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4 LAND ACQUISITION & RESETTLEMENT PLANNING PROCESS

4.1 INTRODUCTION

Land acquisition and resettlement comprises the main phases, resettlement planning and resettlement implementation, also referred to as 'RAP planning' and 'RAP implementation'.

The RAP planning comprises the 'pre-acquisition' activities with the RAP implementation phase comprising the completion of the 'acquisition of the land and securing the rights to the land'. The overall land acquisition and resettlement process is indicated in Figure 4-1.

This Chapter details the main elements of the RAP planning process, including the socio-economic household, cadastral land and valuation surveys and preparation of the Valuation Reports and this RAP. Chapter 14 details the main elements of the RAP implementation process including a description of the primary roles and responsibilities of key stakeholders, including both the Project Company and the GoU.

The GoU is acquiring the land in the public interest as per the laws of Uganda. The Project proposes to undertake within the provisions of the legal framework governing land acquisition, as far as possible, a consensual process to secure the land for the Project (i.e. as covered by Section 73(1) of the Land Act). The Land Acquisition Act (LAA) governs the procedure for compulsory land acquisition by Government which is summarized in Chapter 3. The land acquisition process for the Project therefore will follow the relevant procedural requirements contained in the LAA and as presented in Table 3-2 in Chapter 3. The RAP process also contains additional Project-specific activities required for the Project to meet the International Financing Standards (IFS), namely IFC PS5.

Part of the legal process to secure the acquisition of land in the public interest is the gazettelement. The GoU have gazetted the Project required land under Gazette No. 105 of 2019, published on November 29th, 2019. This gazettelement includes the pipeline corridor and AGIs, the Main Camp and Pipe Yard (MCPY) sites and, associated access roads to the MCPYs.

Pipeline route selection and consideration of Project alternatives, as described in Section 2.7, were also undertaken during the RAP planning, pre-acquisition stage, of the Project development.

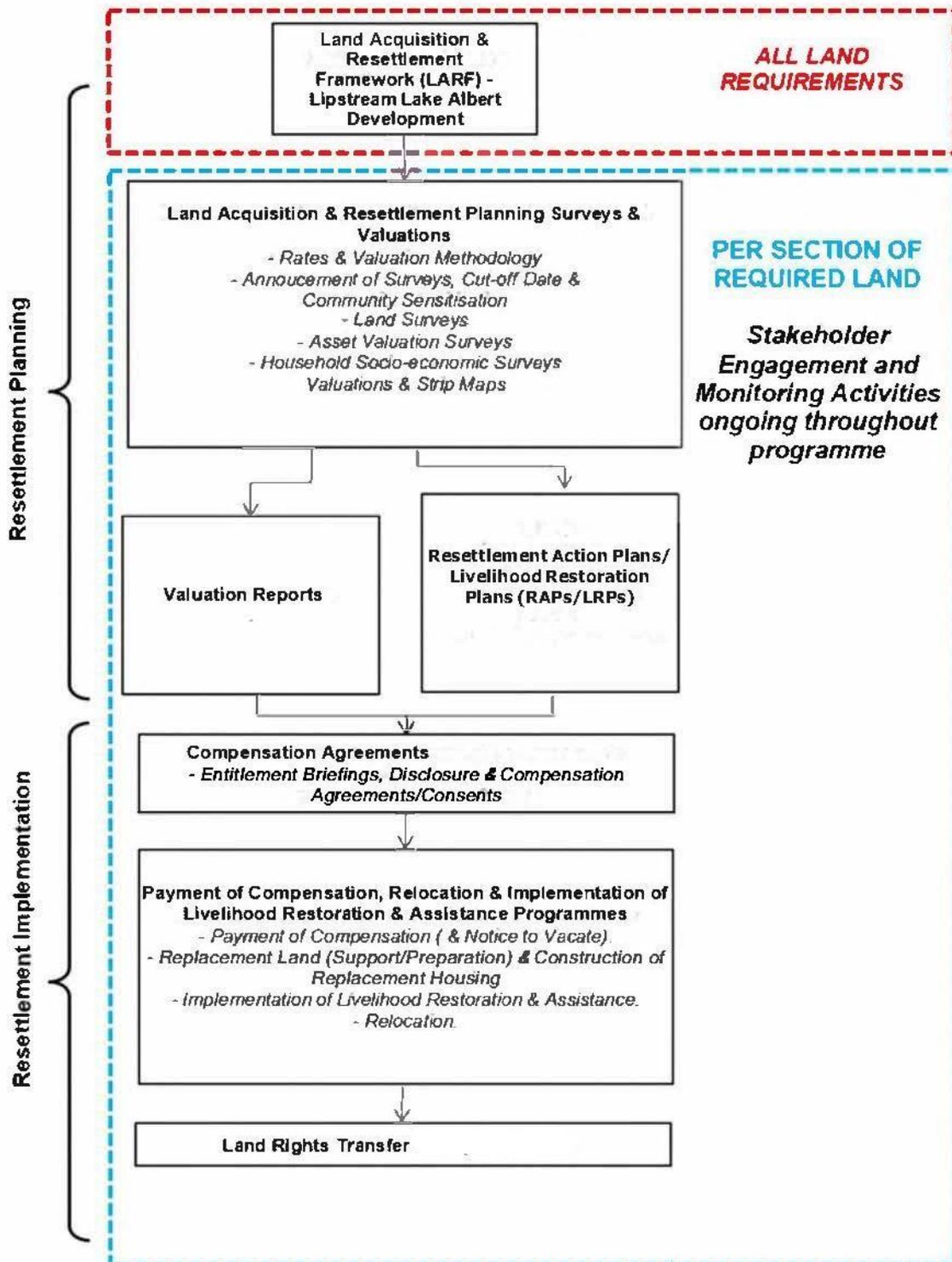


Figure 4-1 Overall Land Acquisition & Resettlement Process – EACOP Uganda Section¹

¹ The EACOP Project is a midstream development associated with the upstream development of the Lake Albert

4.2 PREPARATION FOR SURVEYS & VALUATION

The key surveys for the land acquisition and resettlement program comprise: Land & Cadastral Survey, Asset Inventory Valuation Survey and Socio-Economic Household Survey. Various preparation and planning activities were undertaken prior to the commencement of the detailed survey program. In addition, the following approvals for the detailed surveys were necessary:

- Valuation Methodology by the CGV.
- Survey Methodology by Commissioner Surveys and Mappings of Ministry of Lands, Housing and Urban Development (MLHUD).
- Aerial Surveys for the EACOP Pipeline corridor.

