

Update of Environmental and Social Documents in World Bank Portfolio in Uganda

Summary of Mitigation Measures

All projects under implementation, 19 projects in total, are being updated to integrate additional measures to ensure inclusion and non-discrimination of vulnerable and disadvantaged groups and individuals in World Bank-financed projects considering the Anti-Homosexuality Act, 2023. These measures were necessary to ensure all World Bank-financed projects are implemented in accordance with the World Bank's Environmental and Social Framework (ESF) and the Constitution of Uganda. Note, however, that mitigation measures consistent with the principles of inclusion and non-discrimination explicit in the ESF have been applied to all projects whether covered by the ESF, the older safeguard policies, or the Bank policy for 'Program for Results' operations.

Types of updated project documents: Updated environment and social risk management documents for all projects are included in the consultation package. For the eight projects covered by the ESF, the Environment and Social Management Frameworks (ESMF), Labor Management Plans (LMP), Stakeholder Engagement Plans (SEP) and Environment and Social Impact Assessments (ESIA) have been updated (as appropriate). For the eight projects covered by Safeguard Policies, the ESMF and (for one project) the ESIA have been updated. For the three projects covered by the Program for Results, the Environment and Social System Assessments have been updated.

Common and project specific mitigation measures: For each updated E&S document, there are common risks and mitigation measures that apply to all projects in the portfolio as well as specific risks and mitigation measures that apply to each project. For example, the health, education, and infrastructure projects have common measures applicable to all updated projects as well as different mitigation measures applicable to their sectors.

Examples of additional mitigation measures proposed to manage the risk of exclusion and discrimination of vulnerable individuals or groups include:

- **Management of project social and environmental risks and impacts:** (i) Updating all projects E&S instruments (ESMF, SEP, LMP, ESIA, ESSA) in consultation with key stakeholders to include risk and mitigation measures on inclusion and non-discrimination; (ii) Developing and providing training and guidance to the government's project implementation units (PIUs), government agencies, and consultants on inclusion and non-discrimination of vulnerable and disadvantaged individuals and groups.
- **Labor and working conditions:** (i) Providing training on inclusion and non-discrimination for borrowers (e.g., contractors and sub-contractors) and mobilization of communities; (ii) Including provisions of non-discrimination in contracts; (iii) Strengthening recruitment procedures to avoid discrimination under the Bank operations and ensuring privacy and confidentiality of personal information.

- **Community health, safety, and security:** (i) Providing training and codes of conduct for project workers; (ii) Building on lessons learned with PIU addressing GBV and SEA/H risks.
- **Stakeholder engagement:** (i) Strengthening consultations to detect instances of exclusion or discrimination (do-no harm safety); (ii) Strengthening grievance redress mechanisms (GRM) to enhance safe and confidential reporting; (iii) Strengthening data privacy and confidentiality of stakeholders and beneficiaries under the Bank-financed operations; (iv) Establishing an independently run hotline to register complaints on Bank-financed operations.

All these measures will, in total, ensure that if there are incidents of exclusion or discrimination against vulnerable and disadvantaged groups in a World Bank-financed projects, sufficient remedies are in place to correct the incident.

Guidelines on Inclusion and Non-discrimination

The GoU will prepare guidelines on inclusion and non-discrimination of vulnerable and disadvantaged groups in the workplace. The guidelines will provide instructions to project proponents and contractors on how to ensure inclusion and non-discrimination of workers is mainstreamed into project design and contracting.

Updated Project Operation Manuals

To facilitate the implementation of the provisions for inclusion and non-discrimination that cover vulnerable and disadvantaged individuals and groups, Project Operational Manuals (POM) will be updated to specify how to implement the mitigation measures. The updated POM will clearly lay out how the mitigation measures contained in the updated project documents will ensure inclusion of vulnerable and marginalized individuals and groups by providing information on how exactly the mitigation measures will be implemented.

