



## **Environmental and Social Management Framework For the Proposed Uganda Digital Acceleration Programme**

**Updated May 2024**

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## ACRONYMS

<b>AWE:</b>	Air Water Earth (AWE) Limited
<b>ESIA:</b>	Environmental & Social Impact Assessment
<b>ESMF:</b>	Environmental and Social Management Framework
<b>ESMP</b>	Environmental and Social Management Plans
<b>ESRS:</b>	Environmental and Social Review Summary
<b>ESS</b>	Environmental and Social Framework
<b>EGI:</b>	e-Government Infrastructure
<b>GBV</b>	Gender Based Violence
<b>GoU:</b>	Government of Uganda
<b>ICT:</b>	Information and Communications Technology
<b>IDA:</b>	International Development Association
<b>LG:</b>	Local Government
<b>MAN:</b>	Metropolitan Area Network
<b>M&amp;E:</b>	Monitoring and Evaluation
<b>MDAs:</b>	Ministries, Departments and Agencies
<b>MICT:</b>	Ministry of Information and Communication Technology
<b>MoES:</b>	Ministry of Education and Sports, Science and Technology
<b>MoLG:</b>	Ministry of Local Government
<b>MoWT:</b>	Ministry of Works and Transport
<b>MWE:</b>	Ministry of Water and Environment
<b>NBI:</b>	National Data Transmission Backbone Infrastructure
<b>NDP</b>	National Development Plan
<b>NEMA:</b>	National Environment Management Authority
<b>NFA:</b>	National Forestry Authority
<b>NITA-U:</b>	National Information Technology Authority-Uganda
<b>O&amp;M:</b>	Operation and Management
<b>PAPs</b>	Project Affected Persons
<b>PWDs:</b>	Persons with disabilities
<b>RCIP:</b>	Regional Communications Infrastructure Project
<b>RPF:</b>	Resettlement Policy Framework
<b>SEA</b>	Sexual Exploitation and Abuse
<b>TOR:</b>	Terms of Reference
<b>UCC:</b>	Uganda Communications Commission
<b>UDAP:</b>	Uganda Digital Acceleration Programme
<b>UNBS:</b>	Uganda National Bureau of Standards
<b>UNRA:</b>	Uganda National Roads Authority
<b>UWA:</b>	Uganda Wildlife Authority
<b>VAC</b>	Violence Against Children
<b>WB:</b>	World Bank
<b>WMD:</b>	Wetlands Management Department

## EXECUTIVE SUMMARY

### **Project Background:**

Despite significant recent economic progress, the East and Southern Africa (E&SA) region continues to face a number of development challenges including extreme poverty and hunger (48.5% of the population living with Public Disclosure Copy less than \$1.25 per day (PPP) in Sub-Saharan Africa in 2010), HIV/AIDS prevalence (4.5% of the population ages 15-49 infected with HIV in Sub-Saharan Africa in 2013). ICT is one of the key drivers of socio-economic development in so far as it prevalently enhances service delivery, health services, education, governance, information dissemination and trade.

The proposed Uganda Digital Acceleration Program builds on the foundations being laid down by Regional Communications Infrastructure Program (RCIP)-5 and is designed to accelerate digital transformation of Uganda to achieve the aspirations of the Digital Transformation for Africa initiative. The project will expand access to affordable high-speed internet through a combination of investments and reforms. It will strengthen public sector data infrastructure and digital platforms for improved service delivery, enabling coordinated roll-out of digital services at scale across key ministries and agencies. It aims to ensure a digitally capable and inclusive Uganda, by enhancing ICT research and innovation, improving digital skills and promoting digital inclusion. The project will finance a coordinated effort to build up the core foundations of the digital economy

**Project Development Objectives:** The Project Development Objectives are to expand access to high-speed internet, improve efficiency of digital government services, and strengthen the digital inclusion of refugees and hosting communities.

The project design includes five components, covering policies and regulations, digital connectivity, digital government, digital capabilities, and finally project management. The project components are:

#### ***Component 1: Expanding Digital Connectivity to unserved and underserved population***

This component will seek to bridge the digital divide by improving access to high-speed internet in underserved or unserved communities in Uganda through a combination of infrastructure investments and policy reforms, in support of the objectives set forth in the Government's Digital Transformation Program under the National Development Plan (NDP III). This component will also enhance Uganda's digital infrastructure by expanding the government's data centre hosting capacity, improving e-waste management and developing e-signature capability. This infrastructure investment will facilitate Uganda's post COVID-19 economic recovery.

This component will contribute to promoting universal access to high-speed, affordable internet in Uganda under a 'Maximizing Finance for Development' (MFD) approach. It will focus on improving government connectivity by pre purchasing international bandwidth, expanding the National Backbone Infrastructure to the regions and connecting government facilities (MDAs, municipal councils, schools, health centres, hospitals) across the country, with a focus on underserved areas. The investments made in the publicly owned backbone infrastructure will be designed with the intention to further promote private sector

participation and incentivize investments in digital communications infrastructure and services in underserved areas where the private sector might otherwise not go due to low commercial viability. This component will focus on the following subcomponents: (1.1) Expanding the digital infrastructure outreach; (1.2) Strengthening of digital infrastructure “complements” and (1.3) Strengthening of the enabling environment, digital capabilities, and inclusiveness of digital services.

### ***Component 2: Enabling Digital Transformation of the Government***

This component will leverage the improved internet connectivity and digital government enablers developed under RCIP-5 with the aim to further accelerate the move towards 'digital first' government in Uganda. The activities in this component support the Government's plans for developing and scale-up of robust, cost-effective, secure and user friendly shared digital government infrastructure and platforms, in line with the Objective 2 of the NDP III, which aims to enhance the development of digital services in business and service delivery across Government. The goal of this component is to transform the way people, governments, businesses, and civil society interact with each other, by supporting digital transactions and e-services that are on-demand, paperless, cashless and available through the internet without requiring physical presence. Doing so will provide a level of Government resilience to digitally respond to COVID-19 and mitigate similar future shocks through strengthened digital government services. The subcomponents are: (2.1) Accelerating Digital Transformation of Service Delivery (2.2) Mainstreaming Digital Services in Priority Sectors and (2.3) Strengthening Cyber Security Resilience.

### ***Component 3: Promoting Digital Inclusion of Refugees and Host Communities***

This component will improve the supply of core digital infrastructure in remote refugee hosting districts for the benefit of both refugees and the local population. This will be achieved through implementing the numerous initiatives including; expanding the backbone and provision of last mile solutions, scaling mobile access including campaigns on electronic Know Your Customer (eKYC) and counterfeit products to eleven of the fourteen settlement camps and host communities across the country. In addition, demand side barriers will be addressed, including the cost of mobile devices, the need for basic digital skills, and the limited availability of digital services. In 2016, UNHCR set a goal of universal internet for refugees recognizing the role connectivity plays for protection, communications, education, health, self-reliance, and empowerment.<sup>45</sup> Similarly, humanitarian organizations are shifting towards digital service delivery to improve efficiency and impact. In Uganda, for example, 55% of WFP beneficiaries now receive cash-transfers digitally (WFP). This trend has been accelerated by the COVID-19 pandemic, where digital solutions are recognized as a means to limit the spread of the pandemic in densely populated refugee settlements, and offer stable services given travel restrictions. Beyond short-term pandemic resilience, digital inclusion can accelerate post-COVID 19 recovery by reducing barriers that stand between refugees and opportunity. Through improved access and digital skills the component aims to stimulate jobs and financial opportunities, which will lay the groundwork for broader long-term social and economic benefits. The subcomponents are: (3.1) Digital inclusion of refugees and host communities through

enhanced connectivity and (3.2) Digital inclusion of refugees and host communities through access enablers.

#### ***Component 4: Strategic Project Implementation Support***

This component will finance project management and coordination, including procurement, financial management, monitoring & evaluation and environmental and social safeguards management.

#### ***Component 5: Contingency Emergency Response Component***

This component is a ‘zero-assignment’ CERC that will provide funding for immediate response in the event of an eligible crisis or emergency, defined as an event that has caused or is likely to imminently cause a major adverse economic and/or social impact associated with natural or man-made crises or disasters. This will have an initial zero value but may be financed during the project to allow for an agile response to an eligible crisis or emergency. Adding the component in from the beginning, albeit with zero funding, provides for flexibility to respond to crises as they arise. These could include, for instance, humanitarian crises which require the provision of emergency communications services to replace facilities that have been damaged, or to facilitate emergency humanitarian payments using mobile money. The primary issue at the time of writing is the Coronavirus (COVID-19) pandemic which requires an urgent response, for instance in the form of additional broadband internet capacity for Government offices, especially health centers and hospitals, and for Government employees working from home. The ESMF will be updated to include CERC-related provisions once specific activities are identified and confirmed.

#### **Methodology:**

Preparation of this ESMF utilized document reviews including; resident legislation, international conventions, previous ESIA's for Missing Links dated August 2016 and Last Mile dated March 2018 under RCIP, World Bank Environmental and Social Standards, the World Bank's Country Partnership Framework<sup>1</sup> (CPF), the World Bank's assessment of country systems for environmental and social risk management<sup>2</sup>, District Development Plans, Management Plans for Central Forest Reserves, Management Plans for National Parks and Wildlife Reserves. It also utilized interviews, stakeholder consultations at National and District level. [Annex 10 and 10(b)]

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<sup>1</sup> World Bank (2016). Country Partnership Framework for the Republic of Uganda for the Period FY16-21

<sup>2</sup> World Bank (2019). Assessment of Uganda's Country Systems for the Management of Environmental and Social Risks and Impacts throughout the Project Cycle. July 25, 2019

## **March 2024 Update to ESMF:**

In March 2024, following the enactment of the Anti-Homosexuality Act, 2023, this document and its annexes were updated to include specific measures to mitigate the risk of discrimination against or exclusion of any affected individuals and groups in providing or receiving benefits in World Bank–financed projects and program in Uganda. These measures are described in various sections of this document including section 4.18 and annexes 18 and 19.

## **Baseline Environmental and Social Information:**

Desk review of the existing baseline information was undertaken to obtain understanding of the proposed project with information collected from lessons learned from the current phases in the same areas of operation. Baseline information looked at included climatic conditions in Uganda (looking at seasons, rainfall zones, characteristics etc), population (population dynamics, characteristics among others), Morphology, Geology, Relief and Drainage, Terrestrial Resources and relation to the project (land resources, Forestry Resources, Rangeland resources and livestock production, Wildlife resources, Vegetation) Aquatic Resources (Wetlands, Lakes and Rivers), Energy, Biodiversity, Employment, Poverty, Health, Education, ICT access among others.

## **Policy, Legal and Institutional Framework:**

National regulations are discussed along with World Bank Environment and Social Standards, and international conventions to which Uganda is a party. In Uganda key legislations governing the conduct of EIA are the National Environmental Act 2019 and the Environmental Impact Assessment Regulations (1998) and EIA Guidelines. The National Environmental Act entrusts National Environment Management Authority (NEMA) with responsibility to ensure compliance with the ESIA process in planning and execution of infrastructural projects.

## **Stakeholders Engagement:**

In line with ESS10, presentations made were designed to be participatory and interactive. The Social Risk Specialist, Environmental Specialist, NITA-U in house experts and the representative of the contractor therefore presented the different components. A register containing all comments and observations made during stakeholder engagements was also developed. More stakeholder engagements shall be carried out and these shall include more detailed engagements with LC1 chairpersons, political leaders like Members of Parliament, ministries etc... To ensure compliance to set Government of Uganda Ministry of Health COVID-19 SOPs and guidelines, project teams utilized face masks, sanitizers, a sound hand washing system, temperature measuring of all personnel and were covered under a strict Journey Management Procedure.

Like in the ongoing RCIP project stakeholders consulted expect the project to be of great benefit to governance, health, education and overall national economic development. Others have welcomed the expansion to other areas to improve efficiency. A summary of stakeholder views is presented in subsequent table:

**Table 2: A Summary of Stakeholder Views**

#	Theme	Stakeholder views	Consultation period
1	e-Waste	The government has now incorporated E-waste management in the new draft waste management regulations. NITA-U, NEMA, KCCA, MoICT, UNBS and UCC are working on streamlining E-waste storage facilities with a pilot unit being the National Enterprise Cooperation warehouse in Bugolobi.	June-September 2020
2	Land take	Project activities carried out in UNRA road reserves and the beneficiary properties with permissions sought prior to project execution. All sections disturbed along road reserves have been re-instated to their original status and efforts are geared towards not impacting on businesses through proper activity scheduling.	June-September 2020
3	Marginalization of hard to reach areas	There are some places in Uganda that are “hard to reach”, “hard to work”, “hard to live in” and have no internet networks. These may not benefit as much from such a project due to poor/low cellular network strength.	June–September 2020

### **Project Environmental and Social Impacts:**

This project shall create more opportunities in line with improved access and availability of internet connection. It will further have immense positive environmental and socio-economic benefits through connection of clients from various spheres of life, government arms that would benefit from improved communication among others. While there are adverse impacts envisaged in the project, mitigation measures for these have been forwarded. Below is a summary of positive and negative impacts.

**Table 3: Generic Summary of Potential UDAP Environmental and Social Impacts**

Potential Impact	Status	Proposed Enhancement (+ve)/ Mitigation Measure (-ve)
<ul style="list-style-type: none"> <li>Provision of employment opportunities</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U shall ensure that the contractor is briefed about the need to give preference to competent local labor</li> </ul>
<ul style="list-style-type: none"> <li>Provision of market for construction materials during the construction phase</li> </ul>	+ve	<ul style="list-style-type: none"> <li>Contractor shall purchase materials from local businesses in the country</li> </ul>
<ul style="list-style-type: none"> <li>Reduction in human movement</li> <li>Use of ICT will reduce the need for movement of people from one location to another for (Meetings, Bid collection and submission, Collection of examination results, Document pickup and delivery etc...). Reduced movement minimizes traffic-borne air and noise emissions and also reduces exposure to risks of accidents by government and other beneficiaries' staff.</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U shall ensure availability of e-services</li> </ul>
<ul style="list-style-type: none"> <li>Dematerialization: replacement of physical production and distribution of music, video, books, and software, etc. by the delivery of digital information over the network. Dematerialization reduces resource consumption and waste generation.</li> </ul>	+ve	<ul style="list-style-type: none"> <li>MDAs shall be encouraged to utilize paperless communication and information storage</li> </ul>
<ul style="list-style-type: none"> <li>Enhancement of environmental awareness and environmental education in schools, work places and individual beneficiaries from community outreaches, work place inductions and Site signage.</li> </ul>	+ve	<ul style="list-style-type: none"> <li>In line with the code of conduct (Annex 11), NITA-U commits to conducting stakeholder engagements, establishing a Grievance Redress System, toolbox talks, work place inductions and ensuring GBV signage is placed both at the project sites and district offices, schools, hospitals etc and that a SEA and VAC prevention and management plans are developed and enforced</li> </ul>
<ul style="list-style-type: none"> <li>Building capacity in management of IT programs and projects</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U commits to providing the best available services as it transforms lives through e-services delivery</li> </ul>



Potential Impact	Status	Proposed Enhancement (+ve)/ Mitigation Measure (-ve)
<ul style="list-style-type: none"> <li>Improved delivery of public services by improving efficiency through government cloud infrastructure</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U commits to providing services online as it transforms lives through e-services delivery</li> </ul>
<ul style="list-style-type: none"> <li>Fast-tracking and back-stopping the post conflict recovery programs by providing affordable connectivity to the region along with other benefits of the project.</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U commits to providing the best available services as it transforms lives through e-services delivery</li> </ul>
<ul style="list-style-type: none"> <li>Source of revenue to government from payment for internet services</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U commits to providing the best available services as it transforms lives through e-services delivery</li> </ul>
<ul style="list-style-type: none"> <li>Improved E-waste management since the wider project components are looking at engaging other government stakeholders on E-waste aspects</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U is a member of the National eWaste Steering Committee and is participating in the establishment of eWaste disposal sites, conducting a eWaste baseline survey and the review of the eWaste Management Regulations, 2012.</li> </ul>
<ul style="list-style-type: none"> <li>Promotion of healthy competition in the internet connectivity business in Uganda</li> </ul>	+ve	<ul style="list-style-type: none"> <li>NITA-U commits to providing affordable services in the region</li> </ul>
<b><i>ESSI Assessment and Management of Environmental and Social Risks and Impacts</i></b>		
<ul style="list-style-type: none"> <li>Hazardous waste generation from mainly end-of-life backup power batteries and poor waste management could lead to pollution</li> </ul>	-ve	<ul style="list-style-type: none"> <li>These shall also be emphasized in the ESIA, E&amp;S audits, ESMPs.</li> <li>The NITA-U waste management plan shall be utilized to ensure sound waste management</li> <li>Waste management shall form part of the project induction for all teams</li> </ul>
<ul style="list-style-type: none"> <li>E-waste generation from institutions that will be connected to internet and digital platforms</li> </ul>	-ve	<ul style="list-style-type: none"> <li>These shall also be emphasized in the ESIA, E&amp;S audits, ESMPs.</li> <li>The NITA-U waste management plan shall be utilized to ensure sound waste management</li> <li>Waste management shall form part of the project induction for all teams</li> </ul>
<ul style="list-style-type: none"> <li>Noise pollution from installation of equipment and back generators</li> </ul>	-ve	<ul style="list-style-type: none"> <li>Regular equipment servicing by competent personnel be emphasized throughout the project cycle</li> </ul>
<ul style="list-style-type: none"> <li>Localized dust emissions from trenching and installation of equipment, Emission to air from vehicle fleet (exhaust fumes) and backup generators</li> </ul>	-ve	<ul style="list-style-type: none"> <li>Dust suppression through water sprinkling shall be carried out.</li> <li>Vehicle pooling and sound journey management planning shall be adhered to check on unnecessary movements</li> </ul>

Potential Impact	Status	Proposed Enhancement (+ve)/ Mitigation Measure (-ve)
<ul style="list-style-type: none"> <li>• Risk of exposure to electromagnetic fields from proximity to transmitting antennas,</li> <li>• Occupational risks from optical fiber cables such as permanent eye damage due to exposure to laser light during cable connection and inspection activities, likely exposure of workers to microscopic glass fiber shards/glasses</li> </ul>	-ve	<ul style="list-style-type: none"> <li>• Transmission sites shall have restricted access and shall be located away from dense settlements</li> <li>• Workers shall be provided with appropriate PPE in addition to routine safe work practices awareness sessions.</li> </ul>
<p>Risk of discrimination based on age, gender, ethnicity, disability, etc. of vulnerable or marginalized individuals or groups from project benefits and activities</p>		<ul style="list-style-type: none"> <li>• Training and sensitization on non-discrimination shall be provided for community members, contractors, and all relevant stakeholders.</li> <li>• A service provider shall be recruited to provide enhanced implementation support and monitoring.</li> </ul>
<b><i>ESS2 Labor and Working Conditions-related risks</i></b>		
<ul style="list-style-type: none"> <li>• Given the coverage of the project, there is a potential for exploitation and unfair wages, discrimination at work and exposure to GBV/ SEA/ SH, spread of HIV/ AIDs and poor working. These could impact on timely project delivery, lead to injury and even fatalities.</li> <li>• Road accidents could easily occur during project implementation.</li> <li>• Electrocution during excavation and pole erections.</li> <li>• Potential risk of discrimination based on age, gender, ethnicity, disability, etc. of vulnerable or marginalized individuals or groups</li> </ul>	-ve	<ul style="list-style-type: none"> <li>• Project LMP, workers GRM, GBV AP shall be implemented. Training/sensitization on non-discrimination for community members. Contractors, workers and all relevant stakeholders through CSOs.</li> <li>• Contracts, CoCs, whistle-blower protocols, HR procedures, etc. shall be reviewed and revised to ensure they include principles of non-discrimination.</li> <li>• Incident Management and investigation procedure shall be developed/implemented.</li> <li>• Provision of personal protective equipment to the workers, Training of workers and community members on safety precautions</li> <li>• Maintenance and cleaning of vehicles, trucks and equipment should take place offsite,</li> <li>• Minimize activity during rush hours.</li> <li>• Where road use is restricted signage and alternatives should be provided to the public and Install equipment of high quality and proper standard</li> </ul>

Potential Impact	Status	Proposed Enhancement (+ve)/ Mitigation Measure (-ve)
		as guided by Uganda National Bureau of Standards (UNBS). <ul style="list-style-type: none"> <li>• Inspection of electric units and adherence to a specific lockout and tag out system and isolation.</li> <li>• Coordination with respective electricity providers on any below ground services</li> <li>• Use competent personnel and a Permit to Work system for all non-routine jobs</li> <li>• Workers' GRM shall be enhanced through establishment of a safe, ethical and confidential means to lodge complaints.</li> </ul>
<b><i>ESS3 Resource Efficiency and Pollution Prevention and Management-related risks</i></b>		
<ul style="list-style-type: none"> <li>• Project activities may result in air emission vehicle fleets, dust emissions, noise pollution and some construction waste generation</li> </ul>	-ve	<ul style="list-style-type: none"> <li>• ESIA's, ESMPs and sound monitoring initiatives shall take this into account while clear emphasis shall be put on e-waste management plans for the four e-waste centres</li> </ul>
<b><i>ESS4 Community Health and Safety-related risks</i></b>		
<p>Communities may be exposed to traffic related hazards, dust emissions, noise and potential construction site and material handling related accidents. The communities may also be exposed to structural safety issues in event of structural failure for antennae towers/poles or cases where unauthorized persons are interested in climbing the structures.</p>	-ve	<ul style="list-style-type: none"> <li>• Project specific GBV/ SEA action plans, COVID 19 mitigation measures, HIV/AIDS mitigation measures, CESMPs mitigation measures capturing all these aspects shall be developed</li> <li>• Sound Journey Management Plans shall be utilized for all project related journeys</li> <li>• All works shall be carried out trained competent personnel</li> <li>• Provide a general code of conduct, sexual harassment policy and HIV/AIDS policy as part of the induction process and awareness sessions to all project personnel</li> <li>• Provide flag personnel to guide traffic along project areas</li> <li>• Sound journey management plans including adherence to set speed limits</li> <li>• Conduct regular traffic safety awareness training for drivers and community, including schools;</li> </ul>

Potential Impact	Status	Proposed Enhancement (+ve)/ Mitigation Measure (-ve)
		choose access routes away from sensitive receptors, where possible. <ul style="list-style-type: none"> <li>• Inclusion and non-discrimination training for clients, contractors, sub-contractors and other project workers, in coordination with CSOs, UNHCR, DPs with presence in refugee settlements and hosting communities.</li> </ul>
<b><i>ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement- related risks</i></b>		
<ul style="list-style-type: none"> <li>• While no land acquisition is expected with the proposed project design, re-alignments in some areas may result in land acquisition</li> </ul>	-ve	<ul style="list-style-type: none"> <li>• RAPs shall be developed where applicable and compliance teams shall ensure routine assessments to ensure that these are appropriately carried out</li> </ul>
<b><i>ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources</i></b>		
<ul style="list-style-type: none"> <li>• Terrestrial and aquatic habitat alteration from the civil work activities of trenching to lay fiber optics cables, site clearances for erection of poles/masts for antennae</li> </ul>	-ve	<ul style="list-style-type: none"> <li>• Ensure that appropriate ESIA's, E&amp;S audits, ESMPs are in place throughout the project life cycle.</li> <li>• Carry out site specific risk assessments and prioritize avoidance in risk management for sensitive ecosystems.</li> <li>• Avoid any biodiversity sensitive area. ESIA's and ESMPs shall take this into account. Any activities with potential significant risk to sensitive ecological areas and /or living natural resources, will be excluded from financing.</li> <li>•</li> </ul>
<b><i>ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities- related risks</i></b>		
<ul style="list-style-type: none"> <li>• With the project scope being countrywide, there is likelihood that the Batwa and Ik communities could be impacted on during project implementation. Aspects of cultural infiltration and disease transmission could come up in such scenarios if proper controls are not in place</li> </ul>	-ve	<ul style="list-style-type: none"> <li>• The VMGF under preparation shall help address aspects of ESS7. Site or community specific engagement plans shall be developed if any VMG is identified</li> </ul>
<b><i>ESS8 Cultural Heritage- related risks</i></b>		

Potential Impact	Status	Proposed Enhancement (+ve)/ Mitigation Measure (-ve)
<ul style="list-style-type: none"> <li>Excavation works could unearth materials of cultural importance. These could easily be destroyed if not appropriately managed</li> </ul>	-ve	<ul style="list-style-type: none"> <li>A chance finds procedure will be developed included in the ESMF and subsequently ESMPs shall follow.</li> <li>Carrying out awareness sessions on archaeological finds to field teams and applying change-find procedures, which include temporarily halting work when material of archaeological importance is found until further studies and retrievals are carried out.</li> </ul>
<b><i>ESS10 Stakeholder Engagement and Information Disclosure- related risks</i></b>		
<ul style="list-style-type: none"> <li>Limited/ inadequate stakeholder engagements could lead to public opposition and hostility to the project</li> <li>Potential exclusion of vulnerable or marginalized individuals or groups based on age, gender, ethnicity, disability, etc from consultations.</li> </ul>	-ve	<ul style="list-style-type: none"> <li>The developer shall prepare and implement inclusive Stakeholder Engagement Framework (SEF) proportional to the nature and scale of the project and associated risks and impacts identified.</li> <li>A Stakeholder Engagement Plan (SEP) and a Community Grievance Redress Mechanism (CGRM) shall be developed to ensure sound stakeholder engagement.</li> <li>CSOs/NGOs shall be recruited through the World Bank Enhanced Implementation Support and Monitoring to carry out additional consultations with vulnerable or marginalized individuals or groups.</li> <li>The GRM shall be enhanced to ensure confidentiality (hotline, e-GRM).</li> </ul>

**Legend: +ve: Positive, -ve: Negative**

**Table 4: Social benefits of the proposed project**

<ul style="list-style-type: none"> <li>• This shall provide more connections within areas traversed by previous projects like Missing Links and Last Mile for better and quicker service delivery amongst the beneficiaries.</li> <li>• Connectivity provided to Government offices will improve efficiency in information sharing, dissemination to the public, quicken decision making, and streamline procurement processes and lower expenditure in local government (e.g. stationery). Saved revenue would be spent on improving local infrastructure (e.g. roads, markets, water systems) and services (e.g. healthcare).</li> <li>• Connectivity to ministries would lower cost of doing business and Government expenditure.</li> <li>• Connectivity with neighboring countries will improve trade and regional security.</li> <li>• Broadband connectivity to schools, hospitals, Universities, Research Institutions and NGOs will:</li> <li>• Improve healthcare services delivery</li> <li>• Full utilization of the national optical fiber backbone</li> </ul>	<ul style="list-style-type: none"> <li>• Construction jobs during laying optical fiber cables</li> <li>• Secondary benefits such as income to material suppliers and traders along routes where the optical fibers will be laid.</li> <li>• Full utilization of the national optical fiber backbone which is currently underutilized due to lack of links to neighboring Countries.</li> <li>• Boosting use of ICTs in rural areas will connect agricultural producers to markets with key benefits being able to sell produce at prices comparable to prevalent market conditions. It will be easy for farmers to know produce prices in urban areas and use these to negotiate for better farm-gate prices with traders</li> <li>• Enhance university education and research</li> <li>• Enable NGOs have a stronger scope and wider spatial coverage of developmental undertakings in communities.</li> <li>• Construction jobs during laying optical fiber cables</li> </ul>
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**Grievance Redress Mechanism (GRM):** In line with ESS2, ESS5 and ESS 10, the NITA-U GRM shall be utilized with its tiered approach to addressing grievances. NITA-U commits to establish comprehensive Grievance Redress System for management of grievance for all kind of grievances raised by all stakeholders including a workers' GRM under ESS 2 and a community GRM for PAPs in the PACs under ESS 7 given the mobility involved in this project. The GBV action plan will mitigate GBV risks inclusive of referral pathways for rehabilitation of victims. In addition, the World Bank will support the strengthening of the GRM to ensure it includes an effective, safe, ethical, and confidential mechanism to receive, manage, refer, and monitor grievances related to exclusion and discrimination. Further details of this support can be found at Annex 19.

**Project Institutional Implementation Arrangements:** The National Information Technology Authority shall be the project implementing Agency while the borrower shall be Ministry of Finance. Because project execution shall be run in collaboration with a number of entities in government and local communities, respective roles shall be further developed in a project specific implementation manual. There shall be dedicated environmental and social specialists on the project. The implementing contractors shall also have Environment Health and Safety specialists to deal with the occupational health and safety aspects of the project. The project will also utilize the existing administrative structures in the districts. The Environment, Community development officers at the respective project districts will be engaged to support in project implementation.

**Monitoring and Evaluation:** Local councilors, environmentalists under the guidance of District Environmental Officers as well as concerned citizens will undertake monitoring exercises as speculated by the environmental act. The District Environment Officer will monitor the implementation of environment mitigation measures based on the contractor's work plan. NITA-U in collaboration with NEMA will monitor the implementation of the environment mitigation measures on a sample of UDAP activities on quarterly basis. In addition, the World Bank will provide support for enhanced monitoring of the risk of exclusion or discrimination for individuals or groups who may be vulnerable or marginalized. Further details of this support are found at Annex 19.

## 1.0 INTRODUCTION

### 1.1. Project Background

Under the Uganda Digital Acceleration Program (UDAP), Government of Uganda plans to acquire an extra financial facility worth \$ 200 million from the World Bank for an extension of the RCIP to further enhance connectivity in the country to new entities through previously traversed districts in the Regional Communications Infrastructure Project (RCIP). The Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) shall guide in identification, assessment, mitigation, implementation, monitoring and reporting environmental and social aspects of the project. The RPF and ESMF have been prepared as stand-alone documents.

The National Information Technology Authority Uganda (NITA-U) has implemented the National Data Transmission Backbone Infrastructure and e-Government Infrastructure Project (NBI/EGI) phase I-III. The major aim of this investment was to connect all major towns within the country onto an Optical Fibre Cable based Network and to connect Ministries and Government Departments onto the e-Government Network<sup>3</sup>. The government of Uganda through NITA-U and her subsidiaries is carrying on implementation of the NBI missing links project for West Nile districts (of Oyam, Nwoya, Pakwach, Nebbi, Arua, Maracha, Koboko, Yumbe, Zombo, Moyo, Adjumani and the three border points of Vurra, Oraba and Elegu), Kasese district (Kasese-Mpondwe boarder) and the North Eastern districts (of Soroti, Katakwi and Moroto).

Stakeholder engagements meetings held as platforms for the Missing links (2016 and 2018) and Last Mile (2017, 2019 and 2020) ESIA disclosure and project implementation have shown the need to have more facilities connected which brings about the need to have connectivity extended thus the Uganda Digital Acceleration Program. As part of the project entry to a particular district, rollout meetings shall be held with various stakeholders to capture more concerns and opportunities, advice and also equip them with more information on the project.

The Uganda Digital Acceleration Program (UDAP) will build on the achievements made under the current RCIP program by identifying, surveying and connecting all MDAs and local governments as end users to the current national OFC backbone running from border to border and across the different regions. This expansion shall also build on the good compliance initiatives developed through previous engagements with stakeholders and sound EHSS compliance approaches in NITA-U's areas of operation.

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<sup>3</sup> <http://www.nita.go.ug/projects/nbiegi-project>



## **1.2. The Environmental and Social Management Framework (ESMF)**

This Environmental and Social Management Framework (ESMF) is an instrument for assessing, managing and monitoring environmental and social risks and impacts of projects under the UDAP. It provides different measures and actions that will be required for the project to meet the World Bank's Environmental and Social Standards (ESS) The ESMF covers aspects of Environmental Assessment (ESS 1), labour and working conditions (ESS2), pollution prevention and management (ESS3), Community Health and Safety (ESS 4), biodiversity aspects (ESS 6), chance find procedures (ESS 8) and Stakeholder Engagement and Information Disclosure (ESS 10). The National Information Technology Authority shall undertake implementation of this project in line with resident legislation, best industry practice and the World Bank Environment and Social Standards.

## **1.3. Objectives of the Environmental and Social Management Framework (ESMF)**

The objective of this ESMF is to ensure that implementation of UDAP is carried out in an environmentally and socially responsible manner. The ESMF has pointed out the World Bank Environmental and Social Standards applicable for UDAP projects, the national legal and institutional arrangements, environmental screening and assessment guidance, monitoring and reporting formats and capacity requirements for its effective operationalization which is all geared towards ensuring that, the proposed projects will take an environmentally and socially sustainable path.

Therefore, the ESMF aims to provide clear guidelines and processes for determining the level of required environmental and social management and development of mitigation measures, so as to avoid, manage or minimize potentially negative environmental and social impacts associated with the project. The ESMF specifically helps to:

- i) Establish clear methodology and procedures for environmental and social assessment such as screening of sub-project activities as the first step to determine the level of assessment required, that is, ESMP, or ESIA and necessary management approaches during project implementation.
- ii) Provide for continuous improvement and identification of potential social and environmental risks and impacts of the proposed Project.
- iii) Ensure adherence to national, regional and international laws, policies and regulations relevant to UDAP.
- iv) Specify appropriate roles and responsibilities of government departments, lead agencies and other stakeholders, and outline the necessary reporting procedures, for managing and monitoring environmental and social concerns related to the project subcomponents
- v) Assess the NITA-U capacity, training and technical assistance needs to implement the provisions of the ESMF.
- vi) Provide criteria for selection of sites for the construction activities of the projects under the program and for the design of environmental and social impact mitigation measures;
- vii) Undertake stakeholder consultations, document issues that are raised in relation to the expansion.
- viii) Provide recommendations on ensuring review and adherence to developed project compliance procedures, Environmental and Social Management Plan (ESMP) plans.

- ix) Specify measures to ensure the non-discrimination of vulnerable or marginalized individuals or groups from project activities and benefits based on age, gender, ethnicity, disability, etc.

#### **1.4. Environmental and Social Management Framework Methodology**

Preparation of this ESMF utilized interviews, literature/ document reviews (legal considerations, ESIA for Missing Links and Last Mile), stakeholder consultations for ongoing RCIP activities and vast records of views from district leaderships, visit to districts in the four regions of Uganda, observations and review of available documents. Specifically, the following was done:

##### **1.4.1. Review of Literature**

Review of the existing baseline information was undertaken to obtain understanding of the proposed project with information collected from lessons learned from the previous RCIP project phases including the ESIA reports of the Missing Links dated August 2016 and Last Mile dated March 2018 implemented under RCIP-5 in the same areas of operation.

A desk review of the Ugandan legal framework and policies was done to analyze national legislation and policy framework relevant to the project. Among the documents that were reviewed in order to collect baseline information included:

- State of the Environment Report in Uganda, 2016
- National Information and Communication Technology Policy, 2014
- National Policy on Disability in Uganda, 2006
- e-Waste Policy (Uganda), 2012
- National Development Plan 2010/11- 2014/15
- The Constitution of the Republic of Uganda, 1995
- The Electronic Signatures Act, 2011
- Computer Misuse Act, 2011
- The Information and Communication Technologies Act 2001
- Copyright Act 1997
- Child Protection Act 1995
- The National Environment Act, 2019
- The Public Health Act, 1964
- The Land Act, Cap 227
- Local Governments Act, Cap 243
- Employment Act, 2006
- The Physical Planning Act 2010
- The Water Act, Cap 152
- The Uganda Wildlife Act, Cap 200
- National Policy for Older Persons, 2009
- The Occupational Safety and Health Act, 2006
- Historical Monument Act, 1967
- The National Forestry and Tree Planting Act, 2003
- The National Environment (Environment Impact Assessment) Regulations, 1998
- National Environment (Noise Standards and Control) Regulations, 2003
- The National Environment (Audit) Regulations, 2006 (12/2006); and

- The National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations, 2000
- The National Environment (Waste Management) Regulations, 1999 and
- The Roads Act, 1949.

International conventions below to which Uganda is a signatory were reviewed:

- The African Convention on the Conservation of Nature (1968)
- The Ramsar Convention (1971) on wetlands of International Importance
- The Protection of World and Cultural Heritage convention (1972)
- The Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES, 1973)
- Convention on Biological Diversity- (CBD 1992)
- WHO COVID-19 prevention guidelines
- Government of Uganda, Ministry of Health COVID-19 prevention guidelines

#### **1.4.2. E & S risk management tools to be prepared**

- ***Environmental and Social Commitment Plan:***

The Environmental and Social Commitment Plan (ESCP) sets out material measures and actions, any specific documents or plans, as well as the timing for each of these so that the Program is implemented in accordance with the Environmental and Social Standards (ESSs). It also states NITA-U's responsibility for compliance with all requirements of the ESCP even when implementation of specific measures, monitoring and actions is conducted by its contractors and sub-Contractors.

- ***Labour Management Procedure***

The Labour Management Procedure (LMP) aims to:

- a) Ensure fair treatment at work for all employees in NITA-U led projects to protect or mitigate the risks of potential discrimination in employment, remuneration disparities, Gender Based Violence and aspects of Sexual Harassment at the workplace.
- b) Provide commitment from management towards sustainable project execution in compliance with ESS2
- c) Ensure safety of workers and remind all project teams of the need to adhere to resident worker related legislation, standards and best in duty practice.
- d) Provide all project teams with the main legal backings on workers' rights, duties, employer's duties among others

- ***Vulnerable and Marginalized Group Framework***

The VMGF establishes the requirements of ESS7, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation when Indigenous Peoples/ Sub-Saharan. African Historically Underserved

Traditional Local Communities [IP/SSAHUTLC] may be present in, or have collective attachment to, the project area.

Following identification of the subproject or individual project components and confirmation that VMGPs are present in or have collective attachment to the project area, a specific plan, proportionate to potential risks and impacts, is prepared. Project activities that may affect VMGPs do not commence until such specific plans are finalized and approved by the Bank. It also sets out the types of subprojects likely to be proposed for financing under the project, the potential positive and adverse impacts of such programs or subprojects on VMGPs, a plan for carrying out the social assessment for such programs or subprojects and a framework for ensuring the meaningful consultation tailored to VMGPs and in the specified circumstances, a framework for ensuring their Free, Prior and Informed Consent during project implementation.

- ***Resettlement Policy Framework***

The Resettlement Policy Framework (RPF) shall be used for the social screening and assessment of infrastructure project components to be funded within the framework of the Uganda Digital Acceleration Program [UDAP]. It will guide implementation of UDAP civil works packages to ensure that displacement issues are resolved and that the livelihoods of the affected persons are not negatively impacted on and where it is unavoidable they are compensated and/or resettled.

- ***Stakeholder Engagement Framework***

The Stakeholder Engagement Framework (SEF) aims to furnish key stakeholders with program information, alternative approaches to its implementation, potential impacts and strategies to mitigate those negative impacts while optimizing the positive, educate stakeholders on the grievance management mechanism and Gender Based Violence framework the program plans to utilize, identify key stakeholders that are affected, and/or able to influence the Program and its activities and provide stakeholders an opportunity to make input into the program risk management process by highlighting their expectations, fears, concerns and what needs to be done among others.

At the sub-project level the following tools will be prepared ESIA's, ESMP's, RAP's, VMGP's, SEP's, progress reports, monitoring plans, grievance logs.

### **1.4.3. Stakeholder Consultations**

Consistent with best practice in developing ESMFs, consultations have been done with relevant stakeholders to collect their views. The stakeholder engagement approach and methodology involved: Meetings for mobilization purposes, communication by email, posted letters and follow up telephone calls were made to the Chief Administrative Officers in each district of interest. Other stakeholders met include Local Council Chairpersons, opinion leaders, and representatives of vulnerable or marginalized individuals or groups among others with meetings held in this regard.

These meetings shall go on throughout the project cycle and more mapping of these stakeholders shall go on. In January 2024, additional consultations were held to specifically discuss the vulnerability of some individuals and groups to discrimination. Details on this engagement can be found in Section 7.4

#### 1.4.4. Field Visits

Information to update the ESMF was also collected through field visits in districts of Mbarara, Hoima, Gulu, Nakasongola, Jinja, Bugiri, Oyam, Nwoya, Pakwach, Nebbi, Arua, Maracha, Koboko, Yumbe, Moyo, Lira, Mbale, Tororo, Adjuman the Three Boarder point of Vurra, Oraba and Elegu), Kasese district ( Kasese-Mpondwe boarder), Soroti, Katakwi, Moroto and Wakiso where district local governments, educational institutions, roadside businesses, government hospital administrators and security agency representatives were met, project information disclosed and their views collected. As part of the consultation process, field visits were done in 58 districts mainly targeting offices listed in box 3.1.

In each of these districts, the following key stakeholders were consulted:

- Chief Administrative Officers (CAO)
- LCV Chairperson
- Town Clerks
- Resident District Commissioners (RDC)
- Physical Planners
- Community Development officers (CDO)
- Roadside businesses
- District Environment/Natural/Forest officers (DENFO)
- Labor Officers
- Information Technology officers
- Regional Police Commander (RPC)
- District Police Commander (DPC)
- DISO/GISO
- District Engineers
- Educational institutions

The field visits considered the following to initiate the baseline:

- i. Physical-cultural and historical sites;
- ii. Wildlife habitats, feeding, and crossing areas;
- iii. Land tenure system;
- iv. Electricity grid coverage;
- v. Environmental and Social Standards

The Socio-economic aspects captured during the baseline survey included:

- i. General population data and settlement patterns/ Living patterns;
- ii. Community level of wealth/ level of income/ economic activities;
- iii. Education (Schools and Vocational institutions);
- iv. Presence of resource personnel;
- v. Gender issues and community setting.

#### **1.4.5. Lessons learned from the RCIP-5**

Numerous lessons learned from the RCIP-5 will be applied during the implementation of UDAP Component 1 which directly builds on the infrastructure component under RCIP-5. These are highlighted below

- a) Phased excavation and immediate backfilling of trenches within twenty-four [24] hours is a very vital mitigation measure to avoid interruption to businesses and livelihoods especially in urban areas.
- b) Continuous engagements with all stakeholders to create project awareness and ownership ensured the smooth implementation of RCIP. Stakeholder engagement sessions have been held with district leadership, cultural and religious leaders. This is an activity that UDAP should adopt to ensure project acceptance and ownership.
- c) Acquisition of Right of Way permits and consent prior to commencement of works is important in ensuring smooth implementation of the project in the various project districts. This will include completion of compensation of any PAPs affected and full RAP implementation prior to commencement of works. With the support of the district engineers and collaboration with other service providers in identifying underground utility infrastructure, the projects implemented under RCIP (Missing Links and Last Mile) avoided damaging existing infrastructure.
- d) The operationalization of GRC within each project district provided an avenue for grievances and continuous consultation with the communities. As a result, project implementation was successfully completed without any grievances from the communities.
- e) Conducting accommodation facilities inspection exercises prior to commencement of works to ensure that MoH COVID-19 SOPs are being adhered to has ensured that the project remain COVID -19 free and facilities are fit for human habitation.
- f) In the interest of protecting labour against any forms of exploitation, it is mandatory that prior to commencement of works, an employee must sign a contract/engagement letter and code of conduct document (Annex 11).
- g) Recruiting from local content project districts especially for the manual project jobs has greatly enhanced community project acceptance and ownership. This has been facilitated by the district community labour officers and various community leaders.
- h) Given the manual nature of this project, working in the project is less attractive to women in the unskilled and semi-skilled lines of duty. The only causal labor positions attracting women include working as traffic wardens and preparation of meals.

#### **1.4.6. Updating the ESMF to ensure non-discrimination**

Following the World Bank Group's communication of its concerns with the enactment of the AHA, the Government of Uganda issued five Circulars (see Annex 18). 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 describe 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.

## **2.0 PROJECT DESCRIPTION**

### **2.1 Location of the Project Area**

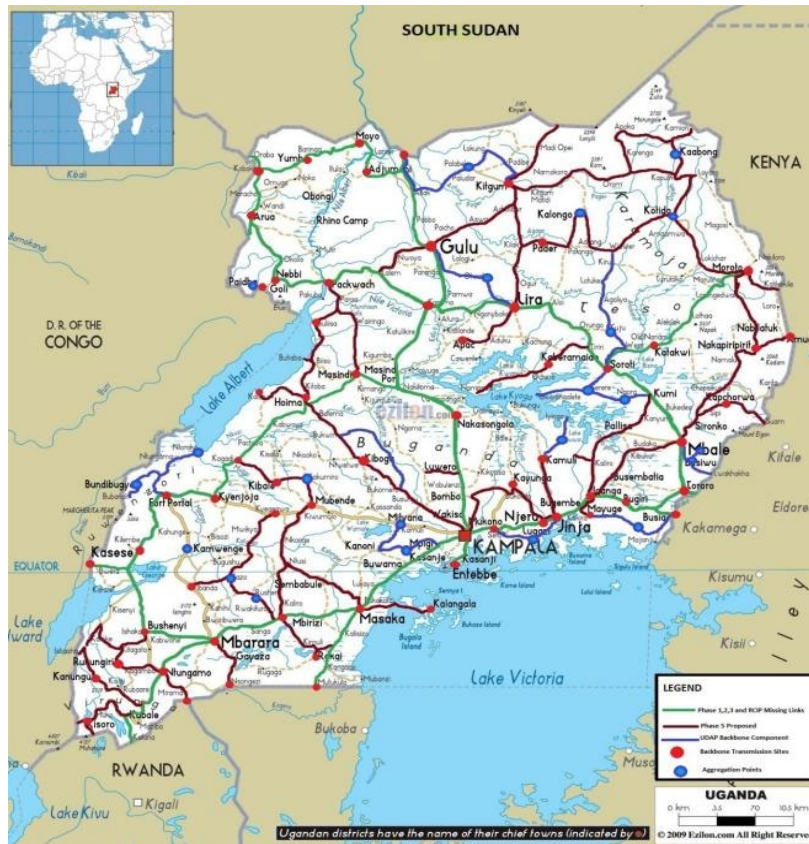
The project will be implemented nationwide and will be focusing on network expansion and strengthening of the national digital backbone. The main implementing agency, NITA-U will expand the geographical coverage of the NBI/EGI Network across the Country. Under the Digital Connectivity outreach Component 1, the project will continue to focus on improving government connectivity, expanding the National Backbone Infrastructure and connecting government facilities (MDAs, municipal councils, schools, health centers, hospitals) across the country.

Currently, the National Backbone Infrastructure (NBI) extends to 36 districts (out of 127 in total). The Government of Uganda has developed a comprehensive investment plan for the digital sector called “IT Shared Platform (GOVNET)” requiring approximately US\$300 million over 5 years. This plan includes building 3,711 additional kilometers of fiber-optic cable to expand the NBI and connecting 5,082 additional sites to the NBI. The proposed Uganda Digital Acceleration program will contribute to the Uganda Digital Investment Plan. Below is a summarized description of the location:

#### **Location and Size**

Uganda (located in East Africa) has an area of 241,500 km<sup>2</sup> and is bordered by South Sudan to the North, the Democratic Republic of the Congo to the west, Tanzania and Rwanda to the South and Kenya to the East. Uganda contains and shares some of the world’s most important eco-systems with its neighbors and beyond and notably Lakes Victoria, Albert, Edward, the Nile Basin, its mountain systems such as the Ruwenzori, Elgon and Virunga series as well as several parks. It has a crucial role to play in the conservation of biodiversity in the sub-region and the world at large administratively; Uganda is divided into four regions of Northern, Central, Eastern and Western. The project will be implemented nationwide and will be focusing on network expansion and strengthening of the national digital backbone. The main implementing agency, NITA-U will expand the geographical coverage of the NBI/EGI Network across the Country. Under the Digital Connectivity Outreach Component 1, the project will continue to focus on improving government connectivity, expanding the National Backbone Infrastructure and connecting government facilities (MDAs, municipal councils, schools, health centers, hospitals) across the country.





**Figure 1: Location of the Project area (blue lines – UDAP backbone component)**

## 2.2 Project Beneficiaries

The main beneficiary shall be the Government of Uganda in general since connections shall not only be to government entities but also to remote sites like refugee camps among others.

The project will expand access to affordable high-speed internet through a combination of investments and reforms. It will strengthen public sector data infrastructure and digital platforms for improved service delivery, enabling coordinated roll-out of digital services at scale across key ministries and agencies (MDAs, municipal councils, schools, health centers, hospitals). It aims to ensure a digitally capable and inclusive Uganda, by enhancing ICT research and innovation, improving digital skills and promoting digital inclusion.

## 2.3 Project Development Objectives

The Project Development Objectives are to expand access to high-speed internet in underserved areas, improve efficiency of digital government services nationwide, and strengthen the digital inclusion of host communities and refugees

## 2.4 Project Components

### Component 1: Expanding Digital Connectivity to unserved and underserved population

This component will contribute to promoting universal access to high-speed, affordable internet in Uganda under a ‘Maximizing Finance for Development’ (MFD) approach. Building on the work carried out in RCIP-5, this component will continue to focus on improving government connectivity, procuring bulk of internet bandwidth, expanding the National Backbone Infrastructure and connecting government facilities (MDAs, municipal councils, schools, health centers, hospitals) across the country, especially in underserved areas. The investments made in the publicly owned backbone infrastructure will be designed with the intention to further promote private sector investments in digital communications infrastructure and services. They will also target areas where commercial viability of equivalent private investments is low. It will lay the ground for closing the digital divide in Uganda along lines of geography, income, age and gender, to support Uganda to reach the goals of the *Digital Transformation for Africa* in doubling broadband connectivity in the short-term and enabling universal, affordable and good quality broadband access by 2030, and facilitate the exploitation of the development priorities as provided in section 12.4.2 of the NDPII. It will also create a larger market of online consumers and digital producers needed to attract investment and to promote development of digital infrastructure, and regionally relevant content and services. This component will focus on the following subcomponents:

#### *Sub-component 1.1: Expanding of the digital infrastructure outreach*

This subcomponent will finance a set of infrastructure investments designed to complete the national coverage of digital infrastructure, in complement to and collaboration with private sector-led investments and existing public-led investments. The subcomponent will focus on the following activities:

- a) **Last mile connectivity:** This activity will support the design and extension of the NBI network to establish a district backbone networks to connect all the main administrative units and service centers. A “last-mile” connectivity solution, spanning an estimated total distance of 3,250 km nationally, will be deployed to ensure the presence of a reliable, high-capacity connection to promote universal access to e-services across the country. Wi-Fi hotspots will also be deployed at MDA facilities to the benefit of the surrounding population. This activity will ensure that digital services can be used by MDAs and at the local level by citizens and businesses, in order to drive adoption and usage.
- b) **Extension of the NBI:** This activity will finance the expansion of the NBI with additional fiber optic network links (between towns) and establish new metro networks in 20 major towns across the country to facilitate the delivery of services to underserved or unserved areas.

- c) **Pre-purchase of international Bandwidth:** This activity has been initiated through the RCIP and a scale-up is required to cater to the growing bandwidth needs of the institutions (additional number of MDAs connected, and growing usage per MDA). This activity will finance the procurement of an additional 20 Gbit/s to provide for this anticipated demand.
- d) **Mobile Telephony and Broadband Deployment in Rural Areas:** This activity will finance the deployment of broadband in rural areas and provisioning of mobile telephony in underserved areas. 1,000 Wi-Fi hotspots will be established in specific last mile locations to extend access to online services to the rural and peri-urban underserved and unserved communities.

***Sub-component 1.2: Strengthening of digital infrastructure “complements”***

This sub-component will ensure that the connectivity infrastructure financed through Sub-component 1.1 is fully enabled and leveraged for development, by establishing or strengthening key “complements”. The subcomponent will focus on the following activities:

- a) **National Internet Exchange Point (IXP):** This activity will include the strengthening of the existing IXP in order to lower the cost and improve the quality of the national connectivity, and to stimulate the production and usage of local content and services.
- b) **Metropolitan Area Network (MAN) Center Centre:** This activity will support the renovation and upgrade of the Metropolitan Area Network (MAN) Center located at Statistics House to provide a standard environment for mission critical systems installed in the facility.
- c) **Country Code Top-level Domain (ccTLD):** This activity will provide technical assistance related to policy, organizational, and technical recommendations regarding the management of the national ccTLD
- d) **E-Waste Management:** This activity will support the establishment of four regional e-waste collection and management centres in different regions of Uganda to ensure that e-waste is collected, sorted, managed and stored at central locations for ease of management, for further refurbishing (when possible) and processing at recycling facilities. Capacity building programs such as targeted hands-on training of technicians, knowledge exchange activities, and communication/ awareness campaigns will also be supported.
- e) **Data Center Infrastructure:** This activity will finance the establishment of a Data Centre to complement the existing data hosting capability in Uganda already established through RCIP, development of a shared application and micro services platform and deployment of microservices. The design of this Data Center will be anchored in the principles of Cyber security, Data privacy, and Data protection.
- f) **Upgrading the Public Key Infrastructure (PKI) Infrastructure:** This activity would support the expansion of the existing Public Key Infrastructure (PKI) to increase the capability to issue e-signatures and enable a long-term in-country technical solution for secure and trusted online transactions across different government services and private sector.