A literature review to gain a better understanding of the Project standards, Ugandan legal requirements along with the land use and settlements patterns along the pipeline corridor was undertaken during the initial stages of RAP planning. From the review, it was noted that the pipeline route traverses very rural areas with sparse population avoiding highly sensitive environmental regions. The pipeline crosses areas where the majority of the buildings are temporary and semi-permanent in nature indicating the poverty level of the population in the affected areas.

4.2.1 Authorization and Reconnaissance Visits

The Hon Minister of Energy and Mineral Development authorized the commencement of the RAP activities and provided a letter introducing the RAP process to the districts. Reconnaissance visits were undertaken to the districts and areas affected by the proposed pipeline corridor and the MCPY sites during the initial stages of the RAP planning (during May 2018 and October 2018 for Camps sites and pipeline respectively). The purpose of these reconnaissance visits were to:

- make initial contact with the key stakeholders at district and sub-county levels;
- familiarize the RAP Team with the Project area in general; and
- inform the planning of subsequent activities involving stakeholder engagement and detailed surveys.

Consultations were made jointly with the district and sub-county technical and political leaders in all the affected districts (see Photo 4-1).

basin. The Upstream Partners prepared a Land Acquisition & Resettlement Framework (LARF) for the land acquisition and resettlement planning for the upstream Lake Albert development. This LARF was endorsed by GoU in December 2016.



Photo 4-1 Meeting with Sembabule District and Sub-County Political & Technical Leaders during Reconnaissance Visits

4.2.2 Valuation & Survey Methodology

Valuation Methodology reports were prepared by the RAP Contractor. These reports were approved by the CGV (MLHUD) for the Priority Areas (i.e. MCPY sites) and the Pipeline Corridor & AGIs in 16th August 2018 and 25th February 2019, respectively. The Valuation Methodology reports comprised;

- description of the relevant Project components;
- legal, policy and institutional framework, including the GCALA; and
- detailed valuation methodology, including the land survey methodology and procedures for property assessment and the forms.

4.2.3 Questionnaires, Frequently Asked Questions and Survey Team Training

Various other documents were prepared by the RAP Contractor for the surveys for approval by the Project, including the: socio-economic household questionnaire and cadastral and valuation assessment forms. These questionnaires were used to capture information which was later processed in various software and transferred to the database. The original questionnaire used in the Priority Areas was refined for use along the pipeline route and AGIs. The questionnaire for the pipeline and AGI surveys is presented in Appendix B.

Documents to support the stakeholder engagement were also prepared to provide guidance to field teams in responding to stakeholder questions on the purpose, nature and approach of the surveys. These documents included Frequently Asked Questions (FAQs), flyers, brochures and posters.

The survey teams underwent training in October 2018 on the following: basic training in GIS; operation of GNSS equipment: GNSS data processing: HSE orientation: stakeholder management: data capture techniques: standard field operating guidelines for valuation team; valuation data capture modalities and modalities; code of ethics and professional conduct.

The survey teams consisted of only Ugandan nationals with relevant technical experience, including registered land, cadastral and valuation surveyors. Community Liaison Officers (CLOs) were part of the survey teams to support engagement and participation of the communities and other local stakeholders in the RAP planning surveys.

The survey team were accompanied by representatives from the GoU/MEMD/PAU and District Local Government when available. At all times, there were in company of the Chairman LC1 of the area or his/her representative.

4.3 COMMUNITY SENSITIZATION & STAKEHOLDER ENGAGEMENT

Stakeholder engagement for the land acquisition and resettlement programme has been, and continues to be, undertaken at national, district, village and individual household and PAP level. The engagement began prior to the commencement of the field activities and will continue through the RAP planning and implementation phases. Chapter 12 presents more details on the stakeholder engagement undertaken during RAP planning and planned for RAP implementation. A Stakeholder Engagement Plan (SEP) was prepared by the RAP Contractor to set out the approach to engagement for the RAP planning.

A kick-off workshop for the land acquisition and resettlement program was organized by TEAM B.V. with the national level agencies prior to the surveys, participants included main Government Agencies like PAU, MEMD, UNOOC and MLHUD. There were workshops held for both the Priority Areas and Pipeline & AGIs components of the Project.

4.3.1 Community Sensitization

Sensitization meetings were conducted for district, sub-county and village stakeholders. The purpose of these meetings was to create awareness among the stakeholders about EACOP and the RAP process and specifically the survey and valuation process. Participants at district and sub-county levels included technical staff, political leaders, representative of civil society and religious leaders. At the village level, community members and local leaders were sensitized and the methodology was participatory in nature. A total of 48,700 persons (17,807 women) attended the meetings.

Various sensitization tools were used including audio, written and visual, site visits and traditional media to communicate the message. In particular, radio announcements were used to inform the PAPs of the locations in which the RAP activities were to be carried out and, how the PAPs could easily identify the RAP Team. Engagements were undertaken in the language(s) relevant for the local area with team members available to provide translation if necessary. The languages included Runyakitara, Luganda and English.

Topics covered during the community sensitization included: overview of the Project; RAP activities; stakeholders' engagement; socio-economic survey; boundary opening exercise; cadastral survey; valuation of assets; cut-off dates; eligibility for compensation; grievance redress mechanism and Resettlement Committees. Question and answer sessions were conducted to enable participants to ask questions or seek clarifications. Appendix C shows the questions asked by the PAPs. Photo 4-2 below show one of the many community sensitization meetings that were held in the 171 villages affected by the Project land acquisition.



Photo 4-2 Village Sensitization Meeting in Naanywa, Lwengo District

In order to empower the individual PAPs, PAHs and villages sufficiently, before any technical work like the surveys, it was compulsory for the technical team to carry out sensitization together with the CLOs. The purpose of the sensitization was to explain the purpose of the activity, how it will potentially impact the PAP and their household and the PAPs rights as far as the process is concerned. Feedback during the RAP planning was provided through the CLOs who communicated feedback in a language understood by the PAPs.

