

**GREATER KAMPALA METROPOLITAN AREA (GKMA) URBAN DEVELOPMENT  
PROGRAM (P175660)**

**REPORT FOR ENVIRONMENTAL AND SOCIAL SYSTEMS ASSESSMENT (ESSA)**

Prepared by



**Updated May 2024**

**LIST OF ACRONOYMS**

CDO	Community Development Officer
CEO	City Environmental Officer
CSO	Civil Society Organization
DCDO	District Community Development Officer
DDEG	Discretionary Development Equalization Grant
DEO	District Environmental Officer
DLIs	Disbursement-linked Indicators
E&S	Environmental and Social
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESSA	Environmental and Social Management System Assessment
GBV	Gender Based Violence
GKMA	Greater Kampala Metropolitan Area
GoU	Government of Uganda
ICT	Information and Communication Technology
IMC	Inter-Ministerial Committee
IPF	Investment Project Financing
UgIFT	Uganda Intergovernmental Fiscal Transfer Additional Funds
USMID	Uganda Support Municipal Infrastructure Development
KCCA	Kampala Capital City Authority
KIIDP	Kampala Institutional Infrastructural Development Program
LG	Local Government
MAAIF	Ministry of Agriculture, Animal Industry and Fisheries
MC	Municipal Council
MCDO	Municipal Community Development Officer

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MEO	Municipal Environmental Officer
MoFPED	Ministry of Finance, Planning and Economic Development
MoGLSD	Ministry of Gender, Labor and Social Development
MoLHUD	Ministry of Lands, Housing and Urban Development
MoLG	Ministry of Local Government
MoKCCMA	Ministry of Kampala Capital City and Metropolitan Affairs
MoWT	Ministry of Works and Transport
MoWE	Ministry of Water and Environment
NEMA	National Environment Management Agency
NFA	The National Forestry Authority
NGO	Non-Governmental Organization
NPA	National Planning Authority
NWSC	National Water and Sewerage Corporation
OHS	Occupational Health and Safety
OPM	Office of the Prime Minister
PforR	Program for Results
POM	Program Operational Manual
PST	Program Support Team
SOPs	Standard Operating Procedures
SWOT	Strengths Weaknesses Opportunities and Threats (SWOT)
TC	Town Clerk
ToR	Terms of Reference
UWA	Uganda WildLife Authority



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## Executive Summary

### Introduction

This Environment and Social Systems Assessment (ESSA) has been carried out to assess the current systems and procedures of the government of Uganda for managing social and environmental risks and impacts of development projects against the Bank's core principles for PforR programs. The ESSA reviews the ability of the borrower's system to management environment and social risks and provides a summary of the key environment and social risks associated with the program. It includes reviews of legislative and institutional frameworks for Environment and Social risks management and proposes measures for strengthening program design and the identified gaps in the system for successful implementation of the GKMA Urban Development Program.

### Description of GKMA Urban Investment Program

The PforR Program will support some elements of the Government program as detailed in Table 1. **Pillar one of Mobility and accessibility is linked to the government program 1.1 - strategic roads.** The activities to be financed under this pillar will be limited to (i) rehabilitation/upgrading of existing roads within the existing right of way; (ii) improving on existing streets to meet the needs of all users, both vehicles and non-motorized transport (cyclists and pedestrians), (iii) signalization of junctions – most junctions are currently roundabouts, and they cannot handle the increased traffic volume. They need to be upgraded from roundabouts to signalized junctions with traffic lights to improve on traffic flow; and (iv) piloting non-motorized transport (NMT) means of transport within the city CBD by converting some sections of existing streets to only pedestrian and cycling lanes to improve mobility, reduce accidents and reduce carbon emission footprint.

**Pillar 2 - Resilience and Environment is linked to government programs 2.1 - Comprehensive Solid Waste Management (SWM) Program and 2.2 - Lakes, Wetlands, Waterways Conservation Program.** The activities to be financed under the PforR Program will only be limited to the following low risk activities: (i) Preparation of SWM strategies to better understand the constraints within the solid waste chain, (ii) Promoting waste segregation/sorting and characterization to promote recycling and reduce waste, (iii) Community sensitization campaigns, (iv) Rehabilitation of stormwater drainage; and (iv) development of green parks/belts and tree planting along roads sides as elements of urban beautification and greening. The first three are linked to government program 2.1 and the latter two activities are linked to government program 2.2.

**Pillar 3 - Job Creation is linked to government programs 3.1 - Micro-enterprise workspace program, 3.2 - Business engagement and youth entrepreneurship development program and 4.1 - Tourism development Program.** The activities to be financed under this pillar will be low risks and limited to only the establishment of (i) artisans' parks where they can have access to common facilities such as utilities, (ii) markets and spaces for vendors, and (iii) business centres for engagement, incubation, and jobs for youth. Investments under pillar 3 will be focused more on the provision of public local economic infrastructure that can support informal sector, women, and youth entrepreneurs, to grow from informal to micro to small and medium enterprises. It will involve organizing them to allow them have peer to peer learning, economies of scale and be able to graduate from informal to formal sector. The proposed activities to be financed under the PforR Program are therefore limited to low risks public investments that are a small sub-set of the government program.

As part of an overarching institutional strengthening, the PforR Program will also support government program 5.1 - Sub national Government Skills and Efficiency Program by financing institutional strengthening activities related to skills development, retooling and systems developments (e-governance roll-out such as

e-payments, e-feedback etc). This Program will build on the experiences gained under the on-going USMID PforR Program and refine the mechanisms to enable the focus on the metropolitan area. The geographical boundary of the GKMA Program will be limited to two sub-levels: *national level* – Ministry of Kampala Capital City and Metropolitan Affairs (MoKCCMA) and the GKMA inter-ministerial committee (IMC)<sup>1</sup>, and *sub-national level* – KCCA and the eight<sup>2</sup> surrounding municipal and district LGs.

**The GKMA UDP PforR Program (US\$566 million) will comprise of three windows:**

- (i) **Window 1 - GKMA subnational-level institutional Support Grants (ISG) (US\$30 million IDA Grant, DLI 1).** This sub-window will finance institutional strengthening activities related to skills development, retooling and systems developments (e-governance roll-out such as e-payments, e-feedback etc) to allow the GKMA LGs perform their functions as true metropolitan government managers.
- (ii) **Window 2 - GKMA subnational-level Metropolitan Development Grants (MDG) (US\$510 million IDA Credit, DLI 2 - 7).** This sub- window will finance low risk infrastructure investments highlighted under the PforR boundary in table 1. KCCA and each of the eight GKMA LGs will get on average US\$24 per capita per annum. This money is not however an entitlement and KCCA and each of the eight GKMA LGs will have to compete to access the development grant. MDG grants will include a fixed and a variable component. To access the fixed component, GKMA sub-nationals will need to meet the agreed Minimum Conditions (MCs). The variable component can be accessed by GKMA sub-nationals to the extent they meet Performance Measures (PMs) for institutional improvements and infrastructure delivery under the Program.
- (iii) **Window 3 - National-level institutional strengthening (US\$26 million) US\$ 18 IDA Grant, DLI 9 & US\$ 8 Credit to DLI 8 for climate change mitigation and adaptation).** This sub-window will finance activities to support the MoKCCMA to develop the necessary policies, standards and regulations for the management of the metropolitan area; including timely assessment and release of funds under the Program and provision of support for climate change mitigation and adaptation DLI 8.

**The ESSA Scope and Methodology**

The assessment was carried out through a comprehensive review of previous assessments carried under UgIFT and USMID PforR Programs, relevant government (national and local) policies, legislation, institutional roles and capacities, program procedures, and assessment of the available capacity in all the eight Local Governments and KCCA within GKMA to implement the existing systems consistent with Bank Program for Results Financing. It served as a basis for judging whether present systems to be utilized by the Program, have the resources and authority necessary to mitigate unavoidable impacts and achieve maximal social and environmental benefits.

The Primary data collection exercise was guided by the instrument tools (annex 4), developed to understand the key institutions/strategies, stakeholder’s perspective about social and environmental aspects, and the feedback mechanisms in place to assess the social and environmental risks and impacts. Given the COVID19 situation, online communication tools (telephone, skype, zoom, WebEx, email, virtual meetings etc.) were employed to undertake consultations at the national and local levels; and virtual workshops in situations

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<sup>1</sup> The IMC membership comprises MoKMA, MoFPED, MoLG, MoLHUD, LGFC, NPA, KCCA, MoWT. The committee can co-opt members as and when needed.

<sup>2</sup> Kiira, Nansana, Makindye-Ssabagabo, Mukono and Entebbe municipalities and districts of Wakiso, Mukono and Mpigi.

where large meetings and workshops were essential, in the preparatory stage of the project and during the data collection exercise and validation of preliminary findings.

### **Likely Environmental and Social Risks and Impacts of the program**

Potential environmental risks and impacts associated with the investment activities include among others; Noise and dust pollution, contamination from generated solid waste, water pollution, erosion and sedimentation of waterways, risks of communicable diseases including COVID-19, water and soil pollution, traffic interruptions and accidents, and health and safety risks to workers and communities. These are common risks and impacts associated with civil works and can be considered moderate risks since they are localized, reversible in nature and can be mitigated at design of sub-projects and during implementation phases of the sub-project activities.

Besides, potential environmental risks and impacts of investment activities, there are already existing environmental challenges in GKMA such as degradation of wetland and forest ecosystems due to unplanned urbanization and informal settlements, inadequate waste management facilities, air pollution, erosion and sedimentation of streams and waterways, flooding, pollution of Lake Victoria and inadequate sanitation facilities. The ESSA recognizes these existing challenges and proposed enhancement measures in the design of the program under Environment and Resilience pillar. By including and incentivizing investments in green infrastructures or combination of grey and green infrastructures (ecological engineering) where feasible, the program will result into multiple positive environmental and climate outcomes. The program has included in the investment menu, creation of green parks and planting of trees along the roadside which will enhance aesthetic of these urban areas and improve on the microclimate. However, given the current environmental challenges experienced in GKMA which surrounds Lake Victoria, pillar 2 of the program had potential to contribute more to environmental sustainability agenda if were not restricted by the PforR financing instrument. Investing in nature-based solutions (green infrastructures) such as restoration of degraded wetland and forest ecosystems, restoring and protecting riverbanks and lakeshores in GKMA would contribute to mitigating flood risks, reduce storm water run-off, control erosion, reduce pollution of streams/channels and Lake Victoria (source of water and fish for GKMA entities) through water purification functions, and enhance other ecological functions.

The potential social risk identified is that some of the proposed activities in the PforR investments menu are likely to have direct impacts associated with potential loss of land, access and to some extent economic displacement. Other social risks include: spread of sexually transmitted diseases (including HIV/AIDS) and other communicable diseases such as COVID 19 and tuberculosis due to workers' influx; Violence Against Children (VAC) including child labor, defilement, teenage pregnancies and child abandonment; exclusion of vulnerable or marginalized individuals or groups from project benefits and activities; Gender-Based Violence (GBV) and domestic violence, poor workers' management including underpayment, non-payment, delayed payment of workers and lack of documentation (contracts/appointment letters/daily duty roster sign in and out of casual labor) for employment; gender related risks i.e. inconsideration of working mothers' interests and needs such as sanitation and provision of shelters for protecting, and facilities for breast feeding their babies. In addition, there is no clear guidance on how the project would handle both grievances and stakeholder engagement at District or Municipal levels. Therefore, the social risk is substantial.

The Program will exclude investments that have adverse environment and social impacts and risks as provided for in PforR World Bank Policy. These types of investments, while highly unlikely to be prioritized by the metropolitan sub-nationals due to budget limitations and time needed to prepare them, will be excluded from Program financing consistent with the requirements of a PforR operation. These would include works: (i) outside of existing rights-of-way; (ii) where KCCA and the 8 GKMA have NOT acquired right of way or where there is NO continuous section of right of way; (iii) likely to adversely create or exacerbate conflict

within communities; (iv) having significant adverse impacts on communities and sensitive receptors; (v) involving large-scale flood control systems such as dams or large dykes; (vi) involving sanitary landfills; and, (viii) that would significantly convert natural habitats or alter potentially important biodiversity and/or cultural resource areas.

In May 2024, following the enactment of the Anti-Homosexuality Act, 2023, this document and its annexes were updated to include specific measures to mitigate the risk of discrimination against or exclusion of any affected individuals and groups in providing or receiving benefits in World Bank-financed projects and program in Uganda. These measures are described in various sections of this document including section annexes 5 and 6.

## **ESSA Findings**

### **Environmental and Social Assessment of Country Systems Performance**

As recognised in the previous assessments, the country's legislative and institutional frameworks are largely adequate to guide the management of E&S risk and impact for the GKMA urban program. The National Environment Act, 2019 and the attendant Regulations has clear categorization of projects based on risks. The Environment Act and the Local Government Act both provides for decentralized environmental management, empowering local governments (sub national entities) to manage segments of the environment and natural resources within their jurisdictions. The Environment Act provides for structures for the management of Environment in the urban areas. Overall, the existing laws, regulations, guidelines clearly delineate between the National and local Government levels to (i) screen sub-projects for potential E & S impacts and risks; (ii) determine the level of E & S analysis and specific plan to be prepared based on the outcomes of the screening; (iii) review the results of the assessment and plan and clear environmental permitting process; (iv) monitor and follow-up; and, (v) impose penalty and sanctions for violations and infractions to the system.

Despite the good legislative and institutional frameworks, the country's environmental system performance is generally weak, specifically in respect to enforcement of laws, monitoring, staffing level for environmental, health and safety management, and inadequate budget allocation. There is unevenness in implementation of environment and social risks mitigation measures, which can be traced to weakness in inclusion of E&S aspects in procurement documents, weak enforcement of contracts due to poor supervisions, weak institutional capacity (tools & budgetary allocations) and technical competence and tools for effective implementation at the national and local government/ municipal levels. Therefore, implementation of the environmental and social systems for GKMA will largely rely on strengthening central and sub national institutional capacity to effectively implement the program. Implementation of similar types of urban works in Uganda under Uganda Support Municipal Infrastructure Development (USMID) indicate that short-term construction impacts for the most part can be prevented or mitigated with standard operational procedures and good construction management practices. These procedures will be included in the technical manual and be a standard part of environmental and social management plans included in bidding documents for contractors.

At the central level, the Ministry of Kampala Capital City and Metropolitan Affairs (MoKCC&MA) as a coordinating agency for GKMA program is a new ministry with inadequate capacity to coordinate GKMA development and management because of the overlaps in mandates with other Ministries, Department and Agencies' (MDA's) and the thin staffing levels. The ministry is, yet to fill the position of the Environmental Specialist and Social Development Specialist who must be recruited by the Public Service Commission. The Ministry of Gender, Labor and Social Development (MoGLSD) which is mandated to guide and supervise the functions of the Community Based Services Department (CBSD) at the Local Governments/Municipalities has inadequate capacity in terms of staff and funds to effectively carry out these functions. However, the

MoGLSD is currently working with The World Bank Social team to strengthen its capacity on Social Risk Management. So far a stakeholder capacity building program is ongoing through training on stakeholder engagement and on SEA/SH/GBV to the Ministry's entities. The National Environment Management Authority (NEMA) also has low level of staffing, delays in review and decision making on ESIA's, weak compliance monitoring and enforcement of environmental laws. There is need for training on inclusion and non-discrimination for staff, clients, and other stakeholders (including contractors and sub-contractors) to enhance the handling of the needs and concerns of vulnerable or marginalized individuals or groups.

### **Conclusion**

The assessment screened the proposed GKMA program investments activities for likely Environmental and Social effects and associated risks; analyzed the country's system as written and the system performance; made comparison with the core principles to determine any gaps and in turn informed the acceptability analysis. As an avoidance measure, the program excludes any high-risk interventions, that is, activities that are judged to likely have significant adverse impacts that are sensitive, diverse, or unprecedented on the environment and/or affected people.

The ESSA identified strengths, gaps, opportunities and risks in Uganda's environmental and social management system with respect to effectively addressing the environmental and social risks associated with the Program. Whereas the national system is generally acceptable in terms of having institutions with well-enough defined mandates and adequate enabling legislation, there is need to strengthen weaknesses in the system performance as highlighted in the preceding paragraphs and documented in previous assessments.

**Recommended measures for strengthening the gaps in Systems.** Thus, the recommended remedial measures to strengthen systems performance in GKMA urban program can be grouped into the following areas:

#### **1) Strengthening program designs under the resilience and environment pillar.**

In terms of strengthening Program design elements under Resilience and Environment pillar II, this report recommended adding to investment menu, nature based solutions for disaster and climate resilience/green infrastructural development; investments in green parks/belts and planting trees along roadside have been included. The ESSA team also notes that some of the would be impactful green infrastructural investments such as restoration of degraded wetlands, riverbanks, Lakeshores, waste recycling and disposal are considered high risk hence not suitable for PforR financing.

Climate-resilient infrastructure is that which is planned, designed, built and operated in a way that anticipates, prepares for, and adapts to changing climate conditions. It can also withstand, respond to, and recover rapidly from disruptions caused by these climate conditions. Ensuring climate resilience is a continual process throughout the life of the asset. Efforts to achieve climate resilience can be mutually reinforcing with efforts to increase resilience to natural hazards. Climate-resilient infrastructure reduces, but may not fully eliminate, the risk of climate-related disruptions. Climate risks to infrastructure can be reduced by locating assets in areas that are less exposed to climate hazards (e.g. avoiding new construction in flood plains), and by making the assets better able to cope with climate impacts when they materialise. The development of infrastructure should also consider the impacts on risk elsewhere; for example, the potential contribution to flood risk resulting from increases in paved surfaces.

#### **2) Technical studies that strengthen environment and social sustainability.**

To inform effective E&S risks management of investment activities at sub-national entities, the ESSA recommends carrying out strategic regional studies such Regional ESIA or a Strategic Environment and Social Impact Assessment (SESA) which would examine environmental and social risks and

impacts of GKMA urban program with particular attention to cumulative impacts and risks of multiple investment activities in the region and provide broad measures to strengthen E&S management in GKMA region.

3) **Strengthening E&S indicators in the DLIs**

To further strengthen environment sustainability in the Program, the ESSA recommended that E&S indicators are inbuilt into some of the Disbursement linked indicators, the assessment tool and the verification protocol as follows:



DLIs	Proposed E&S measures for incorporation
<p><b>DLI 1:</b> The number of GKMA sub-national entities that have prepared an ISG plan that includes urban resilience and climate change/disaster risk management</p>	<p>E&amp;S aspects to be embedded in sub-nationals Institutional Strengthening Plan and detailed in the program operational manual (POM). These may include but not limited to:</p> <ul style="list-style-type: none"> <li>✓ Air Quality monitoring equipment and associated software Other Environmental and Social monitoring and management equipment &amp; tools in place (noise, GPS, cameras, water quality monitoring, computers, printers, tablets, software for data analysis etc.)</li> <li>✓ Short term training e.g. climate change training, Health and Safety (H&amp;S), Environmental and Social assessments, E&amp;S Audits, Labour Management, GRM, Gender mainstreaming, GBV/SEA/SH, social exclusion, Inclusive Stakeholders Engagement, Public Consultation and physical and economic displacement, Climate and disaster risk management etc.</li> <li>✓ Capacity building and technical assistance for enhanced E&amp;S risk management (costing ESMP, E&amp;S in B.O.Q, ESHS in procurement, Social Assessment and RAP preparation), development of bylaws and ordinances</li> </ul>
<p><b>DLI 2:</b> GKMA sub-national entities that have substantively filled key staff positions and demonstrated basic capacities in fiduciary, safeguards, and climate change/disaster risk management.</p>	<p>Provide for substantive appointment of E&amp;S staff at sub-national entities as minimum condition for accessing the development grant. These positions are (i) Natural Resource Management Officer (ii) Environment Officer (iii) Labor Officer and (iv) Community Development Officer</p>
<p><b>DLI 3:</b> GKMA sub-national entities with strengthened institutional performance for service delivery, including climate resilience project designs.</p>	<p>DLI-3 will incorporate most of the E&amp;S performance strengthening measures including requiring sub national entities to:</p> <ul style="list-style-type: none"> <li>a) Carry out Environment, Social Risk Impact Assessment, climate and disaster risk screening of all sub-project investments prior to commencement of sub-project activities.</li> <li>b) Establish a functional district and urban structures for Environment management (District/Urban environment and natural resources committee). The committee will among others; <ul style="list-style-type: none"> <li>✓ approve environment and climate change interventions or ensure that environmental and climate change concerns are integrated in all plans and projects approved by the urban or district council.</li> <li>✓ ensure preparation of district/urban state of environment report for previous FY</li> <li>✓ monitor and enforce activities to promote compliance to laws, by-laws, ordinances.</li> <li>✓ disseminate information on environment and climate change.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"><li>c) Obtain NEMA ESIA certificate and other permits/ licenses. Have considered environment, social and climate risks/impacts in designs, BOQs and procurement documents.</li><li>d) Evidence of land acquisition by preparation of RAP reports or provision of consent letters of negotiations or compensation payments, and land agreements in case of voluntary land donation. Shared with the Bank.</li><li>e) Evidence for Implementation monitoring and enforcement for compliance to E&amp;S contract provisions, by-laws/ordinance, C-ESMP, ESIA conditions of approval, RAP/Livelihood Improvement Completion, E&amp;S guidelines and implementation of notice to correct amongst others.</li><li>f) Availability of E&amp;S quarterly and annual E&amp;S performance reports including: Action plans implemented, E&amp;S compliance performance of investment projects, any specific E&amp;S challenges/lessons learnt, recommended measures to address identified challenges, adherence to work plan and budgets etc.</li><li>g) Prepare socio-economic impacts assessment reports on the surrounding communities and mitigation measures carried out accordingly prior to the commencement of the works, reports should be shared with the Bank and regularly reviewed,</li><li>h) Evidence of land acquisition by preparation of RAP reports or provision of consent letters of negotiations or compensation payments, and land agreements in case of voluntary land donation. Shared with the Bank.</li><li>i) Evidence of a robust GRM system for the contractor, workers and communities established,</li><li>j) Keep record of Continuous stakeholder engagement and feedback provided,</li><li>k) Ensure adherence to COVID SOP's at all work places,</li><li>l) Ensure that all workers have Signed of the Code of Conduct and keep record,</li><li>m) Conduct training of all workers/surrounding communities in GBV/SEA/SH/VAC, GRM &amp; stakeholder engagement,</li><li>n) Conduct training of all workers/surrounding communities in HIV/AIDS prevention,</li><li>o) Conduct training and sensitization on social inclusion and non-discrimination of individual and groups, to all workers, communities, contractors, and other relevant stakeholders.</li><li>p) Engage local workforce based on the qualification needs and keep record of GBV services and referral pathways mapped,</li></ul>
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|  | <ul style="list-style-type: none"><li>q) Functional GBV sensitive GRM in line with the World Bank Guidance Note on the Management of Risks associated with project- induced labor influx followed.</li><li>r) Functional and sensitive GRM (with provisions for confidentiality) that will address issues of exclusion based on all types of vulnerabilities.</li><li>s) Facilitate World Bank enhanced implementation support and monitoring to implement inclusion and nondiscrimination measures, including related grievance redress mechanism enhancements, sensitization/training on social inclusion to all workers, communities, contractors, and other relevant stakeholders.</li></ul> |
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<p><b>DLI 7:</b> Operation and Maintenance (O&amp;M) of Infrastructure Projects</p>	<p>Incorporate Environment and climate change sustainability indicators in operation and maintenance of completed infrastructures projects. Specific corrective actions will be identified through annual compliance environment audit and annual climate and disaster risk expenditure reviews. Some of the E&amp;S measures to be embedded in O&amp;M may include survival of trees planted, maintenance of restored sites, waste management practices at completed infrastructural projects, maintenance of waste disposal facilities, desilting of drainage, solar streetlight replacements, hygiene, and sanitation at completed subprojects among others. Citizen engagement to maintain and assure the sustainability of the investment.</p>
<p><b>DLI 8:</b> GKMA sub-national entities with strengthened capacity on climate change mitigation and adaptation</p>	<p>This is dedicated DLI for climate change mitigation and adaptation.</p>
<p><b>DLI 9:</b> MoKCC&amp;MA with strengthened institutional performance for metropolitan coordination and management</p>	<p>To provide incentives for the achievement of the necessary results related to improved policy, legal or institutional framework for metropolitan coordination, management and improved service delivery; national stakeholders to undertake key Program functions on a timely basis and to ensure that KCCA and metro LGs receive the support they need to effectively perform their statutory obligations for Program implementation.</p> <p>The central institutions responsible for management of Environment and Social aspects are part of the IMC, the activities recommended in the program action plan will be incorporated into the annual work-plan of MoKCC&amp;MA.</p>

4) **Program action plan for MoKCCMA which includes activities to be completed prior to program effectiveness and during implementation.** Besides completion of technical studies highlighted in recommendation no. 2 above the coordinating Ministry of Kampala and Metropolitan Affairs shall: -

- Recruit Social Development Specialist and Environment and Natural Resource Specialist for program support implementation,
- Develop environment health and safety policy(ies) and procedures as part of its Environment, health and safety management system,
- Coordinate joint monitoring of E&S aspects in GKMA and
- Coordinate development and implementation of E&S capacity building plan for the sub nationals in specific identifies areas of concern,
- Carry out sensitization/training on social inclusion to communities, contractors, and other relevant stakeholders.
- Put in place a functional and sensitive GRM (with provisions for confidentiality) that will address issues of social exclusion based on all types of vulnerabilities.
- Avoids or minimizes potential land acquisition and related adverse impacts
- Identifies and addresses economic and social impacts caused by potential land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy.

- Prior to taking of land or restricting access, ensure effective compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses.

The other aspects for consideration in the program action plan include Technical Assistance to MoGLSD and MWE/NEMA to: -

- Strengthen environmental and social risks management, grievances redress mechanism, health and safety aspects of the program,
- Fast track review and decision process on ESIA/PBs for sub-project investments,
- Strengthen monitoring, enforcement, enforcement audits and
- Update and review of EIA Environmental Guidelines , 1997, Environmental Audits, 1999, National Environmental (Wetlands; River Bank and Lake Shores Management) Regulations, 2000,
- Provide technical support in setting up appropriate air quality monitoring networks in GKMA region,
- Develop capacity building plan and provide technical assistance to the sub-national in E&S risk management (costing ESMP, E&S in B.O.Q, ESHS in procurement, on stakeholder engagement and on SEA/SH/GBV ) and development of bylaws and ordinance.

**The table below summarizes the recommended E&S Program Actions which has been integrated in the overall PAP in the PAD.**

Action Description	DLIs	Responsibility	Timing Frame	Completion measurement
1. Recruitment of Social Development Specialist and Environment and Natural Resource Specialist for program support implementation and sub-national E and S staff	DLI 9 DLI 2	MoKCCMA GKMA sub nationals	Before program effectiveness	Evidence of Staff recruited
2. Conduct strategic studies to strengthen E&S sustainability and guide sub nationals	DLI 9	MoKCCMA	Before commencement of program implementation activities (Year 1)	(i) Regional ESIA report/SESA (ii) Social Risk Assessment
3. Implementation of strategic studies – integrate and/or align subsequent ESIA's, designs for subproject investments to the findings of the studies.	DLI3	GKMA sub nationals	Year 2-5 ( during program implementation)	ESHS integrated in designs, ESIA report for subproject investments activities.
4. Develop Environment, Health and Safety policy and procedures as part of Environment and Social management system for GMKA	DLI 9	MoKCCMA NEMA, MoGLSD	By end of Year 1	Documented E&S systems and procedure developed
5. Address environment, climate change and social risks / impacts during planning, design of sub project investments	DLI 3, DLI 9	GKMA sub nationals, NEMA, MoGLSD	Continuous (Prior to contracting/ bidding)	ESIA reports & other social risk mitigation report& NEMA certificate & other permits; ESHS integrated in designs, B.O.Q, tender and contract documents reports (monthly, quarterly) approved by NEMA, MoGLSD certifications ( Work Place Registration Under the OSH Act 2006, section 40(2), 120(2) of the Act) with assistance from the GKMA program

6. Develop E&S Institutional strengthening plan based on needs assessment for sub-national entities	DLI1	GKMA sub nationals	Year 1 and recurrent	E&S Institutional Strengthening Plan
7. Technical support to fast track ESIA reviews, baseline verification, decision making and compliance monitoring	DLI 3 & DLI 9	NEMA, MoGLSD	Year 1 and recurrent	Enhanced and Automated ESIA review and approval/ rejection system in place. timely decision making on ESIA/PB submitted to NEMA (NEMA certificates) Compliance monitoring reports Labour/GBV/SEA/SH/VAC reports & Vulnerable Plans reviews
8. Updating of ESIA guidelines 1997, finalization of The National Environment (draft Noise standards and control regulations and draft Air Quality Standards)	DLI 9	NEMA, UNBS	Year 1 & Year 2	Approved and gazetted Guidelines, Standards and Regulations
9. Technical support in setting up appropriate air quality monitoring networks in GKMA	DLI 9	NEMA, UNBS	Year 1 and recurrent	Air quality monitoring network in place Air quality reports
10. Capacity building and technical Assistance to sub national entities for strengthening E&S including conducting Compliance monitoring and enforcement and sensitization on risks associated with influx of labour	DLI 9	MKMA MWE, NEMA, MoGLSD, PPDA	Year 1 and recurrent	Develop capacity building plan for strengthening E&S in planning, design and procurement Implementation report of capacity building plan Training and gazettement of Inspectors Joint quarterly monitoring reports Sensitization reports
11. Assess Environment and climate change aspects during O&M of completed infrastructures	DLI 9	MoKCCMA, MWE and NEMA	Year 2 and Annually	Compliance Audit reports Report on implementation of corrective action plan Report on climate expenditure reviews
12. Upgrade of existing streets (strategic urban roads) existing roads and associated infrastructure etc, may in one way or another overlap beyond ROW causing risks/impacts associated with land acquisition, physical or economic displacement.	DLI 3	GKMA Sub-nationals	Year 1 and recurrent	(i) Reports of socio-economic impacts assessment on the surrounding communities and mitigation measures carried out accordingly prior to the commencement of the works, reports should be shared with the Bank and regularly reviewed,

				<p>Evidence of early and regular engagements with all stakeholders,  Evidence in terms of agreements, consent letters MoU including community witnessing evidence, etc for acceptance of space occupation,  Resettlement Action Plans reports implemented where need be and reports shared with Bank,  Record of number of people temporally relocated during construction.</p>
13. Management of labour including influx of contracted workers	DLI 3	GKMA Sub-nationals	Year 1 and recurrent	<p>Record of local workforce based on the qualification needs used,  Evidence of a robust GRM system for the contractor, workers and communities established,  Record of Continuous stakeholder engagement and feedback provided,  Record of COVID adherence and SOP's in place,  Environment and Social Risk Management Committees as per the law established,  Record of Signed of the Code of Conduct by all workers,  Evidence of GBV/SEA/SH/VAC training. inclusion and nondiscrimination as part of recruitment and labor management of contractors and sub-contractors</p>
14. Gender Based Violence and Mechanisms to support survivors	DLI 3	GKMA Sub-nationals	Year 1and Recurrent	<p>Record of use of local workforce in place,  Record of extensive community sensitization activities and enhanced contractor/worker management carried out,  Record of codes of conduct signed by project workers,  Record of GBV services and referral pathways mapped,</p>



				(v) Functional GBV sensitive GRM in line with the World Bank Guidance Note on the Management of Risks associated with project- induced labor influx followed.
15. Guidelines for unified system of grievance redress and community/stakeholder engagement planning in all the Sub Nationals issued.	DLI 3; DLI 2	MoKCCMA, MoGLSD, NEMA and GKMA sub nationals	1-5 years Continuous throughout the project	Functional Grievance Redress Committees in place with provisions for confidentiality, and whistle blower protocols to address potential retaliation; and communities aware of the GRM mechanisms and procedures after developing the stakeholders engagement A complaints log with clear information and reference for onward action (a clear complaints referral path); in addition, all contractors will be required to have a workers' complaints mechanism at the Site established Stakeholder Engagement Plan prepared and implemented by Sub nationals Plans and measures to prevent and mitigate GBV/SEA/SH, social exclusion and discrimination prepared and implemented.