### ***Sub-component 1.3: Strengthening of the enabling environment, digital capabilities and inclusiveness of digital services***

This sub-component will support the Ministry of ICT and National Guidance, the Uganda Communications Commission and NITA-U in implementing the National Broadband Policy of 2018. This sub-component will also support the regional implementation of the Single Digital Market Initiative in East Africa, to promote harmonization for increased digital cooperation and market access across the domains of a) single connectivity market, b) single data market, c) single on-line market and d) enabling regional environment.

### **Component 2: Digital Government Transformation**

This component aims at leveraging improved connectivity and digital platforms towards a "digital first" government in Uganda by continuing, scaling up and improving work currently carried out through RCIP-2. To support seamless, user-friendly, cost-effective, and secure interactions, digital public platforms require digitalized systems and processes, shared and interoperable resources including data, interfaces for internal and external users, and online trust. The Component will support further development of government data infrastructure and interoperability to enable secure and seamless data sharing and encourage innovation in service delivery. The component will support the Government's efforts to strengthen the efficiency in delivery of public services, specifically objective No.2 of the NDPII, which aims to enhance the usage and application of digital services in business and service delivery across Government. The goal is to transform the way people, governments, businesses, and civil society interact with each other, by supporting transactions and marketplaces that are on-demand, paperless, and cashless, and available through the internet from anywhere in the world. The following subcomponents form part of Component 2;

#### ***Sub-component 2.1. Accelerating Digital Transformation of Service Delivery***

This sub-component will finance activities related to scale up of existing shared digital infrastructure and services financed by RCIP-5 and the introduction of new digital accelerators and enablers. The project will help to foster a culture of iterative processes, business continuity and cyber security principles, to ensure that the transformative agenda continues to evolve dynamically in a secure environment. The project will leverage the proposed data center and public/private cloud infrastructure to protect critical data, records, and electronic service delivery channels against climate and cyber security risks.

#### ***Sub-component 2.2: Mainstreaming Digital Services in Priority Sectors***

This sub-component will provide targeted support for digitalizing services in selected priority sectors, which include four sectors that have been the focus under RCIP-5 (agriculture, education, justice and health) and two new sectors (tourism and trade). The activities to be financed will include development and deployment of new digital services in six priority sectors,

implementation of a model of centralized support for digitalizing business processes across MDAs as well as related training for government officials, design and implementation of accessibility standards, and development and implementation of external communications and outreach programs. This sub-component will ensure that cyber security, data privacy, and data sharing principles underpin all activities that will mainstream digitalization of services in priority sectors.

### ***Sub-component 2.3 Strengthening Cyber security Resilience***

To reinforce cyber security for the safeguarding of the Ugandan digital economy, this sub-component will finance activities including Cyber security and Cybercrime Legislation, enhance Cyber Security Institutional and Governance Framework, strengthen Threat Intelligence, Monitoring, Prevention, Response and Response, and build Cyber Security Capacity and Digital Skills. The activities in this sub-component will also include a public, external-facing and an internal government-facing communications campaign on cyber security awareness and promotion over the duration of the project.

## **Component 3: Digital Inclusion of Refugees and Host Communities**

The component aims to ensure that refugees and the communities that host them have the right, and the choice, to be included in a connected society. This will be achieved through implementing the numerous initiatives including; expanding the backbone and provision of last mile solutions, scaling mobile access including campaigns on eKYC and counterfeit products to eleven of the fourteen settlement camps and host communities across the country. The component will also support the digital skilling and capacity building to promote digitalization and service take-up, job creation and the development of eServices tailored to strengthen the delivery public services to these communities.

### ***Sub-component 3.1: Digital inclusion of refugees and host communities through enhanced connectivity***

This sub-component will extend national back-bone connectivity to refugee and host communities and will address the needs of last-mile connectivity in these areas. Target groups for connectivity include refugee host communities; refugees; humanitarian organisations; public institutions in host communities, such as schools and healthcare providers and private sector serving refugees and host communities.

### ***Sub-component 3.2: Digital inclusion of refugees and host communities through access enablers***

To address the demand-side challenges, the activities in this sub-component will address the need for improved mobile device access and affordability schemes and refurbishment of used devices. The activities will support enablers that are building blocks of other services, such as identity verification for refugees and streamlining cash-transfers through digitalization. This sub-component will enhance digital skills that can generate jobs and propel post-COVID-19 recovery.

### **Component 4: Strategic Project Implementation Support**

This component will finance project management and coordination, including procurement, financial management, monitoring & evaluation and environmental and social safeguards management. This will include funding consultancy support for the implementation of the project, institutional strengthening of the implementing agencies Ministry of ICT and National Guidance and NITA-U. Processes for digital service development and delivery within government MDAs will be enhanced through the component, for example by strengthening centralized support and standardization functions of NITA-U. If necessary, this component will also fund technical assistance (TA) to support monitoring and evaluation (M&E) and accounting.

### **Component 5: Contingency Emergency Response Component**

A Contingent Emergency Response Component” (CERC) is also added to the project components. This component is a ‘zero-assignment’ CERC that will provide funding for immediate response in the event of an eligible crisis or emergency, defined as an event that has caused or is likely to imminently cause a major adverse economic and/or social impact associated with natural or man-made crises or disasters. This will have an initial zero value but may be financed during the project to allow for an agile response to an eligible crisis or emergency. Adding the component in from the beginning, albeit with zero funding, provides for flexibility to respond to crises as they arise. These could include, for instance, humanitarian crises which require the provision of emergency communications services to replace facilities that have been damaged, or to facilitate emergency humanitarian payments using mobile money. The primary issue at the time of writing is the Coronavirus (COVID-19) pandemic which requires an urgent response, for instance in the form of additional broadband internet capacity for Government offices, especially health centers and hospitals, and for Government employees working from home. The CERC has not been activated yet and is therefore not covered as part of this ESMF.

## 2.5 Project Alternative analysis

### Routing Alternatives

- Utilizing Existing Road Reserves and Government Facilities:

The project by design will be laid along the existing road reserves and government owned facilities. The rationale lies in the ease of obtaining Rights of Way from the Uganda National Roads Authority, Municipalities and Local Governments given our previous and current experiences from the RCIP. Further, this option mitigates risks of impacts such as loss of assets and resettlement. Roads without adequate reserves or where involuntary displacements are high will be excluded from the project path.

- Utilizing Private Land and Property:

The second option involves new route designs that utilize private land and property. However, it is not supported because it would cost more in terms of land and property compensations and time wastage on securing individual agreements PAPs.

On this basis the preferred option by Government of Uganda, through NITA-U is option (a).

### Technology alternatives

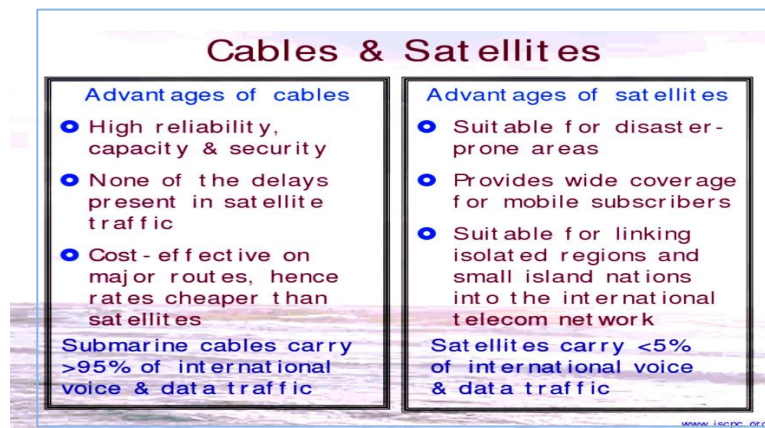
The use of optical fiber cables networks has greater advantages over satellite, microwave and radio transmissions. Radio has largely been phased out due to restricted bandwidth and poor data transmission. Compared to ground-based communication (optical fiber cables), all geostationary satellite communications experience high latency due to the signal having to travel 35,786 km (22,236 mi) to a satellite in geostationary orbit and back to Earth again. In addition, Satellite communications are affected by moisture and various forms of precipitation (such as rain or snow) in the signal path between end users or ground stations and the satellite being utilized<sup>4</sup>. Modern optical fiber networks transmit high volumes of voice and data traffic with higher security and reliability and at a lower cost than satellite systems. Besides fiber optic networks offering a number of security advantages over satellite communications, they are thought to be much harder to “eavesdrop” on than satellites and have more dependable installation and repair practices<sup>5</sup>. Furthermore, over the past decade there is increased demand for bandwidth driven by the use of Internet, as well as continuing international trend of privatization of national telecommunications industries, that have outstripped by far the resources offered by satellite transmission of voice and data<sup>6</sup>.

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<sup>4</sup> [http://en.Wikipedia.org/wiki/Satellite\\_Internet\\_access](http://en.Wikipedia.org/wiki/Satellite_Internet_access)

<sup>5</sup> Mandell, Mel, “120,000 Leagues Under the Sea”, IEEE Spectrum, Vol.37, No.4, April 2000

<sup>6</sup> Petit, Charles W., “Spaghetti Under the Sea”, U.S News & World Report, Vol.127, No.8, August 30,1999.



A comparison between cables and satellites Source: [www.iscpc.org](http://www.iscpc.org)

### Routing Alternatives

Optical fiber cables are an alternative for national backbone infrastructure and to be linked to the submarine system. In this alternative, the cable would be routed underground, generally along the roads and electricity transmission lines where there is existing Right-of-Way (ROW) and also where telecommunications use is concentrated. The cable would need to be installed below ground and given the lack of existing infrastructure; this would require extensive trenching. In practice it has been found that underground/ buried cable installation costs are higher than overhead cable due to trenching, land ownership and land use issues however, it presents less repair and maintenance requirements compared to overhead cable systems where, besides effects of weather conditions, cable or pole damages are known to be frequent. There are other practical and security/safety issues as well as greater potential for environmental and social impacts associated with overhead cable for a system of several kilometers.

**Table 5: Comparison between buried and overhead cable installation**

Buried cable	Overhead cable
Requires trenching which is tedious and may trigger land ownership and land use issues, poses health risk to some vulnerable or marginalized individuals or groups.	May require wood poles, in addition to existing electricity transmission lines, would cause cable crowd along and across roads, and deplete forest resources.
Requires longer time and more labor to excavate a continuous trench for several kilometers over the project area.	It requires less time and labor to erect poles at intervals over the project area.
Cable fault/ damage is not common and protected against weather conditions.	Cable fault/damage due to harsh weather conditions, pole fall, etc.



Buried cable	Overhead cable
Cable has passive influence on the environment.	Cable crowding would cause visual blight.
Repair/ maintenance is occasional, usually due to aging of cable and accessories.	Repair/ maintenance is frequent due to cable damage pole, fall or cable or pole aging

For cost effectiveness coupled with environmental impacts posed by buried cable system and overhead cable system, buried cable system currently offers better option.

Placing project infrastructure in road reserves along highways or existing power lines avoids the need to acquire new land/ corridors. For this option there is no logical, socio-environmentally more amenable alternative.

**No Project Scenario**

If the proposed project is not implemented, development of the country will continue to be constrained by lack of fast internet and telecommunications capacity, especially in the sectors of data transfer, banking and education. The demand for capacity will continue to grow along with economic growth. The cost of data transfer will increase as private investors exploit the situation. Environmental and social impacts associated with the proposed project will not arise. New and international businesses may not develop in a very poor telecommunication service environment. Existing businesses will not thrive and unemployment will prevail. In addition, cost of doing business will remain high.

### 3.0 BASELINE ENVIRONMENTAL AND SOCIAL INFORMATION

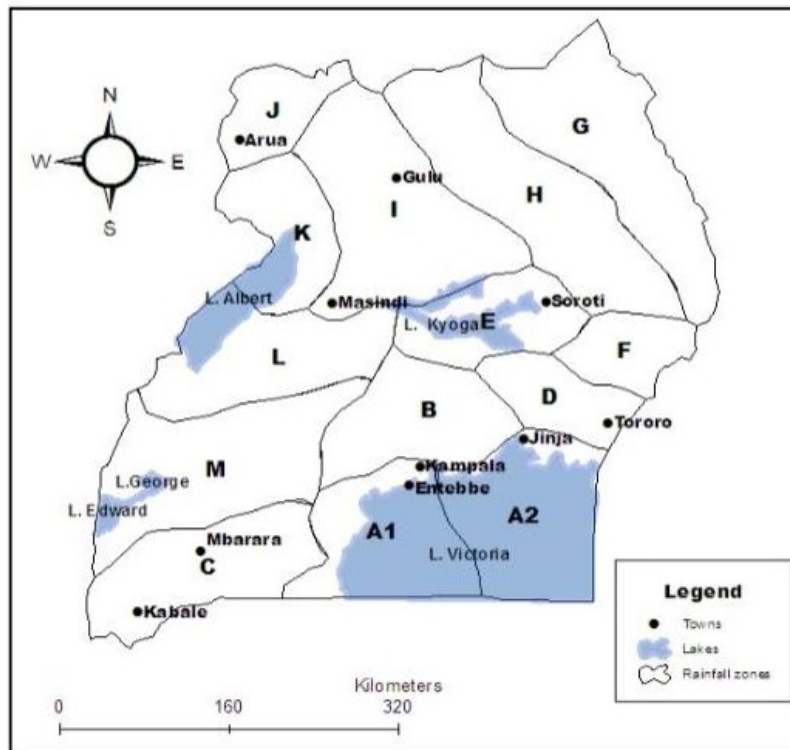
#### 3.1 Physical Environment

##### *Climate*

In Uganda and many of the low latitude regions precipitation in the form of rainfall is the climate element with the highest spatial and temporal variations and controls the climate and hydrological characteristics in most countries. Climatological rainfall studies by Basalirwa (1995) showed that Uganda can be delineated into 14 homogeneous rainfall regions depicted in figure 2.

Over most of Uganda there are four (4) major seasons based on total mean monthly rainfall amounts which are:

- Season 1 beginning in December of the previous year to February of the current year, the main dry season of the year
- Season 2 beginning in March to May referred to as the “long rains” season currently called “MAM” to reflect the rainy of the months of March, April and May
- Season 3 beginning in June to August, a usually dry period over most of the country, and
- Season 4 beginning in September to November, referred to as the “SON” to reflect the rains of the months of September, October and November.



**Figure 2: The homogeneous climatological rainfall zones of Uganda, after Basalirwa (1995)**

The regions in figure 2 will be combined into: Central to include (zones A1, A2, and B); Eastern to include (zones D, E and F); Western to include (zone C, M and L) and Northern to include (zones G, H, I, J, and K). The division has considered also the hydrological characteristics that influence flooding.

## 3.2 People and Population Dynamics in Uganda

### 3.2.1 General population dynamics

Between 2002 and 2014, the population increased from 24.2 million to 34.9 million. This gives an average annual growth rate of 3.03 percent. At this rate of growth, the population of Uganda is projected to increase to 35.0 million in 2015 and further to 47.4 million in the year 2025<sup>7</sup>.

The Uganda constitution 1995 recognizes 46 tribes (GoU 1995) with varying production and consumption patterns. Modes of production and the rural livelihood coping strategies range from mainly cultivators (e.g. Baganda, Bakiga, Bagisu and Basoga) to pastoralists (e.g. the Karamojong and the Bahima) the rest of the people derive their livelihoods from a mix of livestock keeping and cultivation or agro-pastoralism. In addition, Uganda has been and still is, home to several thousand refugees from neighbouring countries. There are also other non-citizens residing in Uganda as a preferred place for home or where they are engaged in various economic activities. This mosaic provides Uganda with a rich cultural base and opportunities for modernization. However, there are also challenges the people of Uganda face, among others are: (i) rapid population growth and the ensuing pressures on the country's natural capital; (ii) inadequate provision of, and demand for, social services and infrastructure; and (iii) poor environmental conditions.

***Relation to the project:** Infrastructure, income and literacy levels and proximity to urban centres have a significant influence on information technology acceptance and utilization. The project will increase investment in ICT sector leading to jobs creation and efficient government service delivery, improved productivity in all sectors and better governance. These will be long-term benefits to the Uganda people*

#### **Population Dynamics**

In Uganda, the 20<sup>th</sup> century marked an unprecedented population growth and economic development as well as environmental change. The Census report of 2002 put the country's population at 24.7 million people in 2003. The current growth rate of 3.4% per year is higher than the 2.9% that was envisaged for the period 1991 – 2002. Currently standing at 34.9 million, population of Uganda is likely to hit 50 million by 2025. Population is a key determinant of economic and social wellbeing and environmental degradation.

Considering the size of Uganda and comparing this with cities such as Mexico and Lagos whose populations are in excess of 20 and 13 million people respectively, it can easily be concluded that Uganda does not have a problem with its population size. While absolute numbers may suggest Uganda is relatively under-populated, the concern is the inability to provide for these relatively few people. In the absence of adequate social services, even a small population becomes a constraint. In addition, a poor population however small, needs attending to otherwise its people may engage in activities detrimental to the environment especially where alternative livelihood options are limited.

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<sup>7</sup> National Population and Housing Census, 2014

The urban population in Uganda has increased rapidly from less than 0.8 million persons in 1980 to 6.64 million persons in 2014, an 8-fold increase in 34 years. This increase is mainly attributed to the creation of new urban administrative units, natural growth, demographic factors (excess of fertility over mortality) and Rural-Urban Migration (UBOS, 2012). Kampala City has by far the highest population density. The population growth rate of Kampala City is above the national average even though the population growth rate of Central region, in which Kampala City is located, is the lowest among the four regions (North, Eastern, Western and Central) in the country. The lowest population density by region is 65 people per square kilometers for the Northern region.

**Table 6: Population characteristics of Uganda**

Region	1991 population	2002 population	2014 population
Central	4,843,594	6,575,425	
Eastern	4,128,469	6,204,915	
Northern	3,151,955	5,363,669	
Western	4,547,687	6,298,075	
<b>Total</b>	<b>16,671,705</b>	<b>20,442,084</b>	<b>34,856,813</b>

Source: UBOS, 2014 Census Results

*Relation to the project: The high rate of population growth may affect Uganda’s efforts to provide and sustain timely basic services, information and employment opportunities. However, ICT will stimulate entrepreneurship creating job opportunities in internet services, cellular telephony, information security, storage and management. In addition, the project will enhance administrative functions improving governance and service delivery.*

### **3.2.2 Refugee Settlements and Host Communities Status**

Uganda has over 1,434,708 refugees in its twelve refugee hosting districts (see districts in the table 9b) located in the different regions. The most populous refugee district with 16.2% of all refugees is Yumbe in West Nile followed by Adjumani (15%) and Arua (13.2%) in the same region.

Given this number, Uganda is ranked as the top refugee destination in Africa and the second world over. Majority of these refugees are vulnerable as the majority are women and children.

In 2015 and 2016, UNHCR and WRC undertook the Global Refugee Youth Consultations (GRYC) to amplify “voices” of youth in decisions that affect them. The project engaged more than 1,200 young people, aged 15-24 years old, who participated in 56 national and sub-national consultations, held in 22 countries. This report highlighted the following global challenges

- a) Accessing quality learning, formal education, and skill-building opportunities,
- b) Refugee youths emphasize they would rather work than depend on humanitarian aid and express frustration at the limited employment and livelihood opportunities available,
- c) Gender inequality and discrimination as challenges in and of themselves, but also as underlying causes of sexual exploitation and gender-based violence (SGBV). This includes domestic violence, child and forced marriage, sexual assault, and rape,

- d) Lack of access to quality health care as a major concern, and particularly note the need for youth-sensitive sexual and reproductive health care and psychosocial support,
- e) Lack of empowerment and engagement opportunities as factors that limit youth involvement in decision making. They have few opportunities to analyze issues, devise solutions, share their ideas with decision makers, and be heard, challenges related to the lack of relevant, honest,
- f) Lack of transparent information about the asylum process, refugee rights, available services, and the society and culture of their country of asylum.

UDAP initiatives geared to addressing the abovementioned challenges will include the provision of digital connectivity through extending the NBI and provision of last mile solutions in eleven of the host communities, scaling the provision of mobile access devices including campaign on eKYC and counterfeit products, setting up a national eWaste collection centre, digital skilling and capacity building for jobs and the development of specific refugee and host community eServices to address service delivery challenges.

**Table 7: Refugees by district in Uganda**

NO	LOCATION NAME	POPULATION	
1.	Yumbe	16.2%	232,743
2.	Adjumani	15.0%	214,503
3.	Arua	13.2%	188,972
4.	Isingiro	9.9%	142,310
5.	Kyegegwa	8.7%	124,498
6.	Kikuube	8.6%	123,009
7.	Obongi	8.6%	122,851
8.	Kampala	5.8%	83,614
9.	Kamwenge	5.1%	73,388
10.	Kiryandongo	4.8%	69,455
11.	Lamwo	3.8%	53,818
12.	Koboko	0.4%	5,547

Source: OPM UNHCR, Government of Uganda, 31<sup>st</sup> October 2020<sup>8</sup>

<sup>8</sup> <https://data2.unhcr.org/en/country/uga>

### 3.3 Morphology, Relief and Drainage

#### *Morphology and Relief*

Most of Uganda forms part of the interior plateau of the African continent and its landforms are characterized by flat-topped hills in the central, western and eastern parts of the country. The rise of the plateau in the eastern and western part of the country is represented by spectacular mountain topography located along the borders as, for example, the Rwenzori Mountains and Mufumbira volcanoes in the west and Mt. Elgon, Mt. Moroto, Mt. Murungole and Mt. Timu and Mt. Kadam in the East (NEMA 2002).

#### *Drainage*

Most of the rivers in the southern part of the country drain into Lake Victoria. Waters flow out of the lake along Victoria Nile into Lake Kyoga into Lake Albert (Lake Albert also receives water from DRC mainly through river Semliki), the Albert Nile or White Nile in Sudan, down to the Mediterranean Sea through Egypt. The lakes in Uganda cover almost one-fifth of the total area of the country. Lake Victoria, shared with Kenya and Tanzania is the biggest tropical freshwater body and the second largest freshwater lake in the world. Other lakes of interest are the crater lakes on the western part of the country associated with the western rift valley. It is not likely that any lakes or major rivers will be affected by this project.

#### *Geology and Soils*

The geological formations of Uganda indicate rocks formed between 3,000 and 6,000 million years ago (pre-Cambrian era) which makes them very old. The younger rocks are either sediments or of volcanic origin, formed from about 135 million years ago (Cretaceous period) to the present. Hence there is a gap in the geological history of Uganda of about 460 million years. The soils of Uganda are defined by a number of parameters including parent rock, age of soil and climate (NEMA 2008). The most dominant soil type is ferralitic soil which accounts for about two-thirds of the soils found in the country. Based on studies carried out in the past (NEMA 1996), Uganda's soils are divided into six categories according to productivity: (a) very high to high productivity, (b) moderate productivity, (c) fair productivity, (d) low productivity (e) negligible productivity and (f) zero productivity. The high productivity soils cover only 8% of the area of Uganda<sup>9</sup>. Considering the country's size, this is indeed a small area and it may therefore be most likely to encounter short-term arrangements, especially in urban areas, where almost every inch of land is developed either for residential or commercial purpose. Conversion of such land for project facilities would call for some sort of compensation.

***Relation to the project:*** *At locations where facilities will be constructed, landform is an important aspect to consider since it influences access, site drainage, erosion (or foundation damage/ undercutting) and risk of landslides. For example, soils influence safety and speed of trenching when laying fiber optic cables.*

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<sup>9</sup> <http://www.fao.org/ag/agp/AGPC/doc/Counprof/Uganda.htm>

### 3.4 Biological Environment and relation to the project

#### *a) Land Resources*

Availability and access to land is increasingly becoming difficult in Uganda, especially for the poor. This is an increasingly big challenge for infrastructure development due to rising compensation costs when acquiring right of way. While optical cables will be laid in road reserves, there could be instances where land use along the road reserve shall be restricted and this could affect especially, vulnerable or marginalized individuals or groups in densely populated urban centers. To manage this risk however, works shall be phased, implementations shall be planned to take short timelines and back filling done within 24 hours after excavations after prior consultations with PAPs.

#### *b) Forestry Resources*

As earlier noted, project infrastructure will be built in road reserves and therefore no forests will be affected by this project. Therefore, forestry resources are here discussed only for the reason that timber and poles (scaffoldings) would be necessary for construction of station sites in this project.

Generally, due to tightened controls, loss of forest cover in protected forests has been reducing and total cover is stabilizing. Unfortunately, forests in protected areas make up only 30% of the national forest cover. The remaining 70% are on private and customary land where deforestation rates are high as a result of conversion of forest areas into agricultural and pastoral land. Furthermore, the country's harvestable timber resources are almost exhausted. Hence, to increase forest cover and ensure increased supply of timber, the Sawlog Production Grant Scheme (SPGS) and other licensing measures including charging economic rents for timber were introduced. SPGS funded by European Union supports private sector development of large forest plantations.



**Figure 4: Mabira Forest along Jinja Highway- file photo**

#### *c) Rangeland Resources and Livestock Production*

Rangelands mostly found in the 'cattle corridor' occupy 107,000 km<sup>2</sup> or 44% of the country's land area. In some places, the conditions of the rangelands are deplorably over-grazed or, and through wind and soil erosion, bare. The rangelands are also located in arid and semi-arid areas,

themselves fragile ecosystems. In the extreme, pasture and water scarcities are contributing to frequent conflicts between cultivators and pastoralist in the first place, and among pastoralists themselves. The number of cattle, goats and sheep is on the increase and hence there is need to pay attention to the carrying capacity of Uganda's rangelands.

**d) *Wildlife Resources***

There cases where ICT infrastructure may be laid or erected in Protected Areas either to serve these locations or because they are along way routes of the infrastructure. Wildlife constitutes an important resource base for the country as a source of recreation/ tourism revenue, nature studies and scientific research. By 1994, wildlife populations whether inside or outside protected areas represented a small fraction of what they were in the 1960s, with some species such as both the black and the white rhino becoming extinct. By 2004, the populations of wildlife in protected areas had stabilized, and some even increased, although marginally. Outside protected areas, the decline in wildlife population continues as a result of increased hunting, blocking migratory routes and habitat conversions, among others. The Uganda Wildlife Authority is piloting the conservation of wildlife populations outside protected areas through measures such as the operationalization of the different classes of wildlife use right provided for in the Wildlife Act. The project committed to avoid any high risk ecological areas and /or living natural resources

**e) *Vegetation***

The vegetation of a place is described from the species available and is influenced by the prevailing environmental conditions. Vegetation can be influenced by landform, soils, climate and anthropogenic factors such as fire, logging, mining, settlement etc. Vegetation cover in districts to be impacted by the project was carried out to understand the vegetation composition of the areas, rule out presence of endangered species and plan for management of endangered species when identified and finally ease planning initiatives in terms of re-vegetation exercises. Vegetation was classified in accordance with the routes taken starting with the Eastern to Northern route. To study the vegetation structure and composition from the proposed site, a combined methodology of field observations, A Global Positioning System (GPS Garmin 60CSx) unit was used to locate quadrats within the sampled area. A diameter tape was used to record tree diameters at 1.3 meters or breast height, a pair of tape measures and stick poles where used to demarcate the quadrats. Measuring tree heights was made by using yardstick and estimates. A number of regional flora keys were used in the field for better species identification. The subsequent sections provide information on project area flora composition extracts. The full reports on vegetation composition in the area shall be utilized by the project implementation team and shall form part of the client's documentation in monitoring initiatives.

***Vegetation Cover for the Eastern-Northern Routes***

The proposed project site lies within areas which have undergone several vegetation transformations, from their natural settings into commercial housing estate and there often maintained places with short common herbaceous plants for all the selected sites; Bugiri, Bukedea, Busia, Dokolo, Gulu, Iganga, Jinja, Kaberamaido, Kumi, Lira, and Mbale. The vegetation of the proposed sites can be classified as secondary; -



All the proposed project areas have similarities in vegetation structure and species composition. They can be described degraded areas characterized by fallows, perennial grasses and forbs constituting to ninety-eight (98%), and forbs with some remnant trees of both indigenous and exotics, others were degraded areas due to presence of infrastructures like pathways, houses, and small gardens with only common garden weeds which are least concern of their conservation status.

The proposed project areas are located in the urban centers and therefore no primary habitats were recorded from any of the districts.

**Bugiri:** the study was conducted along the district library, Local Government Head Quarters to the works office. The entire Bugiri town is characterized by commercial building, and other structures like the administration blocks, with patches of bare ground and some green zones with short grasses dominated by *Alternanthera pungens* and *Bidens pilosa* among herbaceous plants and *Cassia siamea* and *Cedrella odorata* among trees.

**Bukedea:** Medium to short grasses and forbs dominated by *Bothriochloa insculpta*, *Alternanthera pungens* among the herbaceous plants and *Milicia excelsa* among trees.

**Busia:** Short garden weeds dominated *Eleusine indica*, *Aeschynomene abyssinica*, and *Bidens pilosa* among the herbaceous plants and *Artocarpus heterophyllus*, *Kigelia africana*, and *Psidium guajava* trees

**Dokolo:** the study was conducted along Electoral Commission, Police and National Teachers' College (NTC). Areas with maintained vegetation dominated by *Brachiaria decumbens*, *Desmodium tortuosum* and *Eragrostis tenuifolia* all herbs, and *Mangifera indica* and *Grevillea robusta* (Mango tree).

**Gulu:** the study was conducted along the road to the office of IGG, Police Headquarters, Gulu Human Rights Commission, RDC's office, Gulu Municipal Council and National Forestry Authority (NFA) among others. The vegetation was characterized by medium height herbs dominated by *Hyparrhenia filipendula*, *Ageratum conyzoides*, *Desmodium triflorum*, *Borassus aethiopum* and *Mangifera indica* dominated among tree species.

**Iganga:** the study was conducted along Iganga hospital, Municipal council stretch, and police station, vegetation of short herbaceous plants dominated by *Brachiaria decumbens*, *Bidens pilosa*, and *Canna indica*. *Broussonetia papyrifera*, *Cascabela thevetia*, *Cassia siamea*, *Tectone grandis*, *Gmelina arborea* and *Ficus pseudo-mangifera* all trees.

**Jinja:** Study conducted along Jinja district headquarters, Muwumba road to the civil service college. Vegetation was characterized by short herbs dominated by *Cynodon dactylon*, *Panicum maximum* and *Solanum incanum* all herbs and trees included *Albizia grandibracteata* and *Mangifera indica* (mango tree).

**Kaberamaido:** Vegetation dominated by *Sida acuta*, *Sporobolus pyramidalis* and *Desmodium tortuosum* and *Mangifera indica* dominated among trees.

**Kumi:** Vegetation with common garden weeds dominated by *Sporobolus pyramidalis*, *Acanthospermum hispidum* and *Asystezia gangetica* all herbs. *Senna siamea*, *Senna spectabilis*, *Milicia excels*, *Ficus natalensis*, *Markhamia lutea* and *Albizia coriaria* all trees.

**Lira:** Vegetation dominated *Acanthospermum hispidum*, *Achyranthes aspera*, *Alysicarpus rugosus*, and *Boerhavia coccinia* all herbs and *Markhamia lutea*, *Mangifera indica*, *Terminalia mollis* and *Syzygium cumini* all trees.

**Mbale:** Vegetation characterized by short herbs *Acalypha brachycalyx*, *Adiantum incisum*, *Brachiaria brizantha* and *Centella asiatica* all herbs, and *Albizia coriaria*, *Ficus sycomorus*, *Jacaranda mimosifolia*, and *Syzygium cumini* all trees.

**Tororo:** The vegetation in the study area was characterized by trimmed short grasses, with tall remnant trees. *Jacaranda mimosifolia* was among the most dominant tree at Tororo district headquarters, and on the streets.

#### ***f) Biodiversity in General***

Uganda is endowed with a very rich and varied biodiversity due to its bio geographical setting, varied altitudinal range and extensive drainage systems. This biodiversity is a national asset supporting rural livelihoods and contributing to commercial economic activities. The contribution of Uganda's biodiversity resources, organisms or parts there-of, population or other biotic components of ecosystems with actual or potential value for humanity has been estimated at \$1000 million per year, balanced against economic costs of \$ 202 million plus losses to other economic activities of about US\$49 million per year. While Uganda continues to lose some of its rich biodiversity, the rate of loss has been reduced somewhat. Reflected in terms of living Uganda's Index, the country out-performs Planet Earth as a whole when Living Planet Index is considered. The loss of biodiversity in protected areas has to a great extent been stopped and the trend reversed between 1990 and 2005. Outside protected areas biodiversity loss was still continuing as of 2005. The loss of biodiversity is largely the result of habitat conversion and introduction of exotic species. Current knowledge of the species present is confined to the more known taxa such as birds, mammals, butterflies, higher plants, reptiles, amphibians and fish because of their relative conspicuousness and economic importance. The subsequent table shows numbers of species known so far and how much they cover on the global scale.

**Table 8: Species known to occur in Uganda**

<b>Taxon</b>	<b>No. of species</b>	<b>% of global species</b>	<b>No. of globally threatened</b>
Amphibians	86	1.7	10
Birds	1,012	10.2	15
Butterflies	1,242	6.8	-
Dragon flies	249	4.6	-
Ferns	389	3.2	-
Fish	501	2.0	49
Flowering plants	4,500	1.1	40
Fungi	420	16	-
Liverworts	275	46	-
Mammals	345	7.5	25
Mollusca	257	0.6	10
Mosses	445	3.5	-
Reptiles	142	1.9	1
Termites	93	3.4	-
Other	-	-	17

Source: NEMA 2009

### Issues:

Several Ugandan species have qualified to be included on the IUCN Red Data list due to threats such as:

- i) **Habitat destruction** as a result of conversion of forests to agriculture land, expansion of urban and industrial centers, and fragmentation;
- ii) **Encroachment** on wetlands, forests and water body shores and banks driven by industrial expansion and infrastructure development; and
- iii) **Pollution** from the use of agrochemicals, polythene bags, and release of municipal and industrial effluents.

### 3.5 Aquatic Resources

#### a) *Wetlands*

Wetlands cover about 13% of the area of Uganda and provide direct and indirect values. Up to late 1980s, wetlands were generally considered ‘wastelands’ to be reclaimed for agriculture in rural areas, ‘drained’ as anti-malaria measures or industrial areas in urban settings. By 1994, the need for conservation was realized and the process of formulating an appropriate policy on wetlands was initiated. By 2001, wetlands came to be regarded as ‘granaries of water’. From being a program in 1994, wetlands had by 2005 obtained an institutional home within government structure. Wetlands are now better known with detailed information up to the district level. The 56 districts then existing by 2004 all had District Wetland Action Plans and some communities in a few districts have gone ahead and prepared Community Wetlands Action Plans. Despite such an impressive achievement, the implementation of the various action plans is constrained by lack

of resources. Furthermore, despite a wide array of achievements, wetlands, degradation is still evident- some for basic survival needs of the poor, others as a saving measure where land purchase prices are high, and yet others are the result of ignorance about ownership and legal boundaries of wetlands.

There are presently 12 sites designated as Wetlands of International Importance, with a surface area of 454,303 ha (Table 8). Much as the sites are well known for their bird life, they are also vital habitat for other threatened plants and animals. Construction through such sites could temporarily affect visitor experience of tourists. The design of the routes will avoid areas of traversing these ecological sensitive ecosystems and where avoidance is not possible, overhead cables will be utilized to minimize the footprint.

**Table 9: Ramsar Sites in Uganda**

<b>Ramsar site</b>	<b>Major features</b>
<b>Lake Bisina wetland system</b>	<p>This wetland is an important Bird area, located in Kumi, Katakwi and Soroti districts. The wetland is a shallow freshwater lake with a thin strip of fringing papyrus swamp.</p> <p>The shallow areas are dominated by water lilies which is important for its diversity of macrophytes. It is used as a feeding ground by wading birds, including the globally Vulnerable Shoebill (<i>Balaeniceps rex</i>). The system is also important as a refuge for fish species that have gone extinct in the main Ugandan lakes. The lake is very important for the surrounding communities in terms of fishing, transport, and supply of water for domestic use and livestock.</p>
<b>Lake Mburo Nakivali wetland system</b>	<p>This is a system of open and wooded savanna, seasonal and permanent wetlands, and five lakes, of which Lake Mburo is a part. It is a unique habitat, lying at the convergence of two biological zones, giving it very high biodiversity. It supports globally threatened species of birds such as the Papyrus Yellow Warbler and Shoebill, and provides refuge to 22 species of Palearctic and Afrotropical migrant birds during adverse conditions. It supports two of the endangered cichlid fish species which have gone extinct in the main lakes, and it is the only area in Uganda in which the Impala is found.</p>
<b>Lake Nakuwa wetland system</b>	<p>A permanent wetland associated with a number of satellite lakes and a swamp system dominated by dense papyrus, broken in parts by pools of water forming sudd (clumps of floating papyrus). In addition to supporting the Sitatunga and the Nile Crocodile, the system and its satellite lakes contain the most diverse cichlid species assemblage and are a haven for a number of noncichlid species no longer found in the large lakes of Kyoga and Victoria. The wetland also plays an important role in flood prevention, water purification and groundwater recharge. It is probably one of the remaining pristine wetland areas in Uganda due to its remoteness and sparse population in the immediate catchment, and it offers employment to a number of fishermen.</p>

<b>Lake Opeta wetland system</b>	This Ramsar site is found in eastern Uganda. It is an important bird area and one of the remaining intact and probably most important wetland marshes in Uganda. It is predominantly an extensive swamp of <i>Vossia cuspidata</i> to the east and south graduating into dry <i>Hyparrhenia</i> grassland savannas. The wetland is of great Importance for the conservation of birds, and Fox's weaver, Uganda's only endemic bird has been recorded in the swamp breeding. The site is also important as a refuge for fish species that have gone extinct in the main lakes, including Lakes Victoria and Kyoga.
<b>Lutembe Bay wetland system</b>	Lutembe Bay is an Important Bird Area. Situated at the mouth of Lake Victoria's Murchison Bay, this shallow area is almost completely cut off from the main body of Lake Victoria by a <i>Papyrus</i> island. The site supports globally threatened species of Birds, endangered Cichlid fish, and over 100 butterfly species, including three rare ones. It is a breeding ground for Clarias and lungfish, and regularly supports more than 52% of the White winged Black Terns ( <i>Chlidonias leucopterus</i> ) population.
<b>Mabamba Bay wetland system</b>	Mabamba is an extensive marsh stretching through a narrow and long bay fringed with Papyrus towards the main body of Lake Victoria the only swamp close to Kampala where one can easily find the globally threatened Shoebill ( <i>Balaeniceps rex</i> ). The site supports an average of close to 190,000 birds and is part of the wetland system which hosts approximately 38% of the global population of the Blue Swallow ( <i>Hirundo atrocaerulea</i> ), as well as the globally threatened Papyrus Yellow Warbler and other birds of global conservation concern.
<b>Murchison Falls Albert Delta wetland system</b>	<p>The site stretches from the top of Murchison Falls, where the River Nile flows through a rock cleft some 6m wide, to the delta at its confluence with Lake Albert. The convergence between Lake Albert and the delta forms a shallow area that is important for water birds, especially the Shoebill, Pelicans, Darters and various heron species.</p> <p>The delta is an important spawning and breeding ground for Lake Albert fisheries, containing indigenous fish species; the rest of the site is dominated by rolling savannas and tall grass with increasingly thick bush, woodlands and forest patches in the higher and wetter areas to the south and east. It forms a feeding and watering refuge for Wildlife in the Murchison falls National Park during dry seasons.</p>
<b>Nabajjuzi wetland system</b>	Nabajjuzi is a long narrow stretch of swamp from the periphery of Masaka to Katonga River system. It provides a spawning ground for mudfish and lungfish, and supports globally threatened bird species and the endangered Sitatunga. The site lies in traditional Buddu county of Buganda Kingdom, and some of the flora and fauna are closely associated with cultural norms and traditions, especially the totems. There is thus considerable cultural attachment of the surrounding areas to the wetland, which also plays an important role in stabilizing the banks of River Nabajjuzi, groundwater recharge, and flood control and as a natural filter for silt and sediments in the runoff.

<p><b>Sango Bay Musambwa Island Kagera wetland system (SAMUKA)</b></p>	<p>A mosaic of wetland types including the biggest tract of swamp forest in Uganda, papyrus swamps, herbaceous swamps interspersed with palms and seasonally flooded grasslands, sandy, rocky and forest shores, and three rocky islets about 3 km offshore in the Sango Bay. The area lies in the transition between the East and West African. Vegetation zones and this bio-geographical ecotone make it biodiversity rich. The system supports huge congregations of water birds, hosting an average of 16.5% of the population of Grey headed Gulls (<i>Larus cirrocephalus</i>), and hosts globally endangered mammals such as Elephant, Black and White Colobus Monkey and a subspecies of the Blue Monkey.</p>
<p><b>Rwenzori Mountains Ramsar Site</b></p>	<p>This site covers 99,500 ha; and it is Within Mt. Rwenzori protected area which is World Heritage Site. The entire Afro-alpine ecosystem (between 1,600 and 5,100 mass) is unique with the contribution of high rainfall and the melting of snow from the peaks, various wetland types are present such as peat lands, freshwater lakes, and tundra, amongst others. The mountains are known to support 21 species of small mammals, including the endemic and vulnerable Rwenzori Shrew. Other species of global conservation concern include L’Hoest’s monkey, Horseshoe bat, and Rockefeller’s Sunbird. With the distribution of fish varying with altitude, several indigenous fish species are found within the site, with the most common Cyprinid species including <i>Varicorhinus Rwenzori</i>.</p>
<p><b>Lake George</b></p>	<p>This site has a complex of river systems emanating from the Rwenzori Mountains Supplying a system of permanent swamps located on Lake George, in the Rift Valley. Vegetation consists of grassland, woodland, and three major swamp types. The site supports large mammals, including elephants, hippopotamus, and antelope, and is important for numerous species of wintering Palearctic water birds and various notable resident birds.</p>
<p><b>Lake Nabugabo wetland system</b></p>	<p>The site is located in Masaka district and it is approximately 22,000 ha. It is shallow freshwater lake 8.2km long by 5km wide, with three smaller lakes, separated from Lake Victoria by a sand bar. The lakes are an important migratory stopover-destination for migratory bird species - at times during the year, the site (listed as an Important Bird Area) holds more than 15% of the world's population of the Blue Swallow and support five globally threatened and near-threatened birds: Blue Swallow <i>Hirundo atrocaerulea</i>, Shoe Bill <i>Balaeniceps rex</i>, Great Snipe <i>Gallinago media</i>, Pallied Harrier <i>Circus Macrourus</i> and the Papyrus Gonolek <i>Laniarius mufumbi</i>. The system supports a high diversity of plant species, including insectivores of the family <i>Droseraceae</i>.</p>

It was noted from stakeholder consultations and literature review that the National Environment (Wetlands, Riverbanks and Lake Shores Management) Regulations, No. 3/2000 that construction of communication facilities is one of the regulated activities in a wetland.



**Figure 3: Nabajjuzi Wetland along Masaka-Mbarara Highway- file photo5.1.9. National Water Policy, 1999**

**b) Water**

Water is life, and Uganda has significant quantities of the resource. From both hydrological and social water scarcity considerations at the moment, Uganda is not water stressed. However, by 2025, indications are that there will be reason to worry as a result of increasing demands for human, livestock, wildlife, irrigation and industrial water. Uganda is ranked in a group of countries that must plan to secure more than twice the amount of water they used in 1998 in order to meet reasonable future requirements. The quality of the water from available sources is another area of concern principally as a result of pollution – residential, industrial and agricultural land discharges into the open water bodies. To some extent the buffering capacity of wetlands is making a contribution towards reductions in pollution, but this will continue only if the integrity of the wetlands can be sustained.

Water resources are under increasing threat of degradation as exhibited in reduced quality and quantity in the major freshwater bodies. Soil erosion and industrial pollution have reduced surface water quality. Watershed degradation and climate change also reduce surface and ground water quantities. The major drivers of reduced water quality and quantity are encroachment on water catchments, increased water abstraction for domestic, industrial, infrastructure development and production, discharge of effluent into the environment and inadequate sanitation facilities especially among fishing communities (NEMA, 2012).

***Relation to the project:*** While the proposed ICT infrastructure such as optical fiber cables will be mainly along road reserves, it may pass through or along natural resources such as forests, swamps and wildlife conservation areas. Construction of the infrastructure could therefore pose impacts on these resources in absence of control measures. Construction of project facilities is expected to take small quantities of water and for only the short duration of construction activities. The project committed to avoiding ecologically sensitive areas, including wetlands of international importance, biodiversity hotspots, Ramsar sites, etc

## 3.6 Infrastructure

### a) *Energy*

The dominant source of energy in Uganda is biomass and this is expected to remain so in the foreseeable future in spite of plans to increase hydropower energy production. However, the share of clean energy in total consumption is gradually increasing, in part as a result of programs like the Energy for Rural Transformation. Production of energy is being liberalized, attracting an increasing interest among private investors. The adverse environmental effects of clean production are mitigated through the EIA guidelines for Uganda 1997 and the EIA guidelines for the Energy Sector.

Energy is an essential resource for every economy. The Human Development Report (UNDP 2011) considers energy as central to a range of services supporting human development, ranging from modern medical care, transportation, information and communications, to lighting, heating, cooking and mechanical power for agriculture<sup>10</sup>. At a grid electrification rate of 15%, Uganda has one of the lowest electrification rates in Sub-Saharan Africa. Inadequate access to electricity is a big deterrent to development. It hinders the startup of certain poverty alleviating activities, makes it hard for students to study at night, and limits the services health centers can offer, to mention but a few<sup>11</sup>.

Grid coverage is important factor determining access to electricity. Grid densification/extension projects, under Rural Electrification Agency, are ongoing in the districts of Masaka, Kiboga, Apac and Soroti, connecting communities and individual institutions on a cost sharing basis. The Rural Electrification component mainly supports institutions and communities located close to high voltage electricity grids.

This low coverage and slow advancement of the national electricity grid can be attributed to, among others, high costs of grid extension, sparse settlement in some areas, low ability of potential consumers to pay and remoteness of most rural villages. There are some efforts to promote clean energy sources such as solar and biogas. Another estimated 1 % of the population uses fuel gensets, car batteries and solar PV systems to achieve a minimum level of electricity supply. Unfortunately, capital investment required is not yet afforded by the rural poor.

***Relation to the project:*** While availability and reliability of power supply will not be a critical need during project implementation, it will be essential for operation of the installed ICT systems.

### b) *Tourism*

According to Uganda Tourism Board (UTB), Uganda's tourism earnings have doubled in the last five years from US\$440m to \$800 m in 2012. Uganda is now ranked top in tourism industry growth in Africa. According to the 2011 tourism review in Africa, Uganda's tourism sector grew by 25% in 2011 while that of South Africa and Tanzania realized growth of 21% and 13.4% respectively. Uganda's tourism growth is attributed to its top tourist destination hubs like

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<sup>10</sup> <http://www.mbendi.com/indy/powr/af/ug/p0005.htm>

<sup>11</sup> <http://www.energyprogramme.or.ug/powering-villages/>



Murchison Falls National Park, Queen Elizabeth national park, Bwindi Impenetrable Forest renowned for its Mountain Gorilla Safari activities. Laying optical fiber cables along major tourist roads could disrupt tourist traffic if proper controls are not incorporated in constitution plans.

***Relation to the project:** Biodiversity aspects would apply to the project only in rare situations that optical fibre cables are constructed in or near ecologically-sensitive areas in a way that damages them or endangers wildlife therein. These include forest reserves, wildlife conservation areas and wetlands (some of which may be Ramsar sites). The project will provide mitigation measures to ensure that project activities at these protected areas if any does not cause any harm to living natural resources or alter habitat. The ESMF will provide a screening mechanism to avoid any high-risk ecological areas and /or living natural resources and provide guidance to sub-project ESMPs.*

- Traffic and road safety

In Uganda, almost ten (10) people die daily due to road accidents on average (Daily Monitor 2017-Ministry of Works and Transport performance report of 2016/17). A number of roads are under construction in the country though these efforts are yet to reach community roads. Pedestrians form the highest number of fatalities followed by cyclists then motorists. This provides for the need for vigilance during project implementation.

***Relation to the project:** While the project will utilize mainly road reserves, project teams shall once in a while utilize un-tarmacked roads as access routes. Secondly, while all the project drivers shall have defensive driving training, there is no guarantee of such trainings for third parties. Journey management shall be adhered to during project implementation while flag personnel shall also be utilized. Safe driving shall be part of the main induction process and shall also be part of routine awareness session. Additional measures like utilization of signage, and coordination with traffic police shall go a long way in ensuring safe project execution.*

### **3.7 Socio-Economic and Cultural Environment**

#### ***Urbanization***

Although Uganda is one of the least urbanized countries in the world in absolute terms, the urban population is growing. Urban population in Uganda increased from less than one million persons in 1980 to about three million in 2002, representing a nearly fourfold increase. However, between 2002 and 2014, the urban population rapidly increased to 7.4 million (UBOS 2017).

***Relation to the project:** Due to land scarcity in urban areas it's increasingly becoming costly to compensate landowners to acquire land for project facilities. This will be reflected in resettlement cost of the project where proposed ICT infrastructure would be constructed on private property. It is also noted that urban dwellers are major users of ICT services ranging from telephony,*

*telephone-based banking and money transfers to internet. These would therefore benefit from the proposed project greatly.*

### ***Employment***

Unemployment Rate in Uganda increased to 4.20 percent in 2010 from 1.90 percent in 2007 (UBOS 2011)<sup>12</sup>. Unemployment remained predominantly an urban problem as the unemployment rate in urban areas is more than three times that of their rural counterparts. The unemployment rate was highest in Kampala (11%) and lowest in Western and Eastern regions (2%) respectively<sup>13</sup>. About 83% of young people have no formal employment (MFPED 2012). Youth unemployment in Uganda is the highest in Sub Saharan Africa. Employment is expected to remain a challenge in the years ahead. Generally, the high youth unemployment rate in Uganda is largely attributed to high population growth rate, slow growth in industrial development, and small formal labour markets, lack of sufficient experience and skills, rural-urban migration, and youth's limited access to resources like capital and land. In addition, the overall existing policies continue focusing on creating job seekers rather than job creators. However, growing sectors of agro processing, tourism and services offer opportunities for youth employment (NEMA, 2012).

***Relation to the project:*** *Uganda is positioning herself to exploit the growing demand for worldwide Business Process Outsourcing (BPO) industry to address the challenge of youth unemployment and this would be enhanced by reliable and widespread ICT infrastructure.*



**Figure 5: A roadside fruits and vegetable market along Masaka Highway predominated by women traders- file photo**

### ***Safe water and sanitation***

Access to safe water and sanitation in both urban and rural areas has increased compared to the situation 10 years ago. For example in 1991, only 11 towns had the services of the National Water and Sewage Cooperation (NWSC) but now the corporation covers 19 towns. By 2004, rural

<sup>12</sup> <http://www.tradingeconomics.com/uganda/unemployment-rate>

<sup>13</sup> <http://www.ubos.org/UNHS0910/chapter4%20times%20use.html>

access to safe drinking water had increased to 57% while the urban one was at 67%. If current trends continue, and incremental investment funds are procured, Uganda should meet its Millennium Development Goal on water supply. While safe water access per se has improved, functionality of water points is another key issue.

***Relation to the project:** Availability of safe water and sanitation will be important for construction contractors. It is noted safe water availability may be more difficult in the northern, western, eastern regions compared to the central region.*

### ***Cultural heritage***

In the project districts, it is also possible to discover some chance finds. When this happens, a chance finds procedure provided in Annex 9 shall be followed to secure them as potential physical and cultural resources

### ***Vulnerable or marginalized individuals or groups and Historically Underserved Traditional Local Communities***

Uganda has many categories of vulnerable or marginalized individuals or groups that might be affected by the project, including the poor, women- and child-headed households, the elderly, persons with disabilities, persons living with human immunodeficiency virus (HIV), those with other chronic health conditions, including severe mental illness, displaced persons (refugees and internal displaced persons) among others.

