

REPORT No. 164640-UG

THE INSPECTION PANEL

REPORT AND RECOMMENDATION
ON A REQUEST FOR INSPECTION

UGANDA

SECOND KAMPALA INSTITUTIONAL AND
INFRASTRUCTURE DEVELOPMENT
PROJECT(KIIDP-2)
(P 133590)

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**The Inspection Panel
Report and Recommendation
on a
Request for Inspection**

**Uganda: Second Kampala Institutional and Infrastructure Development Project (KIIDP-2)
(P133590)**

A. Introduction

1. On June 17, 2021, the Inspection Panel (the “Panel”) received a Request for Inspection (the “Request”) of the Second Kampala Institutional and Infrastructure Development Project (KIIDP-2) (the “Project”) in Uganda. The Request was submitted by Witness Radio Uganda, a non-profit and non-partisan registered advocacy organization for the protection and promotion of human rights in development, on behalf of community members living in the project area in the Kawaala Zone II of Kasubi Parish, Lubaga Division, in Kampala. (the “Requesters”).¹ The Requesters have asked the Panel to keep their identities confidential and authorized Witness Radio Uganda to represent them during the Panel process. Accountability Counsel, a legal non-profit organization that supports communities around the world to protect their human rights and environment, also supports this Request. The Panel has further received seven signatures of local council leaders supporting the Request.

2. The Request raises concern about works on the Lubigi channel financed under KIIDP-2 and alleges that the affected community was excluded from the Project’s resettlement under the 2017 Resettlement Action Plan (RAP), confronted with a forced eviction attempt in the same area as the Project, and rushed through an inadequate, threatening, and coercive resettlement process under a Supplementary RAP. The Request further alleges cumulative impact from different interventions in the KIIDP-2 Project area.

3. The Panel registered the Request on July 26, 2021, and Management submitted its Response (the “Management Response”) to the Request on August 24, 2021. Due to COVID-19 and related travel restrictions, the Panel was not able to conduct a field visit during its eligibility assessment and adopted a virtual format to gather information for its recommendation on whether an investigation is warranted. On September 21, 2021, the Panel requested the Board to approve a postponement of the deadline for completion of this report until October 4, 2021, due to additional time required for its virtual assessment and delays in scheduling meetings. The Board approved this request on September 23, 2021.

4. In accordance with the Panel Resolution,² the purpose of this report is to make a recommendation to the Board as to whether an investigation into the matters alleged in the Request

¹ During its eligibility assessment, the Panel learned that there are six Requesters from the community who represent a larger number of affected community members. It was clarified that the additional 18 signatures the Panel received from community members at the time of the receipt of the Request represent a subset of the community members that support the Request. The Panel did not receive additional signatures during its eligibility assessment.

² The World Bank Inspection Panel, Resolution No. IDA 2020-0003, September 8, 2020 (the “Resolution”). Available at: <https://www.inspectionpanel.org/sites/www.inspectionpanel.org/files/documents/InspectionPanelResolution.pdf>

is warranted. Based on its assessment below, the Panel recommends carrying out an investigation into the alleged issues of harm and related non-compliance, in particular focusing on the Bank's policies on Environmental Assessment (OP/BP 4.01), Involuntary Resettlement (OP/BP 4.12), and Investment Project Financing (OP/BP 10.00).

B. Description of the Project

5. The Second Kampala Institutional and Infrastructure Development Project (KIIDP-2) (P133590) was approved on March 20, 2014, for US\$175 million equivalent (IDA Credit). The Borrower is providing US\$8.75 million and there are no other financiers. The expected closing date of KIIDP-2 is November 30, 2021. KIIDP-2 follows KIIDP-1 (P078382), an adaptable program loan that was approved in 2007 and closed in 2013. The objective of KIIDP-1 was to improve the institutional efficiency of the Kampala City Council through implementation of a Strategic Framework for Reform.³

6. KIIDP-2 is an Environmental Risk Category B project and triggered the following safeguard policies: Environmental Assessment (OP/BP 4.01); Natural Habitats (OP/BP 4.04); Physical Cultural Resources (OP/BP 4.11); and Involuntary Resettlement (OP/BP 4.12). The Project was 79.45 percent disbursed at the time of receipt of the Request.

7. The responsible agency for KIIDP-2 is the Kampala Capital City Authority (KCCA), and its Project Development Objective is "*enhanced infrastructure and institutional capacity of KCCA to improve urban mobility in Kampala.*"⁴ The Project includes two components: Component 1 - City Wide Road Infrastructure and Associated Investments (US\$165 million); and Component 2 - Institutional and Systems Development Support (US\$10 million). The Request pertains to Component 1.

8. According to the Project Appraisal Document (PAD), Component 1 has an indicative list of sub-projects that includes the design, construction, and supervision of different works, including the upgrading and reconstruction of roads and improvements of primary drainage channels in Kampala. The PAD explains that the final selection of sub-projects will be determined at a later stage based on available funding, estimated design costs, and selectivity.⁵

9. The Panel understands that the works that were selected under Component 1 are implemented in phases, with each phase comprised of batches or lots for contracting civil works. Batch 2 includes civil works for the rehabilitation of the Lubigi primary channel (2.58 kilometers, km) to reduce flooding in Bwaise in the Lubaga Division of Kampala. The first section of this channel is a 1-km stretch between the Bwaise Road and Kawaala Bridge. The second section of the channel is a 1.5-km stretch between the Kawaala Bridge and Hoima Road (the "Kawaala-Hoima

³ Component 1 - support to the Kampala City Council and its stakeholders to refine and expand the Strategic Framework for Reform into a comprehensive approach to municipal development, consonant with Kampala's central role in the nation's economic and political life; Component 2 - provide city wide infrastructure and services improvements; Component 3 - support to the Kampala City Council on project implementation and the establishment and implementation of a comprehensive monitoring and evaluation system. World Bank. See 2007 Project Appraisal Document (PAD) for the Uganda Kampala Institutional and Infrastructure Development Project, p. 2.

⁴ KIIDP-2 PAD, p. ii.

⁵ Ibid., pp. 37-38 and Annex 2.

Section”). The Panel understands that a Resettlement Action Plan (RAP; referred to as the “2017 RAP” in this Report) was prepared for the Project but did not identify any Project-affected people (PAPs) along the Kawaala-Hoima Section.⁶

C. Summary of the Request for Inspection

10. This section summarizes the issues raised in the Request, and the full Request is attached to this report as Annex 1.

11. The Requesters raise concern about works on the Lubigi channel financed under KIIDP-2. They allege that their community was:

- a. Excluded from the Project’s 2017 RAP.
- b. Confronted with a forced eviction attempt in the same area as the Project.
- c. Rushed through an inadequate, threatening, and coercive resettlement process under a Supplementary RAP currently being prepared.

The Requesters also allege they may be affected by cumulative impact from different interventions in the KIIDP-2 Project area, including KIIDP-1.

12. **Alleged Exclusion from the 2017 RAP.** The Requesters explain that they have been living in the affected area for many years. They indicate that some members of their community have lived there for more than 20 years and others for their entire lives and have been paying rent to the Buganda Land Board.⁷ They allege that the Project failed to include their community in its resettlement and compensation program.

13. **Alleged Forced Eviction Attempt.** The Requesters explain that instead of being compensated, they received notices on December 3, 2020, requiring them to “*remove all illegal structures*” and halt all ongoing construction works within 28 days. They explain that these notices were distributed by KCCA, citing violations of public health rules related to safe and sanitary housing under the Public Health Act. The Requesters indicate and provide photographs of large red “X” marks that were painted on some structures by the same officials.⁸ According to the Request, the notices were vague, were not based on individualized inspections and did not state which specific buildings would be affected. Residents, including one who indicates having had a house there for over 26 years, relay in the Request that they had previously never been notified of any alleged violation of public health rules. They believe that clearing the way for the channel was the real reason for the eviction notices.⁹ The Request explains that the day after the notices were distributed, KCCA together with employees of the contractor, under the protection of armed members of the Uganda Police Force, began forceful evictions. According to the Requesters, these

⁶ The *Resettlement Action Plan (RAP) for the Proposed Improvement of Priority Drainage Systems in Kampala Capital City under KIIDP2 Project* is dated May 2017 and is thus referred to as “the 2017 RAP” in this report. The Panel understands that the preparation of this RAP was initiated in 2015, surveying of Project areas was carried out between November 2015 and November 2016, and the cut-off date was established as November 30, 2016. Additional consultations for this RAP were conducted in 2018 and it was publicly disclosed in September 2019. The Panel understands that a Supplementary RAP for individuals in the Kawaala-Hoima Section is currently being developed.

⁷ Request for Inspection, p. 3. For more information about the Buganda Land Board, please see paragraph 44 and relating footnote of this report.

⁸ *Ibid.*, p. 3.

⁹ *Ibid.*, p. 4.

evictions began early in the morning, around 6 a.m., when many families were still asleep. The Requesters explain that by the time the local leadership intervened some residents had their homes and crops destroyed.¹⁰

14. The Request states that in January 2021 Witness Radio Uganda assisted 107 community members in filing a case in the High Court of Uganda, “*requesting an injunction to halt these evictions*”.¹¹ The Requesters explain that the notices have not been canceled, leaving the community at risk of a sudden eviction should the court refuse their request.¹²

15. **Concerns about the Supplementary RAP process.** According to the Request, following interventions from the local leadership to halt evictions, the Requesters were pushed through a rushed and mismanaged resettlement process that prioritized project timelines over considerations of accuracy, completeness, or the overall livelihoods and well-being of affected people.¹³ The Request explains that community members remain largely unaware of the Project’s resettlement process; some have not been able to attend a single consultation meeting and others only attended one meeting in May 2021 but were not provided with detailed information about the resettlement process.¹⁴ According to the Request, the Local Council has been excluded from participating in critical aspects of the process, and community members were asked to sign documents written in English, which illiterate and semi-literate community members did not understand.

16. According to the Request, in early 2021 KCCA conducted a survey and evaluation exercise without the participation of the local leadership and other stakeholders, and without explaining its planned approach to residents. As a result, it is indicated in the Request that not all community members were present for the survey and they have not been provided with adequate information to determine whether their land holdings have been properly identified.¹⁵ The Request explains that as of June 2021 KCCA had provided some community members with figures for how much compensation they would receive but had not provided information on how these individual entitlements were calculated.¹⁶ The Requesters explain that they are willing to move, but doing so will present a significant economic hardship and they require a fair and effective compensation and resettlement assistance program to sustain their livelihoods through this transition.¹⁷

17. The Request further explains that KCCA had failed to institute a Grievance Redress Committee (GRC) until January 2021. The Requesters argue that, contrary to the process described in the 2017 RAP, this committee was not elected by the community and consisted of people hand-picked by KCCA who did not have the trust and support of the community. The Request explains that this committee failed to provide any grievance handling services in practice and was disbanded by an official vote of the Local Council in April 2021.¹⁸

¹⁰ Ibid., pp. 4 and 5.

¹¹ Ibid., p. 5.

¹² Ibid., p. 5.

¹³ Ibid., p. 1.

¹⁴ Ibid., pp. 6 and 7.

¹⁵ Ibid., p. 5.

¹⁶ Ibid., p. 6.

¹⁷ Ibid., p. 2.

¹⁸ Ibid., p. 9.

18. **Alleged Cumulative Impact and Continuing Harm.** The Request explains that the channel works under KIIDP-2 are the latest in a series of public infrastructure projects that have had ongoing and cumulative impact on Requesters' land. The Request explains that, in addition to KIIDP-1, the Kampala Northern Bypass Highway funded by the European Union, European Investment Bank and the Government of Uganda, and the Lubigi Sewage Treatment Plant, funded by the European Union and German Government, were constructed in the immediate vicinity in recent years.¹⁹ According to the Request, the works on these projects also involved forced displacement of residents but due to weaknesses in the resettlement processes, and with limited resources available to them, some residents were forced to remain in the area and now face eviction a second time due to KIIDP-2. The Requesters explain that the overlapping impact from these projects have rendered the local area virtually uninhabitable, especially because of significantly intensified flooding impact since these different infrastructure projects began.²⁰ The Request also explains that people are now forced to access the Northern Bypass and Hoima Road through informal footpaths that are barely a meter wide and lack any guardrails. The Request recounts accidents where people have drowned. It further reports that following the destruction of a makeshift bridge, access to water and schools is limited, and no action has been taken to address these issues.²¹

19. According to the Request, a section of the original drainage channel was diverted from its natural course to a route approximately 300 meters away under KIIDP-1. The Requesters explain that community members were told by KCCA officials at the time that it was a temporary diversion, but they realize now that the diversion will become permanent. The Request explains that community members have several concerns related to the impact of KIIDP-1 that were never addressed, including alleged damage to structures and crops that were forcibly taken, allegedly for the construction of the drainage channel. The Request alleges that some Requesters are at risk of losing the remains of their loved ones buried on the affected land.²² According to the Request, KCCA had informed community members that anything left unaddressed would be addressed under KIIDP-2. The Request states that, given that the two projects are highly connected and essentially two phases of the same project, community members believed these assurances. The Requesters explain that KCCA has now reversed its position and insists that it will not address any problems related to KIIDP-1.²³

20. According to the Request, the new planned construction under KIIDP-2 will expand on the section of drainage channel that was diverted under KIIDP-1, creating a new path for the drainage channel through land that has been used by the local community for their residences and crops for many years. The Request notes that the drainage channel presents a serious safety hazard to people, especially children. The Requesters state that KCCA ought to act as fast as possible so that residents can adequately be compensated and move elsewhere to avoid risks from KIIDP-1, which they allege will be made worse by KIIDP-2.

¹⁹ Ibid., pp. 11 and 12.

²⁰ Ibid., pp. 14 and 18.

²¹ Ibid., p. 14.

²² Ibid., p. 24.

²³ Ibid., p. 8.

21. **Going Forward.** The Request concludes with a list of community proposals for a fair solution and explains that community members seek an opportunity to consult with the World Bank and KCCA officials to jointly devise solutions to address the alleged harms described above.²⁴

D. Summary of the Management Response

22. The Management Response to the Request for Inspection is summarized below, and the full Response is attached to this Report as Annex 2. The Management Response includes a map, showing the Project area and different infrastructure works.

23. The Management Response explains that Management has carefully reviewed the allegations raised in the Request, most of which were already known and are being addressed by the Project Implementation Unit (PIU) as part of regular Project implementation.²⁵

24. **Alleged Exclusion from the 2017 RAP.** The Management Response explains that the Kawaala-Hoima Section is in an officially designated wetland area that was uninhabited and free of any human activity at the time the 2017 RAP was prepared. According to its Response, Management has confirmed the absence of structures or vegetable gardens in that section at the time through a review of archived satellite images. Management explains that some individuals have since erected structures and/or begun farming in the area. According to Management, this is not entirely surprising, as there have been repeated attempts by the community to utilize the land around the channel, and the Government has been dealing with such illegal uses of the Lubigi wetland since 2011.²⁶ Management asserts that all 155 PAPs who were recently identified for the Supplementary RAP moved into the Project area after the 2017 RAP and were therefore not identified as part of the resettlement process.

25. **Alleged Forced Eviction Attempt.** The Management Response states that there have been no evictions or destruction of property under the Project, and that no eviction notices have been issued in connection with the Project. According to Management, the eviction notices of December 2020 cited in the Request are unrelated to the Project and appear to be based on two separate government initiatives: enforcement of the 2019 National Environment Act (NEA) to protect wetlands countrywide; and efforts to remove structures that violate the Public Health Act in several areas around Kampala. The Management Response explains that as soon as the Bank was made aware of this development it sent a response letter to the local leaders and Witness Radio Uganda, stating that although these eviction attempts did not relate to the Project, the Bank would request KCCA not to enforce these eviction notices to allow the Supplementary RAP process to proceed. The Management Response explains that this section of the channel has not been handed over to the contractor, pending completion of the Supplementary RAP process.²⁷

²⁴ These demands include that the Project be investigated, and evictions halted until PAPs are adequately informed and consulted; eviction notices be formally withdrawn, and community members be fully compensated; the entire community be resettled since the area is likely to be rendered uninhabitable due to increased flooding and health and safety issues. For the complete list of demands, please see the full Request for Inspection in Annex 1 of this Report.

²⁵ Management Response, p. v.

²⁶ Ibid., pp. 6 and 7.

²⁷ Ibid., p. 10.

26. Management acknowledges that the area where eviction notices were issued partly overlaps with the Project area. It has therefore asked the Government not to enforce any evictions in the Project area so that the Project's Supplementary RAP process is not undermined. According to Management, KCCA has confirmed to the Bank that to date, none of the eviction notices in the Project area have been enforced. Management explains that whether residents in the channel Right of Way received an eviction notice, or not, does not affect their eligibility under the Supplementary RAP. Management also states that no resident will be required to vacate the area prior to the completion of the resettlement process.²⁸

27. According to Management, there is no evidence of destroyed homes in the area. Management explains that KCCA and Bank staff recently conducted separate visits to the site. The Management Response also states that the Project has never used the police as part of the Project engagement with the affected community. Management explains that any police presence in December 2020 when eviction notices were served was unrelated to the Project. Management was informed by KCCA that no use of force by police or other intimidation took place.²⁹

28. **Concerns about the Supplementary RAP process.** The Management Response explains that even though PAPs moved into the Project area after the 2017 RAP finalization and were therefore not originally approved for compensation, KCCA will compensate them under the Supplementary RAP in order to preserve community relations, avoid potentially lengthy legal procedures and ensure smooth project implementation. According to Management, KCCA is currently working on the identification, valuation, and consultation, and will provide compensation where appropriate. According to Management, the Kawaala-Hoima Section has not been handed over to the contractor, pending resolution of the land acquisition and resettlement issues.³⁰ Management states that contrary to the Requesters' allegations, the Supplementary RAP process has not been rushed and the timing reflects a deliberative and professional approach commensurate with the geographic scope of the affected area and number of people potentially affected. Management notes that notwithstanding this Request, the overall implementation of the 2017 RAP has been smooth. According to Management, the Request raises issues and challenges that are commonly associated with compensation processes, particularly in urban areas, and are commonly resolved as part of implementation. The Management Response lists several measures that the Project's resettlement process has put in place to ensure adequate compensation and due process.³¹

29. Management states that individuals who claim to have been left out of the resettlement process or claim inadequate compensation have not come forward to have their cases considered. Management explains that such individuals can submit a complaint to the Grievance Redress Mechanism (GRM), which includes an appeals process, or can contact KCCA directly.³²

²⁸ Ibid., pp. 10 and 11.

²⁹ Ibid., p. 11.

³⁰ Ibid., pp. 2 and 3.

³¹ These include an escrow account that has been opened for compensation payments, the establishment of a grievance redress system that is operational, provision that works are not allowed to start before affected persons have been compensated, a design review before site handover and during implementation to minimize impact, provision of full compensation and disturbance allowance, and community engagement activities. Management Response, pp. 8, 9, 10.

³² Ibid., p. 10.

30. The Management Response claims the resettlement process is inclusive and covers all PAPs, including absentee landlords. While it is Management's view that the consultations so far have been adequate from the perspective of Bank policy, it recognizes that community outreach and consultations should be improved, particularly given the likely confusion caused by other activities in the same area, the fact that these PAPs were not included in the Project's original engagement, and the limitations posed by COVID-19 related restrictions on public gatherings.³³

31. The Management Response further explains that the Project has a grievance redress process and a three-level GRC with clear appeal procedures.³⁴ According to Management, the first GRC in Kawaala Zone II was not properly constituted and some community members disputed its legitimacy; in February 2021 it was reconstituted with nine members through an election by the community. The Management Response explains that during a virtual meeting with KCCA and community members in March 2021, some community members remained concerned about the composition of the GRC and it was agreed that it was to be fully reconstituted with a clear appeal process and levels.³⁵

32. **Alleged Cumulative Impact and Continuing Harm.** The Management Response notes that the Northern Bypass and the Lubigi Sewage Treatment Plant are neither supported by the Bank nor necessary to achieve the objectives of KIIDP-2. The Management Response explains, however, that the Environmental and Social Impact Assessment (ESIA)³⁶ for priority drainage systems for Kampala, which includes the Lubigi channel, considered the cumulative impact of such other projects, especially cumulative risks of flooding.³⁷

33. Management claims it is not aware of any unaddressed impacts from KIIDP-1, which is closed and therefore not subject to Panel review, and that all eligible PAPs were fully compensated for their structures and crops, which included 30 percent disturbance allowances under the KIIDP-1 main RAP and the three Supplementary RAPs.³⁸ Management explains that to ensure adequate compensation for all eligible PAPs, an additional four-month period was provided after the Project closure in December 2013, during which a notice was publicly made for any remaining claimants to come forward with any outstanding eligible claims. According to Management, during this period, all eligible claims identified were compensated. Management further states that any mention of outstanding compensation under KIIDP-1 may refer to PAPs whose compensation requests were reviewed and declined at closing of KIIDP-1 because of ineligibility under its RAP. These include cases where PAPs lacked required supporting documentation or had already been compensated.

34. The Management Response argues that the Requesters' claim about the original channel having been diverted under KIIDP-1 is not factually correct. According to the Response, the contract for Lubigi channel under KIIDP-1 was signed on June 27, 2011, and the site was handed over to the contractor on June 29, 2011. KIIDP-1 closed on December 31, 2013, with all eligible

³³ Ibid., pp. vi and 26.

³⁴ Ibid., p. 33.

³⁵ Ibid., pp. 8 and 33.

³⁶ Ibid., p. 49.

³⁷ Ibid., p. 37.

³⁸ Ibid., p. 14.

PAPs fully paid as per its RAPs. If the channel was diverted in 2010 or 2014, this was not done under KIIDP-1.³⁹ Management also notes that three graves have been identified in the Project area and related compensation processes are ongoing as per Bank policy requirements. KCCA has advised the Bank that is not aware of additional graves, nor has it received any related complaints through the GRC.⁴⁰

35. **Going Forward.** The Management Response concludes with a commitment to work with KCCA to strengthen RAP implementation through certain actions that, according to Management, address the Requests' key concerns. These actions include: i) emphasizing that eviction enforcement must be halted in the area to avoid interference with the RAP process and that all eligible PAPs must receive compensation and cannot be required to move prior to the completion of the resettlement process; ii) strengthening outreach and community engagement to better explain the resettlement process, compensation and benefits and how to access the Project's GRM; iii) inviting individuals who believe they have been left out of the resettlement process, or who claim to have received inadequate compensation, to come forward to have their cases reviewed (the Bank will monitor KCCA's review process as part of its implementation support); iv) undertaking an audit of the KIIDP-2 RAP implementation; and v) reiterating any concerns raised about potential retaliation to the Borrower, emphasizing that the Bank does not tolerate retaliation against PAPs who choose to use the Bank's avenues for grievance redress.⁴¹

E. Panel Review of the Request and Management Response, and Eligibility Assessment

36. Due to COVID-19 and related travel restrictions, the Panel was not able to conduct a field visit during its eligibility assessment and adopted a virtual format to gather information for its recommendation on whether an investigation is warranted. The Panel conducted virtual meetings with the Bank's project team, the Ministry of Finance, Planning and Economic Development, the Ministry of Gender, Labour and Social Development, the KCCA and the National Environmental Management Authority (NEMA). The Panel further met with the Requesters, their representatives and other affected community members.

37. The Panel expresses its gratitude to all mentioned above for meeting with the Panel, sharing their views and valuable information. The Panel also thanks the World Bank Country Office staff for their assistance with logistical arrangements for this virtual mission.

38. The Panel notes that, as part of the Request for Inspection, the Requesters asked the Panel to conceal their identities due to grave concerns about their security and that of their relatives. They further specified that supporting documentation to the Request should also be treated as confidential to protect individual identities. During its eligibility assessment, the Panel has been made aware of serious reprisal allegations in relation to the Request for Inspection. The Panel has received information about an alleged escalating pattern of threats, intimidation, and retaliation. The Panel has, in accordance with its Guidelines to Reduce Retaliation Risks and Respond to

³⁹ Ibid., p. 15.

⁴⁰ Ibid., p. 47.

⁴¹ Ibid., pp. vii and 17.

Retaliation During the Panel Process,⁴² initiated discussions with Bank Management about steps that Management can take to enhance the security of the Requesters and their representatives. Management informed the Panel that the Bank has raised the issue of the alleged retaliation with the highest levels of government and KCCA, reiterating the World Bank position that it does not tolerate reprisals and retaliation against project-affected people who share their views about Bank-financed projects, and that complainants, victims and witnesses need to be protected from any form of threat, intimidation or reprisal.

39. The Panel's review is based on information presented in the Request, the Management Response, other documentary evidence, and information gathered through conversations with the Requesters, Management, and other stakeholders. The following review covers the Panel's determination of the technical eligibility of the Request according to the criteria set forth in the Panel Resolution (subsection E.1), observations on other factors (subsection E.2), and the Panel's review (subsection E.3) supporting the Panel's recommendation.

E.1. Determination of Technical Eligibility

40. The Panel is satisfied that the Request meets the six technical eligibility criteria of the Panel Resolution.⁴³ The Panel notes that its determination of technical eligibility, which is a set of verifiable facts focusing to a large extent on the content of the Request as articulated by the Requesters, does not involve the Panel's assessment of the substance of the claims made in the Request.

- Criterion (a): *“The affected party consists of any two or more persons (the “requesters”) with common interests or concerns and who are in the borrower’s territory.”* The Request was submitted by Witness Radio Uganda on behalf of community members living in the project area in Kampala who claim to be affected by the Project. The Panel therefore considers this criterion met.
- Criterion (b): *“The Request does assert in substance that a serious violation by the Bank of its operational policies and procedures has or is likely to have a material adverse effect on the requesters.”* The Request alleges serious harm caused by the Project's work and related resettlement process in the area of the Lubigi channel, which is part of Component 1, Batch 2 of KIIDP-2. The Request alleges that the affected community was excluded from the Project's resettlement under the 2017 Resettlement Action Plan (RAP), confronted with a forced eviction attempt in the same area as the Project, and rushed through an inadequate, threatening, and coercive resettlement process under the Supplementary RAP. The Request further alleges cumulative impact from different interventions in the KIIDP-2 Project area, including KIIDP-1. The Panel is thus satisfied that this criterion is met.
- Criterion (c): *“The Request does assert that its subject matter has been brought to Management's attention and that, in the requesters' view, Management has failed to*

⁴² The Inspection Panel, 2018. [Guidelines to Reduce Retaliation Risks and Respond to Retaliation During the Panel Process.](#)

⁴³ The World Bank Inspection Panel, Resolution No. IDA 2020-0003, para. 29.

respond adequately demonstrating that it has followed or is taking steps to follow the Bank's policies and procedures." The Request explains that Witness Radio Uganda wrote to the World Bank about the issues raised in January 2021 but did not receive a response. According to the Request, after Accountability Counsel intervened in February 2021, the World Bank team agreed to a meeting in early March 2021 that included the Bank project team, KCCA, representatives of the affected community, and teams from Witness Radio Uganda and Accountability Counsel. The Request asserts that during this meeting the issues presented in this Request were discussed and the "*World Bank offered some recommendations to remedy KCCA failings*".⁴⁴ According to the Requesters, they found many of the recommendations useful and had high hopes for a fair resolution following this meeting. However, the Request explains that little progress has been made on these actions and, at the time of filing the Request, residents were still lacking information about the land acquisition process. The attachments to the Request include several communications with the Bank. The Panel is thus satisfied that this criterion is met.

- Criterion (d): "*The matter is not related to procurement.*" Most of the allegations relate to social and environmental issues, and do not relate to procurement. Thus, this criterion is met.
- Criterion (e): "*For projects approved by the Executive Directors before the date of this Resolution [the 2020 Panel Resolution, dated September 8, 2020], the related loan has not been closed or substantially disbursed or for projects approved by the Executive Directors on or after the date of this Resolution fifteen months have not yet passed from the date the related loan has been closed.*" At the time of receipt of the Request, the Project was 79.45 percent disbursed, and the closing date was set as November 30, 2021. Therefore, this criterion is met.
- Criterion (f): "*The Panel has not previously made a recommendation on the subject matter or, if it has, that the request does assert that there is new evidence or circumstances not known at the time of the prior request.*" The Panel has not made a recommendation on the issues raised in the Request, and thus this criterion is met.

E.2. Panel Observations Relevant to its Recommendation

41. In making its recommendation to the Board and in line with its Operating Procedures, the Panel considers the following:

- whether the alleged harm and possible non-compliance by the Bank with its operational policies and procedures may be of a serious character;
- whether there is a plausible causal link between the harm alleged in the Request and the project; and
- whether Management has dealt appropriately with the issues or has acknowledged non-compliance and presented a statement of remedial actions that address the concerns of the Requesters.

⁴⁴ Request for Inspection, p. 22.

42. Below, the Panel records its preliminary observations on the alleged harm and compliance, noting that in doing so it is not making any definitive assessment of the Bank's compliance with its policies and procedures and any adverse material effect this may have caused.

43. The Panel observes that the Requesters are not opposing the Project per se, recognize its importance and are willing to move from the Project area, but emphasize the significant hardship they face and the need for fair compensation and assistance so they can sustain their livelihoods.

44. **Alleged Exclusion from the 2017 RAP.** The Panel notes the Requesters' assertion that the Project failed to include the community in the Kawaala-Hoima Section of the channel in its resettlement program. The Panel also notes Management's claim that this area was an uninhabited wetland free of any human activity at the time the 2017 RAP was prepared. During its eligibility assessment, the Panel spoke to several different Project stakeholders⁴⁵ to better understand this situation and obtained conflicting information, as presented below.

45. KCCA explained to the Panel that its consultant prepared the valuation report for the 2017 RAP in 2015. According to KCCA, the consultant found no developments in this area at that time and thus did not cover it in its valuation report. KCCA mentioned that it is aware that some people were present in the area in 2017, but outside the channel corridor. The Bank Project team confirmed its assessment that no PAPs were present in the area during preparation of the 2017 RAP. During its meeting with NEMA, the Panel was told that few people were present in this area when a restoration order for the Lubigi wetland was issued. The Panel understands from its discussion with NEMA that people have moved in and out of the area for many years, and that NEMA has enforced evictions in the past, including in 2011 and 2018, but that people continue coming back to settle in this area. NEMA also told the Panel that, due to financial constraints, it is not always able to complete eviction enforcement in a targeted area all at once. In this context, the Panel notes the explanation in the Management Response that there have been repeated attempts from the community to utilize the land around the channel and that "*[t]he Government has since 2011 been dealing with such illegal uses of the Lubigi wetland.*"⁴⁶

46. During its eligibility assessment, the Panel also spoke to over 20 community members who report living on or using land near the channel in the Kawaala-Hoima Section. The Panel was told that individuals have had homes in this area for many years, have been using the land for subsistence farming, and some have been selling crops for income. Thirteen of the community members the Panel spoke to claim to have been living in this area since before the 2017 RAP cut-off date in November 2016, six of them prior to 2000, and two as early as 1964. Most of them claim that they have lived there continuously until today. The Panel has conducted a preliminary review of a large number of documents received from over 30 community members, including *Kibanja* land agreements (customary ownership agreements) on land held by the Buganda Kingdom. They have provided evidence that they have been paying ground rent ("*busuulu*") to the

⁴⁵ The information presented in the observations section of this report was obtained verbally during virtual meetings between September 13 and 23, 2021, with the Bank's project team, KCCA, NEMA, the Ministry of Finance, Planning and Economic Development, the Ministry of Gender, Labour and Social Development, as well as Requesters and other affected community members, unless otherwise indicated.

⁴⁶ Management Response, p. 7.

Buganda Land Board,⁴⁷ and land titles, dated from 1996 to 2020, which indicate that people have lived in the area for many years.

47. Based on the available information, the Panel observes that there are conflicting assertions about the presence of community members in the Kawaala-Hoima Section of the channel at the time of the 2017 RAP cut-off date in November 2016.

