COMPLAINT (REQUEST FOR INSPECTION) FORM

To:

The Executive Secretary, The Inspection Panel, The World Bank, MSN: MC 10-1007
1818 H St., NW, Washington, DC 20433, USA. Fax: +1(202)-522-0916. Email: ipanel@worldbank.org

Section 1: Complaint

1. What harm do you believe the World Bank-financed project caused or is likely to cause to you or your community? Please describe in as much detail as possible.

If this project is implemented in its current form and state, it will perpetuate land grabbing which deprives communities of their farm lands. While the World Bank project management team insists that the project does not involve acquiring land, the land already mentioned as game reserve land where the project activities will be coordinated and implemented is land grabbed from communities. The project will deepen the conflict between Uganda Wildlife Authority and local communities over land. The conflict will result into Acts of retaliation against community members opposed to the land grabbing. We have documented 23 incidents where community members have been extra-judicially executed. Because these investigations are never conclusive and no independent report ever made public, instances of retaliation are on the raise. Between January 2020 and June 2021, Twerwaneho Listeners' Club (Human Rights Organization) recorded 9 cases of community members killed by game rangers. If not addressed, the project will certainly exacerbate the situation.

2. What is the name of the World Bank project? (If known)

Securing Uganda's Natural Resource Base in Protected areas Project

3. Where is the World Bank project located? (Please include country name)

[redacted]

4. Do you live in the project area?

Yes

5. Have you previously reported your concerns to World Bank management? If yes, please provide the details about those communications and explain why you are not satisfied with the Bank's action in response.

Submitted a complaint to the World Bank GRS [redacted] and exchanged several emails and one online meeting with staff responsible for the project at the World Bank

The Bank staff denied responsibility of what is happening and are downplaying the likely project implication on human rights and social wellbeing of the local communities affected.

6. If known, please list the World Bank's operational procedures you believe have not been followed.

ESS 1: Assessment and management of environmental and social risks and impacts
ESS 2: Labor and working conditions
ESS5. Land acquisition. Restrictions on land use and involuntary Resettlement
ESS 7: Indigenous peoples/sub-Saharan African historically underserved traditional local communities
ESS8: Protection of peoples' Cultural heritage
ESS 10: Stakeholder engagement and information disclosure

7. Do you expect any form of retaliation or threats for filing this complaint to the Inspection Panel?

Yes

Section 2: Contact Information

8. Are you complainants or a representative of complainants?
   Complainants: ☐ Representing a complainant or community: ☒

9. Would you like your name and contact details to be kept confidential? *(The Inspection Panel will not disclose your identities to anyone without your prior consent.)* Yes ☐ No ☒

10. Complainants' Names (Minimum two names and signatures are required):

Complainant 1	Complainant 2
Name	Name
Twerwaneho Listeners Club (Authorized community representative)	[redacted]
Address	Address
Twerwaneho Listener's club [redacted]	[redacted]
Phone [redacted]	Phone [redacted]
Email [redacted]	Email Not available

11. We, the undersigned, request the Inspection Panel to investigate the issues described above.

Signatures *(More signatures can be sent as an attachment document):*

[redacted]	[redacted]

NOTES:

- Please attach supporting documents, if available.
- If you have any difficulty in completing the form, please contact the Inspection Panel at ipanel@worldbank.org or by phone: +1-202-458-5200.

①

[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

No.	Name	Village	Contact	Signature
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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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[redacted] game reserve affected community members consent to be represented by Twerwaneho Listeners Club and [redacted] on a complaint against World Bank financed project P174337 - Securing Uganda's Natural Resource Base in Protected Areas

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Securing Uganda's Natural Resource Base in Protected Areas Project community appeal Project ID: P174337

Communities' representation: TLC has been given the right by the community to represent them on these issues and are doing so in court as well

Description of the project:
World Bank funded the Government of Uganda under project code named ID: P174337
Intended to improve sustainable management of, and increase benefits to communities from, target protected areas in response to COVID-19 impacts. The grant targeted Uganda Wildlife Authority and National Forest Authority.