Furthermore, in the hilly parts of South Western and North Eastern Uganda are also the Historically Underserved Traditional Local Communities groups under ESS7 referred to in Uganda as Vulnerable and Marginalized Groups (VMGs), particularly, the Batwa in Kasese, Kabale, Kanungu and Bunibugyo and the Tepeth in Moroto. As a requirement of ESS7, a social assessment has been conducted with these groups and their challenges, the risks the project poses to them as well as the mitigation mechanisms rationalized are presented in the UDAP VMGF. The common challenges the social assessment associated with both these groups include access to food, land, education and health services.

## **4.0 POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK**

This section provides the policy, legislative, and regulatory framework to which the proposed Uganda Digital Acceleration Program (UDAP) and Telecommunication transmission should comply. National regulations are discussed along with World Bank Environmental and Social Standards, Policies, international conventions to which Uganda is a party. In Uganda key legislations governing the conduct of EIA are the National Environment Act 2019 and the Environmental Impact Assessment Regulations (1998). The National Environment Act established National Environment Management Authority (NEMA) and entrusts it with responsibility to ensure compliance with the EIA process in planning and execution of infrastructural projects.

## **4.1 The Policy Framework**

### **4.1.1 The National Environment Management Policy, 1994**

The overall goal of this policy is promotion of sustainable economic and social development mindful of the needs of future generations and EIA 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 projects at national, district and local levels. Hence, the policy requires that projects likely to have significant adverse ecological or social impacts undertake an EIA before their implementation. It should be noted that the policy is under review with the most recent draft provided in 2014. This is also reaffirmed in the National Environment Act 2019 that makes ESIA a legal requirement for projects set out in Schedule 5 of the Act

*Interpretation: This policy is relevant to the Project as it requires that an EIA is conducted prior to project implementation.*

### **4.1.2 Information Management Services Policy 2014**

The overall goal of the policy is to guide effective use of Information Management Services (IMS) in all Ministries, Departments and Agencies. Its specific objectives include the need to develop an enabling legal framework for IMS to harness the value of information and knowledge held by Government; to build information management and knowledge-sharing culture with Government; to provide for use of common information management standards and secure access, storage and archival within Government. It also contributes to sustainable production and consumption patterns and reduces traditional barriers, providing an opportunity for all to access local and global markets in a more equitable manner

*Interpretation: This policy is relevant to the Project since it is in support of all its objectives.*

### **4.1.3 Electronic Waste (E-Waste) Management Policy, 2012**

The overall goal of the policy is to guide, promote and ensure the safe management of e-waste in Uganda and contribute to reduction of environmental degradation by mitigating pollution arising from use of electric and electronic equipment.

*Interpretation: This policy is relevant to the Project in as far as its proposed ICT equipment will generate e-wastes at end of their useful life. NITA-U is currently working as part of the National Steering Committee on e-waste to have these regulations reviewed. The new waste management regulations shave in aspects of electronic waste which aids address past concern son e waste regulation in Uganda.*

#### **4.1.4 National ICT Policy, 2012**

The policy's broad goals are to build a knowledge-based human capital; promote innovation in economic and social systems; expand ICT infrastructure and its integration throughout the country; deepen utilization of ICT services by government, private sector, not for profit organization and citizenry; enhance research and innovation in ICT products, applications and services; and improve ICT governance and environment in Uganda. The policy recognizes the need to minimal negative environmental and social impacts associated with construction, operation and disposal/de-commissioning activities of ICT infrastructure.

*Interpretation: The Project fulfills the broad goals of the policy including expansion of ICT infrastructure throughout the country and increasing utilization of ICT services by government, private sector and citizenry.*

#### **4.1.5 Telecommunications Policy, 1996**

Uganda's Telecommunications Policy was enacted in 1996 with the main objective of increasing penetration of telecommunication services in the country through private sector investment rather than government intervention.

*Interpretation: The project will spread opportunities throughout the country for private sector investment in ICT Services.*

#### **4.1.6 The National Land Use Policy, 2007**

The overall policy goal is to achieve sustainable and equitable socio-economic development through optimal land management and utilization in Uganda. The policy recognizes amongst others, the need for protection of minority groups and, ethnic groups on matters of land.

*Interpretation: This policy is relevant to the Project since land use changes may occur in some areas.*

#### **4.1.7 Wetlands Policy, 1995**

This at curtailing loss of these resources and ensuring that their benefits are equitably distributed to all people of Uganda. The wetlands policy requires:

- 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
- 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.

In order to operationalize the policy and to provide a legal framework for its implementation, wetland related issues have been adequately incorporated into the National Environmental Act, 2019.

*Interpretation: This policy is relevant to the Project since in several places along major highways, optical fiber cables will be laid in road reserves adjoining wetlands of international ecological importance (for instance Nabajjuzi Wetland on Masaka-Mbarara highway is a Ramsar site).*

The goal of this policy is to provide guidance on development and management of the water resources of Uganda in an integrated and sustainable manner, so as to secure and provide water of adequate quantity and quality for all social and economic needs, with full participation of all stakeholders and mindful of the needs of future generations. The policy aims to:

- Promote rational use of water.
- Control pollution and promote safe storage, treatment and disposal of waste, which could pollute water and impact public health.

*Interpretation: This policy will be relevant to the Project for cases where ICT infrastructure will cross watercourses (swamps and rivers) or be constructed in road reserved adjoin wetlands and due care required to avoid contamination. This for example will be along Kampala-Masaka-Mbarara Highway; Jinja-Tororo-Mbale Highway and Mbale-Soroti-Lira Highway which pass through major wetlands.*

#### **4.1.8 Wildlife Policy, 1999**

This policy aims to conserve in perpetuity the rich biological diversity and natural habitats of Uganda in a manner that accommodates national development needs, well-being of its people and the global community. It also recognizes poaching as a major challenge to conserving wildlife in Uganda.

*Interpretation: This policy is relevant if construction workers carry out illegal activities such as poaching in conservation areas along highways where optical fibre cables will be laid. Conservation areas for example include Murchison Falls National Park through which Karuma-Pakwach Highway passes, Lake Mburo National Park along Masaka-Mbarara Highway and Queen Elizabeth National Park along Bushenyi-Kasese Highway.*

#### **4.1.9 The Forestry Policy, 2001**

The forestry policy puts an emphasis on ecological and socio-economic importance of protecting the country's forest resources. Implementation of the Policy is a responsibility of the National Forestry Authority (NFA), which also provides guidelines for management of forest reserves, community forests and private forests. The Forest Policy entails provisions for safeguard and conservation of forests so as to ensure sufficient supplies of forest products, protect water resources in watersheds, soils, fauna and flora. The policy also mandates government with responsibility to control unsustainable forest exploitation practices.

*Interpretation: Some major highways along which ICT infrastructure (optical fibre cables) will be laid pass through major forests, e.g. Mabira Forest along Jinja Highway. Construction activities may affect these forest resources.*

#### **4.1.10 National Gender Policy, 1997**

The overall goal of this policy is to mainstream gender issues in the national development process in order to improve the social, legal/civic, political, economic and cultural conditions of the people of Uganda, particularly women. Thus, in the context of infrastructure development, this policy aims to redress imbalances which arise from existing gender inequalities and promotes participation of both women and men in all stages of the project cycle, equal access to, and control over significant economic resources and benefits.

*Interpretation: This policy would especially apply to recruitment of construction labour for UDAP activities where women should ideally have equal opportunity as men for available jobs. It is also noted that women predominate or are significantly involved in roadside markets selling fruits, vegetables, art and craft along most highways in Uganda. Disruption of their businesses when laying optical fibre cables would notably affect incomes of women traders.*

#### **4.1.11 HIV/AIDS Policy, 1992**

In Uganda current effort to combat HIV/AIDS is characterized by a policy of openness by the Government and this has, to a large extent, been emulated by civil society, political and social institutions, and workplaces. HIV/AIDS is recognized by Ministry of Health as a considerable risk in construction of infrastructure projects and it (together with the ministry responsible for labor) encourages employers to develop in-house HIV/AIDS policies, provide awareness and prevention measures to workers and avoid discriminating against workers living with or affected by HIV/AIDS. To ensure HIV/AIDS is addressed in the workplace, the policy encourages employee awareness and education on HIV/AIDS. It is anticipated that during construction phase, interactions among workforce and between local communities may result into sexual fraternization and a risk of HIV/AIDS spread. The policy also guides about HIV/AIDS management including awareness and provision of condoms in workplaces.

*Interpretation: The requirements of this policy are expected to be fulfilled by the UDAP construction contractors, especially in regard to having an in-house HIV Policy, worker sensitization and provision of free condoms and controlling prostitution and irresponsible sexual fraternization during construction. HIV policy awareness should be part of the new workers' induction.*

#### **4.1.12 Occupational Health and Safety (OHS) Policy, 2006**

This policy seeks to:

- Provide and maintain a healthy working environment
- Institutionalize OHS in the power-sector policies, programs and plans
- Contribute towards safeguarding the physical environment

The OHS Policy Statement is guided by the Constitution of the Republic of Uganda and other global, national and sectorial regulations and policies. The OHS Policy also takes into recognition of the Energy Policy and the Health Sector Strategic Plan, all of which aim to improve the quality of life for all Ugandans in their living and working environment.

*Interpretation: This policy will be relevant for OHS of UDAP construction crews and subsequently, maintenance personnel. The policy will also have relevance in mitigation measures that protect the public from health and safety impacts as a result of project construction, subsequent operation and maintenance activities.*

#### **4.1.13 Second National Development Plan 2015/16 –2019/20 (NDPII)**

The second National Development Plan builds on achievements of the first plan. It rightly notes that the National Backbone Infrastructure (NBI) was extended to a number of districts providing faster internet speeds with a total span of fibre optic cables laid out in the country at 5,110 kilometers by both the government and private sector. While it also noted a remarkable increase in optic fibre coverage resulting in a total span of optic fibre cables laid in the country to 5,110.65 kilo meters by December 2013, there is still a huge ICT infrastructure gap.

*Interpretation: Implementation of the UDAP is in line with helping cover this ICT infrastructure gap in line as per expectation of the NDP 2015/16 –2019/20.*

#### **4.1.14 Third National Development Plan 2020/21 – 2024/25**

The third National Development Plan builds on achievements of the first and second plans. While the priorities will remain agriculture, ICT, minerals and petroleum development, manufacturing, human capital and infrastructure development, the approach to delivery will change in NDPIII to focus on achievement of results through a programmatic approach to planning and budgeting. It provided for Opportunities for Leveraging advances in ICT for Development through a number of benefits like delivering quality services using technology at a fraction of the cost of delivering those services using conventional means. Through use of tele-education, tele-medicine, and e-government, hard to reach communities can now be effectively reached and served in a cost-efficient manner. Uganda has been one of the pioneers of mobile payments on the continent and much ecommerce transactions are actually m-commerce.

*Interpretation: Implementation of the UDAP is in line with helping cover this ICT infrastructure gap in line as per expectation of the NDPIII 2020/21 – 2024/25*



#### **4.1.15 Uganda's Vision 2040**

In 'Vision 2040' Uganda sets goals to achieve by the year 2040 ranging from political, economic, social, energy, and environment. With respect to environmental goals, Ugandans aspired to have a green economy and clean environment where the ecosystem is sustainably managed and the livability of the urban systems greatly improved (16 f), world class infrastructure and services, and modern technology to improve productivity and production. Ugandans also aspire to have access to clean, affordable and reliable energy sources to facilitate industrialization (16 e.) and to be resourceful and prosperous nationals contributing to national development through gainful employment, savings and investments.

Vision 2040 recognizes strengthening of ICT and ICT Enabled Services (ITES) industry as one of the opportunities that will harness faster socio-economic transformation from a peasantry to an innovative and competitive society through job creation, accelerated economic growth and significantly increased productivity.

*Interpretation: The Vision 2040 recognizes the importance of ICT in national economic development. The proposed UDAP is in line with aspirations of Vision 2040. It will enable Ugandans to embrace a lower carbon footprint through a more efficient digital world.*

#### **4.1.16 National Policy on Disability in Uganda, 2006**

Government through the Ministry of Gender, Labor and Social Development has a mandate to promote and protect the rights of persons with disabilities (PWDs). The Government is mandated to promote and protect the rights of persons with disabilities and the Constitution of the Republic of Uganda stipulates the need to empower and provide equal opportunities to PWDs. Government has focused on provision of health services, communitybased rehabilitation, vocational training, Universal Primary Education as key measures to empower PWDs. This policy on disability will contribute to the improvement of the quality of life of People with Disabilities (PWDs) through expanding the scope of interventions. The interventions will necessitate PWDs themselves to participate in designing, managing, monitoring and evaluating initiatives that are meant to improve their well-being. It will also ensure that the central government, local authorities, provide for needs of PWDs.

*Interpretation: UDAP should provide for needs of persons with disabilities in terms of access and use of ICT facilities.*

## 4.2 National Legal Framework

### 4.2.1 The Constitution of the Republic of Uganda, 1995

#### The Environment

The Constitution of the Republic of Uganda of 1995 provides for the environment among its National Objectives and Directive Principles of State Policy under objective XXVII. It provides that

- (i) The State shall promote sustainable development and public awareness of the need to manage land, air and water resources in a balanced and sustainable manner for the present and future generations.
- (ii) The utilisation of the natural resources of Uganda shall be managed in such a way as to meet the development and environmental needs of present and future generations of Ugandans; and, in particular, the State shall take all possible measures to prevent or minimise damage and destruction to land, air and water resources resulting from pollution or other causes.
- (iii) The State shall promote and implement energy policies that will ensure that people's basic needs and those of environmental preservation are met.
- (iv) The State, including local governments, shall; (a) ensure the conservation of natural resources; and (b) promote the rational use of natural resources so as to safeguard and protect the biodiversity of Uganda.

•  
*Interpretation The Constitution provides that the objectives above shall guide all organs and agencies of the State in applying or interpreting the Constitution or any other law and in taking and implementing any policy decisions.*

**Article 39 of the Constitution makes specific provision for the right of every Ugandan to a clean and healthy environment.**

#### Land right and Acquisition

Chapter 15 of the Constitution also provides for Land and Environment. Article 237 provides that Land in Uganda belongs to the citizens of Uganda and shall vest in them in accordance with the land tenure systems provided for in this Constitution.

Notwithstanding the above, an exception is provided in Article 237 (2) (a) which states that; “the Government or a local government may, subject to article 26 of this Constitution, acquire land in the public interest; and the conditions governing such acquisition shall be as prescribed by Parliament.”

*Interpretation: Therefore, Land in Uganda belongs to the people, however, where Government requires utilization of this land for public interest, the land would be acquired from the owner by government. Section 42 of the Land Act, Cap 227 provides for compulsory acquisition of land by the government and local authorities as conferred by Article 237(2)(a) of the Constitution.*

Article 237(2) (a) of the Constitution also makes reference to Article 26(2) which requires a law to be in place for the payment of compensation and access to the courts. The Land Act will govern all aspects related to land taken by the project and its compensation for land acquired by Government.

The Land Acquisition Act, 1965 makes provision for the procedures and method of compulsory acquisition of land for public purposes. The Land Acquisition Act, 1965 states that the minister responsible for land may authorize any person to enter said land to survey the land, bore the subsoil, or any other examination necessary for determining whether the land is suitable for a public purpose. Additionally, once the assessment officer takes possession, the land immediately becomes vested in the land commission. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision.

## **Indigenous People**

The Constitution introduces indigenous communities in Article 10 (a) and sets them out in the third Schedule. The Constitution offers no express protection for indigenous peoples but Article 32 places a mandatory duty on the state to take affirmative action in favor of groups who have been historically disadvantaged and discriminated against.

Article 32 (2) provides for the establishment of the Equal Opportunities Commission. The Equal Opportunities Commission Act, 2007 duly protects the rights of indigenous peoples in Uganda through its recognition of “ethnic minority” groups in Uganda and being cognizant of their marginalized status, and fulfilling its mandate to address discrimination and promote equal opportunities for all persons in Uganda irrespective of gender, age, physical ability, health status or geographical location; and to promote affirmative action in favor of marginalized groups.

### **4.2.2 The Electronic Signatures Act, 2011**

The Electronic Signatures Act makes provision for regulating the use of electronic signatures. Section 18 stipulates that use of electronic signature requires a certificate issued by a licensed certification service provider as an acknowledgement of a digital signature verified by reference to the public key listed in the certificate, regardless of whether words of an express acknowledgement appear with the digital signature and regardless of whether the signer physically appeared before the licensed certification service provider when the digital signature was created.

The Act gives NITA-U the mandate to issue license to certification service providers and monitor and oversee their activities. Section 21 Controller (NITA-U) (1) The Controller shall, in particular be responsible for monitoring and overseeing the activities of certification service providers and shall perform the functions conferred on the Controller under this Act. (2) The Controller shall exercise its functions under this Act subject to such directions as to the general policy guidelines as may be given by the Minister. (3) The Controller shall maintain a publicly accessible database containing a certification service provider disclosure record for each certification service provider, which shall contain all the particulars required under regulations made under this Act. (4) The Controller shall publish the contents of the database in at least one recognized repository.

*Interpretation: This Act will be especially relevant for development of Shared Public Service Delivery Platform infrastructure.*

### **4.2.3 Computer Misuse Act, 2010**

The Computer Misuse Act makes provision for the safety and security of electronic transactions and information systems. The Act prevents unlawful access, abuse or misuse of information systems by including computers (and electronic devices like mobile phones) and makes provision

for securing the conduct of electronic transactions in a trustworthy electronic environment and to provide for other related matters.

*Interpretation: This Act will be especially relevant for development of e-Government Applications infrastructure.*

#### **4.2.4 The Electronic Transaction Act 2000**

The Electronic Transactions Act provides for the use, security, facilitation and regulation of electronic communications and transactions and encourages the use of e-Government services. It facilitates the development of e-commerce in Uganda by broadly removing existing legal impediments that may prevent a person from transacting electronically because of omission in the traditional laws and encouraging investment and innovation in information communications and technology.

*Interpretation: This Act will be especially relevant for development of e-Government Applications infrastructure.*

#### **4.2.5 Copyright and Neighboring Rights Act, 2006**

The Act provides that no person of any kind shall produce, reproduce, distribute, broadcast, make available to the public, sale or offer for sale, lease or rent out or make public performances or import for distribution of audio visual recordings in Uganda except under a license issued by the owner of the neighboring rights or a Collecting society.

*Interpretation: This Act will be especially relevant for development of Shared Public Service Delivery Platform and E-Government Applications infrastructure.*

#### **4.2.6 The Children's Act, Cap. 59**

The Act provides that children shall not be subjected to social or customary practices which are harmful to their health or employed or engaged in activities which may endanger their health, education, mental, physical or moral development.

*Interpretation: This Act will be especially relevant during development and operation of UDAP supported facilities. Infrastructure should be put in place to censor information content accessible to children.*

#### **4.2.7 The Uganda Communications Act, Cap 106**

The main objective of this Act is to develop a modern communications sector and infrastructure.

Section 43: Power of operator to use land; (3) An operator shall do as little damage as possible to the land and to the environment and shall pay fair and adequate compensation to all interested

persons for any damage or loss sustained by reason of the exercise of the powers under this section.

*Interpretation: This Act is relevant for development of modern communication infrastructure and compensation of owners / entities for any damage or loss sustained by reason of exercise of the powers provided under this Act.*

#### **4.2.8 National Environment Act, 2019**

Part X of the Act looks at Environmental and Social Assessment providing guidance on the purpose, responsibility and projects for which this is applicable. Here projects are categorized based on a number of factors including the nature and scale of a project, documented impacts of similar projects and anticipated magnitude of the environmental, social, economic and cultural impacts of the proposed project or activity. According to the Act, ESIA should be conducted for projects set out in Schedule 5 of the Act.

*Interpretation: This project falls in Schedule 5 of the Act under communications facilities (Construction of communications installations, equipment and related facilities) and thus requires an ESIA to be conducted. UDAP area of implementation shall be in same of districts as those covered in the Last Mile project under RCIP. An ESMP shall be submitted to NEMA for review of UDAP as a new aspect in the approved ESIA.*

#### **4.2.9 Environmental Impact Assessment Regulations, 1998**

The regulations require a detailed study to determine possible environmental impacts and mitigation measures. The guidelines require that the EIA process should be participatory engaging the general public and stakeholders in consultations or to inform them and obtain their views about the proposed development during the EIA.

*Interpretation: These regulations will guide conduct of EIAs for any ICT facilities to be developed under this project in line with requirements of the National Environment Act.*

#### **4.2.10 National Environment (Wetlands, River Banks and Lakeshores management) Regulations, 2000**

These regulations provide principles for sustainable use and conservation of wetlands, riverbanks and lakeshores. Relevance of these regulations to the ESMF study is embedded in the following requirements:

- EIA is mandatory for all major activities on riverbanks and lakeshores,
- Measures should be put in place for protection of riverbanks and lakeshores such as prevention of soil erosion, siltation and water pollution.

*Interpretation: These regulations will be relevant to the project since optical fibre cables may be laid across a wetland or seasonal streams and marshes hence potential for construction activities to cause soil erosion and sedimentation.*

#### **4.2.11 National Environment (Hilly and Mountainous Areas management) Regulations, 2000**

Regulation 16(5) requires protection of soil against erosion. Erosion can as result of trenching to enable burial installation of optical fiber cables and construction of site stations.

*Interpretation: These regulations are relevant to the Project as implementation may require construction activities on slopes prone to soil erosion due to unstable slopes (slopes > 10%).*

#### **4.2.12 National Environment (Minimum Standards for Management of Soil Quality) Regulations, 2001**

Section 12 of this Act requires compliance with prescribed measures and guidelines for soil conservation for the particular topography, drainage and farming systems, contravention of which constitutes an offence.

*Interpretation: The regulations will be relevant in regard to prevention of contamination during construction, operation and decommissioning of project infrastructure. The regulations will apply to construction waste disposal during construction, operation repair and maintenance.*

#### **4.2.13 The Refugee Act 2006**

The legislation clearly enumerates the rights of refugees, as well as their obligations whilst in Uganda. Under section 35 (a) of the Act, it requires the refugees to be bound by and conform to all laws and regulations currently in force in Uganda.

*With more connections coming into play, it shall need to also consider some refugees' inherent rights throughout the project cycle.*

#### **4.2.14 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 noise generators to use the best practicable means to ensure that noise does not exceed permissible noise levels. At construction sites corresponding limits are 75 dBA and 65 dBA for day and night time levels respectively<sup>14</sup>.

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<sup>14</sup> Time frame: Day 6:00pm-10:00p.m; Night 10:00pm-6:00am

**Table 10: Regulatory noise limits**

Facility	Noise limits dB (A) (Leq)	
	Day*	Night*
Construction sites	75	65
Residential areas	55	45
*Time frame: Day 6.00 a.m -10.00 p.m; Night 10.00 p.m. - 6.00 a.m.		

Source: *The National Environment (Noise Standards and Control) Regulations, 2003.*

*Interpretation: These regulations are relevant to the Project if construction activities generate noise above permitted levels. Also relevant in situations where diesel-powered generators may be used as source of electricity to power ICT equipment, especially when the sites are in or near residential areas.*

#### 4.2.15 National Environment (Waste Management) Regulations, 1999

These regulations require waste disposal in a way that would not contaminate water, soil, and air or impact public health. According to the regulations, waste haulage and disposal should be done by licensed entities. These Regulations will apply to:

- All categories of hazardous and non-hazardous waste;
- Storage and disposal of construction waste.

*Interpretation: The regulations will relate to overall waste management of the project as wastes will be generated by both construction and operation (maintenance activities).*

#### 4.2.16 National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations, 1999

Section 6 (2) details maximum permissible limits for 54 regulated contaminants, which must not be exceeded before effluent is discharged into water or on land. A few commonly regulated parameters in sewage and wash / oily effluent from a construction site are indicated in table below.

**Table 11: National discharge standards for selected pollutants**

Parameter	National discharge standards
BOD5 (mg/l)	50
Suspended solids (mg/l)	100
Faecal coliforms	10,000 counts/ 100ml
Chlorine residual (mg/l)	1 mg/l
pH	6-8
Phenols (µg/l)	0.2 mg/l
Oil and grease (mg/l)	10 mg/l
Total Phosphorus (mg/l)	10 mg/l
Temperature	20-35°C



Source: *The National Environment (Standards for Discharge of Effluent into Water or on Land) Regulations, 1999.*

*Interpretation: These regulations are particularly important for disposal of effluent and equipment cleaning at construction site.*

#### 4.2.17 Draft National Air Quality Standards, 2013

Construction operations will generate dust and exhaust emissions, mainly from motorized equipment. The draft national air quality standards provide the following regulatory limits for various emissions as presented in table below.

**Table 12: Draft regulatory air quality limits**

Pollutant	Averaging time for ambient air	Standard for ambient air
Carbon dioxide	8 hrs.	9.0 ppm
Carbon monoxide	8 hrs.	9.0 ppm
Hydrocarbons	24 hrs.	5 mgm <sup>-3</sup>
Nitrogen oxides	24 hrs. 1 year arithmetic mean	0.10 ppm
Smoke	Not to exceed 5 minutes in any one hour	Ringlemann Scale No.2 or 40%
Sulphur dioxide (SO <sub>2</sub> )	24 hrs	0.15 ppm
Sulphur trioxide (SO <sub>3</sub> )	24 hrs	200 µg/Nm <sup>-3</sup>
Soot	24 hrs	500 µg/Nm <sup>-3</sup>

Source: *Draft National air quality standards, 2013.*

*Note: ppm=parts per million, “N’ in µg/Nm<sup>-3</sup> connotes normal atmospheric conditions of pressure and temperature (25<sup>0</sup>C and 1 atmosphere).*

*Interpretation: These standards are relevant considering that project construction will require motorized machinery powered by diesel engines hence generating pollutants such as CO<sub>2</sub>, NO<sub>x</sub>, SO<sub>x</sub> and particulates are expected to be emitted. Dust will also be generated during both trenching and Site station construction and material/ equipment transport.*

#### 4.2.18 Uganda Wildlife Act, Cap 200

This Act defines wildlife as any wild plant or animal of a species native to Uganda. The Act entrusts ownership of wild animals and plants with the government for the benefit of Ugandan people, a responsibility executed by Uganda Wildlife Authority (UWA). Sections of the Act specifically dealing with the project development activities include:

**Section 21.** General offences in wildlife conservation areas: Unless provided for by this Act, any person who in any wildlife conservation area unlawfully; (a) hunts, takes, kills, injures or disturbs any wild plant or animal or any domestic animal; (b) takes, destroys, damages or defaces

any object of geomorphological, archaeological, historical, cultural or scientific interest, or any structure lawfully placed or constructed; (c) starts or maintains a fire without lawful authority; commits an offence.

*Interpretation: This Act is relevant to the Project as development activities will take place in areas where infrastructure and workers may affect wildlife. A notable requirement of this Act is avoidance of any hunting and poaching either during project construction or its operation (e.g. maintenance of optical fiber cables built through wildlife conservation areas).*

#### **4.2.19 The Physical Planning Act, 2011**

This Act replaced the Town and Country Planning Act, Cap 246 which was enacted in 1951 and revised in 1964 but is now inconsistent with contemporary government system in Uganda. The 1951 Act was enacted to regulate and operate in a centralized system of governance where physical planning was carried out at national level through the Town and Country Planning Board. Implementation of the Act was supervised by local governments, especially the urban local governments.

Uganda has since gone through many social, political and economic changes. For example, promulgation of the

1995 Constitution established a decentralized system of governance which divulged powers and functions including physical planning, finance and execution of projects from the central government to local governments. This therefore created a need to enact a physical planning legislation which is consistent with this Constitutional requirement. The Physical Planning Act, 2011 establishes district and urban physical planning committees, provides for making and approval of physical development plans and applications for development.

*Interpretation: Local Governments have jurisdiction over areas covered by the project and therefore have regulatory control to ensure that UDAP conforms to local physical planning requirements.*

#### **4.2.20 Public Health Act, Cap 281**

This Act provides local authorities with administrative powers to take all *lawful, necessary* and *reasonable* measures to prevent the occurrence or deal with any outbreak or prevalence of any infectious communicable or preventable disease and to safeguard and promote the public health. The Act mandates local authorities (Section 103) to prevent pollution of watercourses in interest of public good.

*Interpretation: This Act is applicable to onsite management of waste, sewage and domestic waste during construction and or operation of the optical fiber cables and site stations to prevent environmental contamination leading to public health impacts.*

#### **4.2.21 Employment Act, 2006**

Employment Act, 2006 (which repeals Employment Act Cap 219 enacted in 2000) is the relevant legislation that harmonizes relationships between employees and employers protect workers' interests and welfare and safeguard their occupational health and safety through:

- Prohibiting forced labor, discrimination and sexual harassment at workplaces (Part II; Part IV).
- Providing for labor inspection by the relevant ministry (Part III).
- Stipulating rights and duties in employment including weekly rest, working hours, annual leave, maternity and paternity leaves, sick pay, etc. (Part VI).
- Continuity of employment i.e. continuous service, seasonal employment, etc. (Part VIII).

*Interpretation: Project construction (and subsequent operation and maintenance), this Act will govern management of labor hired by the contractor (during construction) and the site station (operation phase) in regard to their occupational safety.*

#### **4.2.22 Workers' Compensation Act (2000)**

Section 28 of The Workers' Compensation Act (2000) states that:

- Where a medical practitioner grants a certificate that a worker is suffering from a scheduled disease-causing disablement or that the death of a workman was caused by any scheduled disease; and,
- The disease was due to the nature of the worker's employment and was contracted within 24 months immediately previous to the date of such disablement or death, the worker or, if he or she is deceased, his or her dependants shall be entitled to claim and to receive compensation under this Act as if such disablement or death had been caused by an accident arising out of and in the course of his or her Employment.

*Interpretation: This Act is relevant to the Project in respect to labor-force will be employed for construction and Operation/Maintenance activities. Any personnel injured on job must be compensated as required by this Act.*

#### **4.2.23 Historical and Monuments Act, 1967**

This Act provides for preservation and protection of historical monuments and objects of archaeological, paleontological, ethnographical and traditional interest. The Act prohibits any person from carrying out activities on or in relation to any object declared to be preserved or protected. Section 10 of this Act spells out procedures and requirement to declare "chance finds" that may have archaeological, paleontological, ethnographical, historical and traditional significance for preservation.

*Interpretation: This Act requires that any chance finds encountered during project construction shall be preserved by the Department of Monuments and Museum in the Ministry of Tourism, Wildlife and Antiquities*

#### **4.2.24 Road Act, Cap 358**

The Road Act (Cap 358 of the Laws of Uganda) provides for maintenance of roads by empowering the Minister of Works and Transport and respective local governments. The need for Government to maintain basic control over developments along the road is to ensure that basic necessities of maintaining road geometry and engineering needs such as sight lines, horizontal curvatures, sight distances and road safety considerations are in place. Consequently, town council would have authority over town roads while district roads are governed by district local governments.

*Interpretation: Laying of fiber cables along and/ or across roads necessitates conformity to requirements of this Act.*

#### **4.2.25 Petroleum Supply Act, 2003**

Over the construction period, the contractor will require considerable fuel (petrol and diesel) supplies for use by motorized equipment and power generators. The Petroleum Supply Act of 2003 provides for supervision and monitoring transportation, supply, storage and distribution of petroleum products. Among other provisions, the Act provides for safety and protection of public health and the environment in petroleum supply operations. According to the Act, fuel storage for construction projects must be licensed.

*Interpretation: This Act has relevance to the Project as it requires consideration for safety and protection of public health and the environment in petroleum storage and transfer operations. This project shall also provide connections to petroleum facilities*

#### **4.2.26 National Forestry and Tree Planting Act, 2003**

This legislation regulates access and use of forest resources in Uganda. Section 38 provides that a person intending to undertake a project or an activity which may, or is likely to have significant impact on forests shall undertake an EIA.

*Interpretation: This Act has relevance to the Project if there is impact on forest resources adjoin roads along which optical fiber cables are laid during the construction phase*

#### **4.2.27 Occupational Safety and Health Act, 2006**

The Act requires employers to provide and maintain safe working conditions, and to protect workers and the public from risks and dangers of their works, at his or her own cost (Section 13). If an employer has more than 20 workers he should have a written policy with respect to safety and health of workers (Section 14). The act includes as well regulations for clean workplaces and requirements regarding treatment of workers (Section 46). The contractor therefore is obliged to provide employers with washing facilities, First Aid, facilities for meals and safe access to workplaces.

*Interpretation: This Act is relevant to the Project as a labor force will be employed during the construction phase. Equally, a large number of workers may be employed for operation and maintenance of the communication Centre, optical fiber cables and site stations during the operational phase. Occupational safety of all such workers is guided by this Act.*

#### **4.2.28 Local Governments Act, Cap 243**

This Act provides for decentralized governance and devolution of central government functions, powers and services to local governments that have own political and administrative structures. Districts have powers to oversee implementation of development activities under supervision of their relevant departments such as environment, lands and water resources. According to Section 9 of the Act, a local government is the highest political and administrative authority in its area of jurisdiction and shall exercise both legislative and executive powers in accordance with the Constitution.

*Interpretation: This Act is relevant to the Project as all District Local Governments covered by the project infrastructure will be beneficiaries and therefore stakeholders with jurisdiction over implementation of the Project. Accordingly, respective District Local Governments will have key responsibilities for environmental monitoring during construction of the project. Specifically, the District Environment Officers and District Community Development Officers shall be involved in monitoring implementation of environmental and social aspects of the project.*

#### **4.2.29 The Access to Information Act- 2005**

This act provides for the right of access to information pursuant to article 41 of the constitution to prescribe the classes of information referred to in that article, procedure for obtaining access to that information and for related matters.

*Interpretation: this Act is in line with stakeholder engagement, information dissemination and feedback by all affected by the project*

#### **4.2.30 The Land Act 1998**

The Land Act provides for the tenure, ownership and management of land; to amend and consolidate the law relating to tenure, ownership and management of land; and to provide for other related or incidental matters

*Interpretation: The project will prepare a Resettlement Framework Policy in line with adherence to the Land Act and Land Acquisition Act where applicable.*

### **4.3 International Agreements**

Uganda is party to several global and regional environment and conventions and agreements as described below:

#### **4.3.1 The Convention on Biological Diversity (CBD):**

A major objective of which is *in-situ* and *ex-situ* conservation of biological diversity. Parties to this convention are required to undertake ESIA for projects likely to have significant adverse effects on biodiversity and are required to develop national plans and programs for the conservation and sustainable use of biodiversity.

#### **4.3.2 The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES):**

This convention seeks to ensure that international trade in species of wild fauna and flora does not threaten their survival in wilderness. Species on the CITES lists are considered of conservation concern. This Convention would be relevant to prevention of poaching of Wildlife in Wildlife Conservation areas imprinted by project activities and on the avian effects on bird flight height.

#### **4.3.3 Convention on Wetlands (Ramsar, 1971):**

The Convention on Wetlands of International Importance, called the Ramsar Convention, is an intergovernmental treaty that provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources. The Convention uses a broad definition of the types of wetlands covered in its mission, including lakes and rivers, swamps and marshes, wet grasslands and peat lands, oases, estuaries, deltas and tidal flats, near-shore marine areas, mangroves and coral reefs, and human-made sites such as fish ponds, rice paddies, reservoirs, and salt pans.

Article 3.2: Each Contracting Party shall arrange to be informed at the earliest possible time if the ecological character of any wetland in its territory and included in the List has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference.

Information on such changes shall be passed without delay to the organization or government responsible for the continuing bureau duties specified in Article 8.

Article 4.1: Each Contracting Party shall promote the conservation of wetlands and waterfowl by establishing nature reserves on wetlands, whether they are included in the List or not, and provide adequately for their protection.

#### **4.3.4 Protocol Agreement on Conservation of Common Natural Resources (1982):**

Uganda also signed the Protocol Agreement on Conservation of Common Natural Resources (1982). Lake Albert is a common watercourse shared between Uganda and Democratic Republic of Congo (DRC) therefore its protection from contamination during construction of boarder to boarder communication infrastructure between DRC and Uganda.

*Interpretation: The laying of optical fiber cables connecting Uganda to neighboring countries will have an obligation to avoid impacts that may violate above conventions in respect to protection of shared resources. The project will adhere to the Government of Uganda, Ministry of Health National guidelines for management of COVID-19, April 2020.*

#### **4.4 Institutional Framework**

This section outlines relevant institutions and authorities that shall be involved in Project implementation.

#### **4.5 National Environment Management Authority, NEMA**

The National Environment Act provides for establishment of NEMA as the principal agency responsible for coordination, monitoring and supervision of environmental conservation activities. NEMA is under the Ministry of Water and Environment (MoWE) but has a cross-Sectoral mandate to oversee the conduct of ESIA through issuance of EIA guidelines, regulations and registration of practitioners. It reviews and approves environmental impact statements (EIS) in consultation with any relevant lead agencies.

NEMA's enforcement branch is the department of Environmental Monitoring and Compliance responsible for ensuring that enterprises comply with the various environmental regulations and standards. NEMA has appointed environmental inspectors and also works with District Environment Offices and Local Environment Committees at local government level, which undertake inspection, monitoring and compliance enforcement on its behalf. In addition, NEMA will coordinate with, assist, and facilitate the role of the World Bank financed Enhanced Implementation Support and Monitoring.

NEMA has adequate capacity to oversee the Environmental and Social Standards requirements for this project.

*Interpretation: project implementation shall take into consideration requirements of the Act and ensure adherence and monitoring of the same. In collaboration with NEMA, all e-waste shall be transported by NEMA licensed practitioners to licensed collection and disposal points. Other waste categories shall also be handled in line with the Waste Management Regulations.*

#### **4.6 Ministry of Information, Communication and Technology, MICT**

The Ministry is responsible for the ICT sector, dealing specially with policy formulation, implementation and coordination, and monitoring. Following the field survey and Privatization Strategy the National Information Technology Authority-Uganda (NITA-U) was established to regulate the ICT sector. Thus, while the MICT formulates policy, NITA-U is charged with the mandate of regulating the ICT sector, independent of the Ministry. MICT currently has no adequate capacity to oversee ESS requirements for this project.

*Interpretation: Project implementation will be coordinated, promoted and monitored by MICT through its agency (NITA-U)*

#### **4.7 National Information Technology Authority-Uganda (NITA-U)**

The National Information Technology Authority-Uganda (NITA-U) is an autonomous statutory body established in accordance with the NITA-U Act 2009 as an agency of the Ministry of Information and Communication Technology (MICT). The mandate of the NITA-U is “To coordinate, promote and monitor Information Technology (IT) developments in Uganda within the context of National Social and Economic development”. The main functions of NITA-U include:

- i) To provide first level technical support and advice for critical Government information technology systems including managing the utilization of the resources and infrastructure for centralized data Centre facilities for large systems through the provision of specialized technical skills
- ii) To identify and advise Government on all matters of information technology development, utilization, usability, accessibility and deployment including networking, systems development, information technology security, training and support
- iii) To co-ordinate, supervise and monitor the utilization of information technology in the public and private sectors.
- iv) To regulate and enforce standards for information technology hardware and software equipment procurement in all Government Ministries, departments, agencies and parastatals.
- v) To create and manage the national databank, its inputs and outputs.
- vi) To set, monitor and regulate standards for information technology planning, acquisition, implementation, delivery, support, organization, sustenance, disposal, risk management, data protection, security and contingency planning.
- vii) To regulate the electronic signature infrastructure and other related matters as used in electronic transactions in Uganda.
- viii) To promote and provide technical guidance for the establishment of e-Government, e-Commerce and other e-Transactions in Uganda.
- ix) In liaison with other relevant institutions, to regulate the information technology profession in Uganda in order to ensure its effective utilization promotion and development.
- x) To act as an authentication center for information technology training in Uganda in conjunction with the Ministry responsible for Education.
- xi) To provide advice on information technology project management services to Government.
- xii) To provide for information management service through acting as a records management facility and an information depository.
- xiii) To provide guidance on the establishment of an infrastructure for information sharing by Government and related stakeholders.
- xiv) To provide guidance in information technology audit services to Government.
- xv) To undertake and commission research as may be necessary to promote the objects of the Authority.
- xvi) To arbitrate disputes arising between suppliers of information technology solutions and consumers.



- xvii) To protect and promote the interests of consumers or users of information technology services or solutions.
- xviii) To undertake any other activity necessary for the implementation of the objects of the Authority

NITA currently has built adequate capacity to oversee social and environmental requirements for this project with the support of the Social and Environmental consultants hired under RCIP-5. However, given the magnitude of UDAP, it is recommended that additional human resources are recruited to support social and environmental consultants currently guiding the institution on social, environmental aspects associated with its functions as well as e-waste practices, policies and regulatory requirements under RCIP-5.

*Interpretation: Implementation of the Project will be led by NITA-U which is overseen by MICT. NITA will process required permits, supervise contractors, manage grievances and monitor socio-environmental impacts of the project from construction through operation and decommissioning*

#### **4.8 Local Government Administration Structures**

The Local Governments Act, Cap 243 provides for decentralized governance and devolution of central government functions, powers and services to local governments that have their own political and administrative structures. Districts have powers to oversee implementation of development activities under supervision of their relevant departments such as environment, lands and roads. District and Local Council administration of project districts would be vital in implementation of the project by mobilizing political goodwill and sensitizing local communities. Local administration leaders e.g. District Environment Officers (DEO), District Community Development Officer, Labour Officer etc...will also play role in monitoring environmental and social aspects associated with project construction and operation.

At every district administration in Uganda is found an Environment Officer (DEO) who functions as a NEMA staff for purposes of overseeing regulatory compliance to Uganda's environmental laws. Many DEOs however lack training and adequate capacity in World Bank Environment and Social Framework. Training to DEOs in World Bank ESS would therefore be necessary for this project.

*Interpretation: District and Local Council administrations are stakeholders in the Project and will have input in the project right from project entry to exit activities.*

#### **4.9 The Ministry of Gender, Labor & Social Development, MGLSD**

The Ministry of Gender, Labor & Social Development (MGLSD) is responsible for coordinating social development in Uganda. In collaboration with other stakeholders, MGLSD is responsible for inspecting state of occupational safety, labor relations, community empowerment, protection and promotion of rights and obligations of vulnerable groups for social protection and gender-responsive development.

MGLSD has in-house socio-environmental staff and therefore capacity to oversee ESS requirements associated with this project.

*Interpretation: MGLSD is a stakeholder in the Project and will be responsible for inspecting the project for compliance with occupational health and safety regulations, national labour laws and gender equity.*

#### **4.10 National Forestry Authority, NFA**

The National Forestry and Tree Planting Act of 2003 created NFA as semi-autonomous body responsible for management of central forest reserves. NFA divided the country into sectors and manages forest reserves through its sector managers. This institution is responsible for protection of forests reserves in Uganda, with the stated goals of maintaining an integrated forest sector that achieves sustainable increases in the economic, social, and environmental benefits from forests and trees by all the people of Uganda especially the poor and vulnerable. The NFA provides direction and guidance on all aspects of a Project that potentially impact on Uganda's forest resources.

NFA has in-house socio-environmental staff and therefore capacity to oversee safeguards requirements associated with this project.

*Interpretation: NFA is a stakeholder in the Project and will have input in its areas of jurisdiction as the project traverses various parts of Uganda. NFA will issue approval for any infrastructure that may be installed or erected in a central forest reserves.*

#### **4.11 Uganda Wildlife Authority (UWA)**

The Uganda Wildlife Authority (UWA) was established under the Uganda Wildlife Act, Cap. 200. The main function of the UWA is to ensure sustainable management of wildlife in conservation areas by coordinating, monitoring and supervising wildlife management issues. UWA can manage wildlife (wild plant and wild animals native to Uganda) in both protected and unprotected areas. The UWA provides direction and guidance on all aspects of a project that potentially impact Uganda's wildlife.

*Interpretation: UWA is an important stakeholder and also a beneficiary in the Project especially for protection of wildlife in conservation areas through which project infrastructure will be built and also utilized for conservation purposes. UWA will issue approval for any ICT infrastructure works that may happen in protected areas.*

#### **4.12 Ministry of Tourism, Wildlife and Antiquities**

In this ministry is found the Department of Monuments and Museums mandated to protect, promote and present the cultural and natural heritage of Uganda through collection, conservation, study and information dissemination for enjoyment and education.

The department's key functions are

- a) Research about natural and cultural heritage

- b) Conservation and maintenance of important physical cultural Resources or Heritage Collections.
- c) Provision of professional knowledge and information on the archaeology and paleontology of Uganda
- d) Publication of research findings in appropriate publications
- e) Exhibition and interpretation of specimens for public study and enjoyment
- f) Monitoring implementation policies and strategies of historical and cultural heritage conservation and development.
- g) Development of strategies for community participation in cultural heritage.
- h) Promote public awareness about cultural and natural heritage through formal and informal education.
- i) Provide technical guidelines to the private investors

In this ministry, semi-autonomous agencies like UWA are responsible for management of wildlife protected areas. As earlier indicated, UWA has in-house socio-environmental staff and capacity to oversee ESS requirements associated with this project.

*Interpretation: This Ministry will be responsible for preservation of any chance finds encountered during project implementation. The contractor has obligation to manage any chance finds.*

#### **4.13 Ministry of Water and Environment**

The Ministry of Water and Environment (MWE) has the responsibility for setting national policies and standards, managing and regulating water resources and determining priorities for water development and management. MWE has three directorates:

- a) Directorate of Water Resources Management (DWRM),
- b) Directorate of Water Development (DWD) and
- c) Directorate of Environmental Affairs (DEA).

The Directorate of Water Resource Management (DWRM) is responsible for water resources panning and regulation; monitoring and assessment and water quality management. DWRM has the following key functions:

- i) Water Quality Management in all Uganda's water bodies
- ii) Management of international and trans-boundary water resource management promote trans-boundary regional cooperation for equitable and reasonable utilization of shared water resources.

Specific roles are:

- Trans boundary water resources management policy formulation, reviews, implementation and advice,
- Regional coordination of trans boundary projects and programmes,
- Trans boundary water resources management MIS and monitoring, and evaluation of trans boundary projects and programmes, and
- Raising awareness, capacity and confidence-building as well as capacity-building on trans boundary water resources management issues.

### **iii) Regulation and use of water resources in Uganda**

Anybody abstracting water from a lake, river or underground using a motorized pump; discharging wastewater into the environment; involved in drilling for water; or construction of dams and other structures on water bodies is required to apply for a water permit according to the Water Act. The permit is issued by DWRM.

The Directorate of Water Development (DWD) is responsible for urban water supply, water for production, rural water supply and urban water regulation.

The Directorate of Environmental Affairs (DEA) comprises:

- Climate Change Unit (CCU), whose main objective is to strengthen Uganda's implementation of the United Nations Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol (KP).
- Environment Support Services (ESS);
- Forest Sector Support Department (FSSD) that promotes efficient and effective governance of the forestry sector.
- Metrology Department that monitors weather and climate, exchange data/information and products and issue advisories to the nation.
- *Wetlands Management Department (WMD)* which protects wetland resources in Uganda.

MWE also oversees autonomous agencies namely NFA and NEMA all of which have adequate technical capacity to oversee ESS requirements associated with this project.

*Interpretation: The Ministry is responsible for environmental and water resources management in Uganda. Directorate of Water Resources Management controls water quality and is responsible for permitting construction activities across watercourses.*

#### **4.14 Uganda Communications Commission**

The Uganda Communications Commission (UCC) has the responsibility for regulating the communications and tele-communications sector. The UCC was established to implement the provisions of the UCC Act 2013 of the Laws of Uganda with a principal goal of developing a modern communications sub-sector and infrastructure in Uganda, in conformity with the operationalization of the Telecommunications Policy. The Commission is mandated to undertake a range of functions in the following areas:

1. Licensing and standards
2. Spectrum management
3. Tariff regulation
4. Research and development
5. Consumer empowerment
6. Policy advice & implementation
7. Rural communications development; and
8. Capacity building.

UCC is thus not only the regulator, but also a facilitator and promoter of coordinated and sustainable growth and development of Uganda's communications sector. UCC has an Environmental Unit manned by one Environmental Specialist.

*Interpretation: UCC will be involved in monitoring activities undertaken by the project to ensure consumer empowerment, protection and promote rural communications development. They shall be involved in monitoring and regulating the environmental aspects of UDAP.*

#### **4.15 Implementation Arrangements**

- Institutional responsibility of implementing this ESMF will rest with the Project Coordination Unit, PCU (or Task Team) at NITA-U. NITA-U has an Environmental Specialist and a Social Scientist to support the compliance aspect of the project through:
- Undertaking environmental and social screening of sub-project activities
- Monitoring and reporting implementation of mitigation actions by contractors
- Coordinating training and capacity building where planned
- Periodically report to NITA-U, MICT and IDA about implementation of the ESMP
- Liaison with stakeholders and
- Providing guidance on to project teams on potential improvement opportunities.

Oversight to ensure mitigation actions are implemented will rest with NITA-U but ICT personnel and safeguards officers at MDA and district levels will have similar responsibility.

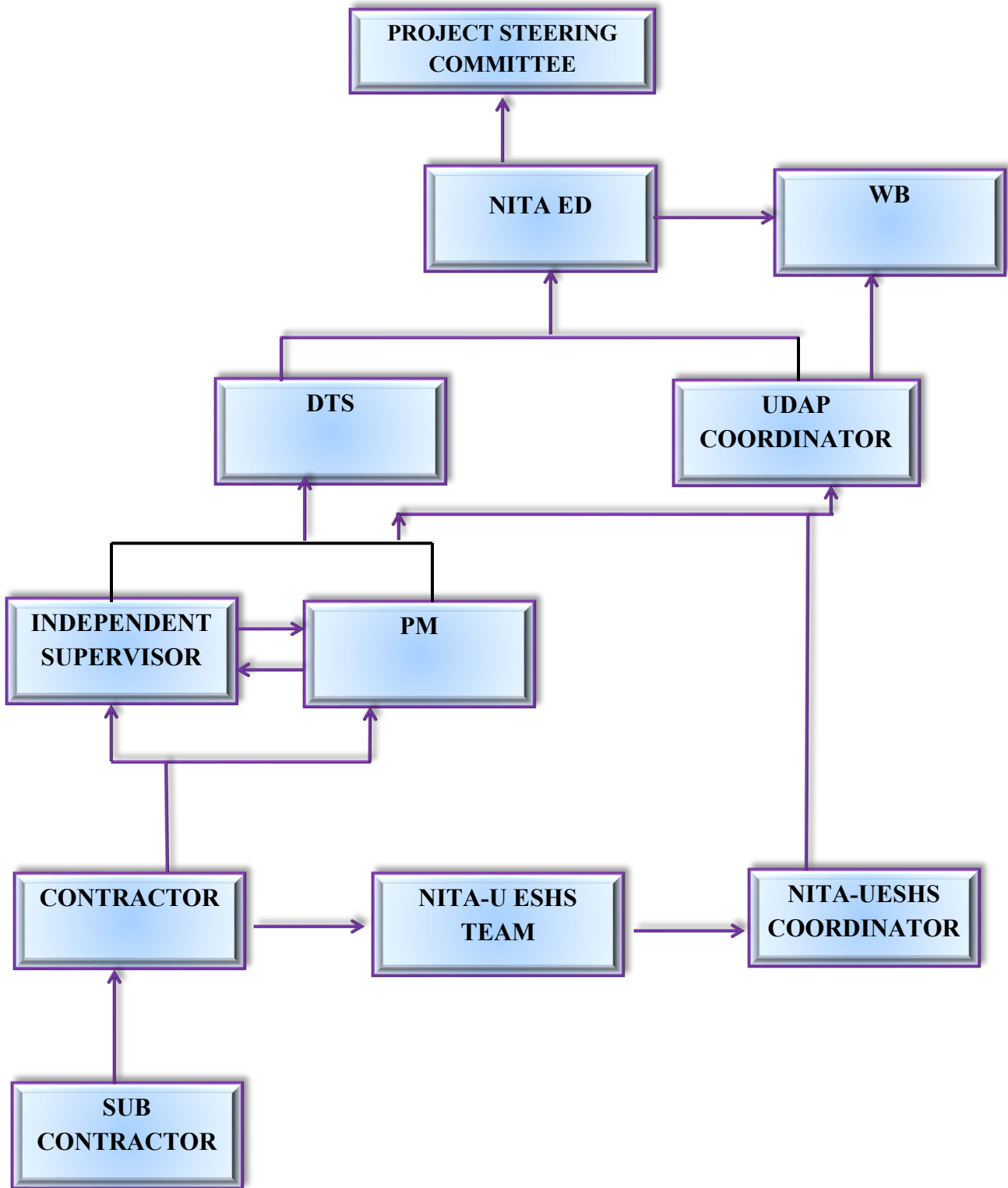
NITA-U shall require contractors and sub-contractors implementing the project to comply with the guidelines provided for in this ESMF and the contractor shall be required to have an Environmental and Social Officers who will undertake environmental supervision and reporting during construction. The supervising engineer or site manager/ contract manager shall be given environmental and social orientation as guided by this ESMF so as to execute required environmental supervision roles. Additionally, the Supervising Engineer/Consultant shall be required to have an Environmental and Social Specialist on his/her team. As a hiring criterion, such a person should have a background in environmental and social issues, particularly associated with construction projects.