48. **Alleged Forced Eviction Attempt.** The Panel notes Management’s assertion that the eviction notices of December 2020 cited in the Request are unrelated to the Project. From its meetings with the Bank Project team, KCCA and NEMA, the Panel understands that evictions can be conducted for several purposes, by different agencies and following various laws. It is the Panel’s understanding that the eviction processes referred to by the Requesters appear to relate to two separate government initiatives. The first is the enforcement of the 2019 NEA to protect wetlands countrywide. NEMA explained to the Panel that it has authority over wetlands and wetland use, including removal of people living there or using the wetlands in violation of the law. NEMA told the Panel that people who are evicted from protected areas, including wetlands, are not entitled to compensation unless they hold a land title from before 1995. The second eviction process referred to in the Request appears to relate to efforts by KCCA’s Department of Physical Planning to remove illegal structures, including those that lack required permits or violate health and safety standards causing risk to individuals, in several areas around Kampala following the Public Health Act.⁴⁸

49. The Panel has received from affected community members copies of several eviction notices, which were allegedly served by KCCA, referring to public health and wetland protection, requiring 28 days’ notice to leave the area. Some community members told the Panel that they did not receive the eviction notices personally, as they were absent on the day they were served. Some community members told the Panel that they have not received any further information since then. In its discussions with community members, the Panel was told that affected community members had not received any prior notification or information about these notices and the reasons for them prior to being served. According to the Request, affected community members believe that the “2018 NEMA directive canceling land titles in wetlands does not apply to the land on which they reside in Kawaala Zone II.”⁴⁹ They argue that they have never received any notice regarding the cancellation of their titles that would be required under due process. They also view KCCA’s recent efforts to confirm land title status of PAPs with the Buganda Land Board as contradicting the claim that their titles are invalid. The Requesters further argue that other government-led projects in the area over the past 10 years appear to be at odds with the protected wetland status.⁵⁰ The Requesters believe the real reason they must leave is the work on the Lubigi channel under KIIDP-2.

⁴⁷ According to the Request for Inspection, a *Kibanja* holder holds an equitable interest in so-called Mailo land, for which this person has the right to assign, sublet, pledge, sub-divide, bequeath, or create third party rights, but must seek consent from the registered landowner, which should not be denied on unreasonable grounds. According to the Request, *Kibanja* land holding status is not typically proven by an individual’s ability to furnish particular documents. See Request for Inspection, pp. 2 and 3.

⁴⁸ Management Response, p. 20 and 44.

⁴⁹ Request for Inspection, p. 21.

⁵⁰ *Ibid.*, pp. 21 and 22.

50. It is the Panel's understanding that the Bank learned about the eviction notices that were served to community members on December 3, 2020 from Witness Radio Uganda. The Panel further notes Management's acknowledgement that the eviction notices partly overlap with the Project area.⁵¹ According to the Management Response, 19 eviction notice recipients are located in the Kawaala-Hoima Section of the channel, and 11 of them are eligible PAPs under the Supplementary RAP, which is currently being prepared and is discussed further below. The Panel understands that as soon as the Bank was made aware of the eviction notices, it sent a response letter to local leaders and Witness Radio Uganda stating that although these eviction attempts did not relate to the Project, the Bank would request KCCA not to enforce them to allow the Supplementary RAP process to proceed.⁵²

51. In its meetings with community members, the Panel was told that KCCA was accompanied by police when the eviction notices were served. Some community members informed the Panel that they felt threatened and intimidated. Some of them alleged that their assets (structures, crops, trees), or those of their neighbors, were destroyed at the time the eviction notices were being served, or in the following days. One community member claims that his house was destroyed by KCCA and an enforcement officer a couple of days after the eviction notices were served. The Panel observes that Management was informed by KCCA that no use of force by police or other intimidation took place.⁵³

52. Based on the available information, the Panel observes that there are conflicting assertions in relation to the eviction notices and alleged enforcement attempt. The Panel also notes the partial geographical overlap with the KIIDP-2 project area.

53. **Concerns about the Supplementary RAP process.** The Panel notes Management's explanation that PAPs who moved to the Project area after the finalization of the 2017 RAP were not originally approved for compensation, but KCCA has nevertheless decided to compensate them under a Supplementary RAP to preserve community relations, to avoid potentially lengthy legal procedures and to ensure smooth project implementation. The Panel understands that the Supplementary RAP is currently being prepared and has thus not had an opportunity to review it. KCCA informed the Panel that the surveys for the Supplementary RAP were completed.

54. The Panel understands that the Supplementary RAP recognizes *Kibanja* land holding, and that anyone under this tenure system qualifies for compensation. The Panel understands that the Supplementary RAP has identified 155 PAPs in total, 98 of them in the Kawaala-Hoima Section. The Panel further understands that 11 PAPs who were identified as eligible for compensation under the Supplementary RAP have also received eviction notices. According to Management, 23 of the 155 PAPs affected by the planned works in the Kawaala-Hoima Section have structures, of which eight are permanent (burnt bricks, iron sheets and cement) and 15 are temporary (mud and wattle or shacks). Management explains that the remainder of the PAPs with claims in the Kawaala-Hoima Section have seasonal vegetable gardens only.⁵⁴

⁵¹ Management Response, pp. 44 and 33, para 34.

⁵² *Ibid.*, p. 10.

⁵³ *Ibid.*, p. 11.

⁵⁴ *Ibid.*, p. v.

55. During its meetings with affected community members, the Panel was told about several serious concerns about the resettlement process. Most PAPs the Panel spoke to stated they were lacking clear information about the resettlement process, its timeline, and requirements. They explained not having been consulted meaningfully and in a timely manner. For many, their first interaction with the Project was the March 2021 meeting with the Bank project team and KCCA. Several PAPs mentioned that even after this meeting, they still have not received key resettlement-related information, such as details about how compensation amounts would be calculated and when they would have to leave the area. Several community members argued that they did not know if their property was surveyed at all and had no chance to verify or challenge survey results, and others claimed that the surveyors did not enter their land.

56. Community members informed the Panel that KCCA had told them that their valuation results and compensation amounts would only be disclosed to them once the *Busuulu* fees had been paid, certain documents provided, and compensation documents signed. The Panel was told by PAPs about exorbitant fees being charged for them to obtain the required documentation. Several community members explained that, only upon handing over the required documents and signing the compensation documents, PAPs were shown the valuation results and compensation amounts. According to several PAPs, it was only then that they discovered that, in some instances, the compensation amount barely covered the fees they had paid to obtain documentation necessary to view their evaluation results.

57. Many PAPs the Panel spoke to believed that the compensation amounts offered were arbitrary and not commensurate with the area detailed in their agreements and did not adequately consider the assets on the land. Several PAPs told the Panel that they have not signed the compensation documents because they are scared to sign and commit to an unknown compensation amount. Some PAPs reported having been “*consistently harassed*” by KCCA officials asking them to either sign documents or leave the area. Several PAPs alleged that they did not know what they were signing. Some PAPs told the Panel that they were unable to read, and others explained that while they could read the documents were only made available in English. Many community members the Panel spoke with claimed to have been threatened or intimidated by KCCA officials throughout the resettlement process. According to some PAPs, they were threatened by KCCA officials and asked to stop challenging the process and accept the offered compensation.

58. The Panel notes Management’s commitment that all eligible PAPs must receive compensation as appropriate under the Supplementary RAP and cannot be required to move prior to the completion of the resettlement process. The Panel, however, understands that some PAPs have already abandoned their crops because of alleged threats by KCCA officials to arrest anyone found in their vegetable gardens. Some PAPs also informed the Panel that they were told that they would be forced to leave their land, structures, and crops before the end of the year. PAPs expressed serious concern about whether they would receive fair compensation and be able to move elsewhere within that timeframe.

59. In its meetings with affected community members, the Panel learned that they were generally not aware of the GRC or any community-based mechanism for people to raise grievances and were not aware of community elections for such a mechanism. When asked about where PAPs raise concerns about the Project, most responded that they would go to KCCA directly. Some PAPs

mentioned, however, that they were scared to raise concerns as they feared intimidation and reprisals.

60. **Alleged Cumulative Impact and Continuing Harm.** The Panel notes Management's explanation that the ESIA considered cumulative impact of other unrelated projects, especially regarding flooding. The Panel spoke to a few community members who reported having suffered increased property damage due to floods in recent years and attributed this to impact from KIIDP-1 and the other infrastructure projects in the area. Some community members claimed that the works on the channel changed the flow of water, which resulted in floods, and destroyed their structures, causing them to become uninhabitable or to collapse. The Panel was told that the resulting loss caused some people to become homeless. It is noted by the Panel that KIIDP-2 is in the same geographical area as KIIDP-1 and other unrelated projects and that the Requesters allege there could be potential for the flooding in the Project area to be exacerbated by the KIIDP-2 Project.

E.3. The Panel's Review

61. The Panel acknowledges the significance of the Project in addressing serious flooding in Kampala that has caused deaths and injuries, damaged infrastructure and led to large economic losses. It notes that the Requesters are not opposing the Project and are willing to move but allege serious actual and potential harm emanating from the Project.

62. The Panel acknowledges the serious concerns of the Requesters and appreciates the supplemental information received during the eligibility assessment and the productive discussions with them, as well as the trust they have placed in the Panel's process. The Panel also acknowledges Management's detailed response to the issues raised in the Request and willingness to provide further information.

63. The Panel notes Management's assertions that most allegations raised in the Request were already known and are being addressed by the PIU, and that the eviction notices and police deployment cited in the Request are not related to the Project. The Panel acknowledges that an additional resettlement process through the Supplementary RAP is now being undertaken in the relevant area. It further acknowledges the actions described in the Management Response, which Management believes will address the Requesters' key concerns.

64. **Alleged Serious Harm and Possible Non-Compliance.** The Panel notes community members' claims that they have had homes in the affected area for many years and have been using the land for subsistence farming, and some have been selling crops for income. They claim that they were unduly excluded from the Project's earlier resettlement program and raise several allegations of potential serious harm in relation to the Supplementary RAP process currently underway. They believe that this process has been inadequate, continues to exclude some PAPs and will not result in fair compensation. The PAPs identified under the Supplementary RAP claim that they had to pay exorbitant fees to prove their rights to the land and obtain valuation documents. They argue that these fees, in several cases, amounted to almost as much as the compensation offered. They also allege that community members have been intimidated into abandoning their

dwellings, plantations and gardens owing to threats by KCCA officials and that many PAPs living in the area are not able to move elsewhere in Kampala with the amount of compensation offered.

65. Some community members claim that they have suffered harm when their structures and crops were destroyed during the alleged eviction enforcement attempt. Several community members allege that flooding in the area has increased since the completion of KIIDP-1 and other nearby unrelated projects and that the cumulative impact of KIIDP-2 could also potentially have an impact on flooding in the Project area.

66. The Panel notes that the Requesters were able to provide numerous examples as to how their rights and interests are being, or may be, potentially seriously affected. The Panel therefore notes that the alleged harms are of a serious character emanating from possible non-compliances by the Bank with its operational policies and procedures.

67. **Plausible Causal Link between Alleged Harms and Project.** Management maintains that no one was living in the area that is the focus of the Request and that those claiming to be affected moved in after the 2017 RAP, for which the cut-off date was November 2016. The Panel notes, however, that its eligibility assessment has revealed conflicting claims, information and assertions from the Requesters and Management in relation to this aspect, and to several issues presented in the observations above. These conflicting assertions relate to the presence of PAPs in the area prior to the cut-off date, the reasons for the eviction notices, the nature of the alleged eviction enforcement attempt, the adequacy of the ongoing resettlement process and the plausible causal link between the harms alleged in the Request and the Project.

68. The Panel notes that the alleged harms in relation to the 2017 RAP and Supplementary RAP, such as the potential exclusion of PAPs from the former and the alleged inadequacy of the latter, are plausibly linked to the Project. With regards to the alleged harm in relation to the eviction notices and alleged enforcement attempt, the Panel notes Management's assertion that these are unrelated to the Project but considers the partial geographic overlap with the Project area, timing, and conflicting assertions about the reasons for them and their nature, and thus considers that there is an additional plausible link to the Project that needs to be further explored.

69. The Panel further notes that the court case filed against KCCA includes many community members and some Requesters who claim that the eviction processes are related to the Project and that they could suffer consequential serious harms.

70. **Management Actions.** The Panel recognizes that Management is taking steps to address some of the alleged harms, including working with KCCA to strengthen RAP implementation through different actions, such as emphasizing that eviction enforcement must be halted in the area to avoid interference with the resettlement process and that all eligible PAPs must receive compensation and cannot be required to move prior to the completion of the resettlement process; strengthening outreach and community engagement; inviting individuals who believe they have been left out of the process or received inadequate compensation, to come forward to have their cases reviewed; and undertaking an audit of the KIIDP-2 RAP implementation.

71. The Panel understands that the Supplementary RAP has not been completed and notes that it thus had no opportunity to review it. The Panel also notes the numerous concerns by the Requesters about the Supplementary RAP process, and the supporting documents received from them. The Panel, at this stage, is unable to verify or assess the inclusion of the Requesters and other community members who claim exclusion from the process, nor the quality, timeliness, and adequacy of the resettlement process. The Panel notes that there are many conflicting assertions, and it is not possible to assess whether Management has dealt with the issues raised appropriately, or sufficiently demonstrated it followed policies and procedures or that Management's proposed actions adequately address the matters raised in the Request. The Panel is therefore unable to verify nor confirm whether compliance has been or will be achieved through these actions.

72. **Conclusion.** The Panel notes the conflicting assertions between the Requesters and Management as to whether the Project caused the alleged harm suffered or likely to be suffered by the Requesters and whether there is a violation by the Bank of its operational policies and procedures. The Panel notes that the facts related to these assertions and Management compliance, or lack thereof, with applicable policies and procedures can only be determined in the course of an investigation.

F. Recommendation

73. The Panel notes that the Requesters and the Request for Inspection meet the technical eligibility criteria set forth in the Panel Resolution. The Panel considers the alleged harm to be plausibly linked to the Project, and that the Request raises important issues of alleged harm and policy non-compliance.

74. Based on the above Panel observations and review, the Panel recommends carrying out an investigation into the alleged issues of harm and related non-compliance, in particular focusing on the Bank's policies on Environmental Assessment, OP/BP 4.01, Involuntary Resettlement, OP/BP 4.12, and Investment Project Financing, OP/BP 10.00.

75. If the Board of Executive Directors concurs with the Panel's recommendation, as per paragraph 30 of the Panel Resolution, the Accountability Mechanism Secretary, acting in her capacity as the Head of the Dispute Resolution Service, shall offer an opportunity for dispute resolution to the Requesters and the Borrower (the Parties) in accordance with Part III of the Accountability Mechanism Resolution.⁵⁵ The Panel will then hold its compliance process in abeyance until the dispute resolution process is concluded. Upon receiving a report from the Accountability Mechanism Secretary as Head of the Dispute Resolution Service that a dispute resolution process has concluded, if the Parties have reached agreement and signed a Dispute Resolution Agreement, the case shall be considered closed. The Panel shall issue a memorandum closing the case and take no further action with respect to the Request.⁵⁶ The Panel will inform the Requesters and Management accordingly. However, if the Requesters and Borrower do not agree to dispute resolution or if a dispute resolution agreement is not reached by the Parties within the stipulated period, the Panel will commence its investigation.⁵⁷

⁵⁵ The World Bank Inspection Panel, Resolution No. IDA 2020-0003, para. 30.

⁵⁶ *Ibid.*, para. 33 (b).

⁵⁷ *Ibid.*, para. 33 (a).

Annex 1

Request for Inspection

Executive Secretary
The Inspection Panel
1818 H Street,
NW Washington, DC 20433 USA
Via Email: ipanel@worldbank.org

17th/June/2021.

Re: Request for Inspection by the World Bank Inspection Panel in Kampala Institutional and Infrastructure Development Project

World Bank Inspection Panel,

Reference is made to the subject matter;

This is a request that highlights the impunity, abuse of processes and the law, and unjustified failure, by the World Bank and its client, the Kampala Capital City Authority (KCCA), to include an entire community of Project Affected Persons (PAPs) in the project's resettlement and compensation program. Instead, in disregard of World Bank Policies and the national law, the project implementer issued eviction notices to PAPs under the Public Health Act Cap. 281 and took advantage of the World Bank's reduced supervision during the Covid-19 Lockdown to try to evict the Project Affected Persons without compensation, in clear violation of World Bank safeguards. When this forced eviction plan failed, following interventions from PAPs' advocates and the local council, the project implementer, with inadequate supervision from the World Bank, began to push requesters through a rushed and mismanaged resettlement process, prioritizing project timelines over considerations of accuracy, completeness, or the overall livelihoods and wellbeing of affected people.

This request is submitted by Witness Radio Uganda, not for profit and non-partisan registered advocates for the protection and promotion of human rights in development, who are authorized to act on behalf of requesters from Kawaala Zone II, Kasubi Parish, Lubaga Division, in Kampala Capital City. Accountability Counsel, an international non-profit legal organization that supports communities seeking redress for harm from internationally financed projects, also supports this request. **Annexed hereto are the representation agreements and signature pages (Annex A).**

Requesters are affected by a USD 175 million loan from the World Bank Group's International Development Association (IDA) for the Second Kampala Institutional and Infrastructure Development (KIIDP-2) project. The Requesters wish to request for concealment of their identities due to grave concerns about their security and that of their relatives. They further request that the annexed documents should be treated as confidential to protect individual identities. The text of this complaint, however, need not be treated as confidential and may be posted on the Inspection Panel website.

The requesters are project affected persons of the **Second Kampala Institutional and Infrastructure Development Project (P133590)**. This project entails, among others, the expansion and construction of **Lubigi Primary Drainage Channel** that forms part of the eight primary channels in Kampala, and is **2.5km** long.

The aforesaid project will cost a total of \$183,750,000, of which the World Bank has committed to provide a loan to cover **\$175,000,000.0 (One Hundred Seventy Five Million United States Dollars)** to cater for not only the construction, but also the compensation and resettlement of the persons to be displaced by the aforesaid project in line with World Bank Safeguards.

The requesters are willing to move, but doing so will present a significant economic hardship and they require a fair and effective compensation and resettlement assistance program to sustain their livelihoods through this transition.

1. Background and community concerns

a) Background

The requesters are community members living in Kawaala Zone II. There are low literacy rates among the community members. Many community members are using their land for subsistence farming, growing crops to feed their families and in some cases they sell these crops on the roadside to passing travelers to make some income. Most community members are *Kibanja* holders/ customary tenants on Mailo Land held by the Buganda Kingdom and managed by the Buganda Land Board. **Annexed hereto is a bundle of some of the sale of Bibanja (land) agreements (Annex B).** A *Kibanja* holder holds an equitable interest in mailo land. *Kibanja* holders have the right to assign, sublet, pledge, sub-divide, bequeath, or create third party rights in the land, although they must seek consent from the reg-

istered landowner, which should not be denied on unreasonable grounds.¹ It is worth noting that *Kibanja* is a type of land holding that is peculiar to mailo land found mostly in Buganda (Central Uganda). Kibanja land holding status is not typically proven by an individual's ability to furnish particular documents.

b) Case narrative and community concerns

The requesters have been living in the area for many years, some for even 20 years or more, and some have lived in their homes for their entire lives and have been paying Busulu (rent) to the Buganda Land Board. **Annexed hereto are copies of the receipts wherein the Kingdom of Buganda acknowledges payment of Busuulu by one of the community members (Annex C).**

However, instead of compensating the requesters and other similarly affected persons for their land, on *3rd December, 2020*, KCCA through its Building Inspector/Planner and other servants, and in alleged exercise of power under the Public Health Act Cap. 281, distributed notices to local residents residing on the west side of Kawaala bridge, requiring them to “remove all illegal structures” and “halt all ongoing construction works” within 28 days. Large red “X” marks were also placed on local buildings by the same officials.



¹ The Land Act, Part II, section 34, <https://barefootlaw.org/wp-content/uploads/2018/08/The-Land-Act.pdf>. A 2010 amendment to the Land Act criminalizes the sale of land by a Kibanja holder without the land owner's consent and voids any such transaction. However, Section 1 of this amendment is currently subject to a legal challenge, *vide*, **Constitutional Petition No. 10 of 2020 Dr. Zahara Nampewo & Brian Kibirango v. the Attorney General (AG)**. The provisions voiding criminalizing sale of land made without a land owner's consent and voiding such transactions should not be enforced until this legal challenge is resolved.



Figure 1 Properties marked for demolition by KCCA officials

The notices cited Public Health Act Cap. 281 and claimed that they were based on violations of public health rules related to safe and sanitary housing. However, this is difficult to believe, as the notices were vague and did not state which specific buildings were at issue, nor were they based on any individualized inspection of houses or buildings. Instead, they were distributed broadly to residents and building owners throughout the area where the new drainage channel is to be routed. Many of the buildings in question had been in the area for many years, yet residents had never been previously notified of any issue related to public health rules. One resident reported that it had been over 26 years since his house was erected and he had never been contacted about any alleged violation of public health rules before this. This, coupled with the timing of the notices at a moment when KCCA was gearing up to expand the Lubigi drainage channel onto the same land, led residents to believe that clearing way for the channel was the real reason for the evictions, not the alleged violation of public health rules. Further, the notices included handwritten notations that residents read as threatening, such as: “remove all illegally constructed structures from the wetland area immediately or else KCCA shall remove them at your own cost.” **Attached in the annex to this request for inspection are examples of said notices (Annex D).**

Subsequently, the following day on **4th December, 2020**, the recipient of the World Bank financing, Kampala Capital City Authority (KCCA), together with employees of its contractor, **China Railway No.10 Engineering Group Ltd**, under the watchful protection of armed members of the **Uganda Police Force (UPF)**, forcefully began to evict the hapless and helpless requesters, in the guise of enforcing the impugned notices that had barely lasted for 24 hours. These evictions began

early in the morning, around 6am, when many families were still asleep. By the time the Local Leadership intervened some residents had their homes and crops destroyed in this process because KCCA had employed excavators to remove the said crops.²

Since this time, requesters have made some attempts to resolve the issue with KCCA, seeking help from the Local Council leadership and Witness Radio. These efforts are described in more detail below, but so far they have not resolved the issues. In January 2021, Witness Radio assisted 107 community members to file a case in the High Court of Uganda regarding this matter, requesting an injunction to halt the evictions. **Annexed to this complaint is one of the court filings, which also includes further detail regarding the events described here (Annex E).** However, to date, the eviction notices are still outstanding and have not been canceled, leaving the community at constant risk of sudden eviction should the court refuse their request for an injunction.

Further, in early 2021, KCCA has forcefully conducted a survey and evaluation exercise, without the participation of the Local Leadership and other stakeholders, and in the absence of any informed consultation process to explain its planned approach to local residents. As a result, not all community members were present at the time the survey was conducted. Despite warnings from the community and Witness Radio of the mistrust bred by the recent attempted eviction process, and despite multiple requests to halt the surveying process until after informed consultations were held, KCCA's Social Development Specialist for KIIDP went ahead and forcefully conducted a survey with the assistance of armed members of Uganda Police Force and in the presence of children and other vulnerable members of the community. At a certain point of time, Buganda Land Board advised KCCA to compensate the affected community before considering eviction. **Attached in the annex to this request is a letter dated 9th February 2021 from Witness Radio asking the KCCA to halt this process, but in vain (Annex F).**

² This event affected residents living on the west side of Kawaala bridge along the planned drainage channel route. There is also one requester living on the east side of Kawaala bridge whose land was demarcated for demolition on 28 October 2020. Like other local residents, he was not offered any compensation prior in advance of this action to prepare his land for demolition. This event was particularly insulting as the requester's property had been badly damaged due to construction works for KIIDP-1. He has sent numerous letters to the KCCA and other government agencies to demand compensation for that damage, to which he has still not received a satisfactory response. **Annexed to this complaint are copies of correspondence regarding this requester's compensation claims (Annex I).**

Given the conditions of force and coercion under which the survey was conducted, requesters believe that the survey likely contains serious errors, misidentifying property holders and failing to identify some residents. To date, residents have not been provided with adequate information to determine whether their land holdings have been properly identified. For instance, one of the requesters was shocked to hear that KCCA had invited her to receive its valuation report related to her land, and yet she has never taken part in such a survey. Nonetheless, KCCA has persevered in its reliance on this forced survey as a basis for calculating resettlement entitlements. As of June 2021, KCCA has provided some community members with figures for how much compensation they will receive, but they have provided no information on how these individual entitlements were calculated. Given the KCCA's poor history of engagement in this community, the lack of information about compensation determinations has led to widespread mistrust of KCCA's calculations.

KCCA seems inclined to rush its resettlement process without following due process or the requirements of World Bank Safeguards. In a recent series of letters to the Local Council, *Ref: KIIDP2/KCCA/1311 and dated 20th May, 2021, 4th May, 2021 and 19th April, 2021*, the KCCA describes a rushed process that allows one week for answering questions and identifying right of way issues (May 10-14) and another week to verify ownership of land and disclose compensation values to PAPs (May 24-28). **Annexed hereto are the said letters (Annex G).** This plan itself demonstrates a shockingly accelerated resettlement plan for the residents of Kawaala Zone II. For reference, the project's Resettlement Action Plan lays out an implementation timeline that allots 4 months for the display of valuation lists and verification of PAPs, and a further 5 months for continuing to organize compensation payments.³ KCCA appears dead-set on accelerating this process to span only a few weeks.

Additionally, community members remain largely unaware of these plans, indicating either widespread and ongoing communication failures or a stark difference between the plan laid out on paper and what KCCA is actually accomplishing in its resettlement implementation. Community members report very few opportunities to meet with the KCCA locally to ask questions and understand the process. Some have not been able to attend a single consultation meeting; others only attended one meeting that was held on *10th May, 2021 (Between 11:00am -2:00pm)* where KCCA asked the project affected persons to avail them with documents relating to

³ Resettlement Action Plan (RAP) for the proposed improvement of priority drainage systems in Kampala Capital City under KIIDP-2 Project, p. 156-157, https://www.kcca.go.ug/media/docs/Final%20Drainage_RAP_Report.pdf.

ownership of land, financial status (bank statement) and identification. At this meeting, KCCA did not provide any detailed information about their resettlement process or their methodology for compensation valuations.

Further, when they received word on *May 25* of KCCA's plan to spend a week verifying individuals' land holding status from *May 24-28*, the Local Council and affected people interpreted this to mean that *May 28* would be *the cut-off date* for submitting documents. This caused extreme stress and confusion among residents, as the short timeline did not give them enough time to reasonably collect their documents. Whether or not this was KCCA's intention, this is an example of the deep flaws in its current communication with affected people. By relying primarily on letters sent to the Local Council and conversations with affected people who choose to travel to the KCCA office, KCCA has left wide gaps in its communications and information dissemination. **Included in the annex is the letter to the Local Council explaining KCCA's plan for verification of documents, stamped as received on May 25 (Annex G).**

These problems together have added up to a confusing, inequitable, and inaccessible process. Additional problems include:

1. KCCA has asked community members to sign documents and forms that are written in English, which illiterate and semi-literate community members do not understand. KCCA has not explained these documents at the time of signing and their purpose and contents remain equivocal to the mostly illiterate community members. Some, but not all, community members have been provided with copies of these documents to take home with them. We helped community members to review some of these documents and note that they include a clause that states the signatory has agreed to resettle from their land in exchange for accepting a stated compensation amount. Some community members had already signed these documents, at the request of KCCA, without having their contents or meaning explained to them first. On all of the documents that we have reviewed, there is a space for an agreed date of eviction, which is left blank. Some of the documents are also missing critical elements, such as the signature of a Local Council member or any other witness. In other words, KCCA has allowed and even encouraged community members to sign away their land holding rights and accept a stated amount of compensation without ensuring that community members even understand what they are signing. **Annexed hereto are some of the individual compensation documents (Annex H).**

2. KCCA has failed and/or refused to disclose and explain to communities in an accessible form and manner the valuation rates and methodology employed to arrive at individual compensation figures. In the absence of any clear explanation, and in light of the problematic survey that the figures are based upon, many community members fear that the KCCA has undervalued their property or misidentified their property.

3. KCCA has excluded the Local Council from participating in critical aspects of the resettlement process. The lack of participation of the Local Council in KCCA's surveying and other activities means that these processes are not adequately informed or reliable. Only after we began raising concerns about the deep flaws in the resettlement process, KCCA sent a number of letters to the Local Council, to keep them informed to some degree in KCCA's alleged activities. Yet, they have still refused/and or failed to involve the Local Council in critical resettlement activities, degrading the validity of these activities and the trust of local people.

4. Community members have a number of concerns related to impacts from KIIDP-1 that were never addressed, including damage to structures and crops that had been forcibly taken over by KCCA under KIIDP-1. KCCA had informed community members KIIDP-1 that anything left unaddressed would be addressed under KIIDP-2. Given that the two projects are highly connected and essentially two phases of the same project, community members believed these assurances. However, now KCCA has reversed its position and insists that it will not address any problems related to KIIDP-1, despite those earlier assurances.

5. KCCA has failed and/or refused to institute a Grievance Redress Committee. In January 2021, KCCA suddenly imposed on the requesters and the rest of the affected community a "Grievance Redress Committee" of members hand-selected by KCCA who do not have the trust and support of the community. Contrary to the process described in the project's Resettlement Action Plan, this committee does not include any members of local leadership and was not constituted at the start of the project, nor was the committee established through an election by the affected people. This was brought to the attention of KCCA by Witness Radio in a letter dated 29th January, 2021 and Ref: LEGAL/L&L/2021/02. **Attached in the annex to this request for inspection is the said letter (Annex G).** Nonetheless, KCCA did not take any action to address the matter and continued to rely on the committee as a primary conduit for communications with local PAPs.

The committee was disbanded by an official vote of the Local Council on April 1. Even before this date, the Committee had not in practice provided any grievance handling services for the local community, leaving residents without any project-level mechanism for resolving their complaints.

On a number of occasions, the resettlement process has involved tactics that can only be described as threatening and coercive. These unacceptable actions are in clear violation of the World Bank Safeguards and include:

1. Using the presence of armed security forces to forcefully push forward resettlement activities, including the evictions of December 2020 and the forced survey process.
2. Soliciting bribes from affected community members during the surveying process, offering to record their property holdings in a favorable way so that they would receive more compensation. Requesters have also heard that project proponents accepted bribes from people who do not live in the area, in exchange for fraudulently recording them as holding land within the resettlement area. They personally witnessed individuals from outside the community coming in to participate in the survey, including taking photos on property that is not theirs.
3. On 29th January, 2021, in a meeting with Witness Radio and some PAPs present: KCCA told community members that the Government of Uganda ran out of money, and therefore the residents need to leave first and allow the Project to move forward, and they will receive compensation later. They also told PAPs that in some other areas, affected people had agreed to leave for free in support of government projects. They encouraged PAPs to do the same.
4. Making threatening remarks, such as threatening community members with eviction if they do not comply with KCCA's demands and implying that attempts to raise concerns about the resettlement process will be met with force.
5. Coercing Project Affected Persons to sign documents whose contents and purpose they do not understand and are not made clear to them. Multiple community members report that KCCA has a practice of instructing individuals to come to their office to receive their compensation valuations, at which point KCCA insists that they must sign various forms as a precondition.

tion for receiving their compensation valuations. The purpose and contents of the forms was not explained to them, but some semi-illiterate persons describe them as attendance forms – with a list of names and the words “attendance form” at the top. Community members fear that KCCA may use these signed forms to claim that they have attended non-existent meetings, or for other reasons unknown to community members. ⁴

6. Charging Project Affected Persons exorbitant fees for confirmation of their Kibanja interest. Shortly after the KCCA’s forced surveying process, representatives from the Buganda Land Board came to the community and began demanding exorbitant registration fees of as much as Ugx. 250,000 (Uganda Shillings Two Hundred Thousand only). Approximately 71 United States Dollars. This is highly unusual, as the Buganda Land Board is only supposed to charge Kibanja holders a nominal annual fee for Busulu (rent), which many community members have already paid and been paying for years.⁵ Requesters believe that KCCA was behind this sudden demand for exorbitant fees and see it as an attempt to scare or pressure them.

Based on the events described above, requesters believe that KCCA is trying to push through a rushed resettlement process at the expense of affected people whose livelihoods hang in the balance. We are aware that the KIIDP-2 project is nearing its closing date, which has already been extended twice, and this may be a strong motivation to expedite a resettlement process. Yet, the KCCA’s failure to include the Kawaala Zone II community in the Project’s original resettlement process is not the fault of the affected people and they should not be disadvantaged by KCCA’s rushed attempts to correct their own error. Requesters demand a fair and complete resettlement program that fully adheres to the World Bank’s operational policies and procedures.

⁴ See Sections 2 & 3 of the Illiterates Protection Act (Cap 78) required that the contents of the documents to PAPs are translated to them in a language they understand.