Government of Uganda Circulars

Circulars on inclusion and non-discrimination: The updated project documents include actions taken by the GoU to ensure inclusion and non-discrimination of vulnerable and disadvantaged individuals and groups since the enactment of the Anti-Homosexuality Act. Specifically, five circulars were issued to ensure inclusion and non-discrimination principles continue on World Bank-financed projects: a Circular on Budget Execution (July 10, 2023); a Circular on Provision of Health Services (June 5, 2023); a Circular on Provision of Education Services (August 18, 2023); a circular issued by the Director of Public Prosecutions (August 29, 2023); and a Circular on the Application of Social Safeguards in Uganda (Sept 21, 2023).

The Circular on the Application of Social Safeguards in Uganda by Ministry of Finance, Planning and Economic Development (MoFPED) to all ministries, agencies, and local governments notes that implementing mitigation measures on non-discrimination in WB-financed operations is of particular importance. It confirms that all World Bank-financed projects should also be

implemented in accordance with World Bank policies and applicable legal agreements. It also specifies that for World Bank projects:

- No person will be discriminated against or stigmatized, and the principles of non-discrimination and inclusion will be adhered to. Project benefits should be provided to all project beneficiaries.
- All implementing entities of World Bank-financed projects should agree and implement specific mitigation measures to address non-discrimination.
- These mitigation measures will require enhancing project grievance redress mechanisms as well as strengthening existing project monitoring by implementing entities including third-party monitoring where applicable.

Roles and responsibilities: The GoU is responsible for the implementation of all project activities, including mitigation measures, to ensure vulnerable and disadvantaged groups and individuals are included in project benefits. The enhanced implementation support and monitoring firm's mandate will be specifically focused on supporting the GoU to implement and monitor the mitigation measures on inclusion and non-discrimination of vulnerable and disadvantaged individuals and groups due to the AHA, 2023. This includes the implementation of corrective measures or action plans to address findings of the firm.

Enhanced Implementation Support and Monitoring. The GoU and the World Bank have agreed that the World Bank will provide enhanced implementation support and monitoring to ensure non-discrimination and inclusion in all projects being implemented in Uganda. To support the GoU, the World Bank will hire a renowned firm with strong knowledge of the Ugandan context and a track record of enhanced implementation support and performance monitoring. The firm will in turn partner with NGOs/CSOs with expertise and experience in inclusion and non-discrimination issues related to vulnerable and disadvantaged individuals and groups in Uganda.

Objectives of enhanced implementation support and monitoring include: (i) Enhancing implementation support in addressing grievances and concerns from beneficiaries, communities, and workers; (ii) Enhancing existing grievance redress mechanisms and developing and operating an independent mechanism that would monitor and manage issues of discrimination or exclusion raised directly through this mechanism or some other channel; (iii) Assisting the strengthening of capacity of Project Implementation Units, workers, and contractors to address inclusion and non-discrimination; (iv) Developing a strong IT system and process that secures personal data and information that may be used to discriminate against individuals or groups.

Scope of the enhanced implementation support and monitoring covers: (i) Establishing an effective monitoring mechanism of grievances raised by vulnerable and disadvantaged individuals and groups; (ii) Establishing a case and referral management system through existing grievance redress mechanisms; (iii) Facilitating community outreach and sensitization; (iv) Providing a capacity strengthening and technical support; and (v) Developing a monitoring and evaluation system.

Development Partners Coordination Committee. An in-country coordination mechanism on inclusion and non-discrimination will be co-chaired by the World Bank and the UN country coordination representative within the Local Development Partners Group (LDPG). The committee would include development partners, NGOs/CSOs, and the GoU when deemed needed. The purpose of the committee is to share information, coordinate activities including reports from the Enhanced Implementation Support and Monitoring Mechanism and receive guidance and feedback from NGOs/CSOs.

Next steps

Consultations and stakeholder engagement is a continuous process: Following the updating of documents to include these mitigation measures, the GoU and World Bank are consulting with key stakeholders. Then, following these consultations, the project documents will be revised to integrate concerns and comments received. The revised project documents will then be reviewed and cleared by the World Bank and disclosed publicly in Uganda and on World Bank website.

Further consultations during implementation: As indicated in the shared draft updated project documents, during the implementation of the project further consultations will take place with local communities and project beneficiaries as needed and when deemed safe.