## 1.0 INTRODUCTION AND PROGRAM DESCRIPTION

### 1.0 Background

The GKMA, which is the geographical boundary of the PforR Program, comprises one capital city (governed by the Kampala Capital City Authority), three districts (Mukono, Mpigi and Wakiso) and five municipals (Entebbe, Kira, Makindye-Ssebagabo, Mukono, and Nansana) local governments with a total population of 5.8 million. Under the Uganda decentralization policy framework, most urban responsibilities are devolved to local governments that are independent corporate legal entities. Until recently, the KCCA and the district and municipal governments carried out their urban planning and urban management responsibilities with little or no coordination. The result has been uncoordinated investments, lack of synergies and limited economies of scale in service provision.

Based on the third National Development Plan (NDP III), 2020/2021 – 2024/2025, GKMA dominates Uganda’s national spatial system. GKMA comprises 10% of the national population, 40% of the urban population, 46% of formal sector workers and 70% of manufacturing firms with five or more employees. The GKMA is by far the largest of Uganda’s urban areas and was approaching 3.5 million in 2017, with no other urban area standing at more than 200,000 at the time of the 2014 census. To maintain and promote the vital economic contribution and competitiveness of GKMA, it is critical to adopt an integrated approach towards the envisioned sustainable urbanization and housing program. The map below shows the location of the GKMA LGs in Uganda.

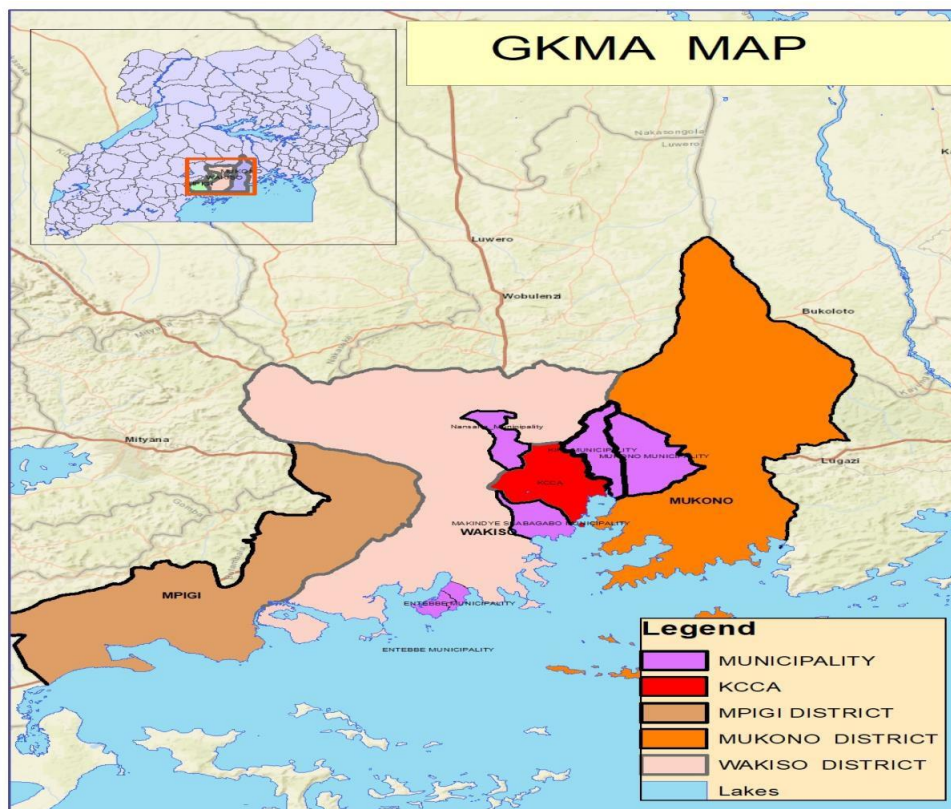


Figure 1: Map of GKMA Local Governments

Uganda's vision 2040 seeks to invest in better urban systems to enhance productivity, livability, and sustainability. It envisages a major role for Greater Kampala in Uganda's structural transformation, thus in 2013, Cabinet approved the GKMA Development Framework 2040. It followed the Government's declaration of the GKMA a special planning area in 2012. GKMA has a small but robust industrial export base and diverse array of globally competitive clusters. Each of the GKMA's Districts has unique advantages (Wakiso- Entebbe airport, Mukono -Heavy industries, Mpigi -Argo business; Kampala city - Education and leisure facilities). There is unique biodiversity, cultural heritage and tourism potential in addition to the Lake Victoria ecosystem.

However, the GKMA like Uganda's other urban areas is characterized by overcrowding, poor infrastructure and inadequate social services such as water, sewage and solid waste collection. There is a costly and non-competitive business environment; formal job creation and urban planning have not kept pace with population growth, there are a high number of unemployed youths (10 % of people residing in the GKMA are unemployed). The absence of an efficient public transport system (lack of mass transit option), increased motorization coupled with inadequate transport planning has led to traffic congestion which curtails mobility. Traffic congestion has also resulted in high road maintenance costs and increase in air pollution. There is a road safety crisis, on average, 10 lives are lost per day in road traffic-related accidents; KCCA's road network accounted for about 50% of the country's total number of crashes and 22% of all fatal crashes. The NDP-III states that, motorized vehicle fleet almost doubled in less than 5 years, from 739,036 in 2012 to 1,355,090 in 2018, of which more than 50% are in the GKMA. Boda-bodas almost tripled in 8 years, from 354,000 in 2010 to 1.034 million in 2018.

GKMA also faces poor management of solid waste which often affects storm water drains (more than 1500 tons of solid waste are generated per day in Kampala yet KCCA has capacity to dispose only 50% of it); urban sprawl and high number of informal settlements, flooding due to poor drainage and inadequate drainage structures, encroachment on sensitive ecosystem of the Lake Victoria and wetlands due to uncontrolled urban expansion; and institution challenges.

### **GKMA Population and per capita Projection 2021**

*Table 1: GKMA Population and Per Capita Projection 2021*

#	Institution	2021			Annual IPF
		Male	Female	Total	US\$20 per capita
1	KCCA	809,900	900,000	1,709,900	34,198,000.00
2	Entebbe MC	52,100	57,000	109,100	2,182,000.00
3	Kira Municipality	230,600	262,500	493,100	9,862,000.00
4	Makindye-Ssabagabo MC	205,500	235,000	440,500	8,810,000.00
5	Nansana MC	266,400	301,300	567,700	11,354,000.00
6	Mukono MC	89,700	106,700	196,400	3,928,000.00
7	Mukono DLG	258,800	264,900	523,700	10,474,000.00
8	Wakiso DLG	715,100	780,200	1,495,300	29,906,000.00
9	Mpigi DLG	147,700	145,200	292,900	5,858,000.00
	<b>TOTAL Population</b>	<b>2,775,800</b>	<b>3,052,800</b>	<b>5,828,600</b>	<b>116,572,000.00</b>

### 1.1 Description of GKMA Urban Program

The Greater Kampala Metropolitan Area (GKMA) urban program is a PforR operation which will provide performance based grants and institutional strengthening grants under three windows:

- (i) **Window 1 - GKMA subnational-level institutional Support Grants (ISG) (US\$30 million IDA Grant, DLI 1).** This sub-window will finance institutional strengthening activities related to skills development, retooling and systems developments (e-governance roll-out such as e-payments, e-feedback etc) to allow the GKMA LGs perform their functions as true metropolitan government managers.
- (ii) **Window 2 - GKMA subnational-level Metropolitan Development Grants (MDG) (US\$510 million IDA Credit, DLI 2 - 7).** This sub- window will finance low risk infrastructure investments highlighted under the PforR boundary in table 1. KCCA and each of the eight GKMA LGs will get on average US\$24 per capita per annum. This money is not however an entitlement and KCCA and each of the eight GKMA LGs will have to compete to access the development grant. MDG grants will include a fixed and a variable component. To access the fixed component, GKMA sub-nationals will need to meet the agreed Minimum Conditions (MCs). The variable component can be accessed by GKMA sub-nationals to the extent they meet Performance Measures (PMs) for institutional improvements and infrastructure delivery under the Program.
- (iii) **Window 3 - National-level institutional strengthening (US\$26 million) (US\$ 18 IDA Grant, DLI 9 and US\$ 8 DLI 8 for Climate Change Mitigation and Adaptation).** This sub-window will finance activities to support the MoKCCMA and the IMC to develop the necessary policies, standards and regulations for the management of the metropolitan area; including timely assessment and release of funds under the Program and provision of support for climate change mitigation and adaptation (DLI 8)

Figure 2- Summary of GKMA Urban Development Program



The Ministry for Kampala Capital City and Metropolitan Affairs (MoKCCMA) will be the coordinating ministry for the program, with National Planning Authority (NPA) as its planning unit. KCCA and the eight local governments (LGs) will be the implementing entities, while the inter-ministerial committee (IMC) comprising of the key government ministries, departments and agencies (MDAs) including: Ministry of Local Government (MoLG), Ministry of Lands, Housing and Urban Development (MoLHUD), Ministry of Works and Transport (MoWT), National Environment Management Authority (NEMA), Ministry of Gender,

Labor and Social Development (MoGLSD) Ministry of Finance, Planning and Economic Development (MoFPED), National Planning Authority (NPA), and Public Procurement and Disposal Authority (PPDA) will be responsible for provision of policies, guidance, standards, quality assurance and coordination of the Program activities and investments to ensure that they are implemented in a coordinated manner for the benefit of the GKMA and not only narrow focus of KCCA and the eight GKMA implementing entities. The IMC arrangement is building on the successful implementation experiences of USMID PforR since 2013 in using such a governance structure.

The selection of the infrastructure investments under the different pillars will be guided by the proposed Program boundary and will be based on a robust investment menu and strict prioritization criteria to exclude those investments considered to be of high risk. The proposed investment menu is currently tentative, and will be refined during Program preparation and appraisal, in consultation with the client to ensure ownership. Those found to be of high risk will be dropped from the menu. For complete streets and strategic roads, focus will be on upgrading existing roads as opposed to opening new roads. The design of the streets and roads will adopt a pro-poor and resilient urban designs. The proposed activities to be financed under the PforR Program (P) are within the mandates of the sub nationals.

### **1.3 PforR Program Scope**

The PforR Program will support some elements of the Government program as presented in the table 1 below. **The PforR pillar one of Mobility and accessibility is linked to the government program 1.1** - strategic roads. The activities to be financed under this pillar will be limited to (i) rehabilitation/upgrading of existing roads within the existing right of way; (ii) improving on existing streets to meet the needs of all users, both vehicles and non-motorized (cyclists and pedestrian), (iii) signalization of junctions – most junctions are currently roundabouts and they cannot handle the increased traffic volume. They need to be upgraded from roundabouts to signalized junctions with traffic lights to improve on traffic flow; and (iv) piloting non-motorized transport (NMT) means of transport within the city CBD by converting some sections of existing streets to only pedestrian and cycling lanes to improve mobility, reduce accidents and reduce carbon emission footprint.

**Pillar 2 - Resilience and Environment is linked to government program 2.1** (Comprehensive Solid Waste Management (SWM) Program) and 2.2 (Lakes, Wetlands, Waterways Conservation Program). The activities to be financed under the PforR Program will only be limited to the following low risk activities: (i) Preparation of SWM strategies to better understand the constraints within the solid waste chain, (ii) Promoting waste segregation/sorting and characterization to promote recycling and reduce waste, (iii) Community sensitization campaigns, (iv) Rehabilitation of storm water drainage; and (iv) development of green parks/belts and tree planting along roads sides. The first three are linked to government program 2.1 and the latter two to government program 2.2.

**Pillar 3 - Job Creation is linked to government program 3.1** (Micro-enterprise workspace program), 3.2 (Business engagement and youth entrepreneurship development program) and 4.1 (Tourism development Program). The activities to be financed under this pillar will be low risks and limited to only the establishment of (i) artisans' parks where they can have access to common facilities such as utilities, (ii) markets and spaces for vendors, and (iii) business centers for engagement, incubation, and jobs for youth. Investments under pillar 3 will be focused more on the provision of public local economic infrastructure that can support informal sector, women and youth to grow from micro to small and

medium enterprises. It will involve organizing them to allow them have peer to peer learning, economies of scale and be able to graduate to formal sector. The proposed activities to be financed under the PforR Program are therefore limited to low risks public investments that are a small sub-set of the government program.

As part of an overarching institutional strengthening, the PforR Program will also support government program 5.1 (Sub national Government Skills and Efficiency Program) by financing institutional strengthening activities related to skills development, retooling and systems developments (e-governance roll-out such as e-payments, e-feedback etc.). This Program will build on the experiences gained under the on-going USMID PforR Program and refine the mechanisms to enable the focus on the metropolitan area. The geographical boundary of the GKMA Program will be limited to two sub-levels: national level – Ministry of Kampala Capital City and Metropolitan Affairs (MoKCCMA) and the GKMA inter-ministerial committee (IMC)21, and sub-national level – KCCA and the eight surrounding municipal and district LGs. Table 1 below summarizes the slice of the PforR Program as part of the GoU GKMA program.

**Table 1-The Government Program and the PforR Program Boundary**

<b>Strategic Objectives</b>	<b>GoU Major Programs</b>	<b>GoU Flagship investments Areas</b>	<b>Proposed PforR Program boundary</b>
1. Competitive Economic Infrastructure	1.1 Strategic Roads Program	<ul style="list-style-type: none"> <li>• Upgrade existing roads</li> <li>• Street improvements</li> <li>• Strategic new roads investment</li> </ul>	<ul style="list-style-type: none"> <li>• Upgrading/rehabilitation existing roads within existing rights of way</li> <li>• Street improvements to meet the needs of all users (pedestrians and cycles lanes)</li> <li>• Converting roundabouts to Signalized junctions (traffic lights)</li> <li>• Piloting NMT means of transport (cycling and pedestrian walkways) as an integral part of mobility within GKMA</li> </ul>
	1.2 Public Transportation Program	<ul style="list-style-type: none"> <li>• Pilot BRT key corridors</li> <li>• Light rail network</li> <li>• Non-motorized transport (NMT) pilot</li> <li>• Water transport</li> </ul>	NA
	1.3 Affordable Housing and Land Management Program	<ul style="list-style-type: none"> <li>• High density affordable housing pilot</li> <li>• Land zoning and land banking</li> <li>• Integrated transport/land use planning</li> <li>• Slum upgrading</li> <li>• Sites and services</li> </ul>	NA

2. Conserve and protect environmental assets	2.1 Comprehensive Solid Waste Management Program	<ul style="list-style-type: none"> <li>• Modern waste management facilities with transfer stations</li> <li>• Community sensitization campaigns</li> <li>• SWM strategies - Waste segregation/sorting and characterization</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation of SWM strategies to better understand the constraints within the solid waste chain.</li> <li>• Promoting waste segregation/sorting and characterization to promote recycling and reduce waste.</li> <li>• Community sensitization campaigns.</li> </ul>
	2.2 Lakes, Wetlands, Waterways Conservation Program	<ul style="list-style-type: none"> <li>• Lake Victoria and wetland environmental conservation</li> <li>• Demarcation and buffering of lake shores and wetlands with trees</li> </ul>	<ul style="list-style-type: none"> <li>• Rehabilitation of stormwater drainage</li> <li>• development of green parks/belts and tree planting along roadsides</li> </ul>
3. Business support to the informal sector, the youth and economic growth clusters	3.1 Micro-enterprise workspace program	<ul style="list-style-type: none"> <li>• Development of Artisan parks</li> <li>• Work spaces and markets for street vendors</li> </ul>	<ul style="list-style-type: none"> <li>• Development of Artisan parks</li> <li>• Work spaces and markets for street vendors</li> </ul>
	3.2 Business engagement and youth entrepreneurship development program	<ul style="list-style-type: none"> <li>• Business engagement centers</li> <li>• Business incubation and job centers for youth</li> </ul>	<ul style="list-style-type: none"> <li>• Business engagement centers</li> <li>• Business incubation and job centers for youth</li> </ul>
	3.3 Cluster Competitiveness Program	<ul style="list-style-type: none"> <li>• Strengthening existing clusters and attracting further enterprise investment</li> </ul>	NA
4. A unique center for tourism	4.1 Tourism development Program	<ul style="list-style-type: none"> <li>• Kampala tourism circuit</li> <li>• Meetings Incentives Conferences and Exhibitions (MICE) Tourism</li> <li>• Cultural and Religious Tourism</li> <li>• Lake and Eco-tourism</li> </ul>	<ul style="list-style-type: none"> <li>• Development of international tourist signage system</li> <li>• Kampala tourism circuit</li> <li>• Meetings, Incentives, Conferences and Exhibitions (MICE) Tourism</li> </ul>
5. Effective city and local government service delivery	5.1 Sub national Government Skills and Efficiency Program	<ul style="list-style-type: none"> <li>• E-governance roll-out, including ICT infrastructure and training</li> <li>• Capacity-building for local government officials</li> </ul>	<ul style="list-style-type: none"> <li>• Skills development</li> <li>• Retooling</li> <li>• Systems development for metropolitan management (e-governance roll-out such as e-payments, e-feedback etc.)</li> </ul>

The GKMA sub-national Institutional Support Grant ( ISG) is intended to strengthen the capacity of the GKMA sub-nationals to deliver on their statutory mandates. This will be achieved by strengthening the capacity of the GKMA sub-nationals to undertake investment planning and prioritization, design, and supervision of investments. GKMA sub-nationals that qualify for ISGs will use their grants to finance three categories of institutional support activities related to metropolitan management. This will include (i) human resource development - short-term skills development not exceeding nine months, (ii) institutional capacity and systems development related to metropolitan management e.g., E-government services roll-out; and (iii) retooling related to improving working environment, strengthening urban governance and service delivery. The activities to be funded by the ISG should not only improve the performance of the GKMA sub-nationals but also enable them to meet the Program’s Disbursement Linked Results (DLRs) – and thus qualify for larger metropolitan development grants (MDGs). Embedded in this ISG is institutional capacity strengthening for E&S risks/impacts management. Table 2 below presents the indicative expenditures financed by the ISGs and the list of non-eligible expenditures (to be detailed in the Program’s Operational Manual).

**Table 2: ISG eligible and non-eligible expenditure menu**

<b>A. ELIGIBLE EXPENDITURES</b>		
No	Functional area	Indicative expenditure areas
1	Urban planning & services	<ul style="list-style-type: none"> <li>• Spatial planning activities</li> <li>• GIS mapping instruments</li> <li>• Investment planning improvements</li> <li>• Feasibility studies and designs of sub-projects</li> </ul>
2	Urban economic development and competitiveness	<ul style="list-style-type: none"> <li>• Mapping of economic activities and private sector actors</li> <li>• Surveys of local business environment</li> <li>• Consultative meetings between MA and private sector</li> </ul>
3	Own Source Revenue (OSR) improvements	<ul style="list-style-type: none"> <li>• Development of revenue databases</li> <li>• Development of modernized billing systems</li> <li>• Street and property addressing</li> <li>• Property valuation updates</li> </ul>
4	Asset management	<ul style="list-style-type: none"> <li>• Asset mapping and inventories</li> </ul>
5	Urban resilience and climate change/disaster risk management	<ul style="list-style-type: none"> <li>• Climate change impact assessment</li> <li>• Disaster risk assessment</li> <li>• Risk map</li> <li>• Emergency response plan</li> </ul>
6	Environmental and Social Management	<ul style="list-style-type: none"> <li>• Support to functionality of District/Urban environment and natural resource committee</li> <li>• Environmental and Social assessments,</li> <li>• Stakeholder Engagement and GRM, GBV/SEA/SH,</li> <li>• Capacity Awareness session for Sub-nationals on activities with potential impact on livelihood,</li> <li>• Environmental compliance Audits,</li> <li>• Health and Safety in infrastructural development</li> <li>• Gender mainstreaming,</li> <li>• Capacity building for enhanced E&amp;S risk management in</li> </ul>



		<p>infrastructural development e.g., costing ESMP, livelihood improvement in the E&amp;S designs, B.O.Q, ESHS in bidding &amp; contractual</p> <ul style="list-style-type: none"> <li>• development of bylaws and ordinance</li> </ul>
7	E-government services	<ul style="list-style-type: none"> <li>• Participation and communication services (e-platform)</li> <li>• Integrated services (e.g., one-stop services and portals)</li> </ul>
8	Human resource development	<ul style="list-style-type: none"> <li>• Training in the above areas (short courses not exceeding 9 months)</li> </ul>
9	Retooling	<ul style="list-style-type: none"> <li>• Office furniture</li> <li>• Office renovation (painting, tiling, etc.)</li> <li>• Internet connectivity</li> <li>• Specialized equipment and tools (surveying, air quality, other environmental monitoring equipment, weather station, GRCs tools &amp; equipment, Camera, Public Address Systems etc.)</li> </ul>
<b>B. NON-ELIGIBLE EXPENDITURES</b>		
a	Means of transport (vehicles, motorcycles)	
b	Construction of office building	
c	International travel and associated costs	
d	Long term training costs (for example, university degree programs)	
e	Recurrent costs (for example, salaries, utilities, and the like)	

#### 1.4 Environment and Social System Assessment (ESSA)

The proposed Greater Kampala Metropolitan Area Urban Development Program will be supported with Program-for-Results (PforR) financing policy. As part of the Program for Results (PforR) preparation, four assessments have been undertaken to inform the design of the program, one of such assessments is the Environment and Social Systems Assessment (ESSA). The ESSA has been carried out to assess the current systems and procedures of the government of Uganda for managing social and environmental risks and impacts of development projects against the Bank's six core principles for PforR programs (refer to Annex 1). The ESSA review is limited to the scope of the proposed GKMA urban development program and provides an assessment and a summary of the key environment and social risks associated with the program, reviews legislative and institutional frameworks for Environment and Social risks management, climate change adaptation and resilience and proposes measures for strengthening program design and the identified gaps in the system for successful implementation of the GKMA Urban Development Program. The ESSA also assesses the ability of Borrower system(s) to manage those risks.

The preparation of this Environment and Social System Assessment (ESSA) report considered; the already existing environmental and social challenges in GKMA, the design elements in the program to enhance Environment and social sustainability, the risks and impacts that may arise from the sub-project investment activities, the existing institutional and legislative framework as written and the system performance. The gap filling measures will be integrated into Disbursement Linked indicators (DLIs) and Program Action Plan. The ESSA screened the proposed program activities for likely E&S effects and associated risks; analyzed Uganda's legislative and institutional framework for E&S risks management as

written and the system performance; made comparison with the six PforR core principles to determine any gaps and in turn inform the acceptability analysis. The ESSA identified strengths, gaps, opportunities, and risks with respect to effectively addressing the E&S risks associated with the Program. The findings of the ESSA and the recommended remedial measures to strengthen the system contributed to all these four levels: (i) Overall Program Action Plan for GKMA urban development program; (ii) Disbursement Linked Indicators and its verification protocols that incorporates E&S Sustainability; (iii) Elements of the Program Operations Manual.

## **1.5 ESSA Methodology**

The assessment was carried out through a comprehensive review of relevant government (national and local) policies, legislation, institutional roles and capacities, program procedures, and assessment of the available capacity in all the eight Local Governments within GKMA to implement the existing systems consistent with Bank Program for Results Financing. It served as a basis for judging whether present systems utilized by the Program have the resources and authority necessary to mitigate unavoidable impacts and achieve maximal social and environmental benefits.

A structured questionnaire (Refer to Annex 4 for the Tools) prepared by the ESSA team were used to guide discussions and data collection at the national and local level agencies/units that will be involved in the project implementation. This information collected was used to understand the key institutions/strategies, stakeholder's perspective about social and environmental aspects, and the feedback mechanisms in place to assess the social and environmental risks and impacts.

### **1.5.1. Desk Review**

A review of the existing baseline information and literature material was undertaken which helped in gaining a further and deeper understanding of the GKMA project. The review of secondary data was a continuous process throughout the ESSA preparation. Desk review of Uganda's policies, legal framework and program documents: The review examined the set of national policy and legal requirements related to environment and social management. The review also examined technical and implementation support documents from previous Uganda Support to Municipal Infrastructure Development USMID program for the Ministry of Lands, Housing and Urban Development (MLHUD) prepared 2012, Uganda Support to Municipal Infrastructure Development Additional Fund (USMID AF)2017 and Uganda Intergovernmental Fiscal Transfer Additional Funds (UgIFT - AF) 2020 in Uganda. National Laws, Policies and regulations, reviewed included.

#### **1.5.1.1. National Laws**

The Constitution of the Republic of Uganda, 1995; The National Environment Act, No 5 of 2019; Financial Institution Act, 2016; The Water Act, (Cap 152); The Public Health Act, Cap. 281 Occupational Safety and Health Act, 2006; Local Government Act, Cap 243; Physical Planning Act, 2010; The Physical Planning Amendment Act, 2020; The Land Acquisition Act, 1965; The Land Act, Cap 227; Land Amendment Act (2010); National Forestry and Tree Planting Act, 2003; The Historical and Monuments Act, 1967, (Amended 1977); Employment Act No 6, 2006; Workers Compensation Act, 2000; Labor Unions Act, 2006; The Children's Act, 1997 (CAP 59) and The Penal Code.

#### **1.5.1.2. Regulations and Guidelines**

The Environmental Impact Assessment (EIA) Guidelines (1997); The National Environment ( environmental and Social Assessment) Regulations (2020); The Strategic Environment Assessment (SEA) guidelines ( 2020); The National Environment (Noise Standards and Control) Regulations (2003); The National Environment (Management of Ozone Depleting Substances and Products) Regulations (2001); The National Environment (Waste Management) Regulations (2020); The National Environment (Minimum Standards for Management of Soil Quality) Regulations (2001); The National Environment (standards for discharge of effluent into water or land) regulations (2020); The National Environment (Wetlands,

Riverbanks and Lake Shores Management) Regulations (2000); National Environment (Audit) Regulations (2020); National Environment (Conduct and Certification of Environmental Practitioners) Regulations (2003); Water (Waste Discharge) Regulations (No. 32 of 1998); Employment (Sexual Harassment) Regulations, 2012 (S.I. 2012 No. 15). National Environmental (Oil Spill Prevention, Preparedness and Response Regulations), 2020. The National Forestry and Tree Planting Act, 8/2003.

### **1.5.1.3. Institutional Analysis**

Institutional analysis was also carried out to identify the roles, responsibilities and structure of the relevant institutions responsible for implementing the program, including E&S coordination between different entities at the national and local levels. Sources include existing assessments of key institutions focusing on environmental and social assessment and management processes. MoKCCMA the main entity that will be responsible for overseeing the program for the GKMA was also assessed. NEMA is the administrative body that is responsible for the coordination of the various environmental management activities in Uganda. NEMA is also responsible for granting and Environmental and Social Impact Assessment (ESIA) approvals and for monitoring and assessing project activities in order to ensure that the environment is not degraded by such activities. NEMA, which has the overall mandate in enforcing environmental and social impact assessment (ESIA) at the national and local levels sub-nationals i.e. Kampala Capital City Authority), three districts (Mukono, Mpigi and Wakiso) and five municipals (Entebbe, Kira, Makindye-Ssebagabo, Mukono, and Nansana) local governments capacity system was also assessed. The Lower Level Entities i.e. The GKMA Sub-nationals, which are the GKMA Program implementing entities are responsible for ensuring that all the program investments are screened for environment and social risks and impacts, preparation of the relevant E&S risks/impacts mitigation measures documents and seek approval before program implementation. Also their capacities to manage, mitigate and monitor E&S risks/impacts was analysed.

The Ministry of Labor, Gender and social Development under the department of Occupation Health and Safety is mandated to : Identifying and recommending remedial measures of Work Place hazards (Dangerous machinery, plants, equipment, and work practices);Certifying Statutory Equipment (Pressure vessels, lifting machinery and equipment);Projects' Environment Impact Assessment reviewing for Safety and Health Standard compliance; and Investigation of Accidents, occupational diseases and dangerous occurrences at workplaces.

### **1.5.2. Stakeholder Consultation Process:**

In light of the COVID19 situation, which resulted into restrictions of movement to minimize contact the Consultants conducted the collection of primary data for the ESSA by using on-line platforms. Different data collection instruments (structured and semi-structured guides) were drafted to suit the different stakeholders to be consulted. The Consultants endeavored to make the tools as clear as possible given that they were administered on-line. The tools were sent through e-mails directly to the relevant authorities' technical officers of the MDAs and to the Chief Administrative Officers (CAOs) and Town Clerks (TCs) of the relevant District Local Governments (DLGs) and Municipal Local Governments (MLGs). The Authorities of the MDAs, CAOs and TCs were then requested to ensure that their relevant technical officers fill them in and ensure that they are completed and submitted within the provided timeline (1 week). The Consultants did get in direct contacts with the technical officers so that they could follow up including making any clarifications in the instruments that would be needed by the Officers. Upon receipt of completed questionnaires, the Consultants analyzed the information provided and followed-up with the Officers as was considered appropriate.

### **1.5.2.1. Virtual preparation Missions**

Online communication tools (telephone, skype, zoom, WebEx, email, audio meetings etc.) were employed to undertake consultations at the national and local levels; and virtual workshops in situations where large

meetings and workshops are essential, in the preparatory stage of the project and during the data collection exercise and validation of preliminary findings.

The format of virtual workshops included the following steps:

- 1) Virtual registration of participants: Participants registered online through a dedicated platform;
- 2) Sharing of workshop materials with participants, including agenda, project documents, presentations, questionnaires and discussion topics: These were shared online with participants;
- 3) Review of distributed information materials: Participants were given a scheduled duration for this, before scheduling a discussion on the information provided;
- 4) Discussion, feedback collection and sharing: discussions on the aspects of the ESSA was undertaken through a video conferencing provided by the WB;
- 5) Conclusion and summary: The chair of the workshop summarized the virtual workshop discussions, formulated conclusions and shared electronically with all participants.

#### ***1.5.2.2. Key local governments/municipalities Officials***

Targeted technical Officers: The Chief Administrative Officers, District Environment Officers, District Natural Resource Officers, and District Physical/Municipal Physical Planners, District Engineers/Municipal Engineers, District Water Officers, Gender Officers, Child protection officers, Land Officers, Labor Officers, District Agricultural Officers and Community Development Officers.

#### ***1.5.2.3 The central government agencies***

The following Central Government ministries and agencies were consulted: Ministry of Kampala Capital City and Metropolitan Affairs(MoKCCMA), National Planning Authority(NPA), Ministry of Lands, Housing and Urban Development(MLHUD), Ministry of Water and Environment (MWE), Ministry of Agriculture, Animal Industry and Fisheries (MAAIF),Ministry of Tourism ,Wildlife and Antiquities (MTWA), Ministry of Gender, Labor and Social Development (MoGLSD), Ministry of Local Government (MLG), Ministry of Works and Transport(MoWT) and Ministry of Finance, Planning and Economic Development (MoFPED), Office of the Prime Minister (OPM),National Water and sewerage Corporations,(NWSC),Uganda Wildlife authority(UWA) and National Environment Management Authority (NEMA).

#### **1.5.3. Data Analysis and Report Writing**

The ESSA analysis followed the SWOT approach. This was undertaken based on the details of Program activities, institutions involved and the implementing agency's past experience in implementing similar projects, the potential environmental and social benefits, risks/impacts of the Program, the national and local existing environmental and social management systems, assessment of the adequacy of the existing systems, and identification of gaps.