⁵ The Buganda Land Board’s website lists a chart of ground rent amounts based on the location of the land, with the highest category being Ugx 50,000 annually: <https://www.bugandalandboard.or.ug/products/busulu>

A. History of infrastructure development in Kawaala Zone II

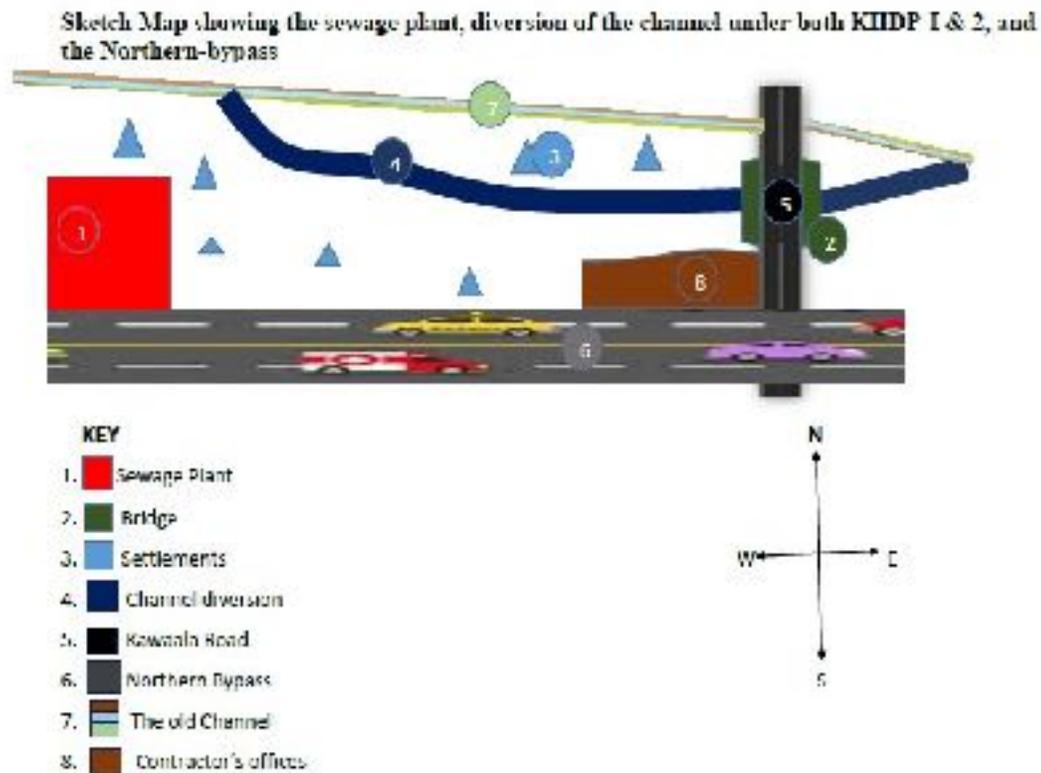


Figure 2 Sketch map showing the developments in the community, including the channel diversion passing under the Kawaala Road

The drainage channel being constructed as part of the KIIDP 2 project is the latest in a series of public infrastructure projects that have had ongoing and cumulative impacts on requesters' land. In 2010, under KIIDP 1, a section of the original drainage channel was diverted from its natural course to a route approximately 300 meters away. The requesters and other PAPs were told by KCCA officials that it was a temporary diversion. It was not until the implementation of KIIDP-2 that it dawned on the requesters that the diversion would become permanent. The new planned construction under KIIDP-2 will expand on the section of drainage channel that was diverted under KIIDP 1, creating a new path for the drainage channel through land that has been used by the local community for their residences and crops for many years. Additionally, the Kampala Northern Bypass Highway funded by the European Union, European Investment Bank and the Government of Ugan-

da,⁶ and the Lubigi Sewage Treatment Plant, funded by the European Union and German Government,⁷ were constructed in the immediate vicinity in recent years as well, surrounding the requesters on multiple sides by government-sponsored infrastructure projects.



Figure 3 the natural course and the diversion of the channel

KEY

- The red arrow indicates the natural course of the channel that has since dried up*
- The Blue arrow indicates the diversion that empties its water in to the Kawaala Zone II community but was constructed during the implementation of KIIDP- I.*
- The Yellow arrow shows the expansion and construction of the diversion under KIIDP- 2. It extends towards the Northern Bypass.*

⁶ Accessed from http://www.self.gutenberg.org/articles/Kampala_Northern_Bypass_Highway on 6.5.2021

⁷ According to news reports: <https://www.monitor.co.ug/uganda/news/national/uganda-s-largest-waste-water-treatment-plant-to-pump-sewerage-into-electricity-1763744>

■ *The purple arrow shows the expanded diversion flowing towards the Kawaala community.*



Figure 4 disturbed earth left from the construction of the channel diversion under KIIDP-1 (photo taken early 2021)

KEY

■ The red arrow shows the diversion under KIIDP-1 slithering through Kawaala II.

■ The upper left of the photo, marked by the blue arrow, shows the area from which some persons were evicted in early December 2020 to pave way for the expansion and construction of the diversion. This place is now flooded with water. This worsens when it rains.

Far from improving the flooding problems that plague the area, community members have observed that flooding has actually increased in Kawaala Zone II since these multiple infrastructure projects began. The Local Leadership brought this to the attention of KCCA's (former) Executive Director and its Project Coordinator for KIIDP, but all in vain. **Annexed hereto is a letter Ref: File Copy dated 27 June, 2018 (Annex G).**

Ever-worsening flood impacts, combined with lacking or inadequate resettlement planning, have caused a host of impacts for local residents:

- a) The KIIDP-1 drainage channel presents a serious safety hazard to the people but most especially children because when it rains the water levels increase and someone can easily drown or be taken by water. Local residents explained that recently a Boda-Boda man drowned in the channel. KCCA ought to act as fast as possible so that residents can adequately be compensated and move elsewhere to avoid such risks from KIIDP-1, which will only be made worse by KI-IDP-2.
- b) Pedestrians, especially children and cyclists are now forced to access the Northern By-pass and Hoima Road through informal foot-paths which are barely a meter wide and lack any guardrails. These footpaths, which hang above the diversion from the East and West of the Kawaala Bridge and are adjacent to the bridge on either side, are the only convenient access both to the Northern By-pass and Hoima Road. In April 2021 a cyclist who was trying to access Northern By-pass through the foot path on the East of the Kawaala Road drowned in the diversion. Instead of taking corrective measures, KCCA kept a deaf ear. Affected persons downstream cannot easily access schools and water because KCCA destroyed a make-shift bridge that they used to cross over Wakiso to access water and schools. Neither KCCA nor its contractor has taken any initiative to improvise access points to address these problems.
- c) Inadequate resettlement programming has led to great losses for remaining residents. In one case, due to the construction and expansion of the water channel under KIIDP-1, which diverted it from its natural course into the requesters' land, one affected person's piece of land with food crops has been wholly submerged thus depriving her of the right to food. Because the channel diversion under KIIDP-1 was considered temporary, the individual never received resettlement compensation. Others have been forced to abandon their plantations and gardens due to threats by KCCA.
- d) Another man who was forcibly relocated for the KIIDP-1 Project never received compensation, causing him to become homeless and take shelter in the culverts under the Kawaala Bridge. Lacking money for health care, he eventually died there. He was buried on the same piece of land that KCCA now seeks to take for the KIIDP-2 channel expansion. KCCA's narrative of

having compensated the affected persons under KIIDP-1 contradicts their perfunctory attempts to compensate the same persons under KIIDP-1.



Figure 5 some of the gardens with yams, banana plantations and cassava that lie in the path of the drainage channel expansion and have since been abandoned and have been outgrown with bush because of the threats by KCCA to arrest anyone found in the gardens.



Figure 6 the blue arrows illustrate how water flows into the Kawaala community when it rains because there is an improper drainage system along the Northern By-Pass. The red arrow shows the direction of the diversion.

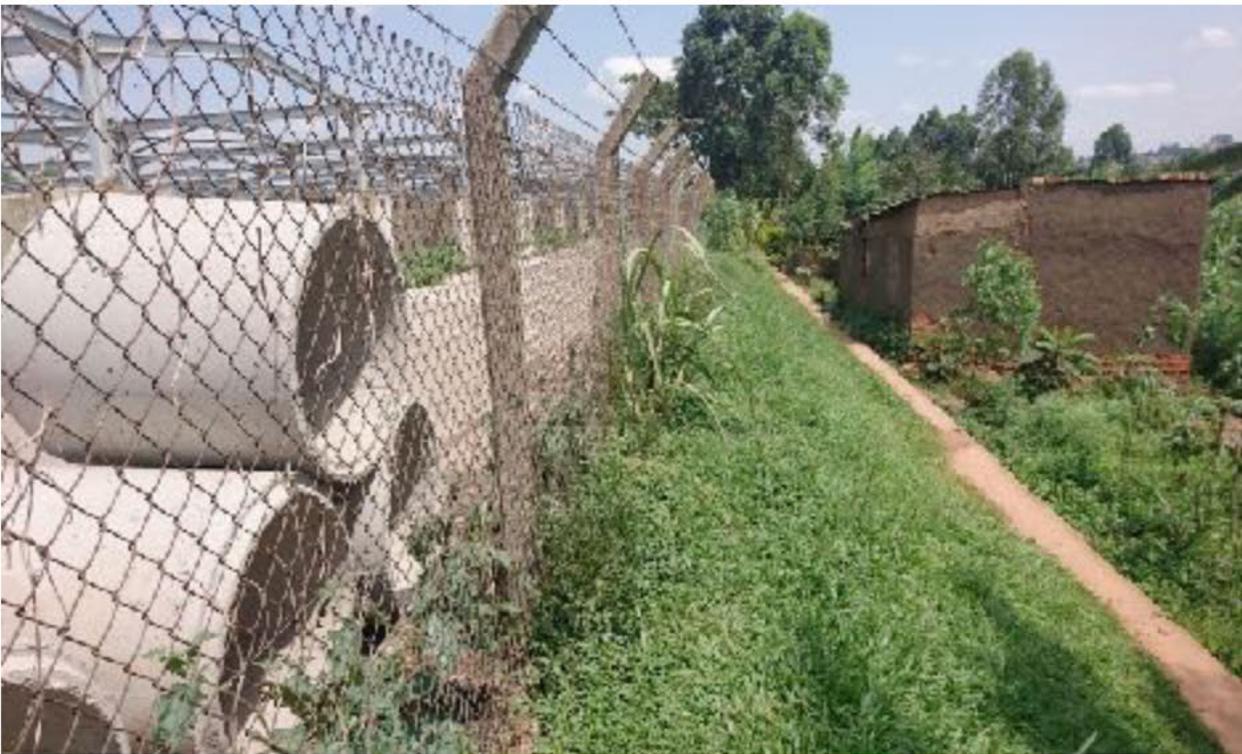


Figure 7 the black arrows show how untreated sewage and water is unleashed from the sewage plant that stands at an elevated height into the affected community. This is coupled with a strong and very unpleasant smell. The said projects, including the KIIDP Projects, have sandwiched the community, exacerbating flooding in the area and making a once peaceful, self-sustaining and model urban village uninhabitable.



Figure 8 Pedestrians trying to access Kawaala Road through a footpath – at the West of the Kawaala Bridge. Note: The footpath on the East of channel is worse.

- e) The construction of the sewage plant and the Northern By-Pass also involved some forced displacement of local residents: homes were destroyed and residents were involuntarily resettled. Due to weaknesses in the resettlement and compensation processes, and with limited resources available to them, some residents were forced to remain in the nearby area and now face eviction a second time due to the KIIDP-2 channel expansion.

The overlapping impacts from these previous projects have rendered the local area virtually uninhabitable. Because flooding impacts have significantly intensified for local residents since the construction of the KIIDP-1 channel diversion, residents are highly skeptical that the KIIDP-2 channel expansion will actually fix these flooding issues, rather than making them worse. Some residents fear that they may suffer new impacts from the channel expansion but will not be provided with resettlement compensation, leaving them once again facing the same pattern of ever-worsening standards of living for local people due to government-sponsored infrastructure projects billed as being “for the good of the people.” Affected community members are willing to move but doing so will present a significant economic hardship and they require a fair and effective compensation and resettlement assistance program to sustain their livelihoods through this transition.



Figure 9 State of construction of the channel which is a risk for community members.

B. History of engagement with the KCCA

It is remarkable that the KCCA attempted to evict the community in Kawaala Zone II in this manner, while other communities affected by the same KIIDP-2 project were consulted and provided with resettlement assistance. According to the World Bank's website, the KIIDP-2 project was approved in 2014. A Resettlement Action Plan specific to the drainage systems works (not available on the World Bank website but located on the KCCA website) is dated May 2017 and details a resettlement program and implementation schedule set to take place over a period of about one year following the approval of the RAP.⁸ Yet, the community in Kawaala Zone

⁸ Resettlement Action Plan at 156-157, https://www.kcca.go.ug/media/docs/Final%20Drainage_RAP_Report.pdf.

II was not included in this planned resettlement process, nor were they engaged in any deep or ongoing consultation process about the project.

In or around August of 2013, a delegation of KCCA representatives first came to the Kawaala Zone II community and informed community members about the project to expand and construct the Kawaala drainage channel. Since then, the requesters barely received any information about the project. They recall just one other meeting about the KIIDP-2, in October 2020, when a representative of KCCA held a meeting with Kawaala Zone II community members and informed them that the second phase of the project (KIIDP 2) was due to take place. She did not inform them of any planned eviction. After this, community members received no further information about the project until December 3, 2020 when KCCA representatives began marking homes for demolition and distributing 28-day eviction notices.

In **January, 2021**, the KCCA's Engineering Project Management Specialist for KIIDP2 sent a letter to the Local Council Leadership, simultaneously claiming that the community members were already compensated for their crops under KIIDP-1, that they built structures on the land after 2010, when the land was allegedly acquired for the channel right of way, and that the said affected community members were illegal occupants of the said land based on a 2018 NEMA directive canceling land titles in the wetland. **Annexed hereto is the said KCCA letter (Annex G).**

These claims are patently false. First, requesters do not dispute that some community members received payments under KIIDP-1, but this is not the case for all affected people. Even those who did receive some payment under KIIDP-1 received only small amounts that were described to them as payments for a temporary disturbance, not compensation for permanent land takings. They were further told that the channel diversion built under KIIDP-1 would be temporary. They did not realize that the channel diversion would be permanent, and would be further expanded under KIIDP-2, until the KCCA arrived in late 2020 with excavators and eviction notices.

In one instance, a requester has been engaged in a years-long dispute with the KCCA and its contractors dating back to 2013 to seek compensation for significant damage to his residential property from the drainage channel construction works. **Annexed hereto are documents relating to this claim (Annex I).** The documents explain that a service lane used for channel construction works went through his property, very close to his house, and that a lack of care by contractors led to significant and unnecessary damage to buildings on his property. These documents

substantiate that as of 2013 (during implementation of KIIDP-1) he continued to own his property and that the payments he had received were for the temporary use of his land “to provide enough working space to the contractors,” not for permanent taking of his property. Other requesters shared a similar understanding – that their land would be used on a temporary basis and then returned to them.

Second, this is a community of long-term local residents, not opportunistic encroachers as the KCCA’s letter implies. Some residents have lived on the said land for over four decades. For example, one of the residents, whose banana plantation and other crops were destroyed to pave way for the diverted course of the channel, still possesses an approved architectural residential house plan issued by KCCA’s predecessor in 1940. Their home was built shortly thereafter and continued to stand until it was destroyed to make way for the channel diversion under KIIDP-1. **Annexed hereto is the said plan.** Many other community members have documents confirming their tenancy registration and showing their payments of Busulu (rent) to the Buganda Land Board pre-dating 2010.

Third, KCCA’s argument that the right of way for the drainage channel was acquired under KIIDP-1 is not supported by KCCA’s actions over the past 10 years. Community members were never put on notice of this alleged “acquisition.” For a land acquisition to be effective, especially in an area of mailo land where citizens are entitled to kibanja land rights, the KCCA would have had to provide ongoing notice to would-be residents of said acquisition and of the planned expansion of the drainage channel along the diversion route. This simply has not happened. Further, A KCCA fact sheet that was provided in early 2021 states that the drainage channel corridor that was allegedly “acquired” under KIIDP-1 was only 40 meters, whereas the planned channel expansion under KIIDP-2 was planned as a 90 meter wide corridor (the same document states that the plan has since been changed to a 70 meter wide corridor). Even if KCCA tries to argue that a corridor was originally acquired, this does not explain how they intended to justify their eviction of residents on the additional 50 meter wide stretch of land in December 2020. **Annexed hereto is the fact sheet (Annex J).**

Finally, requesters dispute the claim that the land where they reside is a protected wetland on which land titles are invalid. Community members believe that the 2018 NEMA directive canceling land titles in wetlands does not apply to the land on which they reside in Kawaala Zone II. Community members report that they never received any notice or invitation regarding cancelation of their land titles in the past, which would be required under due process. Further, over the past few

months, KCCA has been actively working with the Buganda Land Board to confirm the land title status of individual PAPs, which directly contradicts their argument that all land titles in the area are invalid. It is also worth noting that the KCCA's claims about the protected wetland status of the area seem to contradict their actual treatment of the area in recent years. As discussed above, residents living directly between the Kampala Northern Bypass Highway, Lubigi Sewage Treatment Plant and the KIIDP-1 drainage channel diversion, all of which were constructed in the past 10 years. The KCCA is at once attempting to evict residents on the grounds that the area is a protected wetland while at the same time building multiple infrastructure projects that would themselves significantly degrade any wetland environment.

2. Prior attempts to raise concerns with World Bank Management

Witness Radio first tried to submit a letter to the World Bank country office alerting them of Requesters' concerns on December 18th 2020 but were informed that their office was closed for a holiday. When they had not re-opened yet by late January, we realized that the office closure may be longer-term, possibly due to the COVID-19 pandemic. We conducted a careful search of Project documents to locate email addresses for World Bank personnel working on this Project and sent the letter to them via electronic mail on 21 January 2021. We never received any reply despite sending a reminder to the said offices. **Attached in the annex is the said letter and emails sent respectively (Annex K).**

When the same was brought to the attention of the World Bank Uganda country office by Accountability Counsel on 22 February 2021, the World Bank team did reply, and eventually agreed to a meeting on 4 March, 2021, in which the World Bank project team, KCCA, representatives of the affected community, a team from Witness Radio and Accountability Counsel took part, as well as the KCCA's self-appointed Grievance Redress Committee, whose authority was highly contested by the community and was later formally disbanded through an official vote. We discussed the community's primary concerns as outlined in this complaint, including the need for a fair and comprehensive resettlement plan for Kawaala Zone II and the many problems with the KCCA's forced survey process. The World Bank offered some recommendations to remedy KCCA failings, including that:

1. KCCA should re-engage communities to disclose scope of works and land acquisition process,

2. KCCA should carry out identification of Project Affected Persons (PAPs) in an open, inclusive and consultative manner,
3. KCCA should strengthen Stakeholder Engagement/ Communications/ Grievance Management, including issuance of project FAQs pamphlet in local language,
4. KCCA should update the 2017 Drainage RAP to reflect the increased project's scope and complete OP 4.12 disclosure requirements, and
5. The Grievance Redress Committee (GRC) should be fully constituted with a clear appeal process and levels.

Attached in the annex to this request are recommendations communicated by the World Bank and KCCA's letter dated 5th March, 2021 to the Local Leadership (Annex K).

Requesters found many of the recommendations useful and had high hopes following this meeting for a fair resolution. However, little progress has been made on these action items since the meeting. The KCCA appears to be focusing its efforts on letter writing to the Local Council regarding actions they promise to take, which have not materialized. In short, the KCCA appears more focused on creating a paper trail to claim that it is making progress, without actually disclosing the information or hosting the consultation meetings that are desperately needed to explain the resettlement process, answer questions and address requesters' concerns. As of the time of filing this complaint, residents are still lacking information about the land acquisition process and the forced surveying exercise conducted by the KCCA has not been corrected or improved and still forms the basis of the KCCA's resettlement planning.

This meeting with the World Bank team took place during the week of their "virtual implementation support mission" with KCCA management. Although we requested World Bank officials to follow this issue closely and to host follow up meetings to check on progress, they declined. Affected people are not aware of World Bank officials making any trips to Kawaala Zone II to hear from affected people as part of their supervision of this Project. To the extent that this is due to the COVID-19 pandemic and related Bank travel restrictions and office closures, we note that these policies lead to inequities: PAPs are still subject to forced resettlement due to the continued implementation of KIIDP-2 even while the resettlement process suffers from reduced bank supervision.

We continue to believe that improved supervision of this Project by the World Bank, specifically in-person visits to the Project site to speak with PAPs and monitor the resettlement process, would have a significant impact to improve the implementation of resettlement activities. We are confident that the KCCA would not be so bold as to use the same coercive tactics to advance its agenda if this Project were subject to close, ground-level supervision by the World Bank.

3. Statement of harm or (expected) harm –

- a) Physical displacement. The construction and expansion of the drainage channel will require forced eviction of many community members from a large area of land on either side of the diverted channel's route. Some of the members of the community have already lost property as a result of the eviction conducted by KCCA in late 2020 and others risk to face the same. While the execution of the eviction notices is currently on hold due to an ongoing court case, the eviction notices still have not been canceled. Meanwhile, community members have not yet been compensated or received any form of assistance to address the serious livelihood impacts that will inevitably result from this forced and sudden displacement. Based on the extensive issues with KCCA's resettlement process to date, community members fear that they will not receive adequate and effective compensation and assistance to restore or maintain their livelihoods.

- b) Loss and disruption of family remains. Some of the Requesters risk losing the remains of their loved ones that are buried on the said piece of land. The diversion built under KIIDP-1 already floods the burial site, risking having the remains of the dead washed away. KCCA's attempts to excavate the said land has whittled away the surviving relatives' right to dispose of their loved ones in a dignified and respectful manner, appropriate to their religious and Ganda cultural traditions and bearing in mind the wishes of the surviving relatives. The continued trespass of KCCA's employees on sacred and private burial grounds is an affront to the peace of the dead, the survivor's autonomy to mourn in seclusion and the broader ideal of the survivor's right to privacy. KCCA's constant intrusions have denied the surviving relatives the opportunity to quietly heal from the wounds of losing a loved one. This matter has been raised with KCCA but Requesters are not aware of any efforts made to resolve the issue to date.



Figure 10 some of the graves that are sometimes flooded with water from the channel diversion. The red arrows point to the diversion

- c) Risk of food shortage. There is a likelihood of food shortage within the community since some community members lost their crops when KCCA officials began tearing them out as part of their forced eviction process in late 2020. The fear and uncertainty caused by this incident has led other community members to abandon their perennial and other crops and deterred them from planting new crops in recent months. KCCA has taken no action to remedy this situation.
- d) School dropouts. In case of any eviction or relocation without adequate compensation, Requesters fear that the children in the said community risk dropping out of schools since the houses built and the crops grown on the said land are their sole sources of income to cater for their fees and tuition.
- e) Children's safety and welfare. Following the construction of the channel diversion under KIIDP-1, the local area has become unsafe for children to play outside due to a constant risk of drowning, which is especially heightened during rainy periods. In case of forced eviction without adequate compensation, community members with limited resources may be forced to resettle their families in the nearby area that will be subject to the same risks. This will lead to ongoing and increased risks to children's safety and welfare, especially their cognitive, physical, social, and emotional well-being, since the parents will be left with no option but to restrict children to play in unfavorable confined areas for fear of them drowning.
- f) Some women in Kawaala have been compelled to engage in transactional sexual relationships to ensure that their children's basic needs are met ever since KCCA coerced them into abandoning their gardens to pave way for the expansion and construction of the channel under KIIDP-1. This is indicative of the limited options and resources available to community members who lost their homes and cropland to KIIDP-1. Requesters fear that this pattern will be intensified if community members are not provided with fair and complete compensation to address the full extent of economic impacts from another forced resettlement.

5. World Bank Policy Violations

The issues and concerns listed above violate numerous World Bank policies, including:

a) OP 4.01 - Environmental Assessment:

- i. The Project has been devoid of active and inclusive engagement with project-affected people. Requesters were never consulted during the project's design and environmental assessment process, nor did they benefit from regular consultations during Project implementation.
- ii. Community members were never informed of the project's expected impacts and planned mitigation measures. The proposed route of the channel expansion has not been clearly demarcated all along the route and community members are still uncertain of its exact parameters.⁹
- iii. Requesters have not received information or materials about the project in a timely manner prior to consultation (which itself has been lacking). What little documents have been made available to them were not presented in an understandable form or manner for the mostly semi-literate local residents, but in writing only and mostly in English. When informed that residents could not understand documents, KCCA made no attempt to explain them.
- iv. Requesters assert inadequacies in identifying impacts and/or developing mitigation measures in the design phase. For example, cumulative impacts from nearby infrastructure projects are covered only briefly, in broad terms, without addressing cumulative *social* impacts (from flooding, health and safety concerns), and without identifying adequate mitigation measures.

b) OP 4.12 - Involuntary Resettlement:

- i. KCCA failed to identify the requesters as directly affected and in need of resettlement benefits during the original resettlement process for KIIDP-2.

⁹ This Contravenes Objective X of the Constitution of the Republic of Uganda that requires the participation of the people, saying the State shall take all necessary steps to involve the people in the formulation and implementation of development plans and programmes which affect them.

- ii. KCCA began forcibly evicting requesters without adequate notice and before any compensation had been provided to them.¹⁰
 - iii. Even since KCCA has begun a resettlement process for the requesters, it has not hosted any true consultation meetings to explain the project, the resettlement process, or the compensation valuation methodology.
 - iv. Requesters have not been provided with opportunities to participate in the planning or implementation of the resettlement program.
 - v. Requesters have not been provided with opportunities to participate in the development or implementation of procedures for determining eligibility for compensation benefits and resettlement assistance
 - vi. Requesters were not provided an opportunity to participate in establishing an appropriate and accessible local grievance mechanism; instead, a grievance committee hand-selected by KCCA was imposed on them.
 - vii. The KCCA failed to pay particular attention to the needs of vulnerable groups among those displaced, despite OP 4.12 specifically requiring this. This is evidenced, for example, by the lack of any provisions to explain or assist illiterate and semi-literate individuals to understand documents pertaining to the project and their compensation entitlements. Requesters fear that this failure to pay particular attention to the needs of vulnerable groups will be borne out in the determination of compensation entitlements as well, preventing vulnerable groups from restoring their livelihoods post-resettlement.
 - viii. Requesters fear that the KCCA's rushed, mismanaged and poorly communicated compensation process will lead to inadequate compensation valuations or some requesters being left out of the compensation process entirely, preventing requesters from maintaining or restoring their livelihoods.
- c) OP 4.11 - Physical Cultural Resources:
- i. Impacts on grave sites that sit in the path of the channel were not identified or taken into account in the project design.
 - ii. No efforts were made to mitigate or otherwise address impacts to grave sites that lie in the path of the planned channel expansion.

6. Community demands

¹⁰ This also violates Requesters' right to adequate housing and right to an adequate standard of living under the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Uganda is a party.

Community members seek an opportunity to consult with World Bank and KCCA officials to jointly devise solutions for each of the above issues. Major minimum requirements for any fair solution include:

- a) The project should be investigated and evictions halted until affected people are informed about the project and consulted about its impacts and needed mitigation measures, and consulted on the formation of a resettlement action plan that addresses the concerns of local residents.
 - i. Information disclosure and consultation must be done in a form and manner that is understandable to affected people, including providing detailed verbal explanations to illiterate or semi-literate people and providing documents in Luganda.
 - ii. Affected people should be consulted on the project's design so that anyone who is not offered resettlement compensation can understand the expected impacts to the area and participate in discussions to decide the needed mitigation measures.
 - iii. Information on compensation rates must be disclosed in a form and manner understandable to local people *before* they are invited to sign their consent to a given individual compensation amount.
 - iv. The land to be taken for the channel expansion should be clearly demarcated so that all local people are aware of the parameters of the project.
- b) KCCA should formally withdraw all eviction notices served to community members. No evictions should take place until after full compensation has been provided to all impacted households.
- c) The requesters must be provided with sufficient compensation and resettlement assistance to restore their livelihoods to the level they enjoyed before the KIIDP-1 project was initiated. To accomplish this, the KCCA must conduct a new survey that includes all affected people and follows proper protocols.
- d) A new grievance redress committee should be established through a fair election by affected people, overseen by the Local Council.
- d) Resettlement assistance should be designed in consultation with local people to avoid the mistakes made in past resettlement programs that fell short of restoring livelihoods. For example:
 - i. Compensation processes should be aimed at ensuring that families are included and able to share in the benefits, rather than being provided

to the head of household only, which can contribute to conflicts. For example, the KCCA should encourage both spouses to sign compensation documents and attend related meetings and it should provide compensation funds into jointly owned bank accounts.

- ii. Affected people should be provided with livelihood support during the transition period after they are relocated and until they are able to establish an alternative livelihood, including scholarships for their children.
 - iii. Affected people should be provided with effective compensation at full replacement cost for loss of assets.
 - iv. The needs of vulnerable groups within the community, including elderly households, should be given particular consideration and incorporated into resettlement assistance offerings.
 - v. Any resettlement assistance should include social support programs such as stress management, anger management and domestic violence sensitization programming to reduce common social problems that can accompany physical displacement.
 - vi. Any resettlement assistance should include support to start up a Women's Savings Co-operative.
- e) The Entire community should be resettled since the area immediately surrounding the drainage channel is likely to be rendered uninhabitable due to increased flooding and health and safety issues.
- f) The World Bank and KCCA should use the KIIDP-2 resettlement process as an opportunity to address the outstanding issues from KIIDP-1 that were never resolved. As a first step, the World Bank should hire a reputable international organization to conduct an audit of the KIIDP-1 resettlement process for Kawaala Zone II residents to identify the full extent of the problems.
- g) The World Bank must improve its supervision of this Project to ensure that the above conditions are met, including incorporating site visits and meetings to hear directly from affected people, rather than relying on KCCA as its sole source of information.
- h) To the extent that the COVID pandemic is preventing the KCCA from carrying out, and preventing the World Bank from effectively supervising, a fair and safe resettlement process in line with the above minimum requirements,

the drainage channel construction should be halted until such time as the risk level has decreased.

The construction of the Lubigi drainage channel expansion under KIIDP-2 should only move forward once the above demands are addressed. For the reasons above, we request that the World Bank Inspection Panel conduct an investigation into the matter.

Please send correspondence in both the English and Luganda languages via electronic email to all stakeholders.

**Submitted by Witness Radio – Uganda
For Kawaala Zone II victims.
Supported by Accountability Counsel**

List of Attachments to the Request for Inspection
Annex A - Signatures and Representation Agreements
Annex B – Bibanja Land Agreements
Annex C - Receipts of Payment of Busuulu from 1 PAP (example)
Annex D - Eviction Notices
Annex E - Court Documents
Annex F - Correspondence Between Witness Radio and KCCA
Annex G - Correspondence KCCA and Local Council
Annex H - Individual Compensation Documents
Annex I - Documentation on a Dispute Regarding KIIDP 1 compensation
Annex J - KCCA Fact Sheet
Annex K - Correspondence with World Bank

The Request explains that the annexed documents should be treated as confidential to protect individual identities. More information about these annexes may be made available upon request to the Panel, in keeping with the confidentiality request.

**Representation Agreement Between Accountability Counsel,
Witness Radio and community representatives in Kawaala**

We, the undersigned representatives of community members in Kawaala Zone II hereby retain Accountability Counsel and Witness Radio (WR) as our representatives with respect to the drafting, submission of and subsequent communication surrounding our complaint to the World Bank's Accountability Mechanism (Inspection Panel and The Dispute Resolution Service) about the operations of The Kampala Capacity City Authority (KCCA) in the expansion and construction of the Lubigi drainage channel and related evictions.

There is no fee or payment required to compensate for this representation. Services will be rendered free of charge.

The effective date of this representation is 2021 and shall continue until the complaint(s) have been resolved, or at any time that either party terminates the representation in writing.