In addition, the legal team moved with other technical teams to empower the PAPs with sufficient legal knowledge before the PAPs appended signatures to various forms which were being used in the process of socio-economic, cadastral and valuation surveys.

It should be noted that stakeholder engagement has been continuous; district, sub-county and village meetings were carried out several times. The details of the community sensitization and wider RAP planning stakeholder engagement are discussed further in Chapter 12.

4.3.2 Resettlement Committee

During the community sensitization meetings Resettlement Committees (RCs) were formed, one per village with a total of 171 RCs established. Their key role is to mobilize the PAPs to participate in RAP activities and assist in resolving some of the grievances referred to them. The Committees comprise of a minimum of six members; LC1 chairperson, representatives of elderly men, women, youth as well as representatives from the sub-county and district.

4.4 DETAILED SURVEYS & VALUATION

4.4.1 Cut-Off Dates

IFC PS5 requires the establishment of a cut-off date in the absence of Government procedures. Principle 3 of the Guidelines for Compensation Assessment Under Land Acquisition (GCALA) (MLHUD, 2017) makes reference to the establishment of the cut-off date, including: that it should be well documented and disseminated throughout the project affected area; and individuals taking up residence in the project area after the cut-off date shall not be compensated.

For the Project two types of cut-off date were established:

- **Individual Cut-off Date:** this was issued on a rolling basis and is when the socio-economic census and asset inventory for each PAP was completed and he/she signed the assessment form.
- **General Cut-Off Date:** this is when the socio-economic census and asset inventory for the last PAP was completed in a Priority Area (MCPYs 1 to 4 and access roads) or in each District for the pipeline and AGIs. The General Cut-off dates are summarized in Table 4-1. All PAPs and Project-affected communities were informed that after these cut-off dates no new developments will be eligible for compensation or resettlement assistance, as noted below:
 - no new sub-divisions, new social or economic developments (such as new structures, houses, shelters, animal shelters, buildings or new trees) or any other developments put up in the demarcated survey areas (i.e. Project area) will be considered eligible after the cut-off date; and
 - newcomers occupying the Project area shall not be eligible for compensation and/or resettlement assistance.

PAPs were also reminded to continue with livelihood activities, including where land is cultivated for food crops, or where land is used for grazing, these activities can still take place until the implementation phase of the RAP.

Table 4-1 General Cut-Off Dates for Priority Areas & Pipeline Districts

Priority Area/District	General Cut-Off Date
MCPY-01 (Kakumiro)	15 th June 2018
MCPY-02 (Mubende)	16 th June 2018
MCPY-03 (Sembabule)	19 th June 2018
MCPY-04 (Kyotera)	20 th June 2018
Access Road to MCPY-03	9 th March 2019
Access Road to MCPY-04	9 th March 2019
Pipeline & AGI – Districts:	
Hoima	15 th April 2019
Kikuube	16 th April 2019
Kakumiro	24 th April 2019
Kyankwanzi	14 th May 2019
Mubende	20 th May 2019
Gomba	16 th April 2019
Sembabule	24 th April 2019
Lwengo	13 th May 2019
Rakai	2 nd May 2019
Kyotera	2 nd May 2019

The announcement regarding cut-off dates started with the district and sub-county officials

and then trickled down to the respective villages where each of the proposed sites are located. In addition to the meetings with the stakeholders, posters in both English and the local languages were printed for each Priority Area and pipeline affected district (Figure 4-2). These were displayed at each meeting and later printed and displayed at each site. These notices were displayed along with the draft strip maps.

**EAST AFRICAN
CRUDE OIL
PIPELINE**

PUBLIC NOTICE: GENERAL CUT-OFF DATE FOR KAKUMIRO DISTRICT | 24 APRIL 2019

In 2006, the Government of Uganda confirmed commercial quantities of oil in the Lake Albert basin. It engaged the international oil companies: CNOOC LTD, TOTAL E&P Uganda and TULLOW PLC to develop the resource. These companies have finished the exploration phase and are heading into development which will lead to the production phase of Ugandan oil resources.

Once produced, the crude oil will be partly refined in Uganda and partly exported to the international market through the East African Crude Oil Pipeline (EACOP).

LAND ACQUISITION PROCESS

Land Acquisition in the EACOP corridor is progressing as follows:

Community Consultation, Surveys and Census

- Stakeholder Engagements were held at the National, District, Sub County, and village levels.
- Thereafter the contractor NewPlan/ICS carried out a census, asset inventory and cadastral survey of the affected property within the proposed areas for land acquisition.
- The census and asset inventory results within the identified areas were disclosed to the affected persons and their respective Local Council leaders during the survey and valuation activities.

CUT- OFF DATE

- There are two types of Cut-Off Dates: the **Individual Cut-Off Date** and the **General Cut-Off Date**.
- The **Individual Cut-Off Date** is the date beyond which any person whose land is occupied for the project will not be eligible for compensation for any property established after the said date. This Cut-Off-Date was when census and asset inventory for each Project Affected Person (PAP) was completed and he/she signed the assessment form.
- The **General Cut-Off Date** is when census and asset inventory for the last PAP in the district or project is completed.

Declaration of Cut-Off Date:

This is the General Cut-Off Date for Kakumiro District. All PAPs who were identified during the census and asset inventory exercise for EACOP in Kakumiro district are hereby notified that **Wednesday 24 April 2019** is the General Cut-Off Date.

All PAPs are informed that after this Cut-Off Date, no new developments will be eligible for compensation or resettlement as detailed below:

- No new subdivisions, new social or economic developments (such as new structures, houses, shelters, animal sheds, buildings and new trees) or any other developments put up in the demarcated area will be considered after **Wednesday 24 April 2019**.
- Newcomers occupying the Project Area after this Cut-Off Date shall not be eligible for compensation and/or resettlement assistance.

However, PAPs are informed that where land is cultivated for food crops, or where land is used for grazing, these activities can still take place until the implementation phase of Resettlement Action Plan.

DISPLAY OF STRIP MAPS

A final copy of strip maps showing all affected persons with affected properties eligible for compensation will be publicly displayed after approval of the valuation report by the Chief Government Valuer (CGV) in Kakumiro district.

The strip maps, to be displayed as detailed in the table below, are draft copies for comments.

