 Description of the Environmental and Social Setting

This section will assemble, evaluate and present data on the relevant physical, biological and socioeconomic characteristics of the study area. The sections should be backed up with secondary data, photographs, maps and illustrations to enhance understanding of the environment.

The information will include sub sections on:

- Terrestrial Environment;
- Physical Environment: geology, topography and soils;
- Natural Drainage features i.e. surface drainage, flood risk;
- Climate and Air Quality: particulates and noise levels;
- Biological Environment: forest/vegetation cover, existing wildlife (flora and fauna), rare or rare and endangered species, sensitive habitats, species or commercial importance, migratory routes, nuisance species, pests and vectors;
- Socio-cultural environment: land use, traffic patterns, proposed developments, public health issues, demographics, employment and solid waste management;
- Cultural Environment: Archaeological, historical and cultural features.

2.4 Public Participation

Stakeholder consultations must be conducted to enhance the EA process. Establish the views of the public with regards to the potential impacts of the stone quarry. The team undertaking this study will be required to identify the different groups of stakeholders, and then use the most appropriate method to establish their views. The team should pay particular attention to vulnerable or marginalized individuals or groups (e.g. children, the elderly, women, etc.) that may be affected by the project.

Minutes of meetings conducted during this public involvement should be recorded for submission as part of the report.

The team undertaking this study will be required to participate during any public hearings related to this study that may conducted and should be conducted in accordance with the National EIA

regulations.

2.5 Identification, Analysis and Assessment of Potential Impacts

The potential impacts to the surrounding environment will be described in this section. The study should investigate in detail the potential for the following impacts arising due to the proposed quarry works but not be limited to these issues;

- soil erosion;
- vegetation loss;
- destruction of animal habitats;
- loss of agricultural and residential lands;
- destruction of properties;
- relocation of infrastructures;
- social disruptions;
- traffic accidents;
- unplanned settlements;
- noise;
- air quality;
- public health;
- waste management;
- threat to cultural and historical sites or artifacts;
- changes to drainage patterns including wetlands; and
- demographic changes.

Environmental impacts shall be analysed in terms of the following and any other relevant characteristics:

- Nature (positive (beneficial), negative (adverse));
- direct, indirect, cumulative;
- magnitude;
- spatial coverage;
- stages of the project at which they occur;
- duration (intermittent, continuous, short-term, long-term);
- reversibility, irreversibility; and
- likelihood of occurrence.

Wherever possible the above and any other impact characteristics shall be analysed quantitatively. The cost of each of the impacts must be indicated where ever possible. The significance of impacts of the stone quarry shall be assessed, and the basis of this assessment shall be specified.

All national and international environmental standards, legislation, treaties, and conventions that may affect the significance of identified impacts must be taken into consideration by the EIA Team. The Team shall use the most up to date data and methods of analysing and assessing environmental impacts. Uncertainties concerning any impact shall be indicated. All the data collected shall be presented in both hard copy and digital forms.

2.6 Mitigation Planning

Feasible and cost-effective mitigation measures must be recommended with the intention of preventing or reducing significant negative impacts to acceptable levels. In addition, measures to enhance

beneficial impacts should also be provided. Estimation of costs of the specified mitigation measures shall where possible be provided. In the event that resident grievances are identified that may require compensation, the study team shall identify the Project Affected Persons (PAPs) and prepare a snag list with estimated costs to resolve these grievances.

2.7 Environmental and Social Monitoring Plan

This section should provide an Environment and Social monitoring plan (ESMP) specifying monitoring actions with time frames, assigned responsibilities and defined follow-up actions in order to check progress and the resulting effects on the environment by the use of the site and the overall project. Specifically the ESMP shall:

- the project to comply with conditions of project approval;
- ensure that mitigation measures are effective;
- indicate the occurrence of impacts which may not have been identified during this study; and
- provide data that will be used during environmental audits.

- Provide clear requirements for rehabilitation of borrow sites by the contractor before the finalization of the contract.

The cost of implementing this monitoring, including staffing, training and institutional arrangements must be specified.

3 Environmental and Social Impact Assessment Report

The Environmental and Social Impact Assessment report should be concise and limited to the significant environmental issues. The main text must focus on findings, conclusions and recommended actions, supported by summaries of the data collected and citations for any references used in interpreting those data. The report should be organized according to, but not necessarily be limited by, the outline below:

I. Executive Summary
II. Background information on the project site and its components including location, planned extent and operations, power supply network, planned infrastructure/installations and timing, safety provisions, methodology for undertaking this EIA study;
III. Site baseline bio-physical and sociological information, area infrastructure and activities in relation to project site;
IV. Detailed description of the proposed activities including components to be installed, power controls, area of coverage, and operations. The project economic feasibility will also be presented;
V. Policy, Legal and Administrative Framework;
VI. Public consultations and disclosure, outlining stakeholder concerns and measures to address them;
VII. Analysis of alternatives, including a comparison of feasible alternatives to the proposed project activities or location of activities, technology, design, and operation in terms of their potential environmental impacts; the feasibility of mitigating these impacts; their capital and recurrent costs; their suitability under local conditions; and their institutional, training, and monitoring requirements;
VIII. mitigation measures for all significant negative environmental impacts predicted;
IX. environmental management and monitoring plan for negative impacts and assessing effectiveness of mitigation measures;
X. Recommendations and conclusions regarding future operations at the stone quarry;
XI. List of References;