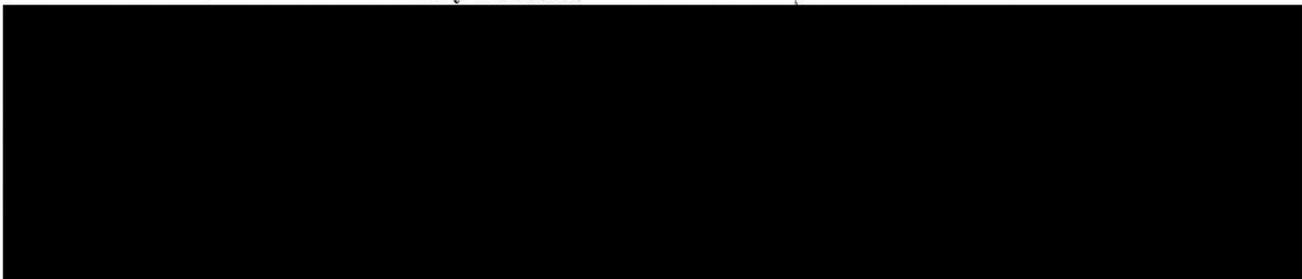
Client Signatures

Name	Signature	Date
		31/3/2021
		31/3/2021
		31/3/2021
		31/02/21
		31/03/21
		31/3/2021

Representative Signatures - For Witness Radio:

	31/03/2021
	31/03/2021

Representative Signatures - For Accountability Counsel:



**INDAGAANO Y'OBUSIGIRE WAKATI WA BANNAMATEEKA OKUVA MU
ACCOUNTABILITY COUNSEL NE WITNESS RADIO WAMU N'ABAKIKIRIDDE
ABATUUZE BE KAWAALA.**

Ffe nga abaalondebwa okukikirira abatuuze be Kawaala Zone II tuli wano okukakasa bannamateeka okuva mu Accountability Counsel ne Witness Radio (WR) nga batukiikirira mubyakolebwa, ebikoleddwa wamu n'okututusaangako amawulire mubulambulukufu agafa kukwemulugunya kwaffe eri Bbanka y'ensi yona (world bank) ng'eyita mu mmeza entunulizi era etawulula enkaayana (Inspection Panel and Disputes Resolution Service) mu kugaziya n'okuzimba omwala gwa Lubigi wamu n'okusengula abantu abakoseddwa.

Tewali nsimbi oba omusaala gunaasasulibwa olwokutukiikirira, era buli kikolebwa kyonna kyabwerere.

Ennaku z'omwezi lwetutandise okubakikirira ziri ^{21st} 022021 okutuusa (ppaka) nga abeemulugunyi (abeemulugunya) nga bafunye obwenkanya, mpozi nga abeemulugunya basaazeewo okutujja musonga zino mu buwandiike.

Emikono gya bannanyini kw'emulugunya.

Erinye

[Redacted signature area]

Emikono gy'abakikirira k'ulwa Witness Radio.

[Redacted signature area]

Emikono gy'abakikirira k'ulwa Accountability Counsel

[Redacted signature area]

CERTIFICATE OF TRANSLATION

I, [REDACTED] being fluent and knowledgeable in both English and Luganda, and official translator for the community meeting held on the 30th and 31st of March 2021 community representatives of the affected persons of the expansion and construction of the Lubigi drainage channel being constructed by The Kampala Capital City Authority (KCCA), do confirm the following:

1. THAT the translation of the representation agreement between Accountability Counsel, Witness Radio and the community representatives is factually and grammatically correct, and,
2. THAT I have orally explained to the community representatives present at meeting, namely: [REDACTED] the contents of the letter and they have understood.

[REDACTED]
SIGNATURE OF THE TRANSLATOR

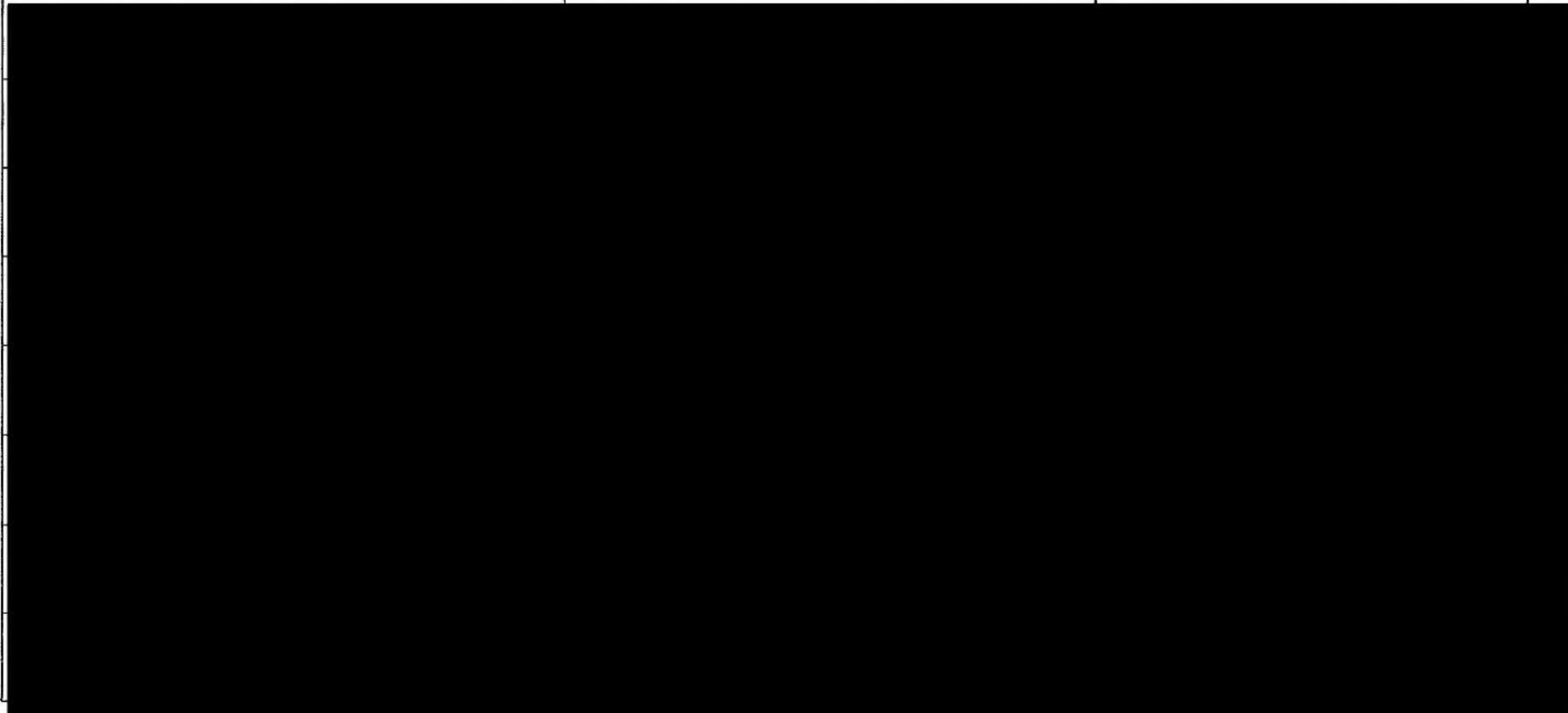
SIGNED at KAMPALA by the said

On this 31st day of March 2021

Date: 3rd / June / 2021

List of complainants

Name	Contact	Signature
------	---------	-----------



Date: 3rd / June / 2021

List of complainants

Date: 3rd / June / 2021

List of complainants

Name	Contact	Signature
[Redacted Content]		

Date: 13/6/21



List of Leaders Supporting the Complaint

Name	Contact	Signature
[Redacted content]		

Annex 2

Management Response

**MANAGEMENT RESPONSE TO
REQUEST FOR INSPECTION PANEL REVIEW OF THE
UGANDA: SECOND KAMPALA INSTITUTIONAL AND INFRASTRUCTURE
DEVELOPMENT PROJECT (P133590)**

Management has reviewed the Request for Inspection of Uganda: Second Kampala Institutional and Infrastructure Development Project (P133590), received by the Inspection Panel on June 17, 2021, and registered on July 26, 2021 (RQ21/01). Management has prepared the following response.

August 24, 2021

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III. Project Background.....	1
IV. Management’s Response.....	4

Map

Map 1. IBRD No. 46114

Annexes

- Annex 1: Claims and Responses
- Annex 2: Samples of the Eviction (Demolition) Notices Issued by the Physical Planning Directorate (KCCA) and NEMA
- Annex 3: Pictures of Community Meetings with Project-affected Persons along the Lubigi Drainage Channel

ABBREVIATIONS AND ACRONYMS

C-ESMP	Contractor’s Environmental and Social Management Plan
CGV	Chief Government Valuer
COVID-19	SARS-CoV-2
DPP	Directorate of Physical Planning (of KCCA)
ESIA	Environmental and Social Impact Assessment
FAQ	Frequently Asked Questions
GRC	Grievance Redress Committee
IDA	International Development Association
IFR	Interim Financial Report
IPN	Inspection Panel
ISM	Implementation Support Mission
KCC	Kampala City Council
KCCA	Kampala Capital City Authority
KIIDP-1	First Kampala Institutional and Infrastructure Development Project
KIIDP-2	Second Kampala Institutional and Infrastructure Development Project
LC	Local Council
NEA	National Environment Act (NEA)
NEMA	National Environment Management Authority
OP	Operational Policy
PAPs	Project-affected Persons
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
RoW	Right-of-Way
US\$	United States Dollar

Currency Unit

(as of August 24, 2021)

1 US\$ = 3,539.82 USh

1 USh = 0.00028 US\$

EXECUTIVE SUMMARY

- i. ***Over the last thirty years, Kampala City has experienced 153 flood-related disaster events, resulting in thousands of deaths and injuries, destroyed and damaged infrastructure, and billions of Ugandan shillings in economic losses.*** Floods present a critical hazard to the Greater Kampala Metropolitan Area and have an outsize impact on human life and economic activity. In Kampala City alone, the annual average damage to buildings is about US\$49.6 million, and more than 170,000 people are frequently affected by floods.
- ii. ***The Second Kampala Institutional and Infrastructure Development Project (KIIDP-2) supports the enhancement of key urban infrastructure and improvement in the institutional capacity of the Kampala Capital City Authority (KCCA).*** Component 1 of the Project focuses mainly on the construction and rehabilitation of the existing roads network and associated infrastructure, including, among others, survey of the drainage network, preparation of a drainage database, updating of drainage master plan and improvements to primary drainage channels.
- iii. The drainage works on the Lubigi channel, to which the Request pertains, concern construction of a 1.5-km section of the channel to drain the catchment area and avoid flooding. This section downstream of Kawaala Bridge has not been handed over to the contractor yet, pending resolution of resettlement issues, and no works have commenced to date.
- iv. ***Management has carefully reviewed the allegations raised in the Request, most of which were already known and are being addressed by the Project Implementation Unit (PIU) as part of regular Project implementation.*** The issues of concern mostly pertain to challenges in the resettlement process that are not uncommon for an infrastructure Project implemented in a densely populated urban context, and are typically resolved as part of project implementation, including through implementation of a resettlement plan and a project-level grievance redress mechanism. The 155 Project-affected persons (PAPs) who are referred to in the Request moved into the Project area after finalization of the 2017 Resettlement Action Plan (“2017 RAP”) for the Project and thus were not identified in that RAP. However, a decision was reached by the PIU to compensate those eligible under a Supplementary RAP. Management specifically notes that only 23 of the 155 new PAPs have structures in the Lubigi channel right-of-way (RoW) and will be required to physically move. The remainder have seasonal vegetable gardens only. KCCA is currently working on the Supplementary RAP to identify these PAPs, undertake valuation, conduct adequate consultations, and provide appropriate compensation.
- v. ***The eviction notices cited in the Request are not related to the Project.*** These pertain to nationwide code enforcement actions by the Government of Uganda (GoU) to protect wetlands and to address illegal development actions, which are being erroneously conflated with the Project’s resettlement process because they are occurring in the vicinity of the Project area. There have been no evictions or

destruction of property under the Project. Due to the overlap of these actions with the Project area, the Bank has requested the GoU to hold off on enforcing these eviction notices so as to avoid undermining the Project's Supplementary RAP process.

- vi. ***The police deployment cited in the Request is likewise not related to the Project; rather, it is linked to the enforcement of the above-mentioned national actions.*** Management understands that such code enforcement actions by the Government are routinely accompanied by armed police, which is meant to provide security to the workers carrying out enforcement related activities. However, this police deployment was not caused nor required by the Project, nor was it enforcing actions relevant for the Project. Management was not informed of this police deployment.
- vii. ***As the Project's RAP process is ongoing, Management will continue to carefully monitor these issues.*** Management will request KCCA to encourage anyone with a credible claim for compensation and assistance under the RAP to come forward to the Project's dedicated grievance redress channels so that Project authorities can review the eligibility of such claims and process them. While the Request cites anecdotal evidence of individuals that have not been compensated or who feel that compensation was insufficient, such affected parties have not come forward to have their concerns reviewed. KCCA will also proactively improve awareness of the Project's grievance redress mechanism (GRM), which Management will continue to carefully monitor.
- viii. ***The Request also raises issues that relate to separate infrastructure projects that are located in the vicinity of the Project (specifically the Kampala Northern Bypass Highway, funded by the European Union, European Investment Bank and GoU, and the Lubigi Sewage Treatment Plant, funded by the European Union and GoU).*** These infrastructure projects are not supported by the Bank nor are they necessary to achieve the objectives of KIIDP-2. They are not required or relevant for KIIDP-2, nor is KIIDP-2 required by them.
- ix. ***Although the consultations so far have been adequate from the perspective of Bank policy, Management recognizes that community outreach and consultations under the Project could and should be improved.*** The Bank is working with KCCA to address this issue, ***particularly given (a) the likely confusion caused by other ongoing but unrelated activities in the same area; (b) the fact that these new PAPs were not included in the Project's original planned engagement by KCCA; and (c) the limitations posed by COVID-19 related restrictions on public gatherings.*** The Request confirms that, despite extensive outreach efforts, important details about the resettlement process and the ensuing entitlements for affected community members are still not well known or understood. Going forward, the Bank will request KCCA to enhance its community engagement activities, focusing on explaining the RAP process; providing details on the Project, including scope, benefits and who would be affected; and informing the community how to access the Project's GRM, in both English and local language.

- x. ***Finally, Management could not find any evidence or indications that would corroborate the allegations of increased drownings, accidents, or use of force by police linked to the Project.***
- xi. Going forward, Management will work with KCCA to strengthen RAP implementation through the following actions, which address the Requesters' key concerns:
- ***Emphasizing to the Borrower that enforcement of any evictions in the Project area must be halted to avoid interference with finalization and implementation of the RAP and the Supplemental RAP.*** All eligible PAPs must receive compensation as appropriate under the RAP and cannot be required to move prior to the completion of the resettlement process.
 - ***Strengthening outreach and community engagement to better explain the resettlement process, compensation and benefits available to PAPs and how to access the Project's GRM.*** To this end, Management will request KCCA to improve and continue outreach and information sessions with PAPs at frequent intervals.
 - ***Inviting individuals who believe they have been left out of the resettlement process, or who claim to have received inadequate compensation, to come forward to have their case reviewed.*** They should submit their concerns, either to KCCA, to the Project-level GRM, or to the Bank's Grievance Redress Service (GRS), so that the Project can review such claims to ensure they are appropriately processed through the Supplementary RAP. The Bank will monitor KCCA's review process as part of its implementation support.
 - ***To this end, Management will also undertake an audit of the implementation of the RAP under KIIDP-2 to ensure that all eligible PAPs were compensated as laid out above.***

Conclusion

- xii. Management believes that the Bank has made every effort to apply its policies and procedures and to pursue concretely its mission statement in the context of the Project. In Management's view, the Bank has followed the guidelines, policies, and procedures applicable to the matters raised by the Request. As a result, Management believes that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.

I. INTRODUCTION

1. On July 26, 2021, the Inspection Panel registered a Request for Inspection, IPN Request RQ 21/01 (hereafter referred to as “the Request”), concerning the Uganda: Second Kampala Institutional and Infrastructure Development Project (P133590) (KIIDP-2 or “the project”), financed by the International Development Association (the Bank).
2. ***Structure of the Text.*** The document contains the following sections: Section II presents the Request; Section III provides the Project background; and Section IV contains Management’s response. Annex 1 presents the Requesters’ claims, together with Management’s detailed responses, in table format. Annex 2 contains sample eviction notices and Annex 3 photographs of community engagement.

II. THE REQUEST

3. The Request for Inspection was submitted by Witness Radio Uganda, a non-profit and non-partisan registered advocacy organization for the protection and promotion of human rights in development, on behalf of 24 community members and representatives who claim to live in the Project area in Kampala (hereafter referred to as the “Requesters”). The Request is supported by the Accountability Counsel. The Requesters have asked that their identities be kept confidential.
4. The Request references a number of annexes, of which Management has received only a copy of Annex A, with names redacted to provide confidentiality. No further materials were received by Management in support of the Request.

III. PROJECT BACKGROUND

5. ***The Project.*** The Uganda: Second Kampala Institutional and Infrastructure Development Project (KIIDP-2) was approved by the Board on March 20, 2014 for a Credit of US\$175 million from the International Development Association (IDA). It follows KIIDP-1, an adaptable program loan that was approved in 2007 and closed in 2013. KIIDP-2 is under implementation with about 92 percent of funds disbursed. The closing date is November 30, 2021.
6. Over the last thirty years, Kampala City has experienced 153 flood-related disaster events, resulting in thousands of deaths and injuries, destroyed and damaged infrastructure, and billions in economic losses (Kampala Disaster Risk and Climate Change Resilience Strategy, February 2021). Floods present a critical hazard to the Greater Kampala Metropolitan Area and have an outsize impact on human life and economic activity. In Kampala City alone, the annual average damage to buildings is US\$49.6 million, and more than 170,000 people are frequently affected by floods.

7. The drainage works on the Lubigi channel, to which the Request pertains, concern construction of a 1.5-km section of the channel to drain the catchment area and avoid flooding. This section downstream of Kawaala Bridge has not been handed over to the contractor yet for works, pending resolution of land acquisition and resettlement issues.¹ Although the contractor had planned to commence work by May 2021, the Bank instructed the Borrower to resolve Kawaala community complaints before beginning construction. No work has been undertaken, the site has not been handed over to the contractor, and no eviction has taken place to date.

8. ***Project Objectives and Components.*** The Project development objective is to enhance the infrastructure and institutional capacity of the Kampala Capital City Authority (KCCA) to improve urban mobility in Kampala. The Project has two components:

- *Component 1 – City Wide Road Infrastructure and associated investments (US\$165 million).* This component will enhance the quality of roads infrastructure and associated investments in Kampala City for improved city mobility. The component focuses mainly on the construction and rehabilitation of the existing roads network and associated infrastructure (drainage, streetlights, walkways, street furniture, landscaping, etc.) in the five KCCA divisions. Component 1 is being implemented in phases, with each phase comprised of batches or lots for contracting civil works. The works on the Lubigi channel are planned under Batch 2 of this Project component.
- *Component 2 - Institutional and Systems Development Support (US\$10 million).* The Institutional and System Development Support component is intended to strengthen the capacity of KCCA as an autonomous corporate body to deliver on its statutory mandates. This will be achieved by strengthening the capacity of KCCA for investment planning and prioritization, design, supervision, coordination, implementation and operation and maintenance of existing and new infrastructure. It will also be supported by improvements in revenue collection capacity to support future investments and ensure maintenance of infrastructure and services.

9. ***Project context.*** Kampala is a city of many hills and therefore prone to flooding once it rains, with serious effects on properties and property values, disruption of commercial activities and damage to road infrastructure. Drainage of Kampala is mainly through eight primary channels served by numerous secondary and tertiary systems. Residential and industrial developments extend from the hills to the banks of drainage channels in the lower lying wetlands and floodplains. The natural and manmade drainage channels along these areas are regularly flooded, causing damage to people’s homes and industrial properties, seriously disrupting traffic flow and economic activity in the city and increasing water pollution and costs to Kampala’s economy. Over the past few years, a number of wetlands in Kampala have been occupied, which has put greater pressure on the drainage system and led to greater risk of flooding.

¹ The contractor was only permitted to set up the work camp.



Picture 1: Flooding in Kampala's Bwaise neighborhood located north of the Lubigi channel.

10. ***Project beneficiaries.*** The primary Project beneficiaries are the residents of Kampala city, who will have greater access to enhanced infrastructure and improved mobility within the city. A significant number of beneficiaries live or work in the low-lying areas of the city, which are prone to flooding, and where drainage investments will be made. These beneficiaries, estimated at about 60 percent of the city population, will benefit from reduced risk of loss or damage to property, fewer health related diseases, improved mobility, and greater accessibility to services. The Project seeks the involvement of target beneficiaries through discussions of proposed sub-projects.

11. ***Project area subject to the Request.*** Under Batch 2 of Component 1, civil works are being undertaken for construction of Nakamiro secondary channel (3.28kms) and rehabilitation of Lubigi primary channel (2.58kms) to reduce flooding in Bwaise, in the Lubaga Division of Kampala. Civil works were planned, and some are ongoing on one sections. The first section is a 1.0-km stretch of the Lubigi channel between Bwaise Road and Kawaala Bridge. Works in this section are confined within the RoW that was acquired under KIIDP-1. The second section of the channel is a 1.5-km stretch between Kawaala Bridge and Hoima Road (the "Kawaala-Hoima Section"). Only this Kawaala-Hoima Section is the subject of the Request and is a part of an officially designated wetland.

IV. MANAGEMENT'S RESPONSE

12. The Requesters' claims, accompanied by Management's detailed responses, are provided in Annex 1.

13. ***Management has carefully reviewed the allegations raised in the Request, most of which were already known and being addressed by the Project Implementation Unit (PIU) as part of regular Project implementation.*** The issues of concern mostly pertain to challenges in the resettlement process that are not uncommon for such an urban infrastructure project that is implemented in a densely populated urban context, and are typically resolved as part of Project implementation, including through implementation of a resettlement plan and a project-level grievance redress mechanism.

14. ***The remaining claims and complaints in the Project area relate primarily to temporary structures and seasonal farming initiated after the 2016 RAP cut-off date, which are being addressed by KCCA.*** Management specifically notes that only 23 of the 155 Project-affected people (PAPs) affected by the planned works in the Kawaala-Hoima Section have structures, of which 8 are permanent structures (burnt bricks, iron sheets and cement) and 15 temporary structures (mud and wattle or shacks). The remainder of the PAPs with claims in the Kawaala-Hoima Section have seasonal vegetable gardens only. All 155 PAPs moved into the Project area after the 2017 RAP and were therefore not identified as part of the 2017 RAP process. Despite this area being a protected wetland, and although this took place after the 2016 cut-off date for the RAP and was not required by national law or Bank policy, KCCA will compensate these PAPs under a Supplementary RAP in order to ensure smooth implementation of the Project and preserve relations with the neighboring community. KCCA is currently finalizing the Supplementary RAP to identify these 155 PAPs, undertake valuation, conduct adequate consultations, and provide compensation where appropriate.

15. ***No eviction notices were issued as part of the Project. However, for reasons unrelated to the Project, the Government of Uganda (GoU) has issued eviction notices in and in the vicinity of the Project area, which are being erroneously conflated with the Project's resettlement process. Even then, these eviction notices have not been enforced in the Project area, and there have been no evictions or destruction of property in the Kawaala-Hoima Section.*** The KCCA Directorate of Physical Planning (DPP) served eviction notices in December 2020 in several areas around Kampala for removal of structures allegedly built in violation of the Public Health Act, but not as part of the Project. In addition, according to the National Environment Act (NEA) of 2019, all wetlands in Uganda are conserved for the common good of the people of Uganda and shall not be leased out or otherwise alienated.² Based on the stipulations in the 2019 NEA, eviction

² The Constitution obligates Government to hold in trust for the people and to protect natural lakes, rivers, wetlands, forest reserves, game reserves, national parks, and any land to be reserved for ecological and touristic purposes for the common good of all citizens. This is called the public trust doctrine. The public trust doctrine is echoed in the Land Act (Cap. 227) that mandates the government to hold in trust and protect wetlands for the common good of the citizens of Uganda. The Land Act prohibits the government from leasing or alienating wetlands. The NEA of 2019 expanded on the original definition of wetlands in the NEA

notices were issued by the National Environmental Management Authority (NEMA) for some areas across Kampala, including Lubigi under national law and not under the Project. The Bank requested the GoU to halt the enforcement of these notices in the Project area to ensure that the process under the Project's Resettlement Action Plan (RAP) is not undermined.

16. ***The police deployment cited in the Request is likewise linked to the enforcement of the above-mentioned national policies, is unrelated to the Project and is occurring across Kampala.*** Management understands that such code enforcement by Government officials is routinely accompanied by armed police. However, this police deployment was not caused or required by the Project, nor was it enforcing actions relevant for the Project. Management was not informed of this police deployment.

17. ***As the Project's resettlement process is moving forward, Management will continue to carefully monitor these issues.*** Management will request KCCA to publicly invite anyone with a credible claim for compensation and assistance under the 2017 RAP or Supplementary RAP to come forward so that Project authorities can review the eligibility of such claims and process them.

18. ***The Request also raises issues that relate to separate infrastructure projects that are located in the vicinity of the Project (specifically the Kampala Northern Bypass Highway, funded by the European Union, European Investment Bank and GoU, and the Lubigi Sewage Treatment Plant, funded by the European Union and GoU).*** These infrastructure projects are not supported by the Bank nor are they necessary to achieve the objectives of KIIDP-2.

19. ***The Bank is mindful that members of the community may not have a clear appreciation of the difference between: (i) the RAP process, including compensation eligibility requirements, and (ii) the Government's authority to issue evictions unrelated to the Project under wetlands and public health legislation.*** Further, the Bank is not aware of the level of community engagement undertaken by the Government prior to enforcing the *wetlands and public health* legislation. However, the Bank has continuously requested KCCA to enhance its community engagement activities in both English and the local language to explain the RAP process and the Project details, including its scope, its benefits, and who would be affected, through regular meetings, a Frequently Asked Questions (FAQ) pamphlet and other means.

20. ***Finally, Management could not find any evidence or indications that would corroborate the allegations of increased drownings, accidents, or use of force by police linked to the Project.***

21. The specific allegations are discussed in more detail below.

of 1995 (Cap.153) by adding gazettement: "areas permanently or seasonally flooded by water where plants and animals have become adapted *and gazetted as such.*"

a. Alleged exclusion of Kawaala Zone II (i.e., the Kawaala-Hoima Section) from the resettlement process

22. *The Kawaala-Hoima Section is in an officially designated wetland area that was uninhabited at the time of the Project RAP in 2017. The 2017 RAP was updated in 2020 ahead of construction works on the Kawaala-Hoima Section because individuals who were not present in that Section during preparation of the 2017 RAP were found to have settled or started to farm alongside the channel, despite the wetlands protections in the 2019 NEA. For these PAPs, a Supplementary RAP is being developed to ensure that they would be compensated under the terms of the 2017 RAP on the same terms as those PAPs who were there before the 2016 cut-off date of the RAP. This process was apparently misunderstood, leading the Requesters to claim that Kawaala Zone II had been “excluded” from the RAP, which is not correct.*



Map 1: The Lubigi primary drainage channel, located in Kawaala Zone II

23. The Lubigi primary drainage channel, which is located in Kawaala Zone II and is to be upgraded under the Project, is 2.58 kms long and comprises two sections: (i) a 1.0-km section (highlighted in green in Map 1) from Bwaise Road up to Kawaala Bridge, which is confined within the RoW that was acquired under KIIDP-1; and (ii) a 1.5-km section (highlighted in red in Map 1), 100 meters past Kawaala Bridge and Hoima Road, which is the subject of the Request (the Kawaala-Hoima Section). So far, there have been no works in this Kawaala-Hoima Section, which is an officially designated protected wetland that was previously uninhabited, and no evictions have been carried out by the Project. The contractor has set up a camp site within this section and the land for the camp site was duly rented from the owners for this purpose. Compensation of eligible PAPs is currently ongoing in the Kawaala-Hoima Section, which will not be handed over to the contractor before the compensation process has been completed.

24. Preparation of the original RAP was initiated in 2015 and surveying of Project areas was carried out between November 2015 and November 2016. The cut-off date was established as November 30, 2016 and the RAP was consulted upon and completed in

2017. The RAP underwent an extensive review and clearance process by the Bank between August 2018 and May 2019. It was publicly disclosed on the KCCA website on September 17, 2019.

25. ***The 2017 RAP did not identify any PAPs along the Kawaala-Hoima Section because it was unencumbered and an officially designated wetland at the time the RAP was being prepared.*** Through a review of archived satellite images, Management has confirmed the absence of structures or vegetable gardens in that section at the time. In addition, as part of RAP preparation starting in mid-2015, KCCA's Project team conducted several documented meetings with affected communities between August 2015 and November 2016 to disclose relevant information about the process, including the cut-off date of November 30, 2016. Additional consultations were carried out at the Bank's request up to May 2018. Details of the meetings and community members met are provided in the disclosed RAP.

26. ***As the Kawaala-Hoima Section was being prepared to be handed over to the Contractor in July 2020, people were found to be farming or settled in that Project site.*** Although this section is an officially designated wetland and was free of any human activity at the time of the 2017 RAP preparation, some individuals had since erected structures and/or begun farming in the area. This is not entirely surprising. There have been repeated attempts from the community to utilize the land around the channel. The Government has since 2011 been dealing with such illegal uses of the Lubigi wetland.

27. ***Despite the fact that these PAPs moved to the Project area after the RAP finalization and were therefore not originally approved for compensation, KCCA will compensate them under a Supplementary RAP,*** in order to preserve community relations, avoid potentially lengthy legal procedures, and to ensure smooth Project implementation. KCCA is currently working to identify these PAPs, undertake valuation, conduct adequate consultations, and provide compensation where appropriate. Contrary to the Requesters' allegations, this process has not been rushed. This timing reflects a deliberative and professional approach commensurate with the geographic scope of the affected area and number of people potentially affected (1.5 km of continuous stretch and about 155 PAPs identified to date). Moreover, the RAP team covering the area includes 9 social scientists, 6 surveyors, 3 valuers, and a communication specialist; other KCCA and Project specialists such as lawyers and engineers, are also involved in the process whenever necessary. ***The Supplementary RAP has identified 155 affected persons, of whom 98 have already been approved for compensation; the remainder are under review.***



Picture 2: Seasonal farming along the section downstream of Kawaala Bridge (Kawaala side) during the survey process (March 15 – 19, 2021).

28. ***Preparation of the Supplementary RAP has followed the same process as the original RAP.*** However, during meetings between Project authorities and PAPs it became clear that parts of the community were being advised by groups that are not familiar with the resettlement process set out in the RAP. For example, some individuals had refused to allow a survey of their assets to be carried out by KCCA, even though this is a necessary requirement for compensating them. These discussions also indicated that KCCA needed to enhance its stakeholder engagement efforts in the area.

29. The Bank team met virtually with KCCA and community members on March 4, 2021 to discuss the matter and agreed on the following measures: (i) KCCA to strengthen stakeholder engagement and communications to further disclose the scope and benefits of the expected works, those who would be affected, the grievance management process, and issuance of a FAQ pamphlet on the Project in the local language; (ii) the Grievance Redress Committee (GRC) for this Project area, which had experienced some difficulties in being established, was to be fully reconstituted with a clear appeal process and levels; (iii) communities to allow KCCA to complete surveying of the affected area to identify and compensate PAPs; (iv) KCCA to provide a summary of the different steps in the compensation processes and share this with the communities for information; and (v) KCCA to prepare a Supplementary RAP as an addendum to the 2017 RAP to include the newly identified PAPs and fulfill disclosure requirements. To date, the key recommendations are in the process of being implemented, and payment of compensation to the newly identified PAPs has started.

30. ***Notwithstanding this Request, Management notes that the overall implementation of the 2017 RAP has been smooth. The Request raises issues and challenges that are commonly associated with compensation processes, particularly in urban areas, and that are commonly resolved as part of project implementation.*** Such challenges include, for example, lack of ownership documentation, disagreements among

family members, and contested compensation values. Such issues are addressed through an established system that includes GRCs at various Project sites. All grievances received are effectively addressed and monitored by the Bank to ensure they are all conclusively addressed and closed.



Picture 3: Aerial photo of the Lubigi channel between Kawaala Bridge and Hoima Road (Kawaala-Hoima Section). The Lubigi sewage treatment plant (not part of the Project) is shown south of the channel.