Sub-County	Village	No Of Project Affected People (PAPs)
KATIKARA	Kyerimira	5
KATIKARA	Kasambya	25
KATIKARA	Nyakabungo	21
KATIKARA	Karokarungi	40
KATIKARA	Rwemirama	12
KATIKARA	Kyakajoro B	8
KATIKARA	Kyakajoro A	33
KATIKARA	Mukono A	3
KISITA TOWN COUNCIL	Kyangota A	30
KISITA TOWN COUNCIL	Kisita West B	2
KISITA TOWN COUNCIL	Kisita A	29
KISITA TOWN COUNCIL	Kyentale	7
KISITA TOWN COUNCIL	Kyabanena	12
KISITA TOWN COUNCIL	Kyamajara	1
MPASAANA TOWN COUNCIL	Kyajawe C	0
MPASAANA TOWN COUNCIL	Rwamata B	4
MPASAANA TOWN COUNCIL	Kyajawe A	3
MPASAANA TOWN COUNCIL	Kyajawe B	3
MPASAANA TOWN COUNCIL	Mabengere	14
MPASAANA TOWN COUNCIL	Mpsaana	24
MPASAANA TOWN COUNCIL	Kijungu	12
MPASAANA TOWN COUNCIL	Kalabata	20
MPASAANA TOWN COUNCIL	Binikira East	13
NKOOKO	Mweruka	12
NKOOKO	Wabitaama	14
TOTAL		349

All Project Affected Persons within the demarcated land are encouraged to verify the details from the strip maps and to attend the upcoming community meetings about the Cut-Off Date. It is important to note that grievances, if any, shall ONLY be recorded at the village in the presence of the Local Council Chairperson.

PAPs are advised to come along with proof of property ownership and/or any relevant documents for verification.

ADDITIONAL NOTES

- EACOP is a 1,443km export pipeline, of which 296km are in Uganda, that will transport crude oil from Kabaale – Hoima District in Uganda to Chongoleani peninsula near Tanga port in Tanzania
- EACOP will be constructed and operated through a shareholding by: the Uganda National Oil Company (UNOC), the Tanzania Petroleum Development Corporation (TPDC) and the three oil companies: CNOOC LTD, TOTAL E&P Uganda and TULLOW PLC.

For more information contact:
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Email: EACOP@eacop.com/Website:www.eacop.com

RESETTLEMENT ACTION PLAN CONSULTANTS

Figure 4-2 Example General Cut-Off Notice – Kakumiro District

IFC guidance (i.e. IFC Guidance Note 5) advises the time between establishment of the cut-off date and payment of compensation should be limited. GIIP indicates up to a two (2) year period is recommended from the cut-off date for whether some reassessment is necessary depending on the project impacts. The guidance recognizes there are often delays and restrictions on land use from the establishment of the cut-off and these can result in losses for PAPs, households and communities which may need to be compensated depending on the nature of the delay. Depending on the delay to payment of compensation an additional study

may be required to reassess compensation and the rates used. The CGV may provide direction on such reassessment. The GCALA (MLHUD, 2017) guidelines does make reference in Principle 5 states where “*compensation award has not been paid within one year from the project cut-off date, the report shall be reviewed annually at 15%*”.

The need for reassessment of the compensation awards and rates will be done by the Project considering both the time lapsed from the cut-off date and from the approval of the Valuation Reports by the CGV. Engagement and direction will be taken from the CGV on this matter.

The validity of the cut-off date and related valuations are discussed in Chapter 7.

4.4.2 Land & Cadastral Surveys

The 296 km pipeline route was divided into 10 sections each managed by a cadastral supervisor. The survey involved three main steps with key activities as summarized in Table 4-2. The Land & Cadastral Surveys were undertaken for: the Priority Areas – May 2018 to July 2018; and the pipeline & AGIs during November 2018 to March 2019:

Table 4-2 Summary of Land & Cadastral Survey Activities

Main Process	Summary of Key Activities
1. Densification of Survey Control Points	<p>1.1 Submission of methodology to Commissioner Surveys and Mapping and issuance of an Instruction to Survey, comprising:</p> <ul style="list-style-type: none"> desktop analysis of the alignment coordinates, superimposed on Google Earth; survey data of existing national control monuments were retrieved from the Department of Survey and Mapping (DSM) and plotted; methodology for the execution of the cadastral survey activities was drafted and shared with the Commissioner Surveys and Mapping for approval; and Instructions to Survey (I/S) for the establishment of survey control points were issued upon approval. <hr/> <p>1.2 Global Navigation Satellite System (GNSS) Static Observations, comprising:</p> <ul style="list-style-type: none"> primary EACOP Survey Control points previously established intervals of 30km; densification of more secondary controls to facilitate the setting out the pipeline and measurement of the affected properties; plan and methodology for static observations were developed according to the TEAM B.V technical specification and approved; and 63 secondary control points were established at 5km intervals. <hr/> <p>1.3 Post Processing of Static Data².</p>
2. Aerial Surveys	<ul style="list-style-type: none"> A plan was prepared for the flight route and submitted to the Ministry of Defence for approval. Survey entailed the planting of visible marks on the ground for directing the flight and processing the data. Aerial survey was carried out by a drone flying at a distance of 600-700m above ground and, it captured images of a width of 300m along the corridor; Survey was carried out to capture the features on the ground along the pipeline route. Raw images and GIS Ortho-photos depicting ground features were produced.

² Due to the transboundary nature of EACOP, the survey reference system used was ITRF 2005 Epoch 2010 whereas, all the registered land was surveyed in Arc 1960. Due to this, densification was carried out twice in both systems so as to meet the needs of EACOP and, to adhere to national regulations.