This petition/appeal submitted by Twerwaneho Listeners' Club on behalf of communities affected by unlawful evictions orchestrated by the funded beneficiary (Uganda Wildlife Authority) a semi-autonomous government agency that conserves and manages Uganda's wildlife for the people of Uganda and the whole world.

Twerwaneho Listeners Club (TLC) is based in [redacted] and aims at awakening people to debate issues of governance and rights. TLC started as a radio program which triggered informal debates on matters of democracy and governance in the region. Currently the organisation is engaged in research and strategic litigation especially around natural resources, land matters and labour rights violations by corporate entities.

Whereas support to the project to secure the country's natural resources base in protected areas is highly welcome, this support should not come at the cost of social welfare and wellbeing of the communities adjacent to protected areas but rather promote co-existence, social wellbeing and cohesion amongst several stakeholders.

[redacted] which happens to be a beneficiary of the World Bank funded program has over the years been embroiled in a high-pitched land conflict with local communities.

The conservation body has been exposed for gabbing land belonging to a local indigenous community settled alongside the National Park.

Originally, communities were displaced and destabilized by the Allied Democratic Force rebels' activities of 1998. On return, from Internally Displacement Camps, the communities found large pieces of their land had been occupied by the National Park

Since 2016, communities have been struggling through various peaceful avenues to secure their land including the latest attempt through courts of law.

In 2016, TLC supported communities with legal support to reclaim their land. After a court order, two but exhaustive boundary opening surveys in 2019 and 2020 coordinated and conducted.

The process was speared headed by TLC and attended by [redacted] on behalf of Uganda Wildlife Authority. The survey finding provided both parties with proof beyond reasonable double that the National Park had encroached on large pieces of community land.

Following court action, the conflict escalated to the worst with serious allegations of extra judicial killings of community members, further evictions, denying certain communities' access to the resources within the national park, extortion, arrest, detention and harassment of community activists opposed to the conservation expansionist program.

Retaliations and reprisals of such nature have been used against community members as a strategy to silence independent community voices that ask questions about the conduct of the Authority.

Following the financial support extended to the conservation body, the park authorities have intensified actions intended to further detach communities from their land by committing acts of intimidation such as killing community members, malicious arrest and prosecution, mistreatment and maiming individuals, extortion among other heinous acts.

Background: Securing Uganda's Natural Resource Base in Protected Areas Project:
The Uganda Wildlife Authority and National Forest Authority were awarded a loan from the World Bank to to improve sustainable management of, and increase benefits to communities from, target protected areas in response to COVID-19 impacts. This was to be achieved through raising Incomes in Rural Areas and seeking to strengthen natural resources management and build resilience, with particular attention to growing incomes of women among other approaches.

In the same spirit of ensuring the project meets its intended objectives, the program had to ensure the environmental and social concerns that may occur are dully considered and all negative impacts mitigated.

According to the Environmental and Social Commitment Plan (ESCP) updated on April 3, 2021 and the Environmental and Social Standards (ESS), a project due diligence and audit in to the likely impact of the project on land acquisition, restrictions on land use and involuntary resettlement was to meant to be conducted. However, this audit was never conducted and clearly indicated as not applicable according to the stakeholder engagement and the Environmental and Social Commitment Plan (ESCP).

Yet to contradict this position, the benefiting National Park is continuously evicting and unlawfully annexing part of the indigenous people's land which had been occupied ages and used for income generating activities like agriculture, traditional cultural sites and burial grounds among other functions.

Furthermore, Stakeholder Engagement Plan (SEP), was neither conclusive nor sufficient as many key players were not consulted.
Stakeholder engagement consultations and participation are crucial components before implementation of project like this. In order to ensure rights of Indigenous Peoples are not violated, the States and Uganda Wildlife Authority ought to have conducted sufficient consultations and cooperated in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain the right information that could mitigate clashes and abuse of human rights.

Instead of **Identifying all stakeholders** including anyone who has an interest (positive or negative), the Government representatives selectively consulted allies or friends of the authority keeping out people with genuine concerns about the project and their land.