31. *Management notes that the Project’s resettlement process has put in place a number of measures to ensure adequate compensation and due process:*

- *Escrow account opened for RAP payments:* The total expenditure from the escrow account as of July 2021 is US\$11 million after fully compensating 196 Project-affected persons under Batch 1 roads, and 332 Project-affected persons under the Nakamiro channel.
- *Grievance redress system established and operational:* Each sub-project site has a GRC where grievances are received, logged, and addressed. These committees are functional and serving their purposes. For the Lubigi channel, 23 grievances have been received to date (15 from workers and community members and 8 as part of right-of-way acquisition). Of the 15 grievances received from workers and community members, 12 have been resolved, and 3 are currently being addressed.
- *Works not allowed to start before affected persons have been compensated:* Handover of sites to the contractor is only done gradually and in sections where payments to affected persons have been completed and the RoW fully acquired in accordance with the RAP and Bank policy.
- *Design reviewed before site handover and during implementation to minimize Project impacts where possible.* After a design review of the Lubigi channel, the Project was able to reduce the channel width from 90 meters to 70 meters between Bwaise and Kawaala Bridge.
- *Full compensation plus disturbance allowance provided:* All crops and structures affected by the Project are valued for compensation in accordance with Bank policy, and a 30-percent disturbance allowance is included. Affected persons are also allowed to harvest their crops and to collect materials from compensated structures before sites are handed to the contractors.

- *Community engagement activities implemented:* To inform and raise the awareness of PAPs and other stakeholders in the Kawaala Zone II and across the entire KIIDP-2 Project area on (i) Project scope, benefits, and persons to be affected; and (ii) the RAP objectives, preparation and implementation process, KCCA has regularly interacted with the community and required the contractor to do so as well. This has been through community face-to-face meetings, sharing of the FAQ, initially in English, and as of April 2021 also in the local language, media articles and use of billboards, and extensive consultation during the Supplementary RAP preparation process.

32. ***The Request alleges that some individuals have been left out of the resettlement process or claim that compensation received was inadequate. However, such individuals have not come forward to have their cases considered, which makes it impossible not only to review and address such concerns, but also for Management to respond to the specific allegations.*** Individuals who believe that they have been left out of the RAP or have received inadequate compensation can submit a complaint to the grievance redress mechanism (GRM) to have their claims reviewed and processed. This includes the availability of an appeals process. Alternatively, they can also contact KCCA's Project team directly.

b. Alleged evictions and destruction of property

33. ***There have been no evictions or destruction of property under the Project. Likewise, no eviction notices have been issued in connection with the Project.*** The eviction notices cited in the Request are unrelated to the Project and appear to be based on two separate Government initiatives: (i) enforcing the 2019 NEA to protect wetlands country-wide; and (ii) efforts by the DPP to remove structures that violate the Public Health Act in several areas around Kampala.

34. ***The eviction notices allegedly received by PAPs on December 3, 2020 do not relate to the Project.*** Residents of Kawaala Zone II, through their advocates at Witness Radio, indicated that they had received eviction notices issued by KCCA DPP that ordered residents to demolish their "illegal structures" by December 30, 2020. As soon as the Bank was made aware of this development, the Bank sent a response letter to the local leaders of Kawaala Zone II and Witness Radio stating that although these eviction attempts did not relate to the Project, the Bank would request KCCA not to enforce these eviction notices in order to allow the RAP process to proceed. The letter also noted the Bank would reach out to communities. The Project has not handed over the section to the contractor, pending the completion of the RAP process with the community.

35. ***While these eviction notices are not caused by or related to the Project, as they relate to all wetlands in the city, they partly overlap with the Project area.*** Therefore, the Bank has requested the GoU not to enforce any evictions within the Project area in order to avoid undermining the Project's RAP process. KCCA has confirmed to the Bank that to date none of the eviction notices in the Project area have been enforced. Management has established that the eviction notices issued by the KCCA DPP were not Project-specific but citywide eviction notices that target illegal structures. Management has established that

19 of the eviction notice recipients were located in the Kawaala-Hoima Section of the channel. Out of these 19 individuals, 11 are eligible PAPs³ who were among the 155 PAPs identified in the recent survey undertaken by KCCA for the Supplementary RAP. Management also confirmed that out of the 155 PAPs identified within the RoW, only 8 have permanent structures.

36. ***Whether residents within the Kawaala Zone II channel RoW received an eviction notice or not does not affect their eligibility under the Supplementary RAP. All eligible PAPs will receive compensation as appropriate under the RAP, and no resident will be required to vacate the area prior to the completion of the resettlement process.*** This has been confirmed with KCCA.

37. ***There is no evidence of destroyed homes in the Kawaala-Hoima section of the channel and to the Bank's knowledge, police have not participated in any resettlement or other Project-related activities.*** Recent visits to the sites by both KCCA and Bank staff (on separate occasions) showed no evidence of destroyed homes in the cited area. Management confirms that the Project has never used police (armed or otherwise) as part of the Project engagement with the affected community, including the resettlement process. Resettlement under the Project is being addressed in line with World Bank Operational Policy 4.12 on Involuntary Resettlement (OP 4.12) and a robust grievance redress process, including an appeals process, is in place.

38. ***Any police presence in December 2020 was not related to the Project.*** Requesters state that police provided “watchful protection” to Government employees serving eviction notices. As explained above, these eviction notices were not related to the Project. However, Management has asked the Government about this police presence and learned that it is common practice in code enforcement actions for Government officials to be accompanied by police to protect these Government workers from potential attacks. KCCA has informed the Bank that, in keeping with this practice, in December 2020, the KCCA DPP staff were accompanied by police to issue these eviction notices unrelated to the Project, but that no use of force by police or other intimidation took place.

c. Alleged increased flooding

39. ***Contrary to the Requesters' allegations, the Project will contribute to a reduction in flooding, not an increase. Flooding in the area has increased not because of the Project's works on the channel, but because of other reasons confirmed through a study.⁴ These reasons include: (i) the current degraded status of the channel, (ii) increased runoff from the expansion and increasing density of the built environment with no proper control of rainwater discharge rates and volumes, resulting in more flooding downstream, (iii) increasing soil erosion linked to urban development and removal of land cover, resulting in more sedimentation problems and drain blockages,***

³ Eligible PAPs are persons whose assets (land, crops, structures) will be removed or relocated to make way for the implementation of Project activities and who are entitled to and qualify for compensation to replace the lost assets.

⁴ Kampala Disaster Risk and Climate Change Resilience Strategy 2021.

and (iv) silting of the channel due to poor solid waste management, including garbage disposal that restricts the flow of storm water (see Pictures 4 and 5).⁵



Picture 4: Degraded Lubigi channel (picture taken in the Kawaala-Hoima Section on Kawaala Bridge looking towards Hoima Road) on July 15, 2021 (on the left – blue - is the contractor's camp site).



Picture 5: Silting of the box culverts at Kawaala Bridge (2021).

⁵ <https://ugandaradionetwork.net/story/floods-hit-bwaise-as-heavy-rains-overwhelm-nakamiro-channel>; <https://reliefweb.int/report/uganda/bwaise-floods-displace-700-people>; <https://eagle.co.ug/2021/03/31/the-tragedy-of-bwaise-floods-why-they-have-become-persistent-and-what-needs-to-be-done.html>

40. ***Under KIIDP-2, the channel will be rehabilitated and lined using a concrete base and stone walls that will permit mechanical desilting of the channel (see Picture 5). Poor solid waste management practices led to the nearly complete silting of the 1.5-m box culverts that were installed on Bwaise Road and Kawaala Bridge under KIIDP-1 (see Picture 6). The works under KIIDP-2 are therefore intended to address these problems by allowing free and fast flow of water, thus reducing the current flooding in the area (See footnote 5 for media reports on flooding).***



Picture 6: Silting of the Lubigi channel is being addressed through concrete lining of the channel in the Bwaise-Kawaala section where the works are ongoing (this is not the Kawaala-Hoima Section which pertains to the Request).

d. Alleged increase of accidents and risk of drowning

41. ***There have been no reports of drowning as a result of flooding in the Project area.*** Safety issues, including any potential risk of drowning, are managed under the contractor's environmental and social management plan (C-ESMP). Community engagement has led to proposals such as footbridges, to help ensure safety of pedestrians, including children.

42. ***Contrary to the claim made in the Request, the construction-related risks are appropriately addressed by the Project. The actual risk for children to drown continues to be posed by uncontrolled floods that occur frequently after heavy rainfalls, and which the Project works will help address.*** The rehabilitation of the drainage channel is an effective measure to address that risk for Kampala residents. In Management's view the accident risk has been appropriately managed through the Project's safeguard instruments, specifically the contractor's ESMP.

43. The Project's environmental and social impact assessment (ESIA) contains mitigation measures, including the development of a traffic management plan, with alternative community access routes for the general public in areas where existing routes are disrupted by construction activities, to minimize the risk of accidents; and phasing of construction works that allow them to be undertaken during the dry season to reduce the risk of constrictions in the drainage system during the rainy season, thereby reducing flooding, among others. The contractor also prepared a site-specific C-ESMP which provides for management of site-specific impacts during construction. The C-ESMP is to be routinely updated to take into consideration any changes on the ground in the Project area.

44. Unfortunately, the Bank received a report from KCCA regarding one drowning incident that occurred on April 19, 2021 at Kawaala Bridge. This incident did not involve a child and it was not caused by floodwaters. It involved two motorcyclists (boda cyclists) who tried to force their way through a narrow section right at the edge of the box culvert, which unfortunately resulted in the drowning of one cyclist who fell into the Lubigi channel. This unfortunate incident was not caused by the Project and could not have been addressed by the C-ESMP.

45. As part of risk management, the contractor reviewed the suitability and safety of footpaths on the right-hand side of the bridge. The contractor also conducted community engagement through the Local Council (LC) and communicated the need to close off ungazetted and risky footpaths.

e. Alleged impacts from KIIDP-1

46. *Management is not aware of any unaddressed impacts from KIIDP-1, which is closed and therefore not subject to Panel review as per the eligibility criteria specified in the 2020 Inspection Panel Resolution.* All eligible PAPs under KIIDP-1 were fully compensated for their structures and crops, which included 30-percent disturbance allowances under the KIIDP-1 main RAP and the three Supplementary RAPs. The three Supplementary RAPs were prepared during Project implementation as a result of design reviews, realignments of the channel, and additional PAPs being identified.

47. *As an illustration of the care taken to ensure adequate compensation of all eligible PAPs under KIIDP-1, an additional four-month period was provided after the Project closure on December 31, 2013, during which a notice was publicly made for any remaining claimants to come forward with any outstanding eligible claims.* February 19, 2014, was given as the initial deadline for submission of claims and the deadline was then extended to June 7, 2014. With this further round of public advertising and verification, all eligible claims identified were compensated. The Requesters' allegations of outstanding compensation under KIIDP-1 may in fact refer to PAPs whose compensation requests were reviewed and declined at closing of KIIDP-1 because they were ineligible under the RAP (e.g., they did not have the necessary supporting documentation or because they had already been compensated under the project).

48. The Request further claims that in 2010 or 2014, under KIIDP-1, a section of the original drainage channel was diverted from the natural course to a route approximately 300 meters away. This claim is not factually correct. The contract for Lubigi channel under KIIDP-1 was signed on June 27, 2011 and the site was handed over to the contractor on June 29, 2011. KIIDP-1 closed on December 31, 2013, with all eligible PAPs fully paid as per the RAPs. If the channel was diverted in 2010 or 2014, this was not done under KIIDP-1. Again, Management will request KCCA to publicly encourage any eligible PAPs with credible claims to come forward with the supporting documents for review by KCCA and eventual payment of compensation.

f. Alleged coercion, corruption, and intimidation

49. *Management has no knowledge of allegations of coercion, corruption or intimidation and has requested KCCA to investigate them.* Such allegations have not been raised with the Project's grievance mechanism or elsewhere. The Bank's Grievance Redress Service (GRS) has received 5 complaints about KIIDP-2 but none with respect to the alleged coercion, corruption, or intimidation. Nevertheless, Management has requested KCCA to investigate such allegations.

50. *Management takes extremely seriously any allegation of coercion, corruption or intimidation in the context of Bank-supported projects.* Management has reviewed the records of public consultation, grievance logs and interactions between the authorities and the Requesters and could not find any signs of the alleged misconduct. Management has explicitly requested KCCA to proactively remind all implementing agency staff of the Bank's zero-tolerance policy towards retaliation and corruption.

51. *Compensation under the RAP follows a clear process, which does not allow for payments to persons who are not eligible according to the criteria set forth in the RAP.* This includes surveying of the RoW, mapping the affected properties and their corresponding owners on a strip map, valuing the properties, preparing the report for submission to the Chief Government Valuer (CGV) for review and approval, disclosure of the report, and submission by PAPs of ownership documentation to receive compensation payment including verification from the area LC and photos of the PAPs. The system is well structured and does not allow for payments of non-eligible PAPs. KCCA also undertakes an internal audit before the PAPs are paid.

52. *Management shares the Requesters' concern about individuals who have moved into the Kawaala-Hoima Section of the channel after the work on the 2020 Supplementary RAP had started and have sought to be considered as affected persons.* Based on the RAP's methodology and review mechanism, however, such ineligible individuals will not receive compensation.

53. *Some of these allegations of corruption appear to be based on an initial misunderstanding among some community members of the Project RAP preparation process, which the Bank has since requested KCCA to clarify.* KCCA and the Bank held a meeting with the community on March 4, 2021 to discuss and better explain the process. At that meeting, some of these misunderstandings became apparent. For example, some

PAPs were resistant to the idea of a survey, despite the fact that this is an essential process to define the impact on affected persons and the basis for determining the amount for compensation. Information on the different steps in the compensation process have since been provided to the communities, in meetings and print, both in English and Luganda, and the compensation process now appears to be better understood in the community.

g. Project supervision

54. *Contrary to the allegation of inadequate supervision, the Bank team has continued to supervise the Project diligently since effectiveness and throughout the pandemic, despite restrictions on travel and face-to-face meetings.* To date, the Bank has conducted at least 12 implementation support missions (ISMs), as well as many “off-mission” technical discussions with KCCA. ISMs have been accompanied by field visits to inspect progress of works and also interact with communities, except during the COVID-19 lockdown period. While COVID-19 travel and meeting restrictions were imposed by the Bank and the GoU, the Bank team continued to supervise the Project as explained in the next paragraph. Some of the specific actions targeting RAP implementation in the Bank ISMs include:

- The Bank recommended delaying signature of the contract for Nakamiro channel improvements until at least 60 percent of the continuous section of the channel RoW was acquired – May 2019.
- The Bank concluded that no continuous sections of the drainage channel were ready for construction to commence works. KCCA was requested to focus more attention on acquiring continuous sections of the channel before contract signature. KCCA was also advised to prepare an activity schedule with clear timelines indicating when the full RoW would be secured – November 2019.
- The Bank noted that the acquisition of the RoW for these drainage channels was not complete as some sections remained to be acquired by the client. KCCA was to ensure that full sections of the drainage channels were handed over to the contractor without any encumbrances – November 2020.

55. Bank supervision in the form of in-person visits to Project sites has not been possible during the period in which Uganda has been under World Bank classification of Tier 4 for COVID-19 procedures. In addition, the Government imposed measures which included lockdown, no transport in either private or public vehicles, and curfews. Despite these health and safety precautions and constraints, the Bank team has undertaken supervision activities. Since April 2020, after the receipt of the allegations, the Bank team has held four videoconference meetings with the KCCA technical team on Project progress, including one with the KCCA Deputy Executive Director; undertook two drive-through site visits of Project areas when lockdown conditions permitted; and held two virtual ISMs, one in November 2020 and one in March 2021. The Bank team has also arranged virtual meetings with PAPs and their representatives when complaints emerged.

Actions

56. **Enhanced outreach and consultations:** *Management is confident that the RAP implementation process has progressed in an orderly way but recognizes that there may be a need to strengthen outreach and community engagement even further to better explain the process and address the misunderstandings and the concerns of PAPs.* This information is critical given the various activities of unrelated works in the vicinity of the Project area funded by other development partners, but not by the Bank. To this end, Management has requested KCCA to scale up and enhance outreach and information sessions about the Project and the RAP process at frequent intervals during implementation, including by providing clear information about the process for accessing the Project's grievance redress mechanism.

57. **Receiving claims.** As noted above in paragraph 32, individuals who believe that they have been left out from the RAP or have received inadequate compensation should submit a complaint to the Project's GRM to have their claims reviewed and processed. They can also contact KCCA directly, or submit their concerns to the Bank's GRS. To this end, Management has requested KCCA to publicly announce this information to residents in the Project area. The Bank will help ensure that KCCA promptly reviews and addresses such claims to ascertain whether they have been appropriately processed for the RAP. The Bank will monitor KCCA's review process.

58. **RAP audit.** Finally, out of an abundance of caution, Bank Management will undertake an audit of the implementation of the 2017 RAP and Supplementary RAP under KIIDP-2 to ensure that all eligible PAPs are compensated and strengthen further RAP implementation management by KCCA.

59. **Potential evictions.** Management will further emphasize to the Borrower that enforcement of evictions in the Project area must be halted in order to avoid interference with finalization and implementation of the RAP and the Supplemental RAP. All eligible PAPs must receive compensation as appropriate under the RAP and cannot be required to move prior to the completion of the resettlement process.

60. **Potential retaliation.** Management will also reiterate any concerns raised about potential retaliation to the Borrower, emphasizing that the Bank does not tolerate retaliation against PAPs who choose to use the Bank's avenues for grievance redress.

Conclusion

61. **Management believes that the Bank has made every effort to apply its policies and procedures and to pursue concretely its mission statement in the context of the Project. In Management's view, the Bank has followed the policies and procedures applicable to the matters raised by the Request. As a result, Management believes that the Requesters' rights or interests have not been, nor will they be, directly and adversely affected by a failure of the Bank to implement its policies and procedures.**

ANNEX 1
CLAIMS AND RESPONSES

No.	Claim	Response
1.	<p>This is a request that highlights the impunity, abuse of processes and the law, and unjustified failure, by the World Bank and its client, the Kampala Capital City Authority (KCCA), to include an entire community of Project Affected Persons (PAPs) in the Project's resettlement and compensation program. Instead, in disregard of World Bank Policies and the national law, the Project implementer issued eviction notices to PAPs under the Public Health Act Cap. 281 and took advantage of the World Bank's reduced supervision during the Covid-19 Lockdown to try to evict the Project Affected Persons without compensation, in clear violation of World Bank safeguards. When this forced eviction plan failed, following interventions from PAPs' advocates and the local council, the Project implementer, with inadequate supervision from the World Bank, began to push requesters through a rushed and mismanaged resettlement process, prioritizing Project timelines over considerations of accuracy, completeness, or the overall livelihoods and wellbeing of affected people.</p> <p>[...] Requesters are affected by a USD 175 million loan from the World Bank Group's International Development Association (IDA) for the Second Kampala Institutional and Infrastructure Development (KIIDP-2) Project. The Requesters wish to request for concealment of their identities due to grave concerns about their security and that of their relatives. They further request that the annexed documents should be treated as confidential to protect individual identities. [...] The requesters are willing to move, but doing so will present a significant economic hardship and they require a fair and effective compensation and resettlement assistance program to sustain their livelihoods through this transition.</p>	<p><i>The Project was designed and is progressing in accordance with Bank policies and with continued diligent oversight by the Bank in spite of the COVID-19 pandemic. Compensation claims by community members affected by the Project are being addressed in accordance with the RAPs prepared for the Project, and no evictions or destruction of property have taken place under the Project.</i></p> <p>Management considers that the resettlement processes for the Project, including the 2017 RAP and the Supplementary RAP currently being prepared, have followed appropriate requirements and, moreover, have included PAPs who moved into the Project area, which is the location of the Request and a wetland, after the RAP was finalized. There have been no evictions in the Project area and the Bank team has carefully supervised the Project despite the COVID-19 pandemic restrictions.</p> <p><i>Location of the Request.</i> The Lubigi primary drainage channel, which is to be upgraded under the Project, is located in Kawaala Zone II. It is 2.58 kms long and comprises two sections: (i) a 1.0-km section from Bwaise Road up to Kawaala Bridge, which is confined within the RoW that was acquired under KIIDP-1 and is not a subject of the Request; and (ii) a 1.5-km section 100 meters past Kawaala Bridge and Hoima Road, which is the subject of the Request (referred to herein as the Kawaala-Hoima Section). There are no ongoing works in this second section, which is a wetland area that was previously uninhabited, and no evictions have been carried out by the Project. Compensation of PAPs is ongoing in this Kawaala-Hoima Section, which KCCA has agreed not to hand over to the contractor before the compensation process is completed.</p> <p><i>Resettlement process.</i> The resettlement process for the drainage component of KIIDP-2 is based on the guidelines provided in the RAP that was consulted upon and completed in 2017. The 2017 RAP underwent an extensive review and clearance process by the Bank between August 2018 and May 2019. It was publicly disclosed on September 17, 2019. RAP preparation was initiated in 2015 and surveying of Project areas was carried out between November 2015 and November 2016. These activities were therefore not affected by the current COVID-19 lockdown.</p>

No.	Claim	Response
		<p>The 2017 RAP did not identify any PAPs along the Kawaala-Hoima Section because it was unencumbered at the time the RAP was being prepared. Through a review of archived satellite images, Management has confirmed the absence of structures or vegetable gardens in that section at the time. In addition, as part of RAP preparation starting in mid-2015, KCCA's Project team conducted several documented meetings with affected communities between August 2015 and November 2016 to disclose relevant information about the process, including the cut-off date of November 30, 2016. Additional consultations were carried out at the Bank's request up to May 2018. Details of the meetings and community members met are provided in the disclosed RAP.</p> <p>As per RAP guidelines, individuals who moved in after RAP finalization and the cut-off date and currently occupy the Project area, would not be eligible for compensation.</p> <p>As the Kawaala-Hoima Section was being prepared to be handed over to the Contractor in July 2020, people were found to be farming or settled in that Project site. Although this section is officially a wetland and was free of any human activity at the time of the 2017 RAP preparation, some individuals had since erected structures and/or begun farming in the area. This is not entirely surprising. There have been repeated attempts from the community to encroach on the Lubigi channel, a phenomenon that can happen fairly quickly.¹ The Government has since 2011 been dealing with such Lubigi wetland encroachers.</p> <p>KCCA's Project team verbally notified some of the residents present of the illegality of the structures during a transect walk that included the contractor, the supervising consultant and KCCA's Project team staff.</p> <p>Management confirms that the KCCA DPP served eviction notices in December 2020 in several areas around Kampala for removal of structures allegedly built in violation of the Public Health Act, but not as part of the Project. In addition, based on stipulations in the 2019 NEA applicable to wetlands in Uganda, eviction notices were issued by the National Environmental Management Authority (NEMA) for some areas across Kampala, including Lubigi. Management has established that 19 of the eviction notice recipients were located in the</p>

¹ <https://www.youtube.com/watch?v=mQivEsl3j-o>

No.	Claim	Response
		<p>Kawaala-Homa Section of the channel. Of these 19 individuals, 11 are eligible PAPs who were among the 155 PAPs identified in the recent survey undertaken for the Supplementary RAP for the Kawaala-Hoima Section (see below). Management confirms that these eviction notices were not therefore undertaken as part of, or in connection with, the Project or the planned resettlement under the Project.</p> <p>Supplementary RAP. Despite the fact that these PAPs had moved to the Project area after the RAP finalization and were therefore not entitled to compensation, KCCA decided to compensate them under a Supplementary RAP, in order to preserve community relations, avoid potentially lengthy legal procedures, and to ensure smooth Project implementation. KCCA is currently working to identify these PAPs, undertake valuation, conduct adequate consultations, and provide compensation where appropriate. Contrary to the Requesters' allegations, this process has not been rushed. This timing reflects a deliberative and professional approach commensurate with the geographical scope of the affected area and number of people potentially affected (1.5 km of continuous stretch and about 155 PAPs identified to date). Moreover, the RAP team covering the area includes 9 social scientists, 6 surveyors, 3 valuers, and a communication specialist; other KCCA and Project specialists such as lawyers and engineers, are also involved in the process whenever necessary. The Supplementary RAP has identified 155 affected persons, of whom 98 have already been approved for compensation; the remainder are under review.</p> <p>Preparation of the Supplementary RAP has followed the same process as the original RAP. However, during meetings between Project authorities and PAPs it became clear that parts of the community were being advised by groups that are not familiar with the resettlement process set out in the RAP. For example, some individuals had refused to allow a survey of their assets to be carried out by KCCA, even though this is a necessary requirement for compensating them. The discussion also indicated that KCCA needed to enhance its stakeholder engagement efforts in the area.</p> <p>Strengthened engagement by KCCA. The Bank team met virtually with KCCA and community members on March 4, 2021 to discuss the matter and agreed on the following measures: (i) KCCA to strengthen stakeholder engagement and communications to further disclose the</p>

No.	Claim	Response
		<p>scope and benefits of the expected works, those who would be affected, the grievance management process, and issuance of a FAQ pamphlet on the Project in the local language; (ii) the GRC for this Project area, which had experienced some difficulties in being established (see Item 16, below), was to be fully reconstituted with a clear appeal process and levels; (iii) communities to allow KCCA to complete surveying of the affected area to identify and compensate PAPs; (iv) KCCA to provide a summary of the different steps in the compensation processes and share this with the communities for information; and (v) KCCA to prepare a Supplementary RAP as an addendum to the 2017 RAP to include the newly identified PAPs and fulfill disclosure requirements. To date, the key recommendations are in the process of being implemented, and payment of compensation to the newly identified PAPs has started.</p> <p>Notwithstanding this Request, Management notes that the overall implementation of the 2017 RAP has been smooth. The Request raises issues and challenges that are commonly associated with compensation processes, particularly in urban areas, and that are commonly resolved as part of Project implementation. Such challenges include, for example, lack of ownership documentation, disagreements among family members, and contested compensation values. Such issues are addressed through an established system that includes GRCs at various Project sites. All grievances received are effectively addressed and monitored by the Bank to ensure they are addressed and closed.</p> <p>Bank supervision. Despite the difficulties imposed by the COVID-19 lockdown, the Bank has continued to supervise the Project diligently, with appropriate health and safety precautions. Since April 2020, the Bank has conducted four videoconference meetings with the KCCA technical team on Project progress, including one with the KCCA Deputy Executive Director. The team did two drive-through site visits of the Project areas when lockdown conditions did not permit face-to-face meetings; and two virtual ISMs were held, one in November 2020 and another in March 2021. There have also been several virtual meetings with PAPs and their representatives when complaints emerged and as part of the ISM.</p> <p>The Bank's effective engagement is also evidenced by the implementation of the RAPs in other areas of the Project that are not subject to this Request, namely, (i)</p>

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		<p>Batch 1 roads (200 PAPs); Batch 2 roads (1,017 PAPs); and (iii) Nakamiro secondary drainage channel (332 PAPs). Further, procurement for the drainage civil works was delayed to ensure that KCCA first secured the RoW. The Bank monitors strip maps indicating progress in the compensation process and also tracks the grievances registered to ensure they are being addressed. These procedures are followed wherever PAPs are identified, as is the case now for the Lubigi channel. See also Items 8 and 23, below.</p>
2.	<p>The requesters are community members living in Kawaala Zone II. There are low literacy rates among the community members. Many community members are using their land for subsistence farming, growing crops to feed their families and in some cases they sell these crops on the roadside to passing travelers to make some income. Most community members are <i>Kibanja</i> holders/ customary tenants on Mailo Land held by the Buganda Kingdom and managed by the Buganda Land Board. [...] <i>A Kibanja</i> holder holds an equitable interest in mailo land. <i>Kibanja</i> holders have the right to assign, sublet, pledge, sub-divide, bequeath, or create third party rights in the land, although they must seek consent from the registered landowner, which should not be denied on unreasonable grounds.² It is worth noting that <i>Kibanja</i> is a type of land holding that is peculiar to mailo land found mostly in Buganda (Central Uganda). <i>Kibanja</i> land holding status is not typically proven by an individual's ability to furnish particular documents.</p> <p>The requesters have been living in the area for many years, some for even 20 years or more, and some have lived in their homes for their entire lives and have been paying Busulu (rent) to the Buganda Land Board. [...].</p> <p>However, instead of compensating the requesters and other similarly affected persons for their</p>	<p><i>There have been no evictions in the Kawaala-Hoima Section. The eviction notices of December 2020 are unrelated to the Project. The Bank and the Borrower did not ignore Kibanja holders. On the contrary, they are recognized under the 2017 RAP as well as the Supplementary RAPs and are eligible for compensation for land acquisition and related impacts arising from the Project.</i></p> <p>The design of the Lubigi drainage channel, which traverses Kawaala Zone II, was reviewed, and updated in March 2021 to reflect a decrease in its width (from 90 to 70m), the objective of which was to lessen land acquisition impacts. The residents within the Kawaala-Hoima Section RoW are eligible PAPs under the Project.</p> <p>As noted in Item 1 above, KCCA's DPP served notices for removal of illegal structures in several areas around Kampala on December 3, 2020, including to 19 people in the Kawaala-Hoima Section. Issuance of such notices is part of the mandate of the DPP. The KIIDP-2 PIU does not have the mandate or the authority to issue or revoke eviction notices. Also, as stated earlier, these notices are unrelated to the Project; although some were served in the Project area (though not by the PIU), so far none of them have been enforced and KCCA has agreed that no evictions will take place until PAPs are compensated. During the March 4, 2021 virtual meeting, the Bank asked the Government to halt their enforcement until the Bank had had a chance to review</p>

² [Footnote from Request] The Land Act, Part II, section 34, <https://barefootlaw.org/wp-content/uploads/2018/08/The-Land-Act.pdf>. A 2010 amendment to the Land Act criminalizes the sale of land by a *Kibanja* holder without the land owner's consent and voids any such transaction. However, Section 1 of this amendment is currently subject to a legal challenge, *vide*, Constitutional Petition No. 10 of 2020 Dr. Zahara Nampewo & Brian Kibirango v. the Attorney General (AG). The provisions voiding criminalizing sale of land made without a land owner's consent and voiding such transactions should not be enforced until this legal challenge is resolved.

