Social Assessment Report

Kenya Development Response to Displacement Impacts Project (KDRDIP) Additional Financing (P166266)

May 2018

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LIST OF ABBREVIATIONS AND ACRONYMS

AF	Additional Financing
AIDS	Acquired immune-deficiency syndrome
ARAPs	Abbreviated Resettlement Action Plan
AU	Africa Union
C&G	Complaints and Grievances
CBO	Community-based organization
CDC	Community Development Committee
CDF	Constituency Development Fund
CEC	County Executive Committee
CGRMs	Complaints and grievances redress mechanisms
CIDP	County Integrated Development Plan
CoK	Constitution of Kenya
CSO	Civil Society Organization
DfID	Department for International Development
DRA	Department for Refugee Affairs
DRC	Danish Refugee Council
DRDIP	Development Response to Displacement Impacts Project
ECD	Early Childhood Development
EFC	Error, fraud and corruption
EU	European Union
FAIDA	Fafi Integrated Development Association
FBO	Faith-based organizations
FGD	Focus group discussion
FGM	Female genital mutilation
FPIC	Free, prior and information consultation
FRAPs	Full Resettlement Action Plan
GBV	Gender based violence
GIZ	Deutsche Gesellschaftfür Internationale Zusammenarbeit
GoK	Government of Kenya
HIV	Human immunodeficiency virus
HOA	Horn of Africa
HSSF	Health Systems Strengthening Fund
HSNP	Hunger Safety Net Programme
ID	Identity
IDA	International Development Association
IDI	In-depth interview
IFC	International Financing Corporation
IGAD	Intergovernmental Authority on Development
IGAs	Income generating activities
IOM	International Organization of Migration
IPs	Indigenous Peoples
IRMPF	Institutional Risk Management Policy Framework
ISDS	Integrated Safeguards Data Sheet
KDF	Kenya Defense Force
KDHS	Kenya Demographic and Health Survey
Kes	Kenya Shillings

KDRDIP	Kenya Development Response to Displacement Impacts Project
KIHBS	Kenya Integrated Household Budget Survey
KRCS	Kenya Red Cross Society
LOKADO	Lotus Kenya Action for Development Organization
LOPEO	Lokichoggio Peace Organization
LPG	Liquefied Petroleum Gas
LWF	Lutheran World Federation
MDTF	Multi-Donor Trust Fund
M&E	Monitoring and Evaluation
MoE	Ministry of Education
MoH	Ministry of Health
MOU	Memorandum of Understanding
MP	Member of Parliament
NDMA	National Drought Management Authority
NEDI	Northern and North-Eastern Kenya Development Initiative
NEMA	National Environmental Management Authority
NGO	Non-Governmental Organization
NRC	Norwegian Refugee Council
ODF	Open Defecation Free (zones)
OP	Operational Partner
OPBP	Operational Policy Bank Policy
PAD	Project Appraisal Document
PCU	Project Coordination Unit
PDO	Project Development Objective
PID	Project Information Document
PIDAD	Pastoralist Initiative for Development and Advocacy
PMC	Project Management Committee
PSC	Project Steering Committee
RAS	Refugee Affairs Secretariat
RCs	Rights committees
RPF	Resettlement Policy Framework
RRDO	Relief Reconstruction and Development Organization
RSD	Refugee status determination
SA	Social assessment
SID	Society for International Development
SWAPs	Sector-wide plans
TOR	Terms of Reference
UN	United Nations
UNHCR	United National High Commissioner for Refugees
VMG	Vulnerable and Marginalized Groups
VMGF	Vulnerable and Marginalized Groups Framework
VMGP	Vulnerable and Marginalized Groups Plan
WAPNET	Wajir Paralegal Network
WASH	Water, Sanitation and Hygiene
WB	World Bank

WEF	Women Enterprise Fund
WFP	World Food Program
YDF	Youth Development Fund

EXECUTIVE SUMMARY

Background

1. This report presents the findings and recommendations of a social assessment (SA) undertaken in December 2016 and January 2017 on the proposed Kenya Development Response to Displacement Impacts Project (KDRDIP). The aim of the SA was to document the key social and livelihood characteristics of the host population to be targeted by the project and assess the impact of the proposed interventions on the Vulnerable and Marginalized Groups (VMGs) and Indigenous People (IPs) in the sub-counties hosting the refugees. It also sought to understand the likely future livelihoods and settlement patterns of the communities once the refugees leave.

2. The World Bank (WB) safeguard policy OP/BP 4.10 is triggered by the proposed project because the pool of pre-identified potential interventions include areas where Indigenous Peoples (IPs) are present. Furthermore, the social and economic investments and livelihood interventions are intended to expand access to education, health, water and infrastructural services and improve the livelihoods of host communities that have been affected by the protracted presence of refugees.

3. ***Objectives:*** The Project Development Objective (PDO) is to *improve access to basic social services, expand economic opportunities, and enhance environmental management for communities hosting refugees in the target areas of Kenya.* The key indicators to be monitored to track progress towards attaining the PDO include:

   i. Beneficiaries with access to basic social and economic services and infrastructure (disaggregated by type of service and target group);
   ii. Beneficiaries of economic development activities that report an increase in income (disaggregated by type of service, gender, and target group);
   iii. Direct beneficiaries of which female; and
   iv. Land area where sustainable environmental management practices have been adopted as a result of the project (hectare).

4. *Project components:* The Project has five components as summarized below.

   Component 1: *Social and Economic Infrastructure and Services,* which has two subcomponents: 1(a) community investment funds; and 1(b) capacity support for local planning and decentralized service delivery. The aim is to provide investment funds that together with community contributions, both in cash and kind, will facilitate the development and expansion of traditional and non-traditional livelihoods of the poor and vulnerable households to build productive assets and incomes.

   Component 2: *Environmental and Natural Resource Management* is divided into two: 2(a): integrated natural resources management; and 2(b): access to energy. This component seeks to support and enhance sustainable environmental and ecosystem services, including integrated natural resource management and small, micro and household-scale irrigation schemes. Alternative energy sources will aim to reduce unsustainable exploitation of natural resources, including risk mitigation and other challenges faced by crisis-affected host communities.

Component 3: *Livelihoods Program* has two subcomponents: 3(a): support to traditional and non-traditional livelihoods; and 3(b): capacity building of community-based organizations for livelihoods. The interventions will support and enhance sustainable environmental and ecosystem services, including integrated natural resource management and small, micro and household-scale irrigation schemes.

Component 4: *Project Management, and Monitoring and Evaluation* is aimed at supporting the implementation, technical oversight of the interventions, effective social and environmental safeguards management, financial management and procurement.

Component 5: *Support to return areas in Somalia* will work with the Intergovernmental Authority on Development (IGAD) and the existing Regional Secretariat for Forced Displacement and Mixed Migration (FDMM) to channel capacity and systems support to the federal, regional, and municipality-level administrations of Somalia to adopt a development approach that is displacement sensitive, and to coordinate interventions in return areas.

5. Considering the immense needs of the underserved host communities in Garissa, Wajir and Turkana Counties, Government of Kenya (GOK) since the approval of the initial International Development Association (IDA) credit in the amount of US$100 million has requested Additional Financing (AF) to scale up activities of the project in Kenya. The Kingdom of Denmark is therefore providing a US$ 8.18 million equivalent grant financing through the Kenya DRDIP Multi-Donor Trust Fund (MDTF). The proposed additional grant financing in the equivalent of US$ 8.18 million will scale-up original project activities and bring total project cost to US$ 108.18 million for Kenya. The Project Development Objective (PDO), project design and components, as well as the project areas will remain unchanged under the AF. The additional grant funding will be allocated across the four project components proportionate to the original project allocations. This Social Assessment originally prepared for the IDA credit is therefore adequate to also guide the implementation of the activities under the AF.

6. ***Objectives of the SA:*** The assessment was conducted in Dadaab and Fafi sub-counties in Garissa County and Wajir South sub-county in Wajir County, and Turkana West sub-county in Turkana County. It identified key stakeholder groups in the project area and addressed the following: (i) their socio-economic characteristics, settlement patterns and relationships; (ii) how relationships between stakeholder groups will affect or be affected by the project; and (iii) the expected social development outcomes and actions proposed to achieve those outcomes. The assessment was undertaken through literature and documentary reviews, and primary data collection using focus group discussions (FGDs) and in-depth interviews (IDIs).

Administrative and legal frameworks

7. ***Administrative framework:*** The two-tier devolved system of governance set out in chapter eleven of the Constitution of Kenya 2010 establishes the national government and 47 county governments as distinct governance entities. The national government is responsible for national policies relating to agricultural, health and housing services while county governments are responsible for agriculture, county health services, county transport, trade development and regulation, county planning and development; and pre-primary education, village polytechnics, homecraft centres and childcare facilities. In addition, they are responsible for the implementation of specific national government policies on natural

resources and environmental conservation, including soil and water conservation and forestry; county public works and services; and ensuring and coordinating the participation of communities and locations in governance at the local level as well as assisting communities and locations to develop their administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

8. The authority to deal with matters relating to refugee management is under the national government, as contained in the Refugee Act of 2006. Consequently, despite the fact that counties host refugees, the county governments do not have the authority or the budget to directly participate in any aspect of the refugee management process. Kenya is a signatory to a number of international treaties applicable to individuals seeking asylum and protection.

9. ***Legal framework for VMGs and IPs:*** The Constitution of Kenya (CoK, 2010) acknowledges the presence of minorities and marginalized communities established through historical processes, with specific reference to indigenous peoples. The definition of marginalized groups recognizes communities that are disadvantaged due to unfair discrimination on one or more prohibited grounds or a community, which by reason of its relatively small population or otherwise, has been unable to fully develop its internal structures or resources to allow it to participate in the integrated social and economic life of Kenya as whole. Article 43 of the CoK, 2010 guarantees the right of every person to economic, social and cultural rights. The Constitution affirms fundamental national principles and values of unity, participation of the people, equality, equity, inclusiveness, non-discrimination and protection of the marginalized and vulnerable people. Minority ethnic groups in Kenya include the Dorobo, Endorois, Elmolo, Malakote, Ogiek, Sanye and Waata. These groups are found in different parts of the country where they have continued to practice a traditional way of life in the form of livelihood, education, health and clothing, among other aspects. Under the current guidance of OP 4.10, the traditional nomadic pastoralists fit the criteria for indigenous peoples.

Socio-economic contexts of host communities

10. The refugee camps in Kakuma and Dadaab are located in relatively under-developed parts of Kenya. These areas are characterized by precarious socio-economic conditions that include food insecurity, limited access to basic social services and economic infrastructure and poor livelihood opportunities. These areas have degraded natural resource base and the hosts have significant dependence on the refugee camps for social services and economic opportunities.

11. The host communities in Turkana, Garissa and Wajir counties are largely structured around clans, sub-clans and sub-sub-clans/families. In Turkana and Somali traditional communities, elders were entrusted with making decisions on behalf of the general membership on politics, development, interpretation of cultural practices, dispute resolution and general community direction. Land is communally owned in the three counties, which implies that access to this important resource is determined at the community level by the local leaders. Community land was recognized in the Constitution, although the Community-Land Act was only passed in September (2016), and the regulations for registration of community land and resolution of conflicts are yet to be developed. As a result, most of the leaders in the Project areas do not know about its existence or their rights under the Act.

12. *The vulnerable and marginalized groups and IPs:* The perceptions of those considered

vulnerable and marginalized are varied. This is mainly due to devolution of power to the county levels, a process that is expected to address former marginalization in development and even out power among the communities through representation on the various leadership positions at the county, sub-county and ward levels. Historically and constitutionally, the whole of Turkana County and its people have been classified as marginalized. However, due to devolved governance, this is no longer the case. During discussions at the county levels, the dominant view was vulnerability and marginalization have taken on a new form based on changing socio-cultural and economic trends that revolve around distance from the center of power.

13. Those considered vulnerable and marginalized include: (i) the chronically poor; (ii) persons living with disabilities; (iii) street children; (iv) women, especially the widowed and those in female-headed households; (v) the youth; (vi) the elderly; and (vi) those living far from the market centers, including the nomadic pastoralists. In Garissa, the Bahgari clan, whose members are still predominantly pastoral nomads, was considered more marginalized than the other sub-clans. There was also an indication that those non-Ogaden clan members residing in the host communities in Dadaab, Fafi and Wajir South tend to be marginalized in decision-making and have limited access to resources. Such people are not considered for education bursaries or access to other local initiatives aimed at supporting the poor and vulnerable.

14. *Gender relations:* Gender relations in the host communities are closely aligned to culture. Non-governmental organizations (NGOs) were acknowledged for having increased the voice of women in decision-making but, more needs to be done. The further you get into the hinterland of the sub-county the less women are involved in community decision-making. This is partly due to low literacy levels and limited exposure and access to information. The more exposed to socio-economic avenues of income generation, the more likely the women would be predisposed to taking up economic opportunities. Gender-based violence (GBV) is still common among the host communities living around the refugee camps. Female genital mutilation (FGM) is still common in the Somali community despite efforts by the government and development partners to eradicate this practice.

15. *The youth:* The youth reported that they have been largely ignored in major community decision-making. Most of the youth observed that they are only consulted as a government requirement. There is concern among the elders and other community leaders in Turkana that the youth have increasingly abandoned the traditional cultural way of life. Another concern was expressed about youth who have grown up in refugee camps. Many were born and brought up in Kenya, have been educated using the Kenyan national education system and have built social networks are in this country. In addition, they speak Kiswahili and know the areas quite well. If and when repatriated to Somalia, they will not get employment, therefore, they will be good candidates for recruitment into Al Shabaab and other terror groups.

16. *Refugee-host relations:* Better access to health and education facilities for refugees is considered unfair and unjust to the host communities. Indeed, the refugees are wealthier than the host communities. A member of an implementing partner (IP) organization noted that: *"One of the refugees told me that we are only here because of water. We can hustle and pay fees for our children. We can also pay for healthcare but water is a major problem."* In terms of access to water, the host community pays Kes. 5.00 per 20-litre jerrican, while the refugees get 20 liters per person every day free of charge. A key challenge acknowledged by the host communities in the areas around Dadaab camps is that most of the refugees are of Somali

origin, who share the same language, culture and religion with the local people, thus making it more difficult for them to be hostile to them.

17. *Kenyans registered as refugees:* It is estimated that there are about 43,000 Kenyans in the refugee database although the local estimates indicate that the number could be 100,000 people. These people tend to be young and jobless. Most of them were registered by their parents when they were children. Kenyans registered as refugees unanimously stated that they had been denied fundamental rights accorded to other Kenyans, since they are being treated as refugees. These include access to national ID cards, freedom of movement and access to job opportunities. Being on the refugee register and staying at home with their parents, meant that they could not venture outside for fear of being tracked down by the law enforcement agencies and being taken back to the camps, a fact that has restricted their freedom of movement and association. In the camps, they are treated as outsiders since the refugees have formed tightly knit communities.

Potential benefits of the investment

18. *Component 1: Social and Economic Infrastructure and Services.* This component would respond to the key areas of discontentment between the refugees and host communities. The proposed Project would contribute to an increase in school enrollment, retention and transition. Currently, the school enrolment is low while the transition from primary to secondary then to tertiary is much lower. Water remains a major challenge for the host communities in all the 5 sub-counties forcing community members to consume and use contaminated water. Consumption and use of contaminated water is a major health risk for the host communities. The construction of roads is priority number one. In fact, a group of community leaders in Dadaab observed that priority 1 to 10 is roads, roads and roads. A local leader in Dadaab observed that: *"If the World Bank sorts this out, Dadaab town and its adjacent satellite towns will immensely benefit from the opening up of the North Eastern region of Kenya."*

19. *Component 2: Environmental and Natural Resource Management.* One of the key challenges articulated by every person in the five sub-counties and referenced in most documents on refugee-host relations is environmental degradation. Planting, management and protection of trees would provide an opportunity for the youth to be economically engaged. Able bodied youth could be engaged in this activity as part of public work activities. Measures to stem logging of trees should be explored and implemented. The exploration and use of alternative fuels including energy saving stoves, solar and LPG gas would provide opportunities for youth and women groups to engage in productive and safe activities.

20. *Component 3: Livelihood program.* A key challenge to the communities hosting the refugees is high poverty levels. Although pastoralism remains a major source of livelihood, there is recognition that pastoralism in its current form is not sustainable in the long-term. The discussions with community members indicated the need to invest in livestock production and sale but at the same time diversify into other forms of livelihoods including small and large scale farming, and trade (this would require financial capital and skills training).

21. *Enhanced technical capacity among the local implementers:* During the consultative meetings, the host communities suggested various thematic areas in which their capacity could be built or developed to enhance their participation in the implementation of the project as well as sustain their own socio-economic development. These include development of

business and entrepreneurial skills for the establishment of micro and small enterprises and the enhancement of access to various government initiatives; enhancement of skills in conflict resolution and group dynamics for harmonious co-existence and development; acquisition of basic skills on individual visioning and planning to achieve personal and community goals.

22. *Civic awareness:* Increased participation in the project will raise the host community members and the VMGs/IPs awareness on their rights and entitlements as enshrined in the CoK (2010), thus providing them with an opportunity to advocate for their rightful entitlements in the development agenda.

23. *Key social risks from this investment:* Several risks were identified and discussed with community members with a view to ensuring mitigation measures are put in place. These include:

i. *Insecurity*: this is at 2 levels – source and host countries: (i) there is currently on-going conflict in the source countries and the camps, specifically Kakuma is currently receiving refugees; and (ii) there is potential for conflict between the hosts and refugees and between the hosts and other communities in the surrounding areas *more so if the investments will be perceived to be inequitable.*

ii. *Land-related conflicts:* land is communally owned. Which implies that for the project to gain access to land there must be negotiations with clan/sub-clan/sub-sub-clan leaders. Infrastructural development in the host community could result in conflict due to the interests of different clan/sub-clan/sub-sub-clans in the area;

iii. *General elections:* there will be national elections in August 2017. Characteristically, elections in Kenya tend to be emotive with a high *possibility* for violence that might interfere with Project activities. Such violence could lead to internal displacements among other outcomes that would interfere with the project implementation and results;

iv. *Refugee repatriation:* the on-going repatriation is likely to lead to conflict led by host communities who want to be compensated for the negative effects of the refugee presence. The hosts in Dadaab, for instance, opined that each household could be given a cow and their environments be rehabilitated before the refugees are forced to leave. Furthermore, the young people being repatriated lack career prospects when they get to Somalia, which makes them vulnerable to recruitment by the Al- Shabaab and other terror groups;

v. *Natural disasters:* the project areas are prone to natural shocks in the form of drought and famine, which have negative impacts on both human and animal health;

vi. *High expectations:* there is an assumption that the proposed WB investment will solve many of the host community problems which is unrealistic given financial limitations;

vii. *Increased demand for services:* the new investment is likely to attract people to the center and/or to the target sub-counties given the general poverty in the project sites. This would put pressure on the project resources both financial and human;

viii. *Corruption:* there are fears that the recruitment of personnel and procurement contracts could be influenced by nepotism and clannism and that project resources could be misused and/or leaked through the system. Therefore, the planned activities should be carefully monitored and any error, fraud and corruption (EFC) issues managed comprehensively;

ix. *Elite capture:* there are few people with skills, expertise and political connections that could influence employment and award of contracts.

Project implementation

24. The implementation of the proposed project should be done in a participatory and inclusive manner through consultations with various stakeholders including the local implementing agencies and project beneficiaries. Consultations should be held with the community members and VMGs/IPs in their villages and through local institutions such as the village elders among others. The involvement of community members should be at all levels of the project planning, implementation and monitoring and evaluation (M&E). *Project planning:* awareness activities should be undertaken with the aim of ensuring that the community members understand the aim of the project, provide views and buy-in into the proposals made. *During project implementation:* the project should have clear mechanisms to engender buy-in, ensure transparency and accountability in all areas of implementation.

This level ought to guarantee that:

i. individuals selected to serve on the local project committees are known to the communities;
ii. groups and individuals contracted to provide services should be made known to the community members and any concerns addressed by the Local Project Implementation Unit (PIU);
iii. those selected for training or grants should be known and endorsed by local leadership;
iv. names of selected beneficiaries and groups should be disclosed in the chiefs/sub-chiefs' offices notice-boards and in other social areas including social halls, Churches and Mosques; and
v. the project should have a portal for communication where community members can post their issues.

25. The local PIU should be involved in the M&E activities at all levels: The activities include setting the timings for the M&E activities; reviewing the terms of reference (TORs); being appraised of the firms/individuals involved in the M&E activities; receiving and interrogating draft reports from the M&E activities; and providing and receiving feedback on the outcomes of the M&E activities relevant to their communities.

Complaints and grievances redress mechanisms (CGRMs)

26. To redress grievances that may arise as a result of implementing the project, a two-pronged mechanism is proposed to complement the mechanisms established through other structures. Issues should be resolved at the earliest opportunity and at the lowest possible level – the community.

i. *Proactive Approach:* This approach promotes a common understanding through multiple processes following free, prior and informed consultation – FPIC, leading to broad community support and dialogue including: (i) wide-spread disclosure of project information and discussions on the way forward with regard to known C&G; (ii) clarification of the criteria of eligibility for engagement in the Project activities in terms of contractual agreements and access to grants and other services; (iii) clarification of the duties and responsibilities of the various key stakeholders; and

(iv) community involvement in conflict resolution and public awareness.

ii. *Reactive Approach:* Conflicts that may arise in the course of project implementation should be dealt with through the CGRMs agreed upon by the host communities and VMGs/IPs and in accordance with the law.

27. The project team should set up and support conflict resolution committees at the community, sub-county and national levels that comprise of a mix of traditional conflict resolution mechanisms, through clan elders and the structures of the headman; representatives of KDRDIP implementation team; representatives of civil society advocacy networks for the VMGs/IPs; religious leaders; and the local administration.

7. Recommendations

28. There is a need to engage the host communities and the VMGs/IPs through FPIC leading to broad community support in all stages of the project. Monitoring of project activities should be done with the lens of the host community and VMGs/IPs. Information should be shared widely and in a timely manner. Various channels of communication should be explored including telephone, local radio stations, county and sub-county offices, religious places (Churches and Mosques), social halls and chiefs/assistant chiefs' offices.

29. ***Strategies for enhanced participation of the community members and VMGs/IPs:*** The suggestions made by the host community members include:

i. enhance outreach and awareness raising to ensure clarity on the project by all key stakeholders. Multiple means of communication should be used to ensure that members are reached including the VMGs/IPs;

ii. work with village elders and other respected community leaders in project planning, implementation and M&E. The emphasis should be placed on working with people and groups trusted by the communities;

iii. broad community support would be ascertained by an inclusive community meeting, which would have the main agreements read out and the participants confirm that 2/3 of those present are agreeing and sign the attendance list that would be a true reflection of what was agreed;

iv. collaborate with trusted local organizations and selective international organizations that have a history and good working relationships with the communities to implement the project; and

v. hold consultations with local leaders, including political leadership since they control resources that could complement the project funding. For instance, the Members of Parliament (MPs) are responsible for Constituency Development Funds (CDF), bursary funds and other resources available for local development.

30. ***Project implementation:*** One of the key concerns identified by the host community members through the SA consultations is ensuring that resources provided for the Project are used for the purposes intended by WB. Consequently, the project should have clear implementation mechanisms to ensure transparency and accountability, which include:

i. activities identified for implementation should be clearly documented and disseminated through a clear communication strategy that uses accessible mechanisms, e.g. local radio, and in media that is understandable by communities;

ii. recruitment procedures should be done transparently, while ensuring the

inclusion of VMGs/IPs;

iii. the award of contracts should be done equitably not favoring any segment the community while ensuring that groups of VMGs/IPs are not discriminated against;

iv. youth and women groups identified for support should be trained and the of support given to them is made known to the community members;

v. public works activities should be sustainable and beneficial to all community members (e.g. reforestation; road repairs, management of water resources, etc.);

vi. the youth selected for training or grants should be known and endorsed by the local leaders from their respective communities; and

vii. the CGRM should be activated and accessible to all people. Feedback mechanisms should be integrated into the system.

1.0 INTRODUCTION

1.1 Project Summary

1. Kenya has been hosting refugees since 1991. At the end of May 2016, the country had the largest number of refugees in Africa, after Ethiopia with 600,442 refugees and asylum seekers from Somalia, South Sudan, Ethiopia and other countries in the region. Of these, 343,043 were in the Dadaab Complex, 192,218 in Kakuma and 65,181 in Nairobi. These figures included more than 413,209 Somali refugees in protracted displacement, 30,643 Ethiopians, 27,833 Congolese and about 103,237 South Sudanese refugees. Somali refugees are mainly located in Dadaab camp while South Sudanese are largely in Kakuma. The Dadaab Refugee Complex hosts a total of 343,043 refugees in five camps - Dagahaley, Ifo 1, Ifo 2, Hagadera and Kambioos; the first three are located Dadaab sub-county and latter two in Fafi sub-county. It is estimated that about 43,000 of these refugees are Kenyans who ended up enrolling as refugees to access food benefits and other basic services (UNHCR 2016).1 The Kakuma refugees are in four camps - Kakuma I-IV and Kalobeyei, a newly established integrated camp all in Turkana West sub-county of Turkana County.