Main Process	Summary of Key Activities
<p>3. Cadastral Survey of Properties</p>	<p>3.1 <i>Submission of methodology to Commissioner Surveys and Mapping and issuance of an Instruction to Survey.</i></p> <hr/> <p>3.2 <i>Preparation of land survey data collection tool (Form A – Appendix D).</i></p> <hr/> <p>3.3. <i>Setting out of the EACOP Pipeline Corridor³ : including planting of wooden pegs (1m high) in the ground at 25m intervals on both left-hand and right-hand sides of the pipeline corridor.</i></p> <hr/> <p>3.4 <i>Demarcation of affected land parcels and identification of affected interests and landowners, comprising:</i></p> <ul style="list-style-type: none"> • Measurement of all land boundaries within and outside the corridor and any other valuable structure such as permanent houses, graves and public utilities. • Information captured was recorded on the Survey Form (Appendix D). Other details recorded included; the sketch of the boundary of each land parcel affected, name of landowner, plot number (registered land), area of each land parcel affected, tenure of the land, names of owners of neighbouring parcels, details of the spouse and neighbours. • Proof of ownership of affected land parcels such as a copy of Land Title for registered property and for unregistered Landowners, copy of sale agreements in their names (names as indicated on the national Identity cards) as proof of ownership rights on the land were collected from the PAPs. • Team also worked with the District Environmental/Natural Resources Officer and the National Forestry Authority staff to identify the wetlands and forest reserves. <hr/> <p>3.5 <i>Gazetting of the Project Required Land (see Section 4.4.3).</i></p> <hr/> <p>3.6 <i>Boundary opening of affected surveyed parcels :</i></p> <ul style="list-style-type: none"> • Cadastral data was acquired from the Ministry Zonal Offices to facilitate boundary opening exercise. • Boundary opening was carried out to determine the correct ground location of property boundaries. • Before the commencement of the exercise, sensitization of the affected villages was thoroughly conducted since boundary opening entails searching for mark stone sometimes on the neighbour’s land even when their lands are not affected. • The verification of these registered cadastral boundaries was done in the presence of the registered proprietors, the local leaders and neighbours on the ground. <hr/> <p>3.7 <i>Production of strip maps and QA/QC of the survey data and strip maps.</i></p> <hr/> <p>3.8 <i>Compilation of the draft survey report with the survey database: showing the names of PAPs, reference numbers, acreage details of each PAP etc. and strip maps.</i></p> <hr/> <p>3.9 <i>Display of draft strip map and cut-off date announcement: Strip maps were displayed on Notice Boards in each affected village along with the cut-off notice. With the help of local leaders, PAPs were mobilized and the details on the strip maps explained to each PAP. Grievances were also recorded and addressed.</i></p> <hr/> <p>3.10 <i>Rectification of erroneous surveys and subdivisions : During the boundary opening,</i></p>

³ Also referred to in some documents as the ‘EACOP Right of Way (RoW)’.

Main Process	Summary of Key Activities
	<p>the survey team faced challenges caused by differences between the on the ground findings and the cadastre.</p> <hr/> <p>3.11 <i>Display of final strip maps, return of Land Survey Forms and compilation and submission of the final survey report :</i></p> <ul style="list-style-type: none"> • The final Land Survey Form was returned to the PAPs and the surveyors explained all the information to the PAPs and receive any grievances. • The final survey report captured new information such as: subdivisions; missing PAPs; results from land title searches; outcomes from boundary opening and survey rectification; and comments from the CGV. The final Cadastral Survey Report forms an appendix to the Final Valuation Report.

The role of the Cadastral Surveyors in the RAP implementation phase is outlined in Chapter 12. This includes: being part of the disclosure of compensation awards after CGV approval and the verification process..

4.4.3 **Gazettement of Project Required Land**

During the cadastral survey process when available the coordinates of the ‘Project Required Land’ (i.e. the pipeline corridor, MCPYs (and emergency evacuation areas/helipads), PS-2 and access roads alignment) were shared with the GoU (i.e. MEMD who forwarded these to the MLHUD and the Ministry of Justice and Constitutional Affairs) to support the gazettement. The coordinates were also shared with the DSM (MLHUD) to assist in preventing further land transactions and subdivisions in the Project Required Land.

The Project Required Land was gazetted under Gazette No. 105 of 2019, published on November 29th, 2019.

4.4.4 **Asset Inventory Survey & Valuation Reports**

The valuation team was assigned to follow in the tracks of the cadastral team and as such, ten (10) teams were created to match the cadastral team. The asset inventory was compiled by a team of Registered Valuation surveyors with support from the land surveyors, socio-economic team, wetlands demarcation team, the forest and woodlots team from NFA and the cultural heritage team. The legal team helped to explain to PAPs the legal consequences and pick the legal documents required for due diligence of the process of compensation. Grievance resolution was a continuous activity throughout the valuation exercise.

Key valuation activities and steps are summarized in Table 4-3 these comprise some of the activities for the Community Sensitization, Cadastral Survey and Socio-economic survey. The Assets Inventory field surveys were undertaken for: the Priority Areas – May 2018 to July 2018; and the pipeline & AGIs during November 2018 to July 2019:

Table 4-3 Key Valuation Steps and Activities

Step	Key Valuation Steps/Activities
1	<i>Preparation & approval of the valuation methodology (see Section 4.2.3).</i>
2	<i>Community Sensitization and stakeholder engagement prior to surveys (see Section 4.3).</i>

Step	Key Valuation Steps/Activities
3	<i>Setting out of EACOP Pipeline Corridor (see Table 4-2 Step 3.2, Cadastral Survey).</i>
4	<p><i>Comprehensive PAPs' and assets inventory:</i></p> <ul style="list-style-type: none"> Valuation surveyors inspected and assessed the properties that are on the land being acquired, and categorized them as land, developments/infrastructure and crops/trees. The field findings were recorded in the standard Valuation Assessment Form (Appendix D), and photographs of the PAP holding placards with their unique reference numbers were taken.
5	<i>Provision of market rates (land) and provision of District Compensation Rates (perennial crops, trees and semi-permanent and temporary structures (see Section 7.3.3).</i>
6	<i>Data entry, analysis and computation of compensation awards.</i>
7	<i>Display of strip maps and cut-off date announcement (see Table 4-2 Step 3.9, Cadastral Survey).</i>
8	<i>Preparation of Draft Valuation Report: the draft report was subject to comments and recommendations from the CGV and inclusion of other field results (e.g. opening of boundaries, title search results, dispute resolutions, updated compensation rates etc.).</i>
9	<i>QA/QC of valuation data with the cadastral, socio-economic and cultural heritage data.</i>
10	<i>Field verification and supervision by the CGV.</i>
11	<i>Return of forms to PAPs: Field forms were returned to the PAPs as it is their legal right to know what has been assessed for compensation and in what quantities. This exercise also helps the assessor to verify information captured e.g. the name of the PAP. The outcome informed the final report.</i>
12	<i>Preparation of Final Valuation Reports and submission to CGV for approval.</i>
13	<i>Preparation of Draft Supplementary Reports: where issues could not be resolved by the time the final report was ready, a supplementary report will be prepared to cater for these. Assessment of residual/orphaned land will be undertaken as a supplemental action (see Chapter 7).</i>
14	<i>Approval of Valuation Reports by CGV :</i>

Rectification of some boundaries were not possible within the timeframe of the valuation and are ongoing, these will be covered in supplementary valuation reports.