XII. Photographs, Maps and Plans as appropriate;
XIII. Appendices

List of Names and CVs of the EIA Team Records and/or
Minutes of Public Consultations Data Used During the
Analysis
Any technical explanation of methods used (Optional) Terms of
Reference of the EIA

4 Approval Procedures

The Client shall be responsible for the review and comment on the submitted Draft ESIA report within 180 days from the date of report submission. NEMA and other relevant Government agencies shall review the Draft ESIA and advice accordingly. Where necessary, the reports shall also be publicly disclosed in Uganda for review. Comments will be incorporated into the Final ESIA report which will be submitted for approval by NEMA.

5 Environmental and Social Impact Assessment Team Composition

A multidisciplinary team should be identified to conduct the study and must comprise the following positions as a minimum requirement:

- ESIA Specialist and Team Leader
- Social Scientist
- Hydrogeologist
- Ecologist and any other expertise which may be deemed to be relevant for this study

Annex 7: Guidelines for Acquisition and Operation of Borrow Pits and Dump Sites

Guidelines for the Acquisition and Operation of Borrow Pits and Dump Sites under the Output and Performance Based Contract for Tororo-Mbale-Soroti-Lira-Kamdini Road Corridor Project.

1 Overview of the Document

These guidelines are meant to assist in acquisition and use of borrow pits and dumping sites during the
Output and Performance Based Contract for Tororo-Mbale-Soroti-Lira-Kamdini Road Corridor Project. The following observations should be considered during works under the project;

2. Choice of Location of Borrow Pits and Dump Sites

The choice of borrow pits and dumping sites locations should be done with consideration of environmental, social and cultural concerns of the area. Environmentally sensitive locations including wetlands, forests, RAMSAR sites, migratory routes, habitats to rare and endangered species and cultural sites should not be disturbed and if necessary, mitigation measures for any impacts to these locations should be developed and implemented.

3. Negotiations with Landowners, Authorities and Legal Occupants of Land

It is the contractor's responsibility to obtain and pay all royalties in respect of all land required by the contractor outside the road reserve for opening of borrow pits and dump sites including access roads. These provisions shall be considered part of the contractor's general obligations.

All necessary arrangements and permissions to be obtained from regional administration, district and local authorities, land owners and legal occupants of the land including compensation requirements must be attained. All environmental obligations regarding the proposed location including impact identification and management during all stages of the project should be considered.

The contractor shall advise the Engineer of the intention to commence work of any kind in borrow areas and dump sites and approvals must be obtained from the Engineer before entry upon the land.

4. Regulatory Considerations

The acquisition and use of borrow and dump sites should be done under the necessary regulatory and institutional framework. All Policies, Regulations and Legislation should be considered; such legislation will include but not be limited to:

- The Constitution of Uganda 1995
- Land Acquisition Act, 1965;
- Mining Act 2003
- Land Act CAP 227
- Town and Country Planning Act
- Water Act CAP 152
- Roads Act

- Local Governments Act
- Urban Authorities Act
- National Environment Act CAP 153
- Uganda Wildlife Act
- The Employment Act, 2006;
- National Forestry and Tree Planting Act, 2003;
- The Occupational Health and Safety Act,2006;
- Ministry of Works and Transport's 2005 general specifications for road and bridge works Series 1000 and 3000;
- World Bank Safeguards;
- The IFC performance Standards.

It should be noted that a review of a number of the environmental legislations is under way by the National Environment Management Authority (NEMA). Thus these guidelines should be considered a living document and the prevailing relevant environmental legislation during the project implementation should be considered.

5. Entry into Borrow Pits and Dumping Areas

Entry into borrow sites and dumping sites shall only be done after the contractor has satisfactorily concluded all negotiations with the owners or legal occupants of the land. He shall notify the affected owners or legal occupants of the land both verbally and in writing at least seven days before prospecting for materials.

In addition, the contractor shall give the Engineer at least thirty days' notice of his intention to enter the borrow area or dump site and he shall not enter thereon until compensation to owners or legal occupants is effected and approval has been given by the Engineer.

6. Environmental and Social Management Plan

The Contractor's Environmental and Social Management Plan (ESMP) for the project works should include activities done at the borrow pits and dump sites; these should include excavation, clearing, spreading, transportation, storage, disposal and reinstatement. The potential impacts that may occur from these locations and their practical mitigation measures should be identified in the Environmental and Social Impact Assessment (ESIA) and management procedures and responsibilities provided in the ESMP. This ESIA and ESMP are to be approved by the National Environment Management Authority (NEMA).

Regular monitoring and inspection of these sites should be done by the Engineer and where necessary, assist in identifying additional or alternative mitigation measures in the event that previously developed mitigation measures are not adequate. The Engineer will supervise the implementation of the ESMP.