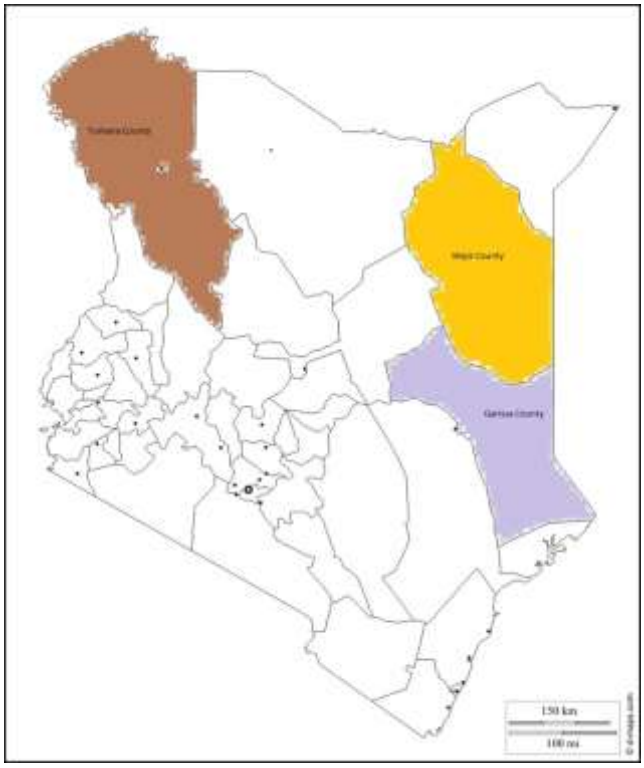


Figure 1: Map showing the location of the three target counties: Garissa, Turkana and Wajir

2. The country's Refugee Act 2006 supports an encampment policy where, following status determination, refugees reside in the camps with their movements outside the camps heavily restricted. Article 16 of the Act gives the minister responsible for refugee affairs the authority to designate areas in Kenya to be refugee camps. Domestic refugee laws of Kenya effectively limit the refugees' right to work by imposing the same restrictions and conditions applicable to aliens. The country does not have provisions dealing with extending services to refugees to access food benefits and basic services (UNHCR, 2016).

3. There is evidence that the protracted presence of refugees has had both positive and negative economic, social and environmental impacts on the host communities. The proposed project, the Kenya Development Response to Displacement Impacts Project (KDRDIP), seeks to accomplish a fundamental shift in the way forced displacement is addressed in Kenya as a: (i) developmental challenge in addition to a humanitarian and security challenge; (ii) government-led and implemented development response complementary to traditional humanitarian agencies; and (iii) long-term response to address systemic and structural constraints impeding development in marginalized refugee hosting areas further exacerbated

[1]It is notable that the local people estimated that there are about 100,000 Kenyans in the refugee database, which is way above the estimated provided by the UNHCR.

by refugee presence.

4. The KDRDIP is planned to be implemented as an integral part of the broader "Northern and North-Eastern Kenya Development Initiative (NEDI)" specifically focusing on an area-based and progressive-solutions approach to addressing the impacts of protracted presence of refugees on the host communities around the Dadaab and Kakuma refugee camps in Garissa, Wajir and Turkana Counties in Kenya. The project is part of WB's effort to support Governments in the Horn of Africa (HOA) to mitigate the impacts of displacement. The initiative is built on two interrelated pillars: (i) vulnerability and resilience; and (ii) economic opportunity and integration to address key drivers of instability and promote development in HOA.

5. The KDRDIP will be implemented in a complex and challenging physical, institutional and environment context, which requires a highly responsive and flexible approach, and learning by doing. Further, it requires careful mapping of existing projects and programs implemented by government and/or other agencies funded by the Government of Kenya (GOK), World Bank and/or other development partners to ensure synergy, prevent duplication and facilitate optimum leveraging to enhance efficiency and effectiveness of investments. It should be noted that with regards to the host population, the county governments are now responsible for delivering most basic services including early childhood education, health, agriculture, water and sanitation, as well as environmental services. The respective line ministries in the national government continue to be responsible for the education and social protection services while the former Ministry for the Development of Northern Kenya and other Arid Lands is now a department under the Ministry of Devolution and Planning.

6. Considering the immense needs of the underserved host communities in Garissa, Wajir and Turkana Counties, Government of Kenya (GOK) since the approval of the initial International Development Association (IDA) credit in the amount of US$100 million has requested Additional Financing (AF) to scale up activities of the project in Kenya. The Kingdom of Denmark is therefore providing a US$ 8.18 million equivalent grant financing through the Kenya DRDIP Multi-Donor Trust Fund (MDTF). The proposed additional grant financing in the equivalent of US$ 8.18 million will scale-up original project activities and bring total project cost to US$ 108.18 million for Kenya. The Project Development Objective (PDO), project design and components, as well as the project areas will remain unchanged under the AF. The additional grant funding will be allocated across the four project components proportionate to the original project allocations. This Social Assessment originally prepared for the IDA credit is therefore adequate to also guide the implementation of the activities under the AF.

1.2 Project Development Objective(s)

7. The Project Development Objective (PDO) is to *improve access to basic social* services*, expand economic opportunities, and enhance environmental management for communities hosting refugees in the target areas of Kenya.* The following key indicators will be used to track progress towards attaining the PDO:

i. Beneficiaries with access to basic social and economic services and infrastructure (disaggregated by type of service and target group);
ii. Beneficiaries of economic development activities that report an increase in income (disaggregated by type of service, gender, and target group);

iii. Direct beneficiaries of which female; and
iv. Land area where sustainable environmental management practices have been adopted because of the project (hectare).

8. The project recognizes the significant heterogeneity in the impact of the refugee presence on host community incomes and consumption. Households with access to small businesses and farm incomes appear to be better-buffered from short-term shocks, while wage-earning and animal-selling households are more disadvantaged. While it is difficult to apportion causality, the presence of refugees seems to be associated with some physical well-being but not necessarily mental well-being for the hosts. Several studies reveal a negative impact on the ecological integrity of the area with a massive reduction in low tree crown cover near the camps due to high charcoal burning and tree harvesting for construction; and shrub cover due to its use for fencing and building (Aukot 2003; World Bank *et al*, 2016).

9. The project will target communities in refugee-hosting areas that have seen protracted presence of refugees with project investments potentially benefiting both the host and refugee communities following an area-based development approach. The project is potentially expected to benefit a total host population of 1,041,436[2] and a total refugee population of 439,461 as of October 2016 (Table 1).

Table 1. Beneficiary details

County	Sub-county	Host Population	Refugee Population
Turkana	Turkana West	409,490	163,192
Wajir	Wajir South	167,605	276,269
Garissa	Dadaab	208,048	
	Fafi	129,904	
	Lagdera	126,389	
Total		**1,041,436**	**439,461**

1.3 Project Components

10. The project has five components: (i) social and economic infrastructure and services; (ii) environmental and natural resource management; (iii) livelihoods program (iv) project management, and monitoring and evaluation; and (v) support to return areas in Somalia, as summarized in Table 2.

Table 2: Description of the project components

No.	Component	Objectives	Project activities
1.	Social and Economic Infrastructure and Services Subcomponent 1(a). Community Investment Fund Subcomponent 1(b). Capacity support for Local Planning and Decentralized Service Delivery	Provide investment funds that together with community contributions both in cash and kind, as feasible, will help expand and improve service delivery, and infrastructure for local development including the construction/expansion/improvement of schools, health centers, water supply, and all-weather roads	-Expand and improve service delivery, and infrastructure for local development including the construction, expansion and/or improvement of schools, health centers, water supply, and all-weather roads. -Sustain the infrastructure created for the camps -Support the creation of an area-based development plan
2.	Environmental and	Support and enhance	-Alternative energy sources

[2]Projected 2017 population figures.

	Natural Resource Management Subcomponent 2(a): Integrated Natural Resources Management Subcomponent 2(b): Access to Energy	sustainable environmental and ecosystem services, including integrated natural resources management and small, micro and household-scale irrigation schemes	-Construction and/or rehabilitation of physical structures for water catchment management such as check-dams, and water harvesting structures -Support the implementation of biological measures such as afforestation -Facilitate labor-intensive public works (where possible)
3.	Livelihoods Program Subcomponent 3 (a): Support to Traditional and Non-Traditional Livelihoods Sub-component 3 (b): Capacity Building of Community-Based Organizations for Livelihoods	Support the development and expansion of traditional and non-traditional livelihoods of the poor and vulnerable households to build productive assets and incomes	-Map existing productive livelihoods including agricultural, agro-pastoral and pastoral -Mobilize communities -Support the formation of producer and/or livelihood collectives to achieve efficiencies of scale for accessing both input and outputs markets -Forge private sector linkages working closely with the IFC -Map potential livelihoods with a focus on resource and market availability -Provide technical assistance to communities either through training of implementing agency staff, county and sub-county staff, and/or private sector partnerships -Enhance skills for jobs and employment based on market needs and skills gap assessment with a focus on women and youth
4.	Project Management, and Monitoring and Evaluation	Finance the planning, implementation, and technical oversight of program activities; and effective social and environmental safeguards management, financial management, and procurement	-Support strategic communication, monitoring and evaluation (M&E) arrangements including Management Information System (MIS) -Conduct independent process monitoring, and outcome/impact evaluations at midterm and end of project -Support measures for enhanced transparency and accountability -Develop learning on policy and practice of forced displacement
5.	Support to return areas in Somalia	Support IGAD and the existing Regional Secretariat for Forced Displacement and Mixed Migration (FDMM) to channel capacity and systems support to the federal, regional, and municipality-level administrations of Somalia to adopt a development approach that is displacement sensitive, and to coordinate interventions better in return areas	Comprehensive displacement-sensitive government-led development supports refugee returnees, IDPs, and host and return communities in Somalia

1.4 Objectives of the Social Assessment (SA)

11. The SA aimed at understanding the key social and livelihood characteristics of the host population to be targeted by the project and assessing the impact of the proposed interventions on the more vulnerable and disadvantaged groups in the sub-counties hosting the refugees. It also seeks to understand the likely future livelihoods and settlement patterns of the communities once the refugees leave. The assessment was conducted in Dadaab and Fafi sub-counties in Garissa County and Wajir South in Wajir County, and Turkana West sub-county in Turkana County. The assessment identified the key stakeholder groups in the project area and

addressed the following: (i) their socio-economic characteristics, settlement patterns and relationships; (ii) how relationships between stakeholder groups will affect or be affected by the Project; and (iii) the expected social development outcomes and actions proposed to achieve those outcomes.

1.5 Methods

12. The assessment was undertaken by use of two approaches: (i) literature and documentary reviews; and (ii) primary data collection. The documents reviewed included the Refugee Act, 2006; Kenya Demographic and Health Survey (KDHS), 2014; Forced Displacement and Mixed Migration in the Horn of Africa Report by the World Bank; County Integrated Development Plans (CIDPs) and Sector-Wide Plans (SWAPs); the Economic Survey (2016); Vision 2030 Development Strategy for Northern Kenya and other Arid Lands; Project Information Document/Integrated Safeguards Data Sheet (PID/ISDS); KRDRIP PAD (2016); and OP 4.10 – Indigenous Peoples' Operational Manual, World Bank.

13. Public consultations were held with key stakeholders during the SA conducted between December 06 and 23, 2016. Visits were made to four of the five target sub-counties: Dadaab; Fafi; Turkana West; and Wajir South.[3] A total of 69 in-depth interviews (IDIs) and 18 focus group discussions (FGDs) were conducted as part of the SA. A public disclosure workshop will be held in Nairobi and the issues raised and consensus reached will be documented (refer to Annex 1, 2 and 3 for the IDI guide, FGD guide and list of people met).

14. Discussions on the SA were held with World Bank relevant staff as part of the consultations. Direct consultations with groups working with host communities and development agencies supporting refugees and host communities were also held. Additional discussions were held through telephone interviews and in pre-arranged meetings in Nairobi. Issues discussed on VMGs/IPs included the understanding of who they are, their location, and their participation in development activities. All the SA participants were asked to provide suggestions on how best to ensure that the VMGs/IPs actively participate in and benefit from the project.

15. The county officials were informed, through the UNCHR and the World Bank, of the intended KDRDIP and SA through the previous consultations and visits held by the KDRDIP development team led by the Task Team Leaders (TTLs). County officers were informed that the project would be focusing on host communities for the purpose of sensitizing the local leaders, mobilization and participation in the community consultations. The sub-county officers were asked to help mobilize local enumerators and identity key informants that would be involved in the discussions. At the sub-county level, the SA team worked through the local leadership to organize the FGDs.

16. The consultative meetings were conducted following the process of free, prior and informed consultation. Separate meetings were held for youth, adults (in separate gender groups) and community leaders in each of the sub-counties and selected communities in accordance with OP 4.10. The respective community mobilizers, in coordination with local leaders, invited participants after being briefed on the criteria and category of informants to be interviewed. Consultation venues were identified by local representatives in places such as

[3]It should be noted that due to time and logistical difficulties the SA team was not able to conduct consultations in Lagdera sub-county.

schools, community halls and open fields which the community members felt were appropriate for such discussions. The main language used to moderate the consultations was the dominant local language (Turkana and Somali, respectively) and Kiswahili was used by the SA team members. Local culture and etiquette were observed and respected in each of the sites.

17. Primary data collection entailed visits to Turkana West, Dadaab, Fafi and South Wajir sub-counties where the assessment team conducted focus group discussions (FGDs) and in-depth interviews (IDIs) (IDI and FGD Guides are presented I Annex 1 and 2 respectively). In Dadaab, the team conducted 6 FGDs and 31 IDIs. In Turkana-West sub-county, 21 FGDs and 29 IDIs were conducted. The FGDs involved groups of adult men and women, male and female youth (in gender-disaggregated groups). The IDIs engaged county, community and opinion leaders and host community members. The team also interviewed the MPs from the five sub-counties, Governors and/or their representatives and key decision makers at the county level (Annex 3 provides a list of people involved in IDIs).[4] Table 3 presents a summary of the key issues addressed through the FGDs and IDIs.

Table 3: Key issues addressed in FGDs and IDIs

Key issue	**Areas of discussion**
Community structure	Ethnicity/clannism, household and leadership structures, gender relations, and youth affairs
Community involvement in development projects	Type of engagement, strengths, weaknesses, challenges and recommendations
Vulnerable and marginalized groups	Composition, structure, and access to targeted services. Suggestions were sought on how to actively engage them in Project activities
Grievance and complaints redress mechanisms	Existing mechanisms, main complaints and grievances, and recommendations on effective CGRMs
Hosts and refugee relations	Relationship between hosts and refugees, effects of refugees settlement, impact of refugee repatriation, and way forward for Kenyans registered as refugees

18. The FGDs were conducted in the dominant local languages in the five sub-counties (Turkana and Somali) by local enumerators. The discussions were tape-recorded, transcribed and translated into English. The data have been analyzed manually based on the assessment themes. Where possible, quotes have been used to give voice to the assessment participants.

[4]There were some participants who were interviewed by the SA team that did not sign an interview sheet. These have been listed in Annex 3 while for those participants that signed forms, copies of the signed forms have been attached to this report.

A focus group discussion in Darfur village, Wajir South. Source: AIHD

2.0 LEGAL AND ADMINISTRATIVE FRAMEWORKS

2.1 Administrative framework

19. The two-tier devolved system of governance set out in chapter eleven of the CoK (2010) establishes the national government and 47 county governments as distinct governance entities. The county governments comprise of County Executive Committees (CECs) and County Assemblies. Each CEC comprises of the County Governor, the Deputy County Governor and other members, not exceeding ten, appointed by the County Governor, with the approval of the County Assembly. The County Assembly, which is the legislative arm of the county government, consists of ward representatives and other members nominated by political parties in proportions that ensure gender balance and representation of marginalized groups. The County Assembly is headed by a Speaker, who is elected by the County Assembly from among persons who are not members of the County Assembly.

20. The functions of the County Assembly include: (i) approval of plans and policies and enacting laws that are necessary for the governance of the counties;(ii) exercise oversight over the CEC; and (iii) ensuring that the interests of the voters are well represented in the County Government. The CECs, on the other hand, are responsible for the implementation of policies and laws approved by the County Assembly, as well as the management and coordination of the county administration and departments. The county administration and departments are in-charge of the day-to-day operations of the County Government, and are supervised by the CECs.

21. Although the county governments are substantially outside the direct control of the national government, they are subject to national policies and laws approved by Parliament. The line ministries and departments of the national government have no supervisory powers over the county governments. Of the three arms of the national government – the Parliament, the National Executive and the Judiciary, Parliament and the Judiciary have some oversight and/or arbitration responsibility over the county governments.

22. The national government is assigned the responsibility over the national policy relating to agricultural, health, land, planning, education policy and standards, and housing services (seen Annex 4 for a full list of national and county governments). Of relevance to the proposed investment, the County governments are responsible for:

i. Agriculture, including crop and animal husbandry; livestock sale yards; county abattoirs; plant and animal disease control and fisheries;
ii. County health services, including, in particular county health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, veterinary services (excluding regulation of the profession), and refuse removal, refuse dumps and solid waste disposal;
iii. County transport, including county roads and street lighting;
iv. Trade development and regulation, including markets; trade licenses (excluding regulation of professions); fair trading practices, local tourism; and cooperative societies;
v. County planning and development, including statistics; land survey and mapping; boundaries and fencing; housing; and electricity and gas reticulation and energy regulation;

vi. Pre-primary education, village polytechnics, home craft centers and childcare facilities;
vii. Implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry;
viii. County public works and services, including storm water management systems in built-up areas; and water and sanitation services; and
ix. Ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

22. The enumerated County responsibilities indicate that for most of the proposed interventions, the county governments will be key not only in facilitating the implementation but also in providing human and other resources necessary for the project to succeed. Land is an important component of any investment and it is clear from this schedule that community land is held in trust by the county governments, so any allocation of land will need to be done in conjunction with both national and county government representatives.

2.2 Legal framework governing the hosting of refugees in Kenya

23. The authority to deal with matters relating to refugee management is under the national government. Consequently, despite the fact that counties host refugees, the counties do not have the authority or the budget to directly participate in any aspect of the refugee management process (Refugee Consortium of Kenya, *supra* note 13 at 77). This is despite the fact that the counties are expected to allocate community land for establishing refugee camps and other amenities (Garlick *et al*, *supra* note 14, at 86).

24. Kenya is a signatory to many international treaties applicable to individuals seeking asylum and protection. For instance, the country acceded to the 1951 United Nations Convention relating to the Status of Refugees on May 16, 1966, and its 1967 Protocol in 1981 (UNHCR, 2014). Kenya is also party to the 1969 African Union (AU) Convention Governing the Specific Aspects of Refugee Problems in Africa, signed in September 1969 and ratified in June 1992 (African Commission on Human and People's Rights). In addition, the country acceded to the 1984 Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment in February 1997 (Status: Kenya, United Nations Treaty Collection). Recently, Kenya put in place a national legal framework governing refugee matters and assumed partial responsibility for the Refugee Status Determination (RSD) process. This was done through enacting the Refugees Act in 2006, which took effect in 2007, and its subsidiary legislation, the Refugees Regulations in 2009 (Pavanello *et al*, 2010).

25. The Refugee Act (2006) established the Department of Refugee Affairs (DRA), whose responsibilities include receiving and processing applications for refugee status. The DRA assumed some RSD functions in 2014, mainly the endorsement of RSD made by the United Nations High Commissioner for Refugees (UNHCR) and issuance of notifications of recognition to refugees that meet the required criteria under the Refugees Act (Garlick *et al*, 2015). The Act recognizes two classes of refugees: (i) statutory refugee which applies to a person who has *"a well-founded fear of being persecuted for reasons of race, religion, sex, nationality, membership of a particular social group or political opinion*"; and (ii) *prima facie* refugee which relates to a person who, *"owing to external aggression, occupation, foreign domination or events seriously disturbing public order in any part or whole of his country of*

origin or nationality is compelled to leave his place of habitual residence." Under the Act, asylum is *"shelter and protection granted by the Government to persons qualifying for refugee status,"* while an asylum seeker is *"a person seeking refugee status."*

26. The Act allows the DRA to withdraw the refugee status of any person if it has *"reasonable grounds for believing"* that the person has ceased to be a refugee or should not have been recognized as such in the first place. This may occur if the person was ineligible for the status or the status was granted *"erroneously as a result of misrepresentation or concealment of facts that were material to the refugee status determination."* In addition, the DRA is authorized to withdraw the refugee status of any person if it has reasonable grounds to believe that the person is a danger to national security or to any community in the country.

27. In 2013, Kenya, Somalia, and the UNHCR signed an agreement to repatriate Somali refugees in the country. One of the provisions of the agreement requires that the repatriation be voluntary.[5] However, a 2014 survey found that only 2.9% of Somali refugees in the Dadaab complex had expressed interest in returning to Somalia within two years (UNHCR and IOM, *supra* note 5, at 9). There are indications that the national government has sought (more than once) to forcibly repatriate Somali refugees and asylum seekers to Somalia in possible violation of the Act and its agreement with Somalia and the UNHCR.

28. Recent terrorist attacks are seen to have led to drastic changes to the asylum and refugee policy in the country. A key change was the announcement of an encampment policy. Until recently, Kenya allowed refugees and asylum seekers to live in urban areas, a policy that received official endorsement when, in 2011, the government began registering refugees in urban centers (Nairobi, Malindi, Mombasa, and Nakuru) and issuing them refugee certificates (Refugee Consortium in Kenya, supra note 13, at 77). However, following a series of terrorist attacks in urban locations, the DRA announced an encampment policy at the end of 2012, requiring all refugees and asylum seekers in cities to relocate to refugee camps (Garlick *et al*, *supra* note 14). This triggered a legal challenge before the Kenya High Court in Nairobi. In a ruling issued in July 2013, the Court held that the government announcement was, among other things, a violation of the constitutional right of movement and the principle of non-refoulement enshrined in the Refugees Act of 2006.

29. In December 2014, Kenya made key amendments to the Refugees Act of 2006. A key provision in the 2014 amendment sought to make permanent the encampment policy, stating that *"[e]very person who has applied for recognition of his status as a refugee and every member of his family shall remain in the designated refugee camp until the processing of their status is concluded"* (Security Laws Amendment, 2014). Another provision states that "[e]very refugee and asylum seeker shall…. not leave the designated refugee camp without the permission of the Refugee Camp Officer." However, the most notable provision in the 2014 amendment was one that sought to dramatically reduce the number of refugees and asylum seekers in the country, potentially through forced repatriation. It states as follows: *"The number of refugees and asylum seekers permitted to stay in Kenya shall not exceed one hundred and fifty thousand persons; the National Assembly may vary the number of refugees or asylum seekers permitted to be in Kenya; where the National Assembly varies the number of refugees*

[5]Tripartite Agreement Between the Government of the Republic of Kenya, the Government of the Federal Republic of Somalia and the United Nations High Commissioner for Refugees Governing the Voluntary Repatriation of Somali Refugees in Kenya, 2013 (Nov. 10, 2013), available on the European Council on Refugees and Exiles (ECRE) website, *at* http://www.ecre.org/index.php?option=com_downloads&id=817, *archived at* https://perma.cc/5EVJ-P29P.

or asylum seekers in Kenya, such a variation shall be applicable for a period not exceeding six months only; and the National Assembly may review the period of variation for a further six months.

30. It is notable that soon after the deadly attacks at Garissa University on April 2, 2015 by the Somalia-based terrorist group Al Shabaab, which claimed close to 150 lives, the national government announced the immediate proposed closure of Dadaab refugee complex and the repatriation of its residents, most of whom are Somali, back to Somalia (Hanrahan, 2015). Kenya reportedly retracted its plans following pressure from the international community, including the United States of America (Cauderwood, 2015).[6]

2.3 Vulnerable and marginalized groups and indigenous peoples

31. The CoK (2010) recognizes minorities and marginalized communities established through historical processes, with specific reference to indigenous peoples. The definition of marginalized groups, being broad, encompasses most of the groups that identify themselves as indigenous peoples.[7] Article 259 of the CoK states: *"marginalized group" means a group of people who, because of laws or practices before, on, or after the effective date, were or are disadvantaged by discrimination on one or more of the grounds in Article 27 (4),* which states that *'The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth*.'

32. The definition of marginalized groups recognizes communities that are disadvantaged due to unfair discrimination on one or more prohibited grounds or a community which by reason of its relatively small population or otherwise, has been unable to fully develop its internal structures or resources to allow it to participate in the integrated social and economic life of Kenya as whole. It also encompasses traditional communities which, out of the need or the desire to preserve their unique culture and identity from assimilation have remained outside the integrated social and economic life of Kenya as whole, or indigenous communities that have retained lifestyles and livelihoods based on a hunter or gatherer economy or pastoral persons or communities, whether they are nomadic or a settled community. The recognition of minorities and marginalized people is expected to contribute to the preservation of their identities and enable them to interact at the same level with other groups, including in relation to participation in political life as well as development matters.

33. The CoK (2010), under Article 43 guarantees the right of every person to economic, social and cultural rights. The Constitution affirms fundamental national principles and values of unity, participation of the people, equality, equity, inclusiveness, non-discrimination and protection of the marginalized and vulnerable people. It also protects the cultural foundations and expression of the Kenyan people as an integral part of the right to self-determination. The principle of non-discrimination runs throughout the Constitution as a further affirmation of the country's commitment to recognize and protect the diversity of the people of Kenya and their right to self-determination as equal members of the Kenyan population. To this end, the GoK commits to promoting respect for all cultures, ethnicities, races, gender, political opinions and religious beliefs.

[6]There was an attack on the Kenya Defense Force (KDF) in Somalia on January 27, 2017. The Government's response to this attack remains to be seen.

[7]Kenya, however, abstained from the vote when the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) which was adopted by the UN General Assembly in 2007.

34. Article 44 of the Constitution of Kenya recognizes that a person belonging to a cultural or linguistic community has the right, with other members of that community, to enjoy the person's culture and use the person's language; or to form, join and maintain cultural and linguistic associations and other organs of civil society. The post-colonial Kenyan state had pursued a policy of assimilation and integration of numerically smaller tribes into some dominant ones, which the CoK 2010 endeavored to change. Minority ethnic groups in Kenya include but are not limited to the Dorobo, Endorois, Elmolo, Malakote, Ogiek, Sanye and Waata. These groups are found in different parts of the country where they have continued to practice a traditional way of life in the form of livelihood, education, health and clothing, among other aspects.

35. The lack of legal recognition that existed before enactment of the CoK of some of the indigenous/marginalized peoples and the exclusion of others for their refusal to assimilate, integrate and adopt modern ways of living hampered greatly the realization of these communities' fundamental human rights and freedoms. In addition, according to reports by the government and non-governmental organizations (NGOs), the marginalized groups tend to inhabit some of the poorest parts of the country which include the Turkana in North Eastern region, the Miji Kenda and Sanye in Coast region, the Burji in Eastern region, and the Maasai and Ogiek in Rift Valley region.[8]

36. Kenya's Constitution protects the rights of minorities in three ways: (i) making substantive provisions to address specific concerns of these communities; (ii) mainstreaming concerns of minorities into institutions of governance including political parties, county and sub-county leadership; (iii) creating institutions and mechanisms that, if effectively implemented, could empower minorities and marginalized groups. It has also provided a rich and complex array of civil and political rights, social-economic rights and group rights as illustrated above.