Rates for land were approved by the CGV for use in the valuations. Land rates were derived from market rates gathered from research of land transactions in the Project-affected districts (see Section 7.3.3 for further details).

The assessment of value of perennial crops, economic trees and semi-permanent and temporary structures used the approved District Compensation Rates. The districts formulated the District Compensation Rates which were moderated by the CGV and provided to the RAP Contractor for use during valuation.

The approved District Compensation Rates used in the valuations were reviewed by the Project valuers to confirm that rates met full replacement cost as required under IFC PS 5.

Fourteen (14) Valuation reports have been prepared; one for each of the MCPYs (and their

access roads) and one for each pipeline affected district. The thirteen (13) of the Final Valuation Reports were all submitted to the CGV in May 2020 and approved in July 2020. There were some additional actions for one (1) Valuation Report for MCPY-01 which were still being completed at this time.

The validity of the Valuation Reports and cut-off date is discussed in Section 4.4.2 above. Further information on the approach to valuation of land and assets is presented in Chapter 7. The subsequent valuation and related land acquisition activities after approval of the Valuation Reports by the CGV are part of the RAP implementation phase outlined in Chapter 14.

4.4.5 Socio-Economic Surveys

In compliance with IFC PS5 a household socio-economic survey was carried out of PAPs and their households. The purpose of this survey was to establish the socio-economic baseline conditions of the PAPs, PAHs and communities prior to resettlement, to inform the resettlement planning, against which relocation and livelihood restoration will be measured.

Socio-Economic Baseline Survey Activities:

The key activities carried out for the socio-economic survey, included:

- Designing the household questionnaire (see Appendix B);
- Training of Research Assistants and pre-testing of the questionnaire;
- Preparing of socio-economic baseline which was undertaken through:
 - review of relevant additional documentation;
 - stakeholder engagements (Key Informant Interviews, Focus Group Discussions – including with the Project-affected communities/villages); and
 - household questionnaires administered to affected households (PAPs / PAHs identified as guided by the valuation and cadastral survey teams).
- Data entry, cleaning and analysis – using EPI-DATA program and analysed using the Scientific Package for Social Scientists (SPSS version 16.0) and Ms-Excel.
- Reporting.

A summary of the socio-economic baseline is presented in Chapter 5.

The results from the socio-economic studies have informed the:

- the compensation options;
- identification of vulnerable persons and groups, and proposed vulnerable persons assistance measures;
- livelihood restoration framework and measures; and
- resettlement assistance and transitional support measures.

Survey Sample

The socio-economic surveys sought to cover 100% of all the PAPs/PAHs within the corridor while additional data was obtained from literature, focus group discussions, key informant interviews and other field-based assessments. Institutional PAPs are not covered in the household survey, however engagements have been undertaken with this group.

The primary respondents were PAPs on their household with spouses present, as far as

possible. Where the PAP was not available, an adult member of his/her household was interviewed. A total of 3,130 PAHs (i.e. PAPs and/or household representatives) were interviewed. These included:

- 3,045 PAPs for the Pipeline and 85 for Priority Areas and associated access roads.
- The number of PAPs (or household representatives) interviewed are less than the total number of PAPs reflected in Chapter 6 (i.e. 3,792) because:
 - Some PAPs (and household representatives) were absent on the date(s) of interview - additional opportunities for survey was given where possible;
 - Absentee landlords and land users;
 - Government Institutional PAPs – Government Agencies (UNRA, NWSC, UEGCL, URC, LGs etc);
 - Cultural institutions like Buganda and Bunyoro kingdoms.
 - Ongoing/incomplete subdivisions of land and rectification of boundaries which are slightly increasing the number of PAPs since the socioeconomic survey was completed in July 2019; and
 - Some of the deceased PAPs relevant family/household/estate representative not available).

Key Informant Interviews (KIIs) and Focus Group Discussions (FGD):

Key informants were purposively selected based on the knowledge and experience with the socio-economic situation in the Project area. The key informants included District Education Officers, Community Development Officers, District Planners, District Production Officers and District Health Officers. Representatives from the private sector like traders and banks; civil society/ Non-Government Organizations and traditional leaders were also selected. A total of 109 key informants were selected and interviewed from the ten (10) Project-affected Districts.

Participants in FGDs were purposely selected based on the different types and livelihood activities or PAPs and their household members. A total of 55 FGDs were conducted in the ten (10) Project-affected districts with the following groups: Male and female farmers; Women farmers); Male farmers; Cattle keepers; Owners of planted forests; Female traders; Male and female traders; Wetland users and settlers; Beekeepers; Women Village Savings & Loan Associations (VSLA) group; Men VSLA group; Vulnerable groups; Gender Analysis FGDs; Male and Female Youth; Sub-county officials; and NGOs. A total of 631 participants (403 males and 228 females) participated in FGDs.

Gender Considerations

In order to adequately address gender issues during RAP planning, it was important to involve both men and women in the various Project activities. The team ensured that both men and women were:

- invited to all meetings (community meetings, Focus Group Meetings and Key Informant Interviews);
- participated in the surveys and valuation activities; and
- ably represented on Resettlement Committees.

Meeting venues and times also took into consideration the attendance of women. Furthermore, the team of facilitators for each team comprised of both men and women. In

addition, all the collected data has been disaggregated by gender wherever found to be appropriate and practical.

Additional Supplementary Socio-economic Studies

Additional supplementary studies will be undertaken during the final stages of RAP planning and initial stages of RAP implementation to further inform the relocation assistance, transitional support measures, vulnerable persons assistance and livelihood restoration measures contained within this RAP. This supplemental work will further detail the livelihood restoration and vulnerable assistance measures to fully implementable more detailed Livelihood Restoration Plans (LRP) and Vulnerable Peoples Plans (VPP).