#### **1.5.4. Validation and Disclosure**

Validation workshop took place on April 1, 2022. It was attended by a total of 34 Technical Officials from MoKCCMA, KCCA, 3 Districts ( Wakiso, Mukono and Mpigi), 5 Municipalities (Mukono, Kira, Nansana, Makidye-Ssabagabo and Entebbe), NEMA, MoLGSD and other stakeholders from the IMC. Although not obliged, the final ESSA incorporating comments from stakeholders' validation workshop consultations shall be disclosed on the client's website before appraisal of the program. The World Bank will also disclose the ESSA report on the Bank's website.

## 2.0 RISK ANALYSIS

### 2.1. Overview of the chapter

The anticipated environmental and social impacts, benefits, risks and opportunities of the Program are presented in this section. The risks have been identified by looking at existing and possible impacts in the environmental and social context, the Program strategy and sustainability, the institutional complexity and capacity. The risks associated with the program can be mitigated through capacity building of implementing entities and partners to enhance inclusion, participation, and strengthening mechanisms on environmental and social management.

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 8). Of particular importance is the Circular on Uganda's Social Safeguard Policies issued on September 21, 2023, by the Ministry of Finance Planning and Economic Development, to all Accounting Officers, Ministries, Departments and Agencies and Local Governments which states that:

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

The environmental and social risk management documents including this ESMF have been updated to identify the additional risks and describes mitigation measures to address these risks. They include the implementation, monitoring, and reporting arrangements, and roles and responsibilities to assess the efficacy of the additional mitigation measures being implemented. They also include the risks identified in the public consultations on these documents involving the Government of Uganda and civil society organizations.

Noteworthy is that the World Bank will provide support to the Government of Uganda, particularly its Project Implementation Units, to help them to implement the additional mitigation measures for this project.

### 2.2. Environmental and Social Benefits (Positive impacts)

#### 2.2.1 Environmental Benefits

The GKMA program investments menu is intended to have substantial positive impacts through improved service delivery. The benefits will depend on the context and investment choices, but potential benefits are likely to include but not limited to:

- (i) Improved waste management systems, through better and improved waste collection systems;
- (ii) Improved health through reduction of dust and waterborne diseases;

- (iii) Improved air quality through reduction of dust;
- (iv) Improved access to public transport services;
- (v) Reduced risk of flooding ;
- (vi) Reduced soil erosion as a result of drainage improvements;
- (vii) Enhanced ecotourism and wetland ecosystems service in the GKMA;
- (viii) Enhanced physical-cultural resources;
- (ix) Addressing climate change risks and resilience associated with infrastructure projects through the introduction of appropriate adaptation and mitigation measures using ecosystem incentives approach i.e., recycling waste for energy.

### **2.2.2 Social Benefits**

- i. Improved community accessibility to through better roads and associated infrastructure; reducing the travel time, and costs;
- ii. Improved security and safety through improved walkways and streetlights; and social economic empowerment due extended working hours;
- iii. Employment opportunities for the community through construction and maintenance of the municipal infrastructure;
- iv. Paved pedestrian walkways within the slum settlements; improved health of slum dwellers through easy to clean walkways;
- v. Positive economic impact on livelihood and the businesses through job creation; and strengthened local capacity to deliver. The experience gained by district/municipal officials in managing the environmental and social impacts of infrastructure investment will strengthen their capacity to manage district/municipal growth in more sustainable ways.

### **2.3. Likely Environmental Risks and Impacts**

Based on the findings of the ESSA analysis, this section discusses the risks identified, and the proposed measures to mitigate those risks. These are included in the Program's integrated risk assessment. The environmental and social impacts and risks due to the implementation of most of the proposed GKMA investment menu program activities are assumed to be substantial to moderate and the level of the impacts are more or less similar to previous programs funded by the World Bank such as USMID and USMID AF which is also a PforR. The proposed works are relatively moderate in scale and confined within the existing right-of-way where the environmental and social effects are likely to be substantially as a

result of the social issues. Adverse environmental effects of the civil works related to sub projects are likely to be temporary in nature but depending on local conditions may have implications for the following issues to varying degrees.

#### **2.3.1. Generation of storm water and impact on drainage**

Construction or widening of sealed roads increases the amount of impermeable surface area, which increases the rate of surface water runoff. The project will also impact on the drainage during the construction phase of the upgraded roads. There will be increased generation of surface runoff on the road. The increased or excess runoff could overwhelm local drainage system including streams with potential for flooding, damage to property and crops. In addition, storm water generated on the road may be contaminated with oil and grease, metals (e.g., lead, zinc, copper, cadmium, chromium, and nickel), particulate matter and other pollutants released by vehicles on the road. Drainage systems in GKMA urban areas divert flood water could have a significant adverse environmental impact on water courses, resulting in pollution with solid waste debris, wastewater, and silt, and thereby a significant reduction in the human and ecological value of the water course.

#### **2.3.2. Environmental Implication of Construction Materials**

The sourcing of construction materials (cobblestone, gravel, sand etc.) from borrows pits and gravel pits/quarries can potentially result in the complete removal of vegetation and other associated impacts including emissions during transportation. The exact location of the project and the management of the sourcing of construction materials are the key issues here. during the excavation of the materials. In addition, quarries and pits for extraction of road construction materials (ballast, soil, etc.) may provide localized areas for surface water infiltration with the possibility of recharging groundwater aquifers. However, water collecting in such open pits may also provide a large surface for the evaporation of water and breeding grounds for mosquitoes. Surface runoff may also accumulate along the sides of the road preventing directly flow to drainage channels and wetlands.

#### **2.3.3. Increased Generation of Solid Waste**

During the construction phase, rock overburden and cutbacks, mechanical wastes, construction debris – off cuts, domestic wastes, as well as some waste from the packaging materials and foods brought to the site by the construction workers, may be a challenge. Significant quantities of rock and soil materials will be generated from earth moving during construction activities. There may be generation of hazardous wastes from chemicals, petroleum products and bitumen. Once not well handled these wastes could become a sanitation hazard, an eyesore and may affect the soil and water systems in the project areas.

The developer would need to ensure that all solid wastes are collected and disposed appropriately in order to promote a clean and healthy environment along the proposed The program shall conduct an appropriate screening for each subprojects and recommended an appropriate level of ESIA with consideration of cumulative impacts for environmental and social sensitive investments, like landfills and slaughterhouses and develop the required environmental and social management plan to ensure environment friendly investment site selection and implementation to address the potential impacts emanating from the sub-project activities.

#### **2.3.4. Implications on Air quality**

During the construction phase of some of the subprojects, there might be an open burning of vegetation and other wastes that could contribute a potential impact on the ambient Air Quality, which ultimately result in health problems to the workers and nearby community like the increase in bronchial and eye disorders. Dust and exhaust emissions from concurrent construction activity with multiple crews operating off and on excavation works, general construction, material transportation, establishment of drainage channel, and fugitive dust from travel along the construction sites may increase the level of particulate matter and fugitive emissions during the construction period. The impacts can be reduced if

all program activities are implemented in an environmentally friendly with best management practices, considering watering of the construction sites regularly (Dust-suppression techniques), regular vehicle maintenance, if applicable. Community members and contractor's staff shall be advised and enforced to avoid such open burning that result smoking and pollution of air.

#### **2.3.5. Noise pollution**

Noise resulting from construction activities and may disturb neighboring communities. This impact will be of a temporary nature and can be minimized by adopting appropriate mitigation measures including maintaining equipment and vehicles to manufacturers' standards and limiting operating times to daylight hours. Therefore, to minimize and/avoid the anticipated impacts the contractor shall consider and implement the following: (i) The construction schedule should be communicated with potentially affected parties; (ii) Workers in the program site must be equipped with the necessary and required Personal Protective Equipment (PPE) prescribed by the construction industry to mitigate dust impacts; (iii) Avoiding works during night-time as much as practicable especially when working in residential areas; (iv) Utilizing equipment with silencers to minimize noise.

#### **2.3.6. Potential for Soil Erosion**

Soil erosion could undermine the foundation of the infrastructure itself and reduce its operational life greatly. Erosion alongside roads can also result in the loss of productive gardening or plantation area and silting of nearby drainage channels and potential depletion and contamination of surface- and ground-water resources if not mitigated.

#### **2.3.7. Public and Occupational Health and Safety (OHS)**

The nature of activities envisaged during the program are likely to raise community and Occupational health and safety concerns as evidenced from other similar programs. The significant concern of public and OHS will arise during the implementation periods, predominantly during excavation works, operation of equipment and machinery during construction, operation and installation landfills and slaughterhouses that causes a likelihood of accidents that may lead to serious injury or loss of life to the workers or community members residing nearby.

#### **2.3.8. Implication for Cumulative Impacts**

GKMA urban development program activities may individually have insignificant adverse environmental impacts. However, several projects in combination with other government or private sector activities at GKMA level, have potential to cause cumulative impact that could be significant. This could be relevant if program activities involve: Construction material quarrying for cobble and gravel combined with other major civil works conducted in the area, deforestation due to the exploitation of forest resources, owing to the use of timber and poles for construction, combined with greater access to forests; Groundwater depletion owing to the demand for water for construction; and surface water depletion, owing to the impact of several diversion schemes on small streams and watercourses. However, prior strategic regional studies such Regional ESIA will examine environmental and social risks and impacts of GKMA urban program with particular attention to cumulative impacts and risks of multiple investment activities in the region and provide broad measures to strengthen E&S management in GKMA region.

### **2.4. Potential Social Risks and Impacts (Negative Impacts)**

#### **2.4.1. Potential risks associated with land acquisition and physical and economic displacement.**

Upgrade of existing streets (strategic urban roads), existing roads and associated infrastructure, Traffic Management activities, Transit (i.e., bus shelters and terminals) and non-motorized facilities with available right of way and paving of pedestrian walkways within slum settlements where there are no issues with the right of way. Implementation of these investments although planned for facilities with available right way may in one way or another may overlap beyond the right of way causing risks/impacts



associated with land acquisition and physical or economic displacement given the congestion and utilization of road reserves (kiosks) in the urban areas especially slums. Other impacts anticipated include; Loss of livelihoods - Vendors operating in the road reserves might be impacted, Speculation due to the proposed project – This may lead to increased land prices in anticipated project areas and traffic interruptions causing loss of time and accidents. To address these gaps, it is proposed that MoKCCMA and the Sub-nationals should;

- Carry out socio-economic impacts assessment on the surrounding communities and prepare the mitigation measures accordingly prior to the commencement of the works, which reports should be shared with the Bank and will be regularly reviewed,
- Engage early and regularly with all stakeholders, including vulnerable or marginalized individuals or groups, and shall record properly the consultation process,
- Record and file evidence in terms of agreements, consent letters MoU including community witnessing evidence, etc for acceptance of space occupation,
- Prepare and share with Bank Resettlement Action Plans reports implement where need be,
- Find temporal areas for relocation during construction.
- Enhance all GRMs to ensure confidential reporting and whistle blower protocols are in place to ensure safe, ethical and confidential reporting of cases of exclusion or discrimination.
- Ensure training and sensitization on project obligations for inclusion and non-discrimination of vulnerable or marginalized individuals or groups for all workers, contractors and other stakeholders as appropriate.

#### **2.4.2. Labour management including influx of contracted workers:**

Potential risks associated with influx of contracted workers could cause a range of social risks and impacts including social tension with the host community, gender-based violence, and HIV/AIDS and other sexually transmitted infections due to the potential risk from commercial sex, the spread of contagious diseases like COVID-19. Other labour related concerns include the potential exclusion of vulnerable or marginalized individuals or groups from employment opportunities.; violation of workers' rights, under payment; health and safety issues, sexual harassment, unfair dismissal; non-payment for excessive overtime, etc. Additionally, non-payment or compensation of community owners for construction materials will result in conflicts. **Child protection related risks and impacts such as;** child abuse in form of Violence Against Children (VAC), including child labour and Sexual Exploitation and Abuse (SEA), increase in school dropout rates, defilement, child marriages, and spread of Sexually Transmitted Diseases/Infections (STD/Is) are anticipated. **Gender related risks** i.e. inconsideration of working mothers' interests and needs such as sanitation and provision of shelters for protecting, and facilities for breast feeding their babies, lack of appropriate and adequate health and welfare facilities (toilets, washing facilities, change rooms that are separate for male and female, sensitive to People with Disability needs). To mitigate these risks, the GKMA sub-nationals shall advise the contractor to:

- Preferably use local workforce based on the qualification needs,
- Establish a robust GRM system (with provisions for confidentiality and whistle blower protections), for the contractors, workers and communities,
- Continuous stakeholder engagement and feedback provided,
- Adhere to COVID SOP's,
- Establish Environment and Social Risk Management Committees as per the law,
- Mandatory Signing of the Code of Conduct by all workers,
- Mandatory training on GBV/SEA/SH/VAC.

### **2.4.3. Gender-Based Violence (GBV):**

Entrenched social norms continue to reinforce discrimination and violence against women in Uganda. In addition, negative cultural beliefs and the attitudes of women and men on the role of women and expectations of masculinity are all risk factors for gender-based violence and inequality. These norms provide a societal justification for perpetration and tolerance of GBV, driving its prevalence and influencing the help-seeking behavior of survivors. This may be inadvertently reinforced by the implementation of this project. At the same time, communities have inadequate information concerning their civic and human rights, in relation to sexual related violence including sexual exploitation and abuse and, sexual harassment. Mechanisms to support survivors of GBV are inadequate. Economic hardship and limited livelihood options may force many women and girls to engage in transactional sex for making a living.

Labour influx may also exacerbate and/or expose project communities to incidences of social exclusion and discrimination, GBV and; family and marriage breakages as well as social conflict. Increased household incomes resulting from employment of community members in the proposed project may cause or increase GBV in families. This is because money is usually reported to be a source of conflict in some families. To address such potential risks, it is proposed that various mitigation measures such as:

- preferential use of local workforce, including all members of vulnerable or marginalized individuals or groups.
- extensive community sensitization activities and enhanced contractor/worker management, including on the potential exclusion of vulnerable or marginalized individuals or groups from employment opportunities.
- signing of codes of conduct by project workers,
- mapping of GBV services and developing referral pathways,
- establishing GBV sensitive GRM that will address issues of exclusion based on all types of vulnerabilities in line with the World Bank Guidance Note on the Management of Risks associated with project- induced labor influx should be followed.

### **2.4.4. Potential exclusion of vulnerable or marginalized individuals or groups from Program benefits.**

The Program aims to improve conditions for urban residents in terms of quality of life. However, if new or improved services, for example transport, drainage, solid waste management, etc., are not affordable or accessible, or if services formerly provided by the informal sector as income generating activities are institutionalized, the poor and vulnerable or marginalized individuals or groups such as: women and particularly pregnant, persons with limited mobility (PLM), elderly), and others will not benefit from them, or may be left worse off. Similarly, if new markets come with higher cost for rental space or use, small traders may actually be worse off, experiencing higher operating costs. Therefore, it will be critical that pro-poor considerations are made in the process of environmental and social assessment of subprojects and mitigation measures, early and continuous stakeholder engagement with evidence on agreed mitigation measure should be considered.

### **2.4.5. Potential risk of social tension in the community with the lack of functioning grievance redress and community engagement.**

While there is little risk that the Program cause major social conflict, some cases of grievance may occur during project implementation that could lead to social tension (such as dispute over access, resettlement, community health and safety, or gender issues related to construction work). Impacts arising from subprojects and other developments in the City and Sub-nationals may be worsened by a lack of understanding and involvement of the urban citizens, whom the services are intended to benefit. While a

grievance handling system is expected to be established and operationalized the grievance procedures and its functionality vary. During the assessment, it was noted that, there was no clear guidance on how the project would handle both grievances and stakeholder engagement at District or Municipal levels. Most of the Sub-national are depending on the Government grievance redress systems that include; the Local Councils, Police and Courts of Law. It is essential to ensure that the democratic processes of participation and accountability are functioning adequately to avoid potential social conflict as a result of the project. Under GKMA-UD, grievance redress mechanism will be strengthened through the involvement of all stakeholders as stipulated in the stakeholder engagement plan, inclusion of provisions for confidentiality related to sensitive grievances, and establishment the Metro Development Forums, in particular in the new municipalities.

#### **2.4.6. Loss of cultural sites/resources**

Some sub-projects' activities involving trenching/digging might affect physical and cultural resources in planned project areas. This gap shall be closed by use Chance find procedures and liaise with Department Antiquities.

#### **2.5. Exclusion Criteria**

While no large-scale or high-risk projects are expected, the screening process for the proposed investments will include criteria to exclude activities that would cause significant negative impacts that are sensitive, diverse, or unprecedented on the environment and/or affected people. Such types of investments are excluded from the Program. The screening procedure will be guided by PforR Environment and Social Core Principles. These types of investments, while highly unlikely to be prioritized by the metropolitan sub-nationals due to budget limitations and time needed to prepare them, will be excluded from Program financing consistent with the requirements of a PforR operation.

These would include works:

- (i) outside of existing rights-of-way;
- (ii) where KCCA and the 8 GKMA have **NOT** acquired right of way or where there is **NO** continues section of right of way;
- (iii) Areas which will require large resettlement activities;
- (iv) Areas with legacy issues;
- (v) Areas with other complexities such as existing conflicts, varied form of informal occupancy, overlapping claims, community rights. Etc.
- (vi) New roads that require complete new land acquisition;
- (vii) likely to adversely create or exacerbate conflict within communities;
- (viii) having significant adverse impacts on communities and sensitive receptors;
- (ix) involving large-scale flood control systems such as dams or large dykes;
- (x) involving sanitary landfills; and,
- (xi) that would significantly convert natural habitats or alter potentially important biodiversity and/or cultural resource areas.

The Project Operation Manual will incorporate contractual responsibilities and obligations with appropriate mechanisms for addressing non-compliance of environmental and social issues of the sub-projects (by the contractor and the client). In addition, the program has proposed measures as part of the Program Action Plan to strengthen the implementation and monitoring of the environmental and social management systems to close gaps in areas of weak capacity. The measures are also aimed at reducing risks associated with project implementation, especially during construction and operation phases. Screening of eligible investments will be conducted by the MoKCC&MA and PTC to ensure that GKMA sub-

nationals do not spend funds on ineligible investments through field visits as well as provision of quarterly reports. The Bank will also validate the criteria during the implementation support mission for monitoring.

## 2.6. Environmental and Social Mitigation Measures

The table 2 below summarize the potential risks related to environmental and social impacts of the Program and suggests risk management measures and rating for each risk.

*Table 2: GKMA Likely Investment E&S Risks And Mitigation Measures*

	Proposed Program Menu	Environmental and Social Risks/Impacts	Current Risk Rating	Mitigation Measures	RISK Rating After Mitigation Measures
1.1 (a)	Upgrading existing roads	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>Likely generation of noise and dust pollution nuisance during the civil works.</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Environmental Screening and ESIA/ Project Brief to be undertake early enough to inform the design and incorporated into the BOQ</li> <li>Ensure that works are within the acceptable national level standards and frequent watering</li> <li>Contractors will be required to conduct health and safety training for all workers, hold regular toolbox meetings and provide personal protective equipment (PPE) and enforce its use</li> <li>Adhere to NEMA noise standards and regulations</li> <li>Use of dust suppression techniques</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>Traffic diversions</li> <li>Accidents/incident</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Develop a traffic management plan</li> <li>Awareness and sensitization and use of PPE and</li> <li>Adhere to occupational health and safety plans</li> <li>Stakeholder (community) engagement in planning alternatives routes</li> <li>Proper signage and clearly placed in the right locations</li> <li>Have in place an accident/incident register and ensure closure of cases raised</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>Generation of solid and liquid waste, water and soil pollution</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Waste sorting at source and ensure proper handling and disposal and recycling measures put in place</li> </ul>	<b>MODERATE</b>

		<p>associated with civil works during construction and operational phases.</p> <ul style="list-style-type: none"> <li>• Generation of waste from cement and lime bags</li> </ul>		<ul style="list-style-type: none"> <li>• Contract firms licensed to handle and dispose the different kinds of waste including hazardous waste</li> <li>• Establish Environment and Social Risk Management Committees as per the law</li> </ul>	
		<ul style="list-style-type: none"> <li>• Source water for construction is likely to cause conflict with other users</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Obtain a water abstraction permit from DWRM</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>• Source of construction materials like gravel, sand, stones/aggregates etc.</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Obtain from approved NEMA certified site/permit.</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>• Risks of oil spillages and storage</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Have oil spillage plan and proper safety handling systems</li> <li>• Use of new machinery</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>• Risk of vibrations damaging properties like houses walls etc.</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Carry out baseline surveys and have photographs of existing properties before construction</li> <li>• Machinery to adhere to existing NEMA noise/vibration standards</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>• Risk of poor designs that may lead to flooding in the communities</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• GKMA to ensure that designs are adequate and proper not causing indirect impacts such as storm water runoff</li> <li>• Early prediction of such impacts and ensure that mitigation measures are costed and included in BoQs</li> </ul>	<b>LOW</b>
		<ul style="list-style-type: none"> <li>• Cutting of trees and vegetation clearance</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Replace by planting more trees and greening. Avoidance of trees</li> </ul>	<b>LOW</b>
		<ul style="list-style-type: none"> <li>• Impact on landscaping (could affect growth rates and in turn could affect line of sight; could stunt growth which may lead to increased levels</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Increase in temperature associated with high humidity are factors that can increase growth rates, whereas drought can limit the growth rates. Both climatic conditions are likely to occur in Uganda.</li> <li>• The choice of vegetation along the chainage must thus be considered according to the climate. Vegetation that grows too fast could require high maintenance during operation phase.</li> <li>• It is recommended to integrate in the Specifications of the tender documents for Engineering-Construction requirement for an adaptation of vegetation to the local climate with allowance for climate evolution: higher temperatures for instance. Local vegetation shall be implemented</li> </ul>	

		<ul style="list-style-type: none"> <li>• Standing water on the road base</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Avoidance at maximum of crossing existing wetlands</li> <li>• Road on embankment on sections where the maximum groundwater level is close to or at ground level</li> <li>• Use of non-water-sensitive materials for embankment in wetlands and in areas where the maximum groundwater level is close to or at ground level</li> <li>• Systematic use a free board to set levels of embankments or non-water sensitive materials. The free board should integrate allowance for anticipated evolution to climate change if necessary</li> <li>• Systematic drainage of road base in excavated sections</li> <li>• No allowance of low points in excavated sections</li> </ul>	
		<p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Potential risks associated with land acquisition</li> <li>• economic displacement, given the congestion and utilization of road reserves (kiosks) in the urban areas especially slums</li> <li>• Loss of livelihoods</li> <li>• Speculation leading to increased prices</li> <li>• Traffic interruption causing loss of time and accidents</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Carry out socio-economic impacts assessment on the surrounding communities and prepare the mitigation measures accordingly prior to the commencement of the works, which reports should be shared with the Bank and will be regularly reviewed,</li> <li>• Engage early and regularly with all stakeholders and shall record properly the consultation process,</li> <li>• Record and file evidence in terms of agreements, consent letters MoU including community witnessing evidence, etc for acceptance of space occupation ,</li> <li>• Prepare and share with Bank Resettlement Action Plans, reports implement where need be,</li> <li>• Find temporal areas for relocation during construction.</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>• The expected influx of labor into benefiting communities to carry out these works may pose related risks such as</li> <li>• social conflicts, spread of communicable disease; HIV/AIDS, STIs, Covid-19.</li> <li>• Social tension with the host community</li> <li>• Violation of workers' rights</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Preferential use of local workforce based on the qualification needs</li> <li>• Establish a robust GRM system with provisions for confidentiality and whistle blower protections, for the contractors, workers, communities and other stakeholders as appropriate</li> <li>• Continuous stakeholder engagement and feedback provided</li> <li>• Adhere to COVID SOP's</li> <li>• Establish Environment and Social Risk Management Committees as per the law</li> <li>• Mandatory Signing of the Code of Conduct by all workers</li> <li>• Mandatory training on GBV/SEA/SH/VAC, social inclusion and non-discrimination of vulnerable or marginalized individuals or groups.</li> </ul>	<b>MODERATE</b>

		Underpayment etc. and the potential risk is the exclusion of vulnerable or marginalized individuals or groups from project benefits and activities.			
		<ul style="list-style-type: none"> <li>Exacerbation of gender issues leading to GBV, exclusion and discrimination, among others.</li> <li>Expose project workers/communities to GBV</li> <li>Potential exclusion of vulnerable or marginalized individuals or groups from employment opportunities</li> <li>Increased income may cause or increase GBV in families</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Preferential use of local workforce, including vulnerable or marginalized individuals or groups based on the qualification needs</li> <li>Establish a robust and GBV responsive GRM system for the contractor, workers and communities</li> <li>Continuous stakeholder engagement and feedback provided</li> <li>Adhere to COVID SOP's</li> <li>Establish Environment and Social Risk Management Committees as per the law</li> <li>Mandatory Signing of the Code of Conduct by all workers</li> <li>Mandatory training on GBV/SEA/SH/VAC, inclusion and non-discrimination</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>Disruption and/or damage to public utilities</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Identify public utilities and liaise with service providers for relocation and put in place safety measure</li> </ul>	<b>LOW</b>
		<ul style="list-style-type: none"> <li>Traffic interruptions and accidents</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Implementation of the Traffic Management Plan</li> </ul>	<b>LOW</b>
		<ul style="list-style-type: none"> <li>Storm water runoff leading to flooding into houses</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Implementation of storm water management plan and should be incorporated into the designs</li> </ul>	<b>MODERATE</b>
		<ul style="list-style-type: none"> <li>Limited space for auxiliary working space</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Should be taken care in the designs and included in the BOQs. Proper prior planning.</li> </ul>	<b>LOW</b>
		<ul style="list-style-type: none"> <li>Cultural heritage chance findings</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Use Chance find procedures and liaise with Department Antiquities</li> </ul>	<b>LOW</b>
	Street's improvements	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>Cutting of trees for expansion for adequate walkways</li> <li>Street lighting to ensure safety at night</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>The designs should incorporate issues of how to avoid/minimize cutting trees for example only reducing on canopies</li> <li>To increase tree planting and greening</li> <li>Use of sustainable energy such as solar</li> </ul>	<b>LOW</b>
		<p><b>Social</b></p> <ul style="list-style-type: none"> <li>Limited provision of pedestrians waiting/sitting areas</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Should be incorporated in the designs</li> </ul>	<b>LOW</b>
		<ul style="list-style-type: none"> <li>Inconveniences to assess to premises</li> </ul>	<b>LOW</b>	<ul style="list-style-type: none"> <li>Should be incorporated in the designs</li> </ul>	<b>LOW</b>



		<ul style="list-style-type: none"> <li>Sanitation for workers</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Provision of mobile sanitation facilities</li> </ul>	<b>LOW</b>
	Signalization (traffic lights)	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>Potential need for land for expansion</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Carry out socio-economic impacts assessment on the surrounding communities and prepare the mitigation measures accordingly prior to the commencement of the works, which</li> </ul>	<b>LOW</b>

				<p>reports should be shared with the Bank and will be regularly reviewed,</p> <ul style="list-style-type: none"> <li>Engage early and regularly with all stakeholders and shall record properly the consultation process,</li> <li>Record and file evidence in terms of agreements, consent letters MoU including community witnessing evidence, etc for acceptance of space occupation ,</li> <li>Prepare and share with Bank Resettlement Action Plans, reports implement where need be,</li> <li>Find temporal areas for relocation during construction.</li> </ul>	
1.3	Upgrade of existing key access roads within slums.	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>the expected influx of labor into benefiting communities to carry out these works may pose related risks such as social conflicts, social exclusion/discrimination of vulnerable or marginalized individuals or groups, spread of communicable disease; HIV/AIDS, STIs &amp; Covid-19.</li> <li>inadequate stakeholder engagement/grievance redress mechanism,</li> <li>exacerbation of gender issues leading to GBV among others.</li> </ul> <p><b><u>Environment</u></b></p> <ul style="list-style-type: none"> <li>Noise, dust during construction causing disturbances</li> <li>construction waste/ debris generation</li> <li>Workplace safety, health and occupation aspects</li> <li>Channelization of storm water into houses</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Preferential use of local workforce, including vulnerable or marginalized individuals or groups, based on the qualification needs</li> <li>Establish a robust GRM system with provisions for confidentiality, and whistle blower protections, for the contractor, workers, communities and other stakeholders as appropriate.</li> <li>Continuous stakeholder engagement and feedback provided, inclusion and non-discrimination issues.</li> <li>Adhere to COVID SOP's</li> <li>Establish Environment and Social Risk Management Committees as per the law</li> <li>Mandatory Signing of the Code of Conduct by all workers</li> <li>Mandatory training on GBV/SEA/SH/VAC and inclusion and non-discrimination of vulnerable or marginalized individuals or groups.</li> <li>signing of Code of Conduct prohibiting SEA/SH by project workers</li> <li>community awareness and sensitization of project workers on GBV and social inclusion.</li> <li>GBV service and capacity mapping and referral pathways established</li> </ul>	<b>MODERATE</b>

		<ul style="list-style-type: none"><li>• Improper use of waste such as used cement and lime bags</li></ul>			
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	Paving of pedestrian walkways within slum settlements.	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>• Access inconveniences caused to slum dwellers</li> <li>• Diversion of traffic</li> <li>• Loss of business and livelihoods</li> <li>• Social exclusion and discrimination</li> </ul> <p><b><u>Environment</u></b></p> <ul style="list-style-type: none"> <li>• Stagnation of water causing ponding leading to breeding of mosquitoes</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Road Traffic management plans</li> <li>• Find temporal areas for relocation during construction</li> <li>• Early and continuous stakeholder engagement with evidence on agreed mitigation measure, including measures to mitigate the potential exclusion of vulnerable or marginalized individuals or groups from project benefits and activities.</li> <li>• Establish Environment and Social Risk Management Committees as per the law</li> </ul>	<b>LOW</b>
2.1	Conserve and protect environmental assets	<p><b><u>Environment</u></b></p> <ul style="list-style-type: none"> <li>• Risk of low capacity of the GKMA to prepare SWM strategies</li> <li>• Lack of integrated GKMA SWM strategies</li> <li>• High cost of preparing an integrated GKMA SWMS</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Development of GKMA SWM Strategy</li> <li>• Clean Development Mechanisms</li> <li>• Enactment of Ordinance and bye laws on solid waste management</li> <li>• Promote viable options for PPP</li> </ul>	<b>LOW</b>
	Promoting Waste segregation/sorting and characterization to promote recycling and reduce waste.	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>• Risk of Communities not adopting to behavior change</li> <li>• Lack of incentives to enable and encourage the private sector being involved in the SWM</li> <li>• Limited investment in SWM by the GKMA &amp; LGs</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Establish a robust GRM system</li> <li>• Early and Continuous stakeholder engagement</li> <li>• Waste management protocols put in place and disposal mechanism</li> <li>• Enactment of Ordinance and bye laws on solid waste management.</li> <li>• Promote viable options for PPP</li> </ul>	<b>LOW</b>
	Community sensitization campaigns	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>• Risk of Communities not adopting to behavior change</li> <li>• Potential exclusion of vulnerable or marginalized individuals or groups from project benefits and activities.</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Robust and continuous stakeholder engagements</li> <li>• Establish penalties to offenders</li> <li>• Establish SWM Committees at the grass roots</li> <li>• Establish convenient SW collection points</li> <li>• Provide training on inclusion non-discrimination for staff, clients, and communities.</li> <li>• Enhance monitoring and supervision of the realization of inclusion and non-discrimination through third parties, community monitoring</li> </ul>	<b>LOW</b>

				or CSO.	
2.2	Rehabilitation of storm-water drainage	<ul style="list-style-type: none"> <li>Risk of issues of not incorporating E&amp;S safeguards in the design and BoQs</li> </ul> <p><b>Social</b></p>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Preparation of site storm drainage ESMP provide the following mitigation measures, i.e., ensure natural ecosystem restoration is incorporated in the construction design and an ecosystem service considered, for revegetation and biodiversity offset</li> </ul>	<b>MODERATE</b>