7. Safety at Borrow Pits and Dump Sites

The contractor's Occupational Health and Safety (OHS) Plan should also be implemented at the borrow and dump sites just as at all other project work sites. Enclosures to the site such as safety tape, wire fencing or even wall fencing should be provided at the site to protect from accidents; signs and lighting providing direction within the site should be provided and Personnel Protective Equipment (PPE) including helmets, reflective jackets, safety boots, and any other OHS

procedures should be provided to persons on the sites. OHS procedures shall be developed in reference with the Ministry of Works and Transport's 2005 general specifications for road and bridge works Series 1800 and other relevant regulations.

8. Reinstating Borrow and Dump Sites

On completion of works in the borrow pits and dumpsites, the contractor shall reinstate the entire area so as to blend it with the surrounding environment and to permit the re-establishment of vegetation. He must shape the area in such a way that prevents erosion and accidents.

All material in and around the borrow areas, where spoil from clearing and grubbing operations or excess overburden, shall be used or disposed of as directed by the Engineer. Solid waste and rubbish may not be dumped in the borrow area.

All reinstatement of the borrow pits and dump sites should be done according to the Ministry of Works and Transport's 2005 general specifications for road and bridge works Series 1000 and 3000 and specifications provided in the approved Environmental Social Management Plan and specifications of the Engineer.

The Engineer shall approve all reinstatement of the borrow pits and dump sites.

9. Disposal of Borrow and Dumped Material

Disposal of borrowed and dumped material shall not be disposed of in an un-environmental manner and shall not be placed in environmentally sensitive locations as mentioned in section 2 of these guidelines. The contractor shall reveal his disposal plans to the Engineer. All disposal plans shall be approved by the Engineer.

Annex 8: Guidelines for Establishment of Equipment Storage Yards, Workers' Camps, etc.

Guidelines for the Establishment of Contractor's Facilities on Site under the Output and Performance Based Contract for Tororo-Mbale-Soroti-Lira-Kamdini Road Corridor Project.

1 Overview of the Document

These guidelines are meant to assist in the establishment of the contractor on site; these will apply to establishment of equipment and material storage facilities, offices, workshops, laboratories, campsites, etc during the implementation of the Output and Performance Based Contract for Tororo-Mbale-Soroti-Lira-Kamdini Road Corridor Project. The following observations should be considered during works under the project;

2. Choice of Location

The choice of location for setting up the contractor on site shall consider environmental, socio- economic and cultural aspects of the area. Environmentally sensitive locations including wetlands, forests, RAMSAR sites, migratory routes, habitats to rare and endangered species and cultural sites should not be disturbed unless approved by the Engineer and relevant authorities.

3. Regulatory Considerations

The establishment of the contractor on site should be done under the necessary regulatory and institutional framework. All Policies, Regulations and Legislation should be considered; such legislation will include but not be limited to:

- The Constitution of Uganda 1995
- The Occupational Health and Safety Act,2006;
- The Employment Act, 2006;
- Public Health Act;
- The Factories Act;
- Workers Compensation Act;
- Local Government Act;
- National Gender Policy;
- Social Development Sector Strategic Investment Plan;
- National HIV/AIDS Policy;
- National Environment Management Act;
- Ministry of Works and Transport's 2005 general specifications for road and bridge works Series 1000;
- World Bank Safeguards;
- The IFC performance Standards.

It should be noted that a review of a number of the environmental legislations is under way by the National Environment Management Authority (NEMA). Thus these guidelines should be considered a living document and the prevailing relevant environmental legislation during the project implementation should be considered.

4. Facility Specifications

Exact specifications for each facility shall be approved by the Engineer and in accordance with the General specifications for road and bridge works Series 1000 and relevant legislation however must not cause tremendous alterations to the natural environment. Materials used should not be harmful to the environment such as use of hazardous material e.g. asbestos. Materials storage facilities should consider material types and storage requirements; Mixing of materials shall be discouraged to avoid risk of fire and accidents.

Locations and designs of toilet and bathroom facilities, septic tanks, and all waste disposals should include environmental considerations. Method statements should be provided to the Engineer showing materials used and environmental protection and management inclusions.

5. Occupational Health and Safety (OHS)

5.1 Welfare and Sanitation

Welfare should be considered at all times to include general housekeeping, provision of meals and adequate drinking water, eating shelters, relaxation and visitor places, etc.

Sanitation needs should be catered for as well including adequate water borne facilities, refuse collection and disposal, etc complying with the Ugandan Laws, all local bye-laws to the satisfaction of the Engineer, for all houses, offices, workshops and laboratories erected on the campsite or sites.

The contractor shall provide an adequate number of latrines and other sanitary arrangements at sites where work is in progress to the satisfaction of the Engineer and or medical officer on site.

5.2 Work Safety

Safety measures must be included in methods of work, design and construction of the plant and handling and storage of equipment. The contractor shall provide and maintain access to all places on the site in a condition that is safe and without risk to injury.

The contractor shall designate or employ a qualified safety officer/accident prevention officer with knowledge of safety regulations, experience of safety precautions on similar works and who shall advise on all matters affecting the safety of the workforce and on measures to be taken to promote such safety.

All employees shall be given training on how to ensure their own personal safety and accident prevention methods as well as training on how to handle dangerous and toxic materials.