2.4 World Bank safeguard policies

37. The WB's environmental and social safeguard policies are a cornerstone of its support to sustainable poverty reduction. The objective of these policies is to prevent and mitigate undue harm to people and their environment in the development process. These policies provide guidelines for the Bank and borrower staffs in the identification, preparation, and implementation of programs and projects. The Bank believes that the effectiveness and development impacts of projects and programs it supports have substantially increased as a result of attention to these policies. Safeguard policies also provide a platform for the participation of stakeholders in project design and have been an important instrument for building a sense of ownership among local populations. In essence, the safeguards ensure that environmental and social issues are evaluated in decision-making, help reduce and manage the risks associated with a project or program, and provide a mechanism for consultation and disclosure of information.

38. The World Bank safeguard policy OP/BP 4.10 is triggered by the proposed project because the pool of pre-identified potential interventions in the 5 sub-counties includes areas where indigenous peoples are present. Furthermore, the social and economic investments and livelihood interventions are intended to expand access to education, health, water and

[8]Poverty maps, produced by the Central Bureau of Statistics in conjunction with the Ministry of Planning and National Development.

infrastructural services for poor and disadvantages host community members, including indigenous people. The implementation of the proposed interventions will be undertaken through transparent and accountable selection criteria that will be guided by robust community-validation processes. These processes will also benefit from C&G redress mechanisms, which will greatly contribute to ensuring that the poor, vulnerable and marginalized groups are an integral part of the Project.

39. The WB definition of indigenous people in OP4.10 refers to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (a) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to natural resources in these habitats and territories; customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and an indigenous language, often different from the official language of the country or region.

40. It is arguable that the Somali and Turkana fit the OP4.10 criteria, however, due to devolution, certain Turkana and Somali clans and sub-clans are both the dominant grouping within their counties. Moreover, as a result of urbanization, the identities and cultures of many are no longer 'inextricably linked to the lands in which they live and the natural resources on which they depend'. Consequently, it could be argued that that only those who lead a traditional lifestyle would fit the criteria, which in these areas are mainly nomadic pastoralists (which are explicitly recognized in the new Bank standards alongside 'sub-Saharan African underserved traditional local communities') and those who reside in remote parts of the respective counties.

41. It is a requirement of the OP/BP 4.10 to undertake a SA to evaluate the project's potential positive and adverse effects on the Indigenous Peoples, and to examine project alternatives where adverse effects may be significant. The SA is a means to engage FPIC with target communities and to assess whether these communities will provide their broad support to the project.

3.0 SOCIO-ECONOMIC INFORMATION ON THE FIVE SUB-COUNTIES

42. The refugee camps in Kakuma and Dadaab are located in relatively underdeveloped parts of Kenya. These areas are characterized by precarious socioeconomic situations that include food insecurity, limited access to basic social services and economic infrastructure and poor livelihood opportunities. The areas have degraded natural resource base and the hosts have significant dependence on the refugee camps for social services and economic opportunities. Women and girls in the two areas are at risk of GBV and other limitations due to their poor relative stature in their communities. This section describes the key socio-economic status the three counties - Garissa, Turkana and Wajir, and the five sub-counties targeted by the Project: Dadaab; Fafi; Lagdera; South Wajir; and Turkana West (see Annex 5 on socio-economic indicators for the three counties).

3.1 UNHCR's involvement

43. The Dadaab camps and humanitarian compounds are spread across four different constituencies: Wajir South Constituency (Wajir County) and Lagdera, Dadaab and Fafi Constituencies (all Garissa County); Kambioos, Hagadera and the UNHCR Alinjugur Field Office/Compound are located in Fafi Constituency; the UNHCR Dadaab Office/Compound is located in Dadaab constituency whereas Ifo 1, Ifo 2 and Dagahaley camps are in Lagdera Constituency. UNHCR's assistance is benefiting a host community population of 60,390 in Dadaab, 137,600 in Fafi and 130,070 in Wajir South. It's partners for host community peaceful coexistence projects are three local community-based organizations (CBOs), namely Fafi Integrated Development Association (FAIDA), Relief, Reconstruction and Development Organization (RRDO) and Pastoralist Initiative for Development and Advocacy (PIDAD) which cover Fafi, Lagdera/Dadaab and Wajir South sub-counties, respectively. These organizations also have a limited scope of activities in the refugee camps.

44. The Kakuma camps and humanitarian compounds are located within Turkana West sub-county, which is also the Turkana West Constituency. Kakuma I-IV are located within Kakuma ward while the new integrated camp, Kalobeyei is located within Kalobeyei ward. It is notable that the Kakuma camps are not as spread out as those in Dadaab. Although the refugee population was 154,947[9] at the time of the SA, UNHCR was receiving about 400 refugees from South Sudan on a daily basis. Data from the Refugee Affairs Secretariat (RAS) shows that the total camp population as at 16th January 2017 stands at 156,176. There are several organizations supported by the UNHCR and other agencies to intervene in host communities. These include Lokichoggio Peace Organization (LOPEO) and Lotus Kenya Action for Development Organization (LOKADO) (see Box 1 on LOKADO).

[9]Source: Kakuma Refugee Camp, Status Report as at 31 December 2016: http://reliefweb.int/sites/reliefweb.int/files/resources/RAS%20(REFUGEE%20AFFAIRS%20SECRETARIAT)%20KAKUMA%20CAMP%20STATISTICS%20Factsheet_REPORT%20As%20of%2031st%20December%202016%20and%20As%20at%2016th%20JANUARY%202017-%20for%20Kakuma%20CAMP%20,TURKANA%20COUNTY.pdf

Box 1: Brief summary on LOKADO's engagement in development activities in Turkana West
The organization was established in 2003 with a focus on peace building and conflict mitigation, cross-border issues and in the camp. Currently it works on three main areas.
(i) *Energy and environment:* procure dead dry firewood which is distributed to refugees. It is also involved in the production of energy efficient cook stoves. Tenders are issued for 3000 bundles of wood, split into two – for gatherers and transporters. It has established 14 harvesting locations for firewood. Women and youth groups have been encouraged to provide services. Tenders are issued and are reviewed by all the key stakeholders. To facilitate this process the organization has trained 900 social auditors – 30 people per ward.
(ii) *Environment:* establish nurseries for seedlings of indigenous trees and exotic breeds. There are currently 4 nurseries in the camps (3 with high yield) and 3 in host communities. Refugees and hosts are employed as nursery attendants. Norwegian Refugee Council (NRC) supplies the water for the seedlings. LOKADO is managing more than 30 green belts with the main aim of increasing forest cover in the county. There is also an intervention to preserve the natural green belt, work that is supervised by Resource Utilization Monitors. At the time of the SA, 10 acres of land had already been planted with trees after consultation with the communities. Efforts have been made in teaching the refugee communities on how to manage mature but destructive trees (by pruning).
(iii) *Livelihoods:* established Community Managed Disaster Risk Reduction - 8 groups have been formed with an average of 35 members per group. Community Action Plans have been developed and are then presented with a basket of options to prioritize. Communities are currently producing paw paws, water melons among other products. The key challenge is that water levels have gone down.
In the past animals, used to be stolen and sold in the refugee camp. LOKADO has supported the construction of a sale yard which requires that chief to write a note confirming the ownership of each animal on sale.
The key challenges for LOKADO's engagement include: (i) high demands from the host communities; (ii) poor infrastructure for education; (iii) although health has been devolved but the focus is on salaries; (iv) Poor communication networks; and poor access to water.

3.2 Wajir County and South Wajir Sub-County

45. Wajir County is located in the north-eastern region of Kenya and is a featureless plain covering an area of 61,650.8 km^2. It borders the Republics of Somalia to the east and Ethiopia to the north, Counties of Mandera to the north east, Isiolo to the south west, Marsabit to the west and Garissa to the south. The county has its headquarters in Wajir town. Administratively, the County constitutes eight sub-counties: Wajir East; Tarbaj; Eldas; Wajir West; Habaswein; Wajir South; Wajir North and Buna. These are further subdivided into 28 divisions, 128 locations and 159 sub-locations. It has six parliamentary constituencies: Wajir South; Wajir North; Wajir East; Tarbaj; Wajir West; and Eldas.

46. According to the Kenya Population and Housing Census of 2009, the County had a total human population of 661,945 persons of whom 55% were male. This population is projected to increase to 800,576 in 2015 and 852,963 in 2017. The population density is relatively low at 12 persons per km^2. The Kenya Integrated Household and Budget Survey (KIHBS, 2005/06) estimated that a few farmers are engaged in crop farming but76.4% of the households own livestock compared to 66% for the entire country. According to the 2009 census, 196,322 people in rural and 14,031 in urban areas who were estimated to be above fifteen years of age were employed. This accounts for 32% of the total population. The agricultural sector (mainly livestock keeping) accounts for 85% of household income with 284,265 people engaged.

47. The entire county is categorized as trust land apart from a small percentage of the total area occupied by townships. The land is mostly used communally for nomadic pastoralism. The mean household land holding size for the county is approximately 7.8 hectares. Pastoralism is the main economic activity where majority of the households' own livestock (KIHBS, 2005/06). Based on the 2009 census, there were 794,552 cattle, 1,406,883 sheep, 1,866,226 goats, 432,540 camels, 115,503 donkeys, and 162,247 chicken.

48. There are some areas which are exclusively under small-scale crop agriculture practiced by individuals or groups. These areas include the Lorian swamp and along the drainage lines in Bute Ward in Wajir North Constituency. There also exist initiatives by NGOs and the State Department of Agriculture to promote greenhouse farming in Wajir East Constituency.

3.2.1 Wajir South Sub-County

49. The sub-county is located in the North-West horn of Kenya bordered by Somalia republic to the east, Wajir West sub-county to the West, Lagdera sub-county to the south and Wajir East sub-county to the North.

50. The sub-county was in 2010 subdivided into Habaswein and Wajir South districts, although the larger Wajir South administratively consists of 5 divisions including Habaswein, Sabuli, Banane, Kulaaley and Diif. The sub-county population is currently estimated at 137, 991 persons with a growth rate of 3.7%. Within the five divisions, there are a total of 16 government health facilities including Habaswein sub-county hospital.

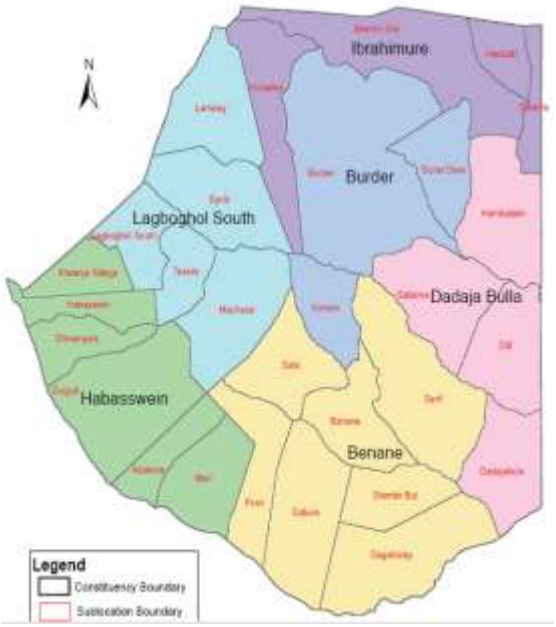


Figure 2: Wajir South Sub-County Map

51. Rainfall in the sub-county is unpredictable, erratic and inadequate amounting to 250-300 mm annually on average and the sub-county experiences an annual evapo-transpiration rate of 2500mm. It is also characterized by long dry spells and short rainy seasons which are erratic, unreliable and poorly distributed. Temperatures in the sub-county are normally high ranging between 28-40°C. Soils are mainly sandy and sandy loams. The sub-county is characterized by chronic food insecurity and high rates of malnutrition.

52. The community is largely pastoralist and pre-dominantly Somali. About 60-70% of the people depend largely on livestock for their livelihood. The main form of land use is nomadic pastoralism which is the most efficient method of exploiting the range lands. The sub-county consists largely of a featureless plain. There are three swamps namely Boji, Lagbogol and Lorian all of which are found in Habaswein division. The area receives bimodal rains with the onset of the long rains in April-May and short rains fall from October to December. The months succeeding the long rains, June to September, are very dry but vegetation continues to thrive because the lower temperatures reduce the rate of evaporation. The annual precipitation is about 280mm which varies in amount and distribution from year to year. The area's climatic

condition is characterized by recurrent droughts and unreliable rainfall that hinders crop production and growth of pasture for livestock keeping. These cyclic shocks have retarded development in the area since gains of a particular season are wiped out by drought and famine (Wajir County Government, 2013).

53. Malnutrition rates have been categorized as chronic with emergency levels at 17.2% based during the month of December 2015 (NDMA, 2015). These high rates of malnutrition can be attributed to poor health conditions, sub-optimal maternal and child feeding and care practices and food insecurity. These shocks are compounded by high rates of poverty and illiteracy, marginalization, recurrent environmental shocks (floods and droughts) and displaced populations, which add further strain to already weak health systems and communities (NDMA, 2015).

54. According to a study conducted by Kenya National Bureau of Statistics (KNBS) in collaboration with Society for International Development (SID) in 2014, Wajir South constituency has the highest share of residents using improved sanitation at 12% in Wajir County. This is four times that of Eldas constituency, which has the lowest share using improved sanitation. Wajir South constituency is 5 percentage points above the county average. Habaswein ward has the highest share of residents using improved sanitation at 32%. The five most prevalent diseases in Wajir are malaria 54.8%, flu 7.2%, diarrhea 5.8%, respiratory diseases 5.2%, and stomach-ache 4.8 According to the First County Government Integrated Plan of 2013, literacy rate stood at 23.8%, of these, 79.3% are *male* and 20.7% *female*.

3.3 Turkana County and Turkana West Sub-County

55. Turkana County is administratively divided into 6 sub-counties: Turkana Central; Turkana North; Turkana South; Turkana East; Turkana West and Loima, 17 divisions, 56 locations that are further sub-divided into 156 sub-locations. Turkana County is the largest County in Kenya with a surface area of 68,680 km² (excluding Lake Turkana). The county is bordered by Uganda to the west, South Sudan to the north, Ethiopia to the north east, West Pokot County to the south, Baringo and Samburu counties to the east. Marsabit County is located to the eastern shore of Lake Turkana directly opposite Turkana County. Lodwar town is the County headquarters which hosts most of the administrative offices.

56. According to the Kenya Population and Housing Census 2009, the county population was 855,399 (52% males and 48% females). The population was projected to increase to 1,036,589 in 2012 and 1,427,808 in 2017.The mean household land holding size in the county is two acres. Land is communally owned and incidences of landlessness are rare. No land is titled although three people have certificates of title for the land they have acquired and owned (Turkana County Government, 2013).

57. The main agricultural activities practiced in the County include livestock farming, fishing and subsistence food crop farming through irrigation. Some of the irrigation schemes include Kekarongole, Katilu and Kabulokor. Maize, sorghum, millet, cowpeas, oranges, tomatoes and capsicum are the main food crops produced. Other economic activities include trade, weaving, tourism and mining. The discovery of a water aquifer in the northern part of the county means potential future increased reliance on irrigation (Turkana County Government, 2013). In addition, oil exploration has raised the prospects that poverty will soon be addressed through oil wealth none are showing much prospect as Lokitipi aquifer is largely saline and benefit sharing from oil wealth is low.

58. 58. The main value chains promoted by the County leadership include goat, cattle and camel meat and milk, hides and skins, fish, gum Arabic and poultry. Lomidat co-operative society provides slaughterhouses, sale yards, holding grounds and abattoirs, which have been established to facilitate sale of animals and meat processing while Turkana fishermen co-operative society deals with fish value addition, although the fish sticks have rapidly depleted.

3.3.1 Turkana West Sub-County

59. Turkana West is the most populated sub-county because of the refugee camp in Kakuma, with a population of 207,080 (Census 2009) covering a land area of 15,444.80 km^2. It has 7 County Assembly wards - Kakuma, Lopur, Letea, Songot, Kalobeyei, Lokichogio and Nanaam.

60. According to the KDHS 2008/09, the sub-county's health and development indicators are amongst the worst globally with 84% of the population living below the poverty line. Over 80% of the population are nomadic pastoralists who depend on livestock as their main source of livelihood. Turkana West pastoralist population is significantly underserved with health services and is out of reach of mainstream services and resources.

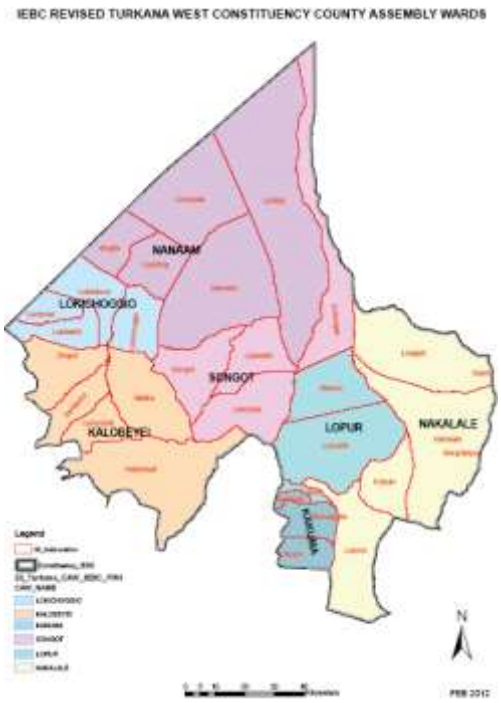


Fig. 3: Turkana West Sub-County Map

61. The Government is the main funder of health activities in the sub-county through the county government of Turkana (44%), the Health Systems Strengthening Fund (HSSF) (26%), while the CSOs contribute (14.6%) of the sub-county health funding. A majority (59%) of the health workforce within the sub-county are hired by CSOs while the county government accounts for 38% of the total sub-county workforce. It is noteworthy that the County is likely to face critical shortage of staff to support health facilities if and when CSOs projects terminate and/or if the camps close (Maina *et al*, 2016).

3.4 Garissa County, Dadaab, Fafi and Lagdera Sub-Counties

62. Garissa County is one of the three counties in the North Eastern region of Kenya. It covers an area of 44,174Km^2. It borders the Republic of Somalia to the east, Lamu County to the south, Tana River County to the west, Isiolo County to the North West and Wajir County to the North. The County has seven sub-counties - Fafi, Garissa, Ijara, Lagdera, Balambala, Dadaab and Hulugho. The County is further divided into 23 divisions and 83 locations. In terms of parliamentary representation, the County has six constituencies namely Fafi, Garissa Township, Lagdera, Dadaab and Ijara. In addition, it has thirty County Electoral Wards. Garissa has only two towns, Garissa and Masalani, and six urban centers namely: Balambala; Bura East; Dadaab; Modogashe; Nanighi; and Hulugho.

63. The County had a total population of 620,183 consisting of 334,635 males and 285, 548 females as at 2009 (Census, 2009). The population was projected to increase to 785,976 and to 849,457 persons in 2015 and 2017 respectively. Urban population constitutes about 16% of the County's total population. Garissa County has 124,115 children who are below five years old, which constitutes about 17.7% of the total population. There are 191,837 children who are within the primary school going age. Of this, 54.8% are boys while 45.2% are girls. There is a total of 168,456 children who are within the secondary school going age. The secondary school age population for girls is 72,282 since most girls do not proceed to secondary school in the county due to early marriages. The primary school going population age of 10-14 years is high compared to the population of the secondary school going age of 15-19 years. Youth (18-35 years old) population stands at 199,384, constituting about 28.5% of the total population. This is a significant proportion of the population whose needs must be addressed. The elderly population (i.e. 80 years old and above) is low. This is mainly due to low life expectancy rate which stands at 56 years for males and 65 years for females. The dependency ratio in the County stands at 48%.

64. Land is communally owned. It is held in trust for the community by Garissa County Government. Majority of the local communities in the county live in informal settlements. In terms of land use, the County's population is predominantly pastoralists. There are, however, farming activities along Tana River with an average farm size of 1.3 hectares. The farms are owned by individual groups, however, land has not been planned and is characterized by demarcating different sections for different activities. Only 1% of the population own title deeds (Garissa County Government, 2013).

65. Garissa County is basically flat and low lying without hills, valleys and mountains. It rises from a low altitude of 20m to 400m above sea level. The major physical features are seasonal Laghas and the Tana River Basin on the western side. The river Tana has tremendous effect on the climate, settlement patterns and economic activities within the County. Given the arid nature of the County, there is great potential for expansion of agriculture through harnessing of river Tana and Laghas.

3.4.1 Dadaab Sub-County

66. Dadaab sub-county, recently carved from the former Lagdera District, comprises of three divisions - Dadaab, Liboi and Dertu. The sub-county borders Lagdera to the Northwest, Wajir South to the North, Republic of Somalia to the East, Fafi sub-county to the southwest and Garissa to the south. The sub-county covers an area of 6,781km^2 with a total of 3 divisions and 12 locations.

67. The area is low lying with an altitude of about 300m above sea level - most of it is relatively flat in topography, with no high elevation points. The sub-county experiences a dry sub-humid climate and the temperatures are high and range between 20 and 38^{0}C. The mean annual rainfall is 372mm with an average relative humidity of 56.4%. The sub-county receives rain in two seasons, with the long rains falling between March and April and the short rains between October and December. The rainfall is unreliable and unpredictable and at times it is torrential resulting in floods and erosion with negative consequences on the fragile environment and soils.

68. Islam is the dominant religion in Dadaab, while Christianity is largely practiced by non-Somali refugees and workers in the various agencies running development programs in the area. Although the Somali refugee population is comprised mainly of nomadic pastoralists, this population also includes farmers from areas along the Southern Juba River valley, former civil servants, and traders. The presence of the three refugee camps in Dadaab and Fafi sub-counties, which together currently constitute the largest refugee settlement in the world, has major socio-economic and environmental impacts on Dadaab town and on the surrounding areas.

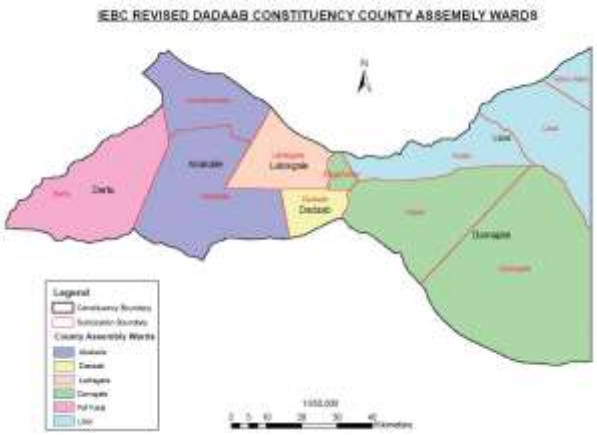


Fig. 4: Dadaab Sub-County Map

69. In Garissa County, Dadaab has the highest share of residents using improved sources of water at 92%. That is 9 times Balambala constituency, which has the lowest share of residents using improved sources of water. Goreale ward, where the refugee camps and agency offices are located, has universal access to improved sources of water at 100%. That is 100 percentage points above Sangailu ward, which has the lowest share using improved sources of water. Goreale ward is 49 percentage points above the County average.

3.4.2 Fafi Sub-County

70. Fafi sub-county borders Ijara, Garissa and Dadaab sub-counties as well as the Republic of Somalia. The sub-county headquarters are in Bura and it has 5 County Assembly Wards namely - Bura, Dekaharia, Jarajila, Fafi, and Nanighi. It has a total population of 392,510. Of the sub-counties in Garissa, Fafi has the lowest population density of 9 persons per square kilometer. This is because of its expansive nature and relatively poor infrastructure. The main source of livelihood in the sub-county is nomadic pastoralism, with cattle, camel and goats being the most common animals reared.

71. The main challenges faced by residents of Fafi sub-county include shortage of water, poor infrastructure, poor telephone network and electricity coverage. Insecurity is a greater concern in this constituency as it threatens the livelihood of the community members and the existence of schools. Drought and famine are common and relief food cannot reach starving populations due to inaccessible roads.

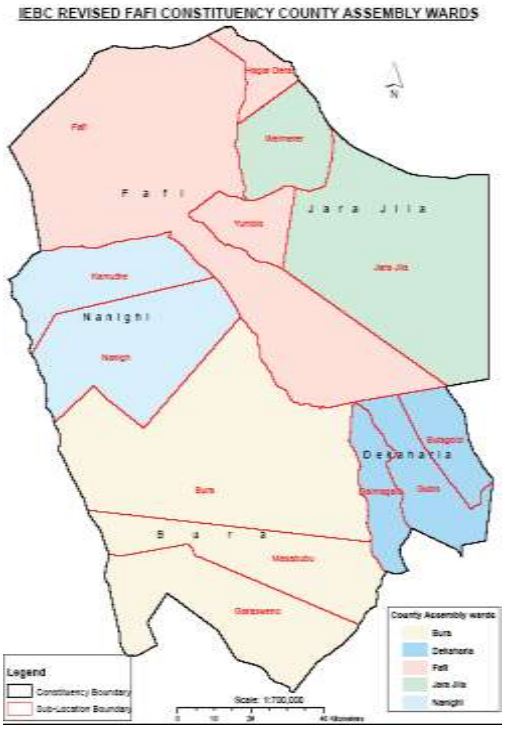


Fig. 5: Fafi Sub-County Map

72. Fafi sub-County suffers from high levels of school dropout and low enrolment which affect retention rates. The sub-county sub-county had an enrolment of 162 girls that make up about 5.5% of the total enrolment of girls in the County.

3.4.3 Lagdera Sub-County10

73. Lagdera borders Township to the South West, Wajir South to the North and shares a border with Isiolo County to the West. It was curved from the Greater Garissa in the run-up to the 2007 general election and has three divisions Shanta Abak, Modogashe and Benane.

74. Lagdera is divided into Modogashe, Eldera, Benane, Tokojo, Goreale, Maalamin, Dihle and Ilan, Garufa and Charon, Afwein and Baraki sub-locations. The headquarters of Lagdera sub-County is Modogashe town. The main economic activity in Lagdera is pastoralism. Lagdera has 41 primary schools and 3 secondary schools. In terms of health the sub-county uses the Dadaab and Madogashe County hospitals. There are also many community, dispensaries and health centers that the community members have access to.