		<ul style="list-style-type: none"> <li>Ponding of water which could lead to breeding grounds for mosquitoes.</li> </ul> <p><b>Environment</b></p> <ul style="list-style-type: none"> <li>Handling of desilted waste from the drainage</li> <li>Planting of invasive species</li> </ul>		<ul style="list-style-type: none"> <li>Incentives to reduce soil erosion and ensure waste is not dumped in the drainage during construction and operation phase.</li> <li>Revegetate sites with indigenous plant species or other appropriate species, that will control erosion.</li> <li>Plant indigenous or right species such as bamboo</li> <li>Budgeting for continuous drainage maintenance</li> </ul>	
	Planting of trees along lake shores and wetlands.	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>Lack of enforcement of Lake, Rivers, Wetland Shoreline Regulations</li> <li>Lack of maintenance after planting</li> <li>Planting of invasive species</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>Deliberate enforcement of the laws and regulations</li> <li>Budget for the protection and maintenance of the planted trees</li> <li>Plant climate change resilient trees along the road embankments approved/recommended species by NEMA Incorporated specifications in the BOQs</li> </ul>	<b>MODERATE</b>
3.1	Business support to the informal sector, the youth and economic growth clusters	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>Risks of site location of the parks (may even have land acquisition issues)</li> <li>Risk of lack of inclusiveness especially for the vulnerable or marginalized individuals or groups Risk of Artisan Parks Management and operationalization</li> <li>Lack of inconsideration of the users' interests</li> <li>Social tension among the community with the lack of functioning grievance redress and community engagement</li> </ul> <p><b>Environment</b></p> <ul style="list-style-type: none"> <li>Risks of OHS (during and after construction)</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>Establish a robust GRM system with provisions for confidentiality to report cases of exclusion.</li> <li>Continuous stakeholder engagement</li> <li>Environmental screening for siting, include provisions for Environment Officer to sign off the Environmental and Social Compliance certificate prior to payment of contractor invoices and following site inspection to ascertain E &amp; S compliance.</li> <li>Provisions of well-maintained tools and equipment, appropriate safety, signature and training provision of well-maintained tools and equipment, appropriate safety signage and training for workers</li> <li>provision of efficient emergency response system</li> </ul>	<b>LOW</b>

		<ul style="list-style-type: none"> <li>• Construction impacts during the construction, siting of the common facilities near sensitive ecosystems.</li> <li>• Safety risks/ impacts relating to adherence to safe systems and safe equipment of work. The inadequacy in safety systems presents a risky working environment that may result in fatal and non-fatal accidents to workers and communities</li> </ul>			
	Development of Artisan parks	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>• Risks of site location of the parks (may even have potential land acquisition issues)</li> <li>• Risk of lack of inclusiveness especially for the vulnerable or marginalized individuals or groups Risk of Artisan Parks Management and operationalization</li> <li>• Lack of inconsideration of the users' interests</li> <li>• Social tension among the community with the lack of functioning grievance redress and community engagement</li> </ul> <p><b><u>Environment</u></b></p> <ul style="list-style-type: none"> <li>• Risks of OHS (during and after construction)</li> </ul>	<b>SUBSTANTIAL</b>	<ul style="list-style-type: none"> <li>• Establish a robust GRM system with provisions for confidentiality, to report cases of exclusion and discrimination.</li> <li>• Prepare inventories/baselines to establish proper land ownership and membership</li> <li>• Early stakeholder involvement and consultation, with vulnerable or marginalized individuals or groups.</li> <li>• Provide training on non-discrimination and social inclusion for staff, contractors and communities.</li> </ul>	<b>MODERATE</b>

4.1	A unique center for tourism	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>• Risk of GKMA not being a tourist destination</li> <li>• Lack of developed tourism information</li> <li>• Unknown tourism sites</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• GKMA to develop a tourism master plan and action plans</li> <li>• Encourage Public Private Partnerships (PPPs)</li> <li>• Work with the cultural institutions</li> <li>• Develop guidelines to promote tourism in the GKMA</li> </ul>	<b>LOW</b>
	Kampala tourism circuit	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>• Undeveloped GKMA tourist sites</li> <li>• Risk of losing money from tourism</li> </ul> <p><b><u>Environment</u></b></p> <ul style="list-style-type: none"> <li>• Risk of environmental ecosystems services</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Undertake an inventory of sites</li> <li>• Screening/ESIA of potential projects</li> </ul>	<b>LOW</b>
	Meetings Incentives Conferences and Events (MICE) Tourism	<p><b><u>Social</u></b></p> <ul style="list-style-type: none"> <li>• Untapped source of revenue</li> </ul> <p><b><u>Environment</u></b></p> <ul style="list-style-type: none"> <li>• Risk of destroying the existing ecosystems</li> </ul>	<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• Screening/ESIA of potential projects</li> </ul>	<b>LOW</b>



### **2.7. Inclusion and non-discrimination of vulnerable or marginalized individuals or groups**

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

Inclusion and nondiscrimination risk criteria: To help determine the risk of Inclusion and nondiscrimination for the Greater Kampala Metropolitan Area Urban Development Program (GKMA), the following five risk criteria were applied:

#### ***Management of program's risks of exclusions***

- (i) Provide training on non-discrimination and social inclusion, for staff, clients and communities on good practices (e.g., training, protocols, and outreach efforts) to provide health and education services to vulnerable or marginalized populations in the sector.
- (ii) Enhance consultations with stakeholders, to ensure inclusion and non-discrimination.
- (iii) Assess and review the level of inclusion of vulnerable or marginalized individuals or groups in consultations; and
- Enhance GRMs, including in hosting and refugee communities in coordination with DPs and NGOs (UNHCR).

#### ***Labor and Working Conditions***

- Training on inclusion and non-discrimination, including on vulnerable or marginalized individuals or groups for clients (e.g., workers, contractors, and sub-contractors) and mobilization of communities.
- Include in the contract provisions of non-discrimination and a requirement to facilitate enhanced monitoring by the World Bank.
- Enhance CoCs (Codes of Conducts) to guard against all forms of discrimination.
- Principles of inclusion and non-discrimination, including based on vulnerability, included in enhanced hiring procedures (TORs, advertisements).

#### ***Community health, safety, and security***

- Training of communities and other stakeholders on the project mitigation measures including the codes of conduct for project workers.

The program is accountable for the effective implementation of these mitigation measures and will be assisted in their implementation by enhanced implementation support to be provided by the World Bank. In addition, the program will facilitate enhanced monitoring of inclusion and non-discrimination of vulnerable or marginalized individuals or groups by the World Bank.

As appropriate, the Project Operational Manual (POM) will be updated to provide guidelines to facilitate the implementation of these provisions.

### **3.0 ANALYSIS OF COUNTRY SYSTEM**

#### **3.1. Assessment of country system as written**

Program for Results Policy requires that all PforR operations “Operate within an adequate legal and regulatory framework to guide environmental and social impact assessment at the program level”. The management of environment and social impacts for investments financed by the GKMA urban development program will be based on the Uganda legal and regulatory framework, and therefore the focus on this ESSA is on the country frameworks.

The policies and legislation provide for integration of environmental and social considerations into development. Environmental and social considerations are enshrined in the 1995 Constitution which sets out national standards, rights and obligations for environmental and social protection. Thus, state agencies are required to promote policies for the conservation of the environment and natural resources and for sustainable development. Such policies include the revised National Environment Management Policy, 2016 and the National Policy on Elimination of Gender Based violence, 2016, Among the Acts of Parliament for implementing the Constitution is the National Environment Act No 5 of 2019, which is the framework law for the Country’s environment and social management system. Particularly environmental and social risks are impacts are further covered by specific Acts of Parliament, presented in Table 3. In addition, the Guidelines for EIA in Uganda 1997 recognize the need for sectoral Guidelines in addressing the specific sectoral environmental concerns although there are none specific to urban development sector. An analysis of the applicable administrative, policy and legal framework for this ESSA shows that there are adequate legal and regulatory instruments for environmental management in Uganda. There is also considerable experience in carrying out and reviewing ESIA and environmental audit processes. The main challenge, however, lies in monitoring and enforcement due to inadequate capacity with regard to skills, knowledge, workforce and equipment.

#### **3.2. Country’s Environmental Policy**

Uganda has several environmental policies that can guide design and implementation of GKMA urban development program.

##### **3.2.1. The National Environment Management Policy (NEMP) (1994)**

The policy aims to promote sustainable economic and social development. Among the provisions of the policy is a requirement for an Environmental Impact Assessment (EIA) to be conducted for any policy or project that is likely to have adverse impacts on the environment. There is an ongoing comprehensive review (including local, national and regional consultations) of the NEMP undertaken to identify lessons learnt from implementation since 1994, as well as policy gaps and emerging issues to address more current environmental management concerns. The draft policy is broad, cross sector and flexible to meet changing circumstances.

##### **3.2.2. The National Policy for the Conservation and Management of Wetland Resources (1995)**

This policy establishes the principles by which wetland resources can be optimally used now and in future. It calls for the application of EIA to all activities to be carried out in a wetland and aims at ensuring that the environmental goods and services provided by wetlands are safeguarded and integrated in development considerations.

##### **3.2.3. The National Water Policy (1999).**

This policy’s objective is the management and development of the water resources of Uganda in an integrated and sustainable manner. The policy requires EIA for all water related projects and integration of water and hydrological cycle concerns in all development programs. It covers water quality, water use, discharge of effluents and international cooperation on trans-boundary water resources.

#### **3.2.4. The Environment and Social Safeguards Policy (2018)**

The Ministry of Water and Environment (MWE) prepared the Environmental and Social Safeguards (ESS) Policy, to ensure that, in implementing development programs, positive social impacts are maximized while negative ones are minimized or avoided. The framework is aimed at ensuring integration of environmental and social concerns in all stages of project development and all levels including national, district and local levels, with full participation of the people as means of minimizing environmental and social impacts. It also aims to ensure that risks are screened against the 15 principles as well as specification of appropriate roles and responsibilities, and outlining the necessary reporting procedures, for managing and monitoring environmental and social concerns including compliance; grievance mechanism, and establishment of institutional capacity building requirements to successfully implement the ESS as well as monitoring to ensure compliance.

The policy goes ahead to mention that at project formulation stage, each development project must highlight key environmental and social impacts both negative and positive impacts. For positive impacts enhancement measures are suggested whereas for negative impacts mitigation measures must be suggested to minimize these negative impacts on the environment and the communities in which the project is to be implemented.

#### **3.2.5. The National Policy Disaster Preparedness and Management Policy (2010).**

This policy aims to promote the implementation of prevention, preparedness, and mitigation and response measures for disasters, in a manner that integrates disaster management with development planning.

#### **3.2.6. Uganda Green Growth Development Strategy 2017/2018-2030/2031**

This strategy aims to enable the green economy goal developed in the Country's Vision 2040. The objectives are 1). Enhance Uganda's economic growth while creating new opportunities for decent employment, 2). Support a low-emissions economic growth pathway integrating resource use efficiency, climate resilience, disaster risk reduction and optimal use of natural capital, 3) undertake a socially inclusive growth that improves food and nutritional security, and 4). Put in place enabling Institutional, Governance, financing framework to operationalize an optimal green growth development strategy.

### **3.3 Legal Framework for Environmental Management**

#### **3.3.1 The Constitution of the Republic of Uganda, 1995**

The 1995 Uganda Constitution is the supreme law and has provisions for environmental protection and natural resource conservation such as Article XIII regarding: "the protection of important natural resources on behalf of the people of Uganda" and Article XXVII regarding: "the need for sustainable management of land, air and water resources.

The Constitution requires the Government of Uganda to promote sustainable development and public awareness of the need to manage, promote and protect the rational use of natural resources in a balanced and sustainable manner for the present and future generations. Articles 39 and 17(f) provide for the right to a clean and healthy environment, and the duty to maintain such an environment.

#### **3.3.2 The National Environment Act, No 5 of 2019**

The National Environment Act, No. 5 of 2019 contains provisions for environmental management and protection including the need to carry out Environmental and social Impact Assessment (ESIA) studies in connection with some categories of projects that are likely to have significant impacts on the environment as contained in its Fifth Schedule. The Act also provides for Strategic Environmental Assessment for policies, plans and programs, provides for Environmental and Compliance monitoring, Environmental

Audits, decentralized environmental management and gazettelement of Environmental Inspectors among others. Some of the key provisions under this Act relevant to GKMA urban program includes but to limited to:(i) Sections 26 – 28 of the Act, provides for Environmental Management by Urban and District councils where Urban Council/Districts are mandated to ensure management of the environment and natural resources and also make ordinances and bylaws to regulate various aspects of the environment and natural resources within their jurisdiction. The law further provides for formation of District environment and natural resource committees whose main function is to coordinate the activities of the district/ town council relating to management of environment and natural resources.(ii)Section 30(1) and (2) provides for appointment of Environmental Officer and the functions of the environment officer appointed with the role of advising the ministry, department or agency of government or local government on all matters relating to environment management.

Section 45(3), (4) states that an urban or district council shall prepare an urban or district environment action plan every 5years. (iv)Further still, the 2019 Act under schedule 4 and 5, lists projects for which Project Briefs and full ESIA's are mandatory, respectively for construction and rehabilitation of roads, Housing and urban development, and recreational developments, among others. Some of the sub-project investments under the GKMA program may fall in either of these categories.

### 3.3.3 Other Legal Framework

Summary of other Acts of Parliament Applicable to GKMA are summarized in Table 3. Below.

*Table 3: Acts of Parliament Applicable to GKMA*

Acts	Key Provisions	Relevance to GKMA program Component Activity
The Water Act, (Cap 152)	The Act provides for the use, protection and management of water resources and supply in Uganda. One of the objectives of the Water Act Cap 152 is to control pollution and promote safe water storage, treatment, discharge and disposal of waste, which may pollute water or otherwise harm the environment and human health.	In conformity with this law, pollution from the activities related to construction or disposal of overburden, litter or waste should be avoided.
The Occupational Safety and Health Act, 2006	This Act consolidates, harmonizes and updates the law relating to occupational safety and repeals the Factories Act of 1964. It makes provisions for the health, safety, welfare and appropriate training of persons employed in workplaces. Under Section 13 (b), it requires every employer to provide and maintain safe working conditions, imposing a duty on employers to take measures to protect workers and the public from risks and dangers of their undertaking. It also requires employers to ensure the working environment is kept free from pollution by employing technical measures applied to new plants or processes and employing supplementary organizational measures (Section 13). Section 40(2) states that a person shall, not less than one	Project planning for the proposed program component activity development shall ensure that the necessary safety measures to ensure the health and safety of workers, the public and, local community members within the project areas component specific sites are put in place.

Acts	Key Provisions	Relevance to GKMA program Component Activity
	<p>month before he or she begins to occupy any premises as a workplace, serve on the Commissioner, a notice with the particulars prescribed in Schedule 3. The Act emphasizes workplace managers to compel all workers comply and use the PPE in order to fulfil the provisions of this Act.</p>	<p>PCU or the contractor will need to apply for Registration of a Workplace permit in accordance with the Act.</p>
<p>The National Forestry and Tree planting Act, 2003</p>	<p>This Act provides for the conservation, sustainable management and development of forests for the benefit of the people of Uganda. This law will provide some guidance when it comes to clearing of tree resources and the mitigation that will be put in place such as tree planting.</p> <p>The Act commits government to protect and sustainably manage the Permanent Forest Estate (PFE), set aside permanently for conservation of biodiversity and environmental services and sustainable production of forest produce. The Land Act of 1998 recognizes Central Forest Reserves (CFRs) as it prohibits their leasing or alienation and requires all landowners to manage and utilize their land in accordance with the Forests Act and other relevant laws.</p>	<p>The proposed GKMA program component activity should be implemented in a way that natural trees are preserved and new one planted within the project sites.</p>
<p>National Climate Change Act 2021</p>	<p>The Act mandates the creation of a framework strategy on climate change, as well as a National Climate Plan and District Climate Action Plans. It also contains a series of provisions establishing a transparency framework and MRV system. Part IV of the Act relates to the institutional arrangements for governing Climate Change, creating a National Climate Change advisory committee to provide independent technical advice and clarifying the responsibilities of districts and local governments in respect to climate change.</p>	<p>The GKMA Sub nationals have to ensure climate change adaptation and mitigation are incorporated into their development plans.</p>
<p>The Historical and Monuments Act, 1967, (Amended 1977)</p>	<p>This is an Act to provide for the preservation and protection of historical monuments and objects of archaeological, paleontological, ethnographical and traditional interests and for other matters connected therewith. Section 1 of this Act describes these terms used above. Section 8 of this Act specifies actions that are prohibited. Section 11 stipulates that any discoveries of the objects made that are of importance according to this Act shall be reported to the conservator of antiquities or district commissioner or the</p>	<p>Project planning should ensure that all reasonable measures are taken to protect any objects encountered that may be of archaeological, paleontological, ethnographical, historical or traditional interest and that, all work ceases at the proposed project area, should such objects</p>

Acts	Key Provisions	Relevance to GKMA program Component Activity
	<p>curator of the museum within fourteen days. Any person who contravenes any of the conditions issued under this Act commits an offence and this attracts a fine as stipulated in Section 19 of this Act.</p>	<p>be encountered - the findings of which need to be reported to the Department of Monuments and Museums within 14 days.</p>
<p>The Uganda Wildlife Act (2019).</p>	<p>In general, activities in national parks are limited to biodiversity conservation, recreation, scenic viewing, scientific research and other economic activities. Activities permitted in wildlife reserves include those for national parks plus “regulated extractive utilization of natural resources.” Wildlife sanctuaries are declared for the protection of a particular plant or animal species, and activities that will not be destructive to the species or its habitat are permitted. The Act states in Section 15 that: “Any developer desiring to undertake any project which may have a significant effect on any wildlife species or community shall undertake an environmental impact assessment.” Section 18 describes various types of wildlife conservation areas, including national parks, wildlife reserves, wildlife sanctuaries, and community wildlife areas, and defines permissible activities in each type.</p>	<p>There are Ramsar sites which have animals within the GKMA</p>
<p>Labor Unions Act, 2006</p>	<p>This is an Act to regulate the establishment, registration and management of labor unions. Section 3 makes provision for employees’ rights to organize themselves in any labor union.</p> <p>Section 4 stipulates that an employer shall not interfere with, restrain or coerce an employee in the exercise of his or her rights guaranteed under this Act. He shall not interfere with the formation of a labor union or with the administration of a registered organization.</p>	<p>The proposed development of the GKMA program component activity will be implemented in line with this Act. Workers will have a right to organize themselves into unions or join worker’s unions.</p>
<p>The Public Health Act, Cap 281</p>	<p>Provides local authorities with administrative powers to take measures for preventing or dealing with any outbreak of infectious, communicable or preventable disease. It imposes a duty on the local authority regarding pollution of the drinking or domestic water supply, and directs where to locate waste disposal facilities in relation to settlements and food points</p>	<p>The activities could have health impacts to communities. The Program will be required to implement measures to prevent the spread of COVID-19 among workers and the communities due to its activities.</p>

Acts	Key Provisions	Relevance to GKMA program Component Activity
The Penal Code	The Penal Code Act states that any person who intends to insult the modesty of any woman or girl, utters any word, makes any sound or gesture or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen by such woman or girl, or intrudes upon the privacy of such woman or girl, commits a misdemeanor and is liable to imprisonment for one year.	The construction process of GKMA program component activities will likely employ some women and is expected to have more than 25% employees therefore the developer is expected to heed to the requirements of the Act.

### 3.4. National Environment Guidelines and Regulations

Guidelines and regulations guiding environmental management are summarized in Table 4 below.

*Table 4: Environment Guidelines and Regulations*

Legislation	Key Provisions	Relevance to GKMA program Component Activity
National Environment (Conduct and Certification of Environmental Practitioners) Regulations, 2003.	Section 16 (1) of these Regulations require that no person shall conduct an EIA or carry out any activity relating to the conduct of an environmental impact study or environmental audit as provided for under the Act unless that person has been duly certified and registered in accordance with these Regulations. The Regulations set out the procedures of the application for certification and the code of practice and professional ethics. The practitioners have to pay prescribed fees (Fourth Schedule) before they can be fully registered.	Consultants preparing ESIA reports will be governed by this regulation that ensure a competent pool of environmental and social risk management professionals available in the country.
The Environmental Impact Assessment (EIA) Guidelines (1997)	It is the responsibility of any developer intending to set up a project for which an ESIA is required to carry out the ESIA and bear all the costs associated with its conduct.	The ESIA shall comply with the guidelines and the process as prescribed. The guidelines will need to update to align with revised Act and Regulations.
The National (Environmental and Social Assessment) Regulations, S.I No. 143 of 2020	The Regulations enable the implementation of the requirements for environmental and social assessment in the Environment Act (Sections 112, 113 and 114). The ESIA process goes through four major stages: screening/ project brief, scoping the ESIA study, and decision-making. The regulations underline the requirement for prior approval of environmental and social assessment of applicable projects, by NEMA. The Regulations elaborate procedures for preparing environmental and social impact	The sub-project investments under GKMA program components shall comply with ESIA Regulations.

assessment for two main categories of projects – those that are likely to have minimal risks and impacts for which a Project Brief is prepared, and those that are likely to have significant impacts for which a full environmental and social impact study which commences with preparation of a scoping report and terms of reference approved by NEMA. One of the important elements in the Regulations which mark an improvement in the Country's systems is that environmental and social risk assessment is required for applicable projects by identifying and estimating the likelihood or probability of an adverse or hazardous outcome or event and its consequence on human health or the environment.

The National Environment (Environmental and Social Assessment) Regulations are quite elaborate and cover key aspects of good international industry practice with regard to environmental and social impact assessment, as they require assessment of alternatives and application of the mitigation hierarchy; provision of baseline information and assessment of impacts on and protection of natural habitats, biodiversity, cultural resources, occupational health and safety, community/human health, land acquisition and restriction, gender, violence and crime among others; and consultations of stakeholders throughout the ESIA process including lead agencies and affected persons, with a requirement for a public hearing for contentious projects. The developer is required to provide a means for effective and inclusive engagement throughout the project life-cycle. The Regulations in Schedule 2 provide aspects that must be covered by a Project Brief and/or environmental and social statement that is submitted for approval by a developer. Where a lead agency or the Authority intends to undertake a project under Schedule 5 or Schedule 10 of the Act, the lead agency is considered to be a developer under this Part. Among the conditions of approval of ESIA are requirement for the developer to adhere to the environmental management and monitoring plan, environment management system and continuously update and improve them, considering any new developments, including best available technologies and



	best environmental management practices. These are good international industry practices.	
The National Environment (Strategic Environmental Assessment) Regulations, 2020	Like Regulations for Environment and Social Assessment, these Regulations provide enable the conduct of strategic environmental assessment of a policy, plans or programs and their alternatives to ensure that environmental, health and social consequences are integrated and appropriately addressed at the earliest stage of decision making with the same importance as economic and other strategic considerations. Policies plans and Programs for which Ministries or Government agencies are mandated to carry out the assessment are listed in Schedule 1 of the Regulations. These cover housing and urban development, including development zones, industrial estates and industrial parks, physical planning and other forms of land use; transport and related infrastructure; waste management, including transportation, storage, treatment and final disposal; and tourism resources and recreational development. The assessment process covers screening, scoping and terms of reference, undertaking assessment studies, preparation and approval of the report and monitoring the implementation of recommendations. Like for ESIA, stakeholder consultations are undertaken throughout the process.	The proposed GKMA Urban Development Program will be subject to Strategic Assessment in compliance with these Regulations in consultations with NEMA.
National Environment (Noise Standards and Control) Regulations, 2003	Noise is any unwanted and annoying sound that is intrinsically objectionable to human beings or which can have or is likely to have an adverse effect on human health or environment. The purpose of these regulations is to ensure the maintenance of a healthy environment for all people in Uganda, the tranquility of their surrounding and their physiological well-being by regulating noise levels, and generally, to evaluate the standard of living of the people. Subject to these regulations, no person shall, for an activity specified under regulation 6, emit noise in excess of the permissible noise levels provided under the first schedule of the Regulations, unless permitted by a license issued under these regulations. Part III Section 8 (1) requires machinery operators, to use the best practicable means to ensure that the emission of noise does not exceed the permissible levels presented under the first schedule of	Program activity will be associated with some noise generating activities hence the regulations have to be adhered to.

	<p>the regulations. The regulations require that persons to be exposed to occupational noise exceeding 85 dBA for 8 hours should be provided with requisite ear protection.</p>	
<p>The National Environment (Management of Ozone Depleting Substances and Products) Regulations, 2001</p>	<p>The objectives of these Regulations are to—  Regulate the production, trade and use of controlled substances and products.  Provide a system of data collection that will facilitate compliance with relevant reporting requirements under the Protocol.  Promote the use of ozone friendly substances, products, equipment and technology; and  Ensure the elimination of substances and products that deplete the ozone layer.</p>	<p>The development of GKMA program component activity should be carried out with respect to the guidelines in this Regulation.</p>
<p>The National Environment (Waste Management) Regulations, S.I No. 49 of 2020, 153-2</p>	<p>It is common knowledge that during the construction phase many waste materials consisting of both solid and liquids will be generated. The National Environment Act in sections 96 and 97 provides from the duty to manage waste and prohibits littering. The Act requires that waste is managed in accordance with measures prescribed by waste management regulations.  These Regulations provides for the principles of the circular economy and the waste management hierarchy.</p>	<p>Waste management practices should ensure that wastes generated during the construction of GKMA program component activity are handled in accordance with the requirements of these regulations, from generation to disposal.</p>
<p>The National Environment (Minimum Standards for Management of Soil Quality) Regulations, 2001</p>	<p>These Regulations emphasis the need to: maintain and restore the minimum soil quality standards as well as enhance the inherent productivity of the soil in the long term; maintain minimum standards for the management of the soil for specified agricultural practices; follow the criteria and procedures for the measurement and determination of soil and apply the prescribed measures and guidelines for soil management.</p>	<p>The design of GKMA Program component activity should ensure that the quality of the soils within the proposed project area is not compromised, and if it is, that it is restored to as close to its original state as possible.</p>
<p>The National Environment (Wetlands, riverbanks and lake shores Management) Regulations, 153-5</p>	<p>These regulations provide for the management of wetlands, riverbanks and lakeshores. Regulation 17 (1) states that every landowner, occupier or user who is adjacent or contiguous with a wetland shall have a duty to prevent the degradation or destruction of the wetland and shall maintain the ecological and other functions of the wetland.  Section 12 (1) of the regulations provides that ‘subject to the provisions of these regulations, a person shall not carry out any activity in a wetland without a permit issued by the Executive Director (of NEMA).</p>	<p>For the intended project to comply with this Regulation, GKMA program is required to secure and use the wetland wisely after obtaining a Wetlands, Riverbanks and Lake Shores Management Permit from NEMA. GKMA Sub nationals can also enhance the ecological functionality of these fragile ecosystems within their</p>

		jurisdictions under the Resilience and Environment Pillar of the program.
Water (Waste Discharge) Regulations, No. 32 of 1998;	These Regulations regulate the discharge of effluent or wastewater on land or into the aquatic environment. NEMA sets standards for the discharge of such substances in consultation with the lead agency. A person who wishes to discharge such substances in the prohibited environment must obtain a permit from the Directorate of Water Resources Management (DWRM).	GKMA program activities where applicable must obtain a permit from the Directorate of Water Resources Management (DWRM) for the discharge of effluent or wastewater.
National Environment (Standards for Discharge of Effluent into Water or Land) Regulations, 2020	The regulations provide obligation to prevent and mitigate pollution. It requires a person whose activities are likely to produce effluent to put in place measures to prevent and mitigate pollution in accordance with the Act, the National Environment (Waste Management) Regulations 2020, the Petroleum (Waste Management) Regulations 2019, the Water (Waste Discharge) Regulations and environmental standards.	Investments under the program will comply with is regulations.
National Environment (Audit) Regulations,2020	The Audit Regulations operationalize Section 126 (2) the National Environment Act, NO. 5, of 2019 The Act and regulations provides environmental enforcement audit and environmental compliance audit.) An annual environmental compliance audit is undertaken by an environmental audit team of persons duly certified and registered in accordance with the National Environment (Conduct and Certification of Environmental Practitioners) Regulations, 2003. The audit team is supervised by a duly certified and registered lead environmental auditor. The regulations further underline the obligation of a developer to establish, maintain and implement an environment management system in accordance with section 49 of the Act, to maintain information and records for monitoring and reporting as well as make the system available to the Authority in reporting. Audit and the management system enable post ESIA avoidance and mitigation of risks and impacts.	Environmental Compliance Audits will be undertaken annually for completed investments in GKMA in compliance to the Audit regulations.
National Environment (Conduct and Certification of Environmental	Section 16 (1) of these Regulations require that no person shall conduct an EIA or carry out any activity relating to the conduct of an environmental impact study or environmental audit as provided for under the Act unless	This is a relevant provision meant to professionalize the ESIA practice in the country so that the findings of an ESIA study are authoritatively used in

Practitioners) Regulations, 2003	that person has been duly certified and registered in accordance with these Regulations.	decision-making. ESIA process has been undertaken through duly registered practitioners in keeping with the Regulations
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### 3.5. UGANDA'S SOCIAL MANAGEMENT SYSTEM/Framework

Uganda's framework for the management of social risks and impacts associated with development projects and programs includes several laws, policies, and institutions. Those relevant to the proposed GKMA program are listed on Table 5 below and presented in detail in subsequent sections.

*Table 5: Relevant Laws, Policies and Institutions to the GKMA*

Laws	Policies	Institutions
1.The Constitution of the Republic of Uganda, 1995 2. Land Act, 1998 3.Land Acquisition Act, 1965 4.Land (Amendment) Act, 2010 Physical Planning (Amendment Act) 2020 5. Workers Compensation Act, 2000 6.Employment Act, 2006 7.Local Council Courts Act, 2006 8.Equal Opportunities Act, 2007 9.National Youth Council (Amendment Act 2915) Cap 319 Laws, 2000 10.National Women's Council Act Cap 318 Laws, 2000 11. The Children Act, 2000 12.National Council for Disability Act, 2003 14.Access to Information Act (ATIA), 2005 15.Kampala Capital City Authority (KCCA) Amended Act, 2019 16. National Climate Change Act 2021	1.Uganda Vision 2040 2.The National Land Policy, 2013 3.National Gender Policy, 1997 4.National Policy on HIV/AIDS and World of Work, 2007 5.National Policy for Older Persons, 2009 6.National Disaster Preparedness and Management Policy, 2010 7.The National Policy on the Elimination of Gender Based Violence, 2016 8.National Climate Change Policy , 2015	1.Ministry of Kampala Capital City and Metropolitan Affairs (MoKCCMA) 2.Ministry of Gender, Labor and Social Development (MoGLSD) 3.Ministry of Lands, Housing and Urban Development (MoLHUD) 4.Ministry of Local Government (MoLG) 5.Equal Opportunities Commission (EOC) 6.National Environment Management Authority (NEMA) 7.Kampala Capital City Authority (KCCA) 8.District Local Governments (DLGs) 9.Municipal Local Governments (MLGs)

#### 3.5.0 Policy Framework for Social Management Systems

##### 3.5.1. The Uganda Vision 2040

The Vision 2040 is Uganda's long-term national development framework. It provides development paths and strategies to operationalize Uganda's vision statement which is "A Transformed Uganda Society from a Peasant to a Modern and Prosperous Country within 30 years" as approved by cabinet in 2007. It aims at transforming Uganda from a predominantly peasant and low-income country to a competitive upper middle-income country. The vision 2040 is conceptualized around strengthening the fundamentals of the economy to harness the abundant opportunities around the country. The identified opportunities include oil and gas, tourism, geographical location and trade, agriculture among others that are to date considerably under-exploited. Achieving the transformational goal will thus depend on the country's capacity to strengthen the fundamentals including infrastructure, technology, engineering and innovation, urbanization, and land use and management, among others.