4.5 ADDITIONAL LIVELIHOOD RESTORATION INVESTIGATIONS

Additional investigations were undertaken to better understand the livelihood activities in the Project-affected communities and districts. This was used to augment the findings of the socio-economic survey (Section 4.4) to further inform the livelihood restoration planning. The activities undertaken included:

- Review of relevant secondary documentation.
- Additional stakeholder engagements on livelihood activities and Key Informant Interviews with relevant local Government officials e.g. CDOs, Production Officers etc.; NGOs Focus Group Discussions with different groups of affected people on their livelihood activities.
- Critical observation of the way-of-life of PAHs and the Project-affected communities.

Information on livelihoods was extracted from the household surveys and augmented with the additional livelihoods information referred to above. This data set has been analysed to inform the overall Livelihood Restoration Plan contained in this RAP.

4.6 IN-KIND COMPENSATION - REPLACEMENT HOUSING & LAND

The eligibility and entitlements for in-kind compensation (e.g. replacement housing) are presented in Chapter 7.

During the RAP planning data was collected and analyzed in order to inform the approach for compensation options for residential and agricultural replacement land. Given this is predominately a linear land take requiring a 30 strip of land there is limited land take from many PAPs total land interests. The exceptions to this may be at the MCPY and PS-2 block land takes. Also, replacement of very small pieces of land is generally not feasible and can have limited results as far as supporting livelihood restoration. It may be more appropriate in some circumstances to focus on livelihood restoration programs increasing productivity of remaining land as well as alternative livelihoods programs.

During the RAP planning the findings of the surveys and compiled Socio-Economic & Livelihood Investigations (SELI) have been used to inform the compensation strategy (monetary and in-kind) and eligibility criteria and approach contained in Chapter 7, further discussed in Chapter 8.

As prescribed by IFC PS5, where a PAP whose livelihoods are land based, it is preferred that replacement land that is at least equivalent to that being lost in terms of productive potential

and locational advantage be offered. However, it is also acknowledged that in many cases unused agricultural land is increasingly rare and alternative strategies may be required. In such cases, the IFC Draft Good Practice Handbook⁴ suggests that:

“Land-for-land replacement can be achieved:

- *by individual households securing their own replacement land, with the project and local authorities in a facilitating role rather than intervening directly; or*
- *by the project securing replacement agricultural land sites or individual plots, which are then allocated to displaced households”.*

During the RAP planning therefore work has been undertaken to determine the most appropriate approach and mechanism(s), which are technical and financially feasible for in-kind compensation for residential and agricultural land. The related activities undertaken during RAP planning has included inputs from the field work and the technical survey teams on:

- the farm sizes within the Project-affected districts and the minimum size a piece of land becomes uneconomic to use (e.g. orphaned/residual land);
- options to improve productivity and yields from remaining land;
- alternative livelihood options for PAHs;
- the process and challenges with securing replacement land for residential and agricultural use for the various affected land tenures and interests along the pipeline corridor (e.g. Freehold, Mailo, Kibanja, Lawful & Bonafide Occupant Interests etc.);
- the limits on availability of replacement land (residential and agricultural) within the ten (10) Project-affected Districts; and
- activities and technical support (e.g. surveying, legal etc.) the Project could provide to PAPs to secure alternative land themselves.

The planning for replacement housing for eligible Physically Displaced PAHs was undertaken as follows:

- analysis of the inventory of structures from the valuation survey to identify physically displaced households;
- physical inspection of the affected buildings; for identification & assessment of structure type, materials, occupancy;
- assessment of affected households’ socio-cultural background and influences, economic and livelihood practices; and social networks and cohesion and types of existing dwelling structures in the ten (10) Project-affected districts;
- an analysis of the land rights and interests held by eligible physically displaced households to inform approach to securing residential plots;
- preparation of the Design Basis, eligibility and entitlement criteria for replacement housing; and
- review and adoption of Upstream Prototype Scheme Designs & development of Cost Estimates.

⁴ IFC Good Practice Handbook: Land Acquisition and Resettlement (Draft, March 2019).

4.7 CULTURAL HERITAGE RESOURCES

During the RAP surveys cultural heritage specialists were part of the team in order to identify cultural heritage (tangible & intangible) and archaeological resources within the Priority Areas, access roads, pipeline corridor and AGIs land take. The approach undertaken comprised:

- Desktop survey based on relevant literature.
- Consultation and engagement activities:
 - Consultation with relevant Government Departments and the districts.
 - Onsite/Informal Consultations with affected communities about cultural heritage and archaeological resources.
 - Questionnaires to the affected PAPs and structured/semi-structured interviews to relevant PAPs.
 - Community level engagement regarding community resources.
- Ethnographical and Ethno-archaeological Study.
- Field observation and Archaeological Survey, including some Test Pit Excavations along the Corridor.
- Data analysis to inform the RAP, Valuation Reports and an impact assessment inputs to inform the Environmental & Social Management Plans (ESMP) and detailed mitigation measures.

The cultural heritage specialist worked with the land, valuation and socio-economic team to identify tangible and intangible cultural heritage resources including:

- Marked graves: such as earth mounds, cemented, heaped stones/brings, terrazzo, marble and tiles. They were verified and assessed for eligibility for compensation and relocation.
- 'Unmarked' graves: these are graves identified from engagements but not verified, often with no physical markings, so currently not considered within the compensation awards. They were recorded though during the RAP surveys for future reference.
- Natural and Built Shrines: both types eligible for relocation, with only built shrines being eligible for compensation.
- Other intangible cultural heritage assets: such as traditional use of medicinal plants for medicine and healing practices.

The archaeological findings have been provided to the Environmental & Social (E&S) EACOP team to be considered in the implementation phase Cultural Heritage Management Plans, chance finds procedures and the planning of pre-construction activities (e.g. excavation of significant sites). The archaeological sites identified during the RAP study will be amalgamated into the current archaeological EACOP dataset (except graves and shrines which are covered under the cultural heritage sites in the RAP) from the other archaeological studies, including the ESIA, archaeological watching brief during the Geological and Geotechnical (G&G) Surveys etc. The detailed mitigation measures for impacts on archaeological resources are set out in the ESIA and the Environment & Social Management Plans.