Fig. 6: Lagdera Sub-County Map

75. The SA team has tried to capture information on the social indicators for Garissa, Turkana and Wajir and for the five sub-counties. Notably, it is difficult to get disaggregated data to the sub-county levels a challenge that should be addressed through the data collection processes proposed by the Project. Annex 1 presents indicators that have been collated from various documents. It is envisaged that the Project will facilitate the collection of sub-county specific data on key development indicators.

[10]Due to time and logistical constraints the SA team did not visit Lagdera sub-County for consultations.

4.0 INFORMED CONSULTATION AND MAIN FINDINGS

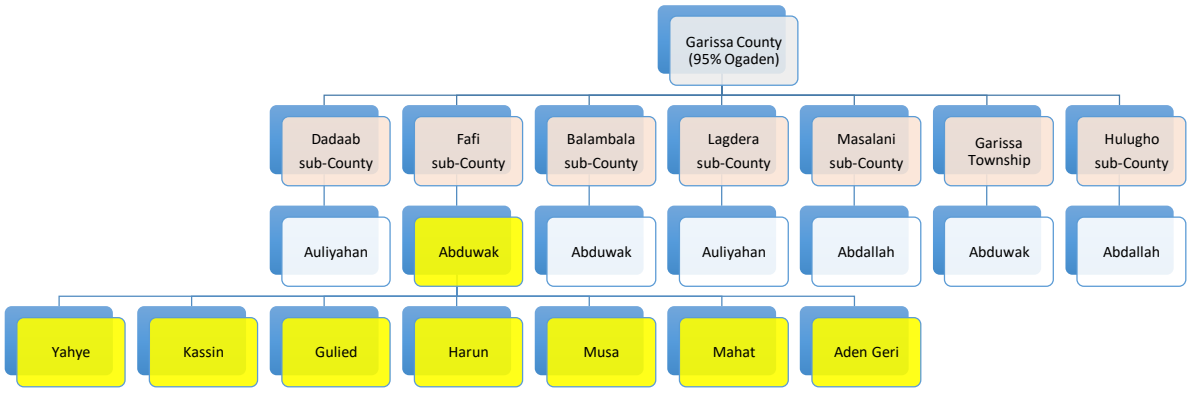
4.1 Livelihoods, ethnicity, household structure and leadership

76. The host communities in Turkana, Garissa and Wajir counties are largely structured around clans, sub-clans and sub-sub-clans/families. In Turkana and Somali traditional communities, elders were entrusted with making decisions on behalf of the general membership on politics, development, interpretation of cultural practices, dispute resolution and general community direction. Land is communally owned in the three counties, which implies that access to this important resource is determined at the community level by the local leaders. It is notable that although there is a Communal Land Act (2015) in Kenya, most of the leaders do not know about its existence and even those that know have not implemented it.

77. In traditional Somali community structure clan politics determine political office leadership and settlement patterns. The predominant clan in both Garissa and Wajir Counties is Ogaden, which accounts for approximately 95% of the population. Ogaden is divided into various sub-clans, including Auliyahan; Abduwak; Abdallah; Makabul; Mohamed Zubeir; Bahgari; and Geri. The main sub-clans in Garissa are Auliyahan, Abduwak and Abdallah while in Wajir they are Makabul, Mohamed Zubeir, Bahgari and Geri. Religious leaders too have a role to play in decisions that affect their communities - Muslims comprise 99% of the population in Garissa and Wajir although it is notable that clan affiliation is of utmost importance. During the consultations in Fafi, there was mention of the Sultan who is involved in making decisions 'under a tree'.

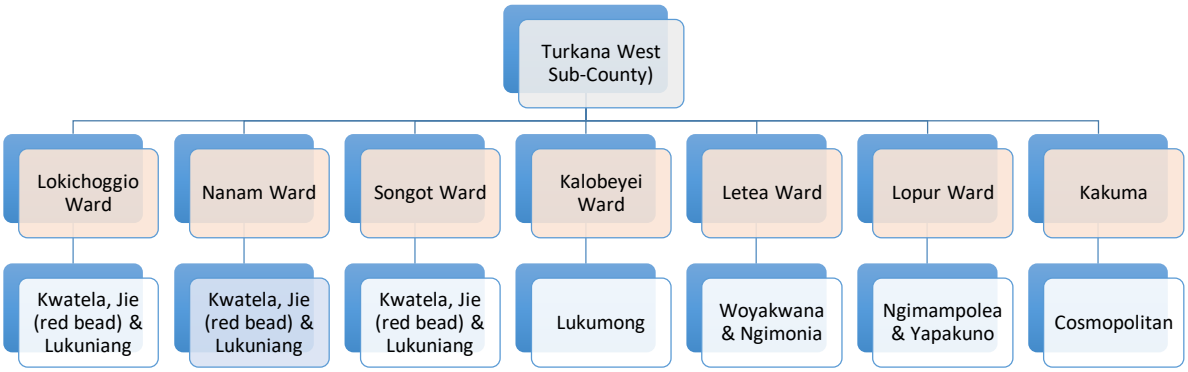
78. The distribution of the sub-clans and sub-sub-clans in the six sub-counties of Garissa is illustrated in Figure 1. The example of the sub-sub-clans under Abduwak is used to show the complexity of the clan system among the Somali.

Figure 7: The distribution of sub-clans in Garissa County



79. The Turkana system is based on 'families' and according to a key informant, the clans are territorial, which is slightly different from the situation among the Somali. It is notable that people in Turkana speak the same language, and what differentiates them are family names. There are 19 *emachars* (families) that have blood relation. Apart from blood relations, age sets are recognized and recognized based on when the individuals were born. Figure 2 presents an illustration of the key groupings in the seven wards of Turkana West sub-County.

Figure 8: The distribution of *Emachars* in Turkana West Sub-County



80. Decision-making among the Turkana historically occurred under the 'Tree of Men'. This is a traditional meeting point exclusively reserved for male elders who are charged with the responsibility of giving direction on important community matters. Before the camp at Kakuma was established, the Turkana male was the face of nomadic pastoralism – leading camels and cattle to pastures anew, while the women gathered wild fruits and led the search for water points, mostly for domestic use. There still remains a semblance of the old socio-cultural decision-making structures revolving around traditional community leaders. The more rural the community, the higher the likelihood of the members relying on traditional elders and the office of the chief to provide direction on important livelihood issues affecting the community. An elder in Kalobeyei recognized the important role the *Ngilukumong* (clan elders) still play in resolving resource-based community conflicts while the Kakuma Ward Administrator decried the increasing neglect of the traditional dispute resolution mechanisms in favor of modern government institutions, such as the courts and the police that are expensive to access and at most confusing for local people.

81. There have, however, been shifts in decision-making from elders to 'elders with money', that is, people with influence. There is an emerging group of older men, who are educated and have money that are increasingly being consulted on all matters affecting community members. This is more evident in Dadaab where 'elders with influence' were identified as the 'to go to people' on community matters. Although the role of both the county and national governments is recognized at the community level, the day-to-day decisions are made by the community elders.

82. The Somali living around Dadaab and the Turkana around Kakuma previously derived their livelihood from nomadic pastoralism before the refugee complexes were established. However, frequent droughts and famines have led to the death of livestock and depletion of grazing fields over time, forcing many families out of nomadic pastoralism and into private small-scale business and trade in animals and animal products. Those who were forced out of pastoralism are generally referred to as *"pastoralist drop-outs"*.

83. The social fabric that characterized the two communities has come under immense strain mainly due to frequent shocks as a result of climate change and economic hardships. It was noted that the local people used to be generous because they had something to give. But currently there is a notion in Somali communities that *'lakagawan is magado'* (two naked people cannot support each other). These shocks have also changed the way in which

households are managed. There were reports of voluntary splitting of families, whereby some members stay in town to access aid and benefit from the presence of the refugees, aid organizations and development agencies in Kakuma while the other family members, mainly young men, go on with pastoral nomadism. A key informant observed that in as much as pastoralism is persistent, its contribution to community well-being is increasingly diminishing.

84. Conflict related to access to resources between sub-clans and sub-sub-clans is fuelling the mushrooming of settlements around Dadaab and the adjacent lands. Once the sub-clans and sub-sub-clans settle in an area they start agitating for services including water, health and education facilities. The County leadership is concerned about this phenomenon, however, since land is communally owned, there is nothing that bars a clan/sub-clan/sub-sub-clan from establishing a new settlement. The key challenge is the inability of the County government to provide the requisite services and/or direct the settlement patterns so as not to interfere with migratory routes. One of the MPs interviewed was of the contrary view that this was a positive trend since pastoralism, in its current form, is untenable given the overall country economy. He opined that: *"People need an education to advance in life and the Somali economy cannot grow with children herding and moving around with animals. The families need to settle somewhere to allow their children to access education."* The emergency of the Darfur village, in Wajir South, was a result of resource-based conflict (see Box 2).

Box 2: Darfur Village, Wajir South Sub-County

The village was established in 2013 and the water borehole installed by the UNHCR in 2014. The water serves many people who pay for its use as a way of contributing to the borehole maintenance (goats – 2.00, camel – 15.00, cattle – 10.00, 20 litre jerricans – 5.00). The village, which has about 100 households, is located at about 50 kms from Habaswein, the Wajir South sub-county headquarters. The village emerged out of conflict between sub-clans. The members who established the village have since been joined by pastoralist drop-outs. The village Chairman referred to the Dagahaley camp as their Nairobi where they get their daily provisions. There are also people in the community registered as refugees. The village has land that has been earmarked for schools, health facilities, markets, NGOs, etc. The area map is located in the leaders' heads.

85. Moral degradation in host communities was reported as a consequence of refugees in Kakuma. A key informant observed that: *"When there were only the Turkana and South Sudanese, prostitution was not such a big problem. But when the other groups from Democratic Republic of Congo, Uganda, Somalia and Ethiopia joined the camp cases of STIs went up."* The story of some refugees who were transferred to Kakuma because they could be not be resettled in a third country due to their HIV status was told as a case in point for increased HIV prevalence. Kakuma is ranked 2nd in HIV prevalence after Lodwar in Turkana County, a fact that is attributed to moral degradation. However, a key respondent from an implementing partner (IP) institution pointed out that the situation in Kakuma is similar to other urban areas in the country that tend to have higher HIV prevalence rates than rural areas.

4.2 Community involvement in development projects

86. The Turkana and Somali communities were originally organized around key decision-makers who represented the common interests of community members. These key decision-makers included the elders of the various clans/families who formed a group of authoritative figureheads that were influential in and around their bases of operation. They presided over decisions on rotational grazing plans, households' movements and use of shared water points. They were also responsible for marriage and resource-based conflict resolution. However,

with the growth of Kakuma, Lokichoggio and Dadaab towns and the attendant changes that came with it, the host communities living around the refugee camps have been forced to establish alternative ways of organizing themselves, based on expertise and level of influence.

87. Ideally, community-level consultations should be held before development partners establish community-based project in the host communities and in the camps.[11]In theory, the first level of engagement should involve a meeting between the partners and the community leaders where a courtesy call is made and the intention to implement a project is made. The second stage should involve the community leaders informing and consulting the representatives of the various groups who make up the target population. During the consultation meetings, the participants should brainstorm on the best approach to implementing the initiative. The third stage should involve community meetings to formally announce the project and inform the members about the intervention. The community members have a chance at this stage to discuss the proposed project in totality and offer necessary feedback. The final step should involve meetings between the community and the partners in a forum where either the project is denounced or adopted with changes or it is approved as it is. This layered approach in community decision-making would ensure that the community-level structures are utilized to safeguard everyone's interest. This elaborate approach, though desirable, does not seem to be followed by all partners. A key informant in Lodwar observed that: *"currently communities rubberstamp plans, they are not involved in generating ideas neither are they involved in the implementation process."*

88. There is currently a community-driven process that requires consultations before the UNCHR issues contracts for infrastructural projects. During this process, an analysis of the capacity of the potential bidders is done and the community representatives agree on who, among those selected, is fit and able to take up the contracts. However, this has not been happening in some areas. For instance, in Alinjugur in Fafi, the Community Development Committee (CDC) was accused of ignoring the interests of the community and apportioning the contracts to those affiliated to the Committee members. The CDC was also accused of being used by local leaders to advance a retrogressive political agenda. Community members expressed their desire to change the composition of the committee to include pro-community voices and also to refine the mandate of the CDC back to the original intention of building the capacity and skill sets of the host community members.

89. There is a general distrust of both the national and county governments. Although both the national and county governments have structures from the national/County to the village levels - County coordination, sub-county coordination, location and sub-location for the national government; and County, sub-county, Ward and village on the part of the County government, these structures were considered ineffective in dealing with local people's needs. Sentiments expressed at the local level include, corruption has been devolved to the extent that both levels of leadership cannot be trusted with development funds while nepotism was seen as a key driver to hiring staff and extending services. Additionally, community members reported that procurement contracts are not awarded on competitive bidding rather they are based on 'who knows who' and 'what is in it for me'. However, it is notable that the County leadership considered its structures to be the most appropriate for implementing the proposed WB investment and discounted the allegation of corruption in its systems. The county leadership observed that since most of the proposed interventions address devolved functions

[11]It is notable that the interventions in the refugee camps were considered to be humanitarian in nature, hence less consultative than the development projects implemented in host communities.

(health, agriculture, water and infrastructure) they will be central to all aspects of the Project. It is notable that during the SA, a county representative took up the issue of communication on the Project which was channeled through UNHCR to the County instead of WB reaching the County directly.

90. The local leaders, especially those in Garissa County, are aware of their rights and express their demands on both the national and county governments, the UNHCR, operational and implementing partners in very certain terms. When asked about the on-going repatriation of refugees, a group of leaders in Dadaab were of the view that it shall be stalled unless the government provides a clear roadmap on how the host communities will be compensated. The participants in the consultations reported that the international agencies should consider giving each household livestock and providing sufficient water and other services for the host communities before the refugee camps are closed.

91. The leadership was categorical that the economy of Dadaab town should be maintained to the level it is currently, and the depleted environment around the refugee camps should be restored to its previous forest cover before the refugees depart. There had been demonstrations against forceful repatriation of refugees a few days before the SA and the leaders vowed that this would continue until the reassurances for compensation were made (although it is notable that compensation is not part of the KDRDIP). Furthermore, a local NGO leader in Garissa opined that if the exercise is not handled well it would lead to more insecurity and animosity in the area. He observed that: "*The government has to handle the repatriation of refugees with a lot of care…what will happen to the young people who have no career prospects when they get to Somalia?...they are the same people who will be recruited by Al Shabaab and they will come back to hit us real hard"* (IDI, Garissa). The WB investment was considered opportune since it would address some of the hosts' critical needs and expectations.

4.3 Relations between the host communities and refugees

92. The view of the host communities is that before the refugees occupied the camps the areas around Dadaab and Kakuma were well suited for nomadic pastoral life and the maintenance of a balanced ecosystem. The settlement of refugees brought with it the systemic destruction of the fragile ecosystem as they harvested trees for wood fuel and construction. The resultant degradation of the environment was considered a great disservice to the host communities. The residents of Darfur, living in close proximity to the Dagahaley refugee camp, were categorical that they did not want refugees to settle around their village since they would cause destruction of the environment as had already happened in the other sub-counties hosting the refugees. They noted that the refugees were going further into the County and were responsible for the disappearance of wildlife (they had started hunting giraffes) and destruction of traditional forests. They supported the repatriation of the refugees back to Somalia arguing that doing so would greatly improve the security in the area.

93. The host community members are allowed to use the level 5 health facility in Ifo 2 and the dispensaries that have been established to serve the refugee communities. They are also allowed to use the primary and secondary schools built within the camps. For instance, the secondary school in Alinjugur admits students from both the refugee and host communities. The access to Youth Education Pack (YEP) Training Centers is limited to 5% admission of host communities although this proportion has increased in the current year to 10%. In 2016 the YEP centres in Hagadera and Dagahaley admitted 1600 youth who were trained in various skills including basic trade test, literacy and life skills. The funding for YEP Training Centres

has been provided by various partners including the European Union (EU), UNHCR, UNICEF and Department for International Development (DfID). The consultations established that access to water is limited to the facilities assigned to host communities while the refugees use their own facilities within the camps.

94. Better access to health and education facilities for refugees is considered unfair and unjust. For instance, the existence of a level 5 hospital in Ifo 2 and other health facilities that are well equipped was considered lack of focus on the welfare of the local people by the national and county governments. The schools in the refugee camps are well resourced and have well trained teachers while those in the host communities lack even the basic requirements. Trained health and education personnel prefer to work in the camps where their remuneration is better. Although host communities are allowed to use the health facilities and a limited number of spaces are allocated to host children in the education facilities, this was considered preferential treatment of the refugees. In terms of access to water, the refugees and UN camps have way too many functioning high yielding boreholes compared to the host communities.

95. The refugees are wealthier than the host communities. It was reported that many refugee households receive cash transfers from diaspora amounting to USD500-600 per month. The sale of World Food Program (WFP) food in the open market was cited as evidence of them having alternative sources and preference for different types of food. In fact, it was noted that what is keeping the refugees in the camp is access to water. A member of an IP organization noted that: *"One of the refugees told me that we are only here because of water. We can hustle and pay fees for our children. We can also pay for health care but water is a major problem."* In terms of access to water, the host pay Kes. 5.00 per 20-litrejerricans, while the refugees get 20 liters person per day free of charge. This was considered unjust by members of the host communities.

96. The provision of domestic labor to refuges by the host was reported as further evidence of the low levels of regard to local people. Child labor was seen as not only demeaning but also contrary to national and county governments' policies. However, given the high poverty levels, the poor and vulnerable have limited options for income generation. The conditions of service for the hosts within the refugee camps were also reported as poor.

97. A key challenge acknowledged by the host communities in the areas around Dadaab camps is that most of the refugees are Somali, who share the same language, culture and religion with the local people. The fact that they have a similar lifestyle has implications on how they relate. Both are pastoralists and it was noted that the refugees have larger herds of livestock than the local people. This is a key area of contention and conflict especially in view of access to pasture and water. There is also conflict when it comes to market access. The Dadaab refugee camps have full functioning markets that are resourced by local goods and those acquired illegally from Somalia. Indeed, the people of Darfur village in Wajir South identified the Dagahaley refugee camp as their main shopping center.

4.4 Kenyans registered as refugees

98. The Kenyans registered as refugees tend to be young and jobless. Most of them were registered by their parents when they were children. Other children found themselves on the refugee registers because of refugees seeking additional children from the host communities to

increase their monthly rations.[12] The assessment team conducted interviews with several of those who were applying to have their names struck off the refugee register during the UNHCR verification exercise in Dabaab in December 2016. When asked why their parents registered them as refugees, they noted that it was because their families were chronically poor and at the time of registration they were looking to benefit from the free food and non-food items the UNHCR was providing the refugees. Most of those registered had a physical address in the respective refugee camps but they only used the houses during the distribution of food and non-food items and whenever a refugee census was being conducted - in between they lived at home with their parents or in the nearby market centers.

99. The Kenyans registered as refugees were unanimous that they had been denied fundamental privileges accorded to Kenyans. These include access to national ID cards, freedom of movement and access to job opportunities. Being on the refugee register and staying at home with their parents, meant that they could not venture outside for fear of being tracked down by the law enforcement agencies and being taken back to the camps, a fact that restricted their freedom of movement and association. In the camps, they were treated as outsiders since the refugees have formed tightly knit communities.

100. Many host community members want to be compensated for the environmental degradation around the Dadaab and Kakuma refugee complexes. Some suggested that the UNHCR should buy livestock for each affected household, i.e. each host community household. There were also strong voices against the proposed closure of the camps arguing that the refugees should not be forced to leave until lasting peace prevails in Somalia. The fact that Somalia is still politically volatile implies that the refugees would head right back to the camps soon after repatriation.

101. The respondents consulted as part of the SA suggested that before the WB initiates any interventions in the host communities there needs to be sector-wide consultations and full disclosure. This would involve setting up local/sub-county/County Project Implementation Unit (PIU) spearheaded by local people who have a deeper understanding of the host-refugee issues. Lack of local implementation capacity was considered as potentially a major impediment to the proposed WB project with the suggestion given in Dadaab by a key informant that the Danish Refugee Council (DRC) be entrusted with the rolling out of the livelihood component of the project and the Kenya Red Cross Society (KRCS) be assigned the environment conservation component – based purely on their track record. The oversight role, it was suggested, should remain with the newly formed local PMC, which should be composed of host community members and not the refugees and other agencies.

[12]The SA team was informed that some refugee families asked host community members to give them their children to be listed as part of their households in order to increase the household numbers. This is considered plausible since there was no requirement for evidence of birth certificate during registration of the household members.

5.0 CATEGORIZATION OF VMGs and IPs IN THE PROJECT SITES

5.1 Introduction

102. For purposes of the WB's OP4.10 policy, the term "Indigenous Peoples" is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary, cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.

103. The Bank recognizes that the identities and cultures of IPs are inextricably linked to the lands on which they live and the natural resources on which they depend. These distinct circumstances expose IPs to different types of risks and levels of impacts from development projects, including loss of identity, culture, and customary livelihoods, as well as exposure to disease. Moreover, gender and intergenerational issues among these people are complex. As social groups with identities that are often distinct from dominant groups in their national societies, IPs are frequently among the most marginalized and vulnerable segments of the population. As a result, their economic, social, and legal status often limit their capacity to defend their interests in and rights to lands, territories, and other productive resources, and/or restrict their ability to participate in and benefit from development. At the same time, the Bank recognizes that IPs play a vital role in sustainable development and that their rights are increasingly being addressed under both domestic and international law.

104. Given this general description of IPs, it could be assumed that all Somalis and Turkana fit the OP4.10 criteria, however with devolution certain Turkana and Somali clans and sub-clans are both the dominant groups within their counties, and with urbanization, the identities and cultures of many IPs are no longer *'inextricably linked to the lands in which they live and the natural resources on which they depend'*. Thus, it could be argued that only those who lead a traditional lifestyle would fit the WB criteria, which in these areas are mainly nomadic pastoralists (these are explicitly recognized in the new Bank standards alongside 'Sub-Saharan African underserved traditional local communities'), although they are not necessarily a distinct social group. In Kenya the WB has agreed with the Government to use the term Vulnerable and Marginalized Groups, rather and Indigenous Peoples, which takes into consideration other vulnerable and marginalized groups as per the CoK, 2010 (described in section 3 of this VMGF).

5.2 Categorization of VMGs/IPs

105. During consultations at the community level, the respondents were asked to identify those among them that are considered vulnerable and marginalized. The responses reflected varied perceptions. Although historically and constitutionally, the whole of Turkana County and its people have been classified as marginalized, with the devolution of power, this was considered no longer the case. During discussions at the county levels, the dominant view was that vulnerability and marginalization have taken on new forms that revolve around distance

from the center of power and other causes of poverty including loss of livestock and climatic shocks.

106. When asked whom they considered vulnerable and marginalized, responses included: (i) the chronically poor; (ii) persons with disabilities; (iii) street children; (iv) women, especially the widowed and those in female-headed households; (v) the youth; and (vi) people living far from the market centers. In Garissa, the Bahgari sub-clan, whose members are still predominantly pastoral nomads, was considered more marginalized than the other sub-clans. There was also an indication that the non-Ogadens residing in the host communities in Dadaab, Fafi and Wajir South tend to be marginalized in decision-making and have limited access to resources and do not fully participate in the political affairs. Such people are not considered for education bursaries and other local initiatives to support the needy. A key informant based in Garissa noted that: "*Clannism is a key issue in determining leadership position: There are 3 main clans Ogaden, Ajuran and Degodia. The most dominant one is Ogaden which has 4 elected MPs, one nominated MP and the Governor. The other two clans have one MP each. The MPs play a key role in determining interactions in the community.*"

107. Table 4 presents two categories of marginalization: (i) ethnic and clan based – which could be closely aligned to the IPs framework; and (ii) categorical. It is notable that a person could belong to both groups although the drivers of marginalization may be different.