In each District is found a District Environment Officer (DEO) responsible for overseeing environmental protection. However, in town councils and municipalities, this role is undertaken by Town- and Municipal Environment Officers respectively. These will have implementation and monitoring roles during execution of this ESMP. Usually, these officials lack adequate facilitation so the project will need to provide auxiliary financial assistance for them to have effective participation in this project. Based on their professional knowledge or recommendations in approved ESIA, local environmental officers may have role in project design as advisors to engineering consultants on aspects such as location of onsite incineration units.

The proposed UDAP management structure shall be headed by a project steering committee to which the NITA Executive Director [ED] shall report. The NITA ED shall also report to the World Bank. Reporting to the NITA ED shall be the Director Technical Services (DTS) and the

UDAP Coordinator. Reporting to the DTS shall be the independent supervisor to oversee operations of the contractor and the subcontractor (s) and Project Manager. The NITA Environment, Social, Health and Safety teams shall report to the PM and the UDAP Coordinator

**Illustration 4.15: Proposed Management Structure of UDAP**



***Monitoring and reporting arrangements***

Monitoring will verify if predicted impacts have actually occurred and check that mitigation actions recommended in the ESIA are implemented and their effectiveness. Monitoring will also identify any unforeseen impacts that might arise from project implementation.

***Who monitors and how:*** Monitoring will be undertaken by NITA-U (PCU) and Environmental Officers who represent NEMA at local administrative level. Monitoring or inspection by NEMA inspectors in this case can be considered “third party monitoring” but this is its regulatory mandate according to the National Environment Act 2019.

Another government agency that may undertake “third party monitoring” is the Occupational Health & Safety Department in Ministry of Gender, Labor & Social Development (MGLSD). This unit has authority to inspect any facility for compliance with national requirements on safety in workplaces. The project shall make no funding to MGLSD since this is provided for in its annual budget.

Monitoring will be done through site inspection, review of grievances logged by stakeholders and *ad hoc* discussions with potentially affected persons. At each monitoring, a discussion with a chairperson of environment committee of the area’s local council (LC) could provide insight into views and grievances community has about the project. In addition, the World Bank will provide support for enhanced monitoring of the risk of exclusion or discrimination for individuals or groups who may be vulnerable or marginalized. Further details of this support are found in Annex 19.

***Frequency:*** Monitoring will be undertaken monthly over the construction period.

***Audits:*** Audits will be necessary both during construction and project operation. While construction audits will aim to verify compliance to impact mitigation requirements, post-construction audits are a regulatory requirement within 12 months and not more than 36 months after completion of construction, according to National EIA Regulations, 1998 Section 31(2). Both construction and post-construction audits can be conducted internally (by NITA-U) or by an Independent Supervisor contracted by NITA-U.

***Reporting:*** Concise monthly monitoring reports as stated in Annex 12 should be compiled by NITA-U’s Project Coordination Unit (PCU) and shared with IDA and other interested stakeholders. Construction- and post-construction phase auditing should culminate in reports that NITA-U shall share with IDA, NEMA or other interested stakeholders. Note that while NITA-U is under no obligation to disclose construction phase audits, annual post-construction audits must be submitted to NEMA as a regulatory requirement as per Section 31(2) of National EIA Regulations, 1998. The main civil works contractor shall report to the supervising consultant who shall in turn report to NITA-U EHS specialists on a daily, weekly and monthly frequency. Incident reporting shall be in line with the Bank eSIRT- requiring immediate reporting and investigation of any serious incident. The NITA incident reporting format (Annex 2) shall be utilized to report all incidents and shall be reviewed to ensure that all requirements with the Bank eSIRT are put incorporated.



#### 4.16 Permits required

Due to the nature of this project and its activities, several permits shown in the subsequent table will be required before commencing project implementation.

Construction activities will include extensive trenching necessary to lay fiber optic cables, working along banks of wetlands/ watercourses, in protected areas or in some cases and acquisition. Construction will therefore require adherence to ESIA conditions of approval.

Permits to utilize road reserves shall also be needed for each section to be utilized by the project as has been the case with previous RCIP projects.

During operation, management of e-waste would require a dedicated waste processing facility or disposal site both of which would require an ESIA and subsequently NEMA approval.

**Table 13: Permits that may be applicable to the project for review**

Activity	NEMA Certificate of	DWRM	UNRA	NFA	UWA
Fiber optic cable lying	✓		✓		
Construction of transmission sites or lines	✓		✓		
e-waste management	✓				
Trenching along road reserves			✓		
Permission to carry out work in area of jurisdiction	✓			✓	✓
Water Abstraction Permit		✓			
Waste handling license	✓				
Waste disposal license	✓				

**Table 14: World Bank Environmental and Social Standards Applicable to UDAP**

World Bank Environmental and Social Standards	Applicability & Relevance to the Project? (Yes/ No)	Compliance Plan
ESS 1: Environmental Assessment	Yes	An ESMF will be developed and submitted to the WB for review and consideration to enhance project compliance. ESIAs, ESMPs, Environment and Social Audits
ESS2: Labor and Working Conditions	Yes	A specific Labor Management Procedure will be developed with a Grievance Redress Mechanism for handling grievances both of civil and criminal nature including GBV &SEA among workers. And other than conducting timely sensitization and awareness sessions on GBV/SEA and SH, signage on GBV/SEA and SH will be erected strategically at the project work sites and various district boards. All workers shall also be provided with PPE, code of conduct and letters of engagement specifying the terms and conditions of their engagements. There shall be a workers' GRM, Incident Management and investigation procedure. All workers will be inducted into the NITA-U HIV/AIDS as well as the sexual harassment policies
ESS3: Resource Efficiency and Pollution Prevention and Management	Yes	The project seeks minimize generation of hazardous and non-hazardous waste including but not limited to batteries, spoils from splicing activities, damaged and end of life solar panels, off cuts from treated poles and human waste management etc. e-waste management specifically has been integrated into project design. Therefore, waste management practices will be upheld throughout the project cycle The ESIA and ESMPs shall take this into account aspects of resource efficiency

World Bank Environmental and Social Standards	Applicability & Relevance to the Project? (Yes/ No)	Compliance Plan
		Waste management plans shall be in place and four e-waste centres utilized for proper e-waste management
ESS4: Community Health and Safety	Yes	<p>While the project shall concentrate on road reserves and other government facilities, interactions with host communities shall be inevitable with a potential impact on access points for example where trenching goes through paths for communities and animals, noise during below ground borrowing in tarmacked areas. There are also potential of road accidents as the project shall also utilize vehicular movements as well as a risk of HIV/AIDS and COVID-19 transmission. As mitigation, care shall be taken to ensure prompt Risk Assessments and adherence to set controls prior and during project implementation.</p> <p>To address the risk of HIV/AIDS and COVID-19 transmission, continuous awareness sessions on the prevention and spread of HIV/AIDS, provision of condoms at work sites and adherence to COVID-19 MOH SOPs</p>
ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	No	<p>The project will utilize road reserves and Government owned land to avoid any involuntary displacements from personal property.</p> <p>Right of Way permits will be obtained prior to commencement of project implementation works.</p> <p>An RPF will be developed to provide guidance in the event that land has to be acquired.</p>
ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources	Yes	<p>ESIA and ESMPs shall take this into account.</p> <p>The project may traverse through wetlands and Protected Areas like wildlife reserves, forests and game parks and therefore the mitigation hierarchy shall be utilized during planning and implementation of the project. Trenching</p>

World Bank Environmental and Social Standards	Applicability & Relevance to the Project? (Yes/ No)	Compliance Plan
		<p>for example could easily provide trap hazards for some wildlife while others could be impacted on through sustaining fractures. This could also impact on the predator-prey relationship (Kyaterekera D, (2017) though short term if not checked thus the need to plan for quick backfills. Utilization of poles could also impact on avifauna. Utilization of uncleaned tools (contaminated with soils from other areas) could also introduce invasive plant species along the route while acts of cooking in protected areas could easily lead to fire spreading in the Protected area which in-turn impact on natural re-vegetation (Kyaterekera, 2012). Permits from relevant authorities and appropriate Toolbox talks shall be carried out as an addition to the ESMP and Risk Assessments carried out to check on these</p>
<p>ESS7: Indigenous Peoples/ Sub-Saharan African Historically Underserved Traditional Local Communities</p>	<p>No</p>	<p>The project shall provide for meaningful engagements in project districts close to areas inhabited by indigenous people and shall recognize, respect and preserve the culture, knowledge, and practices of vulnerable and marginalized groups. VMGF is under preparation. Site or community specific plan to be developed if the project comes under a VMG community (VMG plan shall be developed out of the framework if any VMG group is identified)</p>
<p>ESS8: Cultural Heritage</p>	<p>Yes</p>	<p>The project shall develop and rely on a chance finds procedure given the fact that it involves point excavations for pits and trenching. Awareness sessions to be carried out for project implementation teams and this shall form part of the construction contracts to be awarded for the project. The chance finds procedure will be included in the ESMF and subsequently ESMPs shall follow.</p>

<b>World Bank Environmental and Social Standards</b>	<b>Applicability &amp; Relevance to the Project? (Yes/ No)</b>	<b>Compliance Plan</b>
ESS10: Stakeholder Engagement and Information Disclosure	Yes	Stakeholder Engagement Framework developed for UDAP which provides for open and transparent engagement providing for effective and inclusive engagement throughout the project cycle. A GRM and stakeholder engagement plan shall be utilized throughout the project cycle

#### 4.17 Comparison of World Bank Environmental and Social Framework (ESF) objectives and Ugandan Policy and Legal requirements.

Considering its depth and length, comparison of World Bank Environmental and Social Framework (ESF) objectives UDAP triggers and the Ugandan Policy and Legal requirements is provided as table 15;

**Table 15: Comparison of World Bank Environmental and Social Framework (ESF) objectives and Ugandan Policy and Legal requirements**

##### Standard 1: Assessment and Management of Environmental and Social Risks and Impacts

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(i) To identify, evaluate and manage the environment and social risks and impacts of the project in a manner consistent with the ESSs.	The National Environment Act (NEA) 2019 requires consideration of both Environmental and social impacts.	The role of ESIA prescribed by NEA 2019 in the identification and management of social risks is not clearly defined through supporting guidance and regulation nor is it fully understood by all relevant institutional actors. No standards for social impact assessment are provided.	The ESS1 that focuses on an integrated Environmental and social risks and impacts will be followed during project implementation in synergy with the NEA 2019.
(ii) To adopt a mitigation hierarchy approach	The NEA (2019) (section 5.2(j) explicitly requires the application of the mitigation hierarchy in ESIA's (avoid, minimize, restore, offsets)	Although current legislative framework seeks to avoid and mitigate social risks, there is no explicit directive to minimize impacts or to promote the adoption of a clearly-defined mitigation hierarchy approach to managing social risks. In addition, the current system emphasizes cash compensation as a mitigation measure and hence does not address other losses.	The ESS of the World Bank will be adopted during project implementation.
(iii) To adopt differentiated measures so that adverse impacts do not fall disproportionately	Ugandan Constitution promotes the protection and enhancement of equal opportunities and the rights of	The provisions in the Constitution do not explicitly require consideration of the differentiated impacts a project can have on vulnerable and Marginalized individuals or groups in social impact	The ESS will be adopted for this particular case.

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
<p>on vulnerable or marginalized individuals or groups, and they are not disadvantaged in sharing development benefits and opportunities resulting from the project.</p>	<p>vulnerable or marginalized individuals or groups.  The NEA 2019 requires consideration of vulnerability. As with all social issues however, the NEA provides no details</p>	<p>assessment and hence do not accord with the requirements of ESS1.</p>	
<p>(iv) To utilize national environmental and social Institutions, systems, laws, regulations and procedures in the assessment, development and implementation of projects, whenever appropriate.</p>	<p>There are various institutions systems, laws and regulations for the Environmental and Social management in the country</p>	<p>The mandated institutions have limited resources for the effective environmental and social implementation and with some exceptions, monitoring and compliance assessment is inadequate or absent.</p>	<p>The ESS1 will be applied during to address this Gap.</p>
<p>(v) To promote improved environmental and social performance, in ways which recognize and enhance Borrower capacity</p>	<p>As discussed in 1(ii) above</p>	<p>As discussed in 1(ii) above</p>	<p>As discussed in 1(ii) above</p>

**Standard 2: Labour and Working Conditions**

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
<p>(i) To promote safety and health at work.</p>	<ul style="list-style-type: none"> <li>- National Industrial Policy 2008 provides strategies for OHS.</li> <li>- Workers Compensation Act, 2000 provides for the provision of financial compensation for work related injury or illness.</li> <li>- Occupational Safety and Health Act of 2006 consolidates, harmonizes and updates the law relating to occupational safety and health. It requires that every factory is clean, including floors, walls, workrooms, ceiling or top of rooms</li> </ul>	<ul style="list-style-type: none"> <li>- There is still no policy to guide its implementation of the Occupational Safety and Health Act (2006). This, along with the poor staffing and funding of MoGLSD, has left many workers in unsafe working conditions.</li> <li>- There are conflicts between the mandates in the OSH and the Physical Planning Acts. There is also limited coordination between DOSH, Police, and Ministry of Health on data collection and oversight of OSH compliance in the workplace.<sup>17</sup></li> <li>- The Auditor General (2016), reports a low rate of inspection and many workers continue to work in precarious conditions at risk of occupational diseases and accidents<sup>18</sup>.</li> <li>- HS practices are in place for World Bank and other donor funded projects, but less so for government, parastatals or some private sector projects.</li> </ul>	<p>The ESS shall be given priority during project implementation</p>



<p>(ii) To promote the fair treatment, non-discrimination and equal opportunity of project workers.</p>	<ul style="list-style-type: none"> <li>- Article 31(b) of Constitution guarantees (inter alia) gender equality and labour rights, and equal opportunity in political, economic, and social activities, including through affirmative action.</li> <li>- Vision 2040 prioritises gender equality</li> <li>- National Development Plan II (2015-2020) prioritises the mainstreaming of women's empowerment and gender equality in key sectors.</li> <li>- Domestic Violence Act (2010) ensures protection of women from acts or omissions that may harm them. The 2012 Regulations of the 2006 Employment Act prohibit sexual harassment in the workplace.</li> </ul>	<ul style="list-style-type: none"> <li>- Employment laws have weak or non-existent penalties for violations. Sections 43 to 46 of the Employment Act No 6 (2006) address the payment of wages and outlaws the making of certain deductions from an employee's pay, but offers no remedy for non-compliance in the timely payment of wages or for unlawful deductions. Section 53 of the Act sets the maximum acceptable working hours per day and per week but, with exception of overtime, the law provides no remedy for workers who are obliged to work beyond even 10 hours a day. Section 59 of the Act requires employers to provide written particulars (i.e., contracts) to their employees, but provides no penalty/fine for failures to do so.<sup>19</sup></li> </ul>	<p>The implementation of the project will apply the ESS2</p>
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ESS2 Objectives	National Legal requirements	Gaps	Recommended Actions
<p>(iii) To protect project workers, including vulnerable or marginalized individuals or groups.</p>	<p>Employment Act (2006) requires the protection of workers during employment</p>	<p>The enforcement is lacking, in part due to lack of budgeting and staffing, as well as the high unemployment in the country, which facilitates the exploitation of workers. Furthermore, no specific attention given to the vulnerable or marginalized individuals or groups</p>	<p>With the budgeting allocated for this project, harmony will be sought for both the ESS and the national requirements</p>
<p>(iv) To prevent the use of all forms of forced labor and child labor.</p>	<ul style="list-style-type: none"> <li>- The Employment Act (2006) (<i>inter alia</i>) prohibits the use of child labour</li> <li>- Labour policies that specifically address Gender and Vulnerability include the 2012 Employment (of Children) Regulations, 2012 Employment (Sexual Harassment) Regulations, National Gender Policy, National Action Plan on Elimination of the Worst Forms of Child Labour in Uganda (2012/13-2016/17), and National Policy on HIV/AIDS and the World of Work (2007)</li> </ul>	<ul style="list-style-type: none"> <li>- No applicable legislation on a minimum wage. Section 32 of the Employment Act contradicts other Ugandan laws, by allowing for the employment of children aged 14 for “light work” under adult supervision (in contradiction to Section 7 of the Children (Amendment) Act (2016) which sets the employment age at 16).</li> <li>- The Employment Act fails to clearly define hazardous employment.</li> <li>- The legal framework also fails to provide express punitive penalties for those found in violation of laws prohibiting the employment of minors, contributing to high school dropout rates, teenage pregnancies and health issues as children find work on project sites.</li> </ul>	<p>The ESS shall be given priority during project implementation</p>

<p>(v) To support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law.</p>	<ul style="list-style-type: none"> <li>- National Constitution (1995) guarantees, in its Objective XIV(a), the right of all Ugandans to (inter alia) freedom of association, the right to collective bargaining, and paid vacation (Chapter Four). These and other rights are detailed in a set of laws that includes the Employment Act (2006), Workers' Compensation Act (2000), NSSF Act (1985), Labour Unions Act No 7 (2006), and Labour Disputes (Arbitration and Settlement) Act (2006), Occupational Safety and Health Act (2006).</li> <li>- Unions Act 2006 allows workers to establish and join unions and as such accords with provisions in ESS2.</li> </ul>	<ul style="list-style-type: none"> <li>- Inadequate political space/bargaining power for ethnic minorities and historically disadvantaged groups</li> <li>- The casual nature of employment affects unionization, as employees paid per day are unable to make the monthly check off in support of union activities. On an individual level, employers have also deployed legal machinery to delay and subsequently deny access to justice, especially for vulnerable or marginalized individuals or groups workers</li> <li>- The Ugandan labor movement is weaker with low worker participation and conflicts among unions this in return has an implication on the representation of workers in policy discussions</li> </ul>	<p>The World Bank ESS2 that is stronger in terms of supporting the freedom of association will be adopted</p>
<p>(vi) To provide project workers with accessible means to raise workplace concerns.</p>	<p>National Employment Policy for Uganda (2011) requires a mechanism to raise workplace concerns</p>	<p>There is an alignment of the Uganda's laws with the ESS2 regarding provision of workers with accessible means to raise workplace concerns.</p>	<p>There is freedom during implementation of the project to adopt either the ESS2 or the national legislations</p>

### Standard 3: Resource Efficiency and Pollution Prevention and Management

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
<p>(i) To promote the sustainable use of resources, including energy, water and raw materials.</p>	<ul style="list-style-type: none"> <li>- NEA 2019, Section 5 (d) includes the principle that there shall be “optimum sustainable yield in the use of renewable natural resources”</li> <li>- 2011 EIA Guidelines for water resources related projects assist planners, developers, practitioners safeguarding water resources through EIAs.</li> <li>- Land Act Cap 227 obliges any person who owns or occupies land to manage and utilize it in accordance with the Water statute, the National Environment Act, the Forest Act and any other law.</li> </ul>	<p>The NEA 2019, EIA guideline and others as stated in this section accord with the ESS on the promotion of sustainable use of resources</p>	<p>The National requirements shall be employed during project implementation</p>
<p>(ii) To avoid or minimize adverse impacts on human health and the environment by avoiding or minimizing pollution from project activities.</p>	<p>National Water Policy, 1999: promotes integrated water resources management. Stipulates that drainage water shall not pollute surface or ground water, prevent increase in salinity levels, and prevent soil pollution.</p> <p>Water Act cap 152: Provides for use, protection, supply, management of water; establishes water and</p>	<p>Pollution remains a significant problem throughout Uganda (air, soil, water and noise). As with most other safeguards, adherence to best practice is only relatively good for bank or donor funded projects but poor when it comes to smaller proponents, many government projects and where contractors from some countries are involved.</p>	<p>The World Bank ESS3 will be employed as with most Bank funded projects for effectiveness of this ESS</p>

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<p>sewerage authorities, facilitates devolution of water and sewerage undertakings.</p> <p>Regulations are: Water Resources Regs (1998), Water Supply Regs (1998), Waste Water Discharge Regs (1998), Sewerage Regs (1999).</p> <p>- Public Health Act Cap 281 requires every local authority to take measures for preventing any pollution dangerous to public health.</p>		
<p>(iii) To avoid or minimize project-related emissions of short and long-lived climate pollutants.</p>	<p>- NEA 2019, section 69 deals extensively with climate change, while Section 5(s) includes the principle that in the implementation of PPP projects approaches that increase both the environment and people’s resilience to impacts of climate change, are prioritized;</p> <p>- NEA 2019, Section 6 creates a Parliamentary Committee on Environment to (inter alia) provide guidance in the formulation and implementation of environmental and climate change PPPs. Section 9(2)(a) empowers NEMA to advise on the formulation of such PPPs</p>	<p>The National requirement as stated in this section accord with the ESF requirements</p>	<p><b>The</b> national requirements will be applied during project implementation.</p>

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(iv) To avoid or minimize generation of hazardous and non-hazardous waste.	Agricultural Chemicals (Control) Act, No. 1 of 2006 controls and regulates the manufacture, storage, distribution and trade in, use, importation and exportation of agricultural chemicals Uganda is a Party to the Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.	Hazardous waste management is still a big challenge. Not enough is being done by government, the private sector, CSOs and other stakeholders to raise awareness. There is widening gap between CSOs and government and the private sector, making it difficult for the establishment of a cordial working relationship	Measures regarding hazardous and non-hazardous in the ESS3 will be applied
(v) To minimize and the risk and impacts associated with pesticide use	<ul style="list-style-type: none"> <li>- Crop Protection Department in the Ministry of Agriculture, Animal Industries and Fisheries for plant pest prevention or eradication programmes. The department is also responsible for enforcing regulations on registration and the use of pesticides and other agrochemicals.</li> <li>- Agricultural Chemicals Control Board (ACB) regulates herbicides and pesticides</li> <li>- District Agricultural Officers and District Fisheries Officers are responsible for the surveillance and monitoring with regards to pest management and pesticide use chain.</li> </ul>	Although there are no gaps between international good practice on pest management and the Ugandan legal system, there are no comprehensive regulations to guide the implementation of the various Acts. This hampers the control of the use of damaging pesticides	The ESS3 will be applied

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<ul style="list-style-type: none"> <li>- There are several NGOs that monitor pest management pesticides</li> </ul>		

**Standard 4: Community Health and Safety**

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
<p>(i) To anticipate and avoid adverse impacts on the health and safety of project-affected communities during the project life cycle from both routine and non-routine circumstances.</p>	<ul style="list-style-type: none"> <li>- Health and wellbeing are strongly articulated in the Constitution of Uganda and these principles have been carried through to the environmental policy and the NEA;</li> <li>- The EIA Registration require NEMA to send a Project Brief and/or EIA to lead agencies for comments. Lead agencies vary by activity and sector so a health-related project (or one with major health implications) is sent to the Ministry of Health (MoH).</li> <li>- Relevant sector legislation includes the Employment Act, No 6 of 2006, the Occupational Safety and Health Act, No 9 of 2006 and the Workers Compensation Act, No 8 of 2000.</li> <li>- EIA regs specifically require EIAs to consider health issues</li> </ul>	<ul style="list-style-type: none"> <li>- Health and safety issues are generally taken care of in World Bank and donor funded projects, but less so otherwise</li> <li>- Most EIAs conducted focus mostly on environmental issues, with social and health issues receiving considerably less attention.</li> <li>- As in other countries, while the impacts of the project on the receiving environment are assessed in the EIA, issues around occupational health and safety at the workplace are often neglected because worker and workplace health are considered under separate bodies of law</li> </ul>	<p>The ESS4 that is more comprehensive standard will be applied regarding the anticipation and avoidance of adverse impacts on the health and safety of project-affected communities</p>

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<ul style="list-style-type: none"> <li>- 2008 Guidelines for OHS, Including HIV provide a framework for workplace health &amp; safety for all workers within the health sector.</li> <li>- HIV/AIDS Policy 1992: recognizes HIV/AIDS is a risk in infrastructure projects, encourages employers to develop in house HIV/AIDS policies, provide awareness and prevention measures to workers and avoid discriminating against workers with HIV/AIDS.</li> <li>- The Public Health (Control Of COVID - 19) Rules published on 24<sup>th</sup> of March, 2020 provides for Control of public gatherings, meetings, etc to prevent spread of COVID -19</li> <li>- National Health Policy, 2010 requires GOU to address increasing burden of water borne diseases associated with safe and clean water, hygiene and environmental sanitation.</li> <li>- MoGLSD has a Directorate of Labour, Employment, Occupational Safety and Health, and is responsible for implementation of</li> </ul>		



ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	Labour policies and laws.		
<p>(ii) To promote quality and safety, and considerations relating to climate change, in the design and construction of infrastructure, including dams.</p>	<ul style="list-style-type: none"> <li>- 2019 NEA provides for emerging environmental issues including climate change</li> <li>- Principle 5(s) of the NEA requires that in the implementation of public and private projects, priority must be given to approaches that increase both the environment and people’s resilience to the impacts of climate change.</li> <li>- Article 69 of NEA deals specifically with managing climate change impacts on ecosystems. The NEA requires ESIA’s for Hydro-power generation facilities; including dams with an installed capacity of more than 1 megawatt, the construction of valley dams and valley tanks where the threshold is 1,000,000 m<sup>3</sup> or more.</li> <li>- The NEA establishes the Policy Committee on Environment, whose responsibilities include providing guidance in the formulation and implementation of environmental and</li> </ul>	<ul style="list-style-type: none"> <li>- However, there are substantive gaps between the international good practice requirements on the Safety of Dams and the Ugandan regulatory framework. There are inadequate competent professionals to design and supervise the construction of dams and implementation of dam safety measures through the project cycle. There is also no strong institution to regulate the safety of dams in Uganda.</li> </ul>	<p>The ESS4 will apply to project implementation since there is no legal framework for implementing the Policy.</p>

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<p>climate change policies, plans and programmes (PPPs)</p> <ul style="list-style-type: none"> <li>- The NEA establishes NEMA, whose functions include advising on the formulation and implementation environmental and climate change PPPs;</li> <li>- Uganda has a National Policy for Disaster Preparedness and Management, and makes disaster preparedness and management an integral part of the development planning process. The policy calls for community participation, public awareness and education, institutional capacity building, adequate expertise and technology, vulnerability analysis, human rights observance, social, environment and economic costs, climate change, partnership and coordination and regional and international partnerships.</li> </ul>		
(iii) To avoid or minimize community exposure to	<i>As discussed in 4 (i) and (ii) above</i>		

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
project-related traffic and road safety risks, diseases and hazardous materials.			
iv) To have in place effective measures to address emergency events.	<i>As discussed in 4 (i) and (ii) above</i>		
v) To ensure that the safeguarding of personnel and property is carried out in a manner that avoids or minimizes risks to the project-affected communities	<i>A As discussed in 4 (i) and (ii) above</i>		
vi) Ecosystem services (provisioning and regulating) not compromised	<ul style="list-style-type: none"> <li>- The Constitution (1995) requires GOU to ensure environmental protection &amp; provides Ugandans a right to clean &amp; healthy environment.</li> <li>- Section 4(1) of the NEA (2019), proclaims the “nature has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution”. Section 4(2) provides that “a person has a right to bring an action before a competent court for any</li> </ul>	<ul style="list-style-type: none"> <li>- Wetland cover decreased from 13 per cent in 1990 to 8.6 per cent in 2015. It is estimated that Uganda loses 846 km<sup>2</sup> of its wetlands annually.</li> <li>- Fish production is depleted due to over fishing, illegal fishing gear and invasive species.</li> <li>- Most rural water samples do not comply with national drinking water quality standards.</li> <li>- Soil fertility is compromised because of nutrient mining, loss of soil cover and organic</li> </ul>	The World Bank ESS standard will be adopted to ensure Ecosystem services are not compromised

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<p>infringement of rights of nature</p> <ul style="list-style-type: none"> <li>- The NEA (Art 44) empowers the Minister of the Ministry of Water and Environment (MoW&amp;E) to prepare a National Environment Action Plan (NEAP) which will include in clause (3)(h) the maintenance of ecosystem services and measures for preventing, reversing or mitigating any deleterious effect.</li> <li>- In 2011, the MoW&amp;E set up the Environment Protection Police Unit (EPPU) to enforce environmental laws and prevent the degradation of protected areas. The functions of the EPPU are wide-ranging and include (inter alia) monitor and enforce compliance with laws regarding the protection and maintenance of ecosystem services.</li> <li>- The National Environment (Wetlands, River Banks and Lake Shores Management) Regulations, 2000 highlight the importance of wetlands and other water bodies in the maintenance of a healthy ecosystem and state that they should be protected from the negative effects of development projects. Under Regulation 5, EIA is</li> </ul>	<p>matter, low rainfall infiltration and soil compaction.</p> <ul style="list-style-type: none"> <li>- Within protected areas, most wildlife populations are stable but human-wildlife conflicts have increased because of habitat degradation, growth in urban settlements, agriculture expansion, and infrastructure developments. Other threats are illegal wildlife trade and alien invasive species.</li> <li>- Cultural sites are threatened by quarrying, agriculture and erosion.</li> <li>- Natural forest cover has been declining because of agriculture, charcoal and wood fuel demand, infrastructure development, and excessive harvesting.</li> <li>- Rangelands are under pressure from crop production, overgrazing, privatization of the communal rangelands and invasive species.</li> </ul>	

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<p>mandatory for all activities in wetlands that could have an adverse impact. Regulation 8 provides for declaration of certain wetlands as fully protected wetlands because of national or international importance for biodiversity, ecology, natural heritage or tourism, and it prohibits all activities in such wetlands except for research, tourism, or restoration or enhancement. Various of the regulations require protection zones of between 30 and 200 meters along riverbanks and lake shores and state that no activity shall be permitted in the protection zones without the approval of the NEMA Executive Director. Local government environmental officers have a duty to assist in implementation of the regulations.</p> <ul style="list-style-type: none"> <li>- Art 54 of NEA 2019 (wetland management) requires the lead agency to identify wetlands of local, national and international importance as ecosystems and habitats of species of fauna and flora</li> <li>- Art 67 of NEA 2019 (payment of ecosystem services) empowers NEMA to issue guidelines and prescribe measures</li> </ul>		

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<p>and mechanisms for (<i>inter alia</i>):</p> <ul style="list-style-type: none"> <li>- identifying and valuing ecosystem services that are critical for the environment and human well-being;</li> <li>- the instruments and incentives to generate, channel, transfer and invest economic resources for the conservation, restoration and sustainable use of the sources of ecosystem services; and</li> <li>- The criteria for the design of payment for ecosystem schemes that ensure ecosystem sustainability.</li> </ul>		
vii) Safety of dams must be ensured	See 4ii		

**Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(i) To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.	<p>-1995 Constitution guarantees protection of private property rights and the Government’s power to compulsorily acquire private land for public use or in public interest. The terms “public use” and “public interest” however, are not clearly defined, leaving room for varied interpretations.</p> <p>- Article 237(3) establishes four distinct</p>	The law does not, however, define any corresponding tenure-specific approaches to land acquisition or compensation, which has resulted in contested compensation processes in practice	The ESS5 will be employed during project implementation

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	<p>land tenure systems, but these multiple regimes require multiple approaches to compensation for land.</p>		
<p>ii) Mitigate impacts from land acquisition or restrictions on land use by providing timely compensation for asset loss at replacement cost and assisting displaced persons to improve or restore, their livelihoods and living standards, to pre-displacement levels or to levels prevailing prior to beginning of project implementation, whichever is higher.</p>	<ul style="list-style-type: none"> <li>- The Land Acquisition Act Cap 226 governs compulsory acquisition of land for public purposes in addition to the Art 26 (2) of Constitution of Uganda and S. 42 and S.77 of the Land Act.</li> <li>- Compensation and resettlement rights of spouses and children are protected under the Constitution and Land Act (Cap 227). The consent of spouse and children must be acquired prior to any transaction by head of households on land on which the family lives.</li> </ul>	<ul style="list-style-type: none"> <li>- Land Acquisition Act contradicts the Constitution on several points. Law does not recognise other rights to land (e.g., the right to farm, build, hold a mortgage, occupy and grant use to another) nor the eligibility of renters, licensees, informal settlers or users of public lands for compensation when the land on which they reside or operate is compulsorily acquired, occupation or use is less than 12 years, or occupants/users have ignored calls to leave.</li> <li>- No legal requirement in cases of land acquisition to set a cut-off-date after which people moving into a project area are no longer entitled to compensation, regulate the management of the displacement and</li> </ul>	<p>Harmony will be made between the ESS and the Ugandan legislations to minimize the impact of land acquisition or restriction on land use by providing timely compensation for asset loss and restoration of livelihood.</p>

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
		<p>resettlement of project-affected persons, prioritise avoidance and minimisation of land acquisition, require the special protection of vulnerable or marginalized individuals or groups, require the conducting of socio-economic and cultural studies or the undertaking of stakeholder consultation, participation, and information sharing, or define the social development aspects of the resettlement process<sup>30</sup>.</p> <ul style="list-style-type: none"> <li>- In some case studies, resettled people were not assisted to resettle in their new communities; the resettlement policy does not have regard to the impact of the new community in which the resettled person has been resettled to<sup>31</sup></li> <li>- The 2016 Safeguard Diagnostic Report listed (<i>inter alia</i>) the following as gaps between WB requirements and Ugandan laws: <ul style="list-style-type: none"> <li>- Ugandan laws do not appear to make</li> </ul> </li> </ul>	



ESS Objectives	National Legal requirements	Gaps	Recommended Actions
		<p>provisions for avoidance or minimizing of involuntary resettlement</p> <ul style="list-style-type: none"> <li>- The legal right to resettlement is applicable to only those with propriety interest in the affected land. Entitlement for payment of compensation is essentially based on the right of ownership or legal user/occupancy rights.</li> <li>- In Uganda law those without formal legal rights or claims to such lands (e.g. tenants) are not entitled to be resettled or compensated.</li> <li>- Those without formal legal rights or claims to such lands and/or semi-permanent structures are not entitled to resettlement assistance or compensation.</li> <li>- The 2019 SRM Technical report identified the following weaknesses: <ul style="list-style-type: none"> <li>- Outdated, incomplete and/or overlapping laws and</li> </ul> </li> </ul>	

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
		regulations, and lack of a clear and comprehensive national policy and guidelines;	
(ii) To avoid forced eviction	The Ugandan Constitution 1995 is aligned with this principle and explicitly states in Article 26(2) that no person shall be compulsorily deprived of property unless the acquisition is for public use and done under a law that makes provision for the prompt and prior payment of fair and adequate compensation as well as right of access to a court of law by any person with an interest or right in the acquired property Article 237(3) establishes four distinct land tenure systems, but these multiple regimes require multiple approaches to compensation for land.	The law does not, however, define any corresponding tenure-specific approaches to land acquisition or compensation, which has resulted in contested compensation processes in practice.	The ESS5 will be employed in case of compensations for land during project implementation

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
<p>(iii) To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>	<p>The Ugandan Constitution declares that prompt and adequate compensation must be paid prior to acquisition of the affected property.</p> <p>The Land Acquisition Act Cap 226 governs compulsory acquisition of land for public purposes in addition to the Art 26 (2) of Constitution of Uganda and S. 42 and Section 77 of the Land Act.</p> <p>Compensation and resettlement rights of spouses and children are protected under the Constitution and Land Act (Cap 227). The consent of spouse and children must be acquired prior to any transaction by head of households on land on which the family lives.</p>	<p>The Land Acquisition Act contains no requirement that payment be made prior to acquisition and posits that the government may take possession of land once the compensation amounts have been determined.</p> <p>No legal requirement in cases of land acquisition to set a cut-off-date after which people moving into a project area are no longer entitled to compensation,</p> <p>Furthermore, both the law and practice of resettlement in Uganda are almost exclusively focused on the payment of cash compensation and do not explicitly consider aspects such as livelihood restoration, transitional assistance or post resettlement support and assessment – principles enshrined in ESS5. At present there is no requirement for an assessment of the impacts of resettlement on affected people (beyond asset valuation) making it impractical to seek to mitigate impacts.</p>	<p>The ESS5 will be adopted regarding the issue of compensations that may occur during project implementation.</p>
<p>(iv) To improve living conditions of poor or</p>	<p><i>As discussed in 5 (iii)</i></p>		

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
vulnerable or marginalized individuals or groups who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure			
(v)To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.	As discussed in 5(iii)		

**Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources**

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(i)To protect and conserve biodiversity and habitats.	<ul style="list-style-type: none"> <li>- The Constitution (1995) requires GOU to ensure environmental protection &amp; provides Ugandans a right to clean &amp; healthy environment.</li> <li>- Section 4(1) of the NEA (2019), proclaims the “nature has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution”. Section 4(2) provides that “a person has a right to bring an action before</li> </ul>	The National requirements on protection of Biodiversity accord with the ESS6	The national requirements will be adhered to since they accord with the ESS6

	<p>a competent court for any infringement of rights of nature</p> <ul style="list-style-type: none"> <li>- Wildlife Act Cap 200 provides for sustainable management of wildlife, to consolidate laws relating to wildlife management, establishes the Uganda Wildlife Authority, requires developers doing projects which may affect wildlife to undertake EIAs</li> <li>- Wildlife Policy, 2014 aims at conserving wildlife in a manner that contributes to SD and wellbeing of people. Includes management of wildlife protected areas.</li> <li>- Forestry and Tree Planting Act (2003) provides for the conservation, sustainable management and development, and use of forests for the benefit of the people. It provides that the forests shall be developed and managed so as to conserve natural resources, especially soil, air and water quality</li> <li>- Forestry Policy 2001 seeks to establish an integrated forestry sector that achieves sustainable increases in the</li> </ul>		
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	economic, social and environmental benefits from forests and trees by the people of Uganda, especially the poor and vulnerable or marginalized individuals or groups. One of the strategies is		
(ii) Where biodiversity impacts likely, apply mitigation hierarchy and precautionary approach in project design & implementation	Mitigation hierarchy is explicitly required by the NEA (2019) (section 5.2(j) and further elaborated (section 115) - (avoid, minimize, restore, offsets), but maximizing benefits is not emphasized.	-implementation is variable – good in the case of donor or Bank funded projects, but modest to poor otherwise. - Even though screening of projects is undertaken by NEMA at an early stage to identify potential biodiverse areas, political interference puts certain natural habitats at risk especially wetlands and forests. <sup>32</sup> - According to NEMA, members of the district land boards are a significant contributor to environmental degradation especially of wetlands where local governments have been issuing land titles in designated wetlands in contravention of conservation laws.	The ESS6 will be adopted for EASP being a bank funded project so as to achieve good compliance

(iii) To promote the sustainable management of living natural resources.	<i>As discussed in 6 (ii)</i> Fisheries Policy, 2004 aims at developing cooperation with neighbours on management of shared water bodies, and stocking to improve fisheries diversity and productivity.	The implementation is highly variable as discussed in (ii) above	The ESS6 will be adopted
(iv)To support livelihoods of local communities, including Indigenous Peoples, and inclusive economic development, through the adoption of practices that integrate conservation needs and development priorities	National Land Policy 2013 is aimed at ensuring efficient, equitable and optimal and sustainable utilization and management of land resources for poverty reduction, wealth creation and socioeconomic development	The implementation is highly variable due to low enforcement	The ESS6 will be applied

### Standard 7: Sub-Saharan African Historically Underserved Traditional Local Communities

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(i)To ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource based livelihoods of Indigenous Peoples/Sub-Saharan African Historically Underserved	There is no legislation, which is equivalent to this ESS7 principle in Ugandan Law. However, Article 37 of the Constitution seeks to protect the right of all Ugandans to have their culture and traditions respected. Specifically, the Article enshrines the right to belong to, enjoy,	- In practice, however, there is no legislation nor institutional arrangements in place to enable this to happen. As such, it is fair to say that while it is not the intention of the	The ESS7 will prevail during project implementation

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
Traditional Local Communities.	practice, profess, maintain and promote any culture, cultural institution, language, tradition, creed or religion in community with others The National Land Policy 2013 affirms that the land rights of pastoral communities will be guaranteed and protected by the state, by ensuring that pastoral lands are held, owned and controlled by designated pastoral communities as a common property under customary tenure. The Land Act of 1998 and the National Environment Act protect customary interests in land and traditional uses of forests.	Government to exclude traditional local communities, - The Ugandan system does not include the necessary provisions to overcome the historical obstacles to such communities enjoying the benefits of the development process.	
(ii)To avoid adverse impacts of projects on Indigenous Peoples or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts.	Article 37 of the Constitution seeks to protect the right of all Ugandans to have their culture and traditions respected	There is no legislation, which is equivalent to this ESS7 principle in Ugandan Law.	The ESS7 will be applied in
(iii)To promote sustainable development benefits and opportunities for Indigenous Peoples in a manner that is accessible, culturally	- Article 36 of the Constitution protects the rights of minorities to participate a) in decision-making processes, and states that their views and interests shall be	In practice, however, there is no legislation nor institutional arrangements in place to enable this to happen. As such, it is fair to say that while	The ESS that clearly outlines promotion of sustainable development benefits and opportunities for Indigenous Peoples will be



ESS Objectives	National Legal requirements	Gaps	Recommended Actions
appropriate and inclusive	<p>taken into account in making national plans and programs.</p> <ul style="list-style-type: none"> <li>- And as noted above, Article 32 places a duty on the state to take affirmative action in favor of groups that have been historically disadvantaged on the basis of history, tradition or custom, for the purpose of redressing imbalances which exist against the</li> <li>- In principle, these two articles allow for the involvement of traditional local communities in development planning and affirmative action to ensure they benefit from the development process.</li> </ul>	<p>it is not the intention of the government to exclude traditional local communities, the Ugandan system does not include the necessary provisions to overcome the historical.</p> <ul style="list-style-type: none"> <li>• Obstacles to such communities enjoying the benefits of the development</li> </ul> <p>The Ugandan system does not include the necessary provisions to overcome the historical obstacles to such communities enjoying the benefits of the development process.</p>	<p>adopted when implementing the project in areas with such baa category of people.</p>
(iv) To improve project design and promote local support by establishing and maintaining an ongoing relationship based on meaningful consultation with the Indigenous Peoples affected by a project throughout the project's life cycle	<p>There are no provisions under Ugandan law requiring enhanced consultation for traditional local communities. However, the National Environment Act 2019 requires that ESIA be carried out with human rights risk assessment Section 111(3) and in due regard for international human rights standards section 5(2)(r) and thus it</p>	<p>The NEA 2019 accords with the ESS7</p>	<p>The National legislation will be applied in harmony with this ESS during the implementation of the project</p>

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	requires consultations with cultural leaders for the traditional local communities		
(v)To obtain the Free, Prior, and Informed Consent (FPIC) of affected Indigenous Peoples in the three circumstances described in this ESS.	There is no equivalent concept to FPIC in either existing or planned Ugandan legislation.	The proposed SIAA Bill fronts consultation as an important part of the project development process.	The ESS that emphasizes the FPIC of the affected stakeholders and communities shall be adopted
(vi)To recognize, respect and preserve the culture, knowledge, and practices of Indigenous Peoples, and to provide them with an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to them.	Article 37 of the Constitution seeks to protect the right of all Ugandans to have their culture and traditions respected	There are no provisions for adapting the development process for the particular needs of traditional local communities.	The ESS7 shall be adopted

**Standard 8: Cultural Heritage**

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(i)To protect cultural heritage from the adverse impacts of project activities and support its preservation.	The Historical Monument Act, Cap 46requires Preservation and protection of historical monuments and objects of archaeological,	The Historical Monument Act is in alignment with this ESS	The National legislation will be adopted since it accords with the ESS8

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
	paleontological, ethnographical and traditional interest. It requires that any person who discovers any portable object in the course of an excavation shall surrender such objects to the Minister who shall deposit them in the museum		
(ii) To address cultural heritage as an integral aspect of sustainable development.	The Uganda National Culture Policy, 2006 enhances the integration of culture into national development.	This policy accords with the ESS8	The National policy framework on culture and sustainable development will be adopted
(iii) To promote meaningful consultation with stakeholders regarding cultural heritage.	The Constitution requires the consultation of people on matters that affect their lives, including development projects	The lack of legislation to guide the consultation of people on matters that affect them remains a big loophole in ensuring planning and budgeting of meaningful consultations.	The ESS that is well elaborate on promotion of meaningful consultations with stakeholders will be applied during project implementation
(iv) To promote the equitable sharing of benefits from the use of cultural heritage	As discussed in 6 (iv)		

### Standard 9: Financial Intermediaries

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(i) To set out how the FI will assess and manage environmental and social risks and impacts associated with the subprojects it finances.	Financial Institution Act 2004 provide for the regulation, control and discipline of financial institutions by the Central Bank;	There is no law that compels FI to assess and manage E&S risks and impacts associated with projects	The WB ESS9 will be adopted

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(ii) To promote good environmental and social management practices in the subprojects the FI finances.	As discussed in (i) above	As discussed in (i) above	As discussed in (i) above
(iii) To promote good environmental and sound human resources management within the FI.	As discussed in (i) above	As discussed in (i) above	As discussed in (i) above

**Standard 10: Stakeholder Consultants**

ESS Objectives	National Legal requirements	Gaps	Recommended Actions
(i) To establish a systematic approach to stakeholder engagement that will help Borrowers identify stakeholders and build and maintain a constructive relationship with them, in particular project-affected parties.	The Constitution requires the consultation of people on matters that affect their lives, including development projects  National Environment Act (2019) requires consultation	The lack of legislation to guide the consultation of people on matters that affect them remains a big loophole in ensuring planning and budgeting of meaningful consultations.  The Consultations required by the NEA would be insufficient for the effective management of social risks on a project with significant impacts since it considers mainly environmental risks.	The ESS10 will be employed during project implementation.
(ii) To assess the level of stakeholder interest and support for the project and to enable stakeholders' views to be taken into account in project design and environmental and social performance.	The Constitution requires the consultation of people on matters that affect their lives, including development projects.	There is no legislation describing how to do this in practice. As such, there is a general lack of planning and budgeting for meaningful consultation and inclusion of local stakeholders views in projects designs	The ESS 10 will be applied
(iii) To promote and provide means for	The Decentralization Law requires	The decentralization tends to be hampered by capacity and resource limitations.	The ESS10 will be applied to

<p>effective and inclusive engagement with project-affected parties throughout the project life cycle on issues that could potentially affect them.</p>	<p>project implementing agencies to engage with project affected communities in coordination with local governments.</p>	<p>Ministries often fail to include local governments in institutional arrangements for managing a project. National projects may begin with local engagement but not follow up or may even be implemented without the knowledge of local authorities.</p>	<p>promote effective inclusion of project affected parties in the implementation</p>
<p>(iv) To ensure that appropriate project information on environmental and social risks and impacts is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner and format.</p>	<p>The National Environment Act (2019) and EIA Regulations (1998) require the explanation of project impacts to project affected persons, public participation in ESIA studies, and the dissemination of information via newspapers and other mass media. There should also be access to information and contact with project staff at the local level.</p>	<p>There is clear alignment of these national legislations and the ESS</p>	<p>The ESS and the applicable national legislations may be harmonized during project implementation</p>
<p>(v) To provide project-affected parties with accessible and inclusive means to raise issues and grievances and allow Borrowers to respond to and manage such grievances.</p>	<p>Ugandan law makes no provision for project level GRMs. However, there are a number of formal and traditional mechanisms for grievance redress that operate at the local level which support and reinforce project level GRMs.</p>	<p>There tends to be lack of support for enforcement of the local GRMs due to various reason</p>	<p>The project GRMs shall be adopted in accordance to this ESS10</p>



#### 4.18 POTENTIAL IMPACTS AND MITIGATION MEASURES

This part of the report provides for the identification and assessment of potential positive and negative environmental and social impacts of the proposed project. A combination of two criteria has been used to determine the environmental significance of predicted impacts: the intensity of the potential impact of the project component and the importance (value) of the environmental component impacted upon. It should be noted however that the actual extent and intensity of impacts may be affected by the project planning and implementation procedures.

**Table 16: Criteria Used to Determine the Significance of Environmental and Social Effects**

Intensity of Impacts	Value Placed on the Component of Impact		
	Legally protected in Uganda's legislation and required by the World Bank	Considered important but not legally protected	Considered not important
<b>Major</b>	Significant	Significant	Insignificant
<b>Moderate</b>	Significant	Significant	Insignificant
<b>Minor</b>	Significant	Significant/ Insignificant	Insignificant

The intensity of the impact has been qualified as: Minor, Moderate or Major. To make this judgment, the following factors were taken into consideration:

- Magnitude of project intervention
- Frequency of project intervention
- Irreversibility of impact of the intervention
- Size of the area affected by the intervention.

The importance of the concerned environmental component is related to the value placed upon it by the public, environmental experts and the international community. It can be qualified as legally protected, important or not important. The importance placed on the environmental component may depend on:

- It's rare or unique nature
- Professional /experts concerns
- Public perception of its importance
- It's current or potential use.

All the potential E&S risks anticipated are expected to be generated predominantly by two project components particularly, Component 1: Digital Connectivity and Component 3: Digital inclusion of Refugees and host Communities.