### **3.5.2. The National Land Policy, 2013**

The land policy addresses the contemporary land issues and conflicts facing the Country. The vision of the policy is: “Sustainable and optimal use of land and land-based resources for transformation of Ugandan society and the economy” while the goal of the policy is: “to ensure efficient, equitable and sustainable utilization and management of Uganda’s land and land-based resources for poverty reduction, wealth creation and overall socio-economic development”.

### **3.5.3. The Land Use Policy, 2004**

In support of the national objectives on poverty eradication and economic growth, while at the same time ensuring sustainable utilization of natural resources including land and water, the National Land Use Policy’s main goal is “to achieve sustainable and equitable social and economic development through land utilization in Uganda”. The specific objectives of the policy include among others to: (i) Promote land use activities that ensure sustainable utilization of natural resources for national socio-economic development. (ii) To ensure planned, environmentally friendly, affordable, and well-distributed human settlements for both rural and urban areas. (iii) To reverse and alleviate adverse environmental effects at local, national, regional and global levels. The policy requires planned development and, social and environmental protection. The program will thus ensure environmental and social sustainability in its operations in conformity with this policy.

### **3.5.4. National Gender Policy, 2007**

The GoU adopted a National Gender Policy as a tool to guide and direct the planning, resource allocation and implementation of development programs with a gender perspective. Therefore, the policy provides legitimate point of reference for addressing gender inequalities at all levels of government and by all stakeholders. The adoption of the gender policy has facilitated the mainstreaming of Gender in Uganda’s programs in all sectors of the economy. The major aspects of this policy provisions include among others:

- Increased awareness on gender as a development concern among policy makers and implementers at all levels
- Influencing national, sectoral, and local government programs to address gender issues.
- Strengthened partnerships for the advancement of gender equality and women's empowerment and increased impetus in gender activism.

### **3.5.5. Child Labor Policy, 2006**

This policy prohibits employment of children. Children are more prone to manipulation and accidents at workplaces. The policy defines child labor as:

- Work that is mentally, physically, socially and/or morally dangerous and harmful to children in addition, child labor is perceived as work or activities that interfere with children's school attendance and education.
- Hazardous work, which by its nature or the circumstances under which it is performed jeopardizes the health, safety, and morals of a child.

The program should therefore ensure strict non-employment of children in its operations in accordance with this policy.

### **3.5.6. National Policy on HIV/AIDS and World of Work, 2007**

Uganda’s efforts to combat HIV/AIDS is characterized by a policy of openness and calls for the mainstreaming of HIV/AIDS in all programs in all sectors. The policy provides the principles and a framework for mounting an optimum response to HIV/AIDS in the entire Ugandan world of work. It forms the basis for the development of workplace policy guidelines, which addresses the more specific issues related to the workplace HIV/AIDS response. It is therefore important that the program undertakes measures outlined in the policy in efforts to reduce the impact of the spread of HIV/AIDS.

### **3.5.7. The National Policy on the Elimination of Gender Based Violence, 2016**

This is one of the most recent social policies which was developed to address the critical problem of Gender-Based Violence (GBV) in Uganda. The policy calls for concerted efforts and the active participation of all stakeholders in eliminating GBV from the Ugandan society. Further, the Employment Act defines sexual harassment in employment and requires employers to put in place measures to prevent sexual harassment.

### **3.5.8. National Policy for Older Persons, 2009**

This policy is clearly set within the framework of the Constitution of the Republic of Uganda and other laws that promote the rights of older persons among other vulnerable groups. It provides a framework for enhancing the recognition of the roles, contributions, and potentials of older persons in the development process, among others. The policy targets older persons aged 60 years and above with special emphasis on the vulnerable. Section 3.4 states that, "All stakeholders will ensure that issues of older women and men are included in planning and implementation of programs."

### **3.5.9. National Disaster Preparedness and Management Policy, 2010**

The policy provides a framework that details mechanisms and structures for the effective and practical management of disasters. The policy covers the broad subjects of vulnerability assessment, mitigation, preparedness, response, and recovery, which constitute "comprehensive disaster management". It networks all the lead sectors, local governments, international development and humanitarian partners, the private sector and the NGOs under the principle of a multi-disciplinary and multi-skilled consultative approach. It also presents an institutional framework under which the partners coordinate their operations. It further recognizes the need to place emphasis on the vulnerable groups in drought-prone areas.

### **3.5.10. National Climate Change Policy, 2015**

The goal of the policy is to ensure a harmonised and coordinated approach towards a climate- resilient and low-carbon development path for sustainable development in Uganda. The overarching objective of the policy is to ensure that all stakeholders address climate change impacts and their causes through appropriate measures while promoting sustainable development and a green economy.

## **3.6.0. Legal Framework for Social Management Systems**

### **3.6.1. Land Act, 1998**

Section 78 of the Land Act (Cap 227) principally addresses four major issues namely, holding, control, management, and land disputes. Regarding tenure, the Act repeats in Section 3, the provisions of Article 237 of the Constitution, which vests all land in the citizens of Uganda, to be held under customary, freehold, mailo or leasehold tenure systems. However, the Land Act provides for compulsory acquisition of land or rights to use land for the execution of public works. Regarding control of land use, the Land Act reaffirms the statutory power of compulsory acquisition conferred on the government and local authorities under articles 26 (2) and 237(2) (a) of the Constitution (Section 43). Since the Act does not repeal the Land Acquisition Act No. 14 of 1965, it is assumed that this legislation meets the requirements of Article 26(2) of the Constitution that requires a law to be in place for the payment of compensation and access to court. The Act also requires that landowners manage and utilize land in accordance with regulatory land use planning (Sections 44 and 46).

### **3.6.2. The Land (Amendment) Act, 2010**

Section 76(1) (a) of the Land (Amendment) Act 2010 states that the jurisdiction of the District Land Tribunal (DLT) shall determine disputes relating to the grant, lease, repossession, transfer, or acquisition of land by individuals, the commission or other authority with responsibility relating to land.

### **3.6.3. The Land Acquisition Act, 1965**

The Land Acquisition Act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land, dig, or bore the subsoil or any other thing necessary for ascertaining whether the land is suitable for a public purpose. The GoU is mandated to pay compensation to any person who suffers damage because of any action related to land acquisition for public purposes. Any dispute as to the compensation payable is to be referred to the Attorney General or court for decision. The provisions of the Land Acquisition Act stop at payment of compensation. It is therefore not a legal requirement to purchase alternative land for the people affected by the project. Once the affected persons are promptly and adequately compensated, then government's obligations stop at that. The Government through the MoLHUD pays the compensation to the affected persons.

### **3.6.4. The Local Government Act, 1997**

Local Government Act (LGA), 1997 provides for the system of Local Governments (LGs), which is based on the district. Under the District are lower LGs and administrative units. This system provides for elected Councils that have both legislative and executive powers. Thus, the District Councils play an important role in land administration: land surveying, physical planning, and management of municipal resources that are not the responsibility of the central government.

According to the LGA, the Districts are charged with the responsibility of acquiring land for development/construction purposes and in the sensitization and mobilization of the local communities. The chairpersons of the District Councils nominate the Executive Committee of each Council, whose functions include: i) Initiating and formulating policy for approval by council; ii) Overseeing the implementation of Government and Council policies and monitor and coordinate activities of Non-Government Organizations (NGOs) in the district; and iii) Receiving and solving disputes forwarded to it from lower LGs. The Act empowers DLGs to develop and implement District rates upon which compensation for crops and non-permanent structures is based.

### **3.6.5. Physical Planning Act, Amended 2020**

National Physical Planning Act Amended 2020 under part one, section 3 declares the entire country a planning area. The Physical Planning Act provides for the formulation of the National Physical Planning Board with the responsibility of taking decisions of approval of physical development plans and land use change decisions for the country.

The Minister responsible for Physical Planning appoints nine members (9) of whom five shall be persons employed in the public service to the board. Among these members are representatives of some key government Ministries and departments which are closely related to the functioning of physical planning (Local Government, Department of Housing, Ministry of Finance, Department of Surveys), which are approved by Parliament.

### **3.6.6. Local Council Courts Act, 2006**

The Act establishes Local Council (LC) Courts for the administration of justice at the local level; and defines the jurisdiction, powers, and procedures of the established courts and for other related matters. The legal jurisdiction of LC Courts includes matters related to, land disputes, domestic violence, children related cases, assaults and battery, conversion, damage to property, trespass, and adultery.

### **3.6.7. Equal Opportunities Act, 2007**

The Act makes provision in relation to the Equal Opportunities Commission (EOC) pursuant to Articles 32 (3) and 32 (4) and other relevant provisions of the Constitution; to provide for the composition and functions of the Commission; to give effect to the State's constitutional mandate to eliminate

discrimination and inequalities against any individual or group of persons on the ground of sex, age, race, color, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion or disability, and take affirmative action in favor of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them; and to provide for other related matters.

#### **3.6.8. National Youth Council Act, 2000**

This Act was amended in 2015 (Cap 319) establishes the National Youth Council, the objective of which is to organize the youth of Uganda in a unified body; engage the youth in activities that are of benefit to them and the nation; and protect the youth against any kind of manipulation.

#### **3.6.9. National Women's Council Act, 2000**

The Act (Cap 318) establishes the National Women Council whose object is to organize women of Uganda in a unified body and engage the women in activities that are of benefit to them and the nation.

#### **3.6.10. The Children Act, 2000**

The Children's Act under section 5(2) grants any person having custody of a child with a duty to protect the child from discrimination, violence, abuse, and neglect. Furthermore, section 8 provides that "no child shall be employed or engaged in any activity that may be harmful to his or her health, education or mental, physical or moral development". The Act protects Children with disabilities under section 9. It states that it is the duty of the parents of children with disabilities and the State to take appropriate steps to see that those children are assessed as early as possible as to the extent and nature of their disabilities; offered appropriate treatment; and afforded facilities for rehabilitation and equal opportunities to education.

#### **3.6.11. National Council for Disability Act, 2003**

This establishes the National Council for Disability. The objective of the National Council for Disability include: i) to promote the implementation and equalization of opportunities for Persons with Disabilities (PWD); and ii) to monitor and evaluate the impact of policies and programs designed for equality and full participation of PWD.

#### **3.5.12. Access to Information Act, 2005**

The Constitution of the Republic of Uganda provides for the right of access to information in Article 41. The Article states that 'Every citizen has a right of access to information in the possession of the state or any other organ or agency of the state except where the release of the information is likely to prejudice the security or sovereignty of the state or interfere with the right to the privacy of any other person.'

The Access to Information Act, provides for the right of access to information pursuant to Article 41 of the Constitution; prescribes the classes of information referred to in the Article; the procedure for obtaining access to that information, and other related matters. Article 5, Right of access indicates that - Every citizen has a right of access to information and records in the possession of the State or any public body, except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.

#### **36.13. Workers Compensation Act, 2000**

This law provides for compensation to be paid to workers (or their dependents) for injuries suffered and scheduled diseases incurred in the course of their employment. Section 28 of the Act 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 the twenty-four months immediately previous to the date of such disablement or death, the worker or, if he or she is deceased, his or her dependents shall be entitled to claim and to receive compensation under this Act if such



disablement or death had been caused by an accident arising out of and in the course of his or her employment. It also emphasizes the provision of Personal Protective Equipment (PPE) to employees to minimize accidents and injuries.

#### **3.6.14. Employment Act, 2006**

The Employment Act is the governing legal statutory instrument for the recruitment, contracting, deployment, remuneration, management, and compensation of workers. The Act is based on the provisions of Article 40 of the 1995 Constitution of Uganda. It is the principal legislation that seeks to harmonize relationships between employees and employers, protect workers' interests and welfare and safeguard their occupational health and safety through:

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

The Act will thus govern labor types and conditions under which the people hired by the project work. It prohibits Child labor (a condition the construction contractor must also comply with) as well as providing guidance on work rights during the operation phase.

#### **3.6.16. The Land Regulations, 2004**

Section 24(1) of the Land Regulations, 2004 states that the DLB, when compiling and maintaining a list of compensation rates, considers the following: a) Compensation shall not be payable in respect of any crop which is illegally grown; b) As much time as possible shall be allowed for the harvest of seasonal crops; c) The current market value of crops and trees in their locality will form the basis of determining compensation; and d) For buildings of non-permanent nature, replacement cost less depreciation will form the basis of compensation.

#### **3.6.17 The National Climate Change Act, 2021**

The Climate Change Act governs Uganda's national response to climate change. The Act mandates the creation of a Framework Strategy on Climate Change, as well as a National Climate Action Plan and District Climate Action Plans.

### **3.7. Institutional Framework**

The main institutions with key responsibilities for environmental and social management relevant to GKMA are as follows:

#### **3.7.1. Ministry of Kampala Capital City and Metropolitan Affairs**

The Ministry of Kampala Capital City and Metropolitan Affairs is the executing ministry for the GKMA urban development program. It is responsible for overall implementation of the Program and provide oversight of all program activities funded under GKMA. It will also be responsible for oversight of policy guidance, supervision and monitoring. The ministry is currently lacking in staff currently lacking in staff and needs to build up organizational arrangement for environmental and social management. The Ministry will need to incorporate in its structure the position of Environment and Natural Resource Management officer to take care of Program pillar II aspects (Resilience and Environment) as well as coordinating the management of environmental risks/impacts in the program. Likewise, the Ministry should hire a Social Sociologist to handle and coordinate the social risks/impacts. An Environmental Specialist (Consultant) and a Social Development Specialist (Consultant) as part of Program support team would fill the gap as an interim measure. The ministry will also need to develop environmental and social policy and standard operating procedures to guide its operations in respect to environmental and social management in GKMA.

### **3.7.2. Ministry of Water and Environment**

The Ministry of Water and Environment (MoWE) has a responsibility for setting national policies, standards, managing and regulating water and environment resources, monitoring and evaluation of sector development programs for efficiency and effectiveness in service delivery. Specifically, the Directorate of Environmental Affairs is responsible for environmental policy, regulation, coordination, inspection, supervision and monitoring of the environment and natural resources as well as the restoration of degraded ecosystems, mitigating and adapting to climate change.

The Directorate is comprised of three departments of Environment Support Services (DESS), Forestry Sector Support Department (FSSD) and Wetland Management Department. The Directorate works in collaboration with the National Environment Management Authority (NEMA), the National Forestry Authority (NFA) and Uganda National Meteorological Authority (UNMA). DEA has recently de-concentrated its services and created Regional Environment Offices (Mbale, Wakiso, Mbarara and Lira), Wakiso falls with GKMA. However, the Assessment established that the Regional Offices under the Directorate of Environment Affairs were inadequately facilitated. Functionality of this de-concentrated E&S function is constrained by lack of an independent vote code to enable receipt and management of funds directly. Currently the Ministry is undergoing restructuring to provide for additional staff in the department and also more divisions are to be created to enhance the environment function. However, this will also call for an enhancement of the wage bill. The budget for the E&S function at the National level, has been inadequate for some time and this has inhibited the implementation of the E&S function at both the national and local government level.

### **3.7.3. National Environment Management Authority (NEMA)**

The National Environment Act No. 5, 2019 mandates NEMA as the Principal Agency in Uganda regulating monitoring, supervision, and coordination of all activities relating to the environment. Some of the key roles of NEMA are to support the mainstreaming and integration of environmental concerns in National and Sectoral Plans, coordination, and collaboration with Lead Agencies. NEMA reviews and makes decisions on Environmental and Social Impact Assessments (ESIAs), Environmental Audits and other studies or reports submitted in line with the Act and as well advice on the formulation and implementation of environmental and climate change policies, plans and programs. NEMA is responsible for the regulatory functions and activities that focus on compliance and enforcement of the existing legal and institutional frameworks on environmental management.

The Authority is required to prepare the National State of Environment report every two years. The NEA, 2019 empowers the Lead Agencies (Local governments Inclusive) with the responsibility to plan, regulate and manage the segments of the environment within their mandates including preparation of the State of Environment Reports in accordance with section 46 of the Act and also report progress quarterly to NEMA on a quarterly basis. The assessment established that there are institutional capacity challenges of both NEMA and other Lead Agencies in terms of staffing level, technical knowledge, skills and resources. Due to the technical nature of some environment management functions, the local governments reported inadequate capacity to manage related environment functions while some did not possess the equipment and technology. NEMA need to orientate the local governments on the relevant provisions under the NEA, 2019 and adequate provisions under the program for institutional capacity building and equipment will be required.

Furthermore, there are issues of coordination with MDAs in inspections and environmental reviews, dissemination and implementation of legal frameworks and ESIA process delays including review, feedback, approval, permits, licenses and certificates. To fast-track review and decision making on

ESIAs/PBs for GKMA program investments submitted to NEMA, there is need to enhanced automation of existing tracking system and provide for periodic technical assistance in review and compliance monitoring of the subprojects. The weak coordination between the MDAs constitutes a challenge to E&S performance, this needs to strengthen under GKMA through Inter-ministry committee (IMC). NEMA should advocate for environment mainstreaming in the design of the program. The working relations between MoKMA and LGs should be strengthened to ensure integration of environment and social concerns through MoUs, joint inspections, information sharing and establishment of common communication platforms. GKMA program should be put in place to resources for training, procurement of equipment for LGs, development and a mentorship program should be established to develop the human resource charged with the E&S function at National and LG level.

#### **3.7.4. Ministry of Gender, Labor & Social Development**

This ministry sets policy direction and monitoring functions related to labor, gender and general social development. Its OSH Department in the ministry is responsible for inspection and mentoring of occupational safety in workplaces and this could be during project construction and operation of the Project facilities. Accordingly, to the E&S functional review report carried out under UgIFT program, department of OSH in MoGLSD has the largest staffing shortfall in the ministry, currently at 36% potentially overstressing their capacity to inspect the OSH function especially because this particular function is not decentralized. GKMA program could consider technical assistance to the department of OSH and enhancing capacities of Labor officers and Environment Officers at the Local government level to monitoring compliance to health and safety requirements.

#### **3.7.5. Ministry of Local Government**

The ministry of Local Government is responsible to ensure that they adhere to the decentralized environmental management and are mandated to work with the National Environment Management Authority (NEMA). The Environment Committees are appointed by the Local Government System on the advice of the District Environment Committee. The functions of the District Environment Committees include:

- Act as a forum for community members to discuss and recommend environmental policies and bye laws to the District Council.
- Advise the District Technical Planning Committee, the District Council and NEMA on environmental management issues in the district.
- Mobilize members of the public to initiate and participate in environmental activities.
- Develop, in consultation with the District Technical Planning Committee, District Environment Action Plans.
- Receive draft District Development Plans from the District Technical Planning Committee for review and endorsement.
- Co-ordinate the activities of the District Council relating to the management of the environment and natural resources.
- Ensure that environmental concerns are integrated into all district plans and projects; and coordinate with NEMA on all issues relating to environment management.

#### ***The functions of Local Environment Committees include:***

- Prepare Local Environment Work Plans.
- Mobilize people, through self-help projects to conserve the environment, restore the degraded environment and improve the natural environment, and
- Monitor and report on any event or activity, which has or is likely to have a significant impact on the environment'

The functions of the District Environment Officer (DEO) include the following:

- Advise the district Environment committee on all matters relating to the environment.
- Liaise with the authority on all matters relating to the environment.
- To make such reports to the authority as may be prescribed.
- Promote environmental awareness through public educational campaigns.
- Assist local environment committees in the performance of their functions as provided for in the National Environment Act Cap 153.
- Gather and manage information on the environment and the utilization of natural resources in the district.

### **3.7.5.1. Local Government level (Districts, Municipalities and Town Councils)**

Local Governments are charged with implementing E&S requirements but specifically play the role of i) identifying environmental and social risks and impacts through environment and social assessments ii) planning and implementation of E&S requirements to address the identified E&S risks and impacts; iii) supervision, monitoring and reporting on the performance of E&S requirements (iv) dissemination of E&S Guidelines to the Lower Local Governments (LLGs) among others. At the LG level, the E&S function at the Local Government level is vested in the Environment and Natural Resources (ENR) Department and Community Development Department respectively. The staffing structure at the district requires a District Natural Resources Officer (DNRO), and below are three sections of Environment, Forestry and Lands headed by Senior Officers. Below these are Environment, Forestry and Land Officers. Meanwhile at the Municipal level, there is a Principal Environment Officer and a Senior Environment Officer.

Furthermore, whereas the Structure for environment management at LG level provides for recruitment of Environment Officers at the Districts and at Municipality level; there is no provision for such positions at the sub-county level hence the E&S function is not decentralized to the Lower local governments (LLGs). Section 28 of the NEA, 2019 provides for the constitution of Environment Committee whose functions among others are to: coordinate the activities of LGs relating to the management of the environment and natural resources, prepare district environment action plans ensuring that environmental concerns are integrated in all plans and projects approved by the LGs and to coordinate with NEMA. However, the assessment established that the DECs and LECs are non-functional. As such, there is need for allocations at the LGs to facilitate the constitution and facilitation of these DECs and LECs.

### **3.7.6. The Public Procurement and Disposal of Public Assets Authority (PPDA)**

Was set up as the principal regulatory body for public procurement and disposal of public assets in Uganda. PPDA released an enhanced Standard Bidding Document (SBD) in September 2019 with the aim of strengthening the management of E&S aspects in the procurement process. The enhanced SBD for the procurement of works provide enough room for District S&E personnel to tailor and input ESHS aspects. This requires specialized expertise from the CBSD and DEO to prepare more comprehensive SBD on S&E risks and impacts plus mitigation measures but is most times taken up by the program implementing departments (DHO and DEO). Following the revision of the SBDs to include ESHS, there is need to build capacity of the procurement officers in the LGs and also PPDA itself to enable them to integrate the E&S considerations adequately.

### **3.7.7. Equal Opportunities Commission**

The Act makes provision in relation to the Equal Opportunities Commission pursuant to articles 32 (3) and 32 (4) and other relevant provisions of the Constitution; to provide for the composition and functions of the Commission; to give effect to the State's constitutional mandate to eliminate discrimination and inequalities against any individual or group of persons on the ground of sex, age, race, color, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion or disability, and

take affirmative action in favor of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them; and to provide for other related matters. Regulation 14 2(a) states on the functions of the commission being to investigate or inquire into, on its own initiative or on a complaint made by any person or group of persons, any act, circumstance, conduct, omission, program, activity, or practice which seems to amount to or constitute discrimination, marginalization or to otherwise undermine equal opportunities. While all matters relating to land acquisition, compensation and resettlement are managed within the provisions of the above legislation, the most decisive document in this regard is the Land Act of 1998, as amended.

#### **3.7.8. District Land Tribunals**

The Land Act, Cap 227 states that land tribunals must be established at district level. It empowers the District Land Tribunals to determine disputes relating to amount of compensation to be paid for land acquired compulsorily. The affected person may appeal to a higher ordinary court. The Land Acquisition Act allows for any person to appeal to the High Court within 60 days of the award being made. All land disputes must be processed by the tribunals before the case can be taken to the ordinary courts. The act also states that traditional authority mediators must retain their jurisdiction to deal with, and settle, land disputes.

#### **3.7.9. Local Council Courts**

The Local Council Courts Act establishes Local Council Courts for the administration of justice at the local level, defines the jurisdiction, powers, and procedures of the established courts and for other related matters. The legal jurisdiction of Local Council Courts includes matters related to, land disputes, domestic violence, children related cases, assaults and battery, conversion, damage to property, trespass, and adultery.

There are three levels of the Courts – LCC III at the sub county/Town/Division Council (level 3); LCC II at the parish/ward (level 2) and LCC I at the village. Appeals from the highest of the Committees, (Sub-County executive) lie to the Chief Magistrate.

### **3.8. Procedures for Management of Environmental and Social Risks and Impacts**

#### **3.8.1. ESIA Process in Uganda**

The ESIA procedure/ guidelines provides for:

- Environmental Screening for category/level of project.
- Prepare Scoping Report and Terms of Reference for ESIA study.
- Approval of Scoping Report and TOR by NEMA.
- Undertake ESIA as prescribed in the EIA Regulations.
- Submit ESIA report to NEMA.
- Public GKMA to comment, and public hearing held if deemed necessary.
- NEMA reviews with input from Lead Agencies and Districts.
- NEMA rejects or approves the ESIA (with conditions).

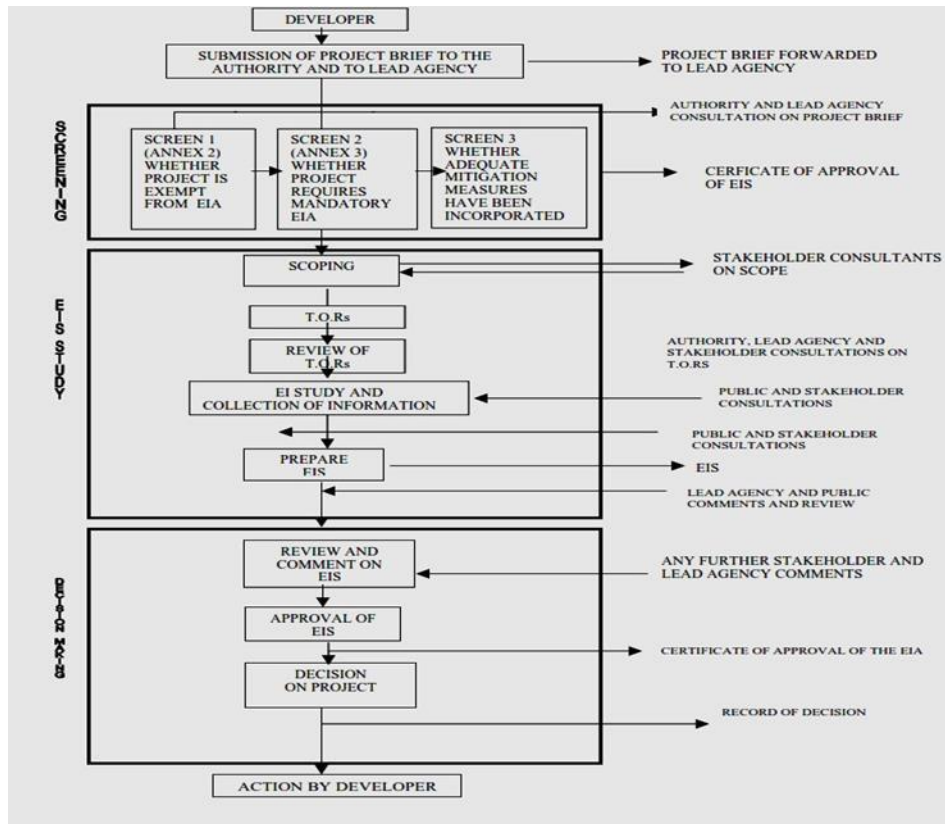


Figure 2: NEMA's ESIA Process. Source: NEMA EIA Guidelines 1997.

The Environmental Social Impact Study process starts with the screening and scoping exercise which identifies areas and issues which should be included and addressed in the ESIA study process. It is also contained in the EIA Guidelines (1997) and Regulations (2020) that the issues identified through the scoping process should be developed into Terms of Reference (ToR). The ToR's will be submitted to NEMA and to other stakeholders (Lead Agencies) for review so that any other areas and issues deserving to be included are identified before the study commences.

The assessments are undertaken in accordance with Environmental Impact Assessment (EIA) Guidelines (1997) and Regulations (2020) for Uganda. The NEA 2019 stipulates that a developer shall ensure that a person carrying out an environmental and social assessment for him or her, either personally or by employees, contractors or sub-contractors, complies with this Act, regulations made under this Act, any other applicable law and administrative decisions. (2) For the avoidance of doubt, a developer is responsible for the quality of the assessment undertaken by any person referred to in subsection (1). (3) The developer shall use and integrate environmental and social impact assessment, human rights risk assessment and environmental risk assessment in the project design.

### 3.8.2. Screening of proposed GKMA Investments as part of project preparation

Screening is undertaken during project identification and pre-feasibility studies as explained in figure 1 above. The purpose of screening is to categorize whether or not a project requires a full EIA, partial EIA or no EIA at all. This is important as it enables the application of an EIA only to those projects, which generate significant impacts. This is because certain projects may have less impact than others. There are four categories for screening which could occur for the case of the GKMA investment program.

**Category 1:** Small projects which do not have potential significant impacts and for which separate EIAs are not required, as the environment is the major focus of project preparation.

**Category 2:** Environmental analysis is normally unnecessary, as the project is unlikely to have significant environmental impacts. A project brief is enough. This could include project location in less sensitive areas or where many such schemes are in the same locality and their synergetic effects have potential impacts.

**Category 3:** A limited environmental analysis is appropriate, as the project impacts can be easily identified and for which mitigation measures can be easily prescribed and included in the design and implementation of the project.

**Category 4:** An ESIA is normally required because the project may have diverse significant impacts. Projects as Third Schedule of the NEA, 2019.

The overall GKMA urban development program has been provided under table 6 a summary of the stages and institutional responsibilities for the screening, preparation, assessment, approval and implementation.

*Table 6 Screening Responsibilities*

No.	Stage	Institutional responsibility	Implementation responsibility
1.	Screening of Environmental and Social Project to assist in project formulation using checklist	GKMA, Entities, MoKCC&MA, MDA's, Implementing Agency	Environmental and Social Officer (ESO) in respective GKMA entity, Environment and Social Specialist at MoKCC&MA
2.	Determination of appropriate environmental assessment level/ category	NEMA	Follow up by MoKCC&MA and GKMA Entity
3.	If ESIA is necessary, prepare ESIA for the investments	MoKCC&MA and GKMA Entity	NEMA

### 3.8.3. Project Brief

A project brief is necessary for development projects listed in the Schedule 4 of the National Environment Act (NEA) 2019. Section 112(3) of the Act stipulates that developer of a project set out in Part II of Schedule 4 of the Act shall submit a project brief to the lead agency containing the information prescribed in sub regulation (5) and Schedule 2 to these Regulations.

The project brief shall contain the following information, in a concise manner (a) a description of the proposed project, including the name, purpose and nature of the project in accordance with the categories in Schedule 4 of the Act; (b) the proposed location and physical boundaries, including a map and coordinates of the project clearly showing the projected area of land or air that may be affected by the project activities, or, if it is— (i) a linear activity, a description of the route of the activity and an alternative route, if any; or (ii) an activity on a water body, the coordinates within which the activity is to be undertaken; (c) an evaluation of project alternatives, including a zero or no-project alternative in terms of project location, project design or technologies to be used, and a justification for selecting the chosen option; (d) the design of the project and any other project related components and associated facilities, including the activities that shall be undertaken and a description of the major material inputs to be used

during construction or development and operation of the project; (e) the estimated cost of the project evidenced by a certificate of valuation of the capital investment of the project, issued by a qualified and registered valuer; (f) the size of the workforce; (g) a description of the manner in which the proposed project and its location conform to existing laws, standards and international agreements governing the projects, including reference to relevant plans required under the Physical Planning Act, 2010 and Building Control Act, 2013; (h) an indication of permits, licenses or other approvals that may be required for the project.

### 3.8.4. Permitting and Licensing Requirements

There are a number of permits and licenses that will be required for the implementation of various GKMA urban development program activities as shown in Table 7 below.