Table 4: Classification of VMGs/IPs through consultations

No.	Group/community	Characteristics
Ethnic/clan-based categorization		
1.	Turkana	The whole community is considered marginalized but the SA shows that the people on the periphery – further away from the County and Sub-county markets, are more vulnerable and marginalized
2.	Bahgari sub-clan	Sub-clan of the Ogaden that still practices pastoral nomadism to a greater degree than the other sub-clans
3.	Elmolo	This is a small group that lives around Lake Turkana in Loiyangalani division of Marsabit County, although there exists a small minority around Lodwar town
4.	Non-Ogadens in Wajir and Garissa Counties	These comprise of about 2-5% of the residents of Dadaab, Fafi, Lagdera and Wajir South
Vulnerability-based categorization		
5.	Pastoralist drop-outs	These are people who due to conflicts, acts of banditry or natural causes (drought or animal diseases) have lost their livestock and have since moved near the refugee camps in search of livelihoods
6.	Chronically poor	Poverty levels remain high in the target sub-counties. The poverty level for Turkana County is estimated at 84%, Garissa 73% and Wajir County 82.4%. The chronically poor are those who are unable to cope with shocks. These account for about 20% of the County population
7.	The elderly	Due to the pastoral nature of some households, the elderly tend to be left to cater for themselves when households move. The elderly are susceptible to ill-health, which is worsened by the general poverty and limited access to services
8.	Female headed households and single mothers	These are either divorced or widowed or single mothers. They are found in each of the five sub-counties
9.	Youth	The youth that are unemployed and uneducated consider themselves marginalized due to their inability to generate an income and they end up doing menial jobs. Some have taken up alcohol and drug abuse
10.	Persons with severe disability	Given the pastoral nature of the communities, persons with disabilities tend to be left behind as households move and have low levels of education and skills for effective engagement in income generation activities
11.	Street children	These are mainly found in Kakuma town begging from people along

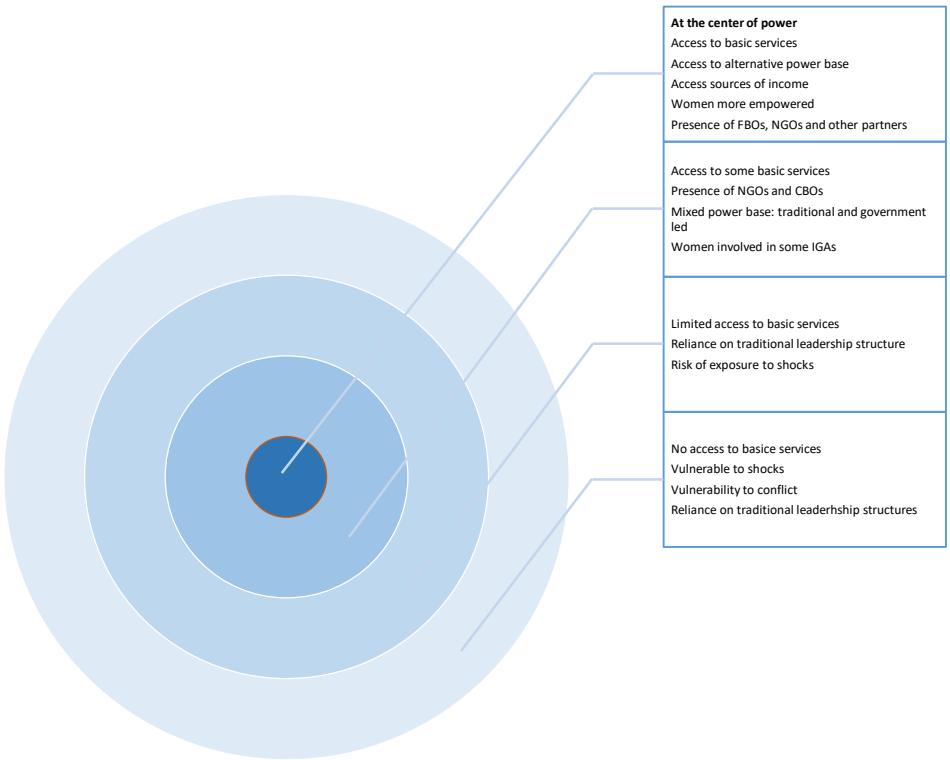
		the streets

5.3 Ethnic/Clan Based Categorization

108. It is notable that through the use of devolved authority and funds, the County Governments have endeavored to spread their resources to all sub-counties and wards. The expansion of health facilities in the counties was cited as an example of equal distribution of resources. However, the community members and county leadership were quick to point out that some far flung areas such as Lopur and Letea and those areas bordering Kapedo in Turkana County, were still underserved and could be considered marginalized due to limited access to services such as health, education, water and roads. The Elmolo, although listed as marginalized, were considered a small group of people (with an estimated population of 4,000) who derive their livelihood from Lake Turkana but are mainly in Marsabit County. When asked about the marginalization of the Elmolo, officers at the county headquarters noted that there is a representative of the Elmolo on the County Assembly although he does not reside near the lake. They noted that he took advantage of the provision for VMGs in the CoK to get a seat but he is not one of those that are marginalized.

109. Figure 9 presents a schematic presentation of how the further one gets from the center of power, the more marginalization the communities are. It is notable that some communities in the targeted sub-counties still practice pastoral nomadism and subscribe to traditional leadership structures because 'development is yet to reach them'.

Fig. 9: Hierarchy of access to services based on distance from the center



110. Clannism and proximity to power are seen as the key determinants of access to employment and resources within the counties. A quick rise in the number of employees of one clan/sub-clan/sub-sub-clan/family at the county level has a direct link to the current highest office holder. Although this was seen as positive by members of the respective clan/sub-

clan/sub-sub-clan/family who claimed many years of subjugation and alienation, other members felt it was a disservice to the rest of the County population. It is notable that education levels and skills has enabled the few educated people in the respective sub-counties to get access to formal employment not only with the County Governments but also with local and national non-governmental organizations (NGOs) and international development partners. A key informant from Wajir opined that: *'If you belong to the dominant clan, then you will have access to services including employment and even political positions. The minority clans that do not have any one to support them in accessing employment remain behind and this creates animosity among community members (IDI, Wajir).'* The fact that host community members had limited access to education and those who had access had poor outcomes, largely due to poor quality of instruction, this was seen as a key driver of marginalization of the youth. In Dadaab sub-county, a key respondent observed that employment positions were taken up by other Kenyans because the local youth did not have the requisite qualifications.

5.4 Women as VMGs

111. Gender relations in the host communities are closely aligned to culture. For instance, in Alijugur village in Fafi sub-county, women considered themselves voiceless and powerless whenever major community decisions are made but their marginalization was not finding itself into the mainstream gender discussions. Even when the question on marginalization was posed during a women's FGD, they first came up with a list of VMGs that included the physically handicapped and those chronically poor and only added themselves onto the list after probing. During meetings women tend to speak minimally while men, especially those with influence, dominate the discussions. For instance, the SA team held discussions with a team of 11 local leaders in Dadaab who had one woman in attendance. She did not utter a word during the entire one-hour discussion.

112. Opinions vary on the role women play in community development. The further you get into the hinterland of the sub-county the less women are involved in project decision-making. This is partly due to low literacy levels, limited exposure and access to information. It was noted that women in Kakuma town were well-informed on the existence of National Government and development partner funds meant for their socio-economic empowerment, such as the Women Enterprise Fund (WEF). Those interviewed clearly articulated their views on the Fund's absorption rate, efficacy and impact. Furthermore, the insistence of 50/50 gender representation on management committees by development NGOs was credited with elevating women's role in key community decision-making structures. This level of empowerment has a ripple socio-economic effect on the gender roles played by women at the household and community levels.

113. The more exposed to socio-economic avenues of income generation, the more likely that the women would be predisposed to taking up economic opportunities. However, literacy levels and the ability to articulate community issues effectively among women decrease as you extend beyond Kakuma, Dadaab and Hagadera towns into the interior. For instance, a FGD with women in Kakuma was informative and revealing as they freely expressed themselves in both English and Kiswahili. These women were better informed, more vocal and organized into functioning women groups as opposed to their counterparts in Letea and Lopur. For example, a local leader in Letea reported that he took it upon himself to organize the women in his location into a functioning outfit. He single-handedly drafted the constitution for the group, and personally went to the social services office in Kakuma, at his own cost, to register the group in order for it to access the government-funded WEF.

114. Gender-based violence (GBV) is still common among the host communities living around the refugee camps. This is despite the fact that the traditional notions of women being subservient to men are slowly eroding. Traditionally, GBV cases were resolved through the local host community structures involving the council of elders and religious leaders, who implemented sanctions according to the unwritten rules that guided the traditional Somali and Turkana communities. Although there have been some changes in dispute resolution mechanisms involving GBV cases among the host community members, it was noted that more needs to be done. However, the further you go out of the town centers, the higher the chances of interacting with remnants of the traditional dispute resolution mechanisms.

115. There was recognition of the existence of a criminal justice system anchored on the Kenyan laws that outlaws GBV in all its manifestations including early/forced marriages, wife battering, sexual abuse, among others. A Chief in Kakuma observed that although his office still handles minor cases of GBV, several cases, mostly those that are criminal in nature, are reported directly to the police for action. He noted that this is the only way to increasingly wean the community off the traditional justice system which has weak laws to deal with the subjugation of women and the weak in society. A key informant observed that: "*this [GBV] is common especially in urban areas. The social fabric has weakened while the consumption of drugs and alcohol has increased".* It was however notable that the refugees had better systems of handling GBV, specifically sexual GBV compared to the host communities.

116. A Kadhi, a Muslim religious leader, in Dadaab identified domestic violence as one of the issues he handles in his work. He however noted that with women's empowerment, some women are opting out of their abusive marriages. He observed that there were currently many single mothers (female-headed households) in the community who needed assistance but the Mosques were overstretched, therefore, they were limited on the level of assistance they could provide. In addition, the traditional practice in Somali areas of paying compensation for rape *'tselat'* to the families or clans of the woman was starting to change in Wajir, with people increasingly going to the police to seek justice.

117. Female genital mutilation is still common in the Somali community despite efforts by the National Government and its development partners to eradicate this practice through the enforcement of laws such as the FGM Act of 2011. Early marriages are attributable to FGM since after circumcision the young girls are considered ready for marriage. Circumcision takes place at ages 6 to 10 years and the current estimates indicate that over 85% of Somali girls are circumcised[13].

5.5 The Youth

118. The youth reported that they have been largely ignored in major community decision-making, consequently they do not receive the real share of community resources. Most of the youth interviewed observed that they are only consulted as a Government requirement in the CoK but not for any action. The female youths strongly felt that the community still has a low opinion of the girl-child, especially among the Turkana, with the perception that parents prepared them for early marriage in exchange for livestock as a source of livelihood. In terms of employment, the local youth are heavily disadvantaged against other Kenyans in skills set,

[13]Source: FGM in Kenya (2013).http://www.28toomany.org/media/uploads/final_kenya_country_profile_may_2013.pdf.

education levels and experience, and this has led to several youths seeking job opportunities in foreign lands, such as Somalia. In addition, the lack of opportunities makes the youth vulnerable to a negative life of alcohol, drugs and crime. In terms of their capacity to generate income, a key informant opined that: *"[although] youth groups exist, the members are unskilled, therefore they are unable to effectively generate income".*

119. There exists strong concern among the elders and other community leaders that the youth have increasingly abandoned the traditional Turkana cultural way of life. A key informant observed that the youth have embraced urban lifestyles, which are synonymous with disrespect for authority and compromised morality. The intergenerational gap between the elders and the youth has increasingly widened making it difficult for the smooth transfer of the Turkana culture to the next generation. There is an increasing concern among the older generation among the Turkana that their existence, as a cultural group, is considerably under threat. Consequently, there is a need to bring youth and elders together in development activities. This could be through building the capacity of the older persons to tap on youth-related skills such as use of modern technology and innovations on development processes.

120. A key concern was expressed about youth who have grown up in refugee camps. Many were born and brought up in Kenya; they were educated using the national education system; and their social networks are in this country. Thus, the restrictions placed on their movements and repatriation were considered inconsiderate. A young man of Somali descent in Ifo 2 observed that sending such young men to Somalia is similar to handing them over to Al Shabaab and other terror groups. Such youth are unlikely to get employment in Somalia, when and if they go there. In addition, they speak Kiswahili and know the areas quite well. They are therefore very good candidates for recruitment by the terror groups. He noted that many youth were reluctant to be repatriated to Somalia.

121. There was also another group identified mainly in Dadaab as Kenyans on the refugees' registers, who tend to be young and jobless. Most of them were registered by their parents when they were children. Other children found themselves on the refugee registers as a result of refugees seeking additional children from the host communities to increase their monthly rations.[14] The assessment team conducted interviews with several of those who were applying to have their names struck off the refugee register during the UNHCR verification exercise in Dabaab in December 2016. When asked why their parents registered them as refugees, they reported that it was because their families were chronically poor and at the time of registration they were looking to benefit from the free food and non-food items the UNHCR was providing the refugees. Most of those registered had a physical address in the respective refugee camps but they only used the houses during the distribution of food and non-food items and/or whenever a refugee census was being conducted - in between they lived at home with their parents or in the nearby market centers.

122. The Kenyans registered as refugees were unanimous that they had been denied fundamental privileges accorded to Kenyans. These include access to national ID cards, freedom of movement and access to job opportunities. Being on the refugee register and staying at home with their parents, meant that they could not venture outside for fear of being tracked down by the law enforcement agencies and being taken back to the camps, a fact that restricted

[14]The SA team was informed that some refugee families asked host community members to give them their children to be listed as part of their households in order to increase the household numbers. This is considered plausible since there was no requirement for evidence of birth certificate during registration of the household members.

their freedom of movement and association. In the camps, they were treated as outsiders since the refugees have formed tightly knit communities.

5.6 Pastoralist Drop-Outs

123. One of the key concerns of the host communities living around the Kakuma and Dadaab refugee camps was the subject of pastoralist dropouts. Without adequate social safety nets or the strain affecting the tradition informal means of insurance, people whose animals die and those that lose their sources of livelihood are forced to drop out of the pastoral system. This often has detrimental consequences for those who drop out since they are usually ill-equipped to succeed in more urban settings, where most are forced to relocate to. The SA team observed that majority of those who lost their livestock during prolonged periods of severe drought and famine have not had an elaborate compensation mechanism to help them recover their lost livelihood, a factor that has led to increased poverty incidences among pastoral groups. The mushrooming of unplanned settlements was associated with such drop-outs who then depend on income from casual labor and handouts from development partners and religious groups.

5.7 Street Children

124. Kakuma town, in Turkana West, has a small number of street families derived both from the host community and from outside Turkana County; who are pulled to the town environment by the allure of livelihood change through begging and performing errand jobs. The voices of the street families are not represented in any community-level forums since the society considers them not of sound mind, their issues have been regarded more of mental health problems rather than income related. This institutionalized stigma has led to the host community bypassing them when it comes to public participation in development matters. The County leadership noted the need for a streamlined approach towards accommodating the street families in the design and implementation of host community programs, particularly those focusing on rehabilitation of street children. Although the SA team encountered street families, it was not possible to estimate their number.

5.8 Persons with Disabilities

125. There are a number of laws in place that aim at protecting the rights of persons with disabilities (PWDs) in Kenya, including Persons with Disabilities Act, 2003 and the CoK, 2010, however, these group of people still face challenges. For instance, access to basic education, healthcare services and vocational training is still a major challenge. It was observed through the consultations that the high poverty levels among PWDs has turned some of them into street beggars. Disabilities are further compounded by lack of opportunities. A key informant proposed the implementation of interventions that promote inclusive development and enactment of legal provisions guiding the employment of PWDs (at 5% based on the CoK, 2010).

126. The cultural beliefs surrounding PWDs have resulted in stigma, leading to intensified marginalization of this group. In Garissa and Wajir Counties, for instance, it was reported that PWDs are locked in their homes while others are tied on trees. A key informant observed that: "*In our community persons with disabilities are viewed as outcasts…some of them are hidden from the public eye as disability is seen as a "curse" in this community.*"

127. It was observed during the SA that although all PWDs deserve affirmative action measures, there are still specific groups that suffer double marginalization such as women/girls, children, youth, minorities and elderly persons with disabilities. A local NGO leader that deals with PWDs noted that*: "It is even harder when girls, women or children are disabled. This is because they are already marginalized by virtue of their position in the community".*

5.9 Older Persons

128. According to the Kenya National Census (2009) the older persons account for 10% of the total population. It is notable that increasingly, older persons are being left in rural and remote areas without traditional family support and financial resources. Older women, for instance, are the majority in rural areas and are the most disadvantaged as they have little or no control over economic resources and are disempowered by traditional practices. An observation made during the SA is that majority of older people, in the three Counties, are faced with a host of problems that affect their economic, health and social-wellbeing. Although it was reported that the Kenyan Government, through the National Safety Net Programme (NSNP), is supporting older persons, more needs to be done. A key informant observed that: "*There is money from Government that is meant for older persons….it is not enough since they have a lot of problems. We need to complement this support with other services to ensure that our older persons are well taken care of," (IDI, Wajir).*

129. The situation of the older persons who live around the refugee camps was reported to be even worse. This was attributed to the rapid changes in the social fabrics that once held the community together and as a result of influx of refugees. For communities that still practice pastoral nomadism, old age is often seen as an encumbrance with some of those unable to walk long distances being abandoned along the way.

6.0 POTENTIAL BENEFITS AND ADVERSE EFFECTS OF THE PROPOSED INVESTMENT

130. This section presents an analysis of the potential benefits and adverse effects of the project to the host communities as discussed during the consultations.

6.1 Potential benefits by component

131. *Component 1: Social and Economic Infrastructure and Services.* This component was considered key to the welfare of the host communities. It would respond to the key areas of discontentment between the refugees and host communities. An area MP noted that "*Investing in education, health and access to water is key to uplifting the lives of the poor."* The investment in social development can spur growth that would lead to livelihood changes. In fact, there was a view that *"nothing can be done to restore the land in Dadaab to its original state but something can be done to ensure that the children get an education, the households have access to water and health services"*. Table 5 presents a list of key concerns and considerations to be taken into account in the design of the Project's investments (a comprehensive list of the key concerns and considerations is presented in Annex 6 and 7 for Dadaab and Kakuma, respectively).

Table 5: Key concerns and considerations for social and economic investment

Specific area	Key concerns	Key considerations
Education	-poor infrastructure/facilities -limited access to reference and writing materials -low levels of enrolment -low levels of literacy -inappropriate type of education given the socio-cultural context of pastoralism -poor instruction: teachers are few and not sufficiently trained -lack of government (county and national) goodwill to prioritize education -retrogressive cultural perceptions towards girl-child education -constant movement of households in search of pasture and water	-reduce the distance between schools (in the rural areas) -construct satellite learning blocks along migration routes -prioritize girl-child education to bridge the gender-gap -increase the number and quality of boarding schools for both boys and girls -invest in training local people to take up teaching jobs -invest in adult literacy given the high levels of illiteracy -assess and put in place education systems that are aligned to the needs of the communities
Health	-poor health infrastructure -weak/broken first line healthcare intervention infrastructure -inadequate and unskilled healthcare labor force -limited access to essential drugs and other medical supplies -long distances to health facilities -inadequate referral processes	-audit the distribution of health facilities (the county government has focused on increased distribution of the same) -increase the number of the health personnel at all levels -institute an appropriate referral system -develop/strengthen a cadre of community health volunteers -provide incentives to healthcare personnel to work in the affected sub-counties -train and equip community health workers to diagnose and treat simple ailments -equip the facilities that have been constructed by the county governments and MPs -support the development of a robust referral system -invest in health promotion and prevention
Water	-limited access to safe and clean drinking water, for both human and animal consumption	-audit the available water points in the terms of distribution and functionality -expand borehole coverage especially along traditional migration corridors

	-unequal distribution of water points for both human and animal consumption -shallow wells and water pans dry up during dry seasons heightening potential for inter-clan conflict -high concentration of human and animal population around water sources leading to competition -delayed servicing of boreholes and water pumps -water from the Ewaso Nyiro river has been diverted by wealthy farmers in Laikipia (affecting Garissa County mainly) -use of contaminated water leading to disease outbreaks and oral diseases	-empower and train local artisans to help in servicing broken down water pumps and boreholes -procure emergency water distribution vessels to intervene during dry seasons/drought -invest in more water pans -invest in rain water harvesting -address the diversion of water in the highlands (e.g. Laikipia) -empower communities to own and service the available water points for project sustainability -develop a community land use protocol that will help with guiding the exploitation of seasonal water pans around the community
Sanitation	-low latrine coverage and use -unsafe human waste disposal	-partner with local NGOs/CBOs to monitor the effectiveness and impact of the ODF zones in improving safe human waste disposal -establish and/or strengthen open defecation-free (ODF) zones -partner with local organizations to construct low-cost-low-maintenance toilets for safe human waste disposal -sensitize communities on the importance of safe human waste disposal -support the development of sewer systems in urban centers -empower the community to adopt best health promotion practices with regards to safe human waste disposal -partner with the County government to develop a comprehensive WASH master plan
Road infrastructure	-poor road networks -lack of bridges to connect different communities -inadequate coverage of the road network	-tarmac the main roads to link the host communities to markets -repair/install bridges -support the expansion of all weather-roads, especially in rural areas

132. The proposed project would increase school enrollment, retention and transition. Currently, primary school enrolment in Turkana (50%), Garissa (24.7%) and Wajir (34.6%) while the transition from primary to secondary is (58.8%) in Garissa, Turkana (60%) and Wajir (58%) counties, respectively. The quality of education should also be improved to ensure that children who attend school gain from their experience. This would entail supporting access to quality teachers, materials and education facilities. Investment in tertiary colleges would ensure the absorption of many youth who do not qualify for university. It is critical, in this investment, to focus on the girl child whose indicators are worse at all levels of education, in all the five sub-counties. Early marriages should be discouraged actively but mainly by ensuring that girls are retained in school and transit across the different levels. Access to adult literacy should be explored given the fact that most adult women and men do not have any form of formal education.

133. The construction of roads is priority number one. In fact, a group of community leaders in Dadaab observed that priority 1 to 10 is roads, roads and roads. They recommended that in order to improve the economy of the host communities, the Garissa-Dadaab-Liboi highway should be tarmacked. The greatest impediment to increased trade between Garissa County and the national governments of Kenya and Somalia was linked to the poor road network. A local leader in Dadaab observed that: *"If the World Bank sorts this out, Dadaab town and its adjacent satellite towns will immensely benefit from the opening up of the North Eastern region of Kenya."*

134. *Component 2: Environmental and Natural Resource Management.* One of the key challenges articulated by every person in the four sub-counties and referenced in most documents on refugee-host relations is environmental degradation. The rivers that served the host communities in the past have since dried up. The forest cover has been severely decimated through logging for firewood, construction and charcoal. Most of the land surface near the refugee camps is bare, dry and dusty. Soil erosion is a major problem. Although there are efforts to regenerate the forest cover through support to refugees and host communities to plant trees and through the establishment of greenbelts, more needs to be done. For instance, the KRCS has planted trees on 80 hectares of land around Dadaab. In addition, Fafi Integrated Development Association (FAIDA), RRDO, PIDAD and other partners are currently involved in producing seedlings that are supplied to institutions, refugee camps and host communities to increase the tree cover.

A truck carrying wood for use in the Kakuma refugee camp. Source: @AIHD

135. A summary of the key concerns and considerations on sustainable environments is presented in Table 6.

Table 6: Key concerns and considerations on sustainable environments

Specific area	Key concerns	Key considerations
Afforestation	-High demand for wood fuel for use by refugees and host community members -extraction of forests for sale by both the refugees and host communities -soil erosion	-expansion of the tree nursery projects across the five sub-counties -empower local communities to protect and conserve their environment -explore the sustainable use of alternative sources of fuel including LPG gas, biomass, etc -improve the patrol and surveillance of the forest environment to discourage illegal logging -support youth groups to engage in activities to regenerate their environment - this could be done as part of public works -prescribe heavy penalties for those found depleting the area's bio-diversity -establish and officially recognize the local forest patrol personnel in charge of monitoring the exploitation of firewood -monitor the distribution of the energy efficient cooking stoves to prevent unscrupulous beneficiaries reselling the stoves on the black market -sensitize the refugee population on environmental protection -increase the number of green belts
Environmental cleanliness	-Plastic waste, especially in and around the refugee camps	-develop an environmental friendly plastic waste management system -train and develop local skilled labor to sustain the plastic waste management system -establish environmental awareness days where every sub-county resident participates in environmental cleanliness -work with the county government to develop a comprehensive Waste Management Plan

136. Planting, management and protection of trees would provide an opportunity for the youth to be economically engaged. Able bodied youth could be engaged in this activity as part of public work activities. Youth groups could also be supported to plant and sell seedlings as part of their income generating activities (IGAs). In Turkana, it is proposed that the youth could be engaged in eradicating *mathenge,* which is considered a danger to the welfare of the people and animals in the sub-county. Opportunities for community engagement abound but access to water for irrigation remains a key challenge.

137. Interventions that address sustainable environmental management will therefore be highly appreciated and beneficial to the community members. Although it is clear that it will take substantial resources and time to green the environment, community members expect that this will help ameliorate the key environmental challenges. Apart from tree planting, it would be important to mitigate the continued destruction of forests in the nearby areas such as Wajir South and Lagdera. Providing adequate security for the Project investments would be crucial given the continued destruction of the environment by the refugees and host communities.

138. The exploration and use of alternative fuels including energy saving stoves, solar and LPG gas would provide opportunities for youth and women groups to engage in some of the productive and sale activities. Indeed, training the youth in the production and marketing of energy saving cooking devices should be considered as a viable economic activity. Releasing women from looking for firewood would increase their opportunities for caregiving and career development.

139. *Component 3: Livelihood program.* A key challenge to the communities hosting the refugees is high poverty levels. A local leader consulted during the SA noted that although pastoralism remains a major source of livelihood, it cannot be sustained in the long-term in its current form. The discussions with community members indicated the need to invest in livestock production and sale but at the same time diversify into other forms of livelihoods. There is a need to explore ways of investing in value addition on livestock products, such as skins and hides, camel and goat milk, among others.

140. There is agricultural potential in some parts of the five sub-counties that should be explored. Investing in agriculture would require investing in the productive capacity of the people (e.g. use of modern farming technologies) and on irrigation. However, a key challenge for irrigation is water tables are reducing, which implies that small-scale irrigation for high value produce using water efficient technologies is more feasible compared to large scale irrigation farming. The skills acquired through this project would enhance the capacity of the local people to look beyond livestock for survival. The current drought decimating many parts of the Arid and Semi-Arid Lands (ASALs) in Kenya, calls for an alternative strategy to save lives and mitigate the effects of shocks to the refugee and host communities.

141. Trade is also a viable opportunity for income generating for host community members. There are youth and women groups and other interest groups that could benefit from investments on skills building around financial management and marketing of produce. Seed grants would inject resources in the groups that would be leveraged upon to nurture ideas and grow investments. Working with local institutions that support local investments would also improve their capacity in the short and medium terms. The linkage of such local community groups to private sector should be explored and supported.

142. Table 7 presents a summary of communities' perceptions on the key concerns and considerations on livelihood interventions.

Table 7: Key concerns and considerations for livelihood interventions		
Specific area	**Key concerns**	**Key considerations**
Agriculture	-inefficient food production systems (traditional versus modern) -low uptake of modern food production systems -inadequate access to water for irrigation	-identify and allocate resources to pilot irrigation schemes for food crop production -introduce drought-resistant crops for farmland -invest in large scale irrigation of food crops for long-term food security (where appropriate) -upgrade the Lodwar youth polytechnic into a middle-level technical and industrial training institute -expand community water access points -work with local people to plant drought resistant crops
Livestock	-depletion of stock due to climatic shocks (such as drought) -depletion of stock due to diseases -inadequate pasture due to pressure on the available resources -high numbers of stock – both refugees and host communities	-establish a livestock disease research center in the county headquarters -establish a sustainable livestock insurance program for pastoralists in danger of losing herds due to harsh climatic conditions -strengthen the weak agricultural extension programs monitoring livestock disease trends around the communities -build on the existing community land use plans to prevent resource-based conflicts with regards to water and pasture -strengthen the existing community policing action groups to ensure harmonious coexistence between host communities and the refugees
Trade/ Entrepreneurship	-poor road network -lack of financial capital -lack of entrepreneurial skills	-manage trade on the Kenya-Somalia border to limit the proliferation of illegal goods getting in from the Somalia market -upgrade the Liboi-Dadaab-Garissa road to ease flow of goods from market to market -strengthen the already existing savings and loans schemes to empower local business people to expand their businesses -organize business development trainings for local business people intending to expand their businesses -establish business training and skills development resource centers in each ward to enhance local capacity of the youth and women across the county -empower youth and women groups with skills to manage and market their goods

143. Table 8 presents a summary of the potential positive and negative impacts of project on the host communities, and specifically on the VMGs/IPs. Some mitigation measures are proposed that may be adjusted from time to time based on the project needs.

