

Recommendations and Actions Plan

Update : February 2021

No.	Recommendations	Evaluation of recommendations			Actions Plan
		In progress / already implemented	Scheduled to be implemented	Recommendation not implemented / NA	
1	There is confusion between cut-off and notice to vacate. Make it clear that the cut-off does not require to stop farming	X			Improvements in communications regarding the cut-off date and notice to vacate have been implemented. Meetings were conducted with PAPs in the second half of 2019 and the cut-off date form has also been improved/clarified. Meetings were also held in 2020 and communications have been made via radio announcements, posters and adverts. TEPU continues to engage in 2021 for RAPs 2-5.
2	Land and crop prices are likely to become volatile and should be monitored. Engage District Land Board (DLB) and Chief Government Valuer (CGV) around the need to update rates on a regular basis and agree a process	X			In 2019 and 2020, the District Land Board (DLB) updated the crop rates based on market studies conducted in the Project Area.
3	Medicinal trees are compensated in kind and not all species can be replaced. Review compensation strategy for bush and medicinal trees and consider compensation to communities in the form of community projects	X			A study conducted in 2019 identifying alternatives to the medicinal trees in the area within the vicinity of where the PAPs were located. The study highlights the fact that medicinal trees / herbs are communal in nature and not individual. A map to show the current location of the PAPs and the nearest available location to source the different herbs was developed.
4	The introduction of the Borealis data management system is a much needed initiative. Experience shows that the change to such systems is resource intensive. Allocate sufficient resource from both TEPU and Atacama to make sure that the introduction of the Borealis system takes place timely and seamlessly	X			The Borealis system has been introduced and data is being uploaded. The process is at around 75% complete.
5	Engagement with 'hold-outs' has yielded no significant results in the last year or so. Stop engagement and proceed to compulsory acquisition	X			As a last resort the compulsory acquisition process, under the responsibility of the Government of Uganda, has been initiated. In parallel, TEPU is continuing to engage the holdouts together with the authorities to seek a voluntary amicable solution. As of February 2021, one of the nine hold outs has now accepted the compensation previously offered.
6	Compulsory acquisition entails a number of legal and reputational risks to TEPU that need to be addressed and mitigated. Engage relevant Government agencies to discuss conditions under which the compulsory acquisition process should be undertaken and agree these conditions in an MOU between the Ministry of Land and TEPU		X		The conditions of the land acquisition process are defined in the Land Acquisition and Resettlement Framework (LARF), which was endorsed by Government in December 2016. The compulsory land acquisition process is a last resort measure. Should this process be required, TEPU will engage the relevant GoU agencies to ensure that this process is conducted in the respect of human rights and UN guidance on evictions. From a legal standpoint, the compulsory land acquisition process is governed by Ugandan law and therefore a MOU between TEPU and the GoU is not contemplated.
7	Should evictions become necessary, the Project should avoid forced evictions at all cost as these would entail significant human rights and reputational risks. Prepare for the possibility of evictions through engagement of relevant Government agencies, using UN guidance on evictions		X		TEPU is fully committed to respecting human rights. Should evictions be required as a last resort, TEPU will engage the relevant GoU agencies to ensure they are carried out in accordance with the UN guidance on forced evictions.
8	Grievance management currently meets key relevant objectives and requirements and outcomes are satisfactory. However, the documentation, management and reporting system is inadequate. Take the opportunity of the introduction of the Borealis system to revisit grievance management and documentation procedures, including introducing a categorization of grievances and the ability to automatically periodically generate grievance reports on key indicators.	X			TEPU has improved its grievance system (including documentation, management and reporting) and its procedures to ensure that all grievances are initially categorised and prioritised by the field team. As of February 2021, TEPU is at a closure rate of 78% for 880 grievances received across all RAPs.
9	Current internal monitoring and reporting procedures are particularly onerous. Consider simplifying procedures and eliminating the requirement for some documents	X			TEPU has simplified the reporting process to reduce the current document work load.