*Table 7 Permits and Licenses Required for GKMA program activities*

Item No.	Permit	Issuing Agency	User
1	Environmental approval ESIA certificate	NEMA	Approval commencement of the ESIA study
2	Water abstraction permit	Water Resources Management Directorate, (WRMD)	Abstraction of water for construction and workforce domestic use. Abstraction for industrial use.
3	Discharge license for effluents and wastewater	NEMA	Authorizes discharge of effluents without compromising the existing environmental conditions and pollution of wetlands and soils
4	Certification of the Construction Engineers	Uganda Institute of Professional Practicing Engineers (UIPPE)	To enable GKMA program component construction to be undertaken by duly qualified engineers with liability in case of any problem in the works
5	Certification of Registration of Workplace	Ministry of Gender, Labor and Social Development, Occupational Safety and Health Department	Regulates workplaces
7	Other permits/certificates e.g., for excavation of borrow pits, restoration	NEMA	Permits for materials sites issued after ESIA undertaken for those sites



#### **4.0 ASSESSMENT OF COUNTRY SYSTEMS PERFORMANCE (I.E. EFFECTIVENESS OF IMPLEMENTATION DEMONSTRATED BY TRACK RECORDS)**

This section analyses the implementation related performance of key implementing institutions associated with the environmental and social legal/regulatory framework for the GKMA Urban Development Program. The section also highlights the challenges of this institutional framework along with an assessment of their current capacities. The section then goes on to analyze the processes of planning monitoring and decision making in the program, the strategy adopted by the country and the GKMA Sub nationals all from an environmental and social perspective.

The ESSA team assessed the quality and efficacy of environment and social management system, particularly focusing on institutional capacity, structure, practices, procedures, mechanisms and effectiveness of implementation at the National and at GKMA levels. Consultations with Office of the Prime Minister (OPM) , Ministry of Finance Planning and Economic Development (UgIFT PST E&S staff), Ministry of Kampala Capital City and Metropolitan Affairs (MoKCCMA), Chief Administrative Officers (CAOs), Town Clerks (TCs), Environmental Officers (EO) and Community Development officers (CDO) within the MDA's and GKMA Sub nationals were done to understand their program administration, planning, and design, implementation, and monitoring functions within the respective jurisdictions and mandates.

Broadly, the assessment indicates that there is a robust environmental and social management system, as it exists and designed at the national and local government level. However, there is unevenness in implementation of the system requirements including environment and social risks mitigation measures, which can be traced to lack of capacity in terms of staffing, technical knowledge for effective implementation at the national and local government/ municipal levels. Therefore, implementation of the environmental and social systems for GKMA will largely rely on capacity building at the national and local government levels for personnel that will be involved in program implementation.

##### **4.1. Capacity and Performance Assessment**

There is evidence from the previous assessments on the country's environmental system performance as being generally weak specifically in respect to enforcement of laws, monitoring, staffing level, for environmental, health and safety management budget allocation. Implementation of similar types of urban works in Uganda under Uganda Support Municipal Infrastructure Development (USMID) indicate that short-term construction impacts for the most part can be prevented or mitigated with standard operational procedures and good construction management practices. These procedures will be included in the technical manual and be a standard part of environmental management plans included in bidding documents for contractors. This has been demonstrated in Urban local governments participating in the current USMID 1 and USMID AF such as Entebbe Municipality and Wakiso District participating in the UgIFT program who have improved their capacity to deliver not only infrastructure and services but also in minimizing the environmental and social risks associated with the sub-projects.

The major weaknesses identified in the management of environmental impacts is in weak capacity at all GKMA entity, and risk of poor adherence by the contractors due to poor supervision. Given the above and the past experience of projects in the urban sector, the risk of foreseeable environmental impacts on the program is considered moderate. The local governments under the GKMA) namely: Nansana, Entebbe, Kira, Makindye-Ssabagabo, and Mukono municipalities; and the GKMA districts of Mukono, Wakiso and Mpigi, have a planning instrument for integrating/mainstreaming climate change under the revised Local Government Development Planning Guidelines which are in line with the Comprehensive National

Development Planning Framework (CNDPF) and the National Planning Authority (Development Plans) Regulations, 2018.

The preliminary ESSA findings indicate that the legislative and institutional framework for Social risk management are adequate except for the coordinating Ministry of Kampala Capital City and Metropolitan Affairs (MoKCCMA) which is currently lacking in staff and needs to build up organizational arrangement for E&S risks management. MoGLSD which is mandated to guide and supervise the functions of the Community Based Services Department (CBSD) at the Local Governments/Municipalities has inadequate capacity in terms of staff and funds to effectively carry out its mission. The GKMA entities, have the basic staff such as; Senior Community Development Officer, Probation and Welfare Officers, Gender Officers necessary for the implementation of the program. However, their capacity to integrate ESHS requirements, provide timely social inputs in the designs, BoQs, bidding and contract documents is inadequate. Are also technically weak in preparation, implementation, and close monitoring of the RAPs in line with the country requirement and the Bank standards. Another gap identified is the inadequacy to prepare and implement Stakeholder Engagement Plans (SEP) and Grievance Redress Mechanisms (GRM) in a timely manner.

As GKMA Sub nationals become more involved in infrastructure investments, the number of subprojects to be screened, monitored, and inspected grow proportionally and requires devoted full-time environment and social management specialists at the coordinating ministry. Thus, the integration and institutionalization of ESMS in the GKMA urban development program may need to be further strengthened by opening permanent job placements to ensure continued capacity development.

#### **4.2. Inadequate Budget**

All the GKMA Sub nationals and MDAs involved in the environmental and social management of the ESIA/ESMP, and environmental audit emphasized the fact that monetary allocation is very low and affects the performance of the environmental and community-based services sectors. There is evidence from the various local government budget that they are not allocating adequate budgets to environmental and social activities and more specially for monitoring as per the requirement in their District work plans.

NEMA's average annual budget is not adequate to undertake all the monitoring and enforcement. Even the funding that used to come from licensing fees is no longer paid to NEMA but to the consolidated fund. It is important to note that NEMA's review process is handicapped by a lack of adequate funding for the scale of its mandate. Natural Resources and Community Based Services Departments have no development grant allocation for investment activities such as restoration of degraded ecosystems, waste management infrastructure, and stakeholder engagement activities. According to the District Local Government planning guidelines, 5% of the total budget for project activities is supposed to be allocated to M&E including Social and Environmental (S&E) aspects. However, this service cost is inadequate and, in some cases, used entirely for M&E.

#### **4.3. Performance of ESIA process**

Based on awareness, compliance with the requirement for prior approval, quality of documents prepared, and review and approval of submitted documents, the application of the ESIA process falls short from being a robust mechanism for managing environmental and social risks and impacts. While there is a general awareness especially among the elite that ESIA is required for development projects there is a lack of public awareness of environmental rights or avenues for redress.

The lack of public awareness may partly explain why the requirement for prior approval under the Act and Environmental and Social Assessment Regulations is not complied with by many developers, who acknowledge that sometimes activities commence without embarking on the ESIA process and may, usually receive approval in due course (Kahangirwe and Vanclay, 2021). The violation of the requirement

for prior approval occurs in both private and public investments despite a provision for a fine or imprisonment under Section 157 (a) of the National Environment Act (2019). However, for the projects financed by International Financial Institutions or Development Partners EA are prepared during feasibility stage and site-specific Environmental and Social Management Plans are prepared.

Concern over the quality of ESIA submitted for approval ESIA for has persisted over the years (e.g., Ecaat, 2004 and Kahangire and Vanclay 2021). ESIA reports are in general deficient in terms of quality of information and alternatives are not analyzed as sites and designs are predetermined and handed to environmental and social assessors. ESIA for urban subprojects, such as infrastructure, in general, identify generic potential impacts of activities. Identification of impacts is focused mainly on the direct and indirect impacts; cumulative impacts are rarely covered. Induced impacts are hardly covered. Subsequently, the mitigation measures recommended by the ESIA are commonly generic. However, the ESIA are improving in identifying measures to avoid or minimize the impacts. Several factors may have contributed to the low quality of reports submitted for approval. Among them is inadequate review of submitted documents where details of the reports are not checked and verified through field visits; inadequate resources allocation for ESIA studies by developers; and the increased number of Practitioners with inadequate implementation of the code of conduct and minimum standards to be adhered by Practitioners. Improvement in the country's systems may be difficult to attain if the body of Practitioners is not strengthened. The Committee of Environmental Practitioners (CEP) and the Capacity of the Uganda Association for Impact Assessment (UAIA) play an important role in strengthening the environmental and social management practice.

The lack of prior assessment of environmental and social impacts of projects compromises the application of the mitigation hierarchy particularly in the consideration of alternatives – a cardinal element of environmental and social assessment. As most designs are often finalized and sites selected based on economic and/or political considerations prior to the commencement of the ESIA process, there is no opportunity for environmental practitioners to consider alternatives. This has meant only one alternative is compared with the “Do nothing” alternative to justify it and fulfill the standard requirement for an analysis of alternatives chapter of the report. Multi-criteria analysis is hardly applied.

The time for making of decision on environmental and social impact assessment statements (also scoping reports and terms of reference) takes unnecessary long time partly due to constrained faced by NEMA and lead agencies or parties involved in the approval process. The present legal timelines for a decision to be made and communicated to the developer is twenty-one days, thirty days and sixty days for a Project Brief submitted to a Lead Agency, Project Brief submitted to NEMA and ESIA report submitted to NEMA respect and are substantially exceeded. Challenges faced include the limited number of staff at NEMA who are often overstretched. Delays in making decisions on the reports makes ESIA unpopular with developers. For the proposed Program, two focal persons specifically to handle GKMA environmental and social issues must be appointed, and they will liaise with the Ministry of Kampala and Metropolitan Affairs. The number of ESIA/PBs being undertaken have overtaken the capacity of the lead agencies/ reviewers to review in a timely manner and also to ensure that the issues identified in the ESIA are addressed. This has partly affected the quality of the ESIA documents and also due to lack of experience from the environmental practitioners and also those reviewing the documents.

#### **4.4. Implementation of mitigation measures in ESMPs developed**

Implementation of the mitigation measures in approved ESIA is the responsibility of the project proponent and his or her contractors and enforced by NEMA in coordination with lead agencies and the relevant local governments. However, discussions with environmental officers, reveals uneven

environmental management and mitigation during projects' implementation. Examples of poor management practices include improper management of borrow and stone quarry, haphazard disposal of construction wastes, limited use of protective safety gears, as well as inadequate public and workers' safety.

One of the causes of inadequate implementation of is that environmental mitigation is not sufficiently costed as it is generally calculated on a lump sum basis – specific mitigation costs for various activities/ items are rarely included in the contract bid document. The lack of specific mitigation plan and lack of specific cost item in the bid document is an area that needs strengthening. The ESSA notes that operational effectiveness of implementation of environmental and social management plans in various GKMA entity implementing urban projects is uneven. In general, the environment and social performance is better in the Local government which are implementing donor funded initiatives such as USMID in Entebbe compared to local governments that were not included in the USMID project. For the GKMA program, sub projects should pass through a review process by respective GKMA Sub nationals (KCCA and local governments), though the variance is inevitable.

There is evidence that ESMP are developed by the contractors especially where projects are funded by the World Bank and other agencies, however the mitigation measure at times are not adhered during implementation as they are done for purposes of fulfilling project formalities. Further, deployment and maintenance of an environmental and social management systems which provides institution or project/program policy (management commitment), and procedures is central to implementation of mitigation measures defined in ESIA/ESMPs. However, these are hardly deployed despite being a legal required set out in the Environment Act and the Environmental and Social Assessment Regulations.

#### **4.5. Community and Occupational Health and Safety Performance**

There is generally lack of awareness on public health and safety issues, particularly in relation to exposure to electrical and chemical hazards and workplace safety aspects in hazard prone areas. Implementation and enforcement of existing health and safety requirements at construction sites is considered inadequate, primarily due to insufficient capacity of labor & social affairs and environment department within the Local Governments. This is further compounded by limited or no devotion to supervision to and enforcement of safety rules such as use of personal protective equipment by work contractors and sub-contractors. The institutions that are supposed to enforce occupation, health and safety issues have limited capacity with technical person, safety materials provision, and budget to conduct regular supervision on the compliance of national and international safety standards.

#### **4.6. Monitoring, Supervision and Reporting for E&S**

Environmental and social monitoring is the responsibility of the implementing agencies, which is an area for further improvement. There is evidence that KCCA which is one of the GKMA Sub nationals has started monitoring and reporting against the ESMP, as an annual environment audit of the specific project program level as the case with KIIDP I & II of KCCA World Bank funded projects. The lessons from previous KIIDP 1 and KIIDP 11 for KCCA indicate that information disclosure and consultation were done more regularly compared to other municipalities and local governments within GKMA. Overall, the analysis found that, while impacts do tend to be managed, a systematic process is inconsistent at the local level. While there is a national legal and regulatory framework for environmental and social management, most GKMA Sub nationals have not been required to have a definitive role in the ESIA process, mostly relegate to being consulted as a stakeholder in the process but not having a technical role in planning, assessment and oversight.

#### **4.7. Staffing Level /Human Resource and Technical Knowledge**

The Ministry of Kampala Capital City and Metropolitan Affairs (MoKCCMA) as the implementing agency is a new ministry with inadequate capacity to coordinate GKMA' development and management because of the overlaps in mandates with other MDA's such as the Ministry of Lands, Housing and Urban Development (MoLHUD), Ministry of Local Governments (MoLG), Ministry of Works and Transport (MoWT), Kampala Capital City Authority (KCCA), just to mention a few. The Ministry is very thinly staffed and is yet to fill the positions of the environmental and social safeguards officers who have to be recruited by the Public Service Commission. The MoKCC&MA however has instituted a mechanism for two professionals (Environmental and social) to be part of the Project Implementation Unit (PIU) as public service recruits the approved staff before end of 2022 financial year. There is need to recruit a Gender Specialist with GBV expertise or GBV Specialist to support the implementation of the GBV Action Plan and monitoring while also training the E&SS staff on how to handle GBV, SEA/SH issues in the project. Including providing technical assistance to the department of OSH and enhancing capacities of Labor officers and Environment Officers at the Local government level mentioned in 3.4.7. This leaves the responsibility of handling GKMA's environmental and social aspects in the balance and is rated as high risk if the staff are not in place by the time the program starts.

The team also consulted NEMA head office to understand their role in the implementation of the GKMA urban development program. The assessment was based on previous engagements of the systems at national and local/ municipal levels, and their performance records on Bank funded projects. NEMA has inadequate capacity in terms of human resources, which contributes to delays in ESIA review and the lack of follow-up inspections. However, they have officers stationed at regional level to function as liaison and coordination office with NEMA headquarters. NEMA will work closely with the MoLGSD to ensure that there is focal person in place to handle all the matters related to GKMA on environment and social aspects. As for monitoring NEMA will hire consultants to review environmental reports the environmental reports and audits.

Although all the GKMA Sub nationals have District Environmental Officers (DEO's), City Environmental officer (CEO) and Municipal Environmental Officer (MEO) and Community Development Officers (CDOs) since as they are established positions. The numbers of environmental officers are still low, and the workload is a lot which eventually leads to inefficiency and lack of monitoring and enforcement. KCCA Environmental and Social Safeguards Officers are hired on contract basis and this has led to a lack of job security and could lead to high staff turnover.

While Environment management and Social Safeguard Specialists at GKMA level shall be tasked with ESIA/ESMP/AUDIT/RAP implementation, Grievance Redress Management (GRM) and Stakeholder Engagement, the analysis confirmed that most specialists are not adequately trained nor qualified to handle tasks such as the ESIA, ESMP, OSH, RAP, Environmental audit, GRM and effective stakeholder engagement. Capacity building of staff for environmental and social management should be continuous in such a way that they adapt to changing and complex environmental and social issues and employ state-of-the-art technology and tools. GKMA Urban Development Program should meet minimum requirements for environment and social management before making investments on the investment menu infrastructure.

Note should be made that GKMA Sub nationals who have employed environmental officers who meet minimum qualifications must expand their focus to include social experts who are trained in ESIA and registered with NEMA. Their present gains in managing environmental aspects are overshadowed by

limited coverage of social standards. This is especially important as more urban development and impact of programs like GKMA Urban Development Program, social issues in urban areas increase and become more complex, demanding broader coverage and exhaustive analysis.

#### **4.8. Enforcement Capacity**

Enforcement is the set of actions governments or others (lead agencies) take to compel or encourage compliance. Compliance occurs when requirements are met when desired behaviors are achieved. Enforcement generally includes inspections to find information needed to determine compliance status and to identify violations and legal actions to impose consequences for violating the law. In 2010 an Environmental Protection Police Unit was introduced in NEMA to support enforcement of environmental law; however, noncompliance persists. NEMA and the lead agencies (GKMA entities) have been found to have not enough capacity to enforce some of these laws and hence ineffective environmental and social compliance due to inadequate manpower, coordination and poor budgetary allocation.

#### **4.9. Equipment and Tools**

The GKMA sub nationals, NEMA and MDA's have no funds available to purchase basic field equipment and tools i.e., cameras, noise meters, Air quality monitoring equipment (additional for KCCA) but also need more) water quality testing kits, GPS equipment to monitor and be able to enforce standards such as noise, air quality and pollution. This is compounded by lack of vehicles dedicated to E&S staff for field activities. This is also in addition to the officers not able to use the equipment due to training and exposure to new environmental equipment and technologies as a means of environmental compliance for enforcement.

#### **4.10. Stakeholder Engagement**

Stakeholder engagement is an inclusive process conducted throughout the project life cycle. Where properly designed and implemented, it supports the development of strong, constructive and responsive relationships that are important for the successful management of the projects' environmental and social risks. Stakeholder engagement is most effective when initiated at an early stage of the project development process and is an integral part of early project decisions and assessment, management and monitoring of the projects' environmental and social risks and impacts.<sup>3</sup> The GKMA Sub nationals reported the importance of early stakeholder engagement in relation to the success of any project. The CDOs especially appreciated the functions of stakeholder engagement and communication, said they are usually called upon by other departments to participate when needed. However, they mentioned that they are usually involved late and, in most cases, when the projects have issues or problems. This was attributed to the fact that projects are initiated without the considerations of meaningful stakeholder engagements. They reported that they have limited capacity to prepare Stakeholder Engagement Plans which would ensure that stakeholders are rightly involved from the start of the project/program. District Officers mentioned that they are constrained in conducting community consultations because they lack funds to hire venues, chairs and public address systems. Stakeholder engagement is a backbone of any successful implementation of projects, which failure affects ownership and sustainability. The GKMA Sub-nationals shall ensure that the CDOs are trained in meaningful and effective stakeholder engagement techniques including provision of feedback and budget for funds for implementation of stakeholder engagements.

#### **4.11. Grievance Redress Management (GRM)**

Grievance Redress Committees (GRCs) are critical for community engagement but they have not been constituted at the various levels at National and LG level. The compliant handling system in the LGs is fragmented and not clearly streamlined, although this role is designated to the Probation and Welfare

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<sup>3</sup> The World Bank ENVIRONMENTAL AND SOCIAL FRAMEWORK.

Officers in the CBSD who handle issues of Family and Child protection, women and family issues. Child protection Unit of the Uganda Police handle child protection, women and family issues; the Local Councils (LC1-5), District Land Board, District Lands Office, Resident District Commissioner's (RDC) office handle land matters; Police handles grievances of a criminal nature. The LCs also handle any other grievance reported to them if it is not of a criminal nature. During project implementation, the GKMA Sub nationals are mandated to establish project/program specific GRCs to handle complaints arising from the project/program implementation. This is usually given little attention living the existing structures to handle cases. The reason given by the CDOs was inadequate funds to constitute the GRCs which in most cases are expected to work on a voluntary basis. Formulation of GRCs is supposed to be done in a participatory manner involving all stakeholders affected by the program, it also involves training of the GRC members on their roles and provision of tools for implementation. The GKMA Sub-nationals should ensure budgetary allocations for GRC training and provision of the necessary tools for implementation of the GRM, including by making the GRM more sensitive (with provisions for confidentiality)to address issues of social exclusion based on all types of vulnerabilities.

## 5.0 ASSESSMENT OF COUNTRY SYSTEM AGAINST PforR CORE PRINCIPLES

### 5.1. Strengths, Weaknesses, Opportunities and Risk Analysis

The ESSA analysis essentially followed; Strengths, Weaknesses, Opportunities and Risks approach to assess conformance with the WB PforR core principles. The analysis further provides information: details of Program activities, institutions involved and the implementing agency's past experience in implementing similar projects, the potential environmental and social benefits, risks/impacts of the Program, the GKMA Sub nationals (Districts/ Municipal/City) existing environmental and social management systems, assessment of the adequacy of the existing systems, and identification of gaps. Based on this analysis, actions to address the identified risks and gaps were identified and proposed as shown in table 8 below.

#### 5.1.1. Core Principle #1: General Principle of Environmental and Social Management

Environmental and social management procedures and processes are designed to (a) promote environmental and social sustainability in the program design; (b) avoid, minimize, or mitigate against adverse impacts; and (c) promote informed decision-making relating to a program's environmental and social effects.

#### **Applicability – FULLY APPLICABLE**

Core Principle 1 is considered in terms of environmental and social management for the GKMA program, as a key component of good service delivery. The principle becomes more relevant because the Program includes civil works related to construction and new infrastructural services.

*Table 8: SWOT Analysis of the PforR Core Principles in Relation to GKMA UDP*

Strength	Weaknesses
<ul style="list-style-type: none"> <li>The Government of Uganda has solid environmental legal and policy framework in place to protect, conserve and mitigate adverse impacts.</li> <li>Existing legislation also help minimize or mitigate possible adverse impacts on the natural habitats, archaeological sites and cultural resources.</li> <li>There is also a well-defined policy framework to enhance transparency of the development projects.</li> <li>The long established decentralized environmental management to lower local levels .</li> </ul>	<ul style="list-style-type: none"> <li>Weak coordination among the various implementers and inadequate attention to environmental and social concerns, particularly within the lower level.</li> <li>Low budget allocation to NEMA and district/municipal governments for Environmental and Social management</li> <li>Lack of full participation of stakeholders in debating and engaging meaningfully on safeguard issues, especially during project implementation</li> <li>The implementation of the existing legal/regulatory provisions faces challenges due to inadequate environmental and social staff/human capacity within the implementing agencies and at local levels to support Environmental and Social Systems (ESS)</li> <li>Insufficient capacity building activities on implementing agency, organizational structures and environmental officers to ensure compliance to required environmental standards during project implementation.</li> </ul>
Opportunities	Risks
<ul style="list-style-type: none"> <li>Some GKMA Sub nationals (KCCA, Entebbe and Wakiso) as the</li> </ul>	<ul style="list-style-type: none"> <li>Addressing the environmental management needs and challenges depends on capacity</li> </ul>



<p>implementing agency have past experience in implementing Bank funded projects</p> <ul style="list-style-type: none"> <li>• Development of appropriate guidelines, checklists, technical options and manuals to ensure compliance with environment and social legislation within the Program</li> <li>• Environmental streamlining systems with GKMA Sub nationals to manage environmental and social risks</li> </ul>	<p>building of the key sector organizations both in terms of human resources and training, and strong monitoring.</p> <ul style="list-style-type: none"> <li>• Inadequate enforcement and implementation or mainstreaming of existing environmental and social management plans</li> <li>• Failure to address the staffing, budget and monitoring requirements may affect the progress of the program</li> </ul>
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**LEVEL OF RISK – MODERATE**

**5.1.2. Core Principle # 2: Natural Habitats and Physical Cultural Resources**

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

**Applicability – APPLICABLE**

GKMA activities will not likely generate significant adverse impact on natural habitats, physical and cultural resources since civil works will only be limited to already existing areas and confined to a small geographical location.

Strength	Weaknesses
<ul style="list-style-type: none"> <li>• The existing legislation for Uganda ESIA process considers bio physical/natural habitats’ physical cultural resources, including screening for archaeological, historical and cultural sites to ensure environmental and social sustainability.</li> <li>• The assessment incorporates in program design and implementation appropriate measures to minimize or mitigate possible adverse impacts on the natural habitats, archaeological sites and cultural resources, with involvement from strong institutions such as MoWT&amp;A, NEMA and Uganda Museum.</li> </ul>	<ul style="list-style-type: none"> <li>• Weak coordination among the various implementers and inadequate attention to environmental and social concerns, particularly within the lower level.</li> <li>• Low budget allocation to NEMA and GKMA Sub nationals for Environmental and Social management</li> <li>• Lack of voice by stakeholders in debating and engaging meaningfully on safeguard issues, especially during project implementation</li> <li>• The implementation of the existing legal/regulatory provisions faces challenges due to inadequate environmental staff/human capacity within the implementing agencies and at local levels to support Environmental and Social Systems (ESS)</li> <li>• Insufficient regular capacity building activities on implementing agency, organizational structures and environmental officers to ensure compliance to required environmental standards during project implementation.</li> </ul>

<p><b>Opportunities</b></p> <ul style="list-style-type: none"> <li>• The ESIA systems ensures that the above are identified, protected and the NDP III also ensures environmental sustainability is addressed in all the program</li> <li>• The program has a pillar for Resilience and Environment</li> </ul>	<p><b>Risks</b></p> <ul style="list-style-type: none"> <li>• Addressing the environmental management needs and challenges depends on capacity building of the key sector organizations both in terms of human resources and training, and strong monitoring.</li> <li>• Inadequate enforcement and implementation or mainstreaming of existing environmental and social management plans</li> <li>• Since the subprojects are likely to be undertaken in an already built-up environment the risk is likely to be minimal.</li> </ul>
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**LEVEL OF RISK – LOW**

**5.1.3. Core Principle # 3: Public and Worker Safety**

**Applicability – FULLY APPLICABLE**

The provisions in Core Principle # 3 are considered as part of the ESIA process analyzed under Core Principle # 1. Review found that Core Principle # 3 is fully applicable to the Program, as there will be physical infrastructure development involved in the Program, which involves construction activities.

Strength	Weaknesses
<ul style="list-style-type: none"> <li>• The government’s contract conditions for contractors include provisions for public and worker safety (for example, regulations on use of explosives, provision of barricades at construction site, use of personal protection gear by workers, disposal of construction debris and wastewater, preventing creation of conditions conducive to disease vectors, etc.).</li> <li>• The country systems have guidelines/regulations through agencies such as DOHSS on aspects concerning management of construction sites, including public and worker safety risks from construction/operation of facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Weak capacities to ensure compliance to required national standards within the implementing agency and Counties</li> <li>• Weak coordination among the various implementers and inadequate attention to OHS concerns, particularly at the County level.</li> <li>• There is general lack of awareness on public health and safety issues, particularly in relation to exposure to workplace safety aspects in hazard prone areas etc.</li> <li>• There is poor maintenance of infrastructures by implementing agencies after completion, e.g., storm water drainage systems</li> </ul>
Opportunities	Risks

<ul style="list-style-type: none"> <li>• Strengthening of GKMA systems to manage OHS risks</li> <li>• Strengthening capacities to enforce OHS implementation</li> <li>• The Program also provides an opportunity to create good procedures for (i) construction site management, (ii) post construction site rehabilitation, and (iii) disposal of hazardous waste (e.g., in the solid waste sites etc.).</li> <li>• There are also opportunities to strengthen guidelines to address safe management and disposal of hazardous, solid and liquid waste, and create capacities at the GKMA level for the management of such waste.</li> </ul>	<ul style="list-style-type: none"> <li>• Systematic implementation of OHS provisions requires enhanced awareness in the key sector organizations and strengthened monitoring.</li> <li>• Inability to ensure public and worker safety can result in physical injuries, including loss of life to the workers and public at construction sites.</li> <li>• Improper management of solid and liquid waste can pose serious health risks if institutional capacity is lacking, e.g., at campsites, construction sites, etc.</li> <li>• These risks arise mainly from lack of human and other resources (including finances) availability for implementation of the ESMP</li> </ul>
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**LEVEL OF RISK –SUBSTANTIAL (MODERATE)**

**5.1.4. Core Principle 4: Land Acquisition**

Bank Policy for Program-for-Results Financing: Land acquisition and loss of access to natural resources are managed in a way that avoids or minimizes displacement, and affected people are assisted in improving, or at least restoring, their livelihoods and living standards.

Bank Directive for Program-for-Results Financing: As relevant, the program to be supported:

- Avoids or minimizes land acquisition and related adverse impacts;
- Identifies and addresses economic and social impacts caused by land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy;
- Provides compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses, paid prior to taking of land or restricting access;
- Provides supplemental livelihood improvement or restoration measures if taking of land causes loss of income-generating opportunity (e.g., loss of crop production or employment); and
- Restores or replaces public infrastructure and community services that may be adversely affected.

**Applicability- Applicable**

The GKMA infrastructure to be addressed under the Program includes (a) roads and associated auxiliary infrastructure (pedestrian walkways, solar street lighting, beautification/planting of trees, etc.); (b) drainage improvement; (c) solid waste management; and (d) promotion of local economic development (market infrastructure etc.). While the physical work will focus on minor rehabilitation and construction, it may cause minor to moderate physical or economic displacement.

<b>Strength</b>	<b>Weaknesses</b>
<ul style="list-style-type: none"> <li>• The Constitution of Uganda and its Land Act explicitly provides requirement of compulsory land acquisition, and it also provides for an institutional framework unto the Lower Local Government levels. This is well assessed and documented in the GKMA ESSA.</li> </ul>	<ul style="list-style-type: none"> <li>• Despite the provisions in the Constitution and Land Act, implementing rules on compensation are unclear. The country’s legal framework does not provide details to clarify and enforce on the promptness, fairness, and adequacy of the compensation required under the Constitution.</li> </ul>

<ul style="list-style-type: none"> <li>• The institutional responsibility for land acquisition is relatively clear: The municipalities/Districts are at the center of land acquisition for GKMA activities and will be also responsible for drawing the terms of reference for the preparation of the compensation plans including the valuations of the properties following the rates established by districts within which the municipality is located. These are then approved by the Office of the Chief Government Valuer (CGV) which is responsible for compensation issues in terms of clearing resettlement packages for the project affected people.</li> <li>• The resettlement impacts of the GKMA Program will range from being Substantial to moderate depending on the competence of the Social Safeguards staff to handle compensation issues where need be. The physical displacement will generally be minimized, and where applicable it will be handled on case by case basis and the PAPs will be duly compensated.</li> </ul>	<ul style="list-style-type: none"> <li>• The framework does not include compensation for economic displacement, for example, impacts. on livelihood. However, oftentimes these are included in projects financed by donors such as the World Bank. Thus, the awareness of municipalities on livelihood impacts appears to be inconsistent and generally weak.</li> </ul>
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<b>Actions and Opportunities</b>	<b>Risks</b>
<ul style="list-style-type: none"> <li>• The participating municipalities/Districts will have to gradually enhanced their capacity to manage resettlement activities, including addressing economic displacement, planning and documentation of the resettlement activities. The lessons gained and tools (consent form etc.) developed under USMID and UgFIT should be mainstreamed and strengthened in GKMA.</li> <li>• Introduction of The Municipality Development Forum (MDF) together with the Community Development Officer (CDO) to play a key role in facilitating stakeholder engagement between the municipality authorities/Districts and affected communities. The human and financial</li> </ul>	<ul style="list-style-type: none"> <li>• While a number of willing-buyer and willing seller transaction do proceed successfully, there is a potential risk that such negotiations can lead to unequal compensation and this place vulnerable groups in a position where they might be unable to represent themselves fairly. However, such risks are low as the project is being exclusively implemented in urban settings where project-affected persons are generally aware of their rights and they understand their options in compensation.</li> <li>• Such potential risks could also exist for economic displacement of vulnerable groups. To address such risks, the consultation process needs to be more systematically documented and closely monitored.</li> </ul>

<p>resources for this purpose should be strengthened.</p> <ul style="list-style-type: none"> <li>• To ensure the consistency of the Program with Core Principle 4 and to minimize the risk of significant economic and physical displacement, continuous training opportunities should be provided to municipalities and other stakeholders (MDF, etc.).</li> </ul>	
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**LEVEL OF RISK –SUBSTANTIAL (MODERATE)**

**5.1.5. Core Principle 5: Indigenous Peoples and Vulnerable Groups**

Bank Policy for Program-for-Results Financing: Due consideration is given to cultural appropriateness of, and equitable access to, program benefits giving special attention to rights and interests of Indigenous Peoples and to the needs or concerns of vulnerable groups.