4.8 ENVIRONMENTAL RESOURCES (WETLANDS, RIVERBANKS AND FORESTS)

The pipeline traverses a number of wetlands (gazetted and ungazetted), rivers and their banks, and forests reserves. By law, these ecosystems are held in trust for the people by the

GoU or Local Government and protected by the same for the common good of all Ugandan Citizens. However, some wetlands and riverbanks still appear on individual’s or groups’ land titles since the laws stipulating the above are recent, dated 1995 and above.

It was deemed necessary as part of the RAP study, to demarcate/establish the land take within the pipeline corridor that is covered by wetland and rivers (inclusive of their legal buffer zones) so that it can be eliminated from the EACOP compensable land takes. Also, during land expropriation, the wetland and river banks are required to be excluded from the land takes.

The pipeline corridor which traverses forest reserves (i.e. the Taala Central Forest Reserve) was not demarcated during the surveys because none of it is part of individual land titles and it has not been purchased by individuals since gazettelement. However, the biomass and of all trees to be cut down in the forest reserves during the Project construction activities were valued to be compensated as required under the legal framework.

Studies and engagements therefore have been undertaken to:

- identify and verify the wetlands, rivers and forests traversed by the Project pipeline corridor;
- demarcate the wetland and riverbank portions within the corridor;
- determine the land acquisition related impacts on these resources;
- identify the parties/institutions/persons who hold the affected land interests in these areas and have jurisdiction over the use of these areas (e.g. NFA and NEMA);
- identify the communities and individuals who may use these ecosystems and how they use them; and
- inform the valuation of affected land and assets, including eligibility to compensation for affected land and assets.

The methodology and activities undertaken for wetlands, rivers and forests is summarized below:

Table 4-4 Key RAP Activities for Wetland & Riverbank Assessment

No.	Key RAP Activities – Wetlands & Riverbanks
1	<i>Legal review:</i> Review of the law so as to ascertain and understand the wetland and riverbank definitions.
2	<i>Agree approach:</i> Discussion with NEMA to agree on the approach.
3	<i>Stakeholder engagement:</i> at the National, District, Sub-County and Village level, including specific sensitization of affected PAPs before the demarcation and assessment.
4	<i>Demarcation of wetland and riverbank portions:</i> A wetland shapefile provided by NEMA was used to identify and demarcate wetlands and rivers crossed by the Project. This was done in consultation with the District Environmental Officer. This was based on the National Environment (Wetlands, River-banks and Lake Shores Management) Regulations of 2000. The produced strip maps were forwarded to the relevant District Local Governments for approval. The District Local Governments of the ten districts to be traversed by the EACOP approved the strip maps after which the strip maps were presented to NEMA for review and approval.
5	<i>Data Entry and Analysis :</i> The field data was processed to contain : PAP names & reference numbers, compensable assets, land tenure, community uses and benefits, observations on flora and fauna, species

No.	Key RAP Activities – Wetlands & Riverbanks
	of conservation interest and threats of each wetland/riverbank portion demarcated was developed.

Table 4-5 Key RAP Activities for Forest Assessment

No.	Key RAP Activities – Wetlands & Riverbanks
1	<i>Identification of PAPs with trees and woodlots:</i> Prior to field work by NFA, initial pipeline corridor demarcation was done for the entire stretch crossed by the pipeline including marking and pegging for the entire route by surveyors. This included the physical identification and valuation of all the PAP assets and properties along the entire corridor including those PAPs within the affected forested sites.
2	<i>Community Sensitization & Engagement:</i> Liaison was undertaken with the chairpersons of the respective villages and this made the assessment process smoother for the NFA team. Further introductions were made to the PAPs, as well as an explanation on what was being assessed and why. During the inventory simple interviews were undertaken to provide understanding on the value of the forest resource to the PAPs.
3	<i>Scientific identification of the tree species encountered and measured:</i> All trees encountered were identified by genus and species using the relevant field expert’s experience. Voucher specimens of species that could not be readily identified in the field were collected for further identification at the camp by other team members. The NFA team was hired to undertake the assessment of the trees along the Corridor.
4	<i>Inventory of trees within the Land Affected by EACOP:</i> Where a woodlot /forest was located, the pipeline corridor was located by identifying the left and right extents as demarcated by pegs earlier planted by the land/cadastral survey team. However, locating the corridor was not always straightforward because some of the pegs had been removed. This was most common in the cattle areas where the cattle knocked the pegs down; some pegs had also been damaged by termites. In such cases, the PAPs would come in handy to show the team the original locations of the pegs. Global Positioning Systems (GPS) with digital maps was also used to show the location of the corridor on the ground. All trees except fruit trees within the corridor were counted. All live tree stumps of plantation tree species that are recently cut and have ability to coppice and grow to a mature tree e.g. Eucalyptus and Markhamia species were counted. Seedlings and saplings that had not attained measurable diameter but were planted before demarcation of the corridor were also counted. All counts were done in the presence of the PAPs. Trees at the edge of the corridor were marked with chalk to guide the assessing team as to where the last enumeration of the previous day was made.
5	<i>Measurements:</i> Measurement was done on trees that had attained the set diameter threshold (see Chapter 7 for more details).
6	<i>Field Digital Data capture and calculation of tree volumes. See Chapter 7</i>
7.	<i>Valuation of forestry resources affected: (see Chapter 7).</i>

4.9 RAP PREPARATION & DISCLOSURE

The outcomes and results of all the above activities are documented in this RAP. Engagements and workshops with representatives of the GoU have been undertaken during the development of the RAP. The final draft of this RAP will be submitted to the MEMD for approval and shared with the Chief Government Valuer (MLHUD). Public disclosure of the RAP is required to meet international financing standards.

The RAP will be made available in an accessible form to Project-affected groups and other stakeholders. Future resettlement planning and implementation will account for comments made. Comments will be recorded along with any actions taken to address them. Any changes of a material nature will be discussed with relevant GoU authorities and stakeholders and disclosed to PAPs.

A series of district meetings will be conducted to present the RAP within the affected areas.

A summary of the RAP will be provided in an appropriate format.