For example, only one group Kabaswiswi Nyekundire Tree Planting Project was selected to represent over 30,000 households settled on a stretch of over 100 km.
The purpose of the consultations was not achieved as the process was changed mid-way to over shadow the likely opposing voices.

With such engagements, the plight of communities was over shadowed depriving the World Bank an opportunity to independently ascertain the likely impact this project could have on local communities.

Consequences of the World Bank funded project on communities:

Rooting acts on unlawful land grabbing:
Following approval of the project, the Management of [redacted] has embarked on a process of implementing the project within the National Park and land grabbed from the community.

The project supports increased patrolling of the National Park thus heightening security in and around the National Park, creating opportunities for the National Park Authorities to further enforce total evictions and deprivation of communities the land they lawfully own.

Over 30,000 indigenous people continue to remain homeless or lack access to cultivable land because the National Park Authorities cannot allow them access their land.

Denying communities access to cultivable land has accelerated Community/National Park conflicts that have resulted in to extra judicial killings, extortions, maiming individual members of the community among other acts.

The world bank has in place policies that discourage unlawful land acquisition for the implementation of projects it has funded. For instance, according to the Environmental and Social Commitment Plan updated on April 3, 2021on page 7 under Environmental and Social Standards 5, no land acquisition or restrictions on land use and access to natural resources that may cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights are expected under the project. Similarly, the livelihoods of project affected persons are not expected to be affected.

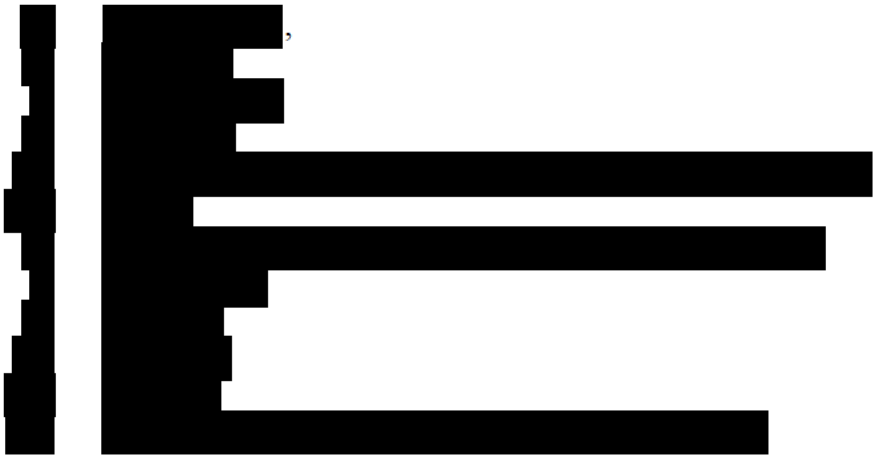
Furthermore, during consultations as stated in the Stakeholder engagement plan made in April 2021 on [redacted] an issue of whether the project has the potential to cause social problems and exacerbate conflicts for instance related to land tenure and access to resources was raised. The response was that the project will have no land take. Yet during this period **Civil Suit no. 008 of 2016** was pending in the **High Court of Uganda at Fort Portal** in relation to the Uganda Wildlife Authority encroaching on the adjacent communities' land.

This indicates that prior to the project insufficient due diligence was carried out thus failing to live up to the standards of the project aims and objectives.

It appears the project does not have a sufficient plan to remedy the conflict.

The affected communities are identified as follows;

[redacted]



Acts of retaliation against community members opposed to the land grabbing:
Extra-judiciary and summary executions:
The cross section of community members who remain devoted to securing their land have been targeted and exposed to grave risk including extra judicially being executed. Some members of community who attempt to access their land are targeted and murdered in cold blood.

The National Park Authorities have been squarely held responsible for killing individual members of the communities who spearhead the struggle to reclaim their land.

Since 2016, TLC has documented 23 incidents where community members have been extra-judicially executed. These cases have not been conclusively investigated by police or any other independent body. Because these investigations are never conclusive and no independent report ever made public, cases seem to keep growing. There seems to be an incentive to harass community members. Between January 2020 and June 2021, TLC recorded 9 cases of community members killed by game rangers under very disturbing circumstances.