Table 8: Potential positive and negative impacts of the project on VMGs/IPs				
No.	**Category**	**Positive effects**	**Negative effects**	**Strategies to consult and include the VMGs/IPs**
1.	Bahgari sub-clan – pastoral nomads	-Investment in livestock markets -Increased access to education through boarding facilities -Conflict mitigation that would reduce their risks	-Interference with migratory routes -Lack of adequate involvement hence their issues may not be addressed	-Identify and work through the elders -Engage them when they are in the vicinity, for instance around water points and around markets or during market days
2.	Elmolo – residing around lake	-Improved infrastructure would increase access to trade opportunities	-Lack of involvement due to their remoteness -Elite capture once the	-Identify and work through the elders -Work through and empower

	Turkana	-Increased access to education and health	markets grow	community groups
3.	Non-Ogadens in Wajir and Garissa Counties	-Representation on decision-making structures -Increased access to basic services – health, education and water	-Discrimination in access to services -Conflict between them and dominant clans/sub-clans/sub-sub-clans	-Identify and work with spokespersons for the groups -Enforce affirmative action ensuring their representation on decision-making committees
4.	Pastoralist drop-outs	-Livelihood interventions would directly benefit them -Resettlement activities would ensure they have access to services -Increased access to basic services -Access to targeted social protection interventions	-Inadequate representation leading to lack of active involvement and due consideration of their needs	-Hold community meetings and encourage them to participate -Support the selection of their representatives to be involved in meetings -Share information through multiple channels while ensuring that they are reached
5.	Chronically poor	-Livelihood interventions would directly benefit them -Increased access to basic services -Access to targeted social protection interventions	-Inability to engage -Stigmatization -Unequal representation	-Hold community meetings – close to the people -Work with CBOs and NGOs to identify and reach the chronically poor
6.	The elderly	-Access to basic services especially health and water -Access to targeted social protection interventions	-Inability to walk to access information and services -Poor health limiting their ability to participate in livelihood and other communal activities	-Work with CBOs and NGOs to identify and reach the chronically poor -Introduce a voucher system to allow them to access services
7.	Female headed households and single mothers	-Livelihood interventions would directly benefit them -Resettlement activities would ensure they have access to services -Increased access to basic services -Access to targeted social protection interventions including public works -Sustainable environmental activities – nursery and tree planting -GBV interventions	-Increased burden of care and income generation -Inability to access support due to limited education levels and capital	-Affirmative action in membership to committees -Affirmative action in involvement in income generating activities (IGAs) -Skills transfer -Information sharing through groups -Support the formation of or strengthen groups to function
8.	Youth	-Livelihood interventions would directly benefit them -Resettlement activities would ensure they have access to services -Increased access to basic services -Access to targeted social protection interventions including public works -Sustainable environmental activities – nursery and tree planting -GBV interventions	-Inability to access support due to limited education levels and capital -Conflict due to perceived discrimination	-Affirmative action in membership to project committees -Affirmative action in involvement in IGAs -Skills transfer -Information sharing through groups -Support the formation or strengthen youth groups to function -Provide training in peace and reconciliation
9.	Persons with severe disability	-Increased access to basic services – education, health and water -Access to supportive	-Inability to access basic services that are not tailored to PWDs -Discrimination due to	-Work with CBOs and NGOs to identify and reach PWDs -Introduce voucher system to allow them to access services

		devices -Linkage to organizations responsible for disability matters	disability -Inability to engage in IGAs	
10.	Street children	-Resettlement of street families as part of the broader interventions in the project areas -Increased access to basic services – health, education and water -Link to child protection services	-Inadequate support to entire families (programs/projects tend to focus on children)	-Work with CBOs and NGOs to identify and reach persons with disability -Work with the County and National Governments to address this issue through existing instruments – fostering, etc.

6.2 Cross-cutting benefits

144. *Enhanced technical capacity among the local implementers:* During the consultative meetings, the host communities suggested various thematic areas in which their capacity could be built or developed to enhance their participation in the implementation of the project as well as sustain their own socio-economic development. The thematic areas include:

i. Increased access to employment opportunities and contractual agreements on the WB investment for local people;
ii. Equitable distribution of resources in the sub-counties to ensure that each community member is reached by the investment;
iii. Development of business skills and entrepreneurship skills for the establishment of micro and small enterprises and the enhancement of access to various government initiatives;
iv. Enhancement of skills in conflict resolution and group dynamics for harmonious coexistence and development;
v. Provision of basic skills on individual visioning and planning to achieve personal and community goals.

145. *Civic awareness:* Increased participation in the project will raise the host community members and the VMGs/IPs' awareness on their rights and entitlements as enshrined in the CoK, 2010, hence providing them with an opportunity to advocate for their rightful entitlements in the development agenda. Such rights include the right for representation which provides them with an opportunity to voice their opinions in different levels of governance. This will also lead to improved leadership and organizational capacity which shall be a viable vehicle for local empowerment.

6.3 Enhanced participation of host communities in Project implementation, monitoring and evaluation

146. The implementation of KDRDIP should be done in a participatory and inclusive manner. This should involve consultations with various stakeholders including the local implementing agencies and project beneficiaries. Consultations will be held with the community members and VMGs/IPs in their villages and through local institutions such as the village elders among others. Moreover, mobilization and decisions on meeting venues for consultations will be undertaken by the key point persons at the community with special

emphasis on those representing the VMGs/IPs. The involvement of community members will be at all levels of the project planning, implementation and M&E.

147. *Project planning:* Awareness activities will be undertaken with the aim of ensuring that the community members understand the aim of the project, provide views and buy-in into the proposals made. Several avenues will be used to reach the community members including through community meetings – *barazas*, local radio stations, road shows and local leaders including elders and chiefs, faith-based organizations (FBOs), CBOs, Mosques and churches, as appropriate. Use of community resource persons and groups will be explored and facilitated. The project team will identify existing youth committees/groups, women groups and other local structures for sensitization. In communities where such groups do not exist, the project will facilitate their formation. Given the critical role played by elders in the host communities, they will be involved as key stakeholders in the planning process.

148. *During project implementation:* The project should have clear mechanisms to engender buy-in, ensure transparency and accountability in all areas of implementation. It should guarantee that:

i. Individuals selected to serve on the local project committees are known to the communities;
ii. Groups and individuals contracted to provide services should be made known to the community members and any concerns addressed by the Local PMC;
iii. Those selected for training or grants should be known and endorsed by local leadership;
iv. Names of selected beneficiaries and groups should be disclosed in the chiefs/sub-chiefs' offices notice-boards; and
v. The project should have a portal for communication where community members can post their issues.

149. *Project M&E:* The local PIU should be involved in the M&E activities at several levels:

i. Setting the timings when the M&E activities will be conducted;
ii. Reviewing the TORs;
iii. Being appraised of the firms/individuals involved in the M&E activities;
iv. Receiving and interrogating draft reports of the M&E activities; and
v. Providing and receiving feedback on the outcomes of the M&E activities relevant to their communities.

150. The tension between the refugees and host communities has influenced perceptions towards implementing organizations. Host community leaders were of the view that the UNHCR cannot be trusted with host interventions because it has historically shown little interest in their welfare. A respondent from an IP noted that the UNHCR does not have capacity to implement development projects since its orientation is on humanitarian activities. There was also a perception that the international organizations are too expensive and would exhaust the WB budget on high administrative costs.

6.4 Ongoing tensions and potential conflict over natural resource use and livelihoods

151. There are four levels of conflicts that could affect the implementation and overall effectiveness of the proposed interventions:

i. Dominance of one clan/family in decision-making with the potential of skewing

employment and award of tenders/contracts to elite groups at the sub-county and community levels;

ii. Access to land, pasture and other resources such as water for livestock and agricultural production;

iii. Resettlement of refugees who may not be in a position to go back to their source countries. There will be residual cases of refugees following full repatriation who would require to be integrated into the local communities. It is not clear how these households and/or individuals will be managed following the proposed closure of the camps[15]; and

iv. Management of Kenyans who have been in the refugee register: the key question posed by policy makers involved in the consultations was whether these people will be asked to go back to their home counties. It was reported that some of the Kenyans registered as refugees came from Wajir, Mandera, Isiolo and Marsabit, and since they have been in the camps for a long time, they have lost touch with their original homes. The proposed actions for settling them included providing them land for resettlement; and/or settling them in the camps following the repatriation of refugees.

152. The project will move ahead irrespective of whether the Dadaab camp closes or not. The camp residents already significantly benefit from interventions implemented by UNHCR and other partner agencies to improve delivery of basic services, access to water and support for livelihood skills. The project will support and strengthen similar improvements for host populations as well as facilitate more integrated development planning following an area based approach to address significant impacts of the protracted presence of refuges has had on the environment and natural resources.

6.5 Likely impact, future livelihoods and settlement patterns once the refugees depart

153. 1This is a key consideration for the Dadaab complex with the impending implementation of the government directive to close the camps and move the non-Somali refugees to Kakuma (these are estimated to be 50,000 in number). Although the UNHCR has facilitated a Camp Closure Taskforce, the team had not started discussing decommissioning of the camps at the time of the SA.[16] It is notable that at the time of the SA, the number of refugees in Kambioos camp had reduced to a low level, of about 12,000 people, that it was no longer viable as a stand-alone camp but the Taskforce was yet to address critical issues such as future management of the facilities, avoidance of adverse effects such as disease outbreaks due to mismanaged latrines and what to do with abandoned housing. There were already signs of degradation of the deserted parts of the camp.

154. It is anticipated that the management of the existing facilities in the camps such as water, health and education would revert to the local people based on the county and national mandates. The key challenge would be the ability of the local communities and county governments to manage and sustain the facilities. The current population of Dadaab, for instance, is estimated at 152,487 people yet the camps were catering for over 350,000 people. The optimum utilization of the facilities following the departure of the refugees should be a

[15]It is currently uncertain whether the Government of Kenya will proceed with the repatriation of the refugees from Dadaab following the court ruling on February 09, 2017 to the effect that continuing with this process would be illegal. The judgment indicated that the country would be going against international commitments.

[16]At the time of the SA, about 37,000 refugees had been repatriated to Somalia most of them from the Kambioos and Ifo camps.

key area of concern for the IPs, county government and the local leadership.

155. The consultations established several benefits accrued by the host communities from the presence of the refugees. The local people benefit from the health and education facilities established by the UNHCR and other donors targeting the refugees. For instance, International Rescue Committee's main hospital provides free health care to the Turkana, including diagnosis and treatment while the Dadaab community has access to the level 5 hospital in Ifo 2. Despite reported shortcomings in the provisioning of healthcare, most assessment participants noted that the presence of these health facilities as a key benefit accrued to them mainly because of the presence of refugees. There are other ways through which the hosts benefit from the refugees including:

i. The hosts access schools that are established to benefit the refugees. The UNHCR and other partners have supported the construction of boreholes for host communities and are currently providing seedlings for the rehabilitation of the environment.
ii. The refugees consume products produced by host communities including livestock, building and fencing materials among others. Inversely, the hosts use the markets in the camps as their main shopping centers. Participants in Wajir South considered Dagahaley their 'Nairobi' where they acquire most of their products.
iii. The refugees are a source of employment for the host communities. There are local people formally employed by the development agencies working in the camps in various positions. Further, the refugees directly employ local people to perform casual jobs (mainly women and children) in the form of construction and repair of housing structures and domestic labor.
iv. Access to food and other non-food items has increased, and it is relatively cheaper at the refugee camps.

156. Most of the service providers in the health facilities and teachers in the local schools including other experts working in the camps and surrounding areas tend to be sourced from other parts of the country or internationally. This implies that the proposed closure of the camps would result in the exit of critical staff for the various facilities. The local community does not have enough people with the requisite skills to take over service provision in the health, education and water sectors, for example. The insecurity in the areas surrounding the camps is a further hindrance more so with the impending withdrawal of support from UNHCR and other agency towards security. It is notable that the police force is supplied with vehicles, housing and fuel by these agencies. If the camps close, the support to the security forces will be adversely affected with potential negative security outcomes.

6.6 Relationship of distinct groups and conflict potential of the project

157. Several entry points exist in the five sub-counties that could be used to implement the project. Although the choice of an entry point would depend on the intervention and what is already in place, there would be a need to build the capacity of the local people and implementers. The suggested entry points are discussed briefly below.

158. *National and County Government structures*: these structures are available at the county and sub-county levels – locations/sub-locations, wards and villages. The national government structures include the County Commissioners, Deputy County Commissioners, sub-county officers and chiefs/assistant chiefs. These officers oversee the national level functions including education and security. The local chiefs handle community matters

including conflict resolution. They play a pivotal role in development matters and continue to be a reference point in many communities.

159. The national government provides funds that youth and women groups access including the Youth Development Fund (YDF) and WEF. Activities, such as social protection are still under the purview of the national government. The officers have experience and networks that can be used to implement some of the key interventions proposed by the project. Furthermore, the counties have resources that could be used to scale-up or to meet specific funding gaps from the proposed investment.

160. *County and sub-County levels:* there are various structures including County Steering Group and sub-county development forums that are important structures for mobilizing people around development initiatives. The CIDPs provide a blueprint for county development and should be referenced by the Project. The sub-counties tend to be aligned to the constituency under the leadership of MPs. The MPs control the CDF and these resources that could be leveraged upon during the Project implementation.

161. *Local implementing partners:* There are organizations that have long experience of working with host communities that could be supported to implement the Project. These include LOKADO (Kakuma), LOPEO (Lokichoggio), FAIDA (Fafi), RRDO (Dadaab) and PIDAD (Wajir South). These organizations serve in specific areas and have specific mandates based on their sources of funding. Since the main focus of their interventions is the host community, they have established structures that allow them to engage with communities at all levels of program planning, implementation and M&E. Some of the strategies being utilized by these partners that the World Bank could learn from and/or adapt include:

i. Community Managed Disaster Risk Management (GIZ);
ii. Beneficiary Welfare Committees (HSNP/NDMA/GoK);
iii. Rights Committees (HSNP/NDMA);
iv. Community Integrated Development Plans (County Government);
v. Social Audits (LOKADO) – the organization has trained 900 social auditors – 30 per sub-location in Turkana West. In Wajir social auditors have been trained by Wajir Paralegal Network (WAPNET);
vi. Community Dialogue and Development Committees (LOKADO);
vii. Water Management Committees; and
viii. Resource Utilization Monitors.

162. These organizations are funded by UNHCR and other agencies to work in host communities although they are also implementing some activities in the refugee camps. The key challenge would be to re-orient some of the organizations from approaching the Project as a humanitarian to a development-oriented program. A counter argument to working through these organizations was that some have been infiltrated by politicians and would therefore be inappropriate. The capacity of these organizations was also questioned by some of the respondents and this would require mapping their capacity and providing the requisite skills.

163. *International implementing partners*: There are some partners that have built trust over time with the host communities that should be considered for support. The Lutheran World Relief (LWF), Danish Refugee Council (DRC) and the Kenya Red Cross Society (KRCS) were identified by some key respondents as notable organizations that have good understanding of the communities and are acceptable. The key challenge would be that if the camps in Dadaab close these organizations may be forced to fold due to lack of funding.

164. *Communities and local structures amenable to the interventions:* There are community level structures that could be used to galvanize the communities to engage in the project. In Dadaab, the RRDO is a local community based organization (CBO). It is currently engaged in host-community projects financed through Norwegian Refugee Council (NRC). FAIDA is a CBO currently involved with host-community projects in Fafi sub-counties. The Kambioos Taskforce, established to oversee the smooth handover of refugee projects to the host communities living around the Kambioos Refugee camp upon the proposed closure of the camp, is another entity that could be used. Community Development Committees (CDC) that have been established in every host community are responsible for the identification of priority projects and oversight of project funds by various organizations working in the host communities. However, some of the people engaged in the consultation indicated that some of these leaders cannot be trusted.

165. There are also women and youth groups that have been formed to facilitate access to resources such as WEF and YDF. There are also groups that have come together based on mutual investment interests such as trade, table banking (mainly women) and merry-go-rounds whose capacity could be strengthened to be part of the project implementation. There would however be a need to conduct capacity assessment and provide targeted training and skills transfer.

166. *Elected political and administrative leaders:* Trust would play a key role in the implementation of the proposed Project. The assessment participants were quick to point out that only honest and forthright leaders should be given the responsibility of overseeing the WB funded Project. Sheikhs and elders were considered more trustworthy to represent the community without fear or favor. Other suggestions on who should be involved in Project implementation include a new crop of young leaders who are not associated to any historical tribal conflicts and command respect in their communities.

6.7 Institutional safeguards

167. The project is anticipated to have positive social impacts at the individual and community levels. Project activities will lead to income generating opportunities for household members and VMGs/IPs. Communities will be provided support to improve livestock management and production, agricultural technology, farming practices, and management of household and group enterprises. Support will also include addressing GBV, business and entrepreneurial training skills, and public works and other forms of social protection.

168. The KDRDIP will prepare and implement an Institutional Risk Management Policy Framework (IRMPF) during the preparatory phase of the project. This would include measures for social accountability and strengthening of public disclosure of information and CGRMs.

169. *Social accountability:* all the activities supported by the project would ensure that the communities are fully informed and that they are an integral part of the implementation. Forums will be held at the community, sub-county, county and national levels to give the citizenry a voice to articulate their needs and provide feedback on the project. All project activities will be implemented in such a manner that they do no harm.

170. *Public disclosure of information:* This will include: (i) activities funded under the project; (ii) periodic resource appropriation and accountability; (iii) project implementation

progress and operational results; and (iv) sharing of best practice experiences amongst the communities. The information to be disseminated will be prominently disclosed using a variety of channels, including the media.

171. Despite the positive impacts, it is foreseen that the project may have negative impacts on land and livelihoods as land is required for preparation and implementation of the community-level farm production and water systems (boreholes and water pans). As a result, OP 4.12 on Involuntary Resettlement is triggered for the project and a Resettlement Policy Framework (RPF) has already been prepared as part of the appraisal process. Once project sites have been identified and screening shows that land uptake will be required for water sources (boreholes, pans, etc.), productive public works, afforestation and other rehabilitation activities, MOUs to demonstrate temporal voluntary donation of the community land for implementation of the project shall be obtained for record keeping. Involuntary resettlement will be avoided or minimized where feasible. In the unlikely event where land acquisition or restrictions on land use cause physical displacement, site specific Full Resettlement Action Plans (FRAPs) or Abbreviated Resettlement Action Plans (ARAPs) will be prepared and implemented to manage and monitor resettlement impacts.

172. Most of the land required for this project are communal lands vested in traditional authorities. The RPF will ensure that land acquisition procedures and local people's rights are appropriately addressed. Among the mitigation measures will be the use of a checklist to ensure project screening for environment and social impacts, inclusion of VMGs/IPs and consultations in resettlement process. In urban areas, the Ministry of Interior and county leadership will be engaged to ensure that youth, women and the VMGs/IPs are provided with adequate space for training and to set up enterprises as needed.

6.8 Social risk ranking and mitigation measures

173. There are several social risks to the implementation of this project. These are listed in Table 9 with suggested mitigation measures (a list of project activities, issues, mitigation and key players is provided in Annex 8).

Table 9: Social risk rating and mitigation measures

No.	Risk	Rating	Mitigation measures
1.	*Insecurity*: For Turkana County: this is at 2 levels – source and host countries. There is currently on-going strife in the source countries (more so in South Sudan). While conducting the assessment the camp was receiving 400 refugees daily. Internally, there is potential for conflict between the hosts and refugees due to tensions centered around access to services. The host communities feel that the refugees are economically better off than them. The fact that refugees have more livestock compared to host community members could be a trigger for resource-based conflicts. In addition, there continues to be the risk of clan/sub-clan/sub-sub-clan conflicts in the project sub-counties. Such conflicts have the potential of increasing the number of refugees and internally displaced persons (IDPs).	High	-Strengthen the existing community dispute resolution mechanisms to address intra-community lawlessness -Build the capacity of the local communities to take up alternative livelihood patterns to minimize traditional cattle rustling and banditry -Encourage the host communities to partner with government security organs by providing intelligence to curb the proliferation of small arms and light weapons and in the fight against cross-border terrorism -Mainstream peace building and conflict mitigation on ongoing cross-border initiatives of the UNDP and country led peace building efforts facilitated by the National Cohesion and Integration Commission which involve engagement with elders and constitution of local peace committees

	For Garissa and Wajir Counties: The security situation in Somalia is questionable and there are fears that those refugees who have been repatriated may find their way back into the camps. The camps have also been blamed for hosting local Al Shabaab terror cells with the resultant suspicion by the hosts. There is fear that an attack could occur at any time.		
2.	*Land-related conflicts:* land is communally owned, which implies that for the project to gain access to land there is a need for negotiation with clan leaders. Infrastructural development in the host community could result in conflict due to the interests of different clans, sub-clans and sub-sub-clans in the area. In addition, there would need to be evidence of the surrender of the land for project use.	High	-The NPIU team needs to start discussions on land and seek guidance from the County Government, Ministry of Lands and NLC -The management of any project infrastructure in the host communities will involve the local people in order to engender a sense of ownership (see the section on SMPs)
3.	*Refugee repatriation:* there is a likelihood of continued agitation by the host communities for compensation if the planned repatriation of refugees from the Dadaab camps is sustained. Further, the young people being repatriated have no career prospects when they get to Somalia, which makes them easy targets for recruitment by Al Shabaab and other terror groups.	High	-Involve the clan elders and the community liaison officers in information dissemination and consultation on community's best interests (it is notable that sometimes there is lack of trust between the different levels that would need to be managed)
4.	*General elections:* there will be national elections in August 2017. Characteristically, elections in Kenya tend to be emotive with high possibility for violence that might lead to internal displacements among other negative outcomes.	High	-Engage the community leaders on best practices on peaceful co-existence between the rival political camps -Sensitize the communities on the negative effects of violence on their livelihoods -Sensitize the youth to avoid being used as ethnic hate mongers and for settling political wars -Engage the youth in project activities, such as the public works to keep them actively engaged in income generation
5.	*Natural disasters:* the project area, like other ASALs, is prone to natural shocks, mainly in the form of drought, which have negative impacts on both human and animal health.	Medium	-Establish/strengthen community-level early warning and disaster monitoring systems to mitigate huge loses of livestock and human life occasioned by drought and famine - Support the strengthening, refinement and expansion of the existing livestock insurance scheme
6.	*High expectations:* the communities are used to a humanitarian culture whereby organizations distribute resources without demanding for their input, which is not a sustainable means of implementing a development project. However, a different approach is likely to be met with resistance from the host communities. In addition, the communities assume that the proposed WB investment will solve many of their problems which is unrealistic given the financial and time constraints. Furthermore, it is not possible to achieve sustainable impacts from a 5-year investment.	High	-Provide adequate information on the project and the expectations including the limits of what can be supported by the WB (remove any form of ambiguity) -Work through the existing structures to engender community ownership -Build the capacity of local youth and women to take up existing job opportunities in the County and partners' office -Establish technical training resource centers where the youth can acquire skills to improve on their livelihood -Work with local structures in planning, implementing, monitoring and evaluating the project -Build the capacity of local youth and women to take up existing job opportunities at the county level and from the local implementing partners
7.	*Increased demand for services:* it was opined that the new investment may attract people to the center and/or to the intervention sub-counties given the general poverty in the target	Medium	-Devolve service delivery to the lowest level of administration, which is the community

	regions. An influx of people would put pressure on the project resources both financial and human. Such an increase in population could trigger resource-based conflicts.		-Project planning processes would need to make provisions for increased population over the project period
8.	*Corruption:* this is both at the County and National Governments and implementing partner levels. There are fears that recruitment of personnel and procurement contracts could be adversely affected by nepotism and clannism. Host communities do not trust some of the local implementing partners. Therefore, use of project resources will be carefully monitored and any error, fraud and corruption (EFC) issues managed comprehensively	High	-Put in place clear procurement guidelines that would be used by all partners involved in the project -Implement a monitoring and evaluation plan that would follow-up on all aspects of the project -Establish community-level action groups responsible for monitoring and evaluating government projects and offering feedback to relevant bodies for action -Conduct regular audits on all aspects of the project -Establish and implement an EFC component
9	*Elite capture:* There is a small group of local people who are well educated, have skills and work experience, are connected to the political elites or are involved in business endeavors in the target sub-counties. The community members noted that these people are likely to be involved in decision-making on employment and award of contracts and grants which would disadvantage the VMGs and IPs.	High	-Ensure the representation of VMGs/IPs on project management structures -Work through the existing structures to engender community ownership -Disclose employment and procurement outcomes at the local level to ensure transparency and equal distribution of resources -Implement CGRMs

7.0 COMPLAINTS AND GRIEVANCE REDRESS MECHANISMS

7.1 Introduction

174. Complaints and grievance redress mechanisms (CGRMs) refer to *'institutions, instruments, methods and processes by which a resolution to a grievance is sought and provided'* (Asian Development Bank, 2010). The CGRMs provide an effective avenue for expressing concerns and providing redress for communities. Grievances and disputes may arise at several stages of project planning and implementation and may be related to KDRDIP, or may be a result of conflicts between groups affected by the project. Other agencies mandated to receive C&G are the office of the Ombudsman, KNHRC, Ethics and Anti-Corruption Commission (EACC) of Kenya, County and sub-county offices, Ministry of Interior – the County Commissioners (CCs) and Deputy County Commissioners (DCCs), sub-county officers, chiefs/assistant chiefs and village elders, local leaders and politicians. Letter writing, emails and in-person visits form a key part of C&G.