**Table 17: Potential impact and mitigation measures**

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
<b>Construction Phase</b>				
<i>Increased susceptibility to soil erosion and landslides</i>	During site excavation activities, excessive vegetation clearing, excavation coupled with poor drainage can result in soil erosion and landslides on steep slopes. This may be likely in the Northern Uganda regions where soils are loosened making them highly susceptible to erosion agents.	Negative and Medium	<ul style="list-style-type: none"> <li>• Restrict vegetation stripping to project sites to minimize project footprint and soil erosion.</li> <li>• Avoid ground and vegetation stripping in steep sloping areas to minimize soil erosion and risk of landslips.</li> <li>• Use above ground/aerial pole to pole transmission in such prone areas</li> </ul>	<p>NITA-U Environment Health Safety and Social (EHSS) Team and Project Manager</p> <p>District Local Government Focal Point-District Environment Officers</p>
<i>Impacts on Protected/ Sensitive Areas</i>	Some fibre optic cables maybe located in wetland, forest ecosystems and protected areas. However, the impact is anticipated to be minimal. This project will however limit construction to existing road reserve using aerial pole erection, thus not impacting wildlife.	Negative and Low	<ul style="list-style-type: none"> <li>• Vegetation clearance for aerial pole erection shall be limited to pole spots, minimizing vegetation loss. Tree shall not be cut down in parks or forests.</li> <li>• Waste bins should be provided for construction workers to avoid littering of waste in the sensitive areas.</li> <li>• Laws governing such sensitive ecosystems will be strictly adhered to such as poaching will be strictly prohibited, acquiring licenses and permits prior to imp mentation and provide for exit meetings.</li> </ul>	<p>NITA-U EHSS team</p> <p>Uganda Wildlife Authority, National Environment Management Authority, National Forestry Authority</p>



Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
<p><i>Employment Opportunities And Non-Discrimination</i></p>	<p>The work that will be done at the site during this phase of the project will largely require labour - both skilled and unskilled workers to undertake the construction work at the site and as such employment opportunities will be created. Approximately 60% of the labor force will be from within the local communities the project districts. No labor influx or workers' camps are expected as 60% of local labor force will come from the local content in the project districts. It should be noted that during this phase the employment opportunities will be temporary given the short-term duration of the construction activities.</p>	<p>Positive and Low</p>	<ul style="list-style-type: none"> <li>• Efforts shall be directed to ensuring that workers receive, fair and prompt payments. All workers should be provided with written contracts, their welfare aspects continuously improved among others.</li> <li>• Project will promote local procurement where technically and commercially reasonable and feasible</li> <li>• Contractor will avail local communities with information leaflets in their local languages to create awareness about the proposed project activities</li> <li>• Unskilled labor will be recruited exclusively from local community, and semi-skilled labor will be recruited preferentially from such communities, provided that they have the requisite qualification, competence and desired experience</li> <li>• Workers and the community will be sensitized about the dangers of child abuse, GBV / SEA/ SH plus their rights to employment, including the potential discrimination of vulnerable or marginalized individuals or groups based on age, gender, ethnicity, disability, etc.</li> </ul>	<p>NITA-U Project Manager and Local Council Chairpersons</p>

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<ul style="list-style-type: none"> <li>• The project will implement measures to enhance non-discrimination, including where necessary, training and monitoring</li> <li>• Contractors will be encouraged to pay a “living wage” to all workers</li> <li>• Contractors’ will be expected to report on employment activities on a monthly basis, including number of jobs created by employment type (skilled / semi-skilled / unskilled); number of jobs by gender, employment type and geographical area; total man hours and wages paid, by employment type, gender and geographical area; and rate of employee turnover by gender and area. These reports will facilitate documentation on overall project compliance with applicable EES</li> <li>• The Contractor shall comply with all the relevant labor Laws applicable to the Contractor’s Personnel, including Laws relating to their employment, health, safety, welfare, immigration and emigration, and shall allow them all their legal rights in compliance with the project’s LMP.</li> <li>• Contractors will assess and revise contracts, CoCs, whistle-blower protocols, HR procedures, etc. to ensure</li> </ul>	

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<p>they include appropriate principles of non-discrimination.</p> <ul style="list-style-type: none"> <li>For proper handling of workers grievances, a workers GRM has been developed for operationalization in the project LMP. The workers' GRM will be enhanced through the establishment of safe, ethical and confidential means to lodge complaints.</li> </ul>	
<i>Child labour</i>	<p>During project implementation, opportunities for employment are often announced through local council leaders in villages. Therein are loopholes of child labour if controls are not effectively enforced. There are also scenarios where children are forcefully used during project implementation depriving them of their opportunity to enjoy school, exposing them to occupational hazards associated with the project among others.</p>	<p>Negative and High</p>	<ul style="list-style-type: none"> <li>The policy shall work with a no child labour commitment and this shall be communicated to the local leaders and enforced in collaboration with the District Community Development Officer [DCDO] and Labour officer. To do due diligence to avoid child labour. The minimum work age adopted for this project 16 years for household led minors upon validation by both labour officer and DCDO.</li> </ul>	<p>District Community Development Officers</p> <p>District Labour Officers</p> <p>NITA-U EHSS teams</p>

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
<p><i>Social Order Disruption</i></p> <p><i>Family conflict, promiscuity (with associated) and Gender Based Violence</i></p>	<p>The influence of the workers earning better in comparison to the majority of the community members cannot be underestimated in causing genderbased conflicts, sexual exploitation and harassment among the host community causing family break downs. There is also a potential of increased alcohol consumption thus leading to higher chances of confrontations among the host community members thus disrupting their peace.</p> <p>The search and provision of job opportunities by the project can be a source of promiscuity, family conflicts, Gender Based Violence including child abuse and abuse of labour laws by the contractor.</p>	<p>Negative and High</p>	<ul style="list-style-type: none"> <li>• The Contractor shall develop: (i) Gender Based Violence (GBV) and Child Abuse/Exploitation (CAE) Codes of Conduct; and, (ii) an Action Plan to mitigate and respond to GBV and CAE within the company and the community.</li> <li>• The Code of Conduct will outline the responsibilities of: (i) the company to create a positive culture for its workplace and employees; (ii) managers to ensure that culture is implemented; and, (iii) individuals to adhere to the principles of that culture and not to engage in GBV and/or CAE.</li> <li>• The NITA-U sexual harassment policy will apply to the project. Refer to Annex 15</li> <li>• All employees (including managers) will be required to attend training prior to commencing work to reinforce the understanding of HIV/AIDS, GBV and CAE. Subsequently, employees must attend a mandatory training course at least once a month for the duration of mobilization.</li> </ul>	<p>Community Development Officers, Project Manager and</p> <p>NITA-U EHSS team</p>
<p><i>Noise and vibrations</i></p>	<p>Use of earth-moving equipment and heavy vehicles will generate noise and vibration. Excessive noise can be a nuisance to local residents and businesses. Noise and</p>	<p>Negative and Medium</p>	<ul style="list-style-type: none"> <li>• The Project should require contractors to use equipment and vehicles that are in good working order, well maintained.</li> </ul>	<p>Project Manager and NITA- U EHSS team</p>

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
	vibration may generate unacceptable disturbance to wildlife where fiber optic cables are to be laid through wildlife parks and game reserves. Vibration from compacting trenches can crack walls of structures adjoining work sites		<ul style="list-style-type: none"> <li>The construction activities will as much as possible be restricted to daytime only (7.00am-6.00pm) when noise pollution is least felt to avoid disruption to the residents.</li> <li>Contractors will be required to implement best driving practices when approaching and leaving the site (speed limit of <math>\leq 30</math> km/hr) to minimize noise generation created through activities such as unnecessary acceleration and breaking.</li> <li>Engines of vehicles/trucks and earth-moving equipment should be switched off when not in use.</li> </ul>	
<i>Water Pollution</i>	<p>During site preparation and construction, trenching will create exposed sites. Sediment-laden runoff from cleared areas could impact water quality of downstream watercourses.</p> <p>Poor management of human waste could also lead to water pollution in adjacent water sources</p>	Negative and Medium	<ul style="list-style-type: none"> <li>Prompt backfilling shall also be carried out to check on run-off and siltation related outcomes</li> <li>Toilet facilities and awareness sessions on their use should be provided for construction workers to avoid indiscriminate defecation in nearby bush or shores</li> </ul>	NITA-U EHSS team
<i>Improper Waste Management</i>	Trenching in urban areas will create stockpiles, electronic waste and other general waste from the project. Project operation activities of repair and maintenance will	Negative and High	<ul style="list-style-type: none"> <li>Trenching wastes shall be used for backfilling</li> </ul>	NITA-U EHSS team and NEMA

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
	<p>generate e-waste. Currently Uganda has no facilities and has only limited technical expertise to manage electronic waste.</p> <p>NITA-U should be aware of need for environmental standards/guidelines and legislation for e-waste management. Therefore, long-term arrangements for management of e-waste that the project may generate should be included in this project.</p>		<ul style="list-style-type: none"> <li>• Install equipment of high quality and proper standard as guided by Uganda National Brea of Standards (UNBS);</li> <li>• Sort and label waste at site of generation and have all waste transported to place of disposal by a licensed waste handler.</li> <li>• NITA-U should fast-track establishment of e-waste collection and treatment centres as part of the National Steering Committee on E-waste</li> <li>• Waste management shall form part of the induction process for all project implementation teams</li> </ul>	

<p>Impacts On Cultural Heritage/ Archaeological resources</p>	<p>Construction operations may encounter cultural and archaeological resources or chance finds. Construction can also reveal these buried resources, necessitating “salvage archaeology” for their recovery and protection. Once first stages of earthworks show signs of likely presence of archaeological resources, salvage entails quick excavation to remove artifacts or other traces of human settlement before extensive earthmoving continues. As a general construction principle, any archaeological “chance finds” should be handed to the Department of Museums and Monuments in the Ministry of Tourism, Trade &amp; Industry (MITI).</p>	<p>Negative and High</p>	<ul style="list-style-type: none"> <li>• The contractor shall not perform excavation, demolition, alteration or any works that may harm resources of cultural importance without authorization of the Engineering Assistant or officials from the Department responsible for museums and monuments.</li> <li>• In case of chance finds, the Contractor shall follow the chance finds procedure in Annex 9. This procedure shall form part of the construction contracts. The contractor shall mark, cordon and secure the subject site(s) to avoid damage in the course of road construction and immediately notify the Department responsible for museums and monuments.</li> <li>• Opening of a new borrow or quarry site shall be witnessed and inspected by official(s) from the Department responsible for museums and monuments for the first 2 days of site opening. The official(s) shall maintain watching briefs during works, with clear procedures for protection and documentation of any “chance finds” encountered.</li> <li>• The contractor is obliged to provide for and ensure archaeological intervention in case they come across new finds. This involves immediate discontinuation of works and notifying the Department</li> </ul>	<p>Project Manager, NITA-U EHSS team and the Department of Antiquities</p>
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Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<p>responsible for museums and monuments about any discoveries.</p> <ul style="list-style-type: none"> <li>• “Chance finds” encountered in presence of official(s) from the Department of Museums and Monuments shall be handed to them for transfer to the national museum.</li> <li>• “Chance finds” encountered in absence of these official shall be handed over to supervising Engineering Assistant, Environmental Officer or District Engineer who would immediately notify officials of the Department of Museums and Monuments.</li> <li>• The Contractor and supervising engineer shall maintain contact details of the Department of Museums and Monuments to quickly notify it in case chance finds are encountered.</li> </ul>	



<p>Occupational health and safety risks like body injuries, equipment damage and fatalities</p>	<p>The construction activities on site could pose several occupational health and safety risks including body injuries, Work related upper limb disorders, spread of sexually transmitted diseases and equipment damage.</p>	<p>Negative and High</p>	<ul style="list-style-type: none"> <li>• Trucks carrying construction materials such as sand, quarry dust, laterite etc. will be covered with tarpaulin or appropriate polythene material from or to project site</li> <li>• Only experienced drivers/operators should be employed to man project vehicles/trucks</li> <li>• All manual equipment such as pickaxe, Pick Mattock, Cutter Mattock, etc. should be sturdy and firmly fixed</li> <li>• Except for areas secured by fencing, all active construction areas should be marked with high-visibility tape to reduce the risk of accidents involving pedestrians and vehicles.</li> <li>• All open trenches and excavated areas should be backfilled as soon as possible after cable laying and construction has been completed.</li> <li>• Construction workers should be provided with and enforced to wear suitable Personal Protective Equipment (PPE) including hard hats, overalls, high-visibility vests, safety boots, earplugs, gloves etc.</li> <li>• Clear signage should be used near project sites</li> <li>• First Aid kits will be provided at each site</li> </ul>	<p>NITA-U EHSS team</p>
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Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<ul style="list-style-type: none"> <li>Awareness creation and training on health and safety will be integrated all through</li> <li>Documentation and record keeping for all accidents will be a must.</li> </ul>	
<i>Traffic related accidents and traffic interference</i>	During this phase, there will be an increase in vehicular traffic due to the transportation of the required construction equipment and materials to the proposed project sites. This increase in traffic to and from the sites may increase the potential for accidents since the sites are located along road reserves and interruption of traffic.	Negative and High	<ul style="list-style-type: none"> <li>Trenching across roads and project vehicles and trucks movement should be scheduled during general traffic off-peak hours to avoid traffic sluggish due to project activities</li> <li>Employ safe traffic control measures, including temporary road signs and flag persons to warn of dangerous conditions and children crossings</li> <li>Where road use is restricted signage and alternatives should be provided to the public</li> <li>Regular sensitization of the public on traffic safety in liaison with traffic department of the Uganda Police Force.</li> </ul>	NITA-U EHS Team and Project Manager
<i>Air Emissions</i>	It is expected that project vehicular traffic will emit exhaust emissions, chiefly oxides of sulphur (Sox), nitrogen (Nox) and those of carbon (CO <sub>2</sub> and carbon monoxide- CO). Others are particulates, unburned fuel (VOC) and ground-level ozone. Emissions quantities	Negative and High	<ul style="list-style-type: none"> <li>The Project should require that construction contractors operate only well-maintained vehicles and trucks; routine maintenance program for all vehicles and trucks should be in place;</li> <li>Whenever dust at the project/construction site becomes a</li> </ul>	NITA-U EHS Team and Project Manager

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
	<p>generated will depend on volume of traffic, travel distances, type and age of vehicles/ equipment, fuel type and quantities, and type of road. Impact on air quality will be short-term only manifesting during the construction phase. Utilization of air conditioning units could also increase on circulation of Ozone Depleting Substances.</p>		<p>problem, water spraying to suppress dust should be undertaken</p> <ul style="list-style-type: none"> <li>• Truck drivers should be sensitized on and ensure they observe speed limits on roads especially at business centers The project area will be cordoned off to minimize on dust and emission migration to nearby facilities by wind;</li> <li>• Engines of vehicles/trucks and earth-moving equipment should be switched off when not in use</li> <li>• The project area will be cordoned off to minimize on dust and emission migration to nearby facilities by wind</li> <li>• Effort should be directed to purchasing only units cleared by the Ozone desk at NEMA and not purchase items phased out in Uganda</li> </ul>	
<p><i>Theft of construction materials</i></p>	<p>With construction activities on going at the sites, a lot of construction materials will be required for these activities which if not properly handled could attract wrong elements who steal some of these items. If this is not adequately addressed, it could sabotage the smooth running of these activities.</p>	<p>Negative and Medium</p>	<ul style="list-style-type: none"> <li>• The casual laborers hired at the site shall be screened with the help of the local leaders so as to screen the wrong elements</li> <li>• The developer in collaboration with the local leadership shall hire people from the project area so as to benefit from a neighborhood watch scheme.</li> </ul>	<p>Project Manager, Uganda Police Force and the District Internal Security Organisation</p>

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<ul style="list-style-type: none"> <li>Contractor to provide identification tags/cards to the work force for easy and proper identification.</li> </ul>	
<i>Community Livelihood Disruptions</i>	<p>The proposed development may cause some temporal community business disruptions through the need for temporary removal of their business premises such as Kiosks, sign posts, pavements, temporal garage structures possibly due to excavation works to pave way for transmission lines underground as designed within the urban areas. Similarly, the project may cause temporary disruptions in rural areas on open markets where businesses are also done within road reserves.</p>	Negative and High	<ul style="list-style-type: none"> <li>Implementation design of the project for sections of open markets will strictly be done on non-open market days after prior consultations with local authorities to avoid any envisaged impacts.</li> <li>Construction activities within urban areas in such specific sections of potential economic disruptions will be undertaken over the weekend. This will be done in consultation with the respective urban authorities and the business owners.</li> <li>Arrangements will be made to ensure participation of business owners and representatives of the urban authorities during implementing hours to guarantee security and safety of their businesses</li> <li>For proper handling of grievances, a Community GRM has been developed under the SEF (see section 6.0)</li> </ul>	<p>NITA-U EHS Team, District Community Development Officer, Local Council Chairpersons and Project Manager</p>
<i>Market for construction materials</i>	<p>Some of the construction materials will be procured locally and this will provide revenue to the local economy. The proceeds from the sale of the raw materials to the</p>	Positive and Low	<ul style="list-style-type: none"> <li>The management of the building together with their appointed contractor shall work closely with the local leadership to ensure that local communities or businesses that are capable of supplying</li> </ul>	<p>NITA-U EHS Team, Project Manager</p>

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
	<p>construction activities at the proposed project will boost the local economy in form of increased earnings.</p>		<p>some of the construction materials benefit from the procurement process.</p> <ul style="list-style-type: none"> <li>• NITA-U EHS team inspection of the materials supplied</li> </ul>	
<p><i>Impacts on vulnerable or marginalized individuals or groups.</i></p>	<p>During project implementation, there is a possibility of interfacing with some vulnerable or marginalized individuals or groups which could temporarily impact on their livelihoods (if trenches are dug across their access points). While the contractor is carrying out the construction activities, she/he has to take into consideration of all the vulnerable or marginalized individuals or groups such as the elderly, children, the disabled, VMGs under ESS7 to avoid causing accidents/harm or inconveniences to them.</p>	<p>Negative and Medium</p>	<ul style="list-style-type: none"> <li>• All open trenches will be marked with high-visibility tape to reduce the risk of accidents involving children, women, disabled and elderly persons.</li> <li>• There shall be alternative routes provided for vulnerable or marginalized individuals or groups during project implications and these shall be communicated to the community prior and during project implementation.</li> <li>• All open trenches and excavated areas should be backfilled as soon as possible after cable laying and construction has been completed.</li> <li>• Access to open trenches and excavated areas will be restricted to prevent falls and entrapments.</li> <li>• Ongoing meaningful dialogue in line with the National COVID-19 SOPs in the World Bank Technical note on Public Consultations and Stakeholder Engagement shall be held with all vulnerable or marginalized individuals or groups throughout the project life cycle</li> </ul>	<p>NITA-U EHS Team, District Community Development Officer, Local Council Chairpersons and Project Manager</p>

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<ul style="list-style-type: none"> <li>To address the concerns of VMGs under ESS7 the project will ensure culturally appropriate stakeholder engagement and/or proper handling of grievances with the community GRM. The World Bank will also support the strengthening of the GRM to ensure it includes an effective, safe, ethical and confidential mechanism to receive, manage, refer and monitor grievances related to exclusion and discrimination (see Annex 19).</li> </ul>	
<p><i>Community health and safety risks/impacts should also be assessed</i></p>	<p>During project implementation, interaction with communities is inevitable but not uncontrollable.</p> <p>It is important to note that 60% of the workforce will be recruited from host communities /project districts during project implementation.</p> <p>With many workers from the community, there is a risk of transmission of communicable diseases especially, COVID-19 within the workers but also across to the community</p>	<p>Negative and Medium</p>	<ul style="list-style-type: none"> <li>Awareness sessions and meetings with community leadership including the elderly, women and the disabled shall be carried out along the route with. Project EHSS teams shall also inducted on best practices while dealing with communities and aspects of community health captured in a particular location.</li> <li>The safety guidelines provided shall be applicable to all personnel in the project areas including independent monitors. These shall include aspects of minimum PPE in active areas, attendance of toolbox talks, conduct with fellow project teams and the community among others.</li> <li>Excavations in busy community areas shall have to be immediately backfilled after installation of ducts. Unfilled sections shall have to be barricaded off</li> </ul>	<p>NITA-U EHS Team, District Community Development Officer, Local Council Chairpersons and Project Manager</p>

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<p>and watch personnel provided during. Alternative routes shall be created for communities to still utilize their areas.</p> <ul style="list-style-type: none"> <li>• To mitigate the risk of COVID-19 , the World Bank Technical note on Public consultation and Stakeholder engagement when there are constraints on conducting public meetings and the MOH COVID-19 SOPs shall be observed in the project construction period by inspecting all staffing quarters for workers for COVID-19 safety and EHS compliance before and during occupation, ensuring that all workers and the community are sensitized on these SOPs including avoiding touching the soft parts (mouth, eye and nose), frequent handwashing with soap (or sanitizing), screening of workers with temperature guns before boarding the truck in the morning and after work daily basis, masking, social distancing, among others measures.</li> <li>• Further, an emergency response system shall be established with COVID-19 treatment facilities for safe evacuation and treatment of those suspected or testing positive for COVID-19.</li> </ul>	
<b>Operational Phase</b>				

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
<i>Community health and safety risks/impacts</i>	Teams carrying out operations and maintenance works often work in small groups and shall still interact with communities. These small	Negative and Medium	<ul style="list-style-type: none"> <li>• Carry out routine stakeholder engagements amongst local council leaders and responsible district teams</li> <li>• Synergize and utilize district teams for monitoring of activities especially the community development officers and labour officers</li> <li>• Works in busy areas shall only be carried out at low peak hours and after prior communication to other businesses in the area</li> </ul>	NITA-U EHS Team, District Community Development Officer, Local Council Chairpersons and Project Manager
<i>Impacts on Vulnerable and Marginalized Groups</i>	Repairs and maintenance of fallen poles and broken cable could necessitate trenching and excavations. These fallen materials also present trip hazards to some vulnerable and marginalized groups.	Negative and Medium	<ul style="list-style-type: none"> <li>• Clear signage shall be provided and prompt restoration of broken units carried out</li> <li>• Coordination with local leaders shall ensure timely response to sections that need repair</li> <li>• The project shall have dedicated maintenance teams located close to various regions for quick maintenance and response at all time.</li> </ul>	NITA-U EHS Team, District Community Development Officer, Local Council Chairpersons and Project Manager
<i>Traffic related accidents and traffic interference</i>	Factors of poor road networks in some area and actions of third parties could easily expose teams to traffic related road accidents	Negative and High	<ul style="list-style-type: none"> <li>• All project vehicles shall have functional tracking systems with clear speed limits</li> <li>• Speed limits shall form part of the project induction process and routine reminders sent out to all project teams</li> </ul>	NITA-U EHS Team, District Community Development Officer, Local Council



Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<ul style="list-style-type: none"> <li>• Ensure that competent drivers utilized also attend refresher trainings on defensive driving among others.</li> <li>• Provide appropriate signage and warnings where works are close to busy traffic sections and liaise with relevant traffic police teams</li> </ul>	Chairpersons and Project Manager
<p><b><i>Occupational health and safety risks like body injuries, equipment damage and fatalities</i></b></p>	<p>During this phase, teams shall work at heights, haul cable for repaired sections, and splice cable among others. All these have a potential to pose several occupational health and safety risks including body injuries, Work related upper limb disorders</p> <p>Workers in the field could also easily be exposed to or spread sexually transmitted diseases and equipment damage.</p>	Negative and High	<ul style="list-style-type: none"> <li>• Training teams on Work at Heights, proper manual handling techniques, HIV/AIDS and STIs shall be carried out in addition to providing appropriate PPE,</li> <li>• First Aid kits will be provided to each site team</li> </ul>	<p>NITA-U EHS Team, District Community Development Officer, Local Council Chairpersons and Project Manager</p>
<p><i>The above impacts are mainly related to construction phase impacts with little mention of operational phase impacts for example impacts related to operation and maintenance (O&amp;M) of project infrastructure and equipment etc.</i></p>				
<p><b><i>Positive impacts</i></b></p>				
<p><i>Reduction in human movement</i></p>	<p>Use of ICT will reduce the need for movement of people from one location to another which helps increase efficiency as potential time spent on movement is reduced.</p>	Positive and Low	<ul style="list-style-type: none"> <li>• Meetings (because video/teleconference is possible)</li> <li>• Bid collection and submission (because electronic submissions are possible)</li> </ul>	Project Manager

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
			<ul style="list-style-type: none"> <li>• Collection of examination results from schools (because they can automatically be sent as a short message to a student's cellular phone)</li> <li>• Document pick up (because can be emailed)</li> <li>• Reduced movement minimizes traffic-borne air and noise emissions.</li> </ul>	
<i>Dematerialization and Reduction of resource needs in records storage</i>	This refers to replacement of physical production and distribution of music, video, books, and software, etc. by the delivery of digital information over the network. Dematerialization reduces resource consumption and waste generation.	Positive and Low	<ul style="list-style-type: none"> <li>• Carryout continuous trainings for teams on utilization of tools that enable dematerialization.</li> <li>• Storage of records in electronic form will reduce paper needs and building space in all beneficially entities, mainly school, hospitals and government agencies.</li> </ul>	Project Manager
<i>Enhanced education systems including environmental training and the new job structures that come with it</i>	New ways of learning, e.g. interactive multi-media and virtual reality which could mean schools would be able to undertake practical lessons in virtual laboratories, or even share virtual laboratories with training institutions overseas. ICT also provides new job and working opportunities, e.g. flexible and mobile working, virtual offices and jobs in the communications industry.	Positive and Low	<ul style="list-style-type: none"> <li>• Enhancement of environmental awareness and environmental education in schools shall occur with the successful implementation of the project.</li> </ul>	District Community Development Officer, Local Council Chairpersons and Project Manager

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
	<ul style="list-style-type: none"> <li>• Improved access to healthcare services: With ICT, a doctor in Uganda would easily consult a specialist colleague overseas when executing a complex medical procedure/ operation.</li> <li>• New tools, new opportunities: The second big effect of ICT is that it gives access to new tools that did not previously exist. A lot of these are tied into the access to information mentioned above, but there are many examples of stand-alone ICT systems as well:</li> <li>• ICT can and will be used for processes that had previously been out of reach of most individuals, e.g. photography, where digital cameras, photo-editing software and high quality printers have enabled people to produce results that previously required a photographic studio.</li> <li>• ICT can be used to help people overcome disabilities. E.g. screen magnification or screen reading software enables partially sighted or blind people to work with ordinary text rather than Braille.</li> </ul>			

Impacts	Cause	Overall assessment without mitigation.	Proposed Mitigation and Optimization Measures	Responsibility
<i>Market for raw materials</i>	Some of the construction materials will be procured locally and this will provide revenue to the local economy. Some of the materials that will be procured locally will include sand, bricks, and aggregate stones. The proceeds from the sale of the raw materials to the construction activities at the proposed project will boost the local economy in form of increased earnings	Positive and Low	<ul style="list-style-type: none"> <li>Mapping of potential suppliers of materials and where applicable briefing them on the necessary paperwork like receipts can be a vital addition in these efforts since it eases record keeping</li> </ul>	Project Manager and Local Council chairperson
<i>Access to information</i>	Possibly the greatest effect of ICT on individuals is the huge increase in access to information and services that has accompanied the growth of the Internet. Some of the positive aspects of this increased access are better, and often cheaper, communications, such as VoIP phone and Instant Messaging. In addition, use of ICT to access information has brought new opportunities for leisure and entertainment, make contacts and form relationships with people around the world, and the ability to undertake online transactions and obtain goods and services (e.g. online courses) from a wider range of suppliers outside Uganda without use of middlemen.	Positive and Low		Project Manager



## **Non-Discrimination of Vulnerable or Marginalized Individuals or Groups**

There is a potential risk of vulnerable or marginalized individuals or groups being excluded from project benefits. *This refers* to all vulnerable individuals or groups who by virtue, for example, of their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, economic hardships, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so.

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

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

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

## **Risks**

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

Identified risks include:

- Limited capacity of project's staff in assessing and addressing exclusion risks;
- Project staff's lack of capacity to ensure vulnerable or marginalized individuals or groups' participation in public consultations; and
- Vulnerable or marginalized individuals or groups' unwillingness to use the project's GRM for fear of retaliation, as addressing some of these complaints might cause harm to the parties involved.

## **Mitigation measures**

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

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

Specifically, the firm will:

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

A more detailed explanation of the enhanced implementation supports this organization will provide is found at Annex 19.

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

- Develop training, sensitization and Information and Communications material on the obligations of project participants to ensure non-discrimination of individual or groups who are vulnerable or marginalized, and to ensure they have access to appropriate expertise to help them do that.
- Undertake targeted consultations with external stakeholders, including as appropriate NGO/CSOs, local governments and other stakeholders to ensure there is broad understanding of the obligations of project participants to ensure non-discrimination under the project.
- Review all Project contracts, Codes of 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 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 supported by the EISM to ensure all measures are implemented.



## 5.0 ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT

With consideration to the risks associated with the project, an ESIA shall be done for subprojects under UDAP based on project screening.

The assessment involves a series of steps that are informed by the national ESIA process and the applicable WB ESSs especially ESS1 (Assessment and Management of Environmental and Social Risks and Impacts). The environmental and social assessment is the primary means of ensuring projects are environmentally and socially sound and sustainable and will be used to inform decision making. The environmental and social assessment is a flexible process, which can use different tools and methods depending on the details of the project and the circumstances of the Borrower.

In the Ugandan legislation context, these include the development of project brief, screening of the project, conducting a scoping study and developing the terms of reference for the environmental and social impact assessment, conducting an environmental and social impact study, decision-making, and monitoring and auditing.

**Screening:** Screening shall be carried out by the NITA-U teams and selected DEOs utilizing the screening form presented in annex 13. Basing on the findings of the screening an ESMP, PB or ESIA may be undertaken in line with the schedules presented in the NEA 2019. The objective is to determine the extent to which an environmental impact study is required and its risk categorization. According to the Environmental Impact Assessment Regulations, 1998 if the Executive Director-NEMA finds that the project will have significant impacts on the environment and that the project brief discloses no sufficient mitigation measures to cope with the anticipated impacts, he shall require that the developer to undertake an environmental impact study. If s/he is satisfied that the project will have no significant impacts on the environment, or that the project brief discloses sufficient mitigation measures to cope with the anticipated impacts, s/he may approve the project.

The World Bank classifies all projects (including projects involving Financial Intermediaries (Fis)) into one of four classifications:

- High Risk,
- Substantial Risk,
- Moderate Risk or
- Low Risk.

In determining the appropriate risk classification, the Bank takes into account relevant issues, such as the type, location, sensitivity, and scale of the project; the nature and magnitude of the potential environmental and social risks and impacts; and the capacity and commitment of the Borrower (including any other entity responsible for the implementation of the project) to manage the

environmental and social risks and impacts in a manner consistent with the ESSs. Other areas of risk that may also be relevant to the delivery of environmental and social mitigation measures and outcomes, depending on the specific project and the context in which it is being developed include legal and institutional considerations; the nature of the mitigation and technology being proposed; governance structures and legislation; and considerations relating to stability, conflict or security. The overall rating for UDAP is Substantial.

**Development and Submission of Project Brief:** Any project developer is required to prepare a project brief, giving relevant background information and description of the project and submit it for consideration to NEMA. This is the first step in the ESIA process.

**Screening:** Using the project brief, NEMA and the PCU subject the project to a screening process with the help of a screening form (see Annex 13). The objective is to determine the extent to which it requires an environmental impact study is required and its risk categorization. According to the Environmental Impact Assessment Regulations, 1998 if the Executive Director-NEMA finds that the project will have significant impacts on the environment and that the project brief discloses no sufficient mitigation measures to cope with the anticipated impacts, he shall require that the developer to undertake an environmental impact study. If s/he is satisfied that the project will have no significant impacts on the environment, or that the project brief discloses sufficient mitigation measures to cope with the anticipated impacts, s/he may approve the project. If the screening process determines that the project is exempt from EIA (Category I), or that the project should be approved on the basis of already identified mitigation measures (Category II), the developer is awarded a Certificate of Approval by NEMA. However, if the project qualifies for a partial EIA (Category III) or full EIA (Category IV), NEMA shall notify the developer within 21 days of the submission of the project brief and the certificate is issued only after approval of the environmental impact study. UDAP, like RCIP is expected to fall in substantial classification. The potential adverse environmental impacts are site-specific, few (if any) of them are irreversible, moreover, mitigation measures can be designed readily.

**Scoping and Terms of Reference:** The scoping process identifies the critical biophysical, socio-economic and cultural issues, which will need to be addressed by the EIA. It requires consultation with the relevant authorities and stakeholders (such as affected communities) so that their inputs or comments can be taken into consideration. The scoping exercise delineates the boundaries of the study area, identifies preliminary alternatives, suggests a schedule for the completion of the environmental impact study and for public involvement during the study, and identifies the full range of stakeholders who may be interested in or affected by the project. Thus, scoping assists in the planning of the environmental impact study and forms the basis for the terms of reference

(Tore). The scoping and Tore are prepared by NITA-U must be approved by NEMA. Where a project brief is deemed necessary, TORs and scoping reports shall not be necessary.

**The Environmental and Social Impact Study:** The environmental impact study can either be an assessment with reduced scope, called an Environmental Impact Review (EIR), for Category III projects or a full Environmental Impact Assessment (EIA) for Category IV projects. During the environmental impact study, relevant data are collected and analyzed, the major impacts investigated in depth, mitigation measures developed for adverse and beneficial impacts and compensatory measures recommended for immitigable impacts.

During this assessment, all project alternatives are thoroughly examined. Impacts are quantified in terms of magnitude (major, moderate, negligible), extent (regional, local, site specific) and duration (long-term, medium-term and short-term). Further, consultation must be undertaken with the relevant authorities, stakeholders, and affected and interested parties.

**Decision-Making:** The EIR report or EIS is submitted to NEMA for review and comments. NEMA invites stakeholders and the public to comment on the document. If the EIR report or EIS is approved, then a Certificate of Approval of the EIA is issued, following which a decision can be made to proceed with the project. If, however, the EIR report or EIS is not approved, then the project may be rejected or the developer may be asked to revise the proposed actions or develop other mitigation measures in order to eliminate adverse impacts. NEMA shall make a decision within less than 180 days.

**Monitoring and Auditing:** During and after implementation of the project, the Environmental Impact Assessment Regulations 1998 requires that the developer carries out environmental monitoring in order to ensure that recommended mitigation measures are incorporated into the project design and that these measures are effective so that unforeseen impacts may be mitigated. The regulations further prescribe that after the first year of operation, the developer must undertake an Initial environmental audit. The purpose of the audit is to compare the actual and predicted impacts, and assess the effectiveness of the EIA, as well as its appropriateness, applicability and success. Thereafter, NEMA may require additional audits to be made as circumstances warrant.

## 6.0 GENERIC ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN (ESMP)

This Generic Environmental and Social Management Plan (ESMP) for UDAP is intended to give guidance for the development of site specific ESMP during implementation to ensure efficient environmental and social management of project activities. An ESMP translates recommended mitigation and monitoring measures into specific actions that will be carried out by the proponent. The ESMP will need to be adjusted to the terms and conditions specified in any project approval. It will then form the basis for impact management during project construction and operation. The main components of an ESMP are described in the Table 8-2 below, which reflects the practice at the World Bank and the project generic ESMP is provided in Annex 1. Ideally the ESMP should contain the following:

- Summary of the potential impacts of the proposal
- Description of the recommended mitigation measures
- Statement of their compliance with relevant standards
- Allocation of resources and responsibilities for plan implementation
- Schedule of the actions to be taken
- Program for surveillance, monitoring and auditing; and
- Contingency plan when impacts are greater than expected.

In addition, the Environment and Social Management Plans developed in accordance with this ESMF will contain specific provisions on the management non-discrimination of vulnerable or marginalized individuals or groups. These provisions are consistent with recent GoU measures to ensure non-discrimination in accordance with Article 21, including circulars issued by the GOU included in Annex 18.

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

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

In order to assess the efficiency of UDAP activities, there will be need to provide monitoring indicators against which to bench mark the activities. These indicators should ideally include gender based violence statistics, statistics on GRM, aspects of excavation and restoration, incident statistics [loss time incidents, near misses, asset damage, assault and security related incidents], aspects of welfare, health and hygiene, stakeholder engagement sessions/trainings among others.

Monitoring will act as a check and balance between environment and social development aspects of the project i.e. to determine whether the mitigation measures have been successful, improvement opportunities, timeframe for closure and relevant action points. The responsibility for monitoring and evaluation of the mitigation measures is assigned at two different levels i.e. the field and management level. A sample generic ESMP is provided in Annex 1

## **6.1 GRIEVANCE REDRESS MECHANISM (GRM)**

A grievance is a concern or complaint raised by an individual or group affected by the project. Concerns and complaints can result from either real or perceived impacts and maybe logged and handled in a similar manner. The objective of the GRM is to provide stakeholders processes for submission and raising grievances and grievance resolution. The community GRM will be accessible and inclusive and culturally appropriate as required under ESS 5, ESS 7 and ESS 10. This mechanism will ensure all grievances are handled in a fair and transparent manner, in line with NITA-U internal policies and the Ugandan legal framework.

NITA's Social Scientist shall work with community leaders in the project sites and communities to establish and operationalize community Grievance Redress Committees where community grievances are received and addressed. The presence of a GRM shall not reduce the right to seek legal redress. Nevertheless, all attempts shall be made to settle all grievances amicably before resort to courts of law. The community grievances the project may expect include crop destruction, land acquisition, contract disputes, tree pruning, theft, open excavations and dust. Resettlement grievances such as crop destruction and tree pruning shall be referred to the Ministry of Lands and Chief Government Valuer in cases they cannot be settled at the field level.

A GRM for workers has been defined under the LMP as a requirement under ESS 2. It will have among its members an elected workers' representative. For vulnerable or marginalized individuals or groups, the World Bank will support the strengthening of the GRM to ensure it includes an effective, safe, ethical, and confidential mechanism to receive, manage, refer, and monitor grievances related to exclusion and discrimination. Further details of this support can be found at Annex 19.

### **6.1.1 The Workers Grievance Redress Mechanism**

NITA-U will as a requirement under ESS2, constitute a GRM for direct and contracted workers to raise workplace concerns. The nature of the GRM will be proportionate to the nature and scale of the project and measures will be put in place to make the grievance mechanism accessible to the workers. All workers related grievances of contractual nature including among others, non-fulfillment of contracts, levels of compensation, exclusion from subproject benefits, or seizure of

assets without compensation shall be addressed to the workers' grievance committee will be addressed to the civil complaints GRM and resolved. The procedure shall include:

Step One: All civil grievances, (except those that are sensitive in nature that can be lodged through a hotline or service provider recruited for that purpose), shall be submitted in writing to the Secretary, site specific GRC that sits weekly to handle grievances and provides feedback in 7 days. The workers' grievance committee shall consist of the site Engineer, Workers Representative, NITA-U Grievance Officer (representative), Contractor EHS/Sociologist and the LC 1 Chairman (Traditional/Religious/Opinion leader). If the complainant is satisfied with the outcome of the mediation, the entity will fill in the grievance resolution form and the complaint will be closed. If the entity does not agree with the outcome of this committee meeting, the matter shall be referred to the project implementation team GRC.

Step Two: Project Implementation Team (PIT) GRC that sits every week and will provide feedback in 14 days. This committee shall consist of the Project Manager, Contractor Project Manager, NITA-U Grievance Officer (representative), Contractor Engineer, Workers Representative, NITA-U Social Scientist and EHS and Contractor EHS/Sociologist. If the complainant is satisfied with the outcome of the mediation, the entity will fill in the grievance resolution form and the complaint will be closed. If the entity does not agree with the outcome of this committee meeting, the matter shall be referred to court for adjudication.

Step Three: NITA GRC. This will include a Grievance Officer, Legal officer and the Executive Committee members of NITA-U with capacity to handle any civil issue including those that are intricate and complex. This GRC will meet once a month and respond to any issue within 21 days. If the complainant is satisfied with the outcome of the mediation, the entity will fill in the grievance resolution form and the complaint will be closed. If the entity does not agree with the outcome of this committee meeting, the matter shall be referred to court for adjudication.

Mitigation measures against GBV and SEA shall be addressed through the existing legal procedures and process in place including Police, Courts and Prosecution, Labor Officers and Probation Officers, if the victim chooses. The procedure shall include:

Step One: Documentation of the incident and provision of psychosocial support to the victim by the Sociologist/GBV incident or service providers

Step Two: Handling of the incident by Police and other criminal justice system authorities for redress.

### **6.1.2 VMGF Grievance Redress Mechanism**

The Local VMG Leaders (trained by NITA's Social Scientist) shall maintain records of grievances and complaints, including minutes of discussions, recommendations and resolutions made. The procedure for handling grievances should be as follows:

- a) The affected person should file his/her grievance in writing<sup>15</sup>, to the Local VMG Leader. The grievance note should be signed and dated by the aggrieved. Where the complainant is unable

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<sup>15</sup> Verbal complaints are admissible and shall be put down in writing for referencing purposes with the assistance any responsible person with writing skills

to write, s/he should obtain assistance to write the note and emboss the letter with his/her thumbprint<sup>16</sup>

- b) The Local Leader should respond within 14 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates to valuation of assets, a valuer may need to revalue the assets. In this case, the aggrieved person must be notified by the Local Leader that his/her complaint is being considered.
- c) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time (s)he can lodge his grievance to the Local Administration (District).
- d) The Local Administration will then attempt to resolve the problem (through dialogue and negotiation) within 14 days of the complaint being lodged. If no agreement is reached at this stage, then the complaint is taken to NITA's Grievance Committee comprising the following entities:
  - i. A Grievance Officer (NITA Staff)
  - ii. A Local VMG Leader
  - iii. District Representative (e.g. CDO or Member of District Land Board)
  - iv. A community representative in Program area (e.g. Religious leader)Note that persons in ii)-iv) will be location specific.

### **6.1.3 Community Grievance Redress Mechanism**

In this mechanism, entities in the community seeking redress and wishing to record grievances will do so by notifying their Local Leader (LC 1 Chairperson) in writing using the project grievance registration form completed in a language best understood. For grievances associated with the discrimination or exclusion of vulnerable or marginalized individuals or groups, the grievance will be passed to an appropriate referral pathway to ensure it is resolved in a safe, ethical and confidential manner. All GBV related grievances will be documented and logged in for record purposes. The victim will also receive psychosocial support and as legally mandated, the grievance will be referred to police for further management, if the victim chooses. Where required, provisions for confidentiality will be built into the GRM processes, and where necessary, a Toll-free number will be made available.

All community grievances will be received by a recognized community leader (Local Council 1 Chairman i.e. LC 1) who will enter them in the grievance log, convene and chair a Local Grievance Committee at LC 1 level. This committee shall include the Chairman LC I, the site Engineer, the site Sociologist and a religious or opinion leader.

The procedure for handling civil grievances should be as follows:

- (a) The affected person should file his/her grievance in writing<sup>17</sup>, to the LC 1 Chairman. The grievance note should be signed and dated by the aggrieved. Where the complainant is

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<sup>16</sup> A sample grievance form is provided in Annex 5

<sup>17</sup> Verbal complaints are admissible and shall be put down in writing for referencing purposes with the assistance any responsible person with writing skills

unable to write, s/he should obtain assistance to write the note and emboss the letter with his/her thumbprint <sup>18</sup>

- (b) The LC 1 should respond within 14 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates to valuation of assets, a valuer may need to revalue the assets. In this case, the aggrieved person must be notified by the LC 1 that his/her complaint is being considered.
- (c) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time (s)he can lodge his grievance to the Local Administration (District).
- (d) The Local Administration will then attempt to resolve the problem (through dialogue and negotiation) within 14 days of the complaint being lodged. If no agreement is reached at this stage, then the complaint is taken to NITA's Grievance Committee comprising the following entities:
  - i. A Grievance Officer (NITA Staff)
  - ii. A Local VMG Leader
  - iii. District Representative (e.g. CDO or Member of District Land Board)
  - iv. A community representative in Program area (e.g. Religious leader)

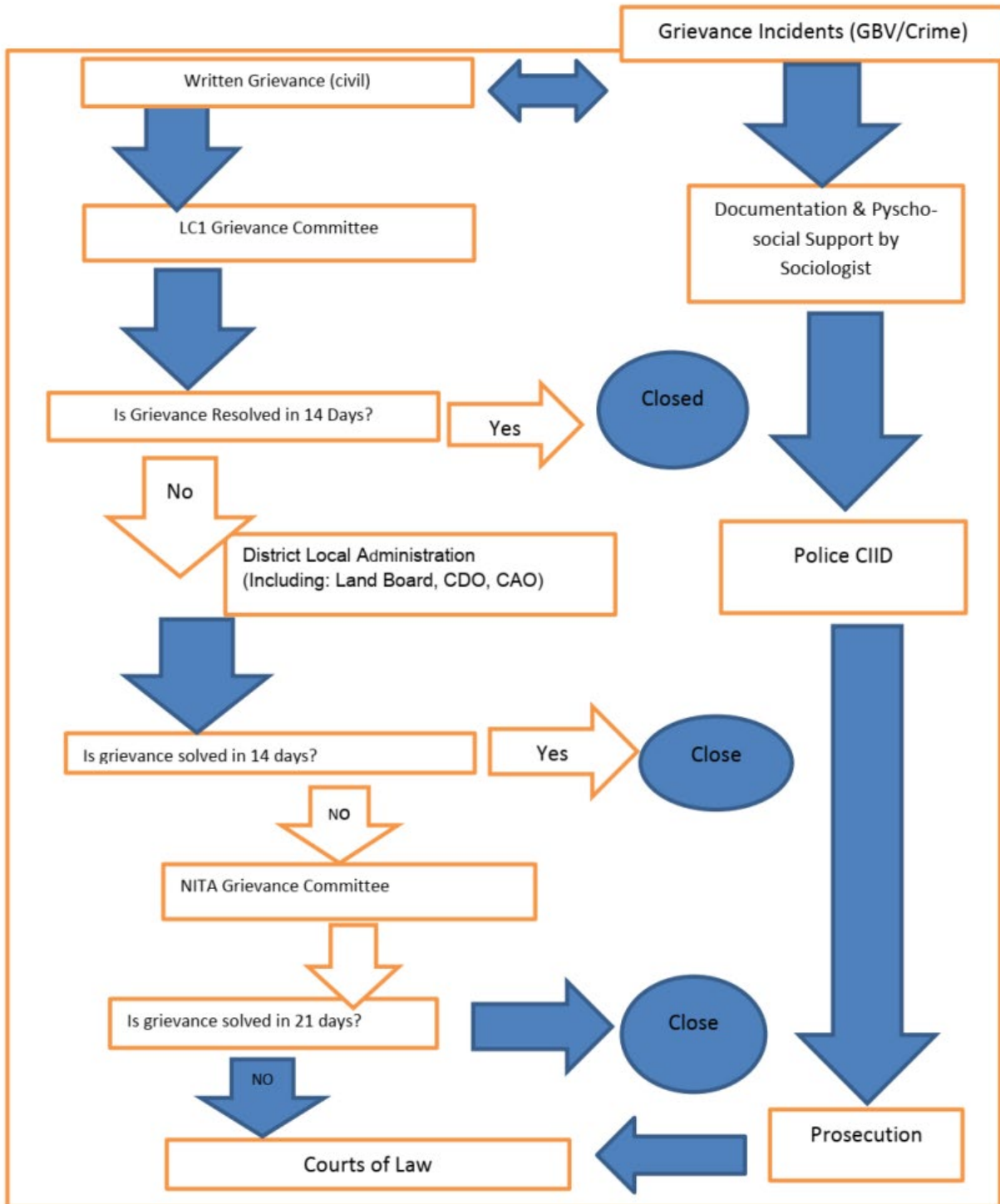
Note that persons in ii)-iv) will be location specific.

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<sup>18</sup> A sample grievance form is provided in Annex 5



## Visual Illustration of Grievance Mechanism



#### **6.1.4 NITA-U's Roles and Responsibilities**

All NITA-U staff and contractors are responsible for reporting any comment response, and grievance to the Social, Environmental Specialists and Program Management Team [PIT] who will serve as focal point persons on stakeholder engagements. These Specialists are responsible for receiving, documenting, coordinating investigations and responding to all grievances within agreed timeframes. This is in addition to holding the responsibility for on-going monitoring and review of effectiveness and efficacy of the Grievance Mechanism. NITA-U's communications or public relations teams shall be furnished with lists of these grievances and closeout solutions for their information and further action. For avoidance of doubt, the program team shall work together with all other structures within NITA-U to ensure smooth program execution.

#### **6.1.5 Procedure for Comment Response**

The steps taken by NITA-U for receiving and handling any comments pertaining to the Program are subsequently outlined.

##### **STEP 1: Submitting a comment to NITA-U**

A comment can be submitted using any of the following paths:

- a) During regular meetings held between communities and the program team
- b) Through the Local Consultative Forums established in the affected villages
- c) During informal meetings
- d) Through communication directly with management – for example a letter addressed to site management, or other operational offices
- e) Directly by e-mail, telephone or fax to:

The National Information Technology of Uganda

Palm Courts; Plot 7A Rotary Avenue (Former Lugogo Bypass).

P.O. Box 33151, Kampala- Uganda

Tel: +256-417-801041/2, Fax: +256-417-801050

Email: [info@nita.go.ug](mailto:info@nita.go.ug) or [servicedesk@gou.go.ug](mailto:servicedesk@gou.go.ug)

Web: [www.nita.go.ug](http://www.nita.go.ug)

##### **And or**

The World Bank, Grievance Redress Service,  
MSN MC 10-1018, 1818 H St NW, Washington,  
DC 20433, USA and/or

Through the World Bank Uganda Country Office in Kampala – Rwenzori House,  
1 Lumumba Avenue, P.O. Box 4463, Kampala (U);  
Tel: +256 414 3022 00, email: [grievances@worldbank.org](mailto:grievances@worldbank.org); fax: +12026147313

- f) By a toll-free number to lodge complaints without fear of retaliation
- g) Placing a comment in the community suggestion boxes in each PAC
- h) Filling in a grievance record form and submitting it to selected offices. Verbal complaints shall also be acceptable and on receipt put in writing
- i) Through the social and environmental specialists

For comments that have been submitted informally, the Social and Environmental specialists as community liaisons officers will arrange for a meeting where the comment can be explained in full and written down on a grievance and comment logging form (Annex 5). For all comments the Social and Environmental Specialists will be the main point of contact, responsible for responding to the source.

### **STEP 2: Logging the comment**

Once a comment has been received it must first be logged in the GRM Log (annex 6) and comments and concerns register (clearly described in the ESMP Tracker under the Source) and the Social and Environmental Specialists will be informed. As this register is a living file, a draft may be found in Annex 17.

### **STEP 3: Providing the initial response**

The person/community/stakeholder that lodged the initial comment will be contacted within 5 working days to acknowledge that NITA-U has received the comment and provide feedback and the steps being taken in line with the communication.

## **6.1.6 Procedure for Grievances Resolution**

### **STEP 1: Investigating the grievance**

The grievance will be investigated utilizing a set up incident/ grievance investigation team to provide for root causes, mitigation measures and responsible parties for incident or grievance closure. NITA-U will aim to complete investigation within two weeks of the grievance first being logged. NITA-U will involve the aggrieved in this investigation, where possible, to ensure

participation. NITA-U through the PIT, Social and Environmental Specialists, will continually update the aggrieved on the progress of the investigation and the timeline for conclusion.

### **STEP 2: Concluding/resolving the grievance**

The grievance should then be resolved. NITA-U will outline the steps taken to ensure that the grievance does not re-occur. Consultation with aggrieved parties and views sought about company recommendations shall also be carried out. If complainant is satisfied, the PIT, Social and Environmental Specialists will seek their signoff from the Component Lead and Program Coordinator.

### **STEP 3: Taking further steps if the grievance remains open**

However, if the grievance still stands the PIT, Social and Environmental Specialists will initiate further investigation and determine the steps for future action.

#### **6.1.7 Record Keeping**

All comment responses and, grievances are to be logged using the Comment Response, and Grievance logging forms and registers. Closure of the same shall be signed off in the Grievance closure or resolution form (Annex 18). These registers include details of the comments/grievance, the commenter/aggrieved, and ultimately the steps taken to resolve the grievance. Any accompanying documentation e.g. written statements, photographic evidence, or investigation reports are to be filed along with the grievance log both in hard and soft copies.

A master database will be maintained by the NITA-U Service Desk to record and track management of all comments and grievances, and audited by the PIT, Social and Environmental Specialists. This will serve to help monitor and improve performance of the Comment Response and, Grievance Mechanism.

#### **6.1.8 Comment Response and Grievance Mechanism Log**

A sample format for logging summary details of each comment and grievance response is provided in Annex 8. As noted above, hard and soft copies should be kept on file.

**Note:**

- a) If it is a comment, the commented will receive a copy if he/she requests one
- b) If it is a Grievance, the aggrieved shall always receive a copy once complete for their own records.

**6.1.9 Monitoring and Review**

It is vitally important to monitor the effectiveness of the comment response and, grievance mechanism. Appropriate measures/KPIs for this include monthly reporting on the number of grievances received, resolved and outstanding. This will be undertaken by the Service Desk Team/Social and Environment Specialists and reported to the Component Lead and Program Coordinator. As part of the annual review/report, analyzing the trends and time taken for grievance resolution will help to evaluate the efficacy of the comment response and, grievance mechanism. Records of receipt grievances and status of resolution will be shared with the World Bank through the monthly Environmental and Social safeguards progress reports.

As part of stakeholder engagement and consultation, involving the views of the stakeholders for whom the Comment Response and, Grievance Mechanism is designed to improve effectiveness and stakeholder buy-in.

## **7.0 STAKEHOLDER ENGAGEMENT**

### **7.1 Overview**

The main objective of the project stakeholder engagement is to pave way for the smooth operations and also understand stakeholders' views on projects of interest. Stakeholder engagement is a continuous process throughout the project cycle and shall be further guided by the Stakeholder Engagement Framework and the Environmental and Social Commitment Plan.