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	<p>land, on 3rd December, 2020, KCCA through its Building Inspector/ Planner and other servants, and in alleged exercise of power under the Public Health Act Cap. 281, distributed notices to local residents residing on the west side of Kawaala bridge, requiring them to "remove all illegal structures" and "halt all ongoing construction works" within 28 days. Large red "X" marks were also placed on local buildings by the same officials.</p>	<p>the matter and specifically identify the eligible PAPs in line with OP 4.12 (see DPP, KCCA notices in Annex 2).</p> <p>The Bank was informed by KCCA that it has no record of residents in the Project's 70m RoW going back 20 years or more, and the available Google satellite photos show no sign of human activity before 2014. The area is a designated wetland.</p> <p>Although KCCA is invoking legal authority unrelated to the Project to issue these eviction notices, the Bank requested that no evictions take place in the Project's 70m RoW until any potential PAPs are identified, and subsequently compensated, in line with Bank policy.</p>
3.	<p>The notices cited Public Health Act Cap. 281 and claimed that they were based on violations of public health rules related to safe and sanitary housing. However, this is difficult to believe, as the notices were vague and did not state which specific buildings were at issue, nor were they based on any individualized inspection of houses or buildings. Instead, they were distributed broadly to residents and building owners throughout the area where the new drainage channel is to be routed. Many of the buildings in question had been in the area for many years, yet residents had never been previously notified of any issue related to public health rules. One resident reported that it had been over 26 years since his house was erected and he had never been contacted about any alleged violation of public health rules before this. This, coupled with the timing of the notices at a moment when KCCA was gearing up to expand the Lubigi drainage channel onto the same land, led residents to believe that clearing way for the channel was the real reason for the evictions, not the alleged violation of public health rules. Further, the notices included handwritten notations that residents read as threatening, such as: "remove all illegally constructed structures from the wetland area immediately or else KCCA shall remove them at your own cost." [...].</p>	<p>Although the DPP issued eviction notices to 19 people with illegal structures along the Lubigi channel in the Kawaala-Hoima Section, the Bank team has established that out of these 19 people, only 11 are eligible PAPs since their structures are on the channel RoW and they are therefore among the 155 PAPs identified in the recent survey undertaken by KCCA for the Supplementary RAP.</p> <p>The notices were not vague and were only issued to illegal structures marked with red crosses – such as in the photos included in the Witness Radio article.</p> <p>Contrary to the allegations in the Request, the 19 structures in question had not been in the area "for many years." (The Requesters may be referring to project structures outside the Project area.) The Google map of 2014 on this section of the channel shows that there were no structures in the RoW of the channel. The timing of the DPP eviction notices was coincidental, and the notices were not being issued to facilitate Project activities. In fact, eviction notices were issued throughout the city of Kampala for reasons unrelated to the Project. In any event, the notices have not been enforced to date.</p>
4.	<p>Subsequently, the following day on 4th December, 2020, the recipient of the World Bank financing, Kampala Capital City Authority (KCCA), together with employees of its contractor, China Railway No.10 Engineering</p>	<p><i>There is no evidence of destroyed homes in the Kawaala-Hoima Section and to the Bank's knowledge, police have not participated in any resettlement or other Project-related activities. See Items 1 and 2 above.</i></p>

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	<p>Group Ltd, under the watchful protection of armed members of the Uganda Police Force (UPF), forcefully began to evict the hapless and helpless requesters, in the guise of enforcing the impugned notices that had barely lasted for 24 hours. These evictions began early in the morning, around 6am, when many families were still asleep. By the time the Local Leadership intervened some residents had their homes and crops destroyed in this process because KCCA had employed excavators to remove the said crops.³</p>	<p>KCCA has confirmed to the Bank that the contractor has not been involved in any eviction activities. Recent visits to the sites by both KCCA and Bank staff (on separate occasions) showed no evidence of destroyed homes in the area. KCCA has assured the Bank that the PIU has never used police (armed or otherwise) as part of its Project engagement with the affected community, including the resettlement process. Resettlement under the Project is being addressed in line with OP 4.12 and a robust grievance redress process, including an appeals process, is in place.</p> <p>As noted in response to Item 2, these eviction notices and their enforcement were not related to the Project. However, Management has asked the Government about the alleged police presence and learned that it is common practice for Government officials to be accompanied by police to protect these officials from potential attacks. In keeping with this practice, KCCA has informed the Bank that, in keeping with this practice, in December 2020, the KCCA DPP staff were accompanied by police to issue these eviction notices unrelated to the Project, but that no use of force by police or other intimidation took place.</p> <p>Furthermore, the Bank has made clear to KCCA through various communications that sites should only be handed over to contractors after all RAP issues have been resolved. The Bank monitors this through the strip maps of the area that KCCA provides to the Bank, showing that all PAPs have been compensated.</p>
5.	<p>Since this time, requesters have made some attempts to resolve the issue with KCCA, seeking help from the Local Council leadership and Witness Radio. These efforts are described in more detail below, but so far they have not resolved the issues. In January 2021, Witness Radio assisted 107 community members to file a case in the High Court of Uganda regarding this matter, requesting an injunction to halt the evictions. [...]. However, to date, the eviction</p>	<p><i>Despite a media article⁴ on the court filing, KCCA has advised the Bank that it has no information on a case filed against it. The Bank has not been able to find any such case filed with the Registrar of the Land Division of the High Court.</i></p> <p>Although KCCA received a notice of intention to sue, it is not aware of any case having been filed against it by the Kawaala community.</p>

³ [Footnote from Request]. This event affected residents living on the west side of Kawaala bridge along the planned drainage channel route. There is also one requester living on the east side of Kawaala bridge whose land was demarcated for demolition on 28 October 2020. Like other local residents, he was not offered any compensation prior in advance of this action to prepare his land for demolition. This event was particularly insulting as the requester's property had been badly damaged due to construction works for KIIDP-1. He has sent numerous letters to the KCCA and other Government agencies to demand compensation for that damage, to which he has still not received a satisfactory response. Annexed to this complaint are copies of correspondence regarding this requester's compensation claims (Annex I).

⁴ <https://ugandaradionetwork.net/story/kawaala-residents-sue-kcca-over-lubigi-evictions->

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	<p>notices are still outstanding and have not been canceled, leaving the community at constant risk of sudden eviction should the court refuse their request for an injunction.</p>	<p>The Bank has also checked with the Registrar of the Land Division of the High Court, where cases of this type would likely be filed, and the Registrar confirmed that no such case is pending before it either from the community or from Witness Radio.</p> <p>Again, any eviction notices issued by either the DPP or NEMA were not issued in connection with the Project and cannot therefore be cancelled by the Project (see Annex 2).</p>
6.	<p>Further, in early 2021, KCCA has forcefully conducted a survey and evaluation exercise, without the participation of the Local Leadership and other stakeholders, and in the absence of any informed consultation process to explain its planned approach to local residents. As a result, not all community members were present at the time the survey was conducted. Despite warnings from the community and Witness Radio of the mistrust bred by the recent attempted eviction process, and despite multiple requests to halt the surveying process until after informed consultations were held, KCCA's Social Development Specialist for KIIDP went ahead and forcefully conducted a survey with the assistance of armed members of Uganda Police Force and in the presence of children and other vulnerable members of the community. At a certain point of time, Buganda Land Board advised KCCA to compensate the affected community before considering eviction. [...].</p>	<p><i>There has been no use of force to undertake a survey of land under the Project, nor is the Bank aware of any police involvement in the RAP process or in the Project.</i></p> <p>The RAP team maintains attendance lists of all people met during the survey process. RAP implementation entails, among other steps, identification of all PAPs whose property appears on the strip map. This makes it possible to verify those who might have been missed during the survey. Further, the RAP team has been available at the site three days a week since March 2021 with the exception of specific COVID lockdown periods to receive any complaints and engage in additional communication.</p> <p>The RAP process is very inclusive and covers all PAPs, including absentee landlords. Where there are disputes, the aggrieved party can be heard through a clear appeal process. The chronology of events indicates that there were meaningful consultations with the affected communities at different levels, starting from August 2020. The RAP process was explained to the communities and copies were provided to each PAP in either English or local language (Luganda).</p>
7.	<p>Given the conditions of force and coercion under which the survey was conducted, requesters believe that the survey likely contains serious errors, misidentifying property holders and failing to identify some residents. To date, residents have not been provided with adequate information to determine whether their land holdings have been properly identified. For instance, one of the requesters was shocked to hear that KCCA had invited her to receive its valuation report related to her land, and yet she has never taken part in such a survey. Nonetheless, KCCA has persevered in its</p>	<p><i>The survey process did not use force or coercion. It was implemented following Bank policy requirements. The PIU has followed well-considered and publicized processes in line with Bank guidance.</i></p> <p>For the Supplementary RAP, a letter was sent to the LCI⁵ chairperson of Kawaala Zone II on February 9, 2021, requesting his support in mobilizing the community and his participation in the survey. An engagement meeting, chaired by the LC representative (secretary for environment) delegated by the LCI chair and attended by the General Secretary LCI was held on February 12, 2021. In her communication, the</p>

⁵ There are six levels of Local Councils in Uganda. The lowest level, Local Council I (LCI) is responsible for a village or, in the case of towns or cities, a neighborhood.

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	<p>reliance on this forced survey as a basis for calculating resettlement entitlements. As of June 2021, KCCA has provided some community members with figures for how much compensation they will receive, but they have provided no information on how these individual entitlements were calculated. Given the KCCA's poor history of engagement in this community, the lack of information about compensation determinations has led to widespread mistrust of KCCA's calculations.</p>	<p>chairperson noted that: <i>“Affected persons had held a meeting on 11th February 2021 and resolved KCCA to conduct a survey on their properties and also capture details of all the affected properties.”</i> The community requested a communication channel through which they could lodge their grievances and ensure they were addressed. In the same meeting, the community was provided information on the Project and processes that would be followed to compensate affected persons. The community agreed that KCCA could proceed with the survey and valuation exercise. The affected persons elected a GRC, which was informed about its roles and responsibilities.</p> <p>The survey process, undertaken by a Surveyor and the RAP team, commenced along the Lubigi drainage channel on February 17, 2021, after agreement was reached with the community. The pegging of the area was done to indicate the perimeters of the 90m width channel. The pegging was repeated in March when the channel width was redesigned to reduce it to 70m. Community members who could not participate in person sent their representatives to witness the process.</p> <p>KCCA has engaged with communities regularly throughout the Project implementation period. The Project established a communication/community engagement & social accountability plan in 2017, the objective of which was to mobilize, engage and sensitize PAPs, communities, leaders and the public during the implementation of the construction of urban roads and drainages in Kampala city.</p> <p>Nevertheless, as noted previously in Item 1, the meeting in March 2021 highlighted the need for greater engagement with the community. KCCA augmented its communication and outreach activities to better inform the community, leading to agreement on the process for the Supplementary RAP. The Project later translated the FAQ and the RAP procedures into local language to ensure Kawaala residents could understand the process.</p> <p>The community was engaged again on March 13, 2021 about the RAP implementation processes and the design review to minimize impacts on their property. This was to raise further awareness of the community about a re-survey of the affected properties as a result of the reduction in width to 70m. The discussion highlighted the procedures and documentation required for compensation.</p>

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		<p>On March 16–19, 2021, KCCA, through the survey team, laid out the design on the ground and the details of the affected properties recaptured by the valuation team. On May 10, 2021, KCCA conducted another community engagement event to provide information on the compensation process and required documents. Communities were further informed about financial management prior to receiving the compensation funds. The importance of involving family members in the compensation process and utilization of received funds was emphasized.</p> <p>Following these events and the approval of the valuation report by the CGV, on May 24, 2021, KCCA undertook a disclosure and verification exercise concerning individual PAPs. A total of 98 PAPs were identified as affected by the Project in Kawaala Zone II, of whom twenty-four (24) PAPs have so far received their payments and six (6) have been processed for payment. Another fourteen (14) have been through the verification and disclosure steps and are awaiting completion of documentation to claim their payment. The payment process follows appropriate procedures, including verification and endorsement by the LC leadership before effecting payments – particularly given that these are Kibanja holders (occupants) who do not have title deeds.</p>
8.	<p>KCCA seems inclined to rush its resettlement process without following due process or the requirements of World Bank Safeguards. In a recent series of letters to the Local Council, <i>Ref: KIIDP2/KCCA/1311 and dated 20th May, 2021, 4th May, 2021 and 19th April, 2021</i>, the KCCA describes a rushed process that allows one week for answering questions and identifying right of way issues (May 10-14) and another week to verify ownership of land and disclose compensation values to PAPs (May 24-28). [...]. This plan itself demonstrates a shockingly accelerated resettlement plan for the residents of Kawaala Zone II. For reference, the Project’s Resettlement Action Plan lays out an implementation timeline that allots 4 months for the display of valuation lists and verification of PAPs, and a further 5 months for continuing to</p>	<p><i>The RAP process was not rushed, and its implementation is consistent with Bank policy. The speed of RAP implementation is commensurate with the number of PAPs affected and the nature of the assets being valued.</i> For example, the valuation process for seasonal crops (largest category of assets in the affected area) can be completed in a relatively short time since it does not require submission of ownership documentation such as land titles, which can cause delays. The allotted timeline referred to by the Requesters was for the implementation of the overall 2017 RAP, the scope of which includes 3 drainage systems, the acquisition of 13 acres of land, and 2,760 PAPs. As noted in Item 1, KCCA’s RAP team includes 19 specialists currently working on the process for 155 PAPs identified so far.</p> <p>Management notes again that PAPs were not identified in the Kawaala-Hoima Section during preparation of the 2017 RAP since there were none present in the wetland before the 2016 cut-off date. Any persons now in the area would have moved there after the cut-off date established in the RAP and as such, are not entitled to compensation</p>

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	organize compensation payments. ⁶ KCCA appears dead-set on accelerating this process to span only a few weeks.	under Bank policy, but will nevertheless be compensated under KCCA's Supplementary RAP.
9.	Additionally, community members remain largely unaware of these plans, indicating either widespread and ongoing communication failures or a stark difference between the plan laid out on paper and what KCCA is actually accomplishing in its resettlement implementation. Community members report very few opportunities to meet with the KCCA locally to ask questions and understand the process. Some have not been able to attend a single consultation meeting; others only attended one meeting that was held on <i>10th May, 2021 (Between 11:00am -2:00pm)</i> where KCCA asked the Project affected persons to avail them with documents relating to ownership of land, financial status (bank statement) and identification. At this meeting, KCCA did not provide any detailed information about their resettlement process or their methodology for compensation valuations.	<p>In addition to Kawaala-specific meetings held by KCCA since August 2020 (as outlined in Item 7, above), there have been community engagements and media reports since 2018. During the Kawaala-specific meetings, KCCA has striven to inform the local leaders, community, and other stakeholders of the benefits of the project, its scope, and the RAP process. The disclosure form to be signed by each PAP requires an endorsement by the LCI chairman, among others and PAPs are given ample time to study it. Some of the media articles include the following:</p> <ul style="list-style-type: none"> - KCCA moves to construct channels to curb floods, Daily Monitor, December 3, 2018. - Museveni commissions Kasubi Market, Lubigi channel works, Daily Monitor, August 6, 2020. - Expansion of Nakamiro, Lubigi channels takes shape, Independent Reporter, March 9, 2021. The same article also clearly noted "<i>The authority (KCCA) has not fully acquired right of way and is still engaging the affected residents.</i>" - Locals welcome works on Lubigi channel, Daily Monitor, June 7, 2021. In the same article it was quoted "<i>Affected residents acknowledged engagements with KCCA, saying they will pave way for the Project since government has already committed itself to compensate them.</i>"
10.	Further, when they received word on <i>May 25</i> of KCCA's plan to spend a week verifying individuals' land holding status from <i>May 24-28</i> , the Local Council and affected people interpreted this to mean that <i>May 28</i> would be <i>the cut-off date</i> for submitting documents. This caused extreme stress and confusion among residents, as the short timeline did not give them enough time to reasonably collect their documents. Whether or not this was KCCA's intention, this is an example of the deep flaws in its current communication with affected people. By relying primarily on letters sent to the Local Council and	<p><i>A cut-off date has never been imposed for submission of supporting documents from PAPs to ensure that only entitled property owners are compensated. It is unclear what caused the PAPs' misunderstanding, but KCCA and the Bank will continue outreach efforts to clarify the process and ensure that anyone who is eligible receives compensation under the Project RAPs.</i></p> <p><i>It is also incorrect that the Project relies primarily on letters sent to the LC and conversations with affected people who choose to travel to the KCCA office. KCCA retains a communication specialist and a sociologist</i></p>

⁶ [Footnote from Request]. Resettlement Action Plan (RAP) for the proposed improvement of priority drainage systems in Kampala Capital City under KIIDP-2 Project, p. 156-157, https://www.kcca.go.ug/media/docs/Final%20Drainage_RAP_Report.pdf.

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	<p>conversations with affected people who choose to travel to the KCCA office, KCCA has left wide gaps in its communications and information dissemination. [...].</p> <p>These problems together have added up to a confusing, inequitable, and inaccessible process.</p>	<p><i>who have been engaging the community through several community meetings.</i></p> <p>The Project prepared targeted Community Engagement Plans to guide community engagement for all its sub-project sites covering Batch I roads, Batch 2 roads, and the drainage channels. The plans guided community engagements during RAP preparation and implementation. For the Kawaala Bridge and Hoima Road section of the channel, the plan was publicly disclosed on March 13, 2021 with the Project FAQ, strip map, and information on RAP processes, GRC, and the acquisition of the RoW, which were shared and agreed with the communities. The plan spells out the Project activities to be undertaken, who to engage and when, and the monitoring mechanism.</p> <p>In addition, numerous meetings were held with LC members and representatives of the residents of Kawaala Zone II, and direct meetings were held with the community on January 29, February 12, March 13, and May 10, 2021. For the various sites, the Project had a grievance redress process and three levels of GRCs, with clear appeal procedures. The RAP team also is available in the field three days a week (Tuesday–Thursday) to answer any questions the community may have and to provide additional information.</p> <p>With regard to consultations, it became evident early in the process of preparing the Supplementary RAP (see Item 9) that there remained a lack of understanding of the compensation process due to inadequate information. KCCA stepped up its communications, including clarification on the engagement process. A number of community members were engaged, including the Mayor of Lubaga Division, who is the Chair of the GRC for the Lubaga Division, members of that same GRC, the Town Clerk of Lubaga, Ward Administrators, representatives of the residents of Kawaala Zone II and PAPs. These meetings are included in the chronology of events and photos of the meetings are available. The affected PAPs span two LCI zones (Kawaala Zone II and Nabweru South Zone). In a meeting on February 3, 2021, the LCI chairman for the Kawaala Zone delegated the Secretary for Environment and Production to work with the team, while the chairman for Nabweru South Zone has been very active in mobilizing the communities.</p> <p>In accordance with OP 4.12, the RoW was determined through detailed surveying and identification of affected properties and their owners, valuation of the affected</p>

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		properties and approval of the valuation by the CGV to ensure that the appropriate valuation method was followed.
11.	<p>Additional problems include:</p> <p>KCCA has asked community members to sign documents and forms that are written in English, which illiterate and semi-literate community members do not understand. KCCA has not explained these documents at the time of signing and their purpose and contents remain equivocal to the mostly illiterate community members. Some, but not all, community members have been provided with copies of these documents to take home with them. We helped community members to review some of these documents and note that they include a clause that states the signatory has agreed to resettle from their land in exchange for accepting a stated compensation amount. Some community members had already signed these documents, at the request of KCCA, without having their contents or meaning explained to them first. On all of the documents that we have reviewed, there is a space for an agreed date of eviction, which is left blank. Some of the documents are also missing critical elements, such as the signature of a Local Council member or any other witness. In other words, KCCA has allowed and even encouraged community members to sign away their land holding rights and accept a stated amount of compensation without ensuring that community members even understand what they are signing. [...].</p>	<p>The RAP Process Sheet has been explained and provided to the community both in English and the local language (Luganda). As part of the disclosure of the valuations, the valuation amounts are explained to the PAPs individually at the site in the language they understand. After the explanation, a simple disclosure form is provided to each PAP in English and they are required to obtain signatures from a number of people, including their spouse, next of kin, LCI chairman, among others, as a verification measure to avoid fraud. The PAPs have the option of seeking further explanation from their LCI chairman and of course contacting KCCA staff or the GRC for further clarifications or to raise any concerns. No specific time frame is given to the PAPs to sign the disclosure form and to return it. Furthermore, the RAP team is regularly available in the field as noted earlier. The space in the Disclosure Form for an agreed date of relocation/acquisition by KCCA is usually left blank until mutually agreed between the two parties.</p>
12.	<p>KCCA has failed and/or refused to disclose and explain to communities in an accessible form and manner the valuation rates and methodology employed to arrive at individual compensation figures. In the absence of any clear explanation, and in light of the problematic survey that the figures are based upon, many community members fear that the KCCA has undervalued their property or misidentified their property.</p>	<p><i>KCCA did not fail or refuse to disclose the valuation rates and methodology employed to the community.</i></p> <p>Proper information disclosure procedures are followed as explained in Item 11 above. The disclosure form to be signed by each PAP requires an endorsement by the LCI chairman, among others, and PAPs are given ample time to study it. It was however clear from the meeting of March 4, 2021 (see Item 6) that there was some misunderstanding on the compensation process due to inadequate information. At the Bank's request, the Government stepped up the communication, including clarification on the engagement process. KCCA was requested to enhance community engagement through sharing of information and this has been done through the subsequent meetings held (see Annex 3) and explanations</p>

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		of the RAP process. Further engagement on the RAP process is ongoing. The RAP team is available to receive any complaints and the GRCs are available to record any grievances from the community where they feel their property has been undervalued or misidentified.
13.	KCCA has excluded the Local Council from participating in critical aspects of the resettlement process. The lack of participation of the Local Council in KCCA's surveying and other activities means that these processes are not adequately informed or reliable. Only after we began raising concerns about the deep flaws in the resettlement process, KCCA sent a number of letters to the Local Council, to keep them informed to some degree in KCCA's alleged activities. Yet, they have still refused/and or failed to involve the Local Council in critical resettlement activities, degrading the validity of these activities and the trust of local people.	<i>The LC has been involved in the Project.</i> Community engagement meetings are organized through the LC leadership and participation is as outlined in Item 7 above. The Kawaala Zone II community was mobilized through the LCI Chairman. A meeting was held with the LCI Chairman of Kawaala Zone on February 3, 2021 before the survey exercise started and it is on record that the Chairman delegated the responsibility to the Secretary for Environment and Production to work with the KCCA Project team (see Item 7 above). For example, the LCI chairman endorsed the contract between the contractor and the landowner for lease of his land to set up the contractor's camp in Kawaala Zone II. The disclosure form to be signed by each PAP requires an endorsement by the LCI chairman, among others.
14.	Community members have a number of concerns related to impacts from KIIDP-1 that were never addressed, including damage to structures and crops that had been forcibly taken over by KCCA under KIIDP-1. KCCA had informed community members KIIDP-1 that anything left unaddressed would be addressed under KIIDP-2. Given that the two projects are highly connected and essentially two phases of the same Project, community members believed these assurances. However, now KCCA has reversed its position and insists that it will not address any problems related to KIIDP-1, despite those earlier assurances.	<i>KIIDP-1, which is closed, is not the subject of this Request.</i> Nevertheless, Management offers the following response to these allegations for context purposes. KIIDP-1 and KIIDP-2 are not "essentially two phases of the same Project." In addition, there was no forceful takeover of structures or crops by KCCA under KIIDP-1. All PAPs were fully compensated for their structures and crops, which included 30-percent disturbance allowances under the KIIDP-1 main RAP and three Supplementary RAPs. PAPs were compensated based on the requirements of OP 4.12. As an illustration of the care taken to ensure adequate compensation of all eligible PAPs under KIIDP-1, an additional four-month period was provided after the Project closure on December 31, 2013, during which a call was publicly advertised for any remaining claimants to come forward present their case for eligibility. February 19, 2014, was given as the initial deadline for submission of claims and the deadline was then extended to June 7, 2014. With this further round of public advertising and verification, all eligible claims were compensated. The Requesters' allegations of outstanding compensation under KIIDP-1 may in fact refer to PAPs whose compensation requests were reviewed and declined at Project closing because they were ineligible under the RAP, for example, because they did not have the necessary supporting documentation or because they had already been compensated under the Project. Any of

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		these PAPs who are located within the 70m right of way between Kawaala Bridge and Hoima Road and who believe they are eligible for compensation under KIIDP-2 may submit a claim for compensation under the KIIDP-2 Supplementary RAP for review.
15.	<p>KCCA has failed and/or refused to institute a Grievance Redress Committee. In January 2021, KCCA suddenly imposed on the requesters and the rest of the affected community a “Grievance Redress Committee” of members hand-selected by KCCA who do not have the trust and support of the community. Contrary to the process described in the Project’s Resettlement Action Plan, this committee does not include any members of local leadership and was not constituted at the start of the Project, nor was the committee established through an election by the affected people. This was brought to the attention of KCCA by Witness Radio in a letter dated 29th January, 2021 and Ref: LEGAL/L&L/2021/02. [...]. Nonetheless, KCCA did not take any action to address the matter and continued to rely on the committee as a primary conduit for communications with local PAPs.</p> <p>The committee was disbanded by an official vote of the Local Council on April 1. Even before this date, the Committee had not in practice provided any grievance handling services for the local community, leaving residents without any Project-level mechanism for resolving their complaints.</p>	<p><i>The Project has a grievance redress process and a three-level GRC with clear appeal procedures: (i) Community (sub-project) GRC, (ii) Division GRC, and (iii) KCCA GRC. The GRC for the employees of the contractor is separate.</i> Each GRC has clear guidelines on how it is constituted and who should be included. Both the community and employee GRCs are elected by the communities/employees themselves and they are free to reconstitute them if dissatisfied with their composition. The role of KCCA is to inform the GRC about its roles and responsibilities and to provide further training so that the GRC can effectively handle the duties it is assigned by the community/employees.</p> <p>The first GRC in Kawaala Zone II was not properly constituted. The absence of minutes or record of attendance at the meeting creating the GRC led some community members to dispute the legitimacy of the GRC. It was accordingly reconstituted with 9 members through an election by the community. This took place on February 12, 2021, and was presided over by the Secretary for Environment and Production, who had been delegated by the LCI Chairman of Kawaala Zone II; the General Secretary LCI also attended. There was no GRC which was disbanded by an official vote of the Local Council on April 1, as confirmed by the KCCA Project team, which also attended that meeting.</p> <p>During the March 4, 2021 meeting with the Bank, community, KCCA and the Requesters, some community members remained concerned about the composition of the new GRC, and the Bank team recommended that the GRC again be reconstituted. KCCA on March 5, 2021, communicated the decisions of the meeting to the LCI chairman, including the need to reconstitute the community GRC. It has been made clear to the community that the GRC is elected by them and they are free to reconstitute it whenever members so agree. Eight grievances have been received to date and they are being addressed.</p>
16.	On a number of occasions, the resettlement process has involved tactics that can only be described as threatening and coercive. These	<i>To Management’s knowledge, no threatening or coercive actions have been used against PAPs under the Project.</i> KCCA has assured the Bank that it has never used police (armed or otherwise) under the Project as part

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	<p>unacceptable actions are in clear violation of the World Bank Safeguards and include:</p> <ul style="list-style-type: none"> - Using the presence of armed security forces to forcefully push forward resettlement activities, including the evictions of December 2020 and the forced survey process. 	<p>of its engagement with the affected community, including the resettlement process.</p> <p>However, Management understands that it is common practice for Government officials to be accompanied by police for security and protection purposes (however, not for Project implementation).</p> <p>Regarding the December 2020 eviction notices, see Items 2 and 5 above.</p>
17.	<ul style="list-style-type: none"> - Soliciting bribes from affected community members during the surveying process, offering to record their property holdings in a favorable way so that they would receive more compensation. Requesters have also heard that Project proponents accepted bribes from people who do not live in the area, in exchange for fraudulently recording them as holding land within the resettlement area. They personally witnessed individuals from outside the community coming in to participate in the survey, including taking photos on property that is not theirs. 	<p><i>No bribery case has been registered in any GRC or otherwise reported to the Bank.</i></p> <p>Compensation under the RAP follows a clear process, which includes surveying of the RoW, mapping the affected properties and their corresponding owners on a strip map, valuing the properties, preparing the report for submission to the CGV for review and approval, disclosure of the report, and submission by PAPs of ownership documentation to receive compensation payment including verification from the area LCI and photos of the PAPs. The system is well structured and does not allow for payments of non-eligible PAPs or payments beyond the correctly valued amounts. KCCA also undertakes an internal audit before the PAPs are paid. All the PAPs are required to provide passport-type photos before they are paid. The Bank has committed to carry out an audit of the RAP process and compensation payments.</p>
18.	<ul style="list-style-type: none"> - On 29th January, 2021, in a meeting with Witness Radio and some PAPs present: KCCA told community members that the Government of Uganda ran out of money, and therefore the residents need to leave first and allow the Project to move forward, and they will receive compensation later. They also told PAPs that in some other areas, affected people had agreed to leave for free in support of government projects. They encouraged PAPs to do the same. 	<p><i>The Bank has no knowledge of these alleged statements by KCCA. The Project has set aside funds for the RAP compensation payments in an escrow account.</i></p> <p>A meeting was held on January 29, 2021 at the community site to: (i) inform the community that KCCA would continue with the survey to ascertain the affected properties, and cross-check this with the people compensated under KIIDP-1; (ii) provide information about the legal and policy considerations to be taken into account for compensating affected persons; (iii) advise the community that consideration would be given, on a case-by-basis, to PAPs with structures in the RoW. To the Bank's knowledge, KCCA did not state that relocation would occur before compensation.</p> <p>One of the Legal Covenants requires KCCA to open, and thereafter maintain, at all times during the implementation of the Project, in a financial institution and on terms and conditions acceptable to the Bank, a Project Escrow Account, into which all counterpart funds required for the Project shall be deposited and maintained</p>

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		<p>until required to pay for RAP compensation costs. KCCA set up an escrow account at inception for RAP payments. Counterpart funding on RAP activities and expenditures are reported to the Bank on a quarterly basis through the Interim Financial Report (IFRs) for information purposes. Bank statements are shared together with IFR reports. RAP payments form part of KIIDP annual financial statements that are audited by Office of the Auditor General.</p> <p>The total expenditure from the escrow account as of July 2021 is US\$11 million after fully compensating 196 PAPs under Batch 1 roads, and 332 PAPs under the Nakamiro channel, which are sub-projects implemented under KIIDP-2.</p>
19.	<p>- Making threatening remarks, such as threatening community members with eviction if they do not comply with KCCA’s demands and implying that attempts to raise concerns about the resettlement process will be met with force.</p>	<p><i>Neither the Bank nor the KCCA Project team has received any complaints alleging such threats. Management reaffirms its commitment to help ensure that the resettlement process proceeds in line with OP 4.12 and the Bank’s zero tolerance of any use of force.</i></p>
20.	<p>- Coercing Project Affected Persons to sign documents whose contents and purpose they do not understand and are not made clear to them. Multiple community members report that KCCA has a practice of instructing individuals to come to their office to receive their compensation valuations, at which point KCCA insists that they must sign various forms as a precondition for receiving their compensation valuations. The purpose and contents of the forms was not explained to them, but some semi-illiterate persons describe them as attendance forms – with a list of names and the words “attendance form” at the top. Community members fear that KCCA may use these signed forms to claim that they have attended non-existent meetings, or for other reasons unknown to community members. ⁷</p>	<p><i>The Bank reiterates its commitment to ensuring that the resettlement process is carried out as per the guidelines provided in the RAP and in compliance with OP 4.12. Moreover, no such complaints have been registered by the GRC. The Bank is not aware of any PAPs being coerced into signing documents.</i> Regarding the valuation documents, see Item 11 above.</p>
21.	<p>- Charging Project Affected Persons exorbitant fees for confirmation of their Kibanja interest. Shortly after the KCCA’s forced surveying process, representatives from the Buganda Land Board came to the</p>	<p><i>The relationship between the Kibanja holders and Buganda Land Board is a tenant/landlord private arrangement and neither KCCA nor the Project is a party to it.</i></p>

⁷ [Footnote from Request]. See Sections 2 & 3 of the Illiterates Protection Act (Cap 78) required that the contents of the documents to PAPs are translated to them in a language they understand.