In one community of [redacted] village, 5 people have been killed in the last two years. These included three (3), people who were at the forefront of advocating for the recovery of their land

Last year, one of the lead petitioners and claimant of the land [redacted] was shot dead at his plantation by a game ranger. His body was later discovered inside the National Park.

Before the killing of [redacted] one [redacted] and his [redacted] were also shot dead in the same community under similar circumstances.

The patterns of attack are consistent with a particular group of people. All the killed youthful men and women are members of the active community movement challenging the unlawful evictions through court actions and other peaceful advocacy platform.

Other forms of reprisals:
During subsequent TLC Annual Regional Corporate Accountability Platforms where Uganda Wildlife Authority participates, the Conservation Authority has strongly stated and acted by discriminating against all indigenous people who are involved in campaigns intended to reclaim community land back.

The Authority does not grant complaining individuals or groups within the indigenous people's setup community agreements/permits to access resources within the National Park yet unlimited access permits are granted to all those who are not complaining or seeking redress.

This scheme is intended to deprive community members seeking access to remedy the right to utilize resources within the National Park. In the public eye, this is a punishment for anyone seeking remedy. The purpose of this act is intended to discourage anyone from claiming their land. These forms of actions have detached community solidarity movements and enforced silence.

This action further contradicts the World Bank's position against restrictions on land use and access to natural resources that may cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights under the project.

Harassment, arrests and physical assaults against grassroots HRDs:
Human Rights Defenders and activists working individually or in groups have not been spared.

In one community of Hakibaale, activists have on several occasions have been denied the right to associate with an aim of preventing community members to meet and discuss about the land grabbed. Since 2017, community members have been arrested and detained, occasionally beaten for holding public meetings.

Covid19 restrictions completely brought to an end public gathering including community meetings organized to discuss land matters. Uganda Wildlife Authority, in collaboration with local police and local leadership have issued public statements unlawfully suspending such meetings.

Since 2020, 3 public meetings have been stopped using Covid19 excuses yet other meetings were permitted to go ahead including mass rallies during the January 2021 General Elections.

In December 2018, 5 activists including a (WHRD) fresh mother of a 2-day old baby were tear gassed and severely beaten and detained at Fort Portal Central Police for attempting to demonstrate against installing mark-stones in their land. The Woman HRD was later admitted with severe injuries.

Breach of World Bank labor and working conditions policy
The World Bank Environmental and Social Framework has a robust labor and working conditions policy that safeguards communities and workers from discrimination, unsafe and unhealthy working conditions

The **ESS2** recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. Borrowers can promote sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions.

To be more precise by quoting the **ESS2** on Non-discrimination and equal opportunity, decisions relating to the employment or treatment of project workers will not be made on the basis of personal characteristics unrelated to inherent job requirements.

The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.

While the policy states with clarity its position on discrimination and employment, the borrower of the loan has deliberately discriminated against a certain category of people by denying them an equal opportunity to employment.

Uganda Wildlife Authority has constantly stated and acted by discriminating against some communities, individuals and Human Rights Defenders (HRDs) from accessing resources found in the [redacted] yet other communities have been permitted by formally being awarded permits and community development agreements. The awarding of community agreements has been based on the side of the land conflict a community stand. Communities, individuals and HRDs opposed to Uganda Wildlife Authority's land grabbing scheme have been denied access to resources within the national park, denied employment and deprived of equal opportunity to inclusive economic development

This inherently deprives a cross section of community the right to employment and inclusive economic growth.

The policy puts the bank squarely indebted to ensure its funding does not entrench a culture where communities and Human Rights Defenders can be discriminated against or mistreated whenever they voice their environmental and Human Rights concerns

Violation of Indigenous peoples' right to land and self-determination.
Furthermore, the funded program contravenes **ESS7** that ensures all World Bank funded projects contribute to poverty reduction and sustainable development by enhancing opportunities for Indigenous Peoples by allowing local communities to participate in, and benefit from, the development process in ways that do not threaten their unique cultural identities and well-being

Whereas the ESS recognizes the fact that Indigenous Peoples have identities and aspirations that are distinct from mainstream groups in national societies and often are disadvantaged by traditional models of development.