Accident logs shall be kept by the contractor and will report to the Engineer and the Uganda Police if appropriate as soon as possible.

5.3 Personnel Protective Equipment (PPE)

Protective clothing shall be provided to all personnel and will be trained on appropriate use of

these equipment. These PPE will be provided by the contractor at his own expense. Records of use shall be kept and steep penalties should be attached to misuse or no use of appropriate PPE.

5.4 Occupational Health Hazards

The contractor shall reduce occupational health hazards such as physical, chemical, mechanical, thermal and sanitation hazards; he shall also reduce risk of accidents with hand tools, heavy items and vehicles; electrical, fire and explosion hazards and risks; as well as ergonometric risks. A list of these hazards is provided in the General specifications for road and bridge works series 1803.

5.5 First Aid

The contractor must provide, equip and maintain adequate first aid stations throughout the works including if necessary mobile first aid boxes at work sites. He must also erect conspicuous notice boards directing where these facilities are located and provide all requisite transport. The contractor shall comply with the government medical or labour regulations at all times and provide, equip and maintain base dressing stations where directed and at all times have experienced first aid personnel and dressers available throughout the works for attending to minor injuries.

6. Waste Management

Disposal of all waste including effluent, waste water and sewerage, used oils and fuels, hazardous and garbage shall be collected, stored and disposed of in an environmentally friendly manner and where necessary shall consider the 3 R's (Reduce, Reuse and Recycle). The contractor must consider all relevant regulations regarding waste management and disposal including series 1700 of the general specifications for road and bridge works and the National Environment Act.

The contractor shall reveal his waste management and disposal plans to the Engineer. All disposal plans shall be approved by the Engineer.

7. HIV/AIDS Awareness

The contractor shall detail his HIV/AIDS prevention and awareness mechanisms in his OHS, HIV/AIDS and Gender Management Plan which will be in accordance with relevant policies and guidelines. He shall provide HIV/AIDS counselling and awareness campaigns each month for all his staff through workshops and display of posters at the camp and office sites. He shall also make available 100 condoms per year for each member of his site staff and labour force.

The contractor in accordance with policies and guidelines of Uganda AIDS Commission and Ministry of Health put in place a non-discriminatory workplace measures to protect the employees living with AIDS and ensure they are treated and counselled.

8. Gender Considerations

The contractor in his OHS, HIV/AIDS and Gender Management Plan shall include a description of staff recruitment policies and procedures, gender awareness raising meetings, gender sensitive working conditions and facilities to be provided at the workplace and participatory gender sensitive monitoring.

He shall consider all relevant regulation in preparation of his OHS, HIV/AIDS and Gender Management Plan.

10. Environmental and Social Management Plan

The Contractor's Environmental and Social Management Plan (ESMP) for the project works should include mitigation measures identified in the Environmental Social Impact Assessment (ESIA) He shall also allocate management procedures and assign responsibilities in the ESMP. This ESIA a nd ESMP are to be approved by the National Environment Management Authority (NEMA).

Regular monitoring and inspection of these sites should be done by the Engineer and where necessary, assist in identifying additional or alternative mitigation measures in the event that previously developed mitigation measures are not adequate. The Engineer will supervise the implementation of the ESMP.

11. Decommissioning

Decommissioning of these facilities shall be described in the contractor's decommissioning plan and ESMP and where necessary, his contract. These decommissioning procedures shall be done according to relevant policies and guidelines and must be approved by the Engineer.

Annex 9: Outcome of Stakeholder Concerns and Persons Consulted

Key Issues from stakeholder consultations

Details of the outcome of these meetings are provided in Table 12-1 below:

Table 12-1 Detailed findings and analysis

Date/Stakeholders met	Summary of stakeholder Concerns raised during the consultations
3rd October 2013, Meeting with District Technical Staff and Political Leaders, Tororo district	• Lamented on the public inconvenience arising from the works done by Dott Services in Tororo Municipality and its environs • Dust along the road during construction activities needs to be minimized as it is a cause of ill health as well as destroying the food markets found along the road side • Construction activities that result into stagnant water provide mosquito breeding grounds. The contractor must ensure that this is avoided • Neglect to maintain road sections make them dangerous spots for accidents particularly for heavy trucks • Maintenance works done without consideration of other facilities within the road reserve such as telecommunication cables and electricity poles expose them to damage destroying lines • The contractor responsible for road maintenance must ensure that he/she plants trees to manage the environment besides the road corridor. • Contractors must as part of social responsibility, support promoting business along the road. There are markets and trading centers without proper infrastructure. The contractor should help develop them (Molo as an example) • There is need to provide resting places for long distance drivers and passengers along the road. These resting places need to have accommodation facilities. • Tororo needs a by-pass (not to pass through the senior quarters) on the way to Mbale – Southern Sudan. This is because the road through Tororo senior quarters was not meant for heavy traffic. Now it has been damaged by heavy trucks. Another bypass is also necessary through Busia. • Tororo is a hub for building materials. Tororo district should be allowed to start taxing contractors for the use of materials found in the district. • Some mild humps need to be put similar to those done at Malaba to curb accidents.