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	<p>community and began demanding exorbitant registration fees of as much as Ugx. 250,000 (Uganda Shillings Two Hundred [Fifty] Thousand only). Approximately 71 United States Dollars. This is highly unusual, as the Buganda Land Board is only supposed to charge Kibanja holders a nominal annual fee for Busulu (rent), which many community members have already paid and been paying for years.⁸ Requesters believe that KCCA was behind this sudden demand for exorbitant fees and see it as an attempt to scare or pressure them.</p>	<p>KCCA is not involved in the Buganda Land Board process and it has rejected the allegation of forced surveying, and that it is responsible for what the Board has supposedly been charging PAPs. It is however aware of the Board charging registered Kibanja holders a nominal annual fee for “Busulu” of US\$ 50,000 per rental per year, and as part of the RAP process, KCCA requires the PAPs to provide a letter issued by the Buganda Land Board to verify the legitimacy of their claim to assets on the affected land.</p>
22.	<p>Based on the events described above, requesters believe that KCCA is trying to push through a rushed resettlement process at the expense of affected people whose livelihoods hang in the balance. We are aware that the KIIDP-2 Project is nearing its closing date, which has already been extended twice, and this may be a strong motivation to expedite a resettlement process. Yet, the KCCA’s failure to include the Kawaala Zone II community in the Project’s original resettlement process is not the fault of the affected people and they should not be disadvantaged by KCCA’s rushed attempts to correct their own error. Requesters demand a fair and complete resettlement program that fully adheres to the World Bank’s operational policies and procedures.</p>	<p><i>Contrary to the allegations in the Request, and as explained above, the Kawaala-Hoima Section was not excluded from the 2017 RAP. The process for preparing the Supplementary RAP has followed the same guidelines provided in the 2017 RAP. In Management’s view, the process was not rushed.</i> See Item 8 above.</p> <p>The process for the Supplementary RAP allowed sufficient time to gather the necessary data, and attention was paid to ensure that all PAPs were included. However, the March 4, 2021 meeting made clear that, although the resettlement process was consistent with Bank policy, the communities as well as Witness Radio staff did not have sufficient information about the procedures and processes for resettlement-related compensation under the Bank Project. For example, they were unaware that conducting surveys is an essential process to define the impact on affected persons and the basis for determining the amount for compensation. Information on the different steps in the compensation process have since been provided to the communities, in meetings and print, both in English and in the local language, and the compensation process is progressing well.</p>
23.	<p>History of infrastructure development in Kawaala Zone II - The drainage channel being constructed as part of the KIIDP 2 Project is the latest in a series of public infrastructure projects that have had ongoing and cumulative impacts on requesters’ land. In 2010, under KIIDP 1, a section of the original drainage channel was diverted from its natural course to a route approximately 300 meters away. The requesters</p>	<p><i>KIIDP-1, which is closed, is not the subject of this Request.</i> Nevertheless, Management offers the following response to these allegations for context purposes. The Requesters claim that in 2010 or 2014, under KIIDP-1, a section of the original drainage channel was diverted from the natural course to a route approximately 300 meters away. This claim is not correct. <i>The contract for Lubigi channel under KIIDP-1 was signed on June 27, 2011 and the site was handed over to the contractor on</i></p>

⁸ [Footnote from Request]. The Buganda Land Board’s website lists a chart of ground rent amounts based on the location of the land, with the highest category being Ugx 50,000 annually: <https://www.bugandalandboard.or.ug/products/busuulu>

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	<p>and other PAPs were told by KCCA officials that it was a temporary diversion. It was not until the implementation of KIIDP-2 that it dawned on the requesters that the diversion would become permanent. The new planned construction under KIIDP-2 will expand on the section of drainage channel that was diverted under KIIDP 1, creating a new path for the drainage channel through land that has been used by the local community for their residences and crops for many years. Additionally, the Kampala Northern Bypass Highway funded by the European Union, European Investment Bank and the Government of Uganda,⁹ and the Lubigi Sewage Treatment Plant, funded by the European Union and German Government,¹⁰ were constructed in the immediate vicinity in recent years as well, surrounding the requesters on multiple sides by government-sponsored infrastructure projects.</p>	<p><i>June 29, 2011. KIIDP-1 closed on December 31, 2013, and all eligible PAPs were fully paid as per the RAPs.</i> If the channel was diverted in 2010 or 2014, it was not done under KIIDP-1. Management would encourage any eligible PAPs to come forward with the supporting documents for review by KCCA and eventual payment of compensation.</p> <p>The planned works under KIIDP-2 will be limited to the 70m wide channel. There is no intention to expand the width of the channel nor to divert the channel from its natural flow to Hoima Road.</p> <p>The Kampala Northern Bypass Highway is funded by the European Union, European Investment Bank and Government of Uganda, and the Lubigi Sewage Treatment Plant by the European Union and Government of Uganda. These infrastructure projects are not supported by the Bank nor are they necessary to achieve the objectives of KIIDP-2. Although these infrastructure projects are not supported by the Bank and are not necessary to achieve the objectives of KIIDP 2, the ESIA for priority drainage systems for Kampala (including Lubigi channel) considered the impacts of such other projects, especially cumulative risks of flooding.</p>
24.	<p>Far from improving the flooding problems that plague the area, community members have observed that flooding has actually increased in Kawaala Zone II since these multiple infrastructure projects began. The Local Leadership brought this to the attention of KCCA's (former) Executive Director and its Project Coordinator for KIIDP, but all in vain. [...].</p>	<p><i>The objective of the channel is to reduce flooding, to which the area is prone. Contrary to the Requesters' allegations, the Project will contribute to a reduction in flooding, not an increase. Flooding in the area has increased not because of the Project's works on the channel, but because of other reasons, which have been confirmed through a study.¹¹</i> These include: (i) the current degraded status of the channel; (ii) increased runoff from the expansion and increasing density of the built environment, with no proper control of rainwater discharge rates and volumes, resulting in more flooding downstream; (iii) increasing soil erosion linked to urban development and removal of land cover, resulting in more sedimentation problems and drain blockages; and (iv) silting of the channel due to poor solid waste management, including garbage disposal that restricts the flow of storm water. Under KIIDP-2, the channel will be rehabilitated and lined using a concrete base and stone</p>

⁹ [Footnote from Request]. Accessed from [http://www.self.gutenberg.org/articles/Kampala Northern Bypass Highway](http://www.self.gutenberg.org/articles/Kampala_Northern_Bypass_Highway) on 6.5.2021

¹⁰ [Footnote from Request]. According to news reports: <https://www.monitor.co.ug/uganda/news/national/uganda-s-largest-waste-water-treat-ment-plant-to-pump-sewerage-into-electricity-1763744>

¹¹ Kampala Disaster Risk and Climate Change Resilience Strategy 2021.

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		<p>walls that will permit mechanical desilting of the channel. The poor solid waste management has led to the nearly complete silting of the 1.5-m box culverts that were installed on Bwaise road and Kawaala Bridge under KIIDP-1. The works under KIIDP-2 are therefore intended to address these problems to allow free and fast flow of water, thus reducing the current flooding in the area (see Picture 6 of Kawaala Bridge).</p>
25.	<p>Ever-worsening flood impacts, combined with lacking or inadequate resettlement planning, have caused a host of impacts for local residents:</p> <ul style="list-style-type: none"> - The KIIDP-1 drainage channel presents a serious safety hazard to the people but most especially children because when it rains the water levels increase and someone can easily drown or be taken by water. Local residents explained that recently a Boda-Boda man drowned in the channel. KCCA ought to act as fast as possible so that residents can adequately be compensated and move elsewhere to avoid such risks from KIIDP-1, which will only be made worse by KIIDP-2. 	<p><i>As part of its development objective, the Project will help address the flooding risk in Kampala. There have been no reports of drowning as a result of flooding in the Project area; safety issues, including any potential risk of drowning, have been managed under the C-ESMP. Community engagement has led to proposals such as footbridges, to help ensure safety of pedestrians, including children.</i></p> <p>KIIDP-1, which is closed, is not the subject of this Request. Nevertheless, Management offers the following response to these allegations for context purposes.</p> <p>Over the last thirty years, Kampala City has experienced 153 flood-related disaster events, resulting in deaths and injuries, and damage to and destruction of infrastructure and private assets. The main objective of KIIDP-1 was to improve the institutional efficiency of Kampala City Council (KCC) through the implementation of the Strategic Framework for Reform of the KCC. Civil works were done under KIIDP-1 to increase the capacity of the Lubigi primary channel and undertake remedial measures on tertiary drainage “black spots” in various parts of the city to reduce flooding.</p> <p>KIIDP-2 also addresses flooding in Kampala, including through construction of the Nakamiro secondary channel (3.28 kms); and rehabilitation of the Lubigi primary channel (2.58 kms) to reduce flooding in Bwaise Division within the City.</p> <p>There have been no reports of drowning as a result of flooding in the Project area (see Item 26 below regarding the drowning mentioned); safety issues, including any potential risk of drowning, are managed under the C-ESMP. Community engagement has led to proposals such as footbridges, to help ensure safety of pedestrians, including children.</p> <p>Regarding current compensation process under the RAP, see Item 7 above.</p>

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26.	<p>- Pedestrians, especially children and cyclists are now forced to access the Northern Bypass and Hoima Road through informal footpaths which are barely a meter wide and lack any guardrails. These footpaths, which hang above the diversion from the East and West of the Kawaala Bridge and are adjacent to the bridge on either side, are the only convenient access both to the Northern Bypass and Hoima Road. In April 2021 a cyclist who was trying to access Northern Bypass through the foot path on the East of the Kawaala Road drowned in the diversion. Instead of taking corrective measures, KCCA kept a deaf ear. Affected persons downstream cannot easily access schools and water because KCCA destroyed a make-shift bridge that they used to cross over Wakiso to access water and schools. Neither KCCA nor its contractor has taken any initiative to improvise access points to address these problems.</p>	<p><i>Unfortunately, the Bank received a report from KCCA regarding one drowning incident that occurred on April 19, 2021. That incident did not involve a child or floodwaters. The contractor has taken steps to prevent access to dangerous footpaths.</i></p> <p>The incident that occurred at Kawaala Bridge involved two motorcyclists (boda cyclists) who tried to force their way through a narrow section right at the edge of the box culvert, which unfortunately resulted in the drowning of one cyclist who fell into the Lubigi channel.</p> <p>Eyewitness accounts indicate that the cyclists met at a constrained section and argued over who had right of way. One cyclist elbowed the other as they forced themselves through the space that could not accommodate 2-way motorcycle traffic, which resulted in the fall of one of the cyclists into the channel.</p> <p>This unfortunate incident was not caused by the Project and could not have been addressed by the C-ESMP. As part of risk management, the contractor closed off the footpaths on the right-hand side of the bridge with a stone wall and signage. The contractor also conducted community engagement through the LC and communicated the decision to close off all ungazetted and risky footpaths.</p>
27.	<p>- Inadequate resettlement programming has led to great losses for remaining residents. In one case, due to the construction and expansion of the water channel under KIIDP-1, which diverted it from its natural course into the requesters' land, one affected person's piece of land with food crops has been wholly submerged thus depriving her of the right to food. Because the channel diversion under KIIDP-1 was considered temporary, the individual never received resettlement compensation. Others have been forced to abandon their plantations and gardens due to threats by KCCA.</p>	<p>KIIDP-1, which is closed, is not the subject of this Request. Nevertheless, Management offers the following response to these allegations for context purposes.</p> <p>Compensation under KIIDP-1 was guided by a RAP, which was cleared by the Bank, but any damages to PAPs' assets resulting from Project implementation would have been recorded through the Project's GRM and addressed as injurious affection, and therefore compensated through a different process.</p> <p>However, the Bank is not aware of such a grievance having been filed.</p>
28.	<p>- Another man who was forcibly relocated for the KIIDP-1 Project never received compensation, causing him to become homeless and take shelter in the culverts under the Kawaala Bridge. Lacking money for health care, he eventually died there. He was buried on the same piece of land that KCCA now seeks to take for the KIIDP-2 channel expansion. KCCA's narrative of</p>	<p>KIIDP-1, which is closed, is not the subject of this Request. Nevertheless, Management offers the following response to these allegations for context purposes.</p> <p>Neither the Bank nor KCCA is aware of this incident. There was no forced relocation under KIIDP-1, which closed in December 2014. All PAPs were fully compensated as per the RAP, including the</p>

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	having compensated the affected persons under KIIDP-1 contradicts their perfunctory attempts to compensate the same persons under KIIDP-1.	Supplementary RAPs that were prepared thereafter, as discussed in Item 22 above.
29.	- The construction of the sewage plant and the Northern By-Pass also involved some forced displacement of local residents: homes were destroyed and residents were involuntarily resettled. Due to weaknesses in the resettlement and compensation processes, and with limited resources available to them, some residents were forced to remain in the nearby area and now face eviction a second time due to the KIIDP-2 channel expansion.	Neither of these projects has any linkage to KIIDP-2. Under KIIDP-2 the acquisition of the RoW followed Bank policies and procedures.
30.	The overlapping impacts from these previous projects have rendered the local area virtually uninhabitable. Because flooding impacts have significantly intensified for local residents since the construction of the KIIDP-1 channel diversion, residents are highly skeptical that the KIIDP-2 channel expansion will actually fix these flooding issues, rather than making them worse. Some residents fear that they may suffer new impacts from the channel expansion but will not be provided with resettlement compensation, leaving them once again facing the same pattern of ever worsening standards of living for local people due to government-sponsored infrastructure projects billed as being “for the good of the people.” Affected community members are willing to move but doing so will present a significant economic hardship and they require a fair and effective compensation and resettlement assistance program to sustain their livelihoods through this transition.	See response under Item 24 regarding allegations of increased flooding in the area, which the Project is intended to reduce, not exacerbate. See response under Item 1 regarding the compensation process. Management considers that the Project RAP provides fair and effective compensation that will enable PAPs to sustain their standards of living and livelihoods, in accordance with OP 4.12.
31.	History of engagement with the KCCA - It is remarkable that the KCCA attempted to evict the community in Kawaala Zone II in this manner, while other communities affected by the same KIIDP-2 Project were consulted and provided with resettlement assistance. According to the World Bank’s website, the KIIDP-2 Project was approved in 2014. A Resettlement Action Plan specific to the drainage systems works (not available on the World Bank website but located on the KCCA website) is dated May 2017 and details a resettlement program and implementation schedule set to take place over a	As noted above in Item 1, the 2017 RAP found no PAPs present in the Kawaala-Hoima Section of the drainage channel. The Project follows Bank policy with regard to resettlement compensation. Nevertheless, it was decided to undertake a Supplementary RAP in order to ensure smooth implementation of the Project and preserve relations with the neighboring community. KCCA has prepared and is currently implementing this Supplementary RAP to identify PAPs, undertake valuation, conduct adequate consultations, and provide compensation where appropriate.

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	<p>period of about one year following the approval of the RAP.¹² Yet, the community in Kawaala Zone II was not included in this planned resettlement process, nor were they engaged in any deep or ongoing consultation process about the Project.</p>	<p>To date 155 PAPs have been identified. A report has been prepared and approved by the CGV for 98 PAPs; the remainder are under review. KCCA has begun the compensation process for these new PAPs; as of July 2021, 24 have been compensated and allowed to collect their building materials as well as harvest their crops. Supplementary RAP implementation usually takes less time than the main RAP since it usually concerns additional PAPs that might have previously been missed or valuation disputes.</p>
32.	<p>In or around August of 2013, a delegation of KCCA representatives first came to the Kawaala Zone II community and informed community members about the Project to expand and construct the Kawaala drainage channel. Since then, the requesters barely received any information about the Project. They recall just one other meeting about the KIIDP-2, in October 2020, when a representative of KCCA held a meeting with Kawaala Zone II community members and informed them that the second phase of the Project (KIIDP 2) was due to take place. She did not inform them of any planned eviction. After this, community members received no further information about the Project until December 3, 2020 when KCCA representatives began marking homes for demolition and distributing 28-day eviction notices.</p>	<p>There have been regular consultations during Project preparation and throughout implementation.</p> <p>The engagement of KCCA with the Kawaala community was part of the community engagement to provide information on the planned civil works for the Lubigi channel, which would require surveying of the RoW, identification and valuation of affected properties, and compensation of PAPs (see community engagement meetings photos in Annex 3).</p> <p>The December 3, 2020 marking was to set the RoW for the channel for the preparation of the Supplementary RAP and not demolition.</p> <p>Completely unrelated to the Project, the GoU in 2017 resolved to restore a number of wetlands in the country and to cancel any titles in wetland areas. Eviction notices were issued for some areas across Kampala, including the Lubigi wetland. In addition, as part of its mandate, the DPP of KCCA served notices in December 2020 for removal of illegal structures in several areas around Kampala (see Annex 2) However, none of the eviction notices were related to the Project and none of those in the Project area have been enforced as Management asked the Government to halt their enforcement until the Bank had had a chance to review the matter and all PAPs have been compensated in accordance with the Project RAPs. See also Item 2.</p>
33.	<p>In January, 2021, the KCCA's Engineering Project Management Specialist for KIIDP2 sent a letter to the Local Council Leadership, simultaneously claiming that the community members were already compensated for their crops under KIIDP-1, that they built structures on the land after 2010, when the land was allegedly acquired for the channel right of way,</p>	<p>PAPs affected by KIIDP-2 are eligible for compensation under the KIIDP-2 RAPs. The KIIDP-1 RAPs did not cover the KIIDP-2 Project area; hence it is not possible that PAPs would have already been compensated then for KIIDP-2.</p>

¹² [Footnote from Request]. Resettlement Action Plan at 156-157, [https://www.kcca.go.ug/media/docs/Final%20Drainage RAP Report.pdf](https://www.kcca.go.ug/media/docs/Final%20Drainage%20RAP%20Report.pdf).

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	and that the said affected community members were illegal occupants of the said land based on a 2018 NEMA directive canceling land titles in the wetland. [...]. These claims are patently false.	
34.	First, requesters do not dispute that some community members received payments under KIIDP-1, but this is not the case for all affected people. Even those who did receive some payment under KIIDP-1 received only small amounts that were described to them as payments for a temporary disturbance, not compensation for permanent land takings. They were further told that the channel diversion built under KIIDP-1 would be temporary. They did not realize that the channel diversion would be permanent, and would be further expanded under KIIDP-2, until the KCCA arrived in late 2020 with excavators and eviction notices.	<p>KIIDP-1, which is closed, is not the subject of this Request. Nevertheless, Management offers the following response to these allegations for context purposes.</p> <p>No civil works were carried out under KIIDP-1 between Kawaala Bridge and Hoima Road since this is a wetland, which was left to provide natural filtration of storm water from the Lubigi channel upstream from Bwaise Road to Kawaala Bridge. There was therefore no land take under KIIDP-1 on the section of the channel between Kawaala Bridge and Hoima Road (the 1.5-km downstream section of the Lubigi channel).</p> <p>In late 2020 when KCCA went with a team of surveyors to set the channel RoW and carry out surveying for the purpose of preparing a Supplementary RAP, the exercise was stopped by the community even though surveying and the preparation of the Supplementary RAP is a prerequisite to compensating the PAPs.</p>
35.	In one instance, a requester has been engaged in a years-long dispute with the KCCA and its contractors dating back to 2013 to seek compensation for significant damage to his residential property from the drainage channel construction works. [...]. The documents explain that a service lane used for channel construction works went through his property, very close to his house, and that a lack of care by contractors led to significant and unnecessary damage to buildings on his property. These documents substantiate that as of 2013 (during implementation of KIIDP-1) he continued to own his property and that the payments he had received were for the temporary use of his land “to provide enough working space to the contractors,” not for permanent taking of his property. Other requesters shared a similar understanding – that their land would be used on a temporary basis and then returned to them.	Neither the Bank nor KCCA is aware of this complaint, which would have been registered in one of the KIIDP-1 GRCs as an injurious affection and compensated for by the contractor and /or responsible parties. KCCA’s role would have been to ensure that payments were made to the PAP or otherwise withhold them from contract payments.
36.	Second, this is a community of long-term local residents, not opportunistic encroachers as the KCCA’s letter implies. Some residents have lived on the said land for over four decades. For example, one of the residents, whose banana plantation and other crops were destroyed to	It is unclear from these allegations whether the residents alleged to have lived on the land for decades are the same individuals in the Project area under Item 23. According to the Requesters, the channel was diverted in 2010 or 2014, before the works on Lubigi channel or after KIIDP-1 was closed, respectively, since the site was handed over

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	<p>pave way for the diverted course of the channel, still possesses an approved architectural residential house plan issued by KCCA's predecessor in 1940. Their home was built shortly thereafter and continued to stand until it was destroyed to make way for the channel diversion under KIIDP-1. [...]. Many other community members have documents confirming their tenancy registration and showing their payments of Busulu (rent) to the Buganda Land Board pre-dating 2010.</p>	<p>to the contractor on May 29, 2011 and the Project closed on December 31, 2013. All PAPs under the KIIDP-1 Project were fully compensated. Management would, however, encourage eligible PAPs to come forward with the supporting documents for review by KCCA and eventual payment of compensation.</p>
37.	<p>Third, KCCA's argument that the right of way for the drainage channel was acquired under KIIDP-1 is not supported by KCCA's actions over the past 10 years. Community members were never put on notice of this alleged "acquisition." For a land acquisition to be effective, especially in an area of mailo land where citizens are entitled to kibanja land rights, the KCCA would have had to provide ongoing notice to would-be residents of said acquisition and of the planned expansion of the drainage channel along the diversion route. This simply has not happened. Further, A KCCA fact sheet that was provided in early 2021 states that the drainage channel corridor that was allegedly "acquired" under KIIDP-1 was only 40 meters, whereas the planned channel expansion under KIIDP-2 was planned as a 90 meter wide corridor (the same document states that the plan has since been changed to a 70 meter wide corridor). Even if KCCA tries to argue that a corridor was originally acquired, this does not explain how they intended to justify their eviction of residents on the additional 50 meter wide stretch of land in December 2020. [...].</p>	<p>KIIDP-1, which is closed, is not the subject of this Request. Nevertheless, Management offers the following response for context purposes. The RoW for the channel was acquired under KIIDP-1 between Bwaise Road and Kawaala Bridge and all PAPs in this section were fully compensated, as noted earlier. The Kawaala-Hoima Section was a wetland and there were no PAPs identified as per the 2017 RAP prior to the cut-off date of November 2016 as shown on Google maps for 2011 (before channel works under KIIDP-1 started), 2016 (the cut-off period for the 2017 RAP for KIIDP-2) and 2019 (before channel works began under KIIDP-2). These Google maps confirm that the section between Kawaala Bridge and Hoima Road of the channel has remained a wetland.</p> <p>KCCA has undertaken community and stakeholder engagement activities to provide information on the Project and the acquisition of the RoW through the media, community meetings, and sharing of FAQ pamphlets, including translations in local language.</p> <p>Change in the size of a RoW is not an unusual practice under a project of this type. In this case, it allowed a reduction in the number of households that would be affected by the works. The reduction of the channel width from 90 to 70 meters was a result of a design review.</p> <p>As noted elsewhere, a Supplementary RAP for the 155 PAPs that have been identified is being implemented. See Item 7 above on the RAP status. There have been no evictions in the channel RoW.</p>
38.	<p>Finally, requesters dispute the claim that the land where they reside is a protected wetland on which land titles are invalid. Community members believe that the 2018 NEMA directive canceling land titles in wetlands does not apply to the land on which they reside in Kawaala Zone II. Community members report that they</p>	<p>NEMA, rather than KCCA, is responsible for gazetting protected wetlands and enforcing relevant National Laws. Therefore, any disputes about the designation of Kawaala Zone II as a protected wetland under the directive should accordingly be taken to NEMA. KCCA's involvement with the Buganda Land Board during the ongoing process</p>

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	<p>never received any notice or invitation regarding cancelation of their land titles in the past, which would be required under due process. Further, over the past few months, KCCA has been actively working with the Buganda Land Board to confirm the land title status of individual PAPs, which directly contradicts their argument that all land titles in the area are invalid. It is also worth noting that the KCCA's claims about the protected wetland status of the area seem to contradict their actual treatment of the area in recent years. As discussed above, residents living directly between the Kampala Northern Bypass Highway, Lubigi Sewage Treatment Plant and the KIIDP-1 drainage channel diversion, all of which were constructed in the past 10 years. The KCCA is at once attempting to evict residents on the grounds that the area is a protected wetland while at the same time building multiple infrastructure projects that would themselves significantly degrade any wetland environment.</p>	<p>is to verify the authenticity of documents presented by the PAPs prior to compensation.</p> <p>KCCA's (DPP) mandate is to enforce the Public Health Act, which requires that every individual erecting a structure within Kampala obtain the required building permits; all environmental issues are managed by NEMA. Such enforcement activities might however overlap in cases where buildings are unlawfully erected within protected areas and pose risks to eventual inhabitants.</p>
39.	<p>Prior attempts to raise concerns with World Bank Management - Witness Radio first tried to submit a letter to the World Bank country office alerting them of Requesters' concerns on December 18th 2020 but were informed that their office was closed for a holiday. When they had not re-opened yet by late January, we realized that the office closure may be longer-term, possibly due to the COVID-19 pandemic. We conducted a careful search of Project documents to locate email addresses for World Bank personnel working on this Project and sent the letter to them via electronic mail on 21 January 2021. We never received any reply despite sending a reminder to the said offices. [...].</p>	<p>On December 7, 2020, the World Bank Uganda Country Office received a letter from the LCI of Kasubi Parish addressed to the Executive Director of KCCA and copied to the Country Manager.</p> <p>The Bank team reached out to KCCA to seek clarifications.</p> <p>The Bank team is not aware of the January 21, 2021, communication from Witness Radio but learned about its involvement in the issue from a press article from Witness Radio alleging the eviction of about 300 families from Kawaala Zone II.</p> <p>On February 23, 2021, the World Bank Uganda Country Office received an email from Accountability Counsel regarding the complaints from the Kawaala community.</p> <p>The Bank team reached out to KCCA to seek clarifications.</p> <p>The Bank team communicated with Witness Radio and Accountability Counsel, confirming receipt of the complaints from the community, and noting that the matter had been forwarded to KCCA.</p>
40.	<p>When the same was brought to the attention of the World Bank Uganda country office by Accountability Counsel on 22 February 2021, the World Bank team did reply, and eventually agreed to a meeting on 4 March, 2021, in which</p>	<p>Actions by the Bank: Following the emails noted in Item 39, as part of the March 2021 ISM, the Bank team hosted the virtual meeting on March 4, 2021, during which issues were identified and discussed and a way forward was agreed upon. The ISM agreed on the</p>

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	<p>the World Bank Project team, KCCA, representatives of the affected community, a team from Witness Radio and Accountability Counsel took part, as well as the KCCA's self appointed Grievance Redress Committee, whose authority was highly contested by the community and was later formally disbanded through an official vote. We discussed the community's primary concerns as outlined in this complaint, including the need for a fair and comprehensive resettlement plan for Kawaala Zone II and the many problems with the KCCA's forced survey process. The World Bank offered some recommendations to remedy KCCA failings, including that:</p> <ul style="list-style-type: none"> - KCCA should re-engage communities to disclose scope of works and land acquisition process, - KCCA should carry out identification of Project Affected Persons (PAPs) in an open, inclusive and consultative manner, - KCCA should strengthen Stakeholder Engagement/ Communications/ Grievance Management, including issuance of Project FAQ pamphlet in local language, - KCCA should update the 2017 Drainage RAP to reflect the increased Project's scope and complete OP 4.12 disclosure requirements, and - The Grievance Redress Committee (GRC) should be fully constituted with a clear appeal process and levels. <p>[...].</p> <p>Requesters found many of the recommendations useful and had high hopes following this meeting for a fair resolution. However, little progress has been made on these action items since the meeting. The KCCA appears to be focusing its efforts on letter writing to the Local Council regarding actions they promise to take, which have not materialized. In short, the KCCA appears more focused on creating a paper trail to claim that it is making progress, without actually disclosing the information or hosting the consultation meetings that are desperately needed to explain the resettlement process,</p>	<p>following with the community: (i) KCCA to enhance its stakeholder engagement activities and re-engage communities and disclose information on scope of works and land acquisition process in English and local languages, (ii) KCCA to strengthen community engagement and grievance management, (iii) communities to allow KCCA teams to complete surveying of the affected area to identify and compensate PAPs, and (iv) KCCA to update the 2017 RAP.</p> <p>Actions taken by KCCA: Following the guidance provided by the Bank, KCCA has enhanced its community engagement through face-to-face meetings with the communities, produced and distributed communication materials, both in English and the local language to the community, prepared a Supplementary RAP, and started verification and compensation payments for the first 98 PAPs following the approval of the Supplementary RAP report by the CGV. A second report for the additional 57 PAPs is currently under review.</p> <p>Actions of the community: Following the preparation of the Supplementary RAP, approval of the RAP report by the CGV, and the payments received by some of the PAPs, there has been increased community engagement with KCCA to secure the RoW.</p>

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	answer questions and address requesters' concerns. As of the time of filing this complaint, residents are still lacking information about the land acquisition process and the forced surveying exercise conducted by the KCCA has not been corrected or improved and still forms the basis of the KCCA's resettlement planning.	
41.	This meeting with the World Bank team took place during the week of their "virtual implementation support mission" with KCCA management. Although we requested World Bank officials to follow this issue closely and to host follow up meetings to check on progress, they declined. Affected people are not aware of World Bank officials making any trips to Kawaala Zone II to hear from affected people as part of their supervision of this Project. To the extent that this is due to the COVID-19 pandemic and related Bank travel restrictions and office closures, we note that these policies lead to inequities: PAPs are still subject to forced resettlement due to the continued implementation of KIIDP-2 even while the resettlement process suffers from reduced bank supervision.	<p>The Bank has continued to supervise the Project diligently in spite of the COVID-19 pandemic, with appropriate health and safety precautions. Since April 2020, four videoconference meetings have been held with the KCCA technical team on Project progress, including one with the KCCA Deputy Executive Director; there were two drive-through site visits of Project areas when lockdown conditions permitted although face-to-face meetings were not held with community members; and two virtual ISMs were held, one in November 2020 and another in March 2021. There have also been virtual meetings with PAPs and their representatives when complaints emerged.</p> <p>There has been no forced resettlement related to the Project, and the civil works for the channel in Kawaala Zone II have been postponed until the Supplementary RAP implementation is completed and all eligible PAPs compensated.</p>
42.	We continue to believe that improved supervision of this Project by the World Bank, specifically in-person visits to the Project site to speak with PAPs and monitor the resettlement process, would have a significant impact to improve the implementation of resettlement activities. We are confident that the KCCA would not be so bold as to use the same coercive tactics to advance its agenda if this Project were subject to close, ground-level supervision by the World Bank.	Bank supervision in the form of in-person visits to Project sites has not been possible while Uganda has been under World Bank classification of Tier 4 for COVID-19 procedures. In addition, the Government imposed measures which included lockdown, no transport in either private or public vehicles, and curfews. Despite these constraints, the Bank team has undertaken the supervision activities highlighted under Item 41 and remains committed to diligently supervising Project implementation.
43.	<p>Statement of harm or (expected) harm –</p> <ul style="list-style-type: none"> - Physical displacement. The construction and expansion of the drainage channel will require forced eviction of many community members from a large area of land on either side of the diverted channel's route. Some of the members of the community have already lost property as a result of the eviction conducted by KCCA in late 2020 and others risk to face the same. While the execution of the eviction notices is currently on hold due 	There has been and will be no forced eviction under the Project and compensation of PAPs identified in the Supplementary RAP will continue to follow OP 4.12 requirements.

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	<p>to an ongoing court case, the eviction notices still have not been canceled. Meanwhile, community members have not yet been compensated or received any form of assistance to address the serious livelihood impacts that will inevitably result from this forced and sudden displacement. Based on the extensive issues with KCCA's resettlement process to date, community members fear that they will not receive adequate and effective compensation and assistance to restore or maintain their livelihoods.</p>	
44.	<p>- Loss and disruption of family remains. Some of the Requesters risk losing the remains of their loved ones that are buried on the said piece of land. The diversion built under KIIDP-1 already floods the burial site, risking having the remains of the dead washed away. KCCA's attempts to excavate the said land has whittled away the surviving relatives' right to dispose of their loved ones in a dignified and respectful manner, appropriate to their religious and Ganda cultural traditions and bearing in mind the wishes of the surviving relatives. The continued trespass of KCCA's employees on sacred and private burial grounds is an affront to the peace of the dead, the survivor's autonomy to mourn in seclusion and the broader ideal of the survivor's right to privacy. KCCA's constant intrusions have denied the surviving relatives the opportunity to quietly heal from the wounds of losing a loved one. This matter has been raised with KCCA but Requesters are not aware of any efforts made to resolve the issue to date.</p>	<p>Three graves have been identified in the Project area and related compensation processes are ongoing as per Bank policy requirements. KCCA has advised the Bank that is not aware of additional graves, nor has it received any related complaints through the GRC.</p>
45.	<p>- Risk of food shortage. There is a likelihood of food shortage within the community since some community members lost their crops when KCCA officials began tearing them out as part of their forced eviction process in late 2020. The fear and uncertainty caused by this incident has led other community members to abandon their perennial and other crops and deterred them from planting new crops in recent months. KCCA has taken no action to remedy this situation.</p>	<p>As indicated earlier, there has been no destruction of crops or forced evictions carried out by KCCA under the Project. For these reasons, the risk of food shortage, if any, cannot reasonably be attributed to the Project.</p>

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46.	<p>- School dropouts. In case of any eviction or relocation without adequate compensation, Requesters fear that the children in the said community risk dropping out of schools since the houses built and the crops grown on the said land are their sole sources of income to cater for their fees and tuition.</p>	<p>There have been no forced evictions under the Project and PAPs are being compensated according to the RAP. There are mitigation measures in place in the Project ESIA to ensure that the Project will not negatively impact schoolchildren.</p>
47.	<p>- Children's safety and welfare. Following the construction of the channel diversion under KIIDP-1, the local area has become unsafe for children to play outside due to a constant risk of drowning, which is especially heightened during rainy periods. In case of forced eviction without adequate compensation, community members with limited resources may be forced to resettle their families in the nearby area that will be subject to the same risks. This will lead to ongoing and increased risks to children's safety and welfare, especially their cognitive, physical, social, and emotional well-being, since the parents will be left with no option but to restrict children to play in unfavorable confined areas for fear of them drowning.</p>	<p>KIIDP-1, which is closed, is not the subject of this Request. Nevertheless, Management offers the following response to these allegations for context purposes.</p> <p>The Request claims that the channel was diverted in 2010. However, the channel was handed over to the contractor under KIIDP-1 on June 29, 2011 and work on the channel started in 2012. The channel diversion, if done, was therefore not by KIIDP-1.</p> <p>No forced evictions have taken place to date.</p>
48.	<p>- Some women in Kawaala have been compelled to engage in transactional sexual relationships to ensure that their children's basic needs are met ever since KCCA coerced them into abandoning their gardens to pave way for the expansion and construction of the channel under KIIDP-1. This is indicative of the limited options and resources available to community members who lost their homes and cropland to KIIDP-1. Requesters fear that this pattern will be intensified if community members are not provided with fair and complete compensation to address the full extent of economic impacts from another forced resettlement.</p>	<p>The Bank is not aware of women allegedly engaging in transactional sexual relationships due to lack of access to their gardens in the Project's RoW.</p> <p>There has been no destruction of crops or forced eviction in the Project area. The compensation process is ongoing, and no Project works have been initiated in the section referred to.</p> <p>For these reasons, the alleged increase in transactional sexual relationships, if any, cannot reasonably be attributed to the Project.</p>
49.	<p>World Bank Policy Violations - The issues and concerns listed above violate numerous World Bank policies, including:</p>	<p>Management is not aware of any violation of Bank policies under the Project.</p>
50.	<p>OP 4.01 Environmental Assessment:</p> <p>- The Project has been devoid of active and inclusive engagement with Project-affected people. Requesters were never consulted</p>	<p>The Project has been carried out in accordance with OP 4.01. As indicated above, the 2017 RAP recorded no human activity in that section of the channel. Residents</p>

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	during the Project's design and environmental assessment process, nor did they benefit from regular consultations during Project implementation.	identified as living along other channels under the Project were consulted. Since the identification of these new PAPs between 2020 and 2021, KCCA has been engaging them as required under the Project's RAP preparation process, in line with OP4.12.
51.	- Community members were never informed of the Project's expected impacts and planned mitigation measures. The proposed route of the channel expansion has not been clearly demarcated all along the route and community members are still uncertain of its exact parameters. ¹³	See Item 50.
52.	- Requesters have not received information or materials about the Project in a timely manner prior to consultation (which itself has been lacking). What little documents have been made available to them were not presented in an understandable form or manner for the mostly semi-literate local residents, but in writing only and mostly in English. When informed that residents could not understand documents, KCCA made no attempt to explain them.	See Item 7 above.
53.	- Requesters assert inadequacies in identifying impacts and/or developing mitigation measures in the design phase. For example, cumulative impacts from nearby infrastructure projects are covered only briefly, in broad terms, without addressing cumulative social impacts (from flooding, health and safety concerns), and without identifying adequate mitigation measures.	A cumulative impact assessment was carried out as part of the ESIA for the Improvement of Priority Drainage Systems in Kampala Capital City, in 2018 (including Lubigi channel) and publicly disclosed. The cumulative impact assessment considered impacts contributed by past, proposed and foreseeable future activities in the Project area at the time of preparation of the ESIA, which included: routine city infrastructure maintenance, other sub-projects within KIIDP-2 area, and other national infrastructure development projects (for example, the Northern Bypass), among others. The cumulative impacts assessed included: pressure on local resources from the influx of job seekers and associated rise in demand for services and resources; impacts on accessibility; increase in traffic congestion; water resources impacts (higher volume of storm water due to increased paved areas, and elevation of turbidity levels of storm water due to multiple excavation activities); noise, vibration and air quality impacts; increased

¹³ [Footnote from Request]. This contravenes Objective X of the Constitution of the Republic of Uganda that requires the participation of the people, saying the State shall take all necessary steps to involve the people in the formulation and implementation of development plans and programmes which affect them.