Grabbing their land and denying these communities equitable access to project benefits exacerbates economic marginalization and weakens their ability to defend their rights to, and interests in, land, territories and natural and cultural resources.

It is important to recall that local communities are inextricably linked to the land on which they live and the natural resources on which they depend. They are therefore particularly vulnerable if their land and resources and continuously grabbed by Uganda Wildlife Authority.

Protection of peoples' Cultural heritage
Indigenous peoples' cultural heritage includes tangible and intangible manifestations of their ways of life, world views, achievements and creativity, and should be considered an expression of their self-determination and their spiritual and physical relationships with their lands, territories and resources. While the notion of heritage encompasses traditional practices in a broad sense, including language, art, music, dance, song, stories, sports and traditional games, sacred sites, and ancestral human remains, for indigenous peoples the preservation of heritage is deeply embedded and linked to the protection of traditional territories. Indigenous cultural heritage is a holistic and inter-generational concept based on common material and spiritual values influenced by the environment.

The act of grabbing the local people's land has not only deprived the local communities of their land but also undermines their cultural heritage.

Whereas the World Bank's **ESS8** recognizes that cultural heritage provides continuity in tangible and intangible forms between the past, present and future and that people identify with cultural heritage as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions and cultural heritage, in its many manifestations, is important as a source of valuable scientific and historical information, as an economic and social asset for development, and as an integral part of people's cultural identity and practice, the borrower of the bank money does not appreciate that by her acts of evictions, denying communities access to territories or areas deemed important to safe guarding such a heritage.

The World Bank has clearly stated that its financing should guarantee protection of cultural heritage from the adverse impacts of project activities and support its preservation, address cultural heritage as an integral aspect of sustainable development, promote meaningful consultation with stakeholders regarding cultural heritage and ensure equitable sharing of benefits from the use of cultural heritage.

The bank has further tasked the Borrower to implement globally recognized practices for field-based study, documentation and protection of cultural heritage in connection with the project, including by contractors and other third parties.

It is still imperative upon the World Bank to ensure that the borrower of the finances adheres to standards / guidelines set within the bank financing policies.

Recommendations to the World Bank and Uganda Wildlife Authority:
The UN Guiding Principles are the recognised global standard for "preventing and addressing the risk of adverse impacts on human rights linked to business activity."[1] They state that every company should start by conducting a Human Rights Impact Assessment: "In order to gauge human rights risks, business enterprises should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships."[2] This would require World Bank and Uganda Wildlife Authority to assess the human rights impacts in relation to Land grabbing by conducting human rights due diligence and sufficient stakeholder consultations

Moreover, according to the World Bank Environmental and Social Commitment Plan (ESCP) updated on April 3, 2021, Environmental and Social Standards (ESS) state that no World Bank funded project should unlawfully acquire land or impose restrictions on land use and involuntary resettlement of indigenous community members.

Based on assessment of the impact of the project and land grabbing, Uganda Wildlife Authority and World Bank should take appropriate action, e.g., ensuring that no person is discriminated or targeted for his or her role seeking remedy for the lost land during implementation and access to resources made available to the public

World Bank should take serious consideration in to allegations of land grabbing, retaliations and reprisals by conducting independent investigations and consultations and ensure the loan

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[1] Office of the High Commissioner for Human Rights, Guiding Principles on Business and Human Rights: Implementing the United Nations „Protect, Respect and Remedy" Framework, United Nations (New York and Geneva), 2011, p. 19, http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf
[2] Guiding Principles on Business and Human Rights…, p. 19.

benefiting institutions implement remediation programs for affected communities in circumstances where land owners have been unfairly deprived of their property and livelihood.

The World Bank should put in place all measures to ensure its funded projects do not pose any immediate or long-term risk to the lives or livelihood of the benefiting communities or communities adjacent funded projects.

For more information about this complaint, contact:

1. Gerald Kankya | Executive Director | Twerwaneho Listeners Club [redacted] – [redacted]