7.2 Existing CGRMs

175. Complaints and grievances are supposed to be channeled through ward representatives in the current county governance system. However, during the SA consultations there was a general feeling of helplessness among the community members with regards to channeling C&G for redress through the available institutional bodies. A section of the community members felt that all the avenues for C&G are ineffective because the existing committees operate in cahoots with the leadership to disenfranchise those with C&G. Distance to the ward offices to report C&G was considered a key hindrance to accessing redress. For instance, there was an observation in Letea that people have to travel long distances to Kakuma to report grievances that may not be acted upon.

176. The HSNP, which is implemented through the National Disaster Management Authority (NDMA), has facilitated the formation of Rights Committees (RCs) in Turkana and Wajir Counties whose primary mandate is to receive C&G on cash transfers. It is notable that many complaints received by the organization are unrelated to cash transfers. These C&G, which range from early marriages, human rights violations to cross-border issues go beyond the scope of HelpAge International yet there is no clear process of referring the people for appropriate redress. In response to these and other challenges, the County Government of Turkana plans to establish Citizen Resource Centers at all market centers in the County. These centers will be managed by local people and will bring services closer to the people. The centers are expected to provide a channel for local people to give feedback on development initiatives including managing C&G.

177. In Garissa County there is an office for Refugee-Host Community Relations at the Refugee Affairs Secretariat (RAS) whose leadership is involved in all decisions regarding host communities in Dadaab and the surrounding areas. The committee has in the past organized demonstrations against specific implementing partners mainly around recruitment and procurement. For instance, there have been recent demonstrations against the forceful repatriation of the refugees. Although this committee was recognized as a critical group for host-refugee relations, there were feelings that it was being hijacked by the local political leadership and local elites for personal interests and gains.

7.3 Proposed CGRMs

178. To redress C&G that may arise as a result of implementing the project, a two-pronged mechanism is proposed to complement the mechanisms established through other structures. The proposed approach for addressing C&G for the proposed project aims at resolving issues at the earliest opportunity and at the lowest possible level – the community.

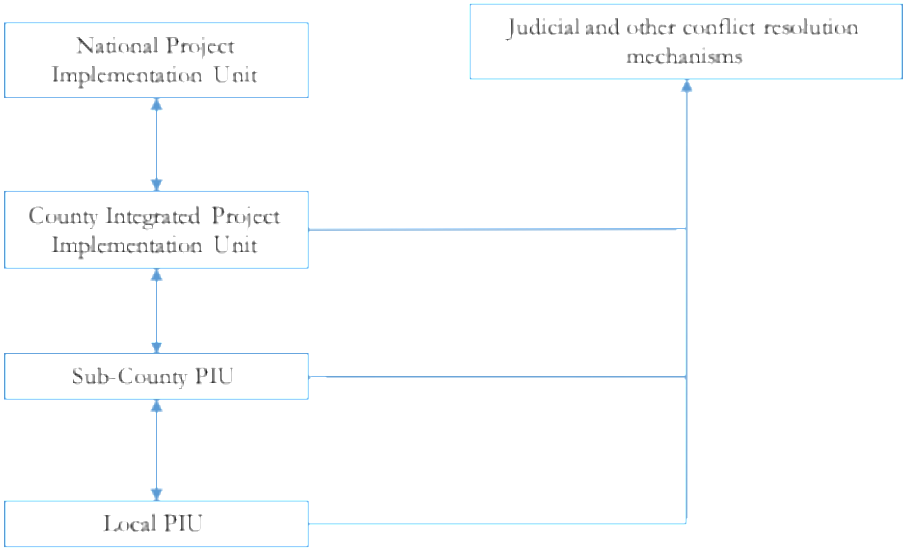
179. *Proactive Approach:* This approach promotes a common understanding through multiple processes following FPIC and dialogue leading to broad community support, including: (i) widespread disclosure of project information and discussions on the way forward with regard to known C&G; (ii) clarifications on the criteria of eligibility for engagement in the project activities in terms of contractual agreements and access to grants and other services; (iii) clarification on the duties and responsibilities of the various key stakeholders; and (iv) community involvement in conflict resolution and public awareness. A KDRDIP focal person at the PIU will support the communities in the CGRM.

180. *Reactive Approach:* Conflicts that may arise in the course of project implementation would be dealt with through the CGRMs agreed upon by the host communities, VMGs/IPs in accordance with the law. During consultations it was clear that most of the communities use the traditional arbitration skills of their elders, religious leaders and local administration to facilitate peaceful resolution of disagreements. The elders and local leaders discuss and reach a consensus on issues that can reconcile or improve the welfare of the community. This traditional mechanism of C&G handling are currently facing challenges, more so in Turkana from forces of modernity including the use judicial systems. However, some of the communities live far from state controlled security and the court system, implying that the fallback position is the traditional system. Mediation is a key component of this approach. Efforts will be made to train local implementing partners in mediation skills that will be applied whenever there is a hint of disagreement to forestall fully fledged conflict.

181. To resolve C&G issues comprehensively, KDRDIP will be best served by setting up and supporting conflict resolution committees in the project areas that comprise of a mix of traditional conflict resolution mechanisms, through clan elders and the structures of the headman, representatives of KDRDIP implementation team, representatives of civil society advocacy networks for the VMGs/IPs, religious leaders and the local administration. Lessons from the experience of the HSNP could be used to inform the operationalization of such teams. The C&G committees will sit from time to time to deliberate on emerging conflicts during project implementation. Such committees will be able to offer recourse mechanisms during the life of the project. In case the conflict resolution committees fail to arbitrate on such disputes, the matter could be referred to the KNHRC, the Ombudsman, EACC or the courts of law.

182. Figure 10 is an illustration of the proposed conflict resolution mechanisms during project implementation.

Figure 10: Complaints and grievances' redress structures



Community level: At this level, there will be a Local PIU comprising of elected members that would ensure representation from the various villages, VMGs/IPs. Each local PIU will have a sub-committee that will be responsible for C&G. A complainant in dispute across the villages will report to the sub-committee which will make efforts to address the conflict as quickly as possible.

Sub-County level: If the issue is not resolved at the community level, the chair of the Local PIU will escalate the issue to the sub-county level, where it will be discussed with the sub-committee responsible for C&G. If the sub-county level cannot resolve the issue, it shall be referred to the CIPIU.

County level: The CIPIU will have a sub-committee to handle C&Gs referred from the sub-county level. If unable to resolve the issue(s), the Committee will refer to the NPIU as necessary.

National PIU: If the case is not resolved at county level, it will then be referred to the NPIU for decision-making and resolution. Note that the complainant will be free to seek redress from other avenues including the administrative and legal avenues as appropriate and as illustrated in Figure 10.

8.0 MONITORING AND EVALUATION OF PROJECT PROCESSES AND IMPACTS

183. All project indicators will be disaggregated by gender and location (area of intervention) to facilitate the monitoring of VMGs/IPs in the interventions. The project will also enhance inclusion of vulnerable female headed households, street children, persons with disabilities and pastoralist drop-outs living in the targeted sub-counties.

184. The implementation of the VMGF and the SMPs will be closely monitored and documented. The NPIU will establish a monitoring system involving the project staff at the national, county and sub-county levels, as well as community groups of VMGs/IPs to ensure the effective implementation of the SMP. A set of indicators, to be determined during the development of the SMP, will be monitored during the entire implementation period. Consultants and firms recruited to conduct monitoring of project activities will be provided with the SMPs for all the project interventions. A detailed M&E framework will be developed to guide all data collection activities.

185. For interventions found to have significant adverse impacts on VMGs/IPs, external experts, CBOs or NGOs will be engaged by the NPIU to verify monitoring information of the SMP for the specific intervention. The NPIU, external experts and/or CBOs/NGOs will collect baseline data including qualitative information and analyze the same to assess the impacts of the project on groups that meet the OP 4.10. The experts will advise on compliance issues and if any significant issues are found, the NPIU will prepare a corrective action plan or an update to the approved SMP. The NPIU will closely assess the progress of the corrective measures to ensure their effectiveness.

186. *Key monitoring indicators*: the indicators to be monitored will include process and output measures with a focus on VMGs/IPs in the five project sub-counties. These will include:

i. process of consultation activities (the number of participants, issues discussed and resolutions reached);
ii. appropriateness of affected assets valuation and compensation;
iii. economic status of VMGs/IPs in comparison with pre-project conditions;
iv. status of VMGs and IPs as identified in the SA;
v. any disadvantaged conditions to VMGs/IPs that were not anticipated during the preparation of SMPs that require corrective actions; and
vi. complaints and grievances for redress.

187. *Data collection:* The SMPs will document required data/information and regularly analyze project processes, outputs, outcomes and impacts considering the impacts on VMGs and IPs. Regular reports will be submitted to the WB (on a quarterly and bi-annual basis and/or as agreed between the NPIU and the Bank). The reports will have a section addressing issues on VMGs/IPs including successes, challenges and mitigation measures. Any areas of concern will be flagged to facilitate consultations and resolution.

188. *Annual Reporting and Performance Review Requirements:* Annual progress reports will be prepared by the NPIU and submitted to the WB for review and input. The preparation of such reports will be supported by safeguard specialists in the project at the county, sub-county and community levels. These reports will be submitted to the Bank by the NPIU. The reports will also be shared with the county and sub-county PIUs for their reference and use.

189. *Assessment of capacity and preparedness for appraisal:* The NPIU has the requisite capacity to undertake the preparation of the safeguards instruments. It is notable that the NPIU has recently been constituted. During the pre-appraisal the specific additional capacity needs for each component including safeguards will be assessed. It is notable that the GoK has shown its willingness to complement the existing team with competent consultants. Having safeguard experts at county level is also important and this need will also be identified and the terms of reference (TORs) agreed. The County staff will be trained on the required policies and use of the social and environmental screening tools.

190. All the frameworks will include a Consultation and Stakeholder Engagement Strategy to ensure that VMGs/IPs are informed, consulted, and mobilized to participate in the relevant project activities. In addition, there will be information on CGRMSs related to project planning and implementation, and a process for WB and Government Disclosure to the public in accordance with WB Policy on Disclosure of Information. Consultations with key stakeholders involving the key line ministries at the sub-county, county and national levels and representatives of VMGs/IPs will be undertaken during the preparation of the social and environmental screening and planning documents.

9.0 CONCLUSIONS AND RECOMMENDATIONS

9.1 Conclusions

191. The communities hosting refugees in Dadaab and Kakuma camps occupy relatively underdeveloped and underserved areas compared with the rest of Kenya. They have a precarious socio-economic situation, plagued by food insecurity, limited access to basic social services and economic infrastructure; poor livelihood opportunities; a degraded natural resource base; and a significant dependence on the refugee camps for social services and economic opportunities. Women and girls in the two areas are at risk of GBV although this continues to be under-reported. Enhancing the productive capacities and coping mechanisms of the host populations around the Dadaab refugee camps is an important immediate step to offset the impacts of the imminent closure of the Dadaab refugee camp complex that is planned to occur in a phased manner. In addition, there is a need to rehabilitate the Kenyans who are registered as refugees in Dadaab and Kakuma.[17] Mitigating the additional impacts of refugee increase on Kakuma/Kalobeyei host communities, which are poised to receive the non-Somali refugees from Dadaab (estimated at 50,000), is also a priority. This approach is closely aligned with the WB's strategy for addressing forced displacement, which recommends a developmental approach to support host communities to better manage impacts and shocks that are associated with the long presence of the refugees.

192. The limited access to basic services including education, health and water has resulted in high levels of illiteracy and exposure to preventable diseases, among other challenges. Although both the refugees and host communities find themselves in unfortunate circumstances, the fate of the latter is considerably worse. The disparity continues to be a key source of conflict in the five sub-counties targeted by the proposed project but more so in Kakuma, Dadaab and Fafi. Although the host communities fault the GoK and development agencies that seem to provide preferential treatment to the refugees.

193. The key stakeholders engaged in the SA gave positive feedback on the proposed project. They noted that for a long time the host communities had been ignored by the leadership and the agencies engaged in refugee affairs. They considered the WB investment a timely response to the grievances they have had for many years. Some of the anticipated significant positive effects of the project include:

i. increased access to water, education and health;
ii. access to better livelihoods through support towards increased livestock and agricultural production;
iii. improved environmental management and better living conditions for the local people;
iv. increased access to employment resulting into increased incomes;
v. enhanced civil awareness/empowerment among the communities and VMGs/IPs enabling them to know their rights and claim their entitlements;
vi. improved capacity for the youth and women to engage in productive activities;
vii. better management of local resources; and
viii. increased accountability for local development.

194. The potential negative impacts from the investment include:

i. conflict related to access to employment and procurement opportunities as a result

[17] Interviews in Kakuma indicated that there are some local Turkana people who are in the refugee register.

of elite capture and clan/sub-clan based preferential treatment;

ii. flare up of clan conflicts due to perceived and/or real preferential treatment in access to facilities;

iii. conflicts related to land and other amenities that would require communal ownership;

iv. disregard of the VMGs/IPs in planning and implementation of the project due to their relatively limited literacy, skills and numerical strength; and

v. there is also the danger that the County and National Governments may neglect the five sub-counties on the assumption that the WB project will solve their problems. This would be unfortunate since the level of investment by the WB is limited.

9.2 Recommendations

195. To build on the benefits and mitigate the challenges identified above, there is a need to engage the host communities and the VMGs/IPs FPIC leading to broad community support in all stages of the project. Monitoring of project activities should be done with the host community and VMG/IP lens. There should be creation of awareness at all levels to sensitize people about the project objectives, implementation plan and expected outcomes. Information should be shared widely and in a timely manner. Various channels of communication should be explored including telephone, local radio stations, county and sub-county offices, religious places (Churches and Mosques), social halls and chiefs/assistant chiefs' offices.

196. *Strategies for enhanced participation of the community members and VMGs/IPs:* The suggestions made by the participants in the SA include:

i. enhance outreach and awareness raising to ensure clarity on the project by all key stakeholders. Multiple means of communication should be used to ensure that all members are reached including the VMGs/IPs;

ii. work with village elders and other respected community leaders in project planning, implementation and M&E. The emphasis should be placed on working with people and groups trusted by the communities;

iii. broad community support would be ascertained by an inclusive community meeting, which would have the main agreements read out and the participants confirm that 2/3 of those present agreeing and sign the attendance list that was a true reflection of what was agreed;

iv. collaborate with trusted local organizations and selective international organizations that have a history and good working relationships with the communities to implement the project; and

v. hold consultations with local leaders, including political leadership since they control resources that could complement the project financing. For instance, the MPs are responsible for CDF, bursary funds and other resources available for local development. The County Governments have resources that could also be used to strengthen interventions supported by KDDRIP.

197. *Project implementation:* One of the key concerns identified by the host community members through the SA consultations is ensuring that the resources provided for the project are used for the purposes intended by WB. Consequently, the project should have clear implementation mechanisms to ensure transparency and accountability, which include:

i. activities identified for implementation should be clearly documented and disseminated through a clear communication strategy that uses accessible mechanisms, e.g. local radio, and in media that is understandable by the

communities;

ii. recruitment procedures should be done transparently, while ensuring the inclusion of VMGs/IPs;

iii. the award of contracts should be done equitably not favoring any segment of the community while ensuring that VMGs/IPs or their groups are not discriminated against;

iv. youth and women groups identified for support should be trained and the of support given to them is made known to the community members;

v. the public works activities should be sustainable and beneficial to all community members (e.g. reforestation; road repairs, management of water resources, etc.);

vi. the youth selected for training or grants should be known and endorsed by the local leaders from their respective communities; and

vii. the CGRM should be activated and accessible to all people. Feedback mechanisms should be integrated into the system.

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ANNEXES

ANNEX 1: IN-DEPTH INTERVIEW GUIDE

County: _____
Sub-County: _____
Nearest refugee camp: _____
Place of interview: _____
Date of the interview: _____
Name of the interviewer: _____
Name of respondent: _____
Designation of respondent: _____
Duration in that position: _____
Length of stay in the area: _____
Start time: _____ End time: _____

Introduction
Hello. My name is _____. I work with African Institute for Health and Development. We are conducting an assessment on social and environmental issues related to development in Turkana, Garisaa and Wajir on behalf of the Kenya Government. You were chosen for this interview because you know this community well and your views are important to us. Your taking part in this interview is voluntary. This interview will last for about 45 minutes. I kindly ask you to share your honest views.

Do you have any questions or thoughts before we start?
(If any comments/questions, please address them before the interview).

Ice breaker:

- What are the main economic activities for people in this area? ***(PROBE on farming, livestock keeping, fishing, small scale businesses, etc.).***

Issues:

1. **Community structure**
   - *i.* How would you describe the structure of this community? (***PROBE on ethnicity, household structure, leadership structure, gender relations, clannism, etc.).***
   - *ii.* What is the role played by the youth in this community? ***(PROBE on education and employment opportunities, access to credit facilities, decision making processes, political issues etc.).***
2. **Social, cultural, and political characteristics of VMGs**
   - ***i.*** Who are considered as the VMGs in this community? ***(PROBE on people with severe disabilities, women, children, youth, minority groups, displaced people, etc.).***
   - ***ii.*** How would you describe the structure of VMGs in this community? (***PROBE on land territories, customs, relations, interactions with the larger community, etc.).***
   - ***iii.*** What services are available for VMGs in this community? ***(PROBE on access to essential services – water, health and education among others).***

3. Community involvement in development projects

- *i.* How are community members involved in development processes in this area? ***(PROBE planning, implementation, monitoring and evaluation, etc.).***
- *ii.* What categories of people are considered influential in development matters in this community*?* ***(PROBE on men, women, youth, religious leaders, local leaders, etc.).***
- *iii.* In your view, what measures should be put in place to ensure that the projects introduced in this community are sustained. ***(PROBE on social and economic investments; (ii) sustainable environmental management; (iii) livelihoods program; and (iv) project management and monitoring and evaluation).***

iv. What would be the potential risks of implementing a development project in this community? ***(PROBE on community attitude, beliefs, culture, environmental issues, conflict, etc.).***

4. Grievance mechanisms

i. What are some of the complaints about program(s) implementation in this community? ***(PROBE on selection, transparency, accountability, community involvement, etc.).***

ii. What structures are in place to address community members' grievances? ***(PROBE on the availability of committees, use of local administration, use of community structures (such as council of elders, etc.).***

iii. What is your opinion regarding the existing mechanisms? ***(PROBE on capacity, effectiveness, understanding of the issues, etc.).***

5. Relationship between host community and refugees

i. How is the relationship between the host community and refugees in this area? (***PROBE on intermarriages, shared resources, conflict, etc.***).

ii. What are some of the positive effects of refugees in this community ***(PROBE on trade, intermarriages, access to services, etc.).***

iii. What are some of the negative effects of refugees in this community ***(PROBE on environmental degradation, conflict, high population against limited services, etc.).***

iv. What would be the impact of the potential repatriation of refugees on the host community? ***(PROBE on potential tension, environmental impacts, shocks on businesses, intermarriages, economic condition, Kenyans who have been registered as refugees, etc.).***

6. Gender relations

i. How would you describe the relation between men and women in this community? (***PROBE on women empowerment, decision making processes, involvement in political affairs, gender-based violence, etc.).***

ii. How are gender based-related issues solved in this community? ***(PROBE kangaroo courts, local structure, religious institutions, etc.).***

7. Please cite for me four (4) suggestions for accessible Grievance Redress Mechanisms (GRMs) in the community.

We have come to the end of our interview, what other views do you have that would inform developmental issues in this community?

THANK THE RESPONDENT

ANNEX 2: FOCUS GROUP DISCUSSION GUIDE

County: _____
Sub-County: _____
Nearest refugee camp: _____
Venue: _____
Date of the FGD: _____
Name of the moderator: _____
Name of note-taker: _____
Type of group: _____
Start time: _____ End time: _____

Introduction
Good morning/afternoon. My name is..... We are from African Institute for Health and Development (AIHD). We are conducting an assessment on social and environmental issues related to development on behalf of the Kenya Government. I kindly request you to share your honest views on the issues we will be discussing. Your participation in this discussion is voluntary and you are free to stop this discussion if you feel uncomfortable at any point. I would like, however, to assure you that the information you provide shall be kept confidential and will only be used for the purposes of this assessment. This discussion will last approximately 60 minutes. I will moderate the discussion and my colleague ……. will take the notes. We would like to request that we use an audio recorder because it would be difficult for the note-taker to record all the discussion points. Do you have any questions or comments before we proceed?

Interviewer: *(If any question/comment, please first address them before proceeding with the discussion).*

Ice breaker:

- What are some of the income generating activities in this area?

Issues:

1. **Community structure**
   - *i.* How would you describe the structure of this community? (***PROBE on ethnicity, household structure, leadership structure, gender relations, clannism, etc.).***
   - *ii.* What is view on the role played by the youth in this community? ***(PROBE on education and employment opportunities, access to credit facilities, decision making processes, political issues, etc.).***

2. **Views on social, cultural, and political characteristics of VMGs**
   - i. What is your view regarding the VMGs in this community? ***(PROBE on people with severe disabilities, women, children, youth, minority groups, displaced people, etc.).***
   - *ii.* How would you describe the structure of VMGs in this community? (***PROBE on land territories, customs, relations, interactions with the larger community, etc.).***
   - iii. What services are available for VMGs in this community? ***(PROBE on access to essential services – water, health and education among others).***

3. **Views on community involvement in development projects**
   - *i.* What is your opinion on community involvement in development processes in this area? (***PROBE planning, implementation, monitoring and evaluation, etc.).***
   - *ii.* What categories of people are considered influential in development matters in this community? ***(PROBE on men, women, youth, religious leaders, local leaders, etc.).***

iii. In your view, what measures should be put in place to ensure that the projects introduced in this community are sustained. ***(PROBE on social and economic investments; (ii) sustainable environmental management; (iii) livelihoods program; and (iv) project management and monitoring and evaluation).***

iv. In your view, what would be the potential risks of implementing a development project in this community? ***(PROBE on community attitudes, beliefs, culture, environmental issues, conflict, etc.).***

4. **Grievance mechanisms**

i. What are some of the complaints about program(s) implementation in this community? **(*PROBE on selection, transparency, accountability, community involvement, etc.*).**

ii. What structures are in place to address community members' grievances? **(*PROBE on the availability of committees, use of local administration, use of community structures (such as council of elders, etc.).***

iii. What is your view regarding the existing mechanisms? **(*PROBE on capacity, effectiveness, understanding of the issues, etc.).***

5. **Relationship between host community and refugees**

i. How would you describe the relationship between the host community and refugees in this area? (***PROBE on intermarriages, shared resources, conflict, etc.***).

ii. What is your opinion on the positive effects of refugees in this community? ***(PROBE on trade, intermarriages, access to services, etc.).***

iii. What is your view on the negative effects of refugees in this community? ***(PROBE on environmental degradation, conflict, high population against limited services, etc.).***

iv. What is your view on the impact of the potential repatriation of refugees on the host community? ***(Probe on potential tension, environmental impacts, shocks on businesses, intermarriages, economic condition, Kenyans who have been registered as refugees, etc.).***

6. **Gender relations**

i. How would you describe the relation between men and women in this community? (***Probe on women empowerment, decision making processes, involvement in political affairs, gender-based violence, etc.).***

ii. How are gender based-related issues solved in this community? ***(Probe kangaroo courts, local structure, religious institutions, etc.).***

7. **Please give some suggestions for accessible Grievance Redress Mechanisms (GRMs) in the community.**

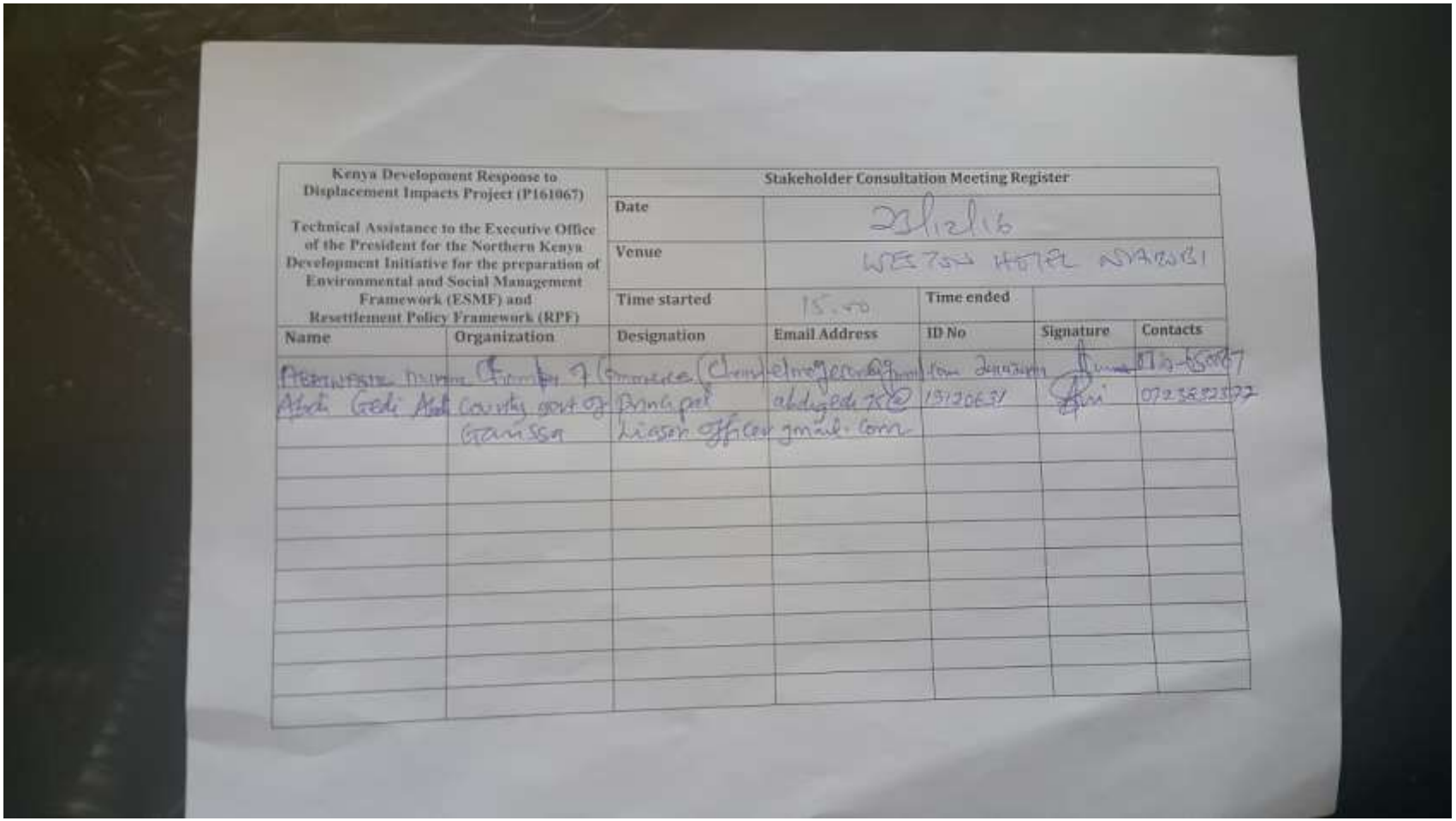
We have come to the end of our discussion, what other views do you have that would inform developmental issues in this community?