Bank Directive for Program-for-Results Financing:

- Undertakes free, prior, and informed consultations if Indigenous Peoples are potentially affected (positively or negatively) to determine whether there is broad community support for the program.
- Ensures that Indigenous Peoples can participate in devising opportunities to benefit from exploitation of customary resources or indigenous knowledge, the latter (indigenous knowledge) to include the consent of the Indigenous Peoples.
- Gives attention to groups vulnerable to hardship or disadvantage, including as relevant the poor, the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, special measures are taken to promote equitable access to program benefits.

***Applicability: - Applicable***

- There are no Indigenous communities (Ethnic Minorities) in the program area identifiable under the World Bank Policy.
- Gender-based violence: While the physical work will focus on minor rehabilitation and construction, some limited number of temporary workers may be brought into the project area. Bank experience shows that such labor influx could have potentially significant impact on the vulnerable groups of the host community, including gender-based violence.
- Potential risk of exclusion of the poor and vulnerable or marginalized individuals or groups: While the physical work under GKMA will improve the community access to public services, the infrastructure needs to take into account the affordability and accessibility for vulnerable or marginalized individuals or groups and the poor to promote equitable access to program benefit.

Strength	Weaknesses
<ul style="list-style-type: none"> <li>Under the Constitution, the country has a number of policies and acts that support the protection and promotion of the rights of vulnerable groups, which include National Gender Policy, National Policy for Older Persons, Equal Opportunities Commission Act, Children Act, and National Council on Disability</li> </ul>	<ul style="list-style-type: none"> <li>The World Bank's recent experience (supported through stakeholder consultations conducted for the ESSA) show that influx of workers could cause a range of social risks and impacts, including social tension with the host community, gender-based violence, and HIV/AIDS and other sexually transmitted infections due to the potential risk from commercial sex.</li> </ul>
<p>Act. The GOU also has the Ministry of Gender, Labor and Social Development for the protection and promotion of rights of the vulnerable groups.</p> <ul style="list-style-type: none"> <li>Following the Bank's recent experience regarding gender-based violence associated with project- induced labor influx, the awareness on this issue is high among central and local government authorities. There are ongoing WB supports to the country to address GBV issues at policy as well as project levels.</li> </ul>	<ul style="list-style-type: none"> <li>While the country has a number of policies and acts that support the protection of vulnerable groups, it is unclear how the legal and institutional framework for the protection of the vulnerable groups are functional on the ground.</li> </ul>
Actions and Opportunities	Risks
<ul style="list-style-type: none"> <li>To address such potential risks, the GKMA proposes various mitigation measures such as preferential use of local workforce, extensive sensitization activities and enhanced contractor/worker management, in line with the World Bank Guidance Note on the Management of Risks associate with project- induced labor influx.</li> <li>It will be critical that pro-poor considerations are made in the process of environmental and social assessment and consideration of mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>The mitigation measures under GKMA are unlikely to fully prevent occurrences of such cases or address existing and local dynamics pertaining to gender-based violence</li> </ul>

**LEVEL OF RISK –(MODERATE)**

**3.1.6. Core Principle 6: Social Conflict**

Bank Policy for Program-for-Results Financing: Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.

Bank Directive for Program-for-Results Financing: Considers conflict risks, including distributional equity and cultural sensitivities.

**Applicability: - Applicable**

While there is little risk that the program will cause major social conflict, some cases of grievance may occur during project implementation that could lead to social tension (such as dispute over resettlement,

community health and safety, or gender issues related to construction work).

Strength	Weaknesses
<ul style="list-style-type: none"> <li>Following the establishment of a complaints handling system in MoLHUD, the MoLHUD Grievance Redress Mechanism at national level has been developed and presented for approval and adoption. A toll-free line and help line with SMS capability, along with a</li> </ul>	<ul style="list-style-type: none"> <li>While a grievance handling system will be established and operationalized in GKMA involvement of their respective Town Clerks and CAOs, the grievance procedures and its functionality will be explored. There is no specific office to handle GKMA sub-project related grievances in the municipalities.</li> </ul>

<p>dedicated e-mail address, have been put in place to facilitate submission of complaints from the public.</p> <ul style="list-style-type: none"> <li>In all GKMA Sub nationals a grievance handling system will be established and operationalized, based on the Framework for Promoting Good Governance and Anti-Corruption in Local Government.</li> </ul>	<ul style="list-style-type: none"> <li>Most of the LGs and MCs consulted during the ESSA showed weakness in grievance redress system.</li> </ul>
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Actions and Opportunities	Risks
<ul style="list-style-type: none"> <li>GKMA shall ensure that communities are duly consulted and involved in all project activities early enough.</li> <li>The GKMA Sub nationals shall ensure that a CDO in place to address project-related grievances with support from MoKMA/PST.</li> <li>GKMA to adopt the USMID model of establishing MDFs which play a big role in the GRMs</li> </ul>	<ul style="list-style-type: none"> <li>Some people might not resort to grievance mechanisms for various socio-cultural reasons. However, this risk is high in an urban setting.</li> <li>There is also a potential risk that Municipal Councils attempt to dis-empower these crucial bodies for political reasons.</li> <li>There is a tendency of forcefully evicting vulnerable people to pave way for program activities.</li> </ul>

#### LEVEL OF RISK –SUBSTANTIAL (MODERATE)

## 6.0 CONCLUSION AND RECOMMENDATIONS

Based on the above assessment and findings, this section outlines recommended actions for improving the social and environmental management systems required for mitigating/minimizing those risks and gaps/challenges, where appropriate during the planning and implementation stages.

### 6.1 Conclusion

The assessment screened the proposed GKMA program investments activities for likely Environmental and Social effects and associated risks; analyzed the country's system as written and the system performance; made comparison with the core principles to determine any gaps and in turn informed the acceptability analysis. As an avoidance measure, the program excludes any high-risk interventions, that is, activities that are judged to be likely to have significant adverse impacts that are sensitive, diverse, or unprecedented on the environment and/or affected people.

The ESSA identified strengths, gaps, opportunities and risks in Uganda's environmental and social management system with respect to effectively addressing the environmental and social risks associated with the Program. Whereas the national system is generally acceptable in terms of having institutions with

well-enough defined mandates and adequate enabling legislation, there is need to strengthen weaknesses in the system performance as highlighted in the preceding paragraphs and documented in previous assessments. The measures that are instituted to enhance the environmental and social management system at the onset of the Program would require continued improvement based on lessons learnt, and further consultations and disclosure. The GKMA will utilize the gains from the USMID AF and UgIFT under World Bank PforR financing which has developed systems required at the municipal level to manage environmental and social impacts to enhance the performance of the Country's systems in managing risks and impacts of the Program.



## **6.2 Recommended measures for strengthening the identified gaps.**

The recommended remedial measures to strengthen systems performance in GKMA urban program when implemented will specifically:

- Promote climate resilient and low carbon emissions development in GKMA urban program
- Contribute to reducing the current environmental and social challenges e.g., degradation of ecosystems, air pollution, water pollution, flooding, disaster risk management etc.
- Manage environmental and social risks/impacts for GKMA investments activities for enhanced E&S sustainability
- Enhance capacity for climate and disaster risk management
- Strengthen the monitoring and enforcement capacity for improved compliance
- Strengthen the GRM mechanisms for both contractor workers and communities/citizens with provisions for confidentiality, for vulnerable or marginalized individuals or groups, and conduct inclusive public consultations and stakeholder engagements.

**These measures can be grouped into the following areas:**

### **6.2.1 Strengthening program designs under the resilience and environment pillar.**

1. In terms of strengthening Program design elements under Resilience and Environment pillar II, this report recommended adding to investment menu, nature based solutions for disaster and climate resilience/green infrastructural development; investments in green parks/belts and planting trees along roadside have been included. The three major steps for climate change and disaster management are as follows: 1.Prevention -\_ The climate and disaster risk management approach through prevention by analysing impacts for disaster risk management being integrated into the action plan

2. Early Warning systems- it is important to monitor the risks and establish early warning systems, as well as to have preparedness action plans in place so that when needed, adequate support is available to ensure the shocks are handled

3. Response- The response to the impacts of an extreme weather event is predominantly focused on immediate actions just before, during or immediately after a disaster, to save lives and meet short-term needs. Effective and efficient response activities rely on disaster risk-informed preparedness strategies and actions defined in contingency plans.

The ESSA team also notes that some of the would be impactful green infrastructural investments such as restoration of degraded wetlands, riverbanks, Lakeshores, waste recycling and disposal are considered high risk hence not suitable for PforR financing.

### **6.2.2 Technical studies that strengthen environment and social sustainability.**

To inform effective E&S risks management of investment activities at sub national entities, the ESSA recommends carrying out strategic regional studies such Regional ESIA which would examine environmental and social risks and impacts of GKMA urban program with particular attention to cumulative impacts and risks of multiple investment activities in the region and provide broad measures to strengthen E&S management in GKMA region.

### **6.2.3 Strengthening E&S indicators in the DLIs**

The main objectives the Disbursement-linked Indicators (DLI) is to provide incentives to the GKMA sub nationals to undertake key Program functions on a timely basis and to ensure that they receive the support they need to effectively perform their statutory obligations for Program implementation. Thus, to further strengthen environment sustainability in the Program, the ESSA

recommended that E&S indicators are inbuilt into some of the Disbursement linked indicators, the assessment tool and the verification protocol in table 9 below:

*Table 9: Verification Protocols with Environment and Social considerations*

DLIs	Proposed E&S measures for incorporation
<p><b>DLI 1:</b> The number of GKMA sub-national entities that have prepared an ISG plan that includes <u>urban</u> resilience and climate change/disaster risk management</p>	<p>E&amp;S aspects to be embedded in sub-nationals Institutional Strengthening Plan and detailed in the program operational manual (POM). These may include but not limited to:</p> <ul style="list-style-type: none"> <li>✓ Air Quality monitoring equipment and associated software Other Environmental and Social monitoring and management equipment &amp; tools in place (noise, GPS, cameras, water quality monitoring, computers, printers, tablets, software for data analysis etc.)</li> <li>✓ Short term training e.g. climate change training, Health and Safety (H&amp;S), Environmental and Social assessments, E&amp;S Audits, Labour Management, GRM, Gender mainstreaming, GBV/SEA/SH, social exclusion, Inclusive Stakeholders Engagement, Public Consultation and physical and economic displacement, Climate and disaster risk management etc.</li> <li>✓ Capacity building and technical assistance for enhanced E&amp;S risk management (costing ESMP, E&amp;S in B.O.Q, ESHS in procurement, Social Assessment and RAP preparation), development of bylaws and ordinances</li> </ul>
<p><b>DLI 2:</b> GKMA sub-national entities that have substantively filled key staff positions and demonstrated basic capacities in fiduciary, safeguards, and climate change/disaster risk management-</p>	<p>Provide for substantive appointment of E&amp;S staff at sub-national entities as minimum condition for accessing the development grant. These positions are (i) Natural Resource Management Officer (ii) Environment Officer (iii) Labor Officer and (iv) Community Development Officer</p>
<p><b>DLI 3:</b> GKMA sub-national entities with strengthened institutional performance for service delivery, including climate resilience project designs-</p>	<p>DLI-3 will incorporate most of the E&amp;S performance strengthening measures including requiring sub national entities to:</p> <ol style="list-style-type: none"> <li>a) Carry out Environment, Social Risk Impact Assessment, climate and disaster risk screening of all sub-project investments prior to commencement of sub-project activities.</li> <li>b) Establish a functional district and urban structures for Environment management (District/Urban environment and natural resources committee). The committee will among others:</li> <li>c) ensure preparation of environment action plan.</li> <li>d) approve environment and climate change interventions or ensure that environmental and climate change concerns are integrated in all plans and projects approved by the urban or district council.</li> <li>e) ensure preparation of district/urban state of environment report for previous FY</li> </ol>

	<ul style="list-style-type: none"> <li>f) monitor and enforce activities to promote compliance to laws, by-laws, ordinances.</li> <li>g) disseminate information on environment and climate change.</li> <li>h) Obtain NEMA ESIA certificate and other permits/ licenses.</li> <li>i) Have considered environment, social and climate risks/impacts in designs, BOQs and procurement documents.</li> <li>j) Availability of E&amp;S quarterly and annual E&amp;S performance reports including: Action plans implemented, E&amp;S compliance performance of investment projects, any specific E&amp;S challenges/lessons learnt, recommended measures to address identified challenges, adherence to work plan and budgets etc.</li> <li>k) Evidence for Implementation monitoring and enforcement for compliance to E&amp;S contract provisions, by-laws/ordinance, C-ESMP, ESIA conditions of approval, RAP/Livelihood Improvement Completion, E&amp;S guidelines and implementation of notice to correct amongst others.</li> <li>l) Prepare socio-economic impacts assessment reports on the surrounding communities and mitigation measures carried out accordingly prior to the commencement of the works, reports should be shared with the Bank and regularly reviewed,</li> <li>m) Evidence of land acquisition by preparation of RAP reports or provision of consent letters of negotiations or compensation payments, and land agreements in case of voluntary land donation. Shared with the Bank.</li> <li>n) Evidence of a robust GRM system with provisions for confidentiality for the contractor, workers and communities established,</li> <li>o) Keep record of Continuous stakeholder engagement and feedback provided,</li> <li>p) Ensure adherence to COVID SOP's at all work places,</li> <li>q) Ensure that all workers have Signed of the Code of Conduct and keep record,</li> <li>r) Conduct training of all workers/surrounding communities in GBV/SEA/SH/VAC, GRM &amp; stakeholder engagement,</li> <li>s) Conduct training of all workers/surrounding communities in HIV/AIDS prevention,</li> <li>t) Engage local workforce based on the qualification needs, promote nondiscrimination, and keep record,</li> <li>u) Record of GBV services and referral pathways mapped,</li> <li>v) Functional GBV sensitive GRM in line with the World Bank Guidance Note on the Management of Risks associated with project- induced labor influx followed.</li> </ul>
<p><b>DLI 7:</b> Operation and Maintenance (O&amp;M) of Infrastructure Projects</p>	<p>Incorporate Environment and social sustainability indicators in operation and maintenance of completed infrastructures projects. Specific corrective actions will be identified through annual compliance environment audit and annual climate and disaster risk expenditure reviews. Some of the E&amp;S measures to be embedded in</p>

	<p>O&amp;M may include survival of trees planted, maintenance of restored sites, waste management practices at completed infrastructural projects, maintenance of waste disposal facilities, desilting of drainage, solar streetlight replacements, hygiene, and sanitation at completed subprojects among others.</p>
<p>DLI 8: GKMA sub-national entities with strengthened capacity on climate change mitigation and adaptation</p>	<p>This is dedicated DLI for climate change.</p>
<p><b>DLI 9:</b> MoKCCMA with strengthened institutional performance for metropolitan coordination and management</p>	<p>To provide incentives for the achievement of the necessary results related to improved policy, legal or institutional framework for metropolitan coordination, management and improved service delivery; national stakeholders to undertake key Program functions on a timely basis and to ensure that KCCA and metro LGs receive the support they need to effectively perform their statutory obligations for Program implementation.</p> <p>The central institutions responsible for management of Environment and Social aspects are part of the IMC, the activities recommended in the program action plan will be incorporated into the annual workplan of MoKCCMA.</p>

#### **6.2.4 Program action plan**

The analysis has identified the following key areas for action to ensure that the Program interventions continue to be aligned with the Core Principles of Bank Policy for Program-for-Results Financing. The action plan includes activities to be completed prior to program effectiveness and others in the course of program implementation. These action plans for the Program are grouped into three areas.

- i. actions to strengthen the environmental and social management systems.
- ii. actions to strengthen the implementation and monitoring of the environmental and social management of sub-projects; and
- iii. actions to build the capacity of relevant sub entities staff involved in the Program to enhance environmental and social management performance.

**MoKCC&MA;** besides completion of technical studies highlighted in 6.2. 2 above the coordinating Ministry of Kampala Capital City and Metropolitan Affairs will: -

- Recruit Social Development Specialist and Environment and Natural Resource Specialist for program support implementation.
- Develop environment health and safety policy(ies) and procedures as part of its Environment, health and safety management system.
- Coordinate joint monitoring of E&S aspects in GKMA and
- Coordinate development and implementation of E&S capacity building plan for the sub nationals in specific identifies areas of concern.

The other aspects for consideration in the program action plan shall include Technical Assistance to MoGLSD and MWE/NEMA to: -

- Strengthen environmental and social risks management, grievances redress mechanism, social inclusion, health and safety aspects of the program,
- Fast track review and decision process on ESIA/PBs for sub-project investments,
- Strengthen monitoring, enforcement, enforcement audits,
- Update and review of EIA Environmental Guidelines , 1997,Environmental Audits, 1999,National Environmental(Wetlands; River Bank and Lake Shores Management)Regulations, 2000,
- Provide technical support in setting up appropriate air quality monitoring networks in GKMA region,
- Develop capacity building plan and provide technical assistance to the sub-national in E&S risk management (costing ESMP, E&S in B.O.Q, Social Assessment & RAP preparation ESHS in procurement) and development of bylaws and ordinance,
- Collaborate with Occupational Safety and Health (OSH) department of the MoLGSD and to provide targeted capacity building to Senior Management of the District Environmental Committees, and implementing departments on national OSH requirements,
- Develop Program Operation Manual (POM) incorporating environmental and social management procedures before launching of the Program,
- Develop a stand alone Environment and Social Risk Management Manual
- Collaborate with NEMA to provide targeted capacity building to Senior Management of the Sub entities, District Environmental Committees, and implementing departments on national environmental requirements,
- Establish coordination mechanisms with other institutions/entities/departments including the directorates of Occupation, Health, and Safety, labour, gender, social development etc,

- Develop procedures for assessing the performance of the program on environment and social management that relies on environment and social performance protocol, this will be outlined on the environment and social risk management manual.

In the case of the sub nationals, most of the action areas for strengthening the gaps in E&S have been recommended for integration in the DLIs as detailed in Table 9 above. Key among them is staffing as a minimal condition, developing E&S Institutional strengthening plan (ISP) to be integrated in the overall ISP, integrating E&S in planning, design and procurement stages for the subprojects and the enhancing monitoring and enforcement capacity.

The summary Table 10 below indicates the actions to be included in the Program Action Plan (PAP) with indicative timeline, responsibility for implementation and indicators for measuring the completion of such actions. These actions may be further refined and adjusted during the consultation process and the implementation of the Program, as required.

Table 10: Program Environment and Social Action and Implementation Plan

Action Description	DLIs	Responsibility	Timing Frame	Completion measurement
1. Recruitment of Social Development Specialist and Environment and Natural Resource Specialist for program support implementation and sub national E and S staff	DLI 9 DLI 2	MoKCCMA GKMA sub nationals	Before program effectiveness	Evidence of Staff recruited
2. Conduct strategic studies to strengthen E&S sustainability and guide sub nationals	DLI 9	MoKCCMA	Before commencement of program implementation activities (Year 1)	(i) Regional ESIA report/SESA (ii) Social Risk Assessment
3. Implementation of strategic studies – integrate and/or align subsequent ESIA's, designs for subproject investments to the findings of the studies.	DLI3	GKMA sub nationals	Year 2-5 ( during program implementation)	ESHS integrated in designs, ESIA report for subproject investments activities.
4. Develop Environment, Health and Safety policy and procedures as part of Environment and Social management system for GMKA	DLI 9	MoKCCMA NEMA, MoGLSD	By end of Year 1	Documented E&S systems and procedure developed
5. Address environment, climate change and social risks / impacts during planning, design of sub project investments	DLI 3, DLI 8,9	GKMA sub nationals, NEMA, MoGLSD	Continuous (Prior to contracting/ bidding)	ESIA reports & other social risk mitigation report& NEMA certificate & other permits; ESHS integrated in designs, B.O.Q, tender and contract documents reports (monthly, quarterly) approved by NEMA, MoGLSD certifications with assistance from the GKMA program

6. Develop E&S Institutional strengthening plan based on needs assessment for sub national entities	DLI1	GKMA sub nationals	Year 1 and recurrent	E&S Institutional Strengthening Plan
7. Technical support to fast track ESIA reviews, baseline verification, decision making and compliance monitoring	DLI 3 & DLI 9	NEMA, MGLSD	Year 1 and recurrent	Enhanced and Automated ESIA review and approval/ rejection system in place. timely decision making on ESIA/PB submitted to NEMA (NEMA certificates) Compliance monitoring reports Labour/GBV/SEA/SH/VAC reports & Vulnerable Plans reviews
8. Updating of ESIA guidelines 1997, Review and update of the national environment (wetlands, riverbanks and lakeshores) management regulations	DLI 9	NEMA, UNBS	Year 1 & Year 2	Approved and gazetted Guidelines, Standards and Regulations
9. Technical support in setting up appropriate air quality monitoring networks in GKMA	DLI 9	NEMA, UNBS	Year 1 and recurrent	Air quality monitoring network in place Air quality reports
10. Capacity building and technical Assistance to sub national entities for strengthening E&S including conducting Compliance monitoring and enforcement and sensitization on risks associated with influx of labour	DLI 9	MoKCCMA MWE, NEMA, MoGLSD, PPDA	Year 1 and recurrent	Develop capacity building plan for strengthening E&S in planning, design and procurement Implementation report of capacity building plan Training and gazettelement of Inspectors Joint quarterly monitoring reports Training in GRM and stakeholder engagement



11. Assess Environment and climate change aspects during O&M of completed infrastructures	DLI 8,9	MoKCCMA, MWE and NEMA	Year 2 and Annually	Compliance Audit reports Climate risk assessment screening Evidence of climate resilience(number of trees planted Report on implementation of corrective action plan Report on climate expenditure reviews
12. Upgrade of existing streets (strategic urban roads) existing roads and associated infrastructure etc, may in one way or another overlap beyond ROW	DLI 3	GKMA Sub-nationals	Year 1 and recurrent	(i) Reports of socio-economic impacts assessment on the surrounding communities and mitigation measures carried out accordingly prior to the

<p>causing risks/impacts associated with land acquisition, physical or economic displacement.</p>				<p>commencement of the works, reports should be shared with the Bank and regularly reviewed,  Evidence of early and regular engagements with all stakeholders,  Evidence in terms of agreements, consent letters MoU including community witnessing evidence, etc for acceptance of space occupation,  Resettlement Action Plans reports implemented where need be and reports shared with Bank,  (V) Record of number of people temporally relocated during construction.</p>
<p>13. Management of labour including influx of contracted workers</p>	<p>DLI 3</p>	<p>GKMA Sub-nationals</p>	<p>Year 1 and recurrent</p>	<p>Record of local workforce based on the qualification needs used,  Evidence of a robust GRM system for the contractor, workers and communities established,  Record of Continuous stakeholder engagement and feedback provided,  Record of COVID adherence and SOP's in place,  Environment and Social Risk Management Committees as per the law established,  Record of Signed of the Code of Conduct by all workers,  Evidence of GBV/SEA/SH/VAC training.  Evidence of training on inclusion and nondiscrimination as part of recruitment and labor management of contractors and sub-contractors</p>

14. Gender Based Violence and Mechanisms to support survivors	DLI 3	GKMA Sub-nationals	Year 1and Recurrent	Record of use of local workforce in place, Record of extensive community sensitization activities and enhanced contractor/worker management carried out, Record of codes of conduct signed by project workers,
				Record of GBV services and referral pathways mapped, Functional GBV sensitive GRM in line with the World Bank Guidance Note on the Management of Risks associated with project- induced labor influx followed.
15. Guidelines for unified system of grievance redress and community/stakeholder engagement planning in all the Sub Nationals issued.	DLI 3; DLI 2	MoKCCMA, MoGLSD, NEMA and GKMA sub nationals	1-5 years Continuous throughout the project	Functional Grievance Redress Committees in place and communities aware of the GRM mechanisms and procedures after developing the stakeholders engagement A complaints log with clear information and reference for onward action (a clear complaints referral path); in addition, all contractors will be required to have a workers' complaints mechanism at the Site established Stakeholder Engagement Plan prepared and implemented by Sub nationals. Plans to prevent GBV/SEA/SH, social exclusion prepared and implemented.

### **6.2.5. Grievance Redress Mechanism**

Communities and individuals who believe that they are adversely affected as a result of a Bank supported PforR operation, as defined by the applicable policy and procedures, may submit complaints to the existing program grievance redress mechanism or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address pertinent concerns. Affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit <http://www.inspectionpanel.org>.

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## ANNEXES

### Annex 1: PforR six core principles for ESSA

<b>Core Principle 1: General Principle of Environmental and Social Management</b>
<b>Bank Policy for Program-for-Results Financing:</b> Environmental and social management procedures and processes are designed to (a) promote environmental and social sustainability in Program design; (b) avoid, minimize, or mitigate adverse impacts; and (c) promote informed decision-making relating to a program's environmental and social effects.
<b>Bank Directive: Program-for-Results Financing (BP 9.00):</b> Program procedures will: <ul style="list-style-type: none"><li>• Operate within an adequate legal and regulatory framework to guide environmental and social impact assessments at the program level.</li><li>• Incorporate recognized elements of environmental and social assessment good practice, including (a) early screening of potential effects; (b) consideration of strategic, technical, and site alternatives (including the "no action" alternative); (c) explicit assessment of potential induced, cumulative, and trans-boundary impacts; (d) identification of measures to mitigate adverse environmental or social impacts that cannot be otherwise avoided or minimized; (e) clear articulation of institutional responsibilities and resources to support implementation of plans; and (f) responsiveness and accountability through stakeholder consultation, timely dissemination of program information, and responsive grievance redress measure</li></ul>
<b>Core Principle 2: Natural Habitats and Physical Cultural Resources</b>
<b>Bank Policy for Program-for-Results Financing:</b> Environmental and social management procedures and processes are designed to avoid, minimize and mitigate against adverse effects on natural habitats and physical cultural resources resulting from program.
<b>Bank Directive: Program-for-Results Financing:</b> As relevant, the program to be supported: <ul style="list-style-type: none"><li>• Includes appropriate measures for early identification and screening of potentially important biodiversity and cultural resource areas.</li><li>• Supports and promotes the conservation, maintenance, and rehabilitation of natural habitat avoids the significant conversion or degradation of critical natural habitats, and if avoiding significant conversion of natural habitats is not technically feasible, includes measures mitigate or offset impacts or program activities.</li><li>• Takes into account potential adverse effects on physical cultural property and, as warranted, provides adequate measures to avoid, minimize, or mitigate such effects.</li></ul>
<b>Core Principle 3: Public and Worker Safety</b>
<b>Bank Policy for Program-for-Results Financing:</b> Environmental and social management procedures and processes are designed to protect public and worker safety against the potential risks associated with construction and/or operations of facilities or other operational practices developed or promoted under the program; (b) exposure to toxic chemicals, hazardous wastes, and otherwise dangerous materials; and (c) reconstruction or rehabilitation of infrastructure located in areas prone to natural hazards.
<b>Bank Directive: Program-for-Results Financing:</b> <ul style="list-style-type: none"><li>• promote adequate community, individual, and worker health, safety, and security, through safe design, construction, operation, and maintenance of Program activities; or, in carrying activities that may be dependent on existing infrastructure, incorporate safety measures inspections, or remedial works as appropriate; promote measures to address child and for labor.</li><li>• Promotes use of recognized good practice in the production, management, storage, transport and disposal of hazardous materials generated through program construction or operation and promotes use of integrated pest management practices to manage or reduce pests</li></ul>

<p>disease vectors; and provides training for workers involved in the production, procurement, storage, transport, use, and disposal of hazardous chemicals in accordance with international guidelines and conventions.</p> <ul style="list-style-type: none"> <li>Includes measures to avoid, minimize, or mitigate community, individual, and worker risks when program activities are located within areas prone to natural hazards such as floods, hurricanes, earthquakes, or other severe weather or climate events.</li> </ul>	t, nal ks ds,
<p><b>Core Principle 4: Land Acquisition</b></p>	
<p><b>Bank Policy for Program-for-Results Financing:</b> Land acquisition and loss of access to natural resources are managed in a way that avoids or minimizes displacement, and affected people are assisted in improving or at least restoring, their livelihoods and living standards.</p>	
<p><b>Bank Directive: Program-for-Results Financing:</b> As relevant, the program to be supported:</p> <ul style="list-style-type: none"> <li>Avoids or minimizes land acquisition and related adverse impacts;</li> <li>Identifies and addresses economic and social impacts caused by land acquisition or loss of access to natural resources, including those affecting people who may lack full legal rights to assets or resources they use or occupy;</li> <li>Provides compensation sufficient to purchase replacement assets of equivalent value and to meet any necessary transitional expenses, paid prior to taking of land or restricting access;</li> <li>Provides supplemental livelihood improvement or restoration measures if taking of land causes loss of income-generating opportunity (e.g., loss of crop production or employment); and</li> <li>Restores or replaces public infrastructure and community services that may be adversely affected;</li> <li>And includes measures in order for land acquisition and related activities to be planned and implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;</li> </ul>	
<p><b>Core Principle 5: Indigenous Peoples and Vulnerable Groups</b></p>	
<p><b>Bank Policy for Program-for-Results Financing:</b> Due consideration is given to cultural appropriateness of and equitable access to, program benefits giving special attention to rights and interests of Indigenous Peoples and to the needs or concerns of vulnerable groups.</p>	
<p><b>Bank Directive: Program-for-Results Financing:</b></p> <ul style="list-style-type: none"> <li>Undertakes free, prior, and informed consultations if Indigenous Peoples are potentially affected (positively or negatively) to determine whether there is broad community support for program.</li> <li>Ensures that Indigenous Peoples can participate in devising opportunities to benefit from exploitation of customary resources or indigenous knowledge, the latter (indigenous knowledge) to include the consent of the Indigenous Peoples.</li> <li>Gives attention to groups vulnerable to hardship or disadvantage, including as relevant the poor, the disabled, women and children, the elderly, or marginalized ethnic groups. If necessary, special measures are taken to promote equitable access to program benefits.</li> </ul>	
<p><b>Core Principle 6: Social Conflict</b></p>	
<p><b>Bank Policy for Program-for-Results Financing:</b> Avoid exacerbating social conflict, especially in fragile states, post-conflict areas, or areas subject to territorial disputes.</p>	
<p><b>Bank Directive: Program-for-Results Financing:</b> Considers conflict risks, including distributional equity and cultural sensitivities.</p>	