	• Quarrying is at the Mbale side and also in Busitema. Quarry sites should also be put in Tororo to allow the people gain employment • In other areas, communities have been compensated for land within the road reserve. This must be emulated in Tororo, Mbale to Soroti road sections • Because of the poor condition of the Tororo to Mbale road, the two districts have lost marketing opportunities with Mbale. Some community members have also pulled out their vehicles from operating along this road due to the high cost of repairs. • Road maintenance is necessary to minimize accidents. • The contractor should endeavor to limit dust during maintenance works. Dust is polluting markets along the road rendering food sold unhygienic. As result some markets have moved a little inland. • People have encroached and made difficulties in creating road reserve. (Community knows that they are already on the road reserve. No crops affected.) • Excavation of murram is done half hazardly without returning surface soil • The Contractor does not want to give employment to local people. • Involvement of women has not taken place. Recruit local people into the contract (1/3 of women). Women can mix tarmac, cook, clean/sweep the tarmac. Flag bearing/traffic control. • Schools have not been affected because they are a distance away from the road) • Water pipes were affected only on Malaba – Jinja. This has not happened here on this road). • The drainage systems lead water into people's land affecting their crops and land. • Overloading and crop destruction. • The quality of works on the Tororo to Mable road looks rather poorer compared to Jinja – Malaba. Is it possible to ensure that these roads have the same quality since they carry heavy traffic • Where there are adjoining roads, no provision is made for drainage. As a result, roads joining the main road are disconnected by flood water making approach difficult. • Sidewalks need to be catered to ensure that access is available for people with

	disability. • The road needs to be marked to allow it be very visible (signages) • Cattle crossings, children crossings (zebra crossings) and humps must be placed on the road to enhance safety • It is important to make the road wide to minimize road accidents • Where road works are to commence, sensitization needs to be given to road side communities and the district leadership. • Roads with contractors coming from the center present a by gap between local authorities and contractors (example of Malaba – Jinja). The contractor is detached from the district authorities and does his own thing (local authority is left toothless). • Nobody has communicated to local authorities over orders that the contractors must adhere to • Murram borrow pits are not restored (not adequately done). Certification of works must be reviewed to include approval once the contractor has restored the borrow pits. • Rice Cultivation by communities is making road maintenance where the culverts are installed difficult as they block once side of the culverts to irrigate their fields causing water logging and destabilizing the culvert foundation • UNRA station office does not work with local authorities and yet the local authorities are the ones who take the consequence of poor roads in terms of risks to community safety and poor health • The contractor does not pour water on the road surface to minimize dust. As a result, road side communities and road users have to suffer dust • The bridges along the road are not good • The Tororo Mbale section constitutes the economic hub for Tororo. Here are found some of Tororo's most productive areas Molo, Kwapa and Mirikit which supply matooke, fish orange, pineapples, maize, and timber from domestic plantations to markets through this road. • Mbale also supplies matooke to Tororo through this area. It is therefore important to have this road maintained well to enhance the productivity of this area
04th October 2013, Mbale district	• Most sections of the Tororo to Mbale and Mbale to Soroti have seen an increase in heavy truck particularly destined for northern Uganda and the Southern Sudan. The state of roads within this corridor is very poor and unsafe

	for communities along the road corridor. • Because the tarmac surface has been destroyed, there is a lot of dust related to the current works. There is already social unrest arising from this causing rioting • Within the Municipal council of Mbale, there is a lot of pedestrian traffic. And yet, today most of the heavy trucks pass in the centre of the town through the clock tower. Pedestrians – the first five to ten dams are urban areas. A lot of pedestrians traffic (motorcycles, bicycles) • Tarmac in Mbale was put in 1954 to last 20 years. The design and drainage was meant for a small population with light traffic. No rehabilitation works have been done since then. Over the years, thus has changed and complicated both the state of the roads and the drainage system • Mbale Municipal Council made a bye – law that heavy trucks should not pass through the business district. Unfortunately due to the absence of a suitable alternative for the heavy trucks, this has not been enforced • Due to heavy traffic, Mable now has no safe walk ways as these are also sometimes shared with boda bodas due to increase in traffic • The road corridor stops outside the civil center. No provision for rehabilitation for the roads within the municipality has been catered for. Roads are potholed. (recommend diverting the road from the town possibility from Bugema to Bugwere road (Namakwekwe) through Nabunyonyi – through NFA land • There are no district the issues related to the road corridor with UNRA. Planning under UNRA is half hazard. Upgrades of roads do not have local input. Existing laws, Road Fund Act 2008 completely puts away local stakeholders (UNRA is absent in this act.) • The contractor for the main road is supposed to make the road accessible and motor able while works proceed as well as provide access way linking to the corridor. This is not done as a result, current works have made access to the following roads dangerous for traffic: Bugema – Doko Buwalula; Nabumali, Busoba – Bukiyende; Busoba – Mahai, Busiu; Namawanga, Lwaboba – Busiu town council and Nkoma Makudunju, Nakaloke – Namunsi • The Population density in Mable is over 905 persons per sq. km. People here own less than one acre of land. Everywhere is cultivated; enforcing road reserves is very challenging. The challenge can be possibly exhibited even where the existing road is. • Cultivation allows silting into the drains causing flooding. This can only be eliminated by people stopping cultivate up to the end of the road. People may need to be compensated to leave the road reserves to allow access • Environment concerns must be embedded into the contract document for the