Specifically, stakeholder engagements sought to:

- a) Introduce the project to the key project stakeholders
- b) To educate stakeholders on the grievance management mechanism the project plans to utilize and have it operationalized. See copies of grievance forms in Annexes 2, 3 and 7.
- c) Demonstrate commitment of NITA-U to EHSS compliance aspects by highlighting the expected project compliance standards
- d) Provide a starting point for Environment, Health Safety, Social and Security (EHSS) risk management
- e) Sensitize the local government leadership on its roles in the risk management process
- f) Officially launch the project in the beneficiary districts
- g) To give stakeholders an opportunity to make input into the project risk management process by highlighting their expectations, fears, uncaptured project risks and what needs to be done to ensure community ownership of the project and successful implementation
- h) Provide the framework for development of constructive, long-term relationships, based on dialogue and communication that are aimed at attaining broad support for the project in affected communities.
- i) Provide the framework for on-going stakeholder identification, analysis, mapping and prioritization; consultation and engagement; risk and issue identification; information sharing; and documentation of engagement and required follow-up actions.
- j) Build on previous engagement efforts during the Environmental and Social Impact Assessment (ESIA) and the ESMP consultation phase using regular contact and information exchange
- k) Clarify the roles, responsibilities and resources necessary to implement a risk managed project

### **7.2 Key Stakeholders Engaged**

In each of the 58 districts covered, the following key stakeholders were consulted:

- Chief Administrative Officers (CAO)
- Chairman LCV
- Town Clerk
- Residence District Commissioner (RDC)
- Physical Planners
- District Community Development Officers (DCDO)
- Community Development officers (CDO)
- District Engineers
- District Environment/Natural/Forest officers (DENFO)
- Labor Officers
- Information Technology officers
- Regional Police Commander (RPC)
- District Police Commander (DPC)
- DISO/GISO

### 7.3 Stakeholder Engagement Approach and Methodology

As highlighted in Annex 10, all stakeholder consultations conducted followed the key COVID 19 SOPs in the World Bank technical note, MOH COVID 19 SOPs and NITA-U COVID-19 prevention framework particularly, sanitizing of hands, screening of temperatures, wearing of masks and social distancing among others. The methods used include:

#### 7.3.1 Meetings

Appointments were made with the key District officials through the Chief Administrative Officer of each beneficiary district. For mobilization purposes, communication by email, posted letters and follow up telephone calls were made to the Chief Administrative Officer in each of the fourteen districts requesting for the mobilization of stakeholders listed in the letter. Upon confirmation of schedules, a formal engagement meeting was held with all the key stakeholders, rendering group meetings the main approach the engagement process utilized.

Each meeting lasted for at least two hours. The standardized agenda started with prayers, introductions, and a power point presentation from NITA-U, an open discussion floor, response from the NITA-U team to issues raised, remarks from the team leadership, a project launch and declaration of the meeting adjourned.

#### 7.3.2 Stakeholder Engagement Presentations

Presentations made were designed to be participatory and interactive. The Social Risk Specialist, Environmental Specialist, NITA-U in house experts and the representative of the contractor therefore presented the different components. Presentation specifically, disclosed and elaborated on the major project EHSS risks and the mitigation measures NITA-U and her subsidiaries are committed to in order to realize its target of zero incidents, zero accidents and zero near misses.

#### 7.3.3 Comments register

A register containing all comments and observations made during stakeholder engagements was developed. Table 18 below, provides a summary of the issues and concerns raised in these processes in each of the fourteen districts. For details, a list of participants by position in each district with their contacts. During the World Bank UDAP mission conducted in December, 2019 consultative meetings were conducted with MoICT, NEMA and MoGLDS to mention but a few. Additional stakeholder consultations were conducted in preparation of the project with MoGLSD officials (including CDOs/labour officers) MWE officials (District environmental officers), project affected district ICT officers, UNRA officials in regional offices among others from April to October 2020 (see Annex 10)

**Table 18: Stakeholder Engagement Comments Register**

District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
Kasese District	As you recruit labor, make sure you prioritize our people. If you carry workers from Kampala, our people will complain and they will be right because we are the ones that feel the impact-ESS2	We have a local content policy of 60%. For every 10 people recruited therefore, 6 will be from your district save for the highly skilled jobs that are nationally advertised.

District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
	Kasese is hot. Ensure that people have enough water to drink. You can have safe water filled in 20-liter jerrycans and distributed- ESS2	The jerrycan idea is very good. We will fill jerrycans with safe water and give each worker 1-3 liters depending on their personal water requirements since some people drink much while others do not
	You are coming with many workers but do you have HIV policy? Our recommendation would be for you to identify a service provider to provide HIV testing services as part of the HIV awareness session – ESS 4	Yes, our policy emphasizes the national HIV/AIDS ABC policy. We encourage people to know their zero statuses. If positive, enroll for ART and live responsibly. If negative abstain, be faithful or use a condom correctly and consistently. If you do not take any of these measures, death (D) is triggered. The contractor also has an HIV policy that will be displayed in accommodation sites, vehicles and workers will be taken through induction. Condom dispensers will also be availed to workers in their residential areas
	Is this internet free or we will have to pay for it?	There are components of this service that are free including IFMS that accounting officers need. The other components are paid for at a rate of \$70 per Mbps per month which is the lowest in the market. The project has brought this cost down from \$1200 in the 1990s.
	Will you induct the stakeholders involved in the GRM operationalization? – ESS 3, ESS 4, ESS 7 & ESS 10	Yes! We have a compliance supervising team that is going to do this jointly with us in each beneficiary village and sub-county. We will also give the committee focal point persons a grievance registration form for entry of complaints, grievance resolution form for entry of resolved complaints and grievance log form for listing of all cases received.
	We thank you for engaging with the leaders first before implementing the project because it has helped highlight our roles. We will support the project-ESS10	This project belongs to all of us. We believe that engaging with you as stakeholders will give the project ownership, your cooperation and support.
	Do not worry about security. Should you have any incidents, inform us in time.	We are very grateful to Police, DISO, the RDC, GISO and everyone here for



District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
		committing to provide security for the project
	Is it possible to share with us the ESMP so we can clearly chat out our roles in supervision?	Yes, we will. Give us your email addresses and we will provide it. You can also access it online
	How will recruitment be conducted? ESS2	Those that are interested working with us should be Ugandans able to work, national IDs and LC I letters.
	How are the payments to be made? – ESS2	Our contractor is going to pay all workers weekly using airtel money
	Why are you using Airtel money? Airtel has poor network. -ESS2	Every workplace has terms and conditions of employment. A job is given to those who agree with the terms and conditions set. Those without Airtel can either acquire lines or present an Airtel account of a trusted relative for payment purposes on condition that they submit to us a letter of agreement between them with a stamp from LC I. Airtel network is not a problem anymore provided one has 4G. If one is on 3G, changing the line costs only UGX 3, 000
	The CAO, Kasese district officially welcomed and launched the project	We thank you, for launching the Project and welcoming us in Kasese
Oyam /Karuma Kamdin	Are you giving contracts and medical insurance to your workers? –ESS2	All our workers will receive engagement letters with terms of payment, a description of tasks involved and among other things, a code of conduct.
	I welcome the project and urge the people of Kamdin to support NITA and her contractor	NITA team appreciated the positive and courteous remarks and confirmed maximum cooperation
	I request that our youth from Kamdin be considered for jobs while in our Area-ESS2	NITA has ensured that implementing contractor has a Recruitment procedure with terms of reference to be respected by employees and the Employer. Applicants are to be vetted and approved by the LC1 Chairperson and where deemed so, be escalated to GISO, DISO and RDC for further reference.
	As Chairman LC 5 Oyam, I call upon workers from Kamdin and the rest not	The NITA-U team welcomed the call

District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
	to attempt stealing/attacking project equipment /personnel. ESS10	
	We as the town council will not tolerate any hindrance from the local people against the project but we ask for safe working conditions for workers in return. –ESS2	NITA-U has a framework for social and environmental risks of the project that have been disclosed in this engagement. Further EHS inductions will be conducted for current and new recruits for risk management. In case of a conflict, NITA –U will implement a Grievance Redress Procedure for resolving of any grievances and disputes at lowest possible levels in the community. Among others, these measures demonstrate our commitment to providing good working conditions for our labor force
	If your cable passes through a house or private land, are you paying compensation? –ESS5	Ugandan laws require us to do so where this happens. However, we are strictly following the road reserve and we have already received a right of way from UNRA and from your physical planner. And based on the surveys we have done, there is no chance that the cable will go through private property
Pakwach	As the district labor officer, I would like to know your HIV/AIDS policy?  Two, I advise you to work with the labor office and DHO to extend HTS to the labor force so people can know their statuses but also avoid stigma and discriminate-ESS2	<ul style="list-style-type: none"> <li>• Our policy emphasizes the national HIV/AIDS ABC policy. We encourage people to know their status. If positive, enroll for ART and live responsibly. If negative abstain, be faithful or use a condom correctly and consistently. If you do not take any of these measures, death (D) is triggered.</li> <li>• We also take the advice you have given and we will work with your office and DHO to see how best we can extend HTS to the labor force</li> </ul>
	Is there a policy for child abuse and sexual harassment? ESS2	The NITA-U code of conduct (Annex 11) calls for NITA staff, contractors and sub-contractors to respect the national, NITA-U and their own Policies on Sexual Harassment, Gender Based Violence and Child abuse regulatory closes.

District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
	<p>As the LCV chairperson and on behalf of Pakwach, I welcome the Internet extension project and promise NITA-U our total support. To us, this project is timely because we are planning to open a website. When we have this website, we will be able to map and market over 20 heritage sites in the district. We have a rich history including hot springs in Panymur, Emin Pasha and the renowned point where our ancestors (Gipiri and Labongo) separated. ESS8</p>	<ul style="list-style-type: none"> <li>• The NITA-U team appreciates the effort of the LCV chairman in mobilizing all the stakeholders gathered here and ensuring that this engagement, project disclosure and launch successfully happen</li> <li>• The team appreciated the districts plans because the website will expose the area to more tourists, hence bringing in more foreign exchange and revenues to the people of Pakwach.</li> </ul>
	<p>Consider recruiting our youth also for white collar and semi-skilled jobs. We have already trained many of them on HSE and welding-ESS2</p>	<p>The recruitment exercise will provide equal opportunity for all. Given the nature of work, the recruitment criteria will include interest, ability and medical fitness to work among others. Being semi-skilled will be an added advantage. Highly skilled jobs are however, national jobs filled through media advertisement. Encourage your youth to apply whenever they see these advertisements</p>
	<p>We are interested in knowing if this internet is free or not</p>	<p>There are components of this service that are free including IFMS that accounting officers need. The other components are paid for at a rate of \$70 per Mbps per month which is the lowest in the market. The project has brought this cost down from \$1200 in the 1990s.</p>
	<p>We want see a scenario where labor force where all the affected sub-counties are represented in your labor force. To ensure this, adverts are pinned in all sub-counties. This will reduce theft of materials, cases sexual harassment and project sabotage that usually, increase when manpower is from other neighboring sub-counties. – ESS2</p>	<p>The contractor will as much as possible attempt to recruit manpower representatively from the project sub-counties traverses. Some experienced workers may however, be carried from other sub-counties for transfer of skills and experience to the new recruits. As rightfully listed, we expect to reap the dividends of a localized recruitment approach. For this reason, the contractor will liaise with the District Labor Officer and Community Development Officer to advertise the jobs available.</p>

District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
	<p>You should coordinate with other service providers to minimize disruption of service provision. ESS4</p>	<p>NITA-U and the contractor will liaise with other utility and service providers including for instance MTN, UTL, NWSC and the physical planner to identify utility lines in the district to avoid disruptions</p>
	<p>As a district environmental officer, I want to know more about your project grievance management procedure:ESS4, ESS5, ESS7</p>	<p>. Our grievance management procedure is organized in tiers. To make solutions locally accessible, tier one runs from LC I level. Tier II is at the sub-County level with the CDO serving as the focal point person. Tier III is at the district level with the VAO as the focal point person. Tier IV includes our Ex-CO at NITA-U. If grievances are not resolved at this level, they are forwarded to the courts of law. At each of these levels, we there is a committee. In tier I, the committee includes LC I chairperson, the contractor and the NITA-U Compliance supervisor. Tier two has the CDO and all these members of tier 1. Tier III has CAO or anybody he delegates depending on the nature of the case and the members that constituted the committee at tier II. In tier 1-2, the complaint should be resolved within 7 days. At district and NITA-U levels, it should be resolved in 14 days. The system will largely handle civil complaints. Criminal cases will be referred to police but recorded including cases of sexual violence and theft. Our compliance supervising team is going to train and equip these committees in each beneficiary village and sub-county. We will also give the committee focal point persons a grievance registration form for entry of complaints, grievance resolution form for entry of resolved complaints and grievance log form for listing of all cases received.</p>

District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
	Please share with us a copy of the NEMA ESIA Certificate and the project approvals conditions ESS10	The ESIA certificate and conditions of approval will be shared with DEO by email
	You have the skips but how best will you appropriately dispose your wastes? We have a NEMA designated site but we suggest you need to work out an MoU with DEO-ESS3	This is good advice and we will explore how best to execute it
	As a potential laborer in this project, how sure are we that the payment sent through mobile money will not be less than what I have worked for? ESS2	You will sign a worksheet every day. At the end of the week, you will review the amount in the wage sheet before it is sent to Kampala. If payment is less than the days worked for, comeback and complains to the supervisor and it will be rectified in the next payment.
NEBBI	As the IT department we are excited about the project. When will the district be connected?	Two months from now, the contractor will have reached NEBBI from Pakwach.
	Are DISO and NIRA offices part of the connectivity?	NIRA will be connected but the RDC will be covered in the last mile project
	As mayor, I welcome the project. The question however, is, shall we also be given PPE as district officials when we visit the site-ESS2	As a site safety rule, all staff, subcontractors or visitors will be given an appropriate site induction and PPE before entry to the site.
	Does the project have a package for compensation? –ESS5	The Ugandan law requires us to do so where this happens. However, we are strictly following the road reserve and we have already received a right of way from UNRA and from your physical planner. And based on the surveys we have done, there is no chance that the cable will go through private property
	As requested, and as the Chairman, I declare the project and its GRM in the district launched-ESS10	The team thanked, the district leadership and chairman LC 5 for launching the project and its GRM in the district
	The town has MTN, NWSC and electricity services and utility lines. I am worried these may be damaged-ESS3	NITA-U and the contractor will liaise with other utility and service providers including for instance MTN, UTL, NWSC and the physical planner to identify utility lines in the district to avoid disruptions
	What are the ToRs for engagement of workers-ESS2	All our workers will receive engagement letters with terms of payment, a description of tasks involved

District	Key Comments and Comments from the Leadership	Response /Clarification/Comment
		and among other things, a code of conduct. A copy will remain with the labour officer for reference purposes
	In case of any accident, is this project insured-ESS2	NITA –U complies with the National Workman’s compensation Act. All workers will therefore, be covered by this Act. However, one can only benefit from the compensation when the incident reporting and investigation procedure demonstrate that he as an individual had complied with all the safe work procedures at the time of incident.
	Does this project have a CSR?	We will provide hotspots in your offices provided you are able to pay for data.
	As RDC, I am happy with your local content consideration. Please walk the talk. Two, there are some stubborn elements in the stretch between Lokiragodo to Oru bridge who usually disturb project implementers with claims that they are not compensated-ESS2	NITA –U will implement every procedure it has committed itself to including its local content policy. NITA –U will also intensify its sensitization programs in black spots like the Lokiragodo-Oru bridge stretch. Further, since you are aware of these issues already, we will work together to address such incidents from arising
	Huawei internationally has issues with Google. Won’t it affect the project in Uganda?	This project is for NITA-U not Huawei. We will be able to work with Google
	Police is missing in your beneficiary list. What plans do you have for their connection?	The Last M project as we explained will cater for such institutions that are not yet connected.
	As a labour officer, I want to ask, if there is compensation in case of accident? And how much is paid to labourers-ESS2	On issue one, NITA –U complies with the National Workman’s compensation Act. All workers will therefore, be covered by this Act by the Contractor. However, one can only benefit from the compensation when the incident reporting and investigation procedure demonstrate that he as an individual had complied with all the safe work procedures at the time of incident. On issue two, the contractor has TOR for the job as highlighted by the Huawei representative. We will leave a copy of the TOR with the labour and community development officer for reference

## **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 UDAP included:

- The need for capacity building to teach vulnerable or marginalized refugees how to use the tele- centers for education;
- The need to adequately address the cyberbullying and extortion of vulnerable or marginalized individuals who may be afraid to report incidents to the police;
- The possibility that project GRMs are not safe and confidential;
- The need to ensure that all shared data is protected and safe;
- The need to protect users from sexual and cyber harassment; and
- The need to address discrimination across Ministries.

The approach to managing these issues and other issues raised during the consultations are found at section 4.18 and Annex 19 of this ESMF. A summary of these additional consultations is posted on the World Bank website under Uganda Consultations on Non-discrimination and Inclusion.

For more information see: <https://www.worldbank.org/en/country/uganda/brief/consultations>.

### **On-going Stakeholder Engagements**

Following program disclosure, NITA-U will design and conduct continuous stakeholder engagements throughout the program life cycle. This is to support and maintain good relations with the community, ensure project ownership, and to obtain feedback to inform the decision-making process.

The Stakeholder Engagement Framework (SEF) will be developed into a Stakeholder Engagement Plan (SEP) which is a living document that will be refined and modified throughout the life of the project. All revisions shall be clearly marked, registered and signed off by relevant parties or departments. During this interactive process, the focus and scope of the SEP may shift in response to changing engagement needs and priorities for the project. Accordingly, the SEP will be updated after the ESMP process. Since it is practically difficult to meet every stakeholder public domain will also be used to disseminate information about UDAP including: Newspaper inserts, posters, brochures, leaflets, radio and television spots, official correspondences, meetings; website and social media platforms. The project will also ensure that, where necessary, provisions will be made to carry out additional consultations with vulnerable or marginalized individuals or groups. Where required, consultation with vulnerable or marginalized individuals or groups will also use mobile/telephone calls, SMS, etc,

The stakeholder engagement process in this stage will also be supported using a Grievance Risk Management and Response System.

## **8.0 MONITORING AND EVALUATION**

### **8.1 Overview**

Environmental and social Standards monitoring provides for continuous assessment on project performance of the project in terms of compliance. It includes ranking performance in line with and support to the spirit of continuous improvement.

### **8.2 Monitoring**

A multi-sectorial approach to project monitoring shall be utilized in UDAP with MDAs and LGs relevant to the project taking part in various areas. Sound monitoring in a wildlife reserve would for example necessitate working together with the Uganda Wildlife Authority. Addition of non-EHSS specialists on the team shall also be utilized especially in routine leadership and general staff inspections and audits.

As per NITA-U practice, monthly, quarterly and annual monitoring reports shall be developed and shared with relevant stakeholders including the World Bank.

On-site monitoring teams shall ensure daily reporting on agreed monitoring indicators that include but are not limited to:

- Personnel on Board
- Manhours and mandays
- Inductions
- Kilometers travelled
- Number of stakeholder engagements carried out
- Areas cleared
- Kms trenched sand backfilled
- Poles erected,
- Number of Personnel on Board,
- Incidents and near-misses reported among others
- Toolbox talks
- Statistics of disease
- Grievance logs
- Compliance to PPE usage
- Number of trainings on non-discrimination
- Confirmed arrangements for material sourcing and waste management.

### **World Bank Enhanced Implementation Support and Monitoring**

In addition, the World Bank will provide support for enhanced monitoring of the risk of exclusion or discrimination for individuals or groups who may be vulnerable or marginalized. Further details of this support are found at Annex 19.



## 8.3 ESMF Budget

### 8.3.1 Indicative budget for implementing the ESMF

This section presents the budget estimates for implementation of the Environmental and Social Management Framework (ESMF). However, detailed budgets for project specific works/sub-projects will be developed during the preparation of the Environmental and Social Management Plans (ESMPs) and the Contractors' Environmental and Social Management Plans (C-ESMPs), especially for components 1, 3 and 4. The budget and implementation timing are presented in the table 19 below.

**Table 19: ESMF Implementation Schedule and Budget Estimates**

Environment and Social Management Measure	Implementation stage or phase	Timing and Frequency	Budget in USD
Environmental and Social Impact Assessment (ESIA)	Project effectiveness	Once	800,000
Environmental and Social Audit	One year on obtaining ESIA	Twice	800,000
Recruitment of Environmental Specialist and Social Scientist	Before project implementation	To be conducted once before project implementation	700,000
Development of ESMPs, SEP, RAP, SEA, GBV and GRM plans	Before project implementation	To be conducted once before project implementation	180,000
Monitoring of environment and social compliance and reporting	During project implementation	Monthly and quarterly	200,000
Permit, consents and authorizations (ESIA & Audit payments to NEMA)	Before project Implementation	Once	40,000
Covid-19 testing and management (procurement of temperature guns, sanitizers, facial masks, awareness posters etc...)	During project implementation	Quarterly	240,000
Training on Labour and working conditions Labor management procedures Grievance mechanism for project workers OHS measures Emergency preparedness and response Project workers training Non-discrimination measures Training clinic and awareness for the PIU staff on the ESMF, Implementation systems (ESMPS, GBV, SEA, VAC, GRM, LMP, SEPs and VMGF), non-discrimination	Throughout the project Implementation stage	To be conducted once, during early stages of project activities.  Early stages of the project implementation	400,000

Technical Capacity building for safeguard staff			
Training of project Implementing Partners, Contractors and Refugee hosting communities			
<b>Equipment and work tools:</b> Project vehicles, tablets, Signage, Noise metres, Voice recorders, GPS, Cameras, Field first aid kits, Safety shoes, Helmets, Overalls & Reflector Jackets, Safety Gloves, Raincoats	During project implementation	Throughout the project cycle	400,000
<b>Contingency costs</b>			50,000
		<b>TOTAL</b>	<b>3,810,000</b>

### 8.3.2 ESMF Disclosure

All environment and social risk management documents including but not limited to the ESMF, VMG and SEF shall be disclosed to the public on the NITA-U website, World Bank’s external website in compliance with relevant Ugandan regulations and the World Bank ESS Framework. They shall also be disclosed through disclosure meetings in beneficiary districts in English. The project will explore opportunities of translation/ disclosure in a local language. As good practice, copies of these shall also be shared with accounting officers at districts and also with relevant offices like the District Chief Administrative Officers (CAO), District Environment Officers and District Community Development Officers among others.

### Emergency Response and Management

During project implementation, the NITA emergency response system shall be in force and form part of the induction process. An incident notification and investigation shall be carried out for all project related incidents.

The level investigation shall be dependent on the rating of the incident and the investigation team leader shall be decided on basing on the incident nature. A clear incident flow chart shall be pinned at various workstations and form part of routine toolbox talks and awareness sessions.

At the project bases, routine emergency drills shall be conducted for various scenarios including but not limited to fire, stretcher drills on first aid and security related incidents. A typical incident notification and investigation form is provided in Annex 2.

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## ANNEXES

### ANNEX 1: ENVIRONMENTAL AND SOCIAL MANAGEMENT PLAN

This plan is a further commitment to environment and social compliance guides project implementation teams on the impacts associated with the project, mitigation measures forwarded, monitoring indicators, source of data, frequency of monitoring and implementation responsibility. The ESMP shall be reviewed prior to project execution to capture aspects identified during the ESIA and also provide further guidance in line with the World Bank Environmental Health and Safety Guideline. This should form part of all project related contracts and commitments throughout the project cycle.

Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
Land take prior to construction phase	Full implementation of a RAP report prior to commencement of works.  Where grievances in the resettlement process emerge, steps will be taken to address the grievance through community GRM	No complaints from the property owners affected by land acquisition	RAPs report Grievance logs, incidence investigation reports  Annual audit reports	Before project implementation	NITA-U, Contractor, LC grievance committees, District grievance committees, NITA grievance committee	Cost of land, property in case compensation and livelihood restoration to be determined
Impacts related to property acquisition within the road reserve.	Full implementation of a RAP report prior to commencement of works.  Stakeholder consultations shall	Stakeholder consultation site specific attendance registers and minutes	RAPs reports Stakeholder management reports  Annual audit reports	Before and during project implementation	NITA-U, Contractor	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	precede project implementation to brief communities on project activities, address their concerns and promote transparency and their participation					
	Adequate notice should be given to the affected persons within the road reserve	No complaints from the property owners affected by project activities	NITA survey and census inventories	Throughout the project lifecycle	NITA-U and Contractor	Negligible
Road safety impact and occupational injuries	Only trained and professional drivers and operators should be allowed to man construction vehicles and machinery  Minimizing pedestrian interaction with construction vehicles  Collaboration with local communities	Proportion of drivers and operators with requisite training and professional documents  Aspects of pedestrian interactions with motorists to be part of the induction process	Contractor employment records  Contractor compliance reports  NITA survey and census inventories	Monthly	NITA-U and Contractor	As per approved budgets to carry out activity

Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
	<p>and responsible authorities to improve signage, visibility and overall safety of roads, particularly along stretches located near schools or other locations where children may be present.</p> <p>Using locally sourced materials, whenever possible, to minimize transport distances. Locating associated facilities such as worker camps close to project sites and arranging worker bus transport to minimizing external traffic</p>	<p>Number of registered stakeholder engagements and collaborations</p> <p>Number of materials available and sourced locally in the project area</p>	Procurement records			
	Installation of all necessary sign posts for works crossing roads	Safety sign posts on site	Consultations, monitoring and inspection reports.	Throughout construction period and after project completion	NITA-U and Contractor	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	First Aid kits should be carried around by the investigation teams during the RAP census and in each construction site	Proportion of injury incidents receiving first aid	Injury and illness incident reports	Monthly	NITA-U and Contractor	As per approved budgets to carry out activity
Communicable diseases pose a significant public health threat worldwide. Health hazards typically associated with large development projects are those relating to poor sanitation and living conditions, sexual transmission especially amongst women and children and vector-borne	Project workers and communities inducted & sensitized on protection of children and criminal nature of sexual engagement with children in the project sites  Providing surveillance and active screening and treatment of workers  Utilize GBV Plan  Implementation and utilization of the Code of Conduct for each worker,	% of sites with workers and communities inducted and sensitized on child, gender and criminal effects of sexual engagement with children in the project sites	Contractor sensitization records, Field visits and observations	Monthly	NITA-U and Contractor	As per approved budgets to carry out activity



<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
infections. Communicable diseases of most concern during the construction phase due to labor mobility are sexually-transmitted diseases (STDs), such as HIV/AIDS	Activate use of GRM throughout the project cycle					
Child labor	Coordinate with MoGLSD and develop protocols on responding to labor and child protection issues.	Status of protocol development with MoGLSD on responding to labor & child protection issues.	Project inventory review	Before works commence	NITA-U and Contractor	As per approved budgets to carry out activity
Risks of discrimination of vulnerable or marginalized individuals or groups from project benefits and activities	Provide training on non-discrimination for Bank staff, clients, contractors and communities.  Enhance monitoring and supervision through World Bank financed EISM	Number of trainings  Number of grievances related to discrimination	Service Providers  GRM logs	Before work commences	NITA-U Service Providers	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Enhance implementation of GRMs (hotlines, e-GRMs) to facilitate reporting of sensitive complaints.					
Impact on the Historically Underserved Traditional Local Communities (e.g. SEA, cultural invasion, accidents, transmission of HIV/AIDS)	Community engagements will be conducted with all local communities in the project corridor to raise awareness on the project, the risks it comes with and the project GRS	Proportion of local communities in the project corridor engaged with to raise awareness on the project, the risks that come with and the project GRS	Project stakeholder engagement report	Once before project commencement and once at the beginning of earth works and installation	NITA-U, Contractor	As per approved budgets to carry out activity
	Only trained and professional drivers and operators should be allowed to man construction vehicles and machinery	Proportion of drivers and operators with requisite training and professional documents	Contractor employment records  Contractor compliance reports  NITA survey and census inventories	Monthly	NITA-U, Contractor	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Local content will constitute at least 60% of the labour force and the remaining proportion will be inducted to internalize and pay respect to the cultural values and norms of the area	Incidents of inappropriate behavior reported	Project grievance logs, project incident reports	Monthly	NITA-U, Contractor	As per approved budgets to carry out activity
Creation of employment and business (livelihood) opportunities	Vulnerable or marginalized individuals or groups in the project area such as the women, youth, poor, orphans, PHAs, PWDs etc. will be the preferred source of unskilled and semi-skilled labor provided they have the requisite qualification, competence & experience	Proportion of the un/skilled women, youth, poor, orphans, PHAs, PWDs, and others. with qualification from the PA employed	Contractor employment records  Contractor compliance reports	Weekly	Contractor, NITA	As per approved budgets to carry out activity
	The project will promote procurement of materials from	Number of local businesses benefiting from	Contractor Procurement records	Monthly		As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	local suppliers where it is technically, qualitatively and commercially reasonable and feasible.	construction related procurement	Contractor compliance reports		NITA-U and Contractor	
	Ensure regular business dealers especially food vendors are registered for identity & effective GRMs	Proportion of regular business dealers by category registered	Contractor inventory for regular business dealers by category	Monthly	NITA-U and Contractor	As per approved budgets to carry out activity
	Ensure that nationals benefit from employment opportunities and observe the national labor laws	Proportion of nationals in the project labor force	Contractor employment records	Monthly	NITA-U and Contractor	As per approved budgets to carry out activity
Temporal business disruptions due to trenching in urban centers and markets in rural areas	Works should be planned for out of business peak hours (night) and days (weekends) to minimize inconveniences to businesses	Number of community complaints lodged over disruptions	RAPs Report, Field Visits	Monthly	Contractor, LG leaders NITA-U	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Communities should be sensitized on road use during construction.	Number of complaints from communities long the project area		Throughout construction period	NITA-U and Contractor	Negligible
Construction noise, vibration and air quality	Only equipment and vehicles in good working order will be used	Complaints of DMC equipment and vehicles in use	Field consultations with District Engineer, Complains from the operators and community	Daily	District Engineer, NITA-U and Contractor	As per approved budgets to carry out activity
	Only trained and professional drivers (operators) should be allowed to drive construction vehicles and to operate machinery.	Proportion of drivers (operators) with requisite training and professional documents	Contractor employment records  Contractor compliance reports  inventories	Monthly	NITA-U and Contractor	As per approved budgets to carry out activity
	Implement best driving (operator) practices to minimize noise /dust created through unnecessary acceleration and breaking	Complaints on bad driving/machine operations. Evidence of best fleet management policy for example: Proportion of	Contractor compliance reports, field consultations with OC traffic	Daily	OC Traffic, NITA-U and Contractor	As per approved budgets to carry out activity

Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
		<p>machines/vehicles with a call number for bad driving/operation</p> <p>Proportion of bad driving/operation reports acted on by the contractor</p>				
	<p>Regular inspection of vehicles, machinery and equipment used in the operation according to manufacturer inspections to ensure that they are in good working condition</p>	<p>Proportion of vehicles, machinery and equipment inspection and serviced according to manufacturer specifications</p>	<p>Inspection records of vehicles, machinery and equipment</p> <p>field consultations with OC Traffic and District Engineer</p>	<p>Daily</p>	<p>OC Traffic, District Engineer, NITA-U and Contractor</p>	<p>As per approved budgets to carry out activity</p>
	<p>Noise-prone activities will not be implemented between the hours of 6 pm. and 6 am</p>	<p>Complaints of excessive noise from construction areas from between the hours of 6 pm. and 6 am</p>	<p>Community observations</p> <p>Contractor compliance reports</p> <p>Field visit</p> <p>District Environment Officer</p>	<p>Daily</p>	<p>District Environment Officer, NITA-U and Contractor</p>	<p>As per approved budgets to carry out activity</p>

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Noise generating sources should be located away from residential areas, schools, hospitals and other sensitive receptors to meet the noise emission levels provided in IFC's General EHS Guidelines	Complaints of noise generating sources located in residential areas, schools, hospitals and other sensitive receptors	Community observations Contractor compliance reports Field visit consultations with District Environment Officer	Daily	District Environment Officer, NITA-U and Contractor	As per approved budgets to carry out activity
	Use of noise suppression shields and mufflers	% of machines generating beyond 65dBA with noise suppression shields and mufflers	Field observations and consultations with District Environment Officer	Monthly	District Environment Officer, NITA-U, Contractor	As per approved budgets to carry out activity
	Observe the 75 dBA and 65 dBA NEMA regulation limits for day and nighttime noise levels respectively	Complaints of noise levels beyond the 75 dBA and 65 dBA NEMA regulation limits for day and nighttime noise levels respectively	Field visit consultations with the district Environmental office	Daily	District Environment Officer, NITA-U, Contractor	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Engines of vehicles/trucks and earth-moving equipment should be switched off when not in use.	Complaints on engines of vehicles/trucks and earth-moving equipment running when not in use.	Field visit consultations with the district Engineer and OC traffic	Daily	District Engineer OC traffic NITA-U, Contractor	As per approved budgets to carry out activity
	Installing suitable mufflers on engine exhausts and compressor components to reduce vibration levels	% of machines generating vibration nuisance with mufflers	Field visit consultations with the district Environmental office	Daily	District Environment Officer, NITA-U, Contractor	As per approved budgets to carry out activity
	Sprinkling water regularly during dusty conditions	Public recognition of contractors attempts to manage dust particles through water sprinkling	Reports from EHSS teams	Daily	NITA-U MGLSD Contractor NEMA	Negligible
Social ills of construction labor and HIV/AIDS	As a contractual obligation, contractors should have an HIV/AIDS policy and a framework	All construction workers are aware of HIV/AIDS risk and responsible living.  All construction workers living in	NITA-U Contractor  Local Government	Throughout construction	NITA-U	As per approved budgets to carry out activity  HIV/AIDS awareness programmes,



<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	(responsible staff, action plan, etc.) to implement it during execution of this project.	a camp adhere to a “No fraternization” and comply with latest entry time into camp (6PM) set to avoid prostitution.				posters/fliers and free condoms
Impact on cultural heritage/ archaeological interests/Chance finds in	Locations of Cultural Heritage/ Archaeological interest should be avoided by project activities	No. of Cultural Heritage/ Archaeological interest interfered with by the project activities	NITA-U Contractor  Local Government	Daily	Contractor Cultural leaders, NITA U, Department of Antiquities	As per approved budgets to carry out activity
	Work must immediately stop along an affected section,  and the Supervising Engineer, Department of  Museums and Antiquities and the competent	Incidents during work execution	Chance finds reports, field visits	Daily	Contractor NITA-U Local government Supervising Engineer, Department of  Museums and Antiquities and the competent authority under NEMA	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	authority under NEMA immediately informed to  take a decision on the way forward					
Occupational Health and Safety risks	All manual equipment such as pickaxe, Pick Mattock, Cutter Mattock, etc should be sturdy and firmly fixed	Complaints of workers sheared by falling off pick, mattock, hoe etc.	Occupational health and safety risk incidence inventories	Monthly	MGLSD NEMA Contractor District labour officer	As per approved budgets to carry out activity
	Only trained and professional drivers and operators should be allowed to man construction vehicles and machinery.	Proportion of drivers and operators with requisite training and professional documents	Contractor employment records  Contractor compliance reports  inventories	Monthly	District Engineer, NITAU and Contractor	As per approved budgets to carry out activity
		Reports of pedestrians and vehicles falling into trenches	Site visits, complaints filed in Police,  Reports from ESS compliance staff	Daily	NITA-U MGLSD NEMA Contractor	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
					District Labour Officer	
	All open trenches and excavated areas should be backfilled as soon as possible after cable laying and construction has been completed. Open trenches or ongoing excavation shall be provided with adequate barriers/fences, appropriate signage and should be illuminated at night.	Reports of pedestrians and vehicles falling into trenches	Site visits, complaints filed in Police,  Reports from safeguards staff	Daily	NITA-U MGLSD NEMA Contractor District Labour Officer	As per approved budgets to carry out activity
	Construction workers should be provided with and enforced to wear suitable Personal Protective Equipment (PPE) including hard hats, overalls, high-visibility vests, safety boots, gloves etc.	Proportion of workers provided with and enforced to wear suitable Personal Protective Equipment (PPE)	Reports from ESS compliance staff	Daily	NITA-U MGLSD NEMA Contractor District Labour Officer	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Clear signage should be used near project sites	Public & worker complaints on lack of signage	Reports from ESS compliance staff	Daily	NITA-U MGLSD Contractor District OC Traffic	As per approved budgets to carry out activity
	Training of workers and community members on safety precautions.	Training reports	Reports from ESS compliance staff	Daily	NITA-U, MGLSD, Contractor, District OC Traffic	As per approved budgets to carry out activity
	Community and workers training on potential of disease transmission such as HIV/AIDs, Hepatitis, Gender Based Violence and Child abuse	Training reports	Field visits, documentary review	Daily	NITA-U, MGLSD Contractor, NEMA	As per approved budgets to carry out activity
	Documentation of Accidents and actions taken	Evidence of accidents documentation	Reports from ESS compliance staff	Daily	NITA-U, MGLSD, Contractor, NEMA DHO	As per approved budgets to carry out activity
	Ensure latrine, bathroom and accommodation facilities are	Evidence of separate latrine, bathroom and	Reports from ESS compliance staff	Daily	NITA-U, MGLSD, Contractor, NEMA	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	separate according to sex	accommodation facilities by sex			DHO	
Construction traffic related accidents and traffic interference	Trenching across roads and project vehicles and trucks movement should be scheduled during general traffic off-peak hours	Evidence of trenching across roads and project trucks moving during traffic peak hours	Reports from traffic wardens and safeguards staff	Daily	NITA-U MGLSD, DHO Contractor, NEMA	As per approved budgets to carry out activity
	Employ safe traffic control measures, including temporary road signs and flag persons to warn of dangerous conditions and on-going road construction works or diversions	Evidence of traffic control measures	Reports from ESS compliance staff	Daily	NITA-U MGLSD Contractor District OC Traffic	As per approved budgets to carry out activity
	Trucks carrying construction materials will be covered with tarpaulin or appropriate polythene material from or to project site	complaints of people being hit by objects from moving project truck	Reports from ESS compliance staff	Monthly	MGLSD, NEMA, Contractor, District Labour officer and OC Traffic	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Attach speed limits to vehicles that will use the Road	complaints of over speeding by project vehicles	Field visit consultations	Monthly	MGLSD, NEMA, Contractor, District labour officer	As per approved budgets to carry out activity
	Documentation of Accidents and actions taken	Evidence of accident documentation	Reports from ESS compliance staff	Daily	NITA-U, MGLSD Contractor, District OC Traffic	As per approved budgets to carry out activity
Risk of assault/ Attack/ intimidation	Report all the criminal cases to police and seek police protection in affected sites	Cases reported to police	Incident reports in Police	Daily	NITA-U, MGLSD Contractor, DPC	As per approved budgets to carry out activity
Risk of discrimination of vulnerable or marginalized individuals or groups in the workplace	Provide training on non-discrimination.  Include appropriate principles of non-discrimination in contracts, CoCs, whistleblower protocols, HR procedures, etc.  Ensure workers' GRM has referral pathways to handle sensitive complaints	Number of trainings  Contracts, CoCs, protocols and procedures with effective non-discrimination provisions  Number of complaints	Contracts, CoCs, GRMs, whistleblower protocols, HR procedures  Service Providers	Before civil works begin and throughout implementation	NITA-U, Contractors, Service Providers	As per approved budget to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	in a safe, ethical and confidential manner.					
Potential loss of land/property/li velihood (crops, market stalls, sewer and water lines, electricity and telecom cables as well as roads networks)	The project will use the road reserve and public land to avoid physical displacement/loss of land, livelihood and destruction of property.	Number of incidents in the project communities losing land, livelihood or property due to project triggered activities	RAPs report	Before project implementation	NITA-U and Contractor	As per approved budgets to carry out activity
Increased susceptibility to soil erosion during rainy days	Stripping of vegetation shall be restricted to existing road reserves and diversions to transmission sub-stations	Evidence of restricted stripping of vegetation to the road reserve and diversions to transmission sub-stations  Evidence of eroded mass from project sites	Field visits and consultations with the District Environment Officer	Daily	NITA-U, Contractor, District Environment Officer	As per approved budgets to carry out activity
	Use aerial transmission poles in erosion prone spots	Evidence of eroded mass from project sites	Field visits and consultations with the District	Daily	NITA, Contractor LG staff, DEO	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
			Environment Officer			
	The Contractor will preferably deal with local borrow material suppliers certified by NEMA	The legal status of local borrow material suppliers	Field visits and consultations, audit of supplier documentation	Daily	NITA, DEO, Contractor, LG staff	As per approved budgets to carry out activity
Impact on natural habitats and protected areas	Siting of strong short towers/poles (<9 Meters) that cannot be damaged by larger fauna along the road reserves in conservation areas	The layout of the OFC implemented in conservation areas	Field visits, monitoring and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity
	Avoidance of construction activities during the breeding season and other sensitive seasons or times of day in collaboration with conservation teams.	The timing of construction in conservation areas	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity
	Minimizing clearing and disruption to riparian vegetation. Re-vegetation of	The extent of the project foot prints in conservation	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity



<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	disturbed areas with native plant species	areas. Evidence of re-vegetation				
Construction waste generation	Trenching spoil material should be used for backfill	Evidence backfilled trenches	Field visits and consultations	Daily	Contractor, NITA LG Staff, DEOs/NEMA	As per approved budgets to carry out activity
	All wastes should be collected in gazetted areas and sorted  Establishing a waste management hierarchy that considers prevention, reduction, reuse, recovery, recycling, removal and finally disposal of wastes.	Records for wastes generated and disposal practice	Field visits and consultations	Daily	Contractor, NITA LG Staff, DEOs/NEMA	As per approved budgets to carry out activity
	Contractor should seek guidance of local environmental officers to identify acceptable disposal sites for oily/ fuel waste	Reports of illegal waste dumping in non-designated areas	Field visits and consultations  Records of waste disposal records of waste disposed of.	Daily	Contractor, NITA LG Staff DEOs/NEMA	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	Where it does not exist for hazardous wastes, a NEMA certified waste handler should be contracted	Reports of illegal handling of hazardous waste by unlicensed companies	Field visits and consultations	Daily	Contractor NITA LG Staff DEOs/NEMA	As per approved budgets to carry out activity
	Contractors should induct their drivers and sensitize them on safe transportation of the rubble and cut-to-spoil materials to the final disposal site	Induction and sensitization reports for drivers  Traces of waste spillages along transportation routes	Field visits and consultations	Daily	Contractor NITA LG Staff DEOs/NEMA	As per approved budgets to carry out activity
	Implementing fuel delivery procedures and spill prevention and control plans applicable to the delivery and storage of fuel for backup electric power systems, preferably providing secondary containment and overfill prevention for fuel storage tanks;	Evidence of fuel delivery procedures and spill prevention and control plans  Availed spillage contingency plan	Field visits and consultations	Daily	Contractor NITA-U LG Staff DEOs/NEMA	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
E-Waste	Contractors should undertake waste segregation to separate e-waste from waste	Waste segregation practice reports	Field visits and consultations	Daily	Contractor NITA-U, LG Staff DEOs/NEMA	As per approved budgets to carry out activity
	Ensuring that new support equipment does not contain PCBs or ODSs. PCBs from old equipment should be managed as a hazardous waste	Manufacturer equipment specifications	Field visits and consultations	Daily	Contractor NITA-U LG Staff DEOs/NEMA	As per approved budgets to carry out activity
	Purchasing electronic equipment that meets international standards  Phase out requirements for hazardous materials contents and implementing procedures for the management of waste from existing equipment according	Manufacturers' Specification records	Field visits and consultations	Daily	Contractor NITA-U LG Staff DEOs/NEMA	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	to the hazardous waste guidance in the General EHS Guidelines.					
	Considering the implementation of a take-back program for consumer equipment such as cellular telephones and their batteries.	Equipment purchase and handover agreements	Field visits and consultations	Daily	Contractor NITA-U, MoICT LG Staff DEOs/NEMA	As per approved budgets to carry out activity
	Review of regulations and the strategic electronic waste management plan to cater for e-waste disposal options in and outside the country	Regulations rollout amongst project teams and country at large  Presence of e-waste management facilities or know collection points	Field visits  Publications of new legislation and strategic plan	Monthly	NITA-U, NEMA, MoICT	As per approved budgets to carry out activity
Water pollution	Maintenance and cleaning of vehicles, trucks and equipment should take place offsite and away from water sources	Project vehicles cleaning and maintenance records	Field visits and consultations	Daily	Contractor NITA-U LG Staff DEOs/NEMA	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	and conservation areas					
	All the wastes should be collected in areas separate from the surface water bodies such as streams	Records for water sample analysis Evidence of garbage/refuse, oily/ fuel waste in drains	Field visits and consultations	Daily	Contractor NITA-U LG Staff DEOs/NEMA	As per approved budgets to carry out activity
	Recycling or proper disposal of all waste lubricants and oils	Waste recycling or disposal records	Field visits and consultations	Daily	Contractor & NITA-U	As per approved budgets to carry out activity
	Constructor should provide latrine facilities for construction workers to avoid indiscriminate defecation in nearby bush or shores	Evidence of latrine facilities on site	Field visits and consultations	Daily	Contractor NITA-U LG Staff DEOs/NEMA	As per approved budgets to carry out activity
Visual and Aesthetic Impacts i.e. Alteration of visual	Taking into account public perception about aesthetic issues by consulting with the local community during the siting	Concerns with aesthetic changes	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
and aesthetic quality of sites	process of antenna towers.					
	Limiting vegetation clearance to the road reserve	The extent of the project foot prints in conservation areas.  Evidence of re-vegetation	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity
	Any areas that were cleared of vegetation but are not paved should be planted with grass indigenous to those areas.	The extent of the project foot prints in conservation areas.	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity
	Restoration of quarry and borrow pit sites opened by the contractor to as far as is possible their original conditions	Public complaints  Presence of an appropriate restoration plan	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity
	Demobilization and restoration of sites hosting	Demobilization and restoration status of sites hosting	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity

Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
	support construction facilities for the project at  project closure	support construction facilities				
	Buying materials from only suppliers with evidence of compliance with Statutory requirements for commercial sources in place.	Evidence of compliance with statutory requirements for commercial sources in place.	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity
	Proper storing and disposal of all wastes generated to appropriate gazetted areas with the help of NEMA certified service providers	Waste storing and disposal records	Field visits and consultations	Daily	Contractor, LG DEOs, NITA-U, NEMA	As per approved budgets to carry out activity
An efficient government cloud infrastructure with better public service delivery	Connectivity to as many Government, Private and Cultural Institutions as possible.	Number of entities connected  Percentage reduction in time delays in service delivery	Monitoring reports  Quarterly review reports	Quarterly	NITA-U Project coordinator and Contractor, MoICT	Improved delivery of public services by improving efficiency through government cloud infrastructure

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
Better capacity in management of IT programs and projects	Design training programs for effective use of the infrastructure by beneficiaries as part of the project.	Training programs design status for effective use of the infrastructure	Monitoring and evaluations	Annually	NITA-U, MoICT and contractor(s)	Building capacity in management of IT programs and projects
Improved policy and regulatory environment for ICT in country	Formulate and review policies and regulations based on project performance	Number of policies and regulations reviewed based on home grown experience	National policy and legal framework.	Annually	NITA-U, MoICT and contractor(s), NEMA	Improved policy and regulatory environment for ICT in country
Job creation/Loss	National and regional labor laws should be observed	Trend of employment in the IT sector	Consultations, monitoring and evaluation reports.		NITA-U, and contractor(s)	As per approved budgets to carry out activity
Occupational Health and Safety Risk	Only qualified and certified workers shall be employed to install, maintain, or repair any equipment onsite  Maintenance workers will be provided with adequate PPE to limit their risks to works accidents. Such PPE will include gloves,	Reports of injuries during maintenance	Accident log.	Bi-annually	NITA-U and contractor(s)	As per approved budgets to carry out activity



Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
	<p>helmets, safety belts for working in heights, and any other as deemed necessary.</p> <p>A first Aid kit will be kept onsite whenever there are maintenance activities. This will help in administering the first help in an event of injury of any operation staff.</p>					
<p><b>Social misdemeanor and cybercrimes</b></p>	<p>Formulate and enact policies, laws, rules and regulations to protect private, public and shared information and prevent cybercrimes, including fraud, copyright piracy, pornography etc. on national intra- and inter-net;</p> <p>Educate MDAs' personnel and</p>	<p>ICT policies, laws, rules and regulations enacted</p> <p>Certificates of training</p> <p>Education Curricula content at different levels</p>	<p>Consultations, monitoring and evaluation reports.</p>	<p>Real time tracking coupled with monthly reviews</p>	<p>NITA-U, Miot, Uganda Police</p>	<p>As per approved budgets to carry out activity</p>

Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
	<p>enhance personnel management, regularly conduct the appropriate amount of education on procedural management of websites/portals;</p> <p>Strengthen educational programs on patriotism and moral construction to resist the penetration and influence of corrupt thoughts and culture, and keep the purity of our thoughts and morality;</p> <p>Censure internet content to suit target end users</p>	Websites blocked				
Lightning risks and associated impacts	Lightning arrestors will be incorporated in the project design. The appropriate earthlings will be provided to safeguard	Installed/erected lightning conductors in place	Installation and maintenance manuals Records of lightning strikes	Bi-annually	NITA-U	As per approved budgets to carry out activity


Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
	against lightning. This installation shall be supervised by a qualified person.					
Electric and Magnetic Fields	<p>Evaluating potential exposure to the public against the reference levels developed by the international Commission on Non-Ionizing Radiation Protection (ICNIRP).</p> <p>Average and peak exposure levels should remain below the ICNIRP recommendation for General Public Exposure</p>	Reported cases of health effects associated with exposure to electric and magnetic, i.e., cancer, leukemia.	<p>ICNIRP recommendation for General Public Exposure</p> <p>Public consultation and disclosure reports.</p> <p>Field inspection / monitoring reports</p>	Bi-annually	NITA-U, MoICT, Uganda Atomic Energy Council	As per approved budgets to carry out activity

Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
	<p>Limiting public access to antennae tower locations (see also ‘Community Health and Safety’ of this document, below)Following good engineering practice in the siting and installation of directional links to avoid building structures;</p> <p>Taking into account public perception about EMF issues by consulting with the local community during the siting process of antenna towers.</p>					
e-waste generation	Management should undertake waste segregation onset to separate e-waste	Quantities of e-waste generated		Quarterly	NITA-U	As per approved budgets to carry out activity

<b>Environmental /Social Impact</b>	<b>Mitigation/Enhancement Measures</b>	<b>Monitoring Indicators</b>	<b>Source of Data</b>	<b>Frequency</b>	<b>Implementation/ Supervision Responsibility</b>	<b>Cost Estimate</b>
	waste from non-e-waste waste.					
Soil erosion and landslides	<p>NITA-U should consider the option of not removing installed cables in some areas or whole network</p> <p>Contractor should restrict vegetation stripping to critical sites to minimize project footprint and soil erosion</p> <p>Contractor should avoid ground and vegetation stripping in steep sloping areas to minimize soil erosion and risk of landslides.</p>	<p>Traces of gullies</p> <p>Cases of siltation downstream.</p>	Consultations, monitoring and evaluation reports.	Throughout the decommissioning period	NITA-U, DEOs, Contractor(s)	As per approved budgets to carry out activity
Water quality	No garbage/refuse, oily wastes, fuels/waste oils should be discharged	Water quality test report	Water quality test records	Quarterly	NITA-U, DEOs, DHOs, Contractor(s)	As per approved budgets to carry out activity

Environmental /Social Impact	Mitigation/Enhancement Measures	Monitoring Indicators	Source of Data	Frequency	Implementation/ Supervision Responsibility	Cost Estimate
	into drains or onto site grounds					
e-Waste generation	<p>Management should undertake waste segregation onset to separate e-waste waste from non-e-waste waste and use NEMA certified service providers for safe disposal</p> <p>E-waste waste separated from non-e-waste waste</p>	<p>Records of waste generated and disposed of.</p> <p>Waste storage area with segregated compartments.</p>	Quarterly reports	Quarterly	NITA-U, DEOs, DHOs, Contractor(s)	As per approved budgets to carry out activity

## ANNEX 2: INCIDENT REPORTING FORM

	<b>SAFETY, HEALTH, ENVIRONMENT AND QUALITY MANAGEMENT SYSTEM</b>	Doc No:	NITA- U/EHSS/PRO-001
		Rev. No.	00
<b>INCIDENT REPORTING &amp; INVESTIGATION PROCEDURE</b> <b>IMMEDIATE INCIDENT REPORT FORM</b>			

Supervisor:		Location:		Date: / /	
Reported by:		District:			
CLASSIFY INCIDENT: <i>(Select Appropriately)</i>					
People		Equipment		Environment	
Near Miss		Asset Damage		Environment Impact	
Injury		Other <i>(Specify)</i>			
Fatality					
Description of Incident:					
Possible Cause(s):					
Immediate Intervention Measure(s) Taken:					
Extent of Damage to Asset/Environment/Repute:					
Estimated Duration of Non Productive Time/Time Lost:					
Further Comments:					
Attach Photo <i>(if possible)</i> :					
Compiled by:				Job Title:	

Prepared by:	
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## **ANNEX 3: GRIEVANCE REDRESS MECHANISM**



### **GRIEVANCE REDRESS MECHANISM GRM**

**FOR**

**The National Information Technology Authority**

**DOCUMENT NUMBER: NITA-U/2020/12-01**

**THE NATIONAL INFORMATION TECHNOLOGY AUTHORITY, UGANDA (NITA-U)**

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## Chapter 1: Rationale for Grievance Redress Mechanism

This section, provides a detailed understanding of grievance, Grievance Redress Mechanism [GRM], the benefits of GRM, the role of District Focal Persons, the Grievance Redress Committees their composition and roles.