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10	Replicate livelihood and socio-economic surveys are planned to take place every year, which may not be necessary and meaningful. Simplify the requirement. Replicate surveys every three years should be sufficient.	X			This has been noted and will be implemented unless for a specific reason TEPU may need to repeat surveys more frequently.
11	This review has been useful to the teams. Consider systematising similar yearly reviews, potentially using different consultants to bring different perspectives	X			Another consultant has conducted a review of livelihood restoration activities in 2021. TEPU plan to carry out another survey in H2 2021.
12	Resettlement house reconstruction requires proper supervision on a daily basis. Ensure that supervision of resettlement housing construction is adequately resourced	X			TEPU has appointed a dedicated Project Manager within the Social team to follow up on the building, progress and completion of resettlement houses.
13	Technical defects upon commissioning of resettlement houses have the potential to jeopardise the Project license to operate. Make sure that a punch list process is put in place such that the resettlement housing Contractor is timely advised of repairs required under the guarantee	X			TEPU is continually engaging with new and existing residents regarding their satisfaction with the resettlement housing. Upon completion all houses must be signed off by a suitably qualified engineer as acceptable and compliant with applicable rules.
14	PAPs appear to have used their cash compensation wisely for productive purposes. In a further review such as this one (see recommendation 11 above), consider replicating the semi-quantitative interviews carried out in this review to confirm tentative results on compensation utilisation		X		This has been noted and will be implemented.
15	Dry rations are meant as a transition allowance but they may be perceived otherwise. Make sure in further RAPs that there is a clear and transparently explained linkage between the notices to vacate and the delivery of dry rations	X			TEPU has noted this action and has implemented the recommendation.
16	Dry rations will be discontinued in 2019 at the time when people in the area need food most (lean period). Consider an expansion until the 2019 harvests, at least for vulnerable households	X			Support was provided until June 2019 subsequently all PAPs were reassessed and found not to require additional transitional support.
17	Livelihood restoration activities are not broad enough and other components should be added. Broaden the scope of livelihood restoration activities, considering for example the development of market gardening and intensification of animal husbandry, based on a review of successful initiatives in Uganda and neighboring countries. Enhance the budget dedicated to livelihood restoration activities, even if some cost items turn out not to be cost-recoverable	X			TEPU commissioned a follow up report by an independent consultant (Cousins) which outlined how to best to broaden the scope of the livelihood restoration activities. A corresponding amendment to the current Agricultural Support Programme Contract has taken place in order to introduce the following activities; poultry, goat husbandry, cattle farming and fish production.
18	Livelihood restoration activities are insufficiently resourced and supervised. Consider replacing the agricultural implementation partner by a more able one Clarify the respective roles of the TEPU and Atacama teams in the supervision of livelihood restoration activities	X			TEPU is working with the agricultural implementation partner and has set its expectations under the contract. TEPU is providing guidance and support to the agricultural implementation partner. TEPU has also reorganised the Social and Land Department to reflect what is required. All roles have had the responsibilities clarified and and contract supervision has been improved. Recruitment is underway to staff all previously vacant positions.
19	The vulnerability criteria are somewhat simplistic and do not properly reflect the complexities of vulnerability. Refine the vulnerability assessments based on a scoring system and consider a community validation	X			The vulnerability criteria have been reviewed and now include: 1) Marital status: if divorced or widow 2) Health status: if long term illness or physical disability or mental disability 3) Number of dependants: if 7+ dependants 4) Relation in HH: if Head of HH 5) Age: if 65+ years 6) Gender: if female If the PAP meets three or more of the criteria then they are considered vulnerable.
20	It has been historically problematic to obtain Government approval of compensation rates, while regular updates are necessary. Envision involvement of TEPU senior management in critical Government sign-offs (at this point sign-off on compensation rates and rate update procedures are particularly critical)	X			GoU approval of compensation rates has now been obtained.

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21	The "clustering" of staff within the Atacama team may lead to inadequate allocation of resources at certain periods. Review staff allocation and consider more fluidity between clusters	X			TEPU has engaged the contractor to ensure individual development within the teams and agreed promoting agility and cross functionality within the Project implementation team.
22	With regards to livelihood restoration activities, there may be some lack of clarity in the allocation of supervision responsibilities between TEPU and Atacama. Consider tasking Atacama more clearly with field supervision responsibilities and possibly giving them the responsibility for delivery of certain components (particularly the agricultural programme)	X			TEPU has implemented a single focal point for the contractor's activities to ensure clarity of supervision. Performance meetings are held regularly to ensure clarity on all aspects of field supervision and contract delivery.
23	Some procurement rules do not work in the context of livelihood restoration activities in Uganda. Adapt some procurement rules to the conditions of livelihood restoration programmes in Uganda	X			The internal procurement process has been reviewed to ensure it does not impede the overall Project livelihood restoration requirements and works to ensure timely, compliant procurement.