	contractor to ensure that his performance and works certification captures th is, • The Contractor need to have environment specialists in their camps. • Borrow pits: Rehabilitation and certification processes have not involved the district. • Complaints (1) borrow pit left open. • Access roads have been destroyed by contractors works • The contractors destroy crops and the drainage channels also render farmland infertile. And yet no compensation is paid for this. • The EMP generated by the contractors need to disseminated to local authorities to enhance monitoring. The EMP should become a public document. Local governments should be facilitated to handle the environment audit function and enhance the role the role of the District Environment Officers in the contractor's works. Usually, no resources are available for conducting follow- up. It would be useful to explore NEMA relationship with UNRA. There are regional UNRA offices. Can this link with Environment Officers? The District budget conferences can be used to share information and ensure that UNRA regional officer are strengthened by support from environment officers to take on their responsibility. • Communities and local authorities need to be engaged, informed and their participation enlisted in managing road related environment concerns. This consultation does not take place at road construction/implementation level. • Issues affecting the livelihoods of the communities are ignored once road construction begins. One such example is the issue of dust and yet there are several livelihoods activities along the road. This must be taken care of • Dumping s– off cuts, spoil materials – find themselves in the wetlands. Fleet operators need to be controlled and guided and suitable dumping sites if the contractor cannot acquire land for this purpose. • Compensation must be made more meaningful since offset of livelihood issues is involuntary. –There are people whose business is on the roadside. These must be catered for. There is a need to regularly up- date district compensation rates to ensure that this is achieved. Resettlement issues arising from the need to widen the road must compensate those on the road side as well • No specific measures have been indicated relating gasses emitted from equipment in use (Carbon credit activities).

10/10/2013 Lira District	• Specific care needs to be taken to ensure that silting into the wetlands is mitigated. Borrow silt materials are sometimes dumped into the wetland (infilling the wetland). Sometimes this material is given to the communities to fill the swamps. (Ignoring the environment requirement to have them placed in specific dumping sites). • Future road maintenance must allow resident districts to supervise environment issues. • Servicing the equipment, poor management of oils and oil wastes are polluting the swamp water (health hazards). • HIV/AIDS came on board during the interface with communities. • Contractors are brought on board without informing the host populations and local authorities. There is no sensitization. • Replacement of trees needs to be done (for the Lira level) • The roads have been raised and yet trading centers are low causing flooding • People compensated – no enforcement done to ensure that people are evicting (this needs to be tackled). • China Road and Bridge services took the Lira to Soroti road and Dott Services the road to Kamdini. The quality of the two roads. The issue of road quality needs to be seen. • The issue of signage differs from Tororo - Mbale to Soroti from Lira to Kamdini. The experience and quality of workmanship. • The District engineering department must be involved from the beginning of the project to end during implementation.

5th/11/ 2013, Soroti	• The Quarry site at Oculoi was a source of livelihood for the people around it. During construction of the Soroti to Lira road, the contractor stopped the local community from this source of livelihood. During quarrying, a lot of dust was generated polluting the environment. It is important for contractors to minimize this dust and also allow livelihood activities continue. In one incident an explosive went off and maimed a child at Oculoi. No compensation was done. Trees and grasslands need to be protected. The trees and land was not valued for compensation • There has been siltation in Awoja arising from bridge works. • Basically there has been no working relationship between local district authorities and UNRA • There are NFA forest reserves along the road corridor that must be protected (Kacung and Kumi). • Within many of the settlement along the road corridor, improved oranges and mango plantations (NARO) multiplication sites) can be seen. These take time to grow and must be protected if farmers have to gain from them. Contractors must bear this in mind and stop littering the environment and polluting it with dust. This can result into production loses for farmers Settlement and cropping up along the roads.

6/11/2013, Kumi	• The delayed completion of the construction works along the road corridor has resulted into high maintenance cost on vehicles, safety measures are not well achieved exposing drivers/road users to accidents • Diversion of traffic to district roads has led to heavy trucks destroying the district roads. In Kumi the diversion was made along the district administration building raising dust and inconveniencing those offices. • Access culverts have not been placed for roads joining the main road. This should be one of the first things that the contractor must do to ensure that he reduces the difficulty of joining main roads. • The districts are closer to the road corridor. Absence of operational linkage between UNRA and the districts must be addressed to allow rapid response to issues that arise along the corridor. • Kumi has district road committees (Area MPs, LC V chairman, CAO, District Engineer – as secretary and secretary works) discuss all issues affecting public roads. The role of the committee is to act as link between community and road users to the Road Fund. This committee is not being exploited by contractors and UNRA. • There are some S curves particularly as you approach Kumi from Bukedea. This needs to straightened to improve driver visibility and enhance safety. • There should be special treatment of sections where humps are put to mitigate stress. Also the humps have become too many. (This is unnecessarily to many seen on the Soroti – Lira road.) • Land ownership is predominantly customary. Land use is dominantly for both Crops and livestock. People adjacent to the road corridor plough up to the road reserve. These are as a result of population explosion. This ploughing has affected the road through creating channels particularly as a result of pulling ploughs along the road sides. • Grazing areas are next to swamps. These include Abubum and Odero which house large numbers of animals. Silting of these swamps arising from road works may affect grazing activities as this will reduce on watering points • There are several Rural Growth centres along the road corridor whose populace needs to be protected from accidents. Humps are necessary at these points. • Also, Kumi has markets that attract populations along this route. Abatamarket (Every Saturday market), Atutur market (operating on Monday) and Koloin market. Safety of market goers must be factored in road maintenance works