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		pressure on, and conversion of, the city wetlands; and employment and contribution to economic growth. Mitigation measures proposed to address these impacts included development of a traffic management plan, with alternative community access routes for the general public in areas where existing routes are disrupted by construction activities, to minimize the risk of accidents; and phasing of construction works such that works are undertaken during the dry season to reduce the risk of constrictions in the drainage system during the rainy season, thereby reducing flooding, among others. The contractor also prepared a site-specific C-ESMP, which provides for management of site-specific impacts during construction. The C-ESMP is to be routinely updated to take into consideration any changes on the ground in the Project area.
54.	OP 4.12 Involuntary Resettlement: - KCCA failed to identify the requesters as directly affected and in need of resettlement benefits during the original resettlement process for KIIDP-2.	The Project has been carried out in accordance with OP 4.12. The international consultant (SMEC International) recruited by KCCA, which has extensive experience working on World Bank funded projects, recorded no PAPs in the area (Kawaala Bridge to Hoima Road) during the original 2017 RAP process.
55.	- KCCA began forcibly evicting requesters without adequate notice and before any compensation had been provided to them. ¹⁴	KCCA confirmed to the Bank that no evictions of any kind have taken place to date in the Kawaala-Hoima Section.
56.	- Even since KCCA has begun a resettlement process for the requesters, it has not hosted any true consultation meetings to explain the Project, the resettlement process, or the compensation valuation methodology.	KCCA confirms that these meetings have taken place – Dates and attendance lists have been provided to the Bank team.
57.	- Requesters have not been provided with opportunities to participate in the planning or implementation of the resettlement program.	See Item 56.
58.	- Requesters have not been provided with opportunities to participate in the development or implementation of procedures for determining eligibility for compensation benefits and resettlement assistance	See Item 56.
59.	- Requesters were not provided an opportunity to participate in establishing an appropriate and accessible local grievance mechanism;	At the time of the initial formation of the community level GRC, some PAPs voluntarily chose not to

¹⁴ [Footnote from Request]. This also violates Requesters' right to adequate housing and right to an adequate standard of living under the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Uganda is a party.

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	instead, a grievance committee hand-selected by KCCA was imposed on them.	participate in the exercise. Please see additional details in Item 1.
60.	- The KCCA failed to pay particular attention to the needs of vulnerable groups among those displaced, despite OP 4.12 specifically requiring this. This is evidenced, for example, by the lack of any provisions to explain or assist illiterate and semi-literate individuals to understand documents pertaining to the Project and their compensation entitlements. Requesters fear that this failure to pay particular attention to the needs of vulnerable groups will be borne out in the determination of compensation entitlements as well, preventing vulnerable groups from restoring their livelihoods post-resettlement.	No PAPs have been displaced to date in the Kawaala-Hoima Section. KCCA has had informational material translated into local languages to assist in clarifying the compensation processes and has also conducted engagements with PAPs in local languages. The RAP team comprises 9 social scientists, 6 surveyors, 3 valuers, a Communication Specialist and other specialists such as KCCA engineers are involved, as and whenever they are needed. See also Item 1 above.
61.	- Requesters fear that the KCCA's rushed, mismanaged and poorly communicated compensation process will lead to inadequate compensation valuations or some requesters being left out of the compensation process entirely, preventing requesters from maintaining or restoring their livelihoods.	See Items 1 and 7 above on the compensation process.
62.	OP 4.11 Physical Cultural Resources: - Impacts on grave sites that sit in the path of the channel were not identified or taken into account in the Project design.	The Project has been carried out in accordance with OP 4.11. See Item 44 above – KCCA has identified three graves belonging to one family in the Kawaala Bridge to Hoima Road section; the family will receive compensation and support as part of the revised RAP.
63.	- No efforts were made to mitigate or otherwise address impacts to grave sites that lie in the path of the planned channel expansion.	Provisions are being made to compensate for the relocation of the above-mentioned graves.
64.	Community demands - Community members seek an opportunity to consult with World Bank and KCCA officials to jointly devise solutions for each of the above issues. Major minimum requirements for any fair solution include:	The Bank has been and remains available to meet with the communities and hear their grievances, virtually or in person, as pandemic conditions permit.
65.	- The Project should be investigated and evictions halted until affected people are informed about the Project and consulted about its impacts and needed mitigation measures, and consulted on the formation of a resettlement action plan that addresses the concerns of local residents.	In Management's view, Bank policies have been followed under the Project and measures have been put in place to address any adverse impacts. As noted earlier, the evictions in the Project area were halted and none have taken place.

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66.	<ul style="list-style-type: none"> ○ Information disclosure and consultation must be done in a form and manner that is understandable to affected people, including providing detailed verbal explanations to illiterate or semi-literate people and providing documents in Luganda. 	Information was initially disclosed in English in the FAQ and Luganda (local language) was used during the community engagement meetings. As of April 2021, KCCA has provided information on the RAP process to community leaders and communities in Luganda (local language).
67.	<ul style="list-style-type: none"> ○ Affected people should be consulted on the Project's design so that anyone who is not offered resettlement compensation can understand the expected impacts to the area and participate in discussions to decide the needed mitigation measures. 	KCCA and the Bank have remained and continue to remain available for consultations with community members, including identifying possible improvements to Project implementation.
68.	<ul style="list-style-type: none"> ○ Information on compensation rates must be disclosed in a form and manner understandable to local people before they are invited to sign their consent to a given individual compensation amount. 	This is currently being done (see Item 67).
69.	<ul style="list-style-type: none"> ○ The land to be taken for the channel expansion should be clearly demarcated so that all local people are aware of the parameters of the Project. 	KCCA makes use of pegs to delineate Project areas and it is currently doing so as part of the compensation process.
70.	- KCCA should formally withdraw all eviction notices served to community members. No evictions should take place until after full compensation has been provided to all impacted households.	The Bank has already made this request to KCCA. The site will not be handed over to the contractor until the compensation process has been completed
71.	- The requesters must be provided with sufficient compensation and resettlement assistance to restore their livelihoods to the level they enjoyed before the KIIDP-1 Project was initiated. To accomplish this, the KCCA must conduct a new survey that includes all affected people and follows proper protocols.	KIIDP-1, which is closed, is not the subject of this Request. As explained above, eligible PAPs under KIIDP-1 were compensated under that project, and PAPs eligible under KIIDP-2 are invited to come forward to receive compensation under KIIDP-2.
72.	- A new grievance redress committee should be established through a fair election by affected people, overseen by the Local Council.	There is a newly functioning GRC at the site constituted by the community members themselves, and all PAPs are encouraged to make use of it. See Item 15.

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73.	<p>- Resettlement assistance should be designed in consultation with local people to avoid the mistakes made in past resettlement programs that fell short of restoring livelihoods. For example:</p> <ul style="list-style-type: none"> ○ Compensation processes should be aimed at ensuring that families are included and able to share in the benefits, rather than being provided to the head of household only, which can contribute to conflicts. For example, the KCCA should encourage both spouses to sign compensation documents and attend related meetings and it should provide compensation funds into jointly owned bank accounts. 	<p>The RAP process is mindful of family dynamics and gender impacts.</p>
74.	<ul style="list-style-type: none"> ○ Affected people should be provided with livelihood support during the transition period after they are relocated and until they are able to establish an alternative livelihood, including scholarships for their children. 	<p>Compensation for assets includes a 30-percent disturbance allowance and support provided to vulnerable PAPs on a case-by-case basis.</p>
75.	<ul style="list-style-type: none"> ○ Affected people should be provided with effective compensation at full replacement cost for loss of assets. 	<p>This is the principle established in the 2017 RAP, which is being followed under the Supplementary RAP as well.</p>
76.	<ul style="list-style-type: none"> ○ The needs of vulnerable groups within the community, including elderly households, should be given particular consideration and incorporated into resettlement assistance offerings. 	<p>See Item 74 above.</p>
77.	<ul style="list-style-type: none"> ○ Any resettlement assistance should include social support programs such as stress management, anger management and domestic violence sensitization programming to reduce common social problems that can accompany physical displacement. 	<p>See Item 74 above.</p>
78.	<ul style="list-style-type: none"> ○ Any resettlement assistance should include support to start up a Women's Savings Co-operative. 	<p>Compensation is carried out as per the principles established in the RAP (entitlement matrix) and support to vulnerable groups is provided on a case-to-case basis.</p>

No.	Claim	Response
79.	- The Entire community should be resettled since the area immediately surrounding the drainage channel is likely to be rendered uninhabitable due to increased flooding and health and safety issues.	The Project will compensate all the PAPs identified Supplementary RAP as per the RAP reports, in line with OP 4.12.
80.	- The World Bank and KCCA should use the KIIDP-2 resettlement process as an opportunity to address the outstanding issues from KIIDP-1 that were never resolved. As a first step, the World Bank should hire a reputable international organization to conduct an audit of the KIIDP-1 resettlement process for Kawaala Zone II residents to identify the full extent of the problems.	KIIDP-1, which is closed, is not the subject of this Request. Nevertheless, Management offers the following response to these allegations for context purposes. The Bank is not aware of any pending issues under KIIDP-1 since all KIIDP-1 PAPs were fully compensated under the main RAP and three Supplementary RAPs for that Project. Such claims, if any, have not been brought to the attention of the Project. PAPs eligible for compensation under KIIDP-2 are encouraged to come forward to KCCA or the GRC to have their claim reviewed.
81.	- The World Bank must improve its supervision of this Project to ensure that the above conditions are met, including incorporating site visits and meetings to hear directly from affected people, rather than relying on KCCA as its sole source of information.	See Items 40 and 41.
82.	- To the extent that the COVID pandemic is preventing the KCCA from carrying out, and preventing the World Bank from effectively supervising, a fair and safe resettlement process in line with the above minimum requirements, the drainage channel construction should be halted until such time as the risk level has decreased.	The Bank team will continue to supervise the Project, virtually and in-person, as pandemic conditions permit, and will seek to ensure that a fair and transparent resettlement process in line with the Bank policy has been completed for the RoW. The contractor can only begin works on the channel when the compensation process has been completed.
83.	- The construction of the Lubigi drainage channel expansion under KIIDP-2 should only move forward once the above demands are addressed.	The construction of the 1.5-km section of the Lubigi channel will proceed when the Bank is satisfied that the Supplementary RAP has been completed in accordance with Bank policy requirements.



UGANDA SECOND KAMPALA INSTITUTIONAL AND INFRASTRUCTURE DEVELOPMENT PROJECT (KIIDP-2)

Request for Inspection

- KIIDP-1 PROJECT EXTENT
- KIIDP-2 PROJECT EXTENT
- MAIN ROADS




WORLD BANK GROUP
Less Poverty & More Jobs

IBRD 46114 |
 AUGUST 2021

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Sample of Demolition Notices issues by DPP and NEMA for Lubigi Wetland

Demolition of the Structures along the Lubigi Wetland
Notice for Lubigi wetland, all structures at 3, 2020

S/N: R 1030

DIRECTORATE OF PHYSICAL PLANNING

KCCA
KAMPALA CAPITAL CITY AUTHORITY
For a better City

THE PUBLIC HEALTH ACT CAP. 281
NOTICE TO REMOVE ILLEGAL DEVELOPMENTS

*Must & waffle
checked have*

To: along Lubigi channel
N. By Pass

In accordance with Section 72(1) of the Public Health Act Cap 281 which states that, "in the event of contravention of any of the Public Health Rules relating to the erection of buildings, the Local Authority, without prejudice has the right to take proceedings for a fine in respect of the contravention and may by Notice require the owner either to pull down or remove the works." You are therefore required to remove all the works undertaken in breach of the Act and the Rules enacted thereunder on:

PLOT No: N. By Pass BLOCK No: _____
STREET: _____ DIVISION: _____

This is therefore to require you to:

- Remove all illegal structures created
- w/out KCCA approval
- halt all illegal construction works
- _____

Within 28 (Twenty Eight) days from the service of this notice.
Failure to comply with this notice shall result in Kampala Capital City Authority pulling down and for removing the works in question at your cost.

Received by: _____ Time _____
Dated this 30 Dec day of 2020

Issuing Officer: _____
Building Inspector / Physical Planner

Signed _____
For: DIRECTOR PHYSICAL PLANNING

P.O. Box 7010 Kampala - U
Plot 1-3 Apollo Kaggwa

To: [REDACTED]

Along Lubigi Channel

Mud & waffle

In accordance with Section 72(1) of the Public Health Act Cap 281 which states that, "in the event of contravention of any of the Public Health Rules related to the erection of buildings, the Local Authority, without prejudice has the right to take proceedings for a fine in respect of the contravention and may by Notice require the owner, either to pull down or remove the works." You are therefore required to remove all the works undertaken in breach of the Act and the Rules enacted thereunder on;

PLOT No: _____ BLOCK No: _____
STREET Lubigi channel DIVISION: _____

This is therefore to require you to;

1. Remove all structures erected without obtaining development permission
2. Halt all ongoing construction works
3. _____
4. _____

Within 28 (Twenty Eight) days from the service of this notice.

Failure to comply with this notice shall result in Kampala Capital City Authority pulling down and /or removing the works in question at your cost.

Received by: [REDACTED] Time 11:29

Dated this 3rd Dec 2020 day of 2020

Issuing Officer: Yiga Mike
Building Inspector / Physical Planner

Signed _____
For: DIRECTOR PHYSICAL PLANNING

Copy 1 Developer Copy 2 - Supervisor Development control
Copy 3 Officer's copy Copy 4 book

THE PUBLIC HEALTH ACT CAP. 281
NOTICE TO REMOVE ILLEGAL DEVELOPMENTS

To: [Redacted]

Mud & waffle

19702-28177

In accordance with Section 72(1) of the Public Health Act Cap 281 which states that, "in the event of contravention of any of the Public Health Rules related to the erection of buildings, the Local Authority, without prejudice has the right to take proceedings for a fine in respect of the contravention and may by Notice require the owner either to pull down or remove the works." You are therefore required to remove all the works undertaken in breach of the Act and the Rules enacted thereunder on;

PLOT No. _____ BLOCK No. _____

STREET Wibigi channel DIVISION: Rubaga

This is therefore to require you to;

1. Remove all structures constructed illegally
2. Half all ongoing construction works
3. _____
4. _____

Within 28 (Twenty Eight) days from the service of this notice.

Failure to comply with this notice shall result in Kampala Capital City Authority pulling down and /or removing the works in question at your cost.

Received by: [Redacted] Time: _____

Dated this 3rd / Dec / 2020 day of 2020

Issuing Officer: Yiga
Building Inspector / Physical Planner

Signed _____
For: DIRECTOR PHYSICAL PLANNING

Copy 1 Developer Copy 2 - Supervisor Development control
Copy 3 Officer's copy Copy 4 book

THE PUBLIC HEALTH ACT CAP. 281
NOTICE TO REMOVE ILLEGAL DEVELOPMENTS

To: [Redacted]

3 mvd & waffle

Lubigi channel, along N. Bypass

In accordance with Section 72(1) of the Public Health Act Cap 281 which states that, "in the event of contravention of any of the Public Health Rules related to the erection of buildings, the Local Authority, without prejudice has the right to take proceedings for a fine in respect of the contravention and may by Notice require the owner either to pull down or remove the works." You are therefore required to remove all the works undertaken in breach of the Act and the Rules enacted thereunder on;

PLOT No: along Nathan bypass BLOCK No: _____
STREET Lubigi channel DIVISION: Rubaga

This is therefore to require you to:

1. Remove all illegally constructed houses
Remove all items in house
2. Halt all ongoing construction works
3. _____
4. _____

Within 28 (Twenty Eight) days from the service of this notice.

Failure to comply with this notice shall result in Kampala Capital City Authority pulling down and for removing the works in question at your cost.

Received by: [Redacted] Time 11:40

Dated this 3rd Dec 2020 day of 2020

Issuing Officer: [Signature]
Building Inspector / Physical Planner

Signed _____
For: DIRECTOR PHYSICAL PLANNING



S/No.R 1025

DIRECTORATE OF PHYSICAL PLANNING

THE PUBLIC HEALTH ACT CAP 281
NOTICE TO REMOVE ILLEGAL DEVELOPMENTS

(two structures)

To: [Redacted] [Redacted]
Lubigi channel
0705393472

In accordance with Section 72(1) of the Public Health Act Cap 281 which states that, "In the event of contravention of any of the Public Health Rules related to the erection of buildings, the Local Authority, without prejudice has the right to take proceedings for a fine in respect of the contravention and may by Notice require the owner, either to pull down or remove the works." You are therefore required to remove all the works undertaken in breach of the Act and the Rules enacted thereunder on;

PLOT No: Lubigi channel BLOCK No: _____
STREET _____ DIVISION _____

This is therefore to require you to:

1. Remove all structures in the channel reserve.
2. Stop and halt all illegal construction.
3. _____
4. _____

Within 28 (Twenty Eight) days from the service of this notice.

Failure to comply with this notice shall result in Kampala Capital City Authority pulling down and/or removing the works in question at your cost.

Received by: [Redacted] Time: _____

Dated this 3/12/20 day of _____

Issuing Officer: [Signature]
Building Inspector / Physical Planner

Signed: [Signature]

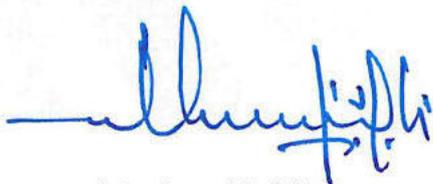
MEMORANDUM

REF: DPP/KCCA/1702/02
DATE: MARCH 13, 2019
TO: DIRECTOR LEGAL AFFAIRS
FROM: DIRECTOR PHYSICAL PLANNING
SUBJECT: ILLEGAL CONSTRUCTION WORKS

During our routine site inspections, it was revealed that there are on-going illegal construction works on Plot [REDACTED] & [REDACTED] Block [REDACTED].

A notice was served to Mr. [REDACTED] on 6th March, 2019 with explicit instructions to remove the hoarding and demolish all the illegal construction works within twenty eight (28) days (*copy of notice is herewith attached*). To date, the owner has not complied with the notice issued.

This is therefore to request you to immediately take appropriate action of demolishing/removing all the illegal construction works.



Atwine K. Moses

cc Town Clerk – Makindye Division
cc Manager Enforcement
cc Supervisor Development Control



KAMPALA CAPITAL CITY AUTHORITY
For a better City

S/No:R 2211

DIRECTORATE OF PHYSICAL PLANNING

THE PUBLIC HEALTH ACT CAP. 281
NOTICE TO REMOVE ILLEGAL DEVELOPMENTS

To: [Redacted]

In accordance with section 72(1) of the Public Health Act Cap 281 which states that, "in the event of contravention of any of the Public Health Rules related to the erection of buildings, the Local Authority, without prejudice has the right to take proceedings for a fine in respect of the contravention and may by Notice require the owner either to pull down or remove the works." You are therefore required to remove all the works undertaken in breach of the Act and the Rules enacted thereunder on;

PLOT No. [Redacted] BLOCK No. [Redacted]
STREET [Redacted] DIVISION: [Redacted]

This is therefore to require you to;

1. Immediately halt all your illegal construction works on site.
2. Remove the illegal boarding.
3. Avail copies of approved plans to the Authority.
- 4.

Within 28 (Twenty Eight) days from the service of this notice.

Failure to comply with this notice shall result in Kampala Capital City Authority pulling down and /or removing the works in question at your cost.

Received by: [Redacted] Time 4:30pm

Dated this Wednesday 6th day of March, 2019

Issuing Officer: Douglas Nsubuga
Building Inspector / Physical Planner

Signed [Signature]
For: DIRECTOR PHYSICAL PLANNING

Copy 1 Developer Copy 2 - Supervisor Development Control
Copy 3 - Officer's Copy Copy 4 book

P.O.Box 7010 Kampala - Uganda
Plot 1-3 Apollo Kagwa Road
Tel: 0414 581 294 / 0204 660 000
Toll free line: 0800990000
Web: www.kcca.go.ug. Email: info@kcca.go.ug
f. facebook.com/kccaug. t: @KCCAUG

NEMA's Environmental Restoration Orders

Environmental Restoration Order for Namiro Wetland



N E M A
National Environment Management Authority



REF: /NEMA/ERO/WAK/JUN/2020

Monday, June 8th, 2020

TO : All residents of
Namiro wetland.

ENTEBBE MUNICIPAL COUNCIL

ENVIRONMENTAL RESTORATION ORDER

(Issued under Section 130(1) of the National Environment Act No. 5 of 2019)

REGARDING

DEGRADATION OF NAMIRO WETLAND LOCATED IN LUGONJO-NAKIWOGO VILLAGE, ENTEBBE MUNICIPAL COUNCIL

TAKE NOTICE that between January and May 2020, Environmental Inspectors carried out environmental inspections in Namiro wetland located in Entebbe Municipal Council to assess compliance of land use with environmental laws and regulations.

The findings of the inspections indicate that you have continuously degraded this wetland by:

- (i) Digging drainage channels in the wetland;
 - (ii) Depositing murrum/soil in the wetland;
 - (iii) Erecting illegal structures in the wetland;
 - (iv) Fencing Namiro wetland hence obstructing free public access to the wetland;
 - (v) Introducing foreign plant and animal species in Namiro wetland;
- and



N E M A
National Environment Management Authority



(vi) Road constriction within the wetland.

These activities are contrary to the National Environment Act No. 5 of 2019 and the Regulations thereunder such as the National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations, S.I. 153-5 and the National Environment (Strategic Environmental Assessment) Regulations, S.I. 153-5 and your activities are therefore illegal.

You are, therefore **ORDERED** to comply with the following environmental restoration order(s)-

- (i) **STOP** immediately any further soil/murram dumping and any other form of degradation of the wetland;
- (ii) **VACATE** the wetland with immediate effect.
- (iii) **DEMOLISH** all the structures you have erected in the wetland;
- (iv) **REMOVE** all the soil/murram you have dumped into the wetland and deposit it in a safe place without degrading any other component of the environment; and
- (v) **RESTORE** to as near as possible the wetland you have degraded to the original state it was in before your illegal activities;

You are given **TWENTY-ONE DAYS (21 Days)** from the date of receipt of this Restoration Order within which to comply. This Environmental Restoration Order comes into effect from the date of its receipt.

TAKE NOTICE that failure to comply with the above directives/orders shall result into this Authority or any other person authorized under the law taking all the necessary steps against you to ensure that the above directives are complied with and the wetland restored.

TAKE FURTHER NOTICE that this Authority may recover as a civil debt in Court the expenses incurred by it or any other authorized



N E M A
National Environment Management Authority



person in the exercise of enforcing this Restoration Order and restoring the wetland.

NOTWITHSTANDING your right to appeal, this Environmental Restoration Order shall remain into force until the wetland has been restored.

Dr. Tom O. Okurut
EXECUTIVE DIRECTOR

- c.c. The Permanent Secretary
Ministry of Water and Environment
KAMPALA
- c.c. The Inspector General of Police
Uganda Police Force
KAMPALA
- c.c. The Resident District Commissioner
Entebbe Municipality
WAKISO
- c.c. The Mayor
Entebbe Municipality
ENTEBBE
- c.c. The Town Clerk
Entebbe Municipality
ENTEBBE
- c.c. The Commandant
Environmental Police Protection Unit
Uganda Police Force
KAMPALA
- c.c. All LCI Chairpersons contingent to Namiro wetland
ENTEBBE

1. Environmental Restoration Order for **Kansanga Wetland**



file.
N E M A
National Environment Management Authority



REF: /NEMA/ERO/KLA/JUN/2020

Monday, June 8th, 2020

TO : All Encroachers
Kansanga Wetland
Makindye Division
KAMPALA CITY

ENVIRONMENTAL RESTORATION ORDER

(Issued under Section 130(1) of the National Environment Act No. 5 of 2019)

REGARDING

**DEGRADATION OF KANSANGA WETLAND LOCATED IN
MAKINDYE DIVISION IN KAMPALA CITY**

TAKE NOTICE that between January and May 2020, Environmental Inspectors carried out environmental inspections in Kansanga wetland located in Makindye Division in Kampala City to assess compliance of land use with environmental laws and regulations.

The findings of the inspections indicate that you have continuously degraded this wetland by:

- (i) Digging drainage channels in the wetland;
- (ii) Depositing murrum/soil in the wetland;
- (iii) Erecting illegal structures in the wetland;
- (iv) Fencing Kansanga wetland hence obstructing free public access to the wetland;



N E M A
National Environment Management Authority



- (v) Introducing foreign plant and animal species in Kansanga wetland.

These activities are contrary to the National Environment Act No. 5 of 2019 and the Regulations thereunder such as the National Environment (Wetlands, Riverbanks and Lakeshores Management) Regulations, S.I. 153-5 and the National Environment (Strategic Environmental Assessment) Regulations, S.I. 153-5 and your activities are therefore illegal.

You are, therefore **ORDERED** to comply with the following environmental restoration order(s)-

- (i) **STOP** immediately any further soil/murram dumping and any other form of degradation of the wetland;
- (ii) **VACATE** the wetland with immediate effect.
- (iii) **DEMOLISH** all the structures you have erected in the wetland;
- (iv) **REMOVE** all the soil/murram you have dumped into the wetland and deposit it in a safe place without degrading any other component of the environment; and
- (v) **RESTORE** to as near as possible the wetland you have degraded to the original state it was in before your illegal activities;

You are given **TWENTY-ONE DAYS (21 Days)** from the date of receipt of this Restoration Order within which to comply. This Environmental Restoration Order comes into effect from the date of its receipt.

TAKE NOTICE that failure to comply with the above directives/orders shall result into this Authority or any other person authorized under the law taking all the necessary steps against you to ensure that the above directives are complied with and the wetland restored.



N E M A
National Environment Management Authority



THE REPUBLIC OF UGANDA

TAKE FURTHER NOTICE that this Authority may recover as a civil debt in Court the expenses incurred by it or any other authorized person in the exercise of enforcing this Restoration Order and restoring the wetland.

NOTWITHSTANDING your right to appeal, this Environmental Restoration Order shall remain into force until the wetland has been restored.

Dr. Tom O. Okurut
EXECUTIVE DIRECTOR

- c.c. The Hon. Minister for Kampala City
Kampala Capital City
KAMPALA
- c.c. The Permanent Secretary
Ministry of Water and Environment
KAMPALA
- c.c. The Inspector General of Police
Uganda Police Force
KAMPALA
- c.c. The Executive Director
Kampala Capital City Authority
KAMPALA
- c.c. The Resident City Commissioner
Makindye Division
Kampala Capital City
KAMPALA
- c.c. The Lord Mayor
Kampala Capital City
KAMPALA



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National Environment Management Authority



- c.c. The Commandant Environmental Police Protection Unit
Uganda Police Force
KAMPALA
- c.c. The LCIII Chairman
Makindye Division
Kampala Capital City
KAMPALA
- c.c. The Town Clerk
Makindye Division
Kampala Capital City Authority
KAMPALA
- c.c. All LCI Chairpersons contingent to Kansanga wetland
Makindye Division
Kampala Capital City
KAMPALA



**ANNEX 3. PICTURES OF COMMUNITY MEETINGS WITH
PROJECT-AFFECTED PERSONS ALONG THE LUBIGI DRAINAGE CHANNEL**

1. MEETINGS WITH PROJECT-AFFECTED PERSONS IN THE KAWAALA SECTION



Photo 1 and Photo 2: KIIDP Social Development Specialist provides information to about 60 Project-affected people (PAPs) and community members in the Kawaala section on the Project, compensation process, grievance redress mechanisms, and timelines, on March 13, 2021. Several smaller meetings followed this one as the Resettlement Action Plan (RAP) process continued.

2. MEETING WITH PAPS ON THE NABWERU SECTION OF THE LUBIGI CHANNEL



Photo 3: The Chairperson of the Nabweru Section along the Lubigi Channel convenes one of several engagements with PAPS to brief them on the process, timelines and activities. About 40 PAPS in the Nabweru Section attended.



Photo 4: Meeting of local leaders of the Wakiso District and Nansana Municipality, held on May 5, 2021, by KCCA for the Nabweru Section of the Lubigi Channel.

3. MEETING WITH PAPS IN THE BWAISE SECTION ALONG THE LUBIGI CHANNEL



Photo 5: Local leaders convened this meeting with PAPS in the Bwaise Section on the Lubigi channel. The meeting shared key information about the RAP process and sought feedback from participants.

4. SURVEYING PROCESS TO IDENTIFY AFFECTED PERSONS ON THE LUBIGI CHANNEL



Photo 6 and Photo 7: Surveying being undertaken in the Kawaala Section.

5. ELECTION OF A COMMUNITY GRIEVANCE COMMITTEE



Photo 8 and Photo 9: The elected members of the Community Grievance Committee are being presented to the community after the vote.

6. MEETING WITH KAWAALA RESIDENTS



Photo 10 and 10: LC1 Chairman of Kawaala convened a meeting for residents in the Kawaala Section of the Lubigi Channel on April 1, 2021.

7. VERIFICATION OF DOCUMENTS AND DISCLOSURE TO PAPS OF INDIVIDUAL PACKAGES



Photo 11: A Project-affected household receiving information about their resettlement compensation by the KCCA Resettlement Officer

8. MAYOR OF LUBAGA CHAIRING THE DIALOGUE DISCUSSION IN AUGUST 2020.



Photo 12: Two LC officials from Kawaala (Secretary for Environment and General Secretary) and KCCA Contract Manager attending community dialogue meeting.