A Grievance refers to a complaint, a feeling of dissatisfaction, an injustice, a wrong doing, an accusation, or criticism. It may include queries, suggestions and comments. Occasionally, a grievance may be mistaken to be “a case”, however, the two concepts are different. A case is a question contested before Courts of justice or an equivalent legal process.

Therefore, Grievance Redress Mechanisms are institutions, instruments, methods, and processes through which resolutions to grievances are sought and provided. Mechanisms for addressing complaints arising out of the project interventions are being proposed in this document.

A Grievance Redress Mechanism is beneficial to both the Project Affected Person (Complainant) and to the project in many ways (refer to Table 1 below).

### 1.1 Main objective of the GRM

The objective of a Grievance Redress Mechanism is to support all processes that are aimed at preventing, timely identification and resolving of project grievances. The intention is to address community concerns, reduce risks, and assist other processes to create positive impact.

### 1.2 Benefits of having Grievance Redress Mechanism

Table 1: Grievance Redress Mechanism provides several benefits to the project and affected person.

Benefits to the Missing Links project	Benefits to the affected person
<ul style="list-style-type: none"><li>• It will enhance information sharing about the project</li><li>• Provides an avenue for resolving grievances and disputes at the lowest project level</li><li>• Facilitates speedy resolution of conflicts before they escalate</li><li>• It will help project implementers win the trust and confidence of the community</li><li>• Prevents adverse impacts to the community</li><li>• Helps to avoid project delays and cost overlaps thus improving quality of work</li></ul>	<ul style="list-style-type: none"><li>• Provides cost effective method for channeling complaints</li><li>• Community is able to report their grievances with dignity and also receive a fair hearing</li><li>• Facilitates access to information</li></ul>

### 1.3 Principles of Grievance Redress Mechanism

1. Accessibility to anyone that would like to submit a complaint and help those who face barriers e.g. language, literacy, awareness, cost, or fear of reprisal. The available platforms that have been put in place include; suggestion boxes, Grievance Redress Committees, Toll free line, using local language among others.
2. Predictability – offers a clear procedure with timeframes for each stage and clarity on the types it can and cannot deliver.
3. Fairness – all decisions shall be perceived as fair and objective especially in terms of access to information and opportunities for meaningful participation in the final decision
4. Rights compatibility – it is with applicable national and international standards; should not restrict access to other redress mechanisms
5. Transparency – procedures and outcomes or decisions shall be made public in transparent manner
6. Capability – shall have required technical, human and financial resources to deal with issues at stake
7. Feedback – Should serve to channel citizen feedback to improve project outcomes for the people

#### 1.4 Possible Project grievances

	Potential Conflict	Concerned Stakeholder	Choice of stakeholder for redress <sup>19</sup>	Action [s] for redress	Responsible Party	Indicator	Means of Verification
1.	Bush Clearing [cutting of some tree branches]	<ol style="list-style-type: none"> <li>1. Tree Owner</li> <li>2. Local Leaders</li> <li>20</li> <li>3. UNRA</li> <li>4. Contractor</li> <li>5. NITA-U</li> </ol>	<ol style="list-style-type: none"> <li>1. Owner</li> <li>2. Contractor</li> <li>3. Local leaders</li> </ol>	<ol style="list-style-type: none"> <li>1. Awareness before bush clearing</li> <li>2. Negotiation</li> <li>3. Mediation</li> </ol>	<ol style="list-style-type: none"> <li>1. Contractor</li> <li>2. NITA-U</li> </ol>	Signed Minutes/agreements	<ul style="list-style-type: none"> <li>• Review of reports</li> </ul>

<sup>19</sup> Choice of stakeholders for redress means the stakeholders chosen on the basis of legitimacy, accessibility, integrity, transparency, dependability and capability.

<sup>20</sup> Local Leaders include; Local Councils [I, II, III & IV] and technical Staff within the Districts.

2.	Sexual related offences	1. Local Leaders 2. Police 3. Workers 4. Contractors 5. District Health Department	1. Local Leaders 2. Contractor 3. Police	1. Prior Awareness 2. Prosecution 3. Mediated negotiations	1. Contractor 2. Community Development Officer	Signed Minutes/agreements	1. Review of minutes/agreements 2. Review of reports
3.	Wages/Pay related conflicts	1. Contractor 2. District Labour Officers 3. NITA-U	1. Contractor 2. District Labour Officers	1. Mediation 2. Agreed/Signed Terms of employment	Contractor	Signed Minutes/agreements	1. Review of minutes/agreements 2. Review of reports
4.	Mistreatment of workers	1. Contractor 2. Labour Officers	District Labour Officer	1. Mediation 2. Compensation 3. Observe work code of conduct	Contractor	Signed Minutes/agreements	Review of reports Review of minutes/agreements
5.	Water Contamination by silt from trenching works	1. Community water sources 2. Contractor 3. Local Leaders	Local Leaders Contractor	Compensation Clean up	Contractor	Signed agreements Water color change	Observation of water color
6.	Interference with cultural norms and practices	1. Cultural leaders 2. Local Leaders 3. Workers 4. Contractor 5. NITA-U	1. Local Leaders 2. Contractor 3. NITA-U	1. Prior stakeholder engagement and consultations 2. Mediated dialogue	Contractor NITA-U	Minutes for dialogues and meetings	1. Consultative meetings with Cultural Leaders 2. Review of minutes/agreements
7.	Temporary interference with wildlife migration patterns	1. UWA 2. Local Government 3. Contractor	1. UWA 2. NITA-U	Temporary halt in project work	Contractor	Reports on wildlife related accidents	Review of reports/agreements /minutes

8.	Work related accidents	1. Workers 2. Contractor 3. Local Leaders	Contractor Labour Office NITA-U EHS officers	Dialogue Compensation	Contractor Labour Office	Meeting Minutes Certificates for compensation	Review of minutes/agreements
9.	Discrimination of vulnerable or marginalized individuals or groups	1. Workers 2. CSOs/NGOs 3. Local Leaders	1. CSOs/NGOs 2. Local Leaders	Mediated dialogue Stakeholder engagement	CSOs/NGOs	Meeting minutes	Review of reports/agreements /minutes

### 1.5 Tasks of the Focal Persons

- a) Coordinate the operations of all the Grievance Redress Mechanism at the various defined Tiers
- b) To be a Secretary to the District Grievance Redress Committee
- c) Develop local stakeholder management plan to enrich grievance handling process
- d) Provide technical guidance to the activities of district Grievance Redress Committee
- e) Provide routine reports on the progress and performance of the GRM to the Project Coordination Unit
- f) Provide leadership to Environment and Social related issues in the district
- g) Include Environment and Social issues in the planning, implementation and reporting of issues related to the project
- h) Liaise with the Missing Links Project Manager to ensure compliance to this guideline

### 2.0 Grievance Redress Committee

Grievance Redress Committees (GRCs) will be constituted at different tiers. The members shall be legitimized through a letter issued by the Executive Director NITA-U to the Chief Administrative Officers requesting them to appoint the Grievance Redress Committees and District Focal Persons. In choosing the members, consideration should be given to the diverse stakeholder interests in the participating project areas and the need for balancing geographical and gender distribution.

#### 2.1 Criteria for selection of Grievance Redress committee

- a) Holding an office relevant to promotion of the project
- b) Willingness to participate in project activities.
- c) Knowledge and ability to articulate the community's' interests

- d) Capacity to communicate to other group members
  - e) Authority to make decisions on their respective groups
- 2.2 Composition of Grievance Redress Committee

**Tier1: Grievance Redress Committees (GRC)**

This will be based at the LC1 level to record grievances and assist in mediation. This committee will comprise approx. 5 members i.e.

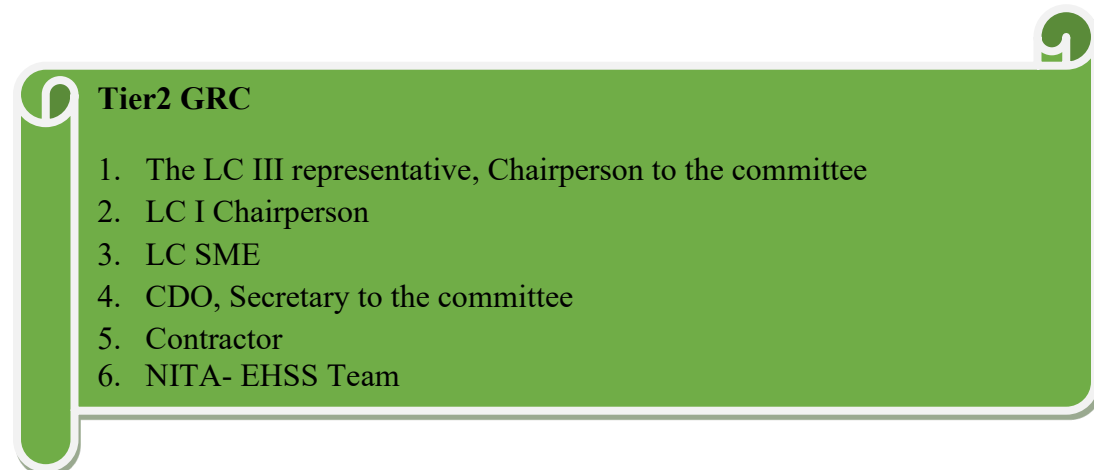


**Tier1 GRC**

1. The LC I Chairperson, Chairperson of PGRC
2. Subject Matter Expert [SME], Secretary to GRC
3. A trusted village elder, as member
4. Contractor
5. NITA- EHSS Team

**Tier2: The Grievance Redress Committee**

This will be established to deal with grievances unsettled at Tier2. It will comprise of approx. 6 members i.e.



**Tier2 GRC**

1. The LC III representative, Chairperson to the committee
2. LC I Chairperson
3. LC SME
4. CDO, Secretary to the committee
5. Contractor
6. NITA- EHSS Team

### **Tier 3: The Grievance Redress Committee**

This will be established to deal with any grievances unsettled in Tier2. The Tier 3 will comprise of approx. 7 members

#### **Tier3 GRC**

1. The LC5 Chairperson, Chairperson to the committee
2. CAO
3. CDO, shall be the secretary to the committee
4. District SME
5. Uganda Police
6. NITA-U EHSS Team
7. Contractor

### **Tier 4: The Grievance Redress Committee at Tier 4**

This will be established to deal with any grievances unsettled in Tier3. The GRC will comprise approx. 7 members)

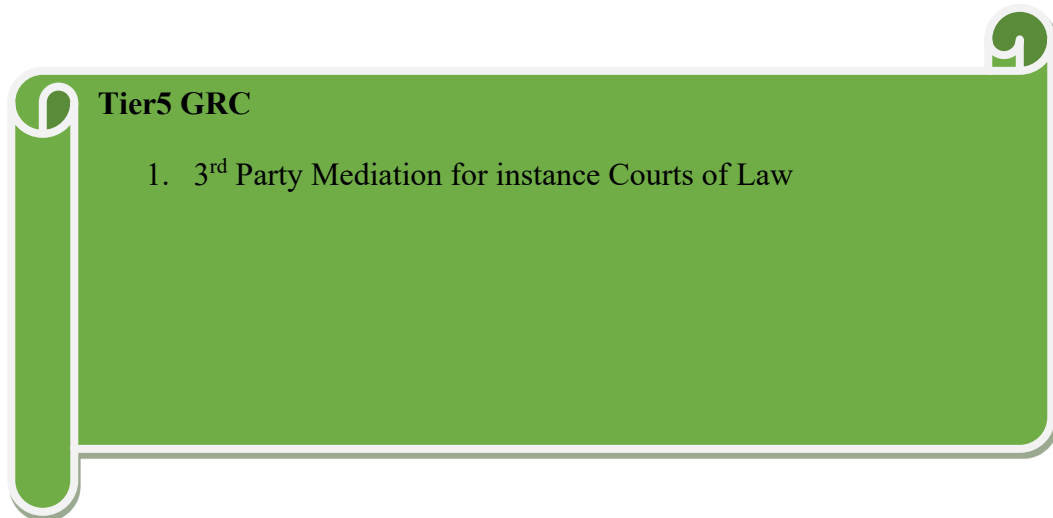
#### **Tier4 GRC**

1. The LC5 Chairperson
2. CAO, shall be the secretary to the committee
3. Uganda Police
4. NITA-U ED/ EHSS Team
5. Contractor
6. Relevant MDA
7. WB – Chairperson to the Committee



## **Tier5: The Grievance Redress Committee at Tier 5**

This will be established to deal with any grievances unsettled in Tier4.



### 3.0 Tools and terms of office for GRCs

#### 3.1 Tools of office

Each grievance Redress office will be equipped with the following

1. Grievance Redress Guidelines
2. GRM log book
3. Suggestion box (installed)

#### 3.2 Terms of office

Each Grievance Redress Committee will commence work immediately after appointment until the end of the project. In the event of misconduct or impropriety of a member of the Grievance Redress Committee, membership will be terminated upon the advice of the Chief Administrative Officer (CAO)

#### 3.3 Committee meetings

Committees shall meet every time a complaint is lodged, provided instant response has not been provided for such complaint.

The chairperson should convene a meeting at least once a month depending on the need at

hand. It should be noted that meeting schedules will vary depending on the need and urgency of complaints/grievances at hand. On every meeting the secretary will document every deliberation in detail and signed copies of minutes shall be filed for future reference. In particular, the Committees' Secretary will

- a) Provide information to committee members and other resource persons to deal with reported grievances
- b) Register grievances using a prescribed form
- c) Document GRC proceedings, decisions, and recommendations
- d) Maintain grievance related information, documents, reports, attendance and payment registers of GRC members
- e) Always liaise with GRC Chairperson
- f) Facilitate arrangements for field inspections
- g) Provide feedback to affected persons and agencies involved in grievances
- h) Report progress to the NITA-U EHS Team/PM Missing links through District Safeguards Focal Person

### 3.3.1 Core duties of Grievance Redress Committees

Below is a comprehensive outline of the core duties of the Grievance Redress Committees

- a) Identify risks and information gaps
- b) Conduct public awareness campaigns about the project purpose and future plans
- c) Provide project staff and beneficiaries with practical feedback about the project
- d) Identify grievances and advise the aggrieved persons to report to the Grievance Office
- e) Arbitrate over any complaints, grievance, conflicts that arise during project implementation
- f) Negotiate for appropriate terms and conditions of employment of local skilled and unskilled labour by the Contractor
- g) Mobilize the local community for project implementation and appropriate action
- h) Support in the regularly monitoring during the implementation of the project activities and route feedback to Project Management Unit.
- i) Promote practices that lead to transparent and corruption free project implementation

### 3.3.2 Facilitation for committee members

The work of the Grievance Redress Committee is voluntary and therefore there is no designated budget to pay the committee, however, appropriate facilitation will be provided.

## Chapter 2: GRIEVANCE PREVENTION AND RESOLUTION GUIDELINES

### 2.1 Introduction

During project implementation, grievances may arise that affect different categories of stakeholders negatively or positively. Measures should be put in place to prevent negative issues and enhance positive ones or when the negative consequences occur, mechanism have been developed to address them.

### 2.2 Grievance Prevention

The following measures should therefore be in place to prevent grievances;

- a. Identify risk areas that are likely to cause grievances and possible mitigation measures
- b. Provide sufficient and timely information to the community (specific information on how this could be done is provided in box1 below). Many complaints arise as a result of lack of information, and insufficient information. Therefore, providing accurate and adequate information about the project and its activities and implementation schedule shall be done regularly.

- **Box 1. Avenues for Information dissemination**

- 
- 
- 
- 
- 

Stakeholder engagement, radio talk shows, Information Education Communication materials, Client Charter, trainings

- c. Conduct meaningful community engagements. Throughout the project implementation, the project shall continue sharing information, progress report, providing opportunity to community members to raise their concerns, receive feedback and respond to issues raised in a timely manner.
- d. Build capacity for the NITA-U project staff, Contractor staff and other field staff. The project and contractor staff should be equipped with information about the project such as project design, project activity implementation schedules, and institutional arrangements. They should also have basic skills like effective communication, community dynamics, negotiation and conflict resolution. Building trust and maintaining good rapport by providing information on the project and responding to community needs will help solve issues before they become grievances.

- **Box 2. Channeling information**

Walk in person, Letters, NITA-U Service Desk [Email, Telephone], Community meetings, Suggestion boxes, Toll-free number

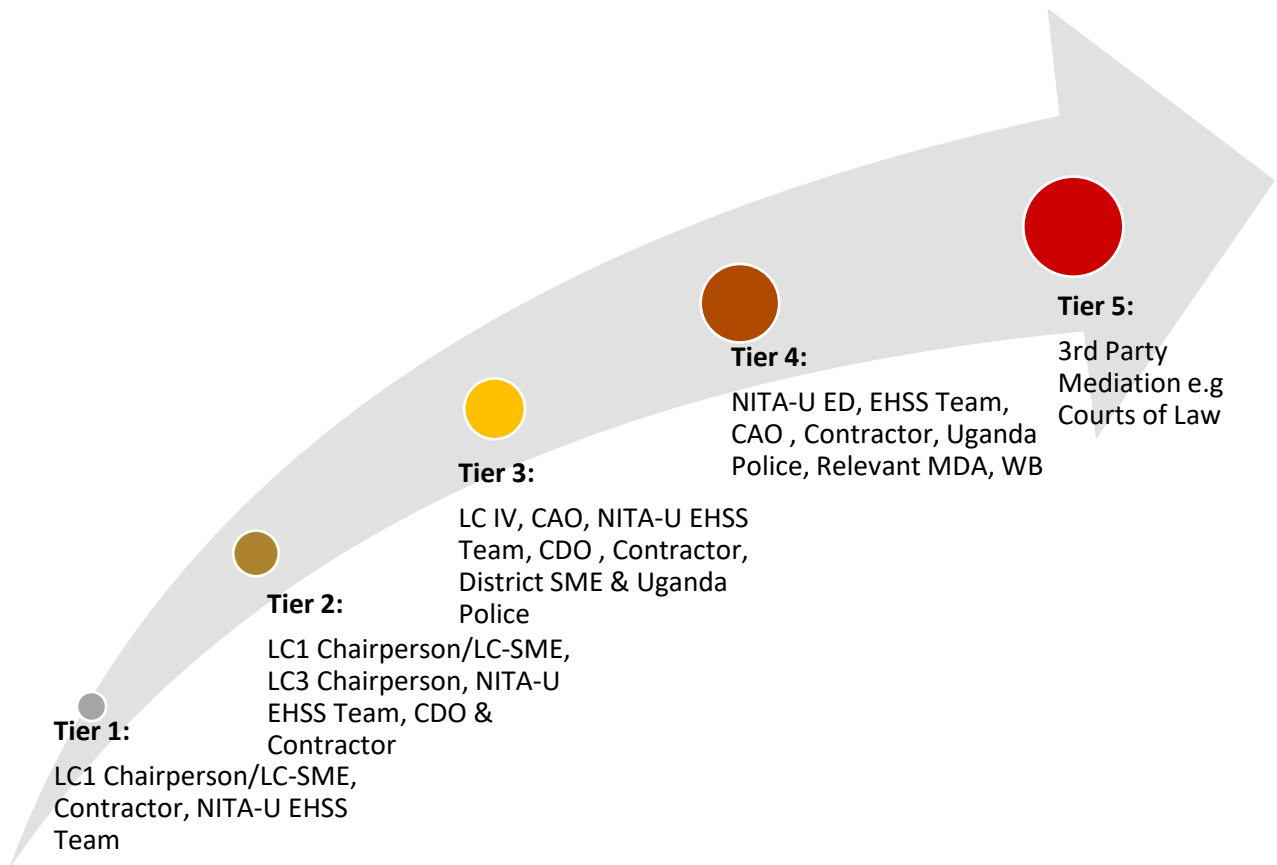
## 2.3 Logging complaints

Appropriate communication channels will be established to disseminate information. Grievances will be received through several channels ranging from verbal or written format. These could be from project affected persons, farmer groups, institutions and any other third parties. The complaint should be registered using the Grievance Registration Form (Annex 2) and GRM Log (Annex 3) by the GRC Secretary.

### 2.3.1 Organogram for Grievance Escalation

The Organogram for Grievance Escalation has NITA-U at the apex of the implementation of the Grievance Redress Mechanism. The Grievance escalation for Missing Links project therefore describes a five tier-structure composed of the Grievance Redress Committees (GRCs) at the various Tiers highlighted below

**Fig 1. Organogram for Grievance Escalation**



**NOTES:**

All grievances shall be recorded / logged with the NITA-U Service Desk and also clearly documented in the GRM log.

- All grievance management committees to be constitutes depending on location and level of concern.
- All grievances raised will appear in weekly and monthly reports. These shall form part of the quarterly monitoring reports submitted to the WB and NEMA.
- GRM log shall capture all complaints made formally and informally. Grievances shall be tracked (Received- Grievance Registration Forms, Recorded, Resolved- Grievance Resolution Forms or Forwarded for mediation). The Log shall include Name of Complaint, Location, Age Group, Date of Entry, Date of Closure, Closing Remarks, Closing Entity, Risk Level Assigned to Complaint and Means of Closure or Verification.
- Training of Committee Members to be carried out by NITA-U EHSS Team.

## ACRONYMS

1. CDO – Community Development Officer
2. EHSS – Environmental Health, Social and Safety
3. GRM – Grievance Redress Mechanism
4. LC – Local Council
5. NEMA – National Environment Management Authority
6. SME – Subject Matter Experts
7. WB – World Bank

### 2.4 Grievance handling

The following are proposed steps for handling complaints (refer to Fig 2. Grievance receiving and handling process).

a. Screen, handle and refer complaints

*Screen complaint:* The Grievance Redress Committee (GRC) will screen the eligibility of the complaint by method of complaint reporting (refer to Box 2 below).

#### Box 3. Screening complaint

Screening of complaints can be done through the following

- i. Identification of the complainant who unless requests for anonymity should provide name and contact details
- ii. The complainant has been affected by the project as a result of project implementation
- iii. The issues raised by the complainant fall

*Handle complaint:* If the complaint is not eligible, then the complainant should be notified, and reasons given accordingly.

*Refer complaints:* Alternative referrals options such as police, Local Council Courts if the complaint is of criminal nature, should be given to the complainant.

b. Assess the complaint

A further assessment should be done on the seriousness of the complaint i.e. the severity of the issue at hand, the potential impact on the individuals and project. This may require, field visits, interviews and discussion with affected parties and or witnesses.

**Box 4. Assessment of the complaint**

Dealing with complaints

1. Verify documents
2. Conduct field inspections to verify authenticity and eligibility of the grievance reported
3. Conduct interviews with parties involved
4. Referring complaints to different agencies involved for technical assessment if necessary

c. Formulate a response

An appropriate response can be formulated on how to proceed with the complaint and this response should be communicated to the complainant.

**Box 5. Response about the complaint**

The response could involve;

- i. Acceptance or rejection of the complaint,
- ii. Next steps and timelines, or
- iii. Further information about the complaint.

d. Settle the complaint

The options available for consideration may depend on the nature of the complaint handled. Box 4. below provides some of the options that could be adopted

**Box 6: Options to resolve complaints**

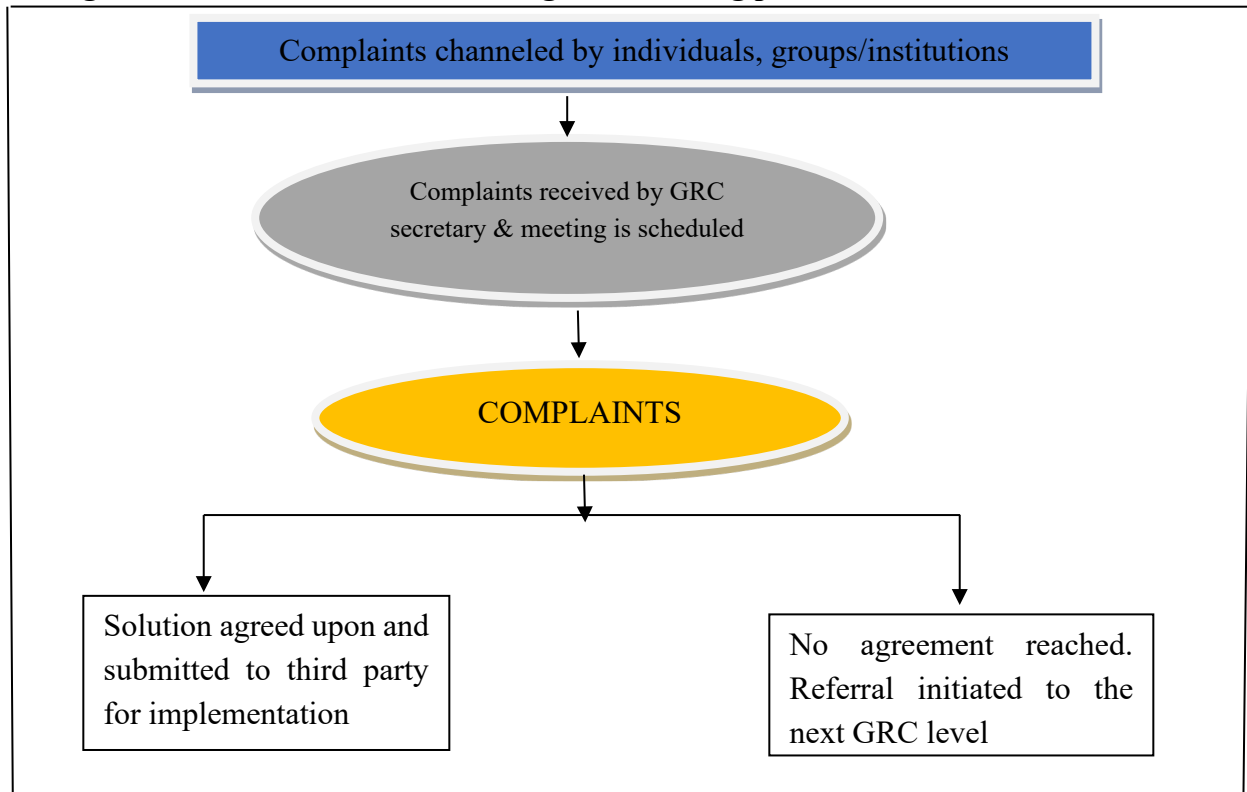
Some options available to resolve issues

- Document agreed actions/way forward
- Caution
- Apology
- Restitution/restoration
- Giving information

e. Track, document, evaluate and report results

The GRCs have a responsibility of tracking and monitoring the process of grievance redress and the implementation of decisions made. They also have a duty to give regular feedback to the complainants about the grievance redress process. Evaluation procedures will also be put in place annually or biannually to assess the overall effectiveness of GRMs.

**Fig.2. Illustrates Grievance receiving and handling process**



### 2.5 Timeframes for Grievance Handling

Prompt handling of complaints is encouraged as they are received, and or addressed and records should be documented and stored accordingly. Where possible, complaints should be handled instantly especially in cases where complaints are lodged in through walk-ins. However, in cases where complaints have been lodged through written format i.e. suggestion boxes or GRM logs, periodic analyses will be done and the corresponding timelines are elaborated below.

1. The GRC will interview the Project Affected Person (PAP)/complainant in the language conversant by the complainant and complete a Grievance Registration Form which will be signed by the leader of the GRC and the PAP/complainant. This will then be lodged in the grievance log; the PAP/complainant should expect a response from the GRC within **seven (7) days** of filling the complaint. If the issue is not resolved, the GRC will forward the complaint to the GRC in the next Tier



2. The subsequent GRC Tiers [2-4] will be given a **fourteen (14) day** notice to hold a meeting. Two days after the meeting, the sub-county GRC will call the PAP/complainant and PGRC for discussions and resolution. The resolution will be presented to the PAP in written form within the same day of the meeting. If there is no resolution to the grievance, the GRC at the Sub county and the PAP shall then refer the matter to the GRC at the District;
3. If there is no resolution to the grievance, the GRC shall then refer the matter to Tier 5 - 3<sup>rd</sup> Party Mediation

## 2.6 Referral system

The Ugandan laws allows an aggrieved person the right to access justice through systematic administrative and judicial system. If the complainant remains dissatisfied with any of the structured levels of the grievance mechanism, he or she has a right of appeal to any legal authority such as Local Councils, Police, District Tribunal, NITA-U top management. The complainant has the option to pursue appropriate recourse via established judicial process in Uganda. The committee therefore will work to uphold the rights of the complainants as stated in the legal instruments of Uganda.

In case of any referrals, the committee will receive a complaint, record it and provide written referrals within **fourteen (14) days** to the next level of structure. Copies of these referrals should be kept in record file. Effort should be made to follow-up on how the resolution of the project related complaints referred are being handled.

## 2.7 Monitoring and reporting in GRM

Grievances shall be captured for monitoring and reporting using the Grievance Registration Form and logbooks of the parties of GRM. The Grievance Registration Form shall be filled for each grievance case (relevant to the project) by the various GRM Tiers where the grievance was lodged.

The District Environment and Social Focal Persons will coordinate GRM activities with members of GRC at various Tiers on a weekly basis to update GRC's consolidated database of complaints for each district.

The District Focal Person [DFP] will coordinate the monitoring process. The DFPs will provide monthly reports on the status of handling and management of grievances within their respective districts. The respective reports will reflect a consolidated picture of the status of grievance handling at the district. A template for the reports (attached in the Annex 7) has been developed and shared with respective District Focal Persons in this guideline.

All grievances shall be reported to the World Bank by NITA-U through the project coordinator

## 2.8 Monitoring and reporting indicators

To ensure timely and effective resolution of grievances, a tracking system and defined key performance indicators have been developed. This approach will enable the assessment of the overall effectiveness of the GRM and allow for corrective actions as needed. The following key performance indicators are recommended for assessing functionality of GRM:

- *Participation*

Percentage of grievances related to project activities and impacts channeled through the GRCs at both levels – the target is to have 100% of grievances addressed through the formal GRM structures

- *Effectiveness*

Percentage of complaints lodged that received effective and timely response through GRM – the target is to have 100% of grievances channeled through GRM

- *Resolution*

Percentage of complaints resolved at the district and sub-county and village levels – the target is to have 70% of grievances resolved through the GRM structures

- *Recurrence Reduction*

Number of recurrent complaints received – the target is to gradually reduce the number of complaints of each type by 50% through better management and timely implementation of corrective actions designed based on the similar previous cases raised and resolved previously. The overall intention is to learn on previous experience and respond to grievances in a manner that, over time, reduces their rate of occurrence

- *Influence*

This indicator identifies policy or performance/ conduct changes in project related stakeholders influenced by an evaluation of GRM performance of indicators and analysis of grievances.

## 2.9 Disclosure of Grievance Redress Mechanism

The information about grievance redress mechanism for the project will be disseminated through information leaflets and brochures and presented during the project related meetings and public consultations. During these gatherings, it should be emphasized that the GRM is aimed at quick and amicable resolution of complaints and does not substitute the legal process established under national legislation.

Every consultation shall be carried out under the coordination and supervision of the PCU to ensure people's awareness of the availability of the GRM, steps of grievance resolution as well as contacts and locations of focal persons to be approached in case of any grievance.

Various stakeholders including civil society, NGOs are considered as key actors of the GRM and play a crucial role in disseminating the information on GRM and facilitating quick and amicable resolution of complaints. The GRC District Focal Persons shall coordinate information dissemination activities in collaboration with the NITA-U PM, EHSS and Communication Team to ensure that the information packs provide details on GRM and contacts of grievance focal points are posted in publicly accessible and visible places and in every affected community.

#### 2.10 Capacity building on Grievance Redress Mechanism

Capacity building activities will be undertaken to create awareness on GRM and knowledge of appropriate procedures and steps. Handouts on GRM will be developed frequently and distributed among the various categories of project stakeholders and in the communities in the project area.

## ANNEX 4: WORLD BANK MONITORING CHECKLIST

### GRIEVANCE REDRESS MECHANISM CHECKLIST

June 2018

*A grievance redress mechanism (GRM) is a set of structures, procedures and processes by which complaints, queries or clarifications about the project are responded to, problems that arise out of implementation are resolved and grievances are addressed efficiently and effectively. It's a formalized way to receive, assess, and resolve stakeholder complaints in order to improve project outcomes. The GRM provides government counterparts and project teams insights into whether social risk mitigation measures are working, and when and what kind of remedial actions are necessary.*

The following are questions that the task team should consider in working with clients to develop adequate GRMs:

#### Is the Project GRM Planned?

- Was the GRM discussed with counterparts during project preparation?
- Was the GRM included in project consultations to identify target groups' preferred uptake channels?
- Is the project GRM referenced in all relevant safeguards documents?

#### Is the Project GRM Designed?

- Is the project GRM accessible, expeditious, and effective?
- Does the GRM help resolve issues and concerns through dialogue, joint fact-finding, negotiation, and problem solving?
- Is the design of GRM described in project documentation before appraisal?
- Is there a clear timeline for each milestone (e.g. filing the complaint, getting a hearing, receiving a response/judgement, filing an appeal, receiving a response/judgement on the appeal)?

#### Is the Project GRM Budgeted?

- Is the project GRM included in the budget?
- Were the costs at the various levels of the GRM implementation included/itemized?
- What parts of the GRM need to be included in the procurement plan? (Call center, cell phones, hotline etc.)

#### Is the GRM Operational?

- Does the project GRM has defined and functional processes to receive and register grievances?

#### BUILDING BLOCKS OF GRMS

- ✓ **Six Principles:** Fairness; objectiveness and independence; simplicity and accessibility; responsiveness and efficiency; speed and proportionality; and participation and social inclusion
- ✓ **People:** Informed beneficiaries on the GRM procedures and dedicated GRM personnel; continuous training and learning
- ✓ **Analysis:** Regularly review and act upon grievances data, trends and systemic issues

- Are the GRM processes detailed in the Project Operation Manual? Uptake channels, timeframe for resolution, closing the feedback loop, assistance provided to excluded and marginalized groups to file a complaint, etc.
- Are roles and responsibilities clearly defined for the formal or informal institutions involved in the GRM processes?
- Are stakeholders (not only beneficiaries or PAP) aware of the GRM procedures in place? Are these accessible in terms of location and language?
- Does the project GRM allow for clear mechanisms to acknowledge, assess and resolve issues/concerns?
- Are roles and responsibilities for GRM processes clearly defined within the PIU?
- How are the proposed responses communicated to complainants? Did the PIU or client seek agreement on the response?
- Are responses to complainants documented?
- Was the resolution implemented and what kind of follow up actions were taken to ensure effective closure of the grievance?
- Does the GRM include a process for handling confidential complaints so that the complainant is protected from retaliation (e.g. corruption, GBV/SEA cases)?

#### COMMON CHARACTERISTICS OF EFFECTIVE GRMS

- ✓ Multiple grievance uptake locations
- ✓ Multiple **channels** for receiving grievances
- ✓ Clear **processing guidelines** (including reviewing procedures and monitoring systems)
- ✓ Effective and timely grievance **response system** to inform complainants of the action taken
- ✓ Fixed **standards** for grievance resolution

#### Is the GRM regularly reported on?

- Is the PIU reporting regularly on the GRM status? Grievances received and resolved?
- Does the report include a typology of grievances? Individual/specific or project implementation related?
- Does the report cover grievances received, resolved and communicated to the complainant?
- Were the grievances received at the local level, the regional or national level? (if applicable)
- Are unresolved grievances documented, checked and monitored?

#### Is the GRM Monitored?

- Is the GRM status as well as updates included in the Aide Memoire?
- Is the GRM status and update included in the ISR?
- Are issues flagged such as recurring cases, increasingly frequent or escalating grievances in the ISRs and the Aide Memoires?
- If so, were capacity and processes addressed or will be addressed? Is there a timeframe?

# ANNEX 5. GRIEVANCE REGISTRATION FORM

## GRIEVANCE REGISTRATION FORM



Serial No: 1001  
 Ref No: .....  
 Date: .../.../.....

Name of Complainant: ..... Gender: Male  Female

Telephone Number: ..... Age:.....

ID Type and No: .....

Description of Complaint;

.....  
 .....  
 .....  
 .....

Name & Contact details of witness (If available): .....

Location of Receipt of Grievance	Location of occurrence of Grievance
District:	District:
County:	County:
Sub county/Town council:	Sub county/Town council:
Village/Cell:	Village/Cell:
LC Chairperson's Name:	Line Number:
Grievance No in village:	Name of execution contractor:
Other (Specify)	Other (Specify)

**Description of Activity/Project/ line that Grievance is related to**  
 .....

Signature or thumbprint: .....

**FOR OFFICIAL USE ONLY:** Received by: .....

Observation of receiving Officer: Issue  Grievance  Non Grievance

Method of receipt: Letter  Email  Face to face  Telephone call

WhatsApp  Etc...(Please specify) .....

Support documents provided by Complainant (if any)

**ANNEX 6. GRM LOG**

**Location (District).....**

**Sub County.....**

**Village:.....**

<b>Ref No.</b>	<b>Date Received</b>	<b>Mode of Receipt</b>	<b>Name of Complainant</b>	<b>Contacts of Complainant</b>	<b>Description of Complaint</b>	<b>Action Taken</b>

Notes

1. **Reference Number:** a unique number assigned to the complaint for easy tracking and follow up
2. **Mode of receipt:** how the complaint was received. This could be by Telephone, "SMS", Email, Written, In Person, verbal
3. **Contact of complainant:** to include phone number, P.O. Box number, e-mail
4. **Description of complaint:** a brief description of the complaint received, could include; fraud, land disputes, compensation, environment and social management issues service delivery, facilities, management etc
5. **Action taken:** includes remedies, resolution, agreed upon actions to the satisfaction of the complainant

## ANNEX 7: GRM REPORTING TEMPLATE

### REPORTING TEMPLATE

District.....

Sub-county.....

Parish.....

#### Indicators

SN	Indicator	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
1.	No of grievances related to project activities logged per months												
2.	Number of grievances that received timely response (within 7 days)												
3.	Number of grievances received and addressed at parish level												
4.	Number of recurrent complaints received (over a period of 15 days)												
5.	No. of meetings held												



6.	Number of unresolved grievances												
7.	Number of grievances referred from parish to sub-county level for addressing												
8.	Number of grievances referred to other legal institutions e.g. LCs, Police, Courts of Law												

**Provide details on recurrent complaints raised (attach evidence where necessary)**

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## **ANNEX 8: FREQUENTLY ASKED QUESTIONS (FAQS)**

### **What is a grievance and how is it different from cases undertaken by LCs?**

- It refers to a complaint, a feeling of dissatisfaction, an injustice, a wrong doing, an accusation, or criticism
- May also include queries, suggestions and comments
- A case is a question contested before Courts of justice or an equivalent legal process

### **What is Grievance Redress Mechanism (GRM)?**

- A set of specified procedures for revealing, assessing, addressing grievances and resolving disputes and monitoring.
- It is a mechanism whereby queries or clarification about a project are responded to systematically, problems that arise out of implementation are resolved and grievances are addressed.
- A mechanism for receiving, evaluating and addressing complaints arising out of the project interventions, communities, stakeholders.
- GRMs are not substitutes for legal or administrative systems or other civic mechanisms

### **Who manages the Grievance Redress Mechanism?**

Grievance Redress Mechanism is managed by NITA-U

- It is a body or institution established to strengthen grievance handling.
- Grievance Redress Committees have been established at project district, sub county and village levels
- District Community Development Officer, and District Environment Officer have been appointed as Focal Persons for the Grievance Redress Mechanism at all project districts.

### **What is the intended use of the Grievance Redress Mechanism?**

- Reduce conflict, risk of undue delay and complication in project implementation
- Improve quality of project activities and outputs
- Ensure that the rights of affected parties are respected
- Identify and respond to unintended impacts of projects on individuals; and,
- Maximize participation, support and benefit to local communities.

### **Why do we need Grievance Redress Mechanism?**

1. To the NITA-U
- It will enhance information sharing about the project
  - Provides an avenue for resolving grievances and disputes at the lowest project level

- Facilitates speedy resolution of conflicts before they escalate
- It will help us win the trust and confidence of the community
- Prevents adverse impacts to the community
- Helps to avoid project delays and cost overlaps thus improving quality of work
- Acts as an early warning mechanism
- Allows project staff to be more accountable
- Increases stakeholder participation in project
- 
- 2. To the Project Affected Person or complainant
  - Provides cost effective method for channeling complaints
  - Community is able to report their grievances with dignity and also receive a fair hearing
  - Facilitates access to information

**Who moves a grievance/complaint?**

A grievance originates from Project Affected Person. The person is motivated by the need to seek for redress.

**How should complaints or grievances be received/ submitted?**

1. Complaints submission

Complaints can be submitted/received through locally available channels some of which could be the following mechanism

- Phone – using the toll-free line number for verbal and written to NITA-U Service Desk email, verbal through Grievance Redress Committee suggestion box.
- Staff members who receive complaints verbally must raise a ticket for them to be considered
- Anonymous complaints can also be accepted by phone or suggestion boxes

Note: Information on these various channels to submit complaints will be publicly displayed on construction site/cardboard at contractor’s/client’s premises/local media/flyers

•

2. Tracking system – Complaints received should be assigned a ticket number that will help the complainant track progress

Receipt of complaints shall include the following information:

- Date when complaint was received
- Tracking Number
- Method of receiving complaint: Phone/Fax/Email/Note/Verbally
- Full name of person receiving complaint
- Summary of complaint
- Complainant’s full name, Identification (ID) Number, and Physical Address

- Complainant's phone Number (Office/Home/Cell)
- Complainant's email (where applicable)

### 3. Procedure for assessment, acknowledgement and response

- On-spot resolution is encouraged; emphasis on recording incidents and responses and maintaining centrally held grievance register is key
- Complaints that cannot be responded to on the spot should be relayed to a specified person (NITA-U/contractor/Local Government) who should take a specified number of days to assess them and provide a written response to the complainant, acknowledging receipt and detailing the next steps to be taken.

### 4. Procedure for resolution or closure

Where an agreement has been reached between the complainant and the GRC on how the complaint will be resolved, a minute should be drafted and signed by both parties.

After due implementation of the agreement, a new minute will be signed stating that the complaint has been resolved

Where an agreement has not been reached, the complainant should be offered the option of referral to the next GRC or an independent mediation process (where necessary)

If the complainant accepts the mediation option and an agreement is reached, due implementation should be monitored by the mediation service and a minute should be signed indicating the complaint has been resolved

If complainant does not accept the mediation option or if he/she accepts but an agreement is not reached, the case should be closed. The complainant may seek through courts of law or other mechanisms available at the country level

**5. Procedures for complaint Registry and Monitoring** - All complaints received should be entered into a publicly accessible online system that will allow complaints to be tracked and monitored. The system will present a database showing:

- No. of complaints received
- No. and % of complaints that have reached agreement
- No. and % of complaints that have been resolved
- No. and % of complaints that have gone to mediation
- No. and % of complaints that have not reached agreement

The database should also show the issues and geographic areas most complaints circle around

**Note:** Information provided by the database will help the project team to improve the mechanism and better understand and address the social impacts of the project

## **ANNEX 9: CHANCE FINDS PROCEDURES**

### **CHANCE FIND PROCEDURE**

#### **SUMMARY**

A Chance Find Procedure prevents chance finds from being disturbed until an assessment by a competent specialist is made and actions consistent with the requirements are implemented. The ESS8 recognizes that cultural heritage provides for continuity in both tangible and intangible forms between the past, present and the future. The requirements apply to cultural heritage regardless of whether or not it has been legally protected or previously identified. The purpose of this document is to address the possibility of archaeological deposits becoming exposed during ground altering activities within the project area and to provide protocols to follow in the case of a chance archaeological find to ensure that archaeological sites are documented and protected as required. Archaeological sites are protected by The Heritage Conservation Act, whether on Road reserve or private land. They are non-renewable, very susceptible to disturbance and are finite in number. Archaeological sites are an important resource that is protected for their historical, cultural, scientific and educational value to the general public, local communities.

Impacts to archaeological sites must be avoided or managed by development proponents. The objectives of this 'Archaeological Chance Find Procedure' are to promote preservation of archaeological data while minimizing disruption of construction scheduling. It is recommended that due to the moderate to high archaeological potential of some areas within the project area, all on site personnel and subcontractors be informed of the Archaeological Chance Find Procedure and have access to a copy while on site.

Potential Impacts to Archaeological Sites Developments that involve excavation, movement, or disturbance of soils have the potential to impact archaeological materials, if present. Activities such as Trenching, land clearing, and excavation are all examples of activities that may adversely affect archaeological deposits.

#### **Scope of the chance finds procedure**

This procedure is applicable to all activities conducted by the personnel, including subcontractors that have the potential to uncover a heritage item/site. This procedure details the actions to be taken when a previously unidentified and potential heritage item/site is found during project activities.

#### **Induction/Training**

All personnel, especially those working on earth movements and excavations, are to be inducted on the identification of potential heritage items/sites and the relevant actions for them with regards to this procedure during the Project induction and regular toolbox talks.

## **Chance finds procedure**

If any person discovers a physical cultural resource, such as (but not limited to) archaeological sites, historical sites, remains and objects, or a cemetery and/or individual graves during excavation or construction, the following steps shall be taken:

1. Stop all works in the vicinity of the find, until a solution is found for the preservation of these artifacts, or advice from the relevant authorities is obtained.
2. Immediately notify a foreman. The foreman will then notify the Site Manager the EHS Managers and NITA-U EHSSS compliance team.
3. Record details in Incident Report and take photos of the find.
4. Delineate the discovered site or area; secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be arranged until the responsible local authorities take over.
5. Preliminary evaluation of the findings by archaeologists. The archaeologist must make a rapid assessment of the site or find to determine its importance. Based on this assessment the appropriate strategy can be implemented. The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage such as aesthetic, historic, scientific or research, social and economic values of the find.
6. Sites of minor significance (such as isolated or unclear features, and isolated finds) should be recorded immediately by the archaeologist, thus causing a minimum disruption to the work schedule of the subcontractor. The results of all archaeological work must be reported to the respective Ministry/Agency, once completed.
7. In case of significant find the Agency/Ministry/Agency for museums and National Heritage or Archaeological Research Centers, (Heritage team) should be informed immediately and in writing within 7 days from the find.
8. The onsite EHS, or responsible personnel provide the Heritage team with photos, other information as relevant for identification and assessment of the significance of heritage items.
9. The museums agency must investigate the fact within a specific timeframe as per NITA-U EHSSS compliance team requirement, from the date of notification and provide response in writing.
10. Decisions on how to handle the finding shall be taken by the responsible authorities. This could include changes in the layout (such as when finding an irremovable remain of cultural or archaeological importance) conservation, preservation, restoration and salvage.
11. Construction works could resume only after permission is granted from the responsible authorities.
12. In case no response received within a specific timeframe in accordance with NITA-U EHSSS compliance team, this might be deemed as authorization to proceed with suspended construction works.

One of the main requirements of the procedure is record keeping. All finds must be registered. Photo log, copies of communication with decision making authorities, conclusions and recommendations/guidance, implementation reports kept.

## **Additional information**

Management options for archaeological site

- Site avoidance. If the boundaries of the site have been delineated attempt must be made to redesign the proposed development to avoid the site. (The fastest and most cost-effective management option)

- Mitigation. If it is not feasible to avoid the site through redesign, it will be necessary to sample it using data collection program prior to its loss. This could include surface collection and/or excavation. (The most expensive and time-consuming management option.)
- Site Protection. It may be possible to protect the site through the installation of barriers during the time of the development and/or possibly for a longer term. This could include the erection of high visibility fencing around the site or covering the site area with a geotextile and then capping it with fill. The exact prescription is to be site- specific.

## Management of replicable and non-replicable heritage

Different approaches for the finds apply to replicable and non-replicable heritage.

### Replicable heritage

Where tangible cultural heritage that is replicable and not critical is encountered, mitigation measures will be applied. The mitigation hierarchy will be as follows:

- Avoidance
- Minimization of adverse impacts and implementation of restoration measures incase its in-situ
- Restoration of the functionality of the cultural heritage, in a different location
- Permanent removal of historical and archaeological artifacts and structures
- Compensation of loss - where minimization of adverse impacts and restoration not feasible.

### Non-replicable heritage

Most cultural heritage is best protected by in-situ preservation, since removal is likely to result in irreparable damage or even destruction of the cultural heritage.

Replicable cultural heritage is defined as tangible forms of cultural heritage that can themselves be moved to another location or that can be replaced by a similar structure or natural features to which the cultural values can be transferred by appropriate measures. Archaeological or historical sites may be considered replicable where the particular eras and cultural values they represent are well represented by other sites and/or structures.

Nonreplicable cultural heritage must not be removed unless all of the following conditions are met:

- There are no technically or financially feasible alternatives to removal;
- The overall benefits of the project conclusively outweigh the anticipated cultural heritage loss from removal; and

Any removal of cultural heritage must be conducted using the best available technique advised by relevant authority and supervised by an expert.

## Human Remains Management Options

The handling of human remains believed to be archaeological, in nature requires communication according to the same procedure described above. There are two possible courses of action:

- Avoid. The development project is redesigned to completely avoid the found remains. An assessment should be made as to whether the remains may be affected by residual or accumulative impacts associated with the development, and properly addressed by a comprehensive management plan.
- Exhume. Exhumation of the remains in a manner considered appropriate by decision makers. This will involve the predetermination of a site suitable for the reburial of the remains. Certain ceremonies or procedures may need to be followed before development activities can recommence in the area of the discovery.





STAKEHOLDER CONSULTATION FORM FOR UDAP

Jinja

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ANNEX 10 B) PHOTOGRAPHIC REGISTER



Engagements in Mubende



Engagements in Mbarara



Minimum PPE requirements during consultations



Vehicle sanitization during stakeholder engagement phase in line with COVID 19 SOPs



Engagements in Entebbe Fisheries training institute



Consultations in Entebbe Training Insitutions



Consultations with Uganda Printing and Publishing Corporation



Consultations with MWE



Consultations with NWSC



Consultations with Uganda Police Force



Consultation with Local Government



Engagements in Masindi

## ANNEX 11: CODE OF CONDUCT

### Policy brief & purpose

Our **Employee Code of Conduct policy** outlines our expectations regarding employees' behavior towards their colleagues, supervisors and overall organization.

We promote freedom of expression and open communication. We however, expect all employees and (sub) contractors to follow our code of conduct as their everyday work place policy. They should avoid offending, participating in serious disputes and disrupting our workplace. We also expect them to foster a well-organized, respectful and collaborative environment.

### Scope

This policy applies to all our employees and (sub)contractors regardless of employment agreement or rank.

### Policy elements

#### Compliance with law

All employees must protect our company's legality. We expect employees to be ethical and responsible when dealing with our company's finances, products, partnerships and public image.

All employees and (sub)-contractors must comply with all the environmental health, social and security safeguards in the Missing Links Project ESMP, Project Site Rules, NEMA conditions of approval for ESIA and site/district-specific permits/approvals to work conditions

All employees and (sub)-contractors shall follow, respect and comply with the project grievance redress procedure

#### Respect in the workplace

All employees and (sub)-contractors should respect their colleagues. Any kind of discriminatory behavior, harassment (sexual, gender, vulnerability, etc.) or victimization is prohibited and punishable. Employees and (sub)-contractors should conform with our equal opportunity policy in all aspects of their work, from recruitment and performance evaluation to interpersonal relations.

#### Protection of Project Property

All employees and (sub)-contractors should treat our project property, whether material or intangible, with respect and care.

#### Employees and (sub)-contractors:

- Shouldn't misuse **Project equipment** or use it frivolously.
- Should respect all kinds of **incorporeal property**. This includes trademarks, copyright and other property (information, reports etc.) Employees should use project property only to complete their job duties.

Employees should protect Project facilities and other material property (e.g. PPE, Computers, Transmitters, FOC, etc.) from damage and vandalism, whenever possible.