	and safety concerns along the road corridor • Rice growing communities block the drainage to avoid flooding their farmland. This affects the stability of the road sections. • Borrow pits are established within community land and left open, not restored posing a danger to communities.
6/11/2013, Bukedea	• Bukedea has markets that attract populations along this route. Bukedea cattle market (operating every Mondays), Aloit (Thursdays) and Kachumbala (Saturday). Safety of market going communities must be safeguarded • The district has no compensation schedule. Compensation efforts must take this into account • There are several Primary schools whose pupils must be protected along the corridor

List of Persons Consulted

OUTPUT BASED CONTRACT FOR THE TORORO – KAMDINI FOR NECRAMP 9/1/2014

PERSONS CONTACTED

NAME	INSTITUTION	SIGN
1. Rose Mugalde	COWI Ltd	
2. RUKUNDO TOM	EIARI (Gulu)	
3. Paul Bugeah Mutamuli	ACA	

OUTPUT BASED CONTRACT FOR THE TORORO-KAMDINI FOR NECRAMP

PERSONS CONTACTED 16/1/2014

NAME	INSTITUTION	SIGN
Bamgahare Vincent	WND/MWE (0774434969)	

OUTPUT BASED CONTRACT FOR THE TORORO-KAMDINI FOR NECRAMP

PERSONS CONTACTED 05/1/2019

NAME	INSTITUTION	SIGN.
Margaret Aanyu	NEMA	

Annex 10: Actions taken by GOU to Ensure Non-Discrimination

Annex 10 highlights recent actions taken by the GOU to ensure non-discrimination. It also includes transcripts of relevant Guidelines and Circulars issued by the GOU.

The Anti-Homosexuality Act was passed on May 26, 2023. The GOU has continued to ensure inclusion and 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 29, 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 excepts:

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

- *All World Bank-financed projects 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 a World Bank Enhanced Implementation Support and 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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ALD 141/259/01 TC

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

21st September 2023

All Accounting Officers

All Ministries, Departments and Agencies

All Local Governments

UGANDA'S SOCIAL SAFEGUARD POLICIES

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

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

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

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

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

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

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

Specific Measures for High Risk Sectors

Health

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

Education

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

Ramathan Ggoobi
PERMANENT SECRETARY/SECRETARY TO THE TREASURY

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

Attorney General, Ministry of Justice and Constitutional Affairs

Hon. Minister of Finance, Planning and Economic Development

Hon. Minister of Education and Sports

Hon. Minister of Health

Hon. Minister of Gender, Labour and Social Development

Hon. Minister of Energy and Mineral Development

The Principal Private Secretary to H.E. the President

The Solicitor General, Ministry of Justice and Constitutional Affairs

The Permanent Secretary, Ministry of Health

The Permanent Secretary, Ministry of Education and Sports

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

The Director of Public Prosecutions

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BPD 86/179/01

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

10th July, 2023

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

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

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

A. INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

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

Policy Directives

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

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

Non-Discrimination

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

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

Advertising by Ministries, Agencies and Local Governments

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

Contracting in Ugandan Shillings versus Foreign Currencies

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

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

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

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

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IN ANY CORRESPONDENCE ON

Ministry of Health
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UGANDA

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

THE REPUBLIC OF UGANDA

5th June 2023

Circular

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

PROVISION OF SERVICES TO ALL PEOPLE WITHOUT DESCRIMINATION

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

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

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

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

Dr. Henry G. Mwebesa
DIRECTOR GENERAL HEALTH SERVICES

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

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In any correspondence on this subject please quote: EPD 191/336/03

THE REPUBLIC OF UGANDA

Ministry of Education and Sports
Embassy House
P.O. Box 7063
E-Mail:permasec@education.go.ug
Website: www.education.go.ug
Kampala, Uganda

18th August 2023

All Heads of Education Institutions

PROVISION OF EDUCATION SERVICES TO ALL PEOPLE WITHOUT DISCRIMINATION

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

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

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

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

Ketty Lamaro
PERMANENT SECRETARY

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

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THE REPUBLIC OF UGANDA

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Kampala (Uganda)
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Our Ref: ADM 12/01 **Date:** 25th August, 2023
Your Ref:

CIRCULAR NO.18/2023

All Prosecutors,
Office of the Director of Public Prosecutions.