## Annex 2: The Government program and the PforR Program boundary

Strategic Objectives	GoU Major Programs	GoU Flagship investments menu	PforR Program boundary
1. Competitive Economic Infrastructure	1.1 Strategic Roads Program	<ul style="list-style-type: none"> <li>• Upgrade existing roads</li> <li>• Street's improvements</li> <li>• Strategic new roads investment</li> </ul>	<ul style="list-style-type: none"> <li>• Upgrading existing roads</li> <li>• Street's improvements</li> <li>• Signalization (traffic lights)</li> </ul>
	1.2 Public Transportation Program	<ul style="list-style-type: none"> <li>• Pilot BRT key corridors</li> <li>• Light rail network</li> <li>• Non-motorized transport (NMT) pilot</li> <li>• Water transport</li> </ul>	<ul style="list-style-type: none"> <li>• NMT pilot</li> </ul>
	1.3 Affordable Housing and Land Management Program	<ul style="list-style-type: none"> <li>• High density affordable housing pilot</li> <li>• Land zoning and land banking</li> <li>• Integrated transport/land use planning</li> <li>• Slum upgrading</li> <li>• Sites and services</li> </ul>	<ul style="list-style-type: none"> <li>• Upgrade of existing key access roads within slums.</li> <li>• Paving of pedestrian walkways within slum settlements.</li> </ul>
2. Conserve and protect environmental assets	2.1 Comprehensive Solid Waste Management Program	<ul style="list-style-type: none"> <li>• Modern waste management facilities with transfer stations</li> <li>• Community sensitization campaigns</li> <li>• SWM strategies - Waste segregation/sorting and characterization</li> </ul>	<ul style="list-style-type: none"> <li>• Preparation of SWM strategies to better understand the constraints within the solid waste chain</li> <li>• Promoting Waste segregation/sorting and characterization to promote recycling and reduce waste.</li> <li>• Community sensitization campaigns</li> </ul>
	2.2 Lakes, Wetlands, Waterways Conservation Program	<ul style="list-style-type: none"> <li>• Lake Victoria and wetland environmental conservation</li> <li>• Demarcation and buffering of lake shores and wetlands with trees</li> </ul>	<ul style="list-style-type: none"> <li>• Planting of trees along lake shores and wetlands.</li> </ul>
3. Business support to the informal sector, the youth and economic growth clusters	3.1 Micro-enterprise workspace program	<ul style="list-style-type: none"> <li>• Development of Artisan parks</li> <li>• and markets for street vendors</li> </ul>	<ul style="list-style-type: none"> <li>• Development of Artisan parks</li> <li>• Work spaces and markets for street vendors</li> </ul>
	3.2 Business engagement and youth entrepreneurship development program	<ul style="list-style-type: none"> <li>• Business engagement centers</li> <li>• Business incubation and job centers for youth</li> </ul>	<ul style="list-style-type: none"> <li>• Business engagement centers</li> <li>• Business incubation and job centers for youth</li> </ul>
	3.3 Cluster Competitiveness Program	<ul style="list-style-type: none"> <li>• Strengthening existing clusters and attracting further enterprise investment</li> </ul>	<ul style="list-style-type: none"> <li>• NA</li> </ul>
4. A unique center for	4.1 Tourism development Program	<ul style="list-style-type: none"> <li>• Kampala tourism circuit</li> <li>• Meetings Incentives Conferences and Events (MICE) Tourism</li> </ul>	<ul style="list-style-type: none"> <li>• Development of international tourist signage system</li> <li>• Kampala tourism circuit</li> </ul>

tourism		<ul style="list-style-type: none"> <li>• Cultural and Religious Tourism</li> <li>• Lake and Eco-tourism</li> </ul>	<ul style="list-style-type: none"> <li>• Meetings Incentives</li> <li>• Conferences and Events (MICE)</li> <li>• Tourism</li> </ul>
5. Effective city and local government service delivery	5.2 Sub national Government Skills and Efficiency Program	<ul style="list-style-type: none"> <li>• E-governance roll-out, including ICT infrastructure and training</li> <li>• Capacity-building for local government officials</li> </ul>	<ul style="list-style-type: none"> <li>• E-governance roll-out</li> <li>• Retooling and skills development</li> <li>• Systems development for metropolitan management</li> </ul>



### Annex 3. STAKEHOLDERS CONSULTATED

No.	NAME	ENTITY	TITLE	TEL. NUMBER
1.	John Baptist Lusala	MFPEd	Environmental Specialist UgifT Program	0757933080
2	Sam Okia	MFPEd	Technical Support Officer	0777912775
3	Pamela Batenga	MFPEd	Social Development Specialist	0772696947
4	Mrs Monica Ejua Edamachu	MoKMA	Under Secretary	
5	Zaribwegirire Julius	MoKMA	Senior Asst. Sec/PA-Minister	0782766274
6	Tibiwa Rosemary	MoWT	Commissioner	
7	Ekimu Gerald	MoWT	Transport Economist	
8	Mr David Mugisa Atwooki	MoLGSD	Commissioner - Occupation, Health and Safety	mugisad@gmail.com
9	M/s Khayonga Barbra Clara	MoLGSD	Principal occupation, Health and Safety Officer	hayingaclara@gmail.com
10	Padde Joseph	MoLHUD	Commissioner Urban Development	0776608758
11	Mayanja Gonzaga	OPM	Commissioner Assessments for Local Governments	0772484330
12	Mr Waiswa Arnold Ayazika	NEMA	Director, Environmental Monitoring and Compliance	Waiswa.ayazika@nema.go.ug aawaiswa@yahoo.com
13.	Ms Nseroko Patience	NEMA	Principal environmental Manager	0772656218
14.	Ms Magaret Aayua	NEMA	ESIA Manager	0771422125
15	Ms.Doreen Kamukaka	NEMA	Principal Economist	
16	Tumusime Frank	KCCA		
17	Masereka Edison	KCCA		
18	Tumwebaze Charles	KCCA		
19	Byamukama Jacob	KCCA	Eng. Traffic	0788953491
20	Atwine Moses	KCCA	Director Physical Planning	0794660940
21	Kayondo Kyandodo David	KCCA	Senior Social Development Specialist	0772410806
22	Kuruhiira Godfrey	Wakiso District	Chief Administrative Officer	0772454754
23	Mr. James B. Nkata	Mukono District	CAO	0772427209

24	Belinda Doreen		Senior Community Development Officer	0776847004
25	Ntenge Kenneth	Mukono District	Commercial Officer	0756813366
26	Mutalya Joseph	Mukono District		
27	Mr. Godfrey Bwebukya Kisekka	Mukono Municipal Council	Town Clerk	0701432046
28	Namukose Minisa Kirya	Mukono Municipal Council	Senior Community Development Officer	0782150230
29	Benon Iga	Kira Municipal Council	Town Clerk	0773282574
30	Nabiwemba Diane	Kira Municipal Council	Community Development Officer	0752420346
31	Namaweje Winnie	Kira Municipal Council	Environment Officer	0787800705
32	Ssempala Alaphat	Makindye Ssabagabo Municipal Council	Environment Officer	<a href="mailto:ssempalaalaphat2017@gmail.com">ssempalaalaphat2017@gmail.com</a> 0705474169
33	Kivumbi Alex	Makindye Ssabagabo Municipal Council	Principal CDO	akivumbi@yahoo.com / akivumb@gmail.com
34	Nakitende	Makindye sabagabo Municipal Council	Labor Officer	0772184788
35	Lukyamuzi	Makindye Ssabagabo Municipal Council	Physical Planner	0782395800
36	Biyinzika Agatha	Makindye Ssabagabo Municipal Council	Senior CDO	agathabiyinzika77@gmail.com
37	Byabagambi Francis	Nansana Municipal Council	Town Clerk	0785958821
38	Stella Nalumansi Maiso	Nansana Municipal Council	Environment Officer	stenamrs@gmail.com
39	NDAGIRE LILIAN	Nansana Municipal Council	Community Development Officer	lilianndagire@hotmail.com
40	Kazibwe	Kira Municipal Council	Economic Planner	kazibwerog79@gmail.com
41	Oloba James	Kira Municipal Council	Municipal Engineer	jamesjoloba@yahoo.co.uk

## ESSA Stakeholders Consultations Held on 11/25/2021

No.	Name	Designation	Contact
1.	Edemachu Monica Ejua	Under Secretary MoKCCMA	monicaejua@gmail.com
2.	Nabiwande Nuluyati	Principal Labor Officer/ Productivity, Mglsd	
3.	Ndagire Jessica	DCAO Mukono	
4.	Hannibal Wandibba	F&A Officer, Green Jobs Program-MGLSD	
5.	Sitenda N. MAGULU	Physical Planner, Mpigi District Local Gov't	
6.	Nelson Rwenaga	Asst. Commissioner-Air & Road Transport Services, Ministry of Works and Transport	
7.	Agwaimo Enock		
8.	David Luyimbazi	Deputy Executive Director	
9.	Immaculate Natukunda		
10.	Justine Arinaitwe		
11.	Godfrey Kuruhira	CAO Wakiso	
12.	Bosco Madasi		
13.	Moses Kanyanetokye		
14.	Edward Mukiibi		
15.	Joseph Innocent Mutalya		
16.	Kenneth Ntege		
17.	Samuel	Planner Nansana	
18.	Alaphat Ssempala		
19.	Benon Yiga		
20.	Stella Nalumasi		
21.	David Karuma		
22.	Bruce K		
23.	Deo		
24.	Charles		
25.	Alfred		
26.	Philemon		

**Additional Consultations:** 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. The consultations included meetings with government of Uganda representatives, other Development Partners and NGOs/CSOs. The updated instruments will be redisclosed and will be widely disseminated. Further consultations will take place at the community level during as part of the World Bank enhanced implementation support and monitoring.

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 the project included:

- The possibility for exclusion from employment opportunities and project benefits.
- Risks of exclusion and harassment of vulnerable or marginalized individuals or groups, including refugees in project sites (AHA specifies refugees as vulnerable groups which elevates the penalty to death on conviction).
- A summary of these additional consultations is posted on the Uganda Consultations on Non-discrimination and Inclusion Website:

<https://www.worldbank.org/en/country/uganda/brief/consultations>

**List of Attendants during the ESSA Report Validation Workshop Held Virtually on April 1, 2022**

<b>No.</b>	<b>Name</b>	<b>Organization/Designation</b>	<b>Contact</b>
1.	Edemachu Monica Ejua	Under Secretary MoKCCMA	monicaejua@gmail.com
2.	Nabiwande Nuluyati	Principal Labor Officer/ Productivity, Mglsd	
3.	Allan Sentamu		
4.	Andama Alfred		
5.	Bruce K		
6.	Charles Magumba		
7.	Evelyn		
8.	Godwin Kamoga		
9.	Sha - NEMA		
10.	John Akatoli		
11.	Justine Arinaitwe		
12.	Monique Akullo	NEMA	
13.	Pade Walter		
14.	Samuel Mwesigwa		
15.	Municipal Engineer Nansana		
16.	Nayiga Frances		
17.	James Joloba		
18.	Acekit Philemon		
19.	Daniel K		
20.	Enos		
21.	Kikulwe Job		
22.	Alexas N		
23.	Byabagambi Francis		
24.	Diana K		
25.	Agwaino Enock		
26.	John Okatch		
27.	Rebecca Ssabaganzi	DNRO Wakiso	
28.	Harriet Nampera		
29.	Edama Charles		
30.	Stephen Ajalu	World Bank	
31.	Abdoul-Wahab Seini	World Bank	
32.	Hanifah Nalubega	World Bank	
33.	Dr. Charles Koojo	World Bank	
34.	Elizabeth Aisu	World Bank	

**Annex 4. Tools for Consultation and Data Collection**

Annex 1: Tools for Consultations/Data Collection

Questionnaire 1 – (Draft) QUESTIONNAIRE USED FOR CONSULTATION GKMA  
(Subject to modification upon receipt of investment menu and tailored questionnaire for selected MDAs)  
Environmental and Social Systems Assessment (ESSA) –Assessment Tool

GKMA/ Entity \_\_\_\_\_ Date \_\_\_\_\_

Core Principle 1: General Principle of Environmental and Social Impact Assessment and Management

Core Principle 2: Environmental Considerations – Natural Habitats and Physical Cultural Resources

Environmental and social management procedures and processes are designed to avoid, minimize and mitigate adverse effects on natural habitats and physical cultural resources as well as communities/humans resulting from the program.

1. Is the GKMA or (the local governments/ urban municipalities) having established posts for the environmental and Social Safeguards?  
.....

2. Are there Environment and Social Safeguards personnel/staff?  
.....

3. Does the GKMA or (the local governments/ urban municipalities) have adequate skilled staff/personnel for ESS management? What are the numbers, qualifications and competency levels?

(a) Environment  
.....

(b) Social  
.....

4. Does the GKMA (local governments/ urban municipalities) have different Environment and Social Management systems/framework or use the Government Systems/frameworks for screening and mitigating effects from project activities e.g. NEMA.  
.....

5. Does GKMA or the local governments/ urban municipalities have a standalone Environment and Social Policy document?  
.....

6. How does GKMA or (the local governments/ urban municipalities) coordinate with other agencies in environmental and social system management on their projects with other MDA's and stakeholders?  
.....

7. Is the GKMA or (the local governments/ urban municipalities) department in charge of the compliance and enforcement of E&S or the responsibility lies with other agencies? What areas of enforcement are under the GKMA /Entity?  
.....

8. Does the GKMA or (local governments/ urban municipalities) structure promote credibility and accountability of environmental and social management, through independent review of project plans, external monitoring of implementation, or other forms of oversight by other agencies such as NEMA?  
.....

9. Does the GKMA or (local governments/ urban municipalities) system Screen the environmental and social implications of all proposed Projects activities prior to their implementation? Are there any screening reports, or ESIA/ESMP done for the GKMA (local governments/ urban municipalities) projects? Any licenses from NEMA and other Agencies?  
.....

10. How has/is the GKMA (local governments/ urban municipalities) managed/managing ESS in its closed/current projects? Who has been/is responsible for it?  
.....

11. What have been/are the key challenges facing the management of E&S issues in the GKMA (local governments/ urban municipalities)  
.....

12. What citizen engagement and participation mechanisms are in place at GKMA (local governments/ urban municipalities) and how effective are they?  
.....

13. Key index for indicators e.g. wetlands, forests, waste management etc. in your entity?  
.....

14. Are there environmental eco system services? and if yes or no explain  
.....

Core Principle 3: Environmental Considerations – Public and Worker Safety

15. How is the GKMA (local governments/ urban municipalities) managing (current and past) OH&S in its projects and those carried out by other agencies?  
.....

16. Is there any Health and Safety Department within the GKMA (local governments/ urban municipalities) that manage OHS issues?  
.....

17. Any enforcement of OHS on projects handled by the national government?  
.....

18. Is there any documentation on OH&S management?  
.....

19. Has the GKMA (local governments/ urban municipalities) handled any project dealing with Hazardous materials/waste? (E.g. oil spills, asbestos etc.)  
.....

20. How was it managed? Any third-party involvement? What documentation was done?  
.....

21. Other Information  
.....

22. Does the GKMA (local governments/ urban municipalities) have specific environmental budget?  
.....  
.....

21 What is the allocation formula?  
.....

22. Any other information relevant to the environmental and social system?  
.....

Name.....

Designation.....

Telephone.....

.....Email.....

Thank you for your great input

NEMA

1. Mandate and role of the institution and capacity to fulfill obligation to enforce the environmental safeguards  
.....
2. Effective institutional Coordination mechanism with other government agencies  
.....
3. Challenges and how they can be overcome  
.....
4. What advice would you give to GKMA urban project to incorporate in program to enable it sustainable manage the environment issues  
.....
5. What mechanisms are in place to strengthen the social component in undertaking Environmental and Social Impact Assessment (ESIA)? Please explain their effectiveness.

Questionnaire 3:

PROPOSED GREATER KAMPALA METROPOLITAN AREA (GKMA) URBAN DEVELOPMENT PROJECT

Government of Uganda/World Bank

Questionnaire for Technical Officers of Districts and Municipalities

(District/Municipal Community Development Officers -DCDO/MCDO and District/Municipal Environment Officers - DEO/MEO)

Introduction: This questionnaire is meant to be answered by either the DCDO/MCDO, DEO/MEO or their representatives who can effectively respond to the questions in as much detail as possible to enable the Consultant to undertake a sufficient assessment of the existing systems for managing environmental and social issues related to project implementation. This will facilitate the Consultant to devise appropriate actions for building on the existing strengths in Districts/Municipalities and address some of the gaps within the project/program framework.

Proposed Investment Menu: Please refer to the attached investment menu for the proposed GKMA Urban Development Project when answering the Questionnaire. The spaces provided for the responses can always be enlarged if more space is needed.

1. What Environmental and Social (E&S) risks and impacts do you as a District/Municipal Council (MC) envisage or foresee associated with the investment menu?

(i). What Action do you propose to be undertaken in order to avoid or minimize or mitigate the identified E&S risks and impacts?

2. What are the roles and responsibilities of the District and Sub-counties/Municipality and Divisions in effectively addressing project related E&S risks and impacts?

Roles and Responsibilities of DCDO/MCDO and DEO/MEO in managing E&S risks & impacts

What Action do you propose to be undertaken to support your role in addressing project related E&S risks and impacts?

3. Is the District/Municipality adequately staffed, in terms of skills, qualifications, and number of personnel for program administration, planning and design, implementation and monitoring functions? Yes/ No.

3.1 How many Sub-counties/Divisions does the District/Municipality have?

3.2 Do all the Sub-counties/Divisions have relevant E&S staff (CDOs and Environment Officers-EOs)?

3.3 How many Sub-counties/Divisions have or do not have any E&S personnel?

3.4 How many Social or Environment personnel has the entire District/Municipality got?

Department	Actual Number of Staff Available	Expected Number of Staff (Ceilin
------------	----------------------------------	----------------------------------

Social (CBSD)			
Environment (NRD)			
In case of gaps in staffing, explain the actions that have been taken to bridge the gaps and perform effectively in project related E&S risks and impacts.			addressing

3.5 Skills and Qualifications of E&S personnel to perform program administration, planning and design, implementation and monitoring functions in the entire District/Municipality.

CBSD or NRD/DEO	Position of Staff (e.g. DCDO/MCDO, CDO, Labor officer, Gender officer, DEO, EO)	Actual Qualifications	Expected Qualifications	Available skills to address E&S risks and screening process
1				
2				
In case of gaps in skills, explain the actions that must be taken to bridge the gaps in skills to perform addressing project related E&S risks and impacts				

4. If the Program (GKMA Urban Development Project) does not build sufficient in-house capacity, what reliable alternative arrangements (e.g., coordination with other local agencies (NGOs), use of qualified consulting services) are available to promote effectiveness in managing E&S risks and impacts?  
 Are environmental and social management staff/units adequately supported through budgetary allocations and provision of necessary facilities, equipment and supplies?  
 5.1 Is the Budgetary allocations adequate? Yes/No.

Department	Budgetary Allocations per Annum	Actual Funds Received per Annum	Deficit



CBSD or NRD/DEO			
--------------------	--	--	--

5.2 Are the required facilities (e.g. office space) and equipment provided adequate? Yes/No

Item	Available Number	Required Number	
Office Space			
Furniture			
Computers			
Vehicles			
Motorcycles			
Other Equipment (Specify)			

6. Do the District/Municipality Environmental and Social Personnel/Officers have experience in screening for, and estimation of, environmental and social risks and impacts under any other project? (Have they undertaken any E&S screening under any current or past project?)

Yes/No

Please explain your answer

1. Do the Environment or Social (Community-Based) Departments in the District or Municipality follow up the Environmental and Social Management Plans (ESMPs) for the projects being implemented (if any) in the District/Municipality?

Yes/No

Please explain your answer

2. Are the Environmental and Social components/aspects captured in the bidding documents during the project planning stage?

Yes/No

Please explain your answer

If, Yes, what part do you play in ensuring that E&S aspects are included in the bidding documents?

1. Are contractors enforcing the ESMPs and/or are the District or Municipality Local Governments (LGs) enforcing the implementation of the ESMPs by the contractors?

Yes/No

Please explain your answer.

2. Are all the planned activities at the District and Sub-county or Municipality and Division levels screened to determine whether they may require Involuntary Acquisition of land, Relocation of residences or businesses, or Restrictions on access to natural resources?

Yes/No or Some of them Please explain your answer

3. Do Districts or Municipalities give due consideration to the cultural appropriateness of, and equitable access to, program benefits, giving special attention to the rights and interests of the Indigenous Peoples (IPs) and to the needs or concerns of vulnerable groups?

Yes/No

Please explain your answer

4. What mechanisms are in place for Project related Grievance Redress?

If none, how do the Districts or Municipalities receive and/or redress public complaints related to project implementation, especially abuse towards children, girls and women? (Such as Violence Against Children (VAC) including child labor; Sexual Exploitation and Abuse - SEA; and Gender-Based Violence - GBV)?

1. Is there staff/resources/special unit given the responsibility to manage complaints/grievances raised by aggrieved persons regarding project implementation? Yes/No

Please explain your answer

2. Is there a training program for staff on GBV and VAC in the District or Municipality?

Yes/No

Please explain your answer

3. Does the implementing agency (District, Sub-county, Municipality and Division) consult with stakeholders on various aspects of Program investment design and operation?

Yes/No

Please explain your answer

4. Are the mechanisms or arrangements to facilitate engagement of stakeholders in the various stages of program planning and design and implementation?

Yes/No

Please explain your answer.

5. Does Program implementation of investments include arrangements for responsive communications on relevant E&S concerns?

Yes/No

Please explain your answer

6. Are there "adaptive management" processes in place to respond to unanticipated E&S management issues that may arise during project implementation?

Yes/No

Please explain your answer

7. Is there a role for Non-Government Organizations (NGOs) and Civil Society Organization (CSOs) in the management of E&S risks and impacts of programs?

Yes/No

Please explain your answer and mention some of the NGOs/CSOs playing a role (if any).

8. Does E&S screening and design of program/project activities consider risks of creating or exacerbating social conflict?

Yes/No

Please explain your answer

1. What are some of the general challenges faced by the Districts/Municipalities in managing E&S risks and impacts associated with project implementation?
2. What are some of the recommended actions that you propose for strengthening the current systems for managing project-related E&S risks and impacts in the District/Municipality?

Name:

Designation:

Tel. No.:

E-mail:

WhatsApp:

Name of District/Municipality:

THANK YOU

## **Annex 5. Actions taken by the GOU to Ensure Inclusion and Non-Discrimination**

Annex 5 highlights recent actions taken by the GOU to ensure inclusion and non-discrimination of vulnerable or marginalized individuals or groups. It also includes transcripts of relevant Guidelines and Circulars issued by the GOU.

The Anti-Homosexuality was passed on May 26, 2023. The GOU has taken the following actions and measures to continue to ensure inclusion and non-discrimination in all World Bank financed projects:

- **Letter of Assurance** (Sept 21, 2023) to all Ministries, Agencies, and local governments to implement mitigation measures on non-discrimination in World Bank 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) committing not to discriminate or stigmatize any individuals who seek health care for any reason.
- **Circular on provision of education** (August 18, 2023) committing to continue to provide services to all people without discrimination 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 to charge is made under the AHA.

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-Homosexual 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 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 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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[treasury@finance.go.ug](mailto:treasury@finance.go.ug)  
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Plot No. 2-8 Apollo Kaggwa Road  
In any correspondence on  
This subject please quote No.



Ministry of Finance, Planning &  
Economic Development,  
P.O. Box 8147  
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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This subject please quote No.

BPD 86/179/01



Ministry of Finance, Planning &  
Economic Development,  
P.O. Box 8147  
Kampala, Uganda

**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

M. M. Musinguzi

*"To formulate sound economic policies, maximize revenue mobilization, ensure effective allocation and accountability for public resources so 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, *Emyooga*, road maintenance, coffee value addition, vaccines and pharmaceutical manufacturing etc.;
  - ii. Support development initiatives that drive private sector growth;
  - iii. Implement only ongoing projects and other multi-year commitments as approved in the Budget;
  - iv. Halt new non-concessional projects, except those already provided for in the fiscal framework, or those with no direct or indirect claim on the Consolidated Fund;
  - v. Hold back any recruitment plans in FY 2023/2024 except on a replacement basis where the resources are already available;
  - vi. No travel abroad, except for critical positions of the Executive, Legislature, Judiciary, security, diplomatic relations and resource mobilization; and
  - vii. **NO** purchase of new vehicles except hospital ambulances, tailored vehicles for medical supplies/distribution, and for agricultural extension services, security and revenue mobilization.

***Non-Discrimination***

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

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

*Advertising by Ministries, Agencies and Local Governments*

11. In his letter of Ref. No. PO/3 dated 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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Website: [www.health.go.ug](http://www.health.go.ug)  
IN ANY CORRESPONDENCE ON



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

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

THE REPUBLIC OF UGANDA

5<sup>th</sup> June 2023

### Circular

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

### PROVISION OF SERVICES TO ALL PEOPLE WITHOUT DISCRIMINATION

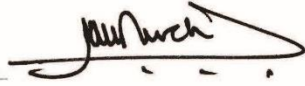
The constitution of the republic of Uganda recognises that health is a fundamental right and guarantees access to health care services for all. The Ministry of Health is mandated to provide Preventive, Promotive, Curative and Rehabilitative Health Services to all people in Uganda in their diversity **without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

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

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

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

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



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

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



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In any correspondence on  
this subject please quote: EPD 191/336/03



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**Website: [www.education.go.ug](http://www.education.go.ug)**  
**Kampala, Uganda**

18<sup>th</sup> August 2023

All Heads of Education Institutions

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

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

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

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

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

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

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

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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



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## Annex 6. Enhanced Implementation Support and Monitoring of Non-Discrimination

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### 1. Background and Objectives

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

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

The objectives of the Enhanced Implementation Support and Monitoring include:

- Assisting project teams to enhance existing project-level grievance mechanisms and develop and operate an independent mechanism that would identify, manage, and monitor cases of discrimination.
- Assisting the WB in strengthening the capacity of Project Implementation Units (PIUs), workers, and contractors, subcontractors, and service providers.
- Ensuring contracts, codes of conduct, hiring procedures, whistle-blower protection protocols, and other measures, as needed, are in place to allow remediation of cases of discrimination.
- 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.

Table 18 illustrates the enhanced implementation support and monitoring steps. Table 19 contains the enhanced implementation support and monitoring process. Table 20 contains the Complaint Management for Vulnerable and Marginalized Individuals and Groups.

### 2. Scope of Work and Activities

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

2.1 Establish an effective and confidential mechanism to receive, manage, refer, and monitor grievances related to discrimination across the WB/IFC portfolio. To do so the EISM will:

- **Enhance existing project-level grievance redress mechanisms** to safely, ethically, and confidentially receive cases related to discrimination on World Bank/IFC financed operations and refer them to an appropriate grievance handling mechanism.
- **Design and operate a mechanism for receiving grievances** related to discrimination on WB/IFC financed operations (including from project level grievance mechanisms noted above).
- **Establish a hotline or an alternative complaint mechanism**, for individuals to lodge complaints

of discrimination on WB/IFC financed projects or voice their concerns without fear of reprisal. The EISM is an alternative to lodging complaints through a GoU-led project-level GRMs.

Figure 18: Enhanced Implementation Support and Monitoring Steps

<b>Enhanced Implementation Support and Monitoring Steps</b>	
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

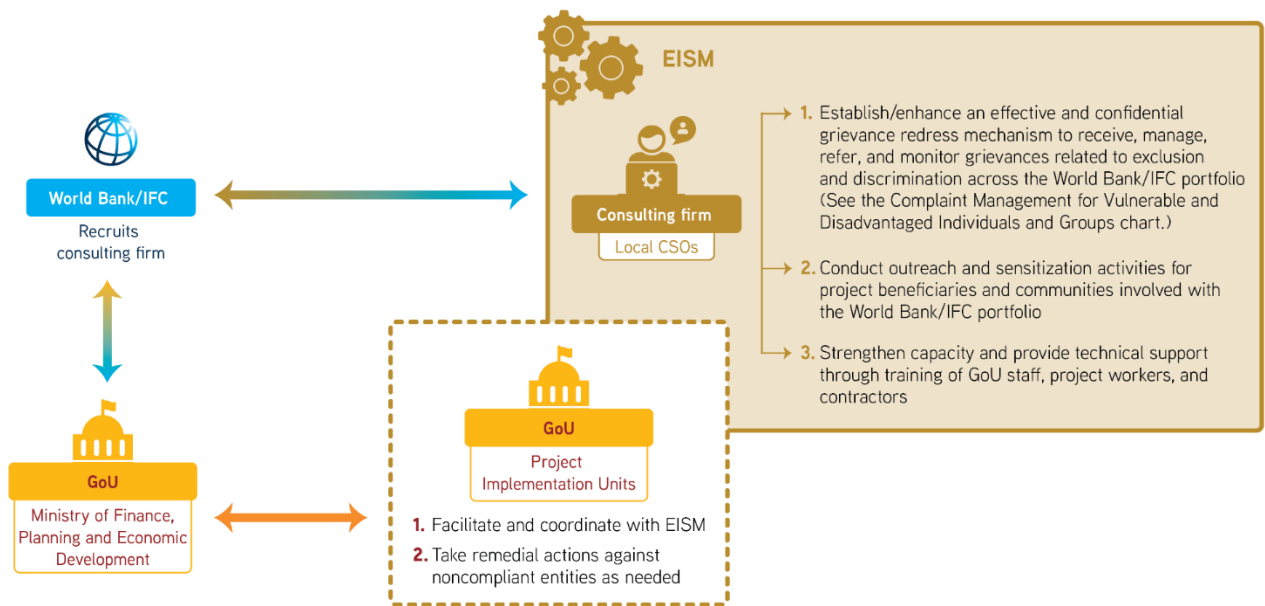
The GOU and its PIUs remain responsible for the implementation of all project activities including mitigation measures supported by the EISM. The enhanced implementation and monitoring support mandate is specifically focused on:

- 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

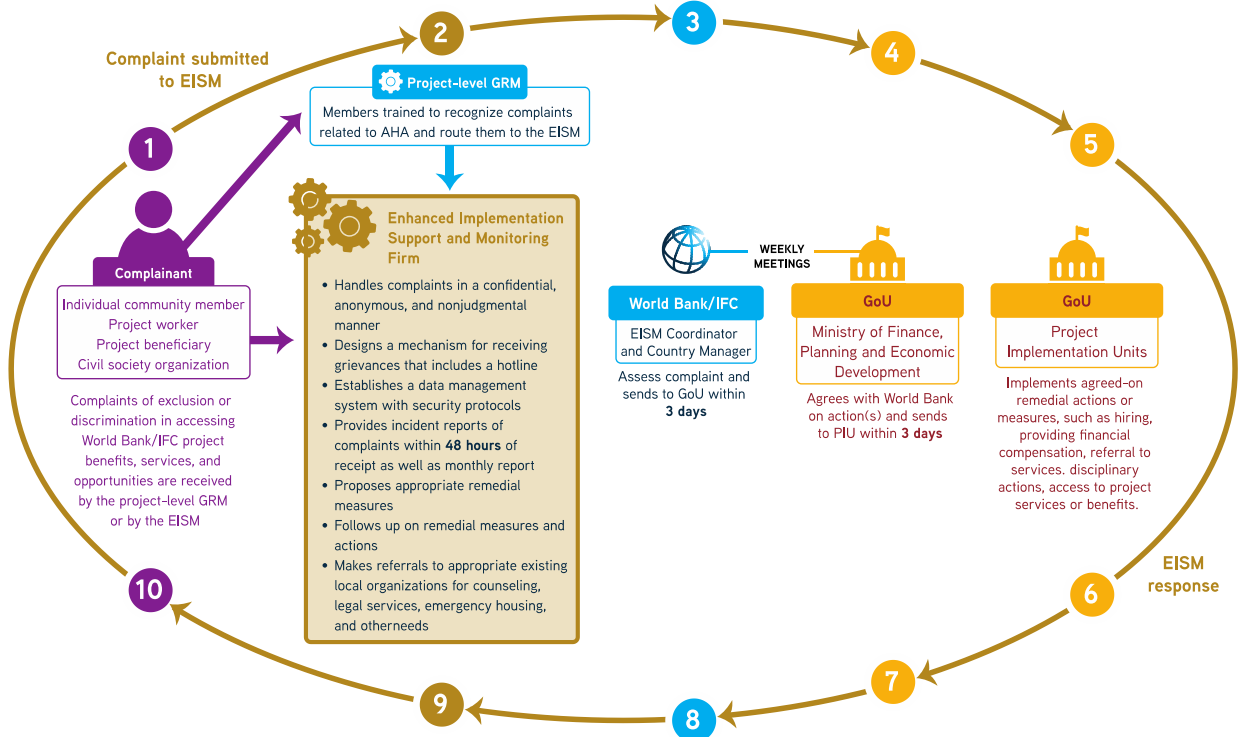
2) to support the WB/IFC to enhance our awareness of cases of discrimination across the WB/IFC portfolio.

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.

### Description of Enhanced Implementation Support and Monitoring (EISM) Process



## 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.