## Professionalism

All employees and (sub)-contractors must show integrity and professionalism in the workplace:

### **(a) Personal appearance**

All employees and (sub)-contractors must follow our personal appearance and dress code guidelines.

### **(b) Corruption**

We discourage employees and (sub)-contractors from accepting gifts from clients or partners. We prohibit briberies for the benefit of any external or internal party.

### **(c) Job duties and authority**

All employees and (sub)-contractors should fulfill their job duties with integrity and respect toward customers, stakeholders and the community. Supervisors and managers mustn't abuse their authority. Delegation of duties to team members must take into account their competences and workload. Likewise, team members should follow team leaders' instructions and complete assignments with skill and in a timely manner. We encourage mentoring throughout our company.

### **(d) Absenteeism and tardiness**

Employees and (sub)-contractors should follow their schedules. We can make exceptions for occasions that prevent employees from following standard working hours or days. Employees and (sub)-contractors will be punctual when coming to and leaving from work.

### **(e) Conflict of interest**

Avoid personal, financial or other interests that might hinder your capability or willingness to perform your job duties.

### **(f) Collaboration**

Employees should be friendly and collaborative. They should try not to disrupt the workplace or present obstacles to their colleagues' work.

### **(g) Communication**

Be open to communication with colleagues, supervisors or team members

### **(h) Benefits**

Do not abuse your employment benefits including time off, insurance, workman's comp facilities, subscriptions or other benefits our Project offers.

### **(i) Policies**



All employees and (sub)-contractors should read and follow our Project policies. If they have any questions, they should ask their managers or Human Resources (HR) department.

#### Disciplinary actions

Management may have to take disciplinary action against employees and (sub)-contractors who repeatedly or intentionally fail to follow our code of conduct. Disciplinary actions will vary depending on the violation.

Possible consequences include:

- Demotion.
- Reprimand.
- Suspension after at least two warnings for minor offenses and termination after three warnings where more serious offenses are involved
- Detraction of benefits for a definite or indefinite time

We may take legal action in cases of corruption, theft, embezzlement or other unlawful behavior.

#### **(j) Declaration**

I, the undersigned, do declare that:

- (1) I have been satisfactory inducted on the project code of conduct policy
- (2) I have read and understood the entire code of conduct policy
- (3) I agree to abide by all its conditions

No	Name	Designation	Signature	Date	Witness Signature	Date

# ANNEX 12: ENVIRONMENT HEALTH SAFETY AND SOCIAL MONITORING AND REPORTING FORMAT



## Regional Communication Infrastructure Program (RCIP)

### Monthly Environment, Health, Safety and Social Monitoring Report

Month-Year

Rev	Date	Reason for Issue	Prepared	Checked	Approved
<b>DOCUMENT NUMBER: NITA-U/2018/RPT_03</b>					

Abbreviations

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Introduction

a) Stakeholder Engagements

b) Field Specific Activities Undertaken during OFC Installations in the Month of August 2019.

Monthly Highlights

Monthly Lows

Main EHSS Activities

Action Points/Corrective Actions Required

Planned EHSS Activities

Main Month End Statistics

<b>Indicators</b>	<b>Total</b>	<b>Comment(s)</b>
<b>Man-Hours</b>		
<b>Personnel On Board (POB)</b>		
<i>Local Content</i>		
<i>National Content</i>		
<b>Female Content</b>		
<b>Equipment Damage (EQD)</b>		
<b>Environmental Incidents (ENV)</b>		
<b>First Aid Treatment (FAT)</b>		
<b>Medical Treatment Only (MTO)</b>		
<b>Restricted Work Cases (RWC)</b>		
<b>Cumulative Restricted Duty Days</b>		
<b>Lost Time Incidents (LTI)</b>		
<b>Cumulative Lost Workdays From LTI</b>		
<b>Fatalities (FTL)</b>		
<b>Immediate Incident Reports</b>		

<b>Indicators</b>	<b>Total</b>	<b>Comment(s)</b>
<b>Incident/Accident Reports</b>		
<b>Number of Days Since Last LTI</b>		
<b>Number of Days Since Last Recordable Incident</b>		
<b>Number of Days Since Last Hurt</b>		
<b>Number of Days Since Last HIPO</b>		
<b>Stand-Down Safety Briefs <math>\geq</math> 15Mins</b>		
<b>ICR Raised</b>		
<b>ICR Closed</b>		
<b>Gov. licenses/ permits</b>		
<b>JSAs Completed and Reviewed</b>		
<b>Permit To Work (PTW)</b>		
<b>Pre-Task Meetings</b>		
<b>Other EHSS Meetings</b>		
<b>Pre-Task Meetings</b>		
<b>EHS Inductions</b>		
<b>Worksite Training Classes Held</b>		
<b>Total Training Hours</b>		
<b>Drills (Fire, Stretcher, Man-Down)</b>		
<b>Motor Vehicle Inspections</b>		
<b>Lifting Equipments Inspections (Self Loading Trucks)</b>		
<b>PPE Inspections</b>		
<b>Weekly Camp Inspections</b>		
<b>HUAWEI Audits</b>		
<b>HUAWEI top management visits</b>		

<b>Indicators</b>	<b>Total</b>	<b>Comment(s)</b>
<b>NITA Audits</b>		
<b>World Bank Visits</b>		
<b>Grievances Recorded</b>		
<b>Government/ lead agency visits (includes Local government)</b>		
<b>Other External Audits</b>		
<b>Mileage (Km)-Contractor</b>		
<b>Mileage (Km)- RCIP</b>		
<b>Kms excavated (trenched)</b>		
<b>Kms backfilling</b>		
<b>Chance finds encountered</b>		

Pictorial Register

## **Annex 13: ENVIRONMENTAL AND SOCIAL SCREENING FORMS**

The Environmental and Social Screening Form (ESSF) has been designed to assist in the evaluation of planned UDAP activities in Uganda. The form will assist the project implementers and reviewers to identify environmental and social impacts and their mitigation measures, if any. It will also assist in the determination of requirements for further environmental work (such as EIA), and social work. The form helps to determine the characteristics of the prevailing local bio-physical and social environment with the aim of assessing the potential impacts of the construction and extension activities on the environment. The ESMF will also assist in identifying potential socio-economic impacts that will require mitigation measures and/or resettlement and compensation.

Please type or print clearly, completing this form in its entirety. You may provide additional information on a separate sheet of paper if necessary. Kindly note that the information you are to provide is required as per the National Environment Act 2019 and it is an offence to give inaccurate information under this Act.

### **SECTION 1: INFORMATION ON THE CONTACT PERSON**

Name: -----  
Institutional Affiliation -----  
Business Title / position -----  
Business Address -----  
Telephone -----

### **SECTION 2: DESCRIPTION OF THE PROPOSED PROGRAM**

Name of Proposed Program-----  
Date expected to start construction-----  
Proposed location of program -----  
(Attach a map or maps, covering the proposed site and Surrounding 5 km radius)  
Land Area -----  
(Approximate land area and of proposed location)  
Current Land use (Describe how the land is being used at present) -----  
-----  
Describe any Possible Alternative Site(s) -----

### **SECTION 3: BRIEF DESCRIPTION OF THE PROPOSED ACTIVITIES**

Describe the type and scale of the likely activities to be undertaken (e.g. area, land required etc). Provide information on the activities including support/ancillary structures and activities to be undertaken. Describe how the activities will be carried out. Include description of support/activities and resources required for the construction/extension.

### **SECTION 4: BRIEF DESCRIPTION OF THE BIOPHYSICAL SOCIO-ECONOMIC ENVIRONMENT**

Describe other types of facilities (including health centers and schools) which are located within or adjoining the road reserve. Indicate the proximity of the road reserve to residential areas, national parks or areas of ecological, historical or cultural importance. -----  
-----  
-----

Indicate whether adequate infrastructure exists at the proposed location, or whether roads, electricity supply and, or drainage systems will need to be constructed as a part of the proposed project, especially for base stations.

## **SECTION 5: POTENTIAL ENVIRONMENTAL IMPACTS**

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

- The Biological Environment

### **The Natural Environment**

Describe the habitats and flora and fauna along the project route or base station sites expected to be affected by the project (e.g., downstream areas, access roads):

Will the project directly or indirectly affect?

Natural forest types?

Swamps?

Wetlands (i.e., lakes, rivers, swamps, seasonally inundated areas)?

Natural critical habitats (parks, protected areas)?

Other habitats of threatened species that require protection under Ugandan laws and/or international agreements? YES \_\_\_\_\_ NO \_\_\_\_

Are there according to background research/observations any threatened/ endemic species in the along the project route area that could be affected by the project? YES \_\_\_\_\_ NO \_\_\_\_\_

Will vegetation be cleared? Yes No

If yes, please state the distance/length of affected area

Will there be any potential risk of habitat or ecosystem fragmentation (e.g. severance of wetland continuity) due to the clearing activities? YES \_\_\_\_\_ NO \_\_\_\_\_

Will the project lead to a change in access, leading to increase in risk of depleting biodiversity resources (e.g. in wildlife areas?) YES \_\_\_\_\_ NO \_\_\_\_\_

Provide additional description for “Yes” answers: \_

### **Protected Areas**

Does the subproject area or do subproject activities: Occur within or adjacent to any protected areas? YES \_\_\_\_\_ NO \_\_\_\_\_

Affect any protected area downstream of the project? YES \_\_\_\_\_ NO \_\_\_\_\_

Affect any ecological corridors used by migratory or nomadic species located between any protected areas or between important natural habitats (protected or not) (e.g., mammals or birds)? YES \_\_\_\_\_ NO \_\_\_\_\_

Provide an additional description for “yes” answers:

into the environment? YES \_\_\_\_ NO \_\_\_\_



- The Social Environment

**Land Use, Resettlement, and/or Land Acquisition**

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

---

Are there any land use plans on or near the sub-project location, which will be negatively affected by subproject implementation? YES \_\_\_ NO \_\_\_

Are there any areas on or near the subproject location, which are densely populated which could be affected by the sub-project? YES \_\_\_ NO \_\_\_

Are there sensitive land uses near the project site (e.g., hospitals, schools)? YES \_\_\_ NO \_\_\_ Will there be a loss of livelihoods among the population? YES \_\_\_ NO \_\_\_

Will the sub-project affect any resources that local people take from the natural environment? YES \_\_\_ NO \_\_\_

Will there be additional demands on local water supplies or other local resources? YES \_\_\_ NO \_\_\_

Will the sub-project restrict people's access to land or natural resources? YES \_\_\_ NO \_\_\_

Will the project require resettlement and/or compensation of any residents, including squatters? YES \_\_\_ NO \_\_\_

Will the subproject result in construction workers or other people moving into or having access to the area (for a long time period and in large numbers compared to permanent residents)?

YES \_\_\_ NO \_\_\_

Who is/are the present owner(s)/users of resources/infrastructures the subproject area?

---

**Occupational Health and Safety, Welfare, Employment, and Gender**

Is the sub-project likely to safeguard worker's health and safety and public safety (e.g., occupational health and safety issues)? YES \_\_\_ NO \_\_\_

How will the project minimize risk of HIV/AIDS?

How will the sub-project minimize the risk of accidents?

How will accidents be managed, when they do occur?

---

Is the project likely to provide local employment opportunities, including employment opportunities for women? YES \_\_\_ NO \_\_\_

Provide an additional description for "yes" answers:

---

**Historical, Archaeological, or Cultural Heritage Sites**

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

-Historical heritage site(s) or require excavation near the same? YES \_\_\_ NO \_\_\_ -

-Archaeological heritage site(s) or require excavation near the same? YES \_\_\_ NO \_\_\_

-Cultural heritage site(s) or require excavation near the same? YES \_\_\_ NO \_\_\_

-Graves, or sacred locations (e.g., fetish trees or stones) or require excavations near the same? YES \_\_\_ NO \_\_\_

N.B For all affirmative answers (YES) Provide description, possible alternatives reviewed and/or appropriate mitigating measures.

**SECTION 6: RECOMMENDATIONS**

Environmental category: (tick where applicable)

Category	Justification
A Does not require further environmental or social studies	
B Requires submission of only a Project Brief	
C Requires a full ESIA to be submitted on date	
D Requires an ESMP to be submitted on date	
E Requires a RAP to be submitted on date	
F Requires an Vulnerable and Marginalized Groups Plan	
G Requires a Physical Cultural Resources Plan	

**CERTIFICATION**

We certify that we have thoroughly examined all the potential adverse effects of this subproject.

Reviewer: .....

Name: .....

Signature: .....

Date: .....

## **ANNEX 14: SEXUAL HARASSMENT POLICY**



# **SEXUAL HARASSMENT POLICY (SHP)**

**The National Information Technology Authority**

**DOCUMENT NUMBER: NITA-U/2020/12-01**

**THE NATIONAL INFORMATION TECHNOLOGY AUTHORITY, UGANDA (NITA-U)**

**Palm Courts; Plot 7A Rotary Avenue (Former Lugogo Bypass).**

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**December 2020**

## Revision Control

Revision:	Para /Sect	Change Description

The above section must be fully completed at each revision upon document approval. It should provide details on pages revised, date of the revision and paragraph with clear indication approval of known authority.

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## INTRODUCTION

This Sexual Harassment Policy is intended to address acts and practices related to sexual harassment at all levels within the structures of National Information Technology Authority – Uganda [NITA-U].

In line with the 1995 Constitution of the Republic of Uganda (as amended) and the international and regional human rights instruments and protocols to which Uganda is a State Party which guarantee all Ugandans equality, dignity and non-discrimination, the NITA-U reaffirms its zero-tolerance to sexual harassment and its commitment to creating an environment that respects and protects the rights of all members of the University community.

This Policy applies to all members of the NITA-U community, its contractors and sub-contractors. Sexual Harassment may occur between equals but most often occurs in situations where one person has power over another.

## CITATION

- *This Policy may be cited as “The National Information Technology Authority - Uganda (NITA-U) Policy Against Sexual Harassment, 2020*

## THE POLICY STATEMENT

NITA-U is committed to providing a safe environment for all its employees, contractors and sub-contractors free from discrimination on any ground and from harassment at work including sexual harassment. To this end, NITA-U will operate a zero-tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

## OBJECTIVES

The objectives of this policy are three-fold:

- (a) To sensitize the staff about the evils of sexual harassment, thereby engendering a sense of social responsibility and zero tolerance for such behavior

(b) To establish an institutional framework that encourages victims of Sexual Harassment to seek redress.

(c) To take action in eliminating sexual harassment at NITA-U, its contractors, sub-contractors and impose such sanctions and corrective action as may be deemed necessary.

#### OPERATIONALIZING THE DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is a specific form of harassment that deserves particular attention due to its serious effects on individuals and the institution. Operationally, this policy adopts the World Bank (1997) definition of sexual harassment as any unwelcome sexual advance, request for sexual favor or other verbal, non-verbal, or physical conduct of a sexual nature which unreasonably interferes with work, alters or is made a condition of employment, or creates an intimidating, hostile, or offensive environment.

Sexual harassment can involve one or more incidents and actions. Conduct or behavior which constitutes sexual harassment may be physical, verbal and non-verbal.

#### Physical conduct

These physical conducts may include:

- a) Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- b) Physical violence, including sexual assault
- c) Physical contact, e.g. touching, pinching
- d) The use of job-related threats or rewards to solicit sexual favours

#### Verbal conduct

These verbal conducts may include:

- a) Comments on a worker's appearance, age, private life, etc.
- b) Sexual comments, stories and jokes
- c) Sexual advances
- d) Repeated and unwanted social invitations for dates or physical intimacy
- e) Insults based on the sex of the worker
- f) Condescending or paternalistic remarks
- g) Sending sexually explicit messages (by phone, handwritten letters/notes or by email)

#### Non-verbal conduct

These non-verbal conducts may include:

- a) Display of sexually explicit or suggestive material
- b) Sexually-suggestive gestures
- c) Whistling
- d) Leering

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. The Authority recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

#### Conduct That Would Not Be Considered Harassment

Staff members, contractors, sub-contractors and any other stakeholder must have reasonable grounds before making a complaint of harassment. All situations which appear to meet the definition ultimately may not be found to be instances of harassment. There is a wide range of ambiguous behavior that might offend some people, but not others. The key is whether or not the action was unwelcome, particularly in light of whether the recipient asks the alleged harasser to stop it, where this is possible. Sometimes people who make remarks or gestures are not aware of their effect on others. They may think that they are being flattering, and may not realize that they are hurting or offending the person.

Situations can be perceived as harassment because of differences in:

- Power - Often people with power or authority are not aware of the effect their behavior has on others, because they are used to saying things and not being challenged. They may not know that an employee is afraid to speak up.
- Culture - A flattering comment in one culture may be very inappropriate in another culture. It may even be inappropriate for a man to take notice of or compliment a woman.
- Gender - Men and women may define harassment differently. Studies have shown that men tend to see only overt behaviors, crude jokes, outright propositions, etc. as sexual harassment, while women include more subtle behaviors.

It is important to note that supervisors may make negative decisions (e.g. about performance or work assignments), which do not constitute harassment. Supervisors have a responsibility to give frank and constructive feedback, and to take appropriate corrective action. Such feedback and actions should not be used to demean staff or as retaliation (World Bank 1997).



The Authority recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee.

All sexual harassment is prohibited whether it takes place within NITA-U premise or outside, including at social events, business trips, training sessions or conferences sponsored by NITA-U or fieldwork. As a matter of policy, anyone, including employees of NITA-U, clients, casual workers, contractors, sub-contractors or visitors who sexually harasses another will be reprimanded in accordance with this policy.

## THE COMPLAINTS HANDLING PROCEDURE

A person who feels that he or she is being subjected to harassment should first, where possible, make his or her disapproval clearly known to the individual(s) concerned and ask that the behavior stop. If the circumstances make that too threatening, NITA-U through its Grievance Redress System (GRS) provides a variety of resources and informal and formal means to have concerns and allegations addressed.

The victim can follow the following steps:

**Step 1:** Inform the alleged harasser that the conduct is unwanted and unwelcome.

**Step 2:** NITA-U recognizes that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser. If a victim cannot directly approach an alleged harasser because s/he is her/his supervisor, a member s/he can approach one of the Human Resource Officer [HR] responsible for receiving complaints of sexual harassment. To enable the handling of these intricate cases in a fair manner, NITA-U will provide the designated human resource management staff with special training to enable them to assist victims of sexual harassment.

As a matter of procedure, When the HR officer receives a complaint of sexual harassment, he/she will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome he/she wants
- ensure that the victim understands the company's procedures for dealing with the complaint

- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that they can lodge the complaint outside of the company through the relevant legal framework

**Step 3:** The complainant should choose a path s/he feels will help her resolve the issue.

### **Informal Complaints Mechanism**

If the victim wishes to deal with the matter informally, the responsible HR officer will:

1. give an opportunity to the alleged harasser to respond to the complaint
2. ensure that the alleged harasser understands the complaints mechanism
3. facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the company to resolve the matter
4. ensure that a confidential record is kept of what happens
5. follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped
6. ensure that the above is done within two (2) days of the complaint being made

### **Formal Complaints Mechanism**

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The HR officer who initially received the complaint will refer the matter to the Chairman of the Sexual Harassment Committee comprised of a Senior Human Resource Officer, a Senior Legal officer, a Gender Expert and a member of the Executive Committee (who will chair proceedings) to instigate a formal investigation. The committee may investigate the issue itself or refer it to an internal or external investigator. This committee must not only be gender representative but its members should be trained on understanding and deciding what constitutes sexual harassment, how to investigate and resolve it.

The committee in carrying out the investigation will:

1. interview the victim and the alleged harasser separately
2. interview other relevant third parties separately
3. decide whether or not the incident(s) of sexual harassment took place
4. produce a report detailing the investigations, findings and any recommendations
5. if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal)
6. follow up to ensure that the recommendations are implemented, that the behavior has stopped and that the victim is satisfied with the outcome
7. if it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace
8. keep a record of all actions taken
9. ensure that the all records concerning the matter are kept confidential
10. ensure that the process is done as quickly as possible and in any event within [5] days of the complaint being made
11. Incorporate the wishes and needs of the victims into the outcome of the complaint's mechanism. For example, if it is found that a victim was harassed by a colleague and that they work together on a daily basis, the views of the victim should be ascertained before making a decision on re-organizing the office. For example, the victim may not want to be moved to a different department and as the victim, he/she should be entitled to decide this and not be re-victimized by being forced to move within the company.

### **Complaints Mechanisms**

A person who has been subject to sexual harassment can also make a complaint outside of the company. They can do so through Uganda's Criminal justice system since internal policy of a company cannot prevent an employee from also using the national mechanisms available to him or her. For contractor, sub-contractor staff in the field or any NITA-U project affected person, the Sociologist shall document the incident, provide psycho-social support to the victim and refer any serious incidents of sexual harassment to the nearest police post or station for investigation. For petty cases that can be resolved and the victim has shown will to resolve it at that level however, the Sociologist will:

1. immediately record the dates, times and facts of the incident(s)
2. ascertain the views of the victim as to what outcome he/she wants
3. ensure that the victim understands the company's procedures for dealing with the complaint
4. discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
5. keep a confidential record of all discussions
6. respect the choice of the victim
7. ensure that the victim knows that they can lodge the complaint outside of the company through the relevant country/legal framework
8. give an opportunity to the alleged harasser to respond to the complaint
9. ensure that the alleged harasser understands the complaints mechanism
10. facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the company to resolve the matter
11. ensure that a confidential record is kept of what happens
12. follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped
13. ensure that the above is done within two (2) days of the complaint being made

## SANCTIONS AND DISCIPLINARY MEASURES

Anyone found under the internal grievance redress mechanism to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

1. verbal or written warning
2. adverse performance evaluation
3. reduction in wages
4. transfer
5. demotion
6. suspension
7. dismissal

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated

as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

#### IMPLEMENTATION OF THIS POLICY

NITA-U will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook and contractor bid documents. All new employees, contractors and sub-contractors shall be inducted on the content of this policy as part of their overall induction into the Authority.

Every year, NITA-U will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of every manager to ensure that all his/her employees are aware of the policy.

#### MONITORING AND EVALUATION

NITA-U recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the company will evaluate the effectiveness of this policy and make any changes needed.

Further, once a complaint is resolved, managers and supervisors will monitor the situation closely to ensure that all parties to the complaint make the transition back to their assigned work as smoothly and as quickly as possible. Managers and supervisors will also monitor their work environment closely to ensure that there is no potential for repeating the improper behavior.

#### SELECTED REFERENCES

1. The World Bank (1997): "Eradicating Harassment in the World Bank Group"
2. Makerere University (2006): The Makerere University Policy and Regulations Against Sexual Harassment
3. Parliament of Uganda (1995): The Constitution of the Republic of Uganda
4. The Uganda Penal Code (Amendment) Act, 2007

ANNEX 15: HIV/AIDS POLICY



## HIV/AIDS POLICY

FOR

**The National Information Technology Authority**

**DOCUMENT NUMBER: NITA-U/2020/12-01**

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**December 2020**

**Revision Control**

Revision:	Para /Sect	Change Description

The above section must be fully completed at each revision upon document approval. It should provide details on pages revised, date of the revision and paragraph with clear indication approval of known authority.

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## **BACKGROUND**

### **Introduction**

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The National Information Technology Authority (NITA) is fully committed to the well being of its staff. It recognises that its staff can be exposed to the risk of acquiring HIV/ AIDS and that although prevalence has reduced, the incidence of HIV/AIDS in the country remains one of the highest in the world. The Policy has been formulated with reference to the Joint United Nations Programme on HIV/AIDS and International Labour Organization [ILO] Code of Practice on HIV/AIDS.

The policy is expected to reassure employees that AIDS is not spread through casual contact during normal work practices and to reduce unrealistic fears about contracting an AIDS virus-related condition. It will also protect the legal right to work of employees who are diagnosed with an AIDS virus-related condition and provides guidelines for situations where infection with the AIDS virus is suspected. In addition, the policy is set to encourage sensitivity to and understanding for employees affected with a condition of the AIDS virus.

Currently there is no cure for AIDS, and treating the symptoms of AIDS is a complicated and multi-phased operation. HIV+ individuals should be given the opportunity to be evaluated for appropriate prophylaxis for opportunistic infections, and once they occur, opportunistic infections should be aggressively treated. The development of life-prolonging HIV/AIDS drugs (antiretroviral

therapies) can help an HIV+ individual live a longer and more productive life. In this situation, this policy becomes an important tool to help staff living with and without HIV/AIDS stay healthy.

### **Operational definition of HIV and AIDS**

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The two key concepts in this policy are HIV and AIDS. Operationally, HIV is the Human Immunodeficiency Virus. It is a virus that weakens the body's immune system, ultimately causing the Acquired Immune Deficiency Syndrome (AIDS). AIDS on the other hand is a cluster of medical conditions, often referred to as opportunistic infections and cancers. To date, there is no cure for AIDS and HIV inevitably leads to the development of AIDS, and is almost always fatal.

## **Objectives of the Policy**

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Generally, this policy is aimed at providing a strategic framework for prevention of the HIV transmission risk and for promotion of the well-being of colleagues that test positive at the workplace in NITA

### **And specifically, the policy aims to:**

- Limit the impact of HIV/AIDS in the workplace and personal lives of staff and their families;
- Create an environment that is conducive to openness, disclosure and acceptance among all employees;
- Ensure non-discrimination;
- Identify and protect individual rights and outline the responsibilities of the different stakeholders delivering HIV/AIDS interventions in the agency
- Promote access to treatment;
- Detail awareness and preventive training programs to reduce the possibility of contracting HIV/AIDS.

## **The Scope**

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NITA is committed to maintaining a safe and healthy work environment for all employees

and these policies apply to all full-time NITA employees, part-time workers, consultants and contractors working on NITA projects, at all locations in Uganda

## **GUIDING PRINCIPLES FOR THE NITA HIV/AIDS POLICY**

The National Information Technology Authority (NITA) commits to respect and uphold a range of principles derived from the International Labour Organization (ILO) guidelines, resident legislation, best practice in the corporate world, and the recommendations of the Uganda AIDS Commission (UAC). These include:

- 1. HIV/AIDS is a workplace issue:** HIV/AIDS is a workplace issue that should be treated like any other serious illness/condition at the company's places of business.

2. **Ensuring non-discrimination:** No form of discrimination should be tolerated against workers on the basis of real or perceived HIV status.
3. **Gender equality:** Women are more likely to become infected by HIV and are more often adversely affected by the HIV/AIDS epidemic than men due to biological, sociocultural and economic reasons.
4. **A healthy work environment:** The work environment should be healthy and safe, so far as is practicable, for all concerned parties, in order to prevent transmission of HIV.
5. **Social dialogue:** The successful implementation of its HIV/AIDS policy and programs requires cooperation and trust between management, workers and their representatives, and government, where appropriate, with the active involvement of workers infected and affected by HIV/AIDS.
6. **Screening for HIV:** It is not a good practice to carry out HIV testing as a precondition for recruitment or access to training or promotion.
7. **Confidentiality:** There is no justification for asking job applicants or workers to disclose HIV-related personal information, nor should co-workers be obliged to reveal such personal information about fellow workers. Access to personal data relating to a worker's HIV status should be bound by the rules of confidentiality.
8. **Continuation of employment relationship:** HIV infection is not a cause for termination of employment, and, as with many other conditions, persons with HIV-related illnesses should be able to work for as long as medically fit in available, appropriate work.
9. **Preventing new infections:** HIV infection is preventable, and the prevention of all means of its transmission can only be achieved through a variety of strategies that are appropriately targeted, designed to context realities, and communicated transparently to the workforce. Prevention can be furthered through changes in behavior, knowledge, treatment and the creation of a non-discriminatory environment.

**10. Care and support:** All workers, including those who are HIV+, should be entitled to affordable health care services. NITA- will also provide directly, via insurance schemes or through a third party, anti-retroviral drugs, where medically appropriate.

## **THE KEY NITA HIV/AIDS POLICY COMPONENTS & GUIDELINES**

The following nine (9) procedures will be followed by NITA in implementing its HIV/AIDS policy at its places of business.

- **Education and Awareness**

NITA will provide, either directly or through third parties, an integrated education and awareness program focusing on prevention and treatment. Such programs, to be determined by workplace sites, could include:

- a) Training for managers and supervisors to communicate and ensure compliance with NITA's HIV/AIDS workplace policy and related programs and benefits
- b) Access to print, video and computer-based communication strategies to promote:
  - Medically accurate, relevant information on HIV/AIDS prevention and treatment, including education and information on effective programs related to Abstinence (A), Being faithful (B), and using Condoms consistently and correctly (C), Doing ARVs compliantly (D), Ensuring that HIV tests are taken and Feeling for those affected (F);;
    - Information on safe sexual practices, prevention of sexually transmitted diseases and overall health promotion including information on substance abuse
    - Information on voluntary HIV/AIDS testing, referral and counseling services; and,
    - Where appropriate to local conditions, measures to encourage the use and increased availability of condoms.
- **Current employees:** The following conditions may apply to current employees and contractor personnel working on NITA projects:
  - a) An employee with HIV will be governed by the same contractual obligations as all other employees
  - b) HIV infection in itself will not be a justification for the non-performance of duties agreed between NITA and the employee.
  - c) Employees who are diagnosed with an AIDS virus-related condition may continue to work if they are deemed medically able to work and can meet acceptable performance standards. We will provide reasonable performance standards and reasonable accommodation if necessary, to enable these employees to continue working.

Consistent with NITA's concern for an employee with a life-threatening disease NITA will provide:

- a) Advice on the rights of afflicted employees and their colleagues
  - b) Education to employees and management on life-threatening diseases
  - c) Referral to medical and other resources, such as counselling services
  - d) Consultation with affected employees on suitable conditions of employment to assist them in managing their illness.
- Employment opportunities and termination of employment: No employee shall suffer adverse consequences, whether dismissal or denial of appropriate alternative employment opportunities on the basis of his/her sero status. NITA will follow its guidelines for termination of employment arising from ill health/incapacity, when an employee is no longer able to work due to AIDS.

Any person, in determining whether termination of employment arising from ill health is fair, should consider the following guidelines:

- Whether or not the employee is capable of performing the work.
- If the employee is not capable of performing work: The extent to which the employee is able to perform the work, and the extent to which the employee's work circumstances might be adapted to accommodate disability, or, where this is not possible, the extent to which the employee's duties might be adapted.
- NITA reserves the right to appoint a doctor to assess the effect an employee's illness has on his/her ability to work, as well as the risk (or lack thereof) to colleagues and customers.

- Access to Treatment and Care

Colleagues who test positive for HIV can be productive for a long time if they receive the right treatment, psychological, emotional and medical support. In the absence of and access to government or NGO program, the NITA HIV/AIDS program provides comprehensive healthcare, including:

- a) The syndromic approach to treating sexually transmitted Infections (STI) in NITA's and communities' health clinics.
- b) Voluntary counseling and testing for HIV for all employees.
- c) Employee wellness services and employee assistance.
- d) Condom availability and distribution.
- e) A commitment to provide access to anti-retrovirals (ARV) as they become affordable and available in the country, to treatment according to standard protocols, and to the appropriate treatment of opportunistic infections using its insurance scheme
- f) However, NITA does not accept responsibility in cases of employees or eligible dependents who decline its medical benefit coverage, who voluntarily terminate treatment, or who fail to observe the conditions associated with the provision of the medication.
- g) NITA does not accept responsibility for any possible failure or side-effects of the therapy itself.

- Colleagues of HIV-positive employees
  - a) Unless an HIV positive employee is acting in a threatening manner, it is not acceptable that colleagues refuse to work with that employee.
  - b) Should an employee, after reassurance and with all appropriate safety and health precautions being taken and supplied by NITA remain unwilling to work with the HIV positive employee and this refusal affects productivity, he/she will be warned that his/her reaction is unreasonable, medically unjustified and that disciplinary action may be taken against him/her.
  - c) Any colleague of an HIV positive employee who embarks on any form of discrimination towards that particular employee shall be subjected to NITA disciplinary procedure.

- Promoting a Safe Work Environment

NITA is committed to providing a work environment that protects colleague health and safety.

This commitment recognizes that HIV/ AIDS cannot be transmitted through casual contact.

Employees who know the facts about HIV infection and AIDS are less likely to react negatively or inappropriately to a colleague's illness. Therefore, NITA's sites are expected to manage the risk of HIV infection in the workplace through:

- a) Appropriate training, awareness, and education on the use of infection control measures in the workplace.
- b) Provision of appropriate equipment and materials to protect colleagues from the risk of exposure to HIV in the performance of their work.
- c) Appropriate HIV/AIDS information included in occupational health and first aid training.
- d) Should mouth-to-mouth resuscitation be necessary, mouthpieces, resuscitation bags or other resuscitation devices must be used. These devices will be kept in all first aid boxes.
- e) Possible exposure to HIV in the workplace should be immediately reported to a supervisor and an incident report should be filed. Important details to record include:
  - i. Date/time of exposure,
  - ii. How the incident occurred
  - iii. Name of probable infection source.
  - iv. The exposed employee and the source should report to the mine clinic as soon as is practical after the incident.
  - v. Both parties involved will be offered counseling, and HIV testing. Informed consent should be obtained in the counseling process before undergoing any testing.

- vi. The exposed individual will be taken to a designated health facility for a post exposure prophylaxis (PEP) consistent with the risk of infection and as described in separate standard medical protocols.
- Benefits:  
Employees living with HIV/AIDS will be treated no less favorably than staff with any other serious illness/condition, in terms of statutory and NITA) benefits in his/her contract. These may include:
    - a) Workplace compensation
    - b) Health insurance
    - c) Sick leave
    - d) Funeral and death benefits
    - e) Medical incapacitation, severance and other terminations benefits
    - f) General bereavement policies, and
    - g) Other available services.
  - NITA will work to continually review and remodel its health-related employee benefits to meet the current and future HIV/AIDS impacts. Confidentiality

In NITA, confidentiality of medical information is of utmost importance and will be assured. No flags, symbols or codes will be used on any employee's medical, personnel or other records to indicate his/her status. Only the employee and his/her medical officer or other qualified and authorized health workers are to have knowledge of the said employee's HIV status. It is the discretion of the employee to inform whomever else he/she wishes to. Anyone found disclosing another person's HIV status without that person's explicit consent is liable for disciplinary action

- a) Any person who is informed, or becomes aware, that an employee is HIV positive must treat this information as confidential. Failure to do so will be regarded as a serious offence and will result in disciplinary action.
  - b) No employee is obliged to reveal his/her HIV status
  - c) Employees should inform NITA once they can no longer perform their duties as a result of sickness in order to avoid possible inappropriate disciplinary action.
- HIV Testing, Confidentiality and Disclosure
    - a) NITA encourages routine, confidential, voluntary testing and counseling as part of its education and awareness programs.

- b) HIV and AIDS are treated confidentially as medical conditions, in accordance with applicable laws and NITA policies.
- c) NITA does not require colleagues, their dependents, job applicants, new recruits or other third parties to undergo HIV testing as a condition of employment or receipt of benefits.

## **POLICY IMPLEMENTATION AND OPERATIONALISATION**

NITA recognizes that some workplace sites, because of size, geography or other issues, may develop differing implementation schedules for the policies and programs outlined in this statement. In no event, however, is any site exempt from this commitment to HIV/AIDS non-discrimination, awareness, prevention, and health support for the employees. Further to affect this policy:

- a) Interventions shall comply with good international industry practice and national practices and laws.
- b) Training is essential for the successful implementation of programs and policies related to HIV/AIDS in the workplace.
- c) Management shall budget for, design and implement an appropriate and effective training program consistent with the overall policy. Training should cover the basic principles of this policy and plans for communication of the policy to local colleagues.
- d) Management shall promote awareness of this policy to contractors and sub-contractors and, where considered appropriate, enter into partnerships with them in order to jointly pursue effective policies concerning HIV/AIDS prevention and treatment.
- e) Management shall share best practices within the organization.
- f) Lastly, NITA shall establish an institutional HIV/AIDS committee to coordinate and implement its HIV/AIDS policy and program. The committee shall consist of representatives of top management, supervisors, human resources department, occupational health services, health and safety committee, and persons living with HIV/AIDS. The steps in this process include:
  - i. The Committee will be either named or elected and will decide its terms of reference and decision-making powers and responsibilities. The Committee draws up a budget, seeking funds from outside the enterprise, if necessary, and identifies existing resources in the local community. There will be one named HIV/AIDS coordinator/focal point to ensure implementation and action between Committee meetings.



- ii. The Committee assures that a review and update of relevant national laws and their implications for the enterprise are undertaken.
- iii. The Committee establishes what health and information services are already available, both in the workplace and in the local community: useful to avoid duplication.
- iv. The Committee reviews, edits and revises the NITA HIV/AIDS Policy circulating the draft for comments, revise and adopt it.
- v. The Committee assures that NITA's policy on HIV/AIDS and specific policies, and related information on HIV/AIDS, will be communicated to all NITA employees, associated contractors and sub-contractors and the wider public, using the full range of communication methods available to NITA and its network of contacts, through, for example, notice boards, mailings, pay slip inserts, special meetings, induction courses and training sessions, and programs of information, education and care are put in place.
- vi. The Committee will establish a plan of action, with timetable and lines of responsibility to implement the policy.
- vii. The committee shall receive and resolve appeals from employees whose health rights are transgressed
- viii. The Committee can mandate occasional behavioral and/or serological surveys to establish baseline data on HIV. The committee may mandate regular risk and impact assessment studies. The survey will include knowledge, attitudes and behavior/practices. Studies will be carried out in consultation with, and with the consent of, employees and their representatives, and in conditions of complete confidentiality.
- ix. The Committee monitors the impact of the policy and revises it, as necessary.
- x. The policy will be reviewed annually and revised as necessary in the light of changing conditions and the findings of surveys/studies. The Committee will oversee this process.

## **MONITORING AND EVALUATING THE HIV/AIDS POLICY AND PROGRAMS**

1. The NITA HIV/AIDS Committee: The HIV/AIDS committee will be responsible for monitoring the implementation of this policy
2. Baseline data. In order to plan and evaluate its HIV/AIDS policy and programs effectively, NITA will undertake surveys to establish baseline data and annual changes regarding HIV infection rates. The surveys will include knowledge, attitudes and practices (KAP) and serological data. Studies will be carried out in consultation with, and with the consent of, employees and their representatives, and in conditions of complete confidentiality.
3. Reviewing the policy. This policy will be reviewed annually and revised as necessary in the light of changing conditions and the findings of surveys and studies.

**ANNEX 16: SAMPLE ESMP TRACKER FORMAT**

<b>Environment and Social Management and Monitoring Plan Tracker</b>											
<b>NITA-U</b>											
<b>NO.</b>	<b>DATE RAISED</b>	<b>SOURCE</b>	<b>DESCRIPTION</b>	<b>ACTION</b>	<b>ACTION CLOSURE INDICATOR</b>	<b>PRIORITY</b>	<b>ACTIONEE</b>	<b>DUE DATE</b>	<b>MONITORING FREQUENCY</b>	<b>ACTION STATUS</b>	<b>AC ST AMI</b>

**ANNEX 17: GRIEVANCE CLOSEOUT FORM**

<b>GRIEVANCE CLOSE OUT FORM</b>		
Grievance closeout number		
Define long term action required (if necessary)		
Compensation required:        Y            N		
Verification of Corrective Action and Sign off		
	Corrective Action Steps:	Due date:
1		
2		
3		
4		
5		
Responsible Party		
<b>COMPENSATION ACTION AND SIGN OFF</b>		
This part will be filled in and signed by the complainant when he/she receives the compensation, or the file is closed out.		
<b>Notes:</b>		
Date: >.....		
Complainant	Representative of Responsible Party	
Name and Signature	Name and Signature.....	
>.....		

## **Annex 18: Actions taken by GOU to ensure non-discrimination.**

Annex 18 highlights recent actions taken by the GOU to ensure non-discrimination. It also includes transcripts of relevant Guidelines and Circulars issued by the GOU.

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

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

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

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

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

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

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Ministry of Finance, Planning &  
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Kampala, Uganda

ALD 141/259/01 TC

21<sup>st</sup> September 2023

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



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

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

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

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

*Mission*

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

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

### **Health**

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

### **Education**

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



Ramathan Ggoobi

**PERMANENT SECRETARY/SECRETARY TO THE TREASURY**

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

Attorney General, Ministry of Justice and Constitutional Affairs

Hon. Minister of Finance, Planning and Economic Development



Hon. Minister of Education and Sports

Hon. Minister of Health

Hon. Minister of Gender, Labour and Social Development

Hon. Minister of Energy and Mineral Development

The Principal Private Secretary to H.E. the President

The Solicitor General, Ministry of Justice and Constitutional Affairs

The Permanent Secretary, Ministry of Health

The Permanent Secretary, Ministry of Education and Sports

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

The Director of Public Prosecutions

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

BPD 86/179/01

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

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

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

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

### A. INTRODUCTION

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

  
Minister

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



- iv. Ensuring efficiency and effectiveness of Government through rationalization of public expenditure.
5. The key priorities to achieve the above objectives are detailed in the approved Budget for FY 2023/2024. For ease of reference, please follow the link <https://www.budget.finance.go.ug> to access the following key documents, among others:
- i. The Budget Speech for FY 2023/2024;
  - ii. Approved Estimates of Revenue and Expenditure Volume I (Central Government Votes and Missions Abroad);
  - iii. Approved Estimates of Revenue and Expenditure Volume II (Local Governments); and
  - iv. Approved Estimates of Revenue and Expenditure Volume III for the State-Owned Enterprises and Public Corporations.

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

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



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

***Policy Directives***

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

***Non-Discrimination***

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

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

*Advertising by Ministries, Agencies and Local Governments*

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

*Contracting in Ugandan Shillings versus Foreign Currencies*

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



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IN ANY CORRESPONDENCE ON



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

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

THE REPUBLIC OF UGANDA

5<sup>th</sup> June 2023

### Circular

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

### PROVISION OF SERVICES TO ALL PEOPLE WITHOUT DISCRIMINATION

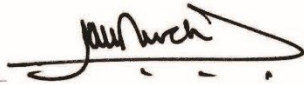
The constitution of the republic of Uganda recognises that health is a fundamental right and guarantees access to health care services for all. The Ministry of Health is mandated to provide Preventive, Promotive, Curative and Rehabilitative Health Services to all people in Uganda in their diversity **without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

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

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

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

A handwritten signature in black ink, appearing to be 'M. N. N.', written over a horizontal line.



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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**Kampala, Uganda**

18<sup>th</sup> August 2023

All Heads of Education Institutions

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

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

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

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

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

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

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

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Our Ref: ADM 12/01  
Your Ref:

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

### CIRCULAR NO.18/2023

All Prosecutors,  
Office of the Director of Public Prosecutions.

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

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

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

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

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

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

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

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

Jane Frances ABODO  
DIRECTOR OF PUBLIC PROSECUTIONS

## **Annex 19: Enhanced Implementation Support and Monitoring of Non-Discrimination**

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

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

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

Figure 1 illustrates the enhanced implementation support and monitoring steps. Figure 2 contains the Enhanced Implementation Support and Monitoring process. Figure 3 contains the Complaint Management for Vulnerable or Marginalized Individuals or Groups.

### **1 SCOPE OF WORK AND ACTIVITIES**

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

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

To do so the EISM will:

- **Enhance existing project-level grievance redress mechanisms** to safely, ethically, and confidentially receive cases related to discrimination on World Bank/IFC financed operations and refer them to an appropriate grievance handling mechanism.
- **Design and operate a mechanism for receiving grievances** related to discrimination on WB/IFC financed operations (including from project level grievance mechanisms noted above).



- **Establish a hotline or an alternative complaint mechanism**, for individuals to lodge complaints of discrimination on WB/IFC financed projects or voice their concerns without fear of reprisal. The EISM is an alternative to lodging complaints through a GoU-led project-level GRMs.

Figure 1: Enhanced Implementation Support and Monitoring Steps

Enhanced Implementation Support and Monitoring Steps	
Act as a key first step in the referral process from project-level GRMs	Designed specifically to handle complaints restricted to WB/IFC projects
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 and groups including counselling, legal services, protection, and other services,
Step 10	Refers individuals to the appropriate local services or organizations as needed
Step 11	Reports grievances to the WB/IFC, proposes appropriate remediation, and follows up on agreed actions to resolve the case.
Step 12	Regularly evaluates the effectiveness of mitigation measures to determine whether and how well the mitigation measures are functioning.
Step 13	Recommends and supports the implementation of adjustments to mitigation measures based on regular evaluations and their impact.

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

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

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

### 2.3 Capacity strengthening and technical support

Activities related to capacity strengthening and technical support include:

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

### 2.4 Monitoring and Evaluation

Activities related to monitoring and evaluation include:

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

## 3. ROLES AND RESPONSIBILITIES

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

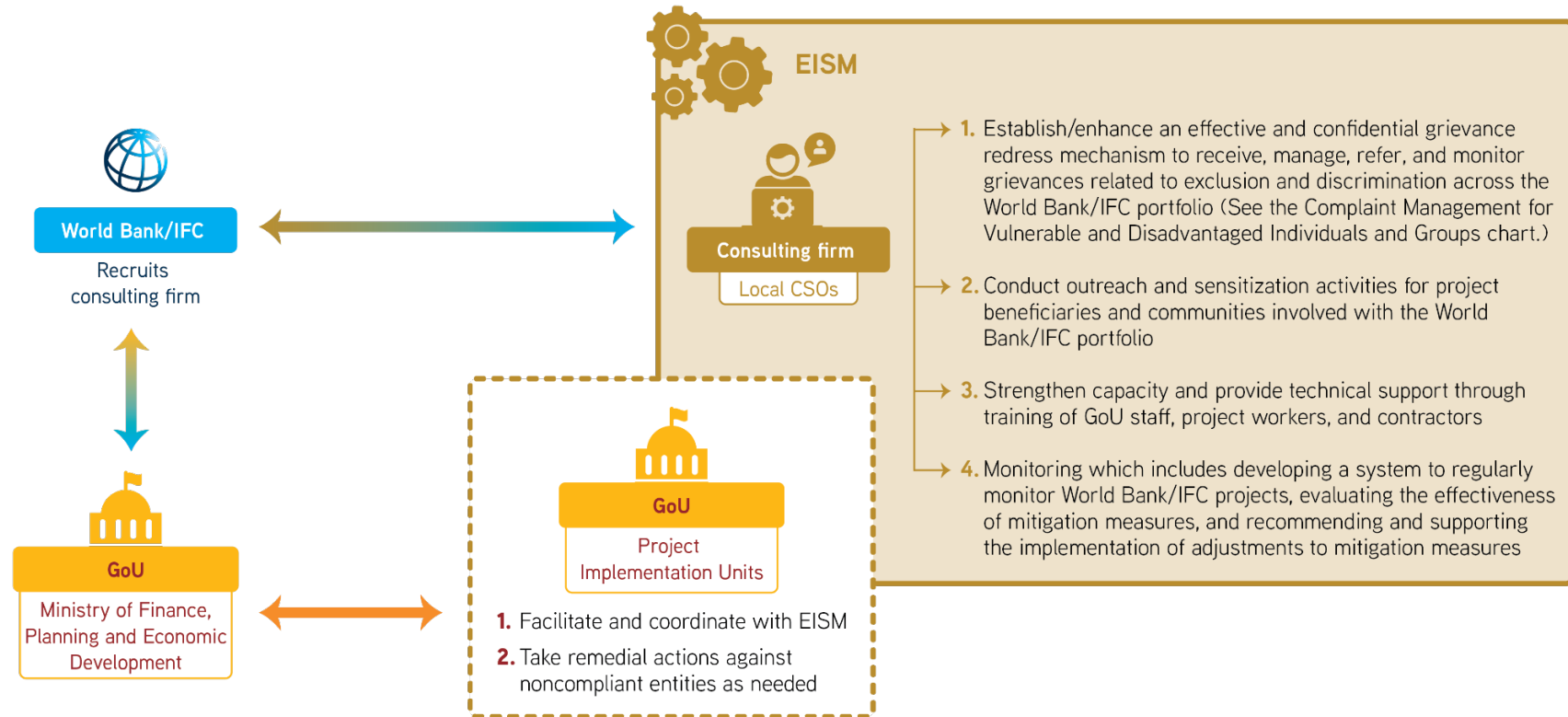
- 1) supporting the WB/IFC to ensure the agreed measures on non-discrimination in the portfolio are implemented fully, ethically, safely, and to an appropriate standard of quality; and

2) to support the WB/IFC to enhance our awareness of cases of discrimination across the WB/IFC portfolio.

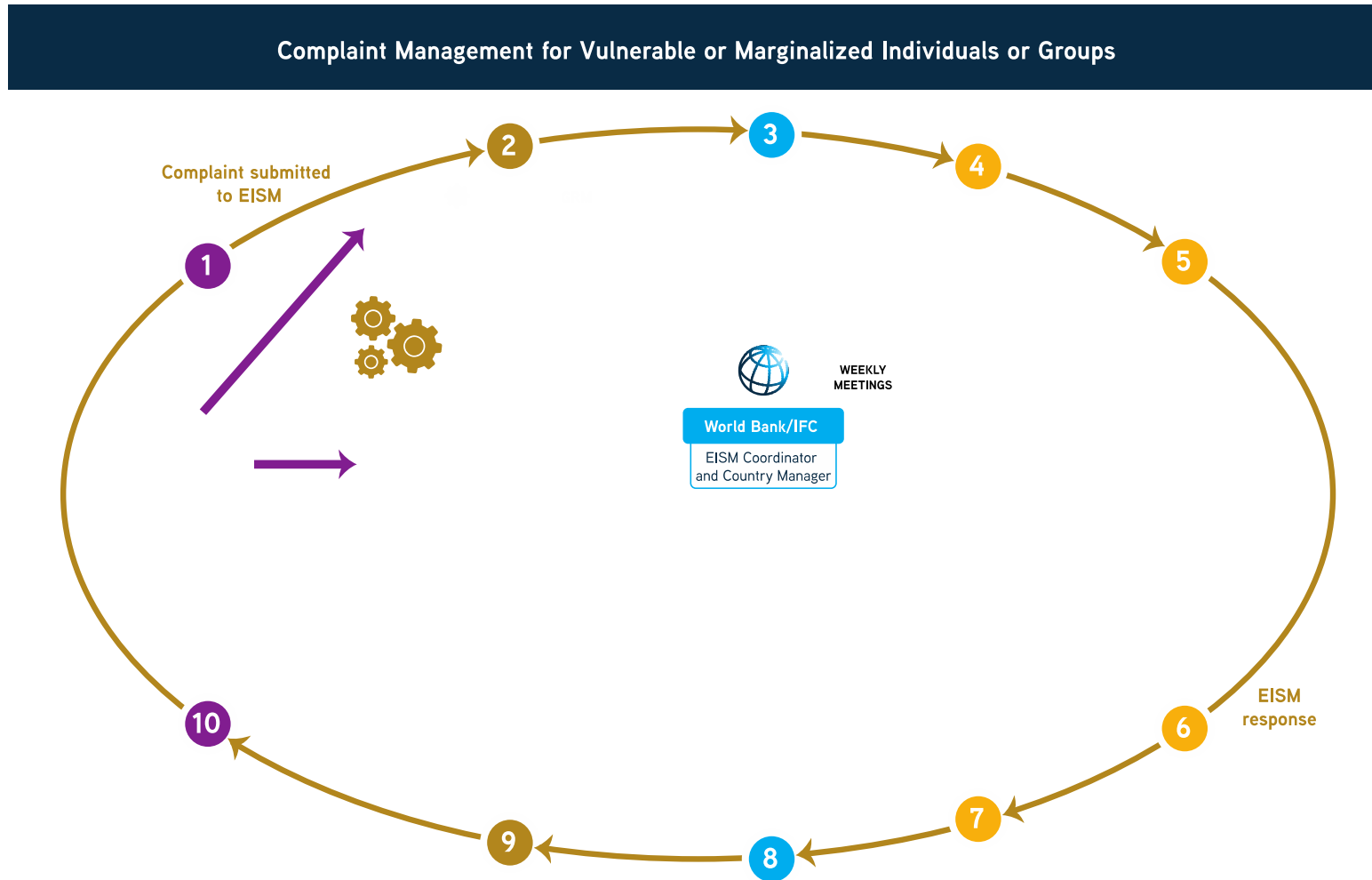
The GOU will facilitate the work of the entity and collaborate as needed on all activities requiring their direct involvement, such as outreach and sensitization activities, capacity strengthening and technical support as well as the monitoring and evaluation of mitigation measures. The GoU will also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

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

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



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



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