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

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

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

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

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

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

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

Jane Frances ABODO
DIRECTOR OF PUBLIC PROSECUTIONS

Annex 11: Enhanced Implementation Support and Monitoring of Non-Discrimination

1. BACKGROUND AND OBJECTIVES

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

Table 1 illustrates the Enhanced Implementation Support and Monitoring steps. Figure 1 contains the Enhanced Implementation Support and Monitoring process. Figure 2 contains the Complaint Management for Vulnerable or Marginalized Individuals or Groups.

2. SCOPE OF WORK AND ACTIVITIES

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

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

To do so the EISM will:

- **Enhance existing project-level grievance redress mechanisms** to safely, ethically, and confidentially receive cases related to discrimination on World Bank/IFC financed operations and refer them to an appropriate grievance handling mechanism.

- **Design and operate a mechanism for receiving grievances** related to discrimination on WB/IFC financed operations (including from project level grievance mechanisms noted above).

- **Establish a hotline or an alternative complaint mechanism**, for individuals to lodge complaints of discrimination on WB/IFC financed projects or voice their concerns without fear of reprisal. The EISM is an alternative to lodging complaints through a GoU-led project-level GRMs.

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

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

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

- **Assist the WB/IFC to prepare and implement a plan to disseminate information** about the support provided by the entity including support to existent GRMs.

- **Prepare community/beneficiary information materials** on their rights within the Constitution of Uganda and World Bank/IFC policies informed by various official circulars issued by the GoU on non-discrimination and World Bank/IFC policies.

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

2.3 Capacity strengthening and technical support.

Activities related to capacity strengthening and technical support include:

- **Support to the WB/IFC on training** of government staff and private sector consultants/clients, workers, and contractors on non-discrimination by developing training materials, identifying venues, providing trainers, etc.

- **Support to the WB/IFC with training project level GRMs** on non-discrimination in World Bank and IFC financed Projects by developing training materials, identifying venues, providing trainers, etc.

- **Preparing training modules for call center operators, data management personnel, and community outreach personnel** on appropriate handling of sensitive information.

- **Providing technical support to the GoU for the development of Guidelines** on Non-discrimination of Workers.

2.4 Monitoring and Evaluation

Activities related to monitoring and evaluation include:

- **Developing a system to regularly monitor WB/IFC projects** for 1) implementation of agreed GoU actions to mitigate the risk of discrimination on WB/ IFC projects, 2) incidents of discrimination on World WB/IFC financed projects.

- **Regularly evaluating the effectiveness of mitigation measures** to determine whether and how well the mitigation measures are functioning to improve WB/IFC awareness of incidents of discrimination on WB/IFC financed operations.
- **Recommending and supporting the implementation of adjustments to mitigation measures** based on regular evaluations and their impact.

3. ROLES AND RESPONSIBILITIES

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

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

The GOU will facilitate the work of the entity and collaborate as needed on all activities requiring their direct involvement, such as outreach and sensitization activities, capacity strengthening and technical support as well

as the monitoring and evaluation of mitigation measures. The GoU will also ensure that the work under the EISM can be undertaken safely in accordance with existing circulars and their dissemination.

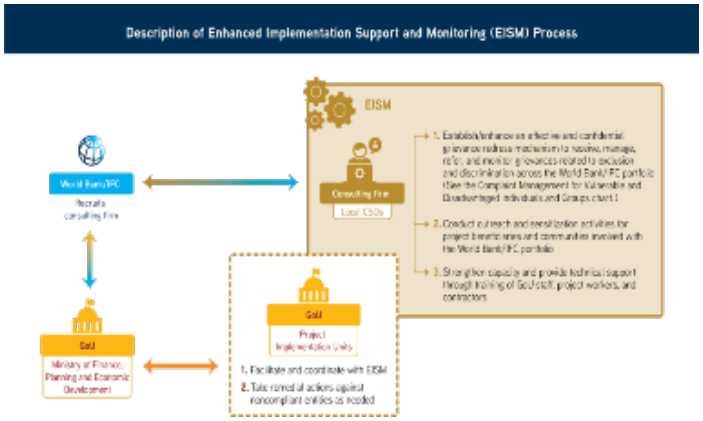

Fig. 1: Enhanced Implementation Support and Monitoring (EISM) Process

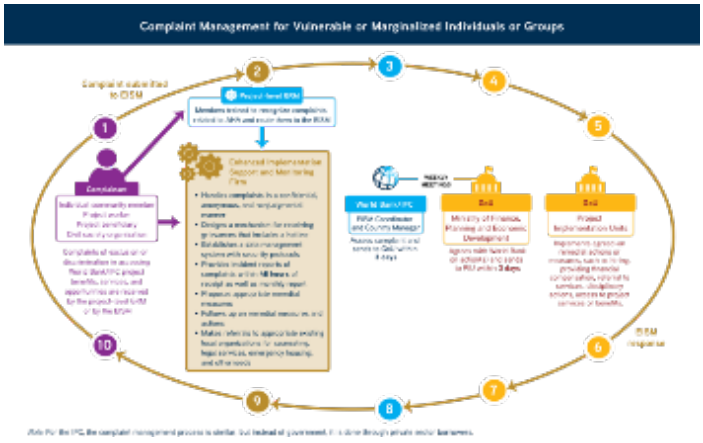

Fig. 2: Complaint Management for Vulnerable or Marginalized Individuals or Groups