THANK THE PARTICIPANTS

ANNEX 3: LIST OF PEOPLE CONSULTED DURING THE SOCIAL ASSESSMENT

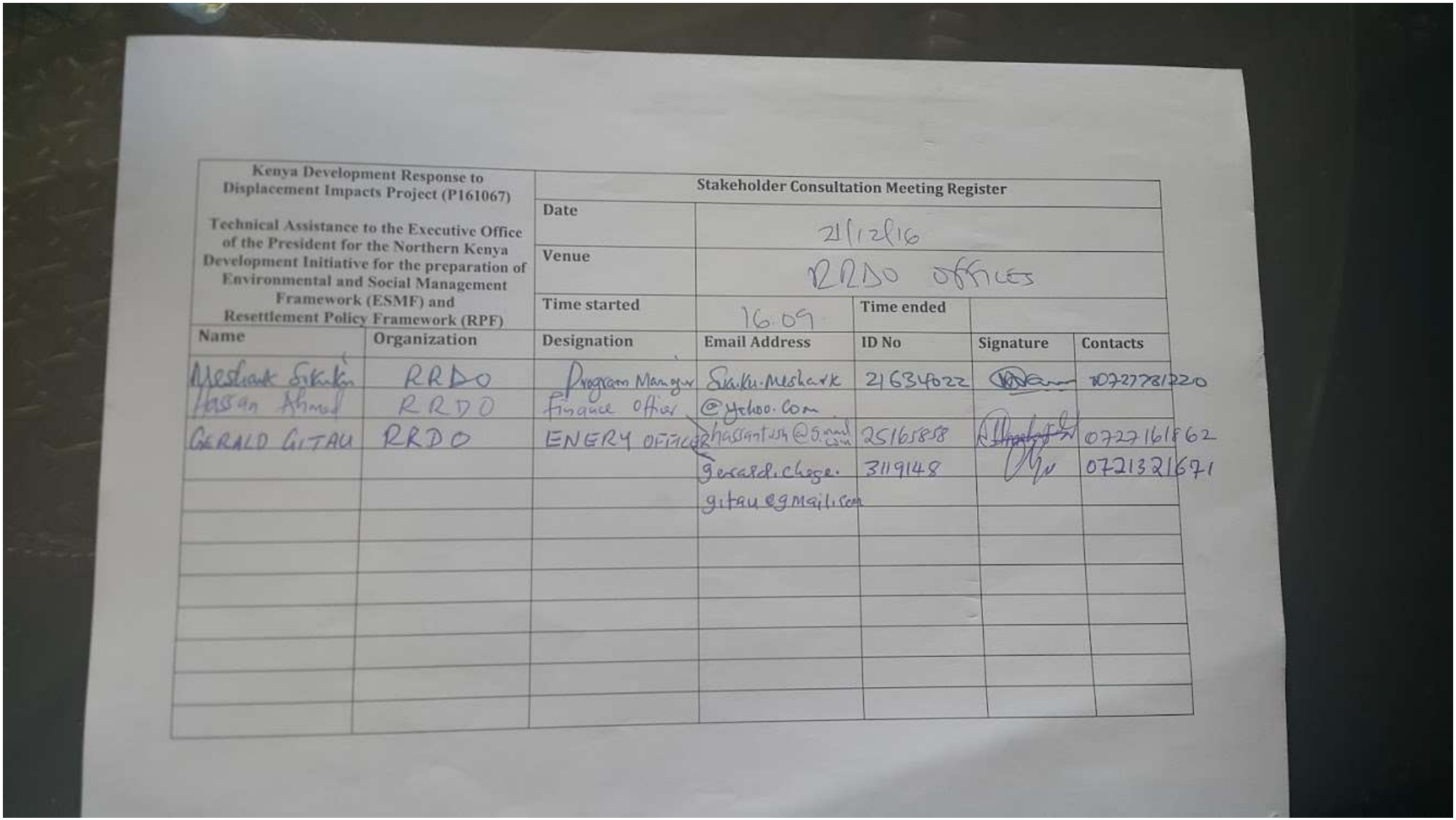
No.	Name	Organization	Position
	Turkana County		
1.	Hon. Peter Lokoel	Turkana County Government	Deputy Governor
2.	Hon. Daniel Epuyo Nanok	National Parliament	MP, Turkana West
3.	Simon Wangila	Turkana County Government	Principal Economist
4.	Gabriel Odoso	Turkana County Government	Economist
5.	Francis Okwar	Turkana County Government	Economist
6.	Peter Ekunyuk	HelpAge International	Head, Lodwar Office
7.	Julius Taigong	NDMA	CDC (out-going)
8.	Abdulkadir Hassan	NDMA	CDC (in-coming)
9.	Paul Esekom	LOKADO	Environment and Energy Officer –Kalobeyei
10.	Akwom Kennedy Peter	LOKADO	Programme Officer
11.	Ezekiel N. Dida	LOKADO	Energy and Environment Officer – Kakuma
12.	Augustine Kai Lopie	LOKADO	Chief Executive Officer
13.	Bjoern Euler	GIZ	
14.	Patrick Nabwel	GIZ	
15.	Kenneth Murema	LWF	Finance Officer
16.	William Losengei	LWF	Programme Officer
17.	Roseline Nthenge	LWF	Programme Manager
18.	Collins Onyango	LWF	Coordinator
	Garissa County		
19.	Hon. Nathif J. Adam	Garissa County Government	Governor
20.	Hon. Elias Barre Shill	National Assembly	MP, Fafi
21.	Hon. Dr. Mohammed Dahir Duale	National Assembly	MP, Dadaab
22.	Jean Bosco Rushatsi	Dadaab	Head of Operations
23.	Aicha Limam	Dadaab	Deputy Head of Operations
24.	Abdullahi Mohammed Abdi	WomanKind Kenya	Executive Director
25.	Gedi Abdi Hussein	786 Disability Awareness Organization	Executive Director
26.	George Omondi	LWF	Project Coordinator
27.	George Omondi	UNHCR	Assistant Livelihoods Officer
28.	Janet Muema	Kenya Red Cross Society, Dadaab	Agriculture Officer
29.	Farah Omar	LWF	Livelihood Officer
30.	Mohamed Idris Mohamed	Dadaab Sub-County	Women Affairs, Social Services and Culture
31.	Ibrahim Abdisalat	Dadaab Sub-County	Environment Officer
37.	Vitalis Kosgei, LWF	LWF	Community Services,
38.	Sheikh Mahamud	Dadaab	Assistant Kadhi
	Wajir County		
40.	Hon. Abdullahi Diriye	National Assembly	MP, Wajir South
41.	Hussein Adan	Wajir County Government	Coordinator for Peace and Cohesion Integration
42.	Abdi Burale	Darfur Village, Wajir South	Chairman

List of people met in Dadaab, Fafi and Wajir South sub-counties[18]

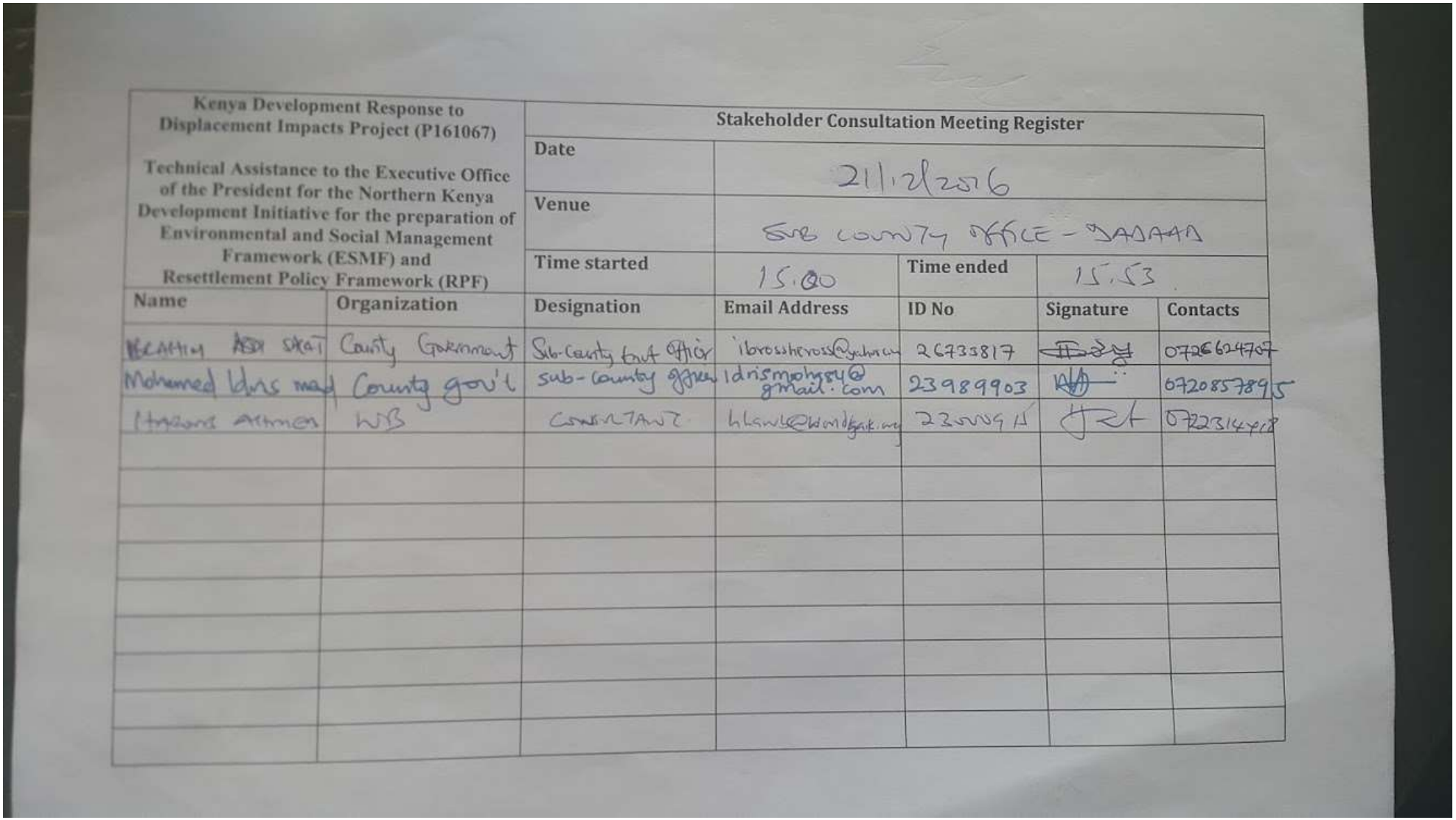


Kenya Development Response to Displacement Impacts Project (P161067)		Stakeholder Consultation Meeting Register				
Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Date	23/12/16			
		Venue	WESTON HOTEL NAIROBI			
		Time started	15.00	Time ended		
Name	Organization	Designation	Email Address	ID No	Signature	Contacts
[illegible]	Chamber of Commerce (Chamber)	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Abdi Gedi Abdi	County govt of Garissa	Principal Liaison officer	abdigedi75@gmail.com	19120631	[illegible]	07238323[illegible]

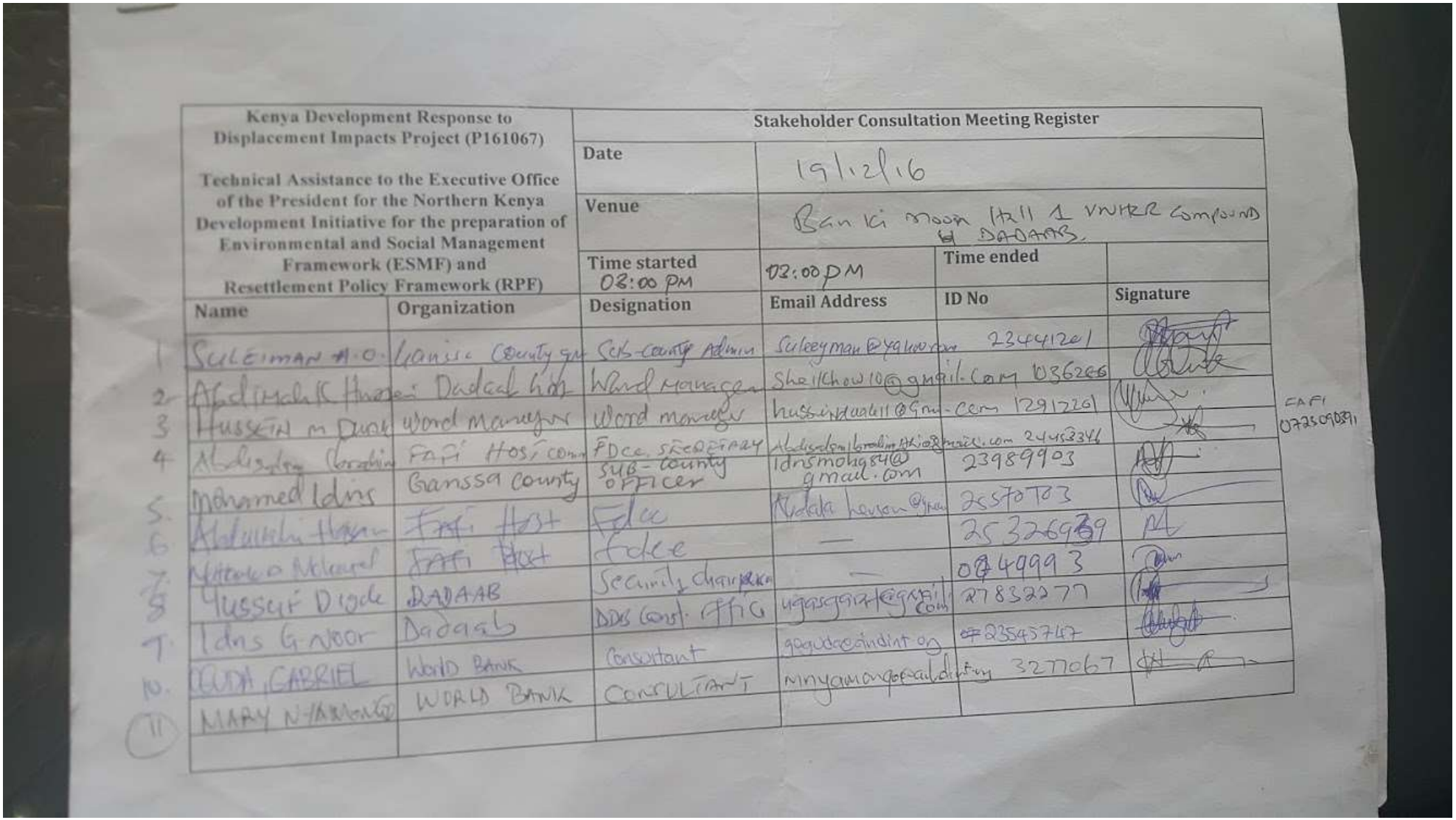
[18] Joint interviews were conducted for the Social Assessment along with Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) preparation process



Kenya Development Response to Displacement Impacts Project (P161067) Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Stakeholder Consultation Meeting Register				
		Date	21/12/16			
		Venue	RRDO offices			
		Time started	16.09	Time ended		
Name	Organization	Designation	Email Address	ID No	Signature	Contacts
Meshark Sikuku	RRDO	Program Manager	Sikuku.Meshark	21634022	[signature]	0727781220
Hassan Ahmed	RRDO	Finance Officer	@yahoo.com			
GERALD GITAU	RRDO	ENERY OFFICER	hassantish@gmail.com	25165858	[signature]	0727161862
			gerald.chege.	3119148	[signature]	0721321671
			gitau@gmail.com			

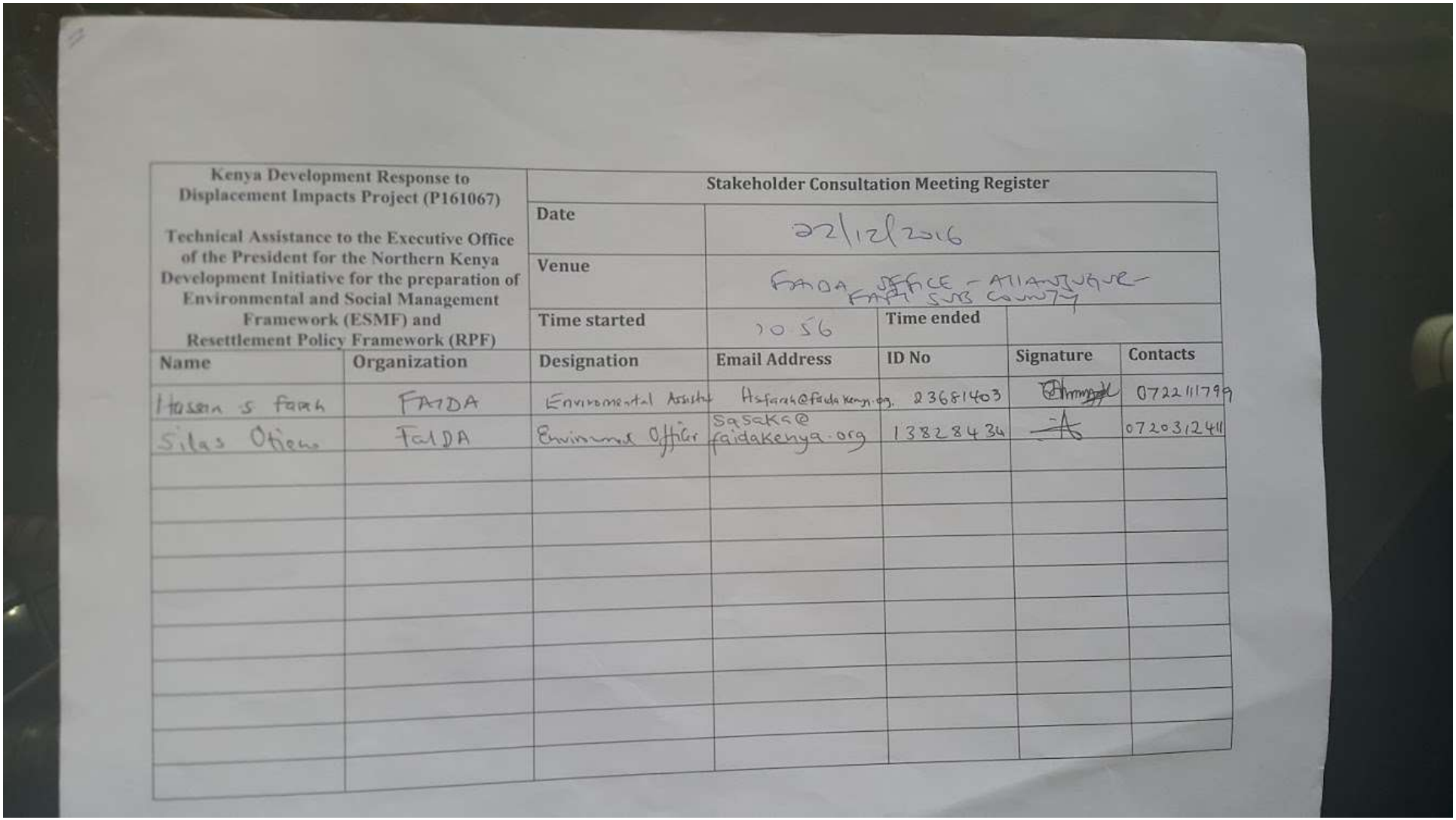


Kenya Development Response to Displacement Impacts Project (P161067) Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Stakeholder Consultation Meeting Register				
		Date	21/12/2016			
		Venue	SUB COUNTY OFFICE - DADAAD			
		Time started	15.00	Time ended	15.53	
Name	Organization	Designation	Email Address	ID No	Signature	Contacts
IBRAHIM ABDI SAKAI	County Government	Sub-County Govt Officer	ibrossheross@yahoo.com	26733817	[illegible]	0726624707
Mohamed Idris mad	County gov't	sub-county officer	idrismohg84@gmail.com	23989903	[illegible]	0720857895
Hassan Ahmed	WB	CONSULTANT	hlawb@worldbank.org	23000915	[illegible]	0722314418

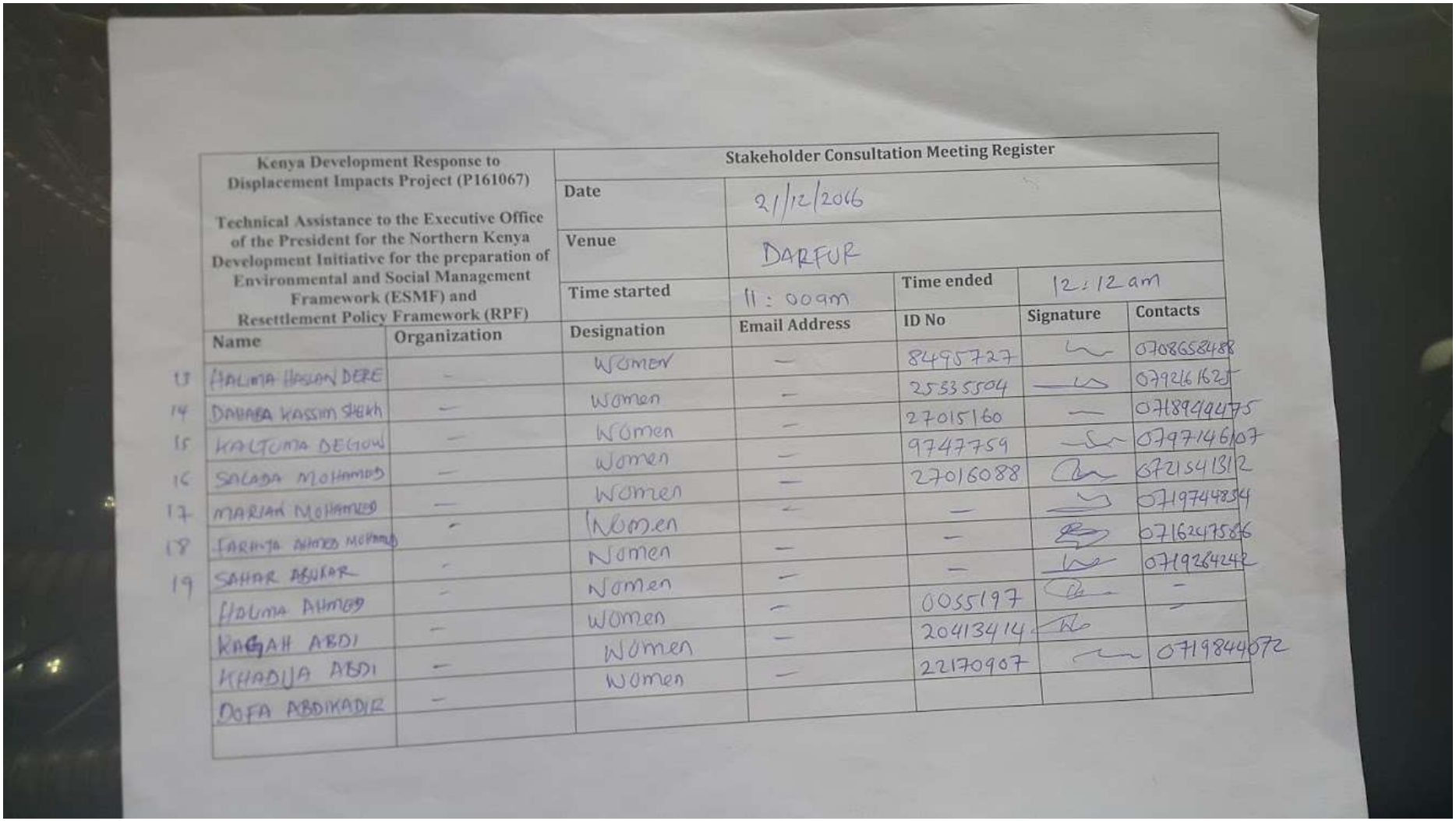


Kenya Development Response to Displacement Impacts Project (P161067) Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Stakeholder Consultation Meeting Register			
		Date	19/12/16		
		Venue	Banki moon Hall 1 VNHCR Compound DADAAB.		
		Time started 03:00 PM	03:00 PM	Time ended	
Name	Organization	Designation	Email Address	ID No	Signature
1 SULEIMAN A.O.	Ganissa County gm	Sub-County Admin	Suleeyman@yahoo.com	23441201	[signature]
2 Abdimalik Hussein	Dadaab host	Ward Manager	Sheikhow10@gmail.com	1036266	[signature]
3 HUSSEIN M DUNK	Ward Manager	Ward manager	hussindunk11@gmail.com	12912201	[signature]
4 Abdisalam Ibrahim	FAFI Host comm	FDCC SECRETARY	Abdisalam.ibrahim.ahi@gmail.com	24453346	[signature]
5 Mohamed Idris	Ganssa County	SUB-County Officer	idrismohg84@gmail.com	23989903	[signature]
6 Abdullahi Hassan	FAFI Host	Fdcc	Abdala hassan@gmail	25570703	[signature]
7 Mohamed Mohamed	FAFI Host	Fdcc	—	25326939	[signature]
8 Yussuf Digde	DADAAB	Security chairperson	—	0749993	[signature]
9 Idris G Noor	Dadaab	DDS Const. Office	ugasgarat@gmail.com	27832277	[signature]
10 OGUDA, GABRIEL	World Bank	Consultant	goguda@indint.org	23545747	[signature]
11 MARY NYAMONGO	WORLD BANK	CONSULTANT	mnyamongo@aildint.org	3277067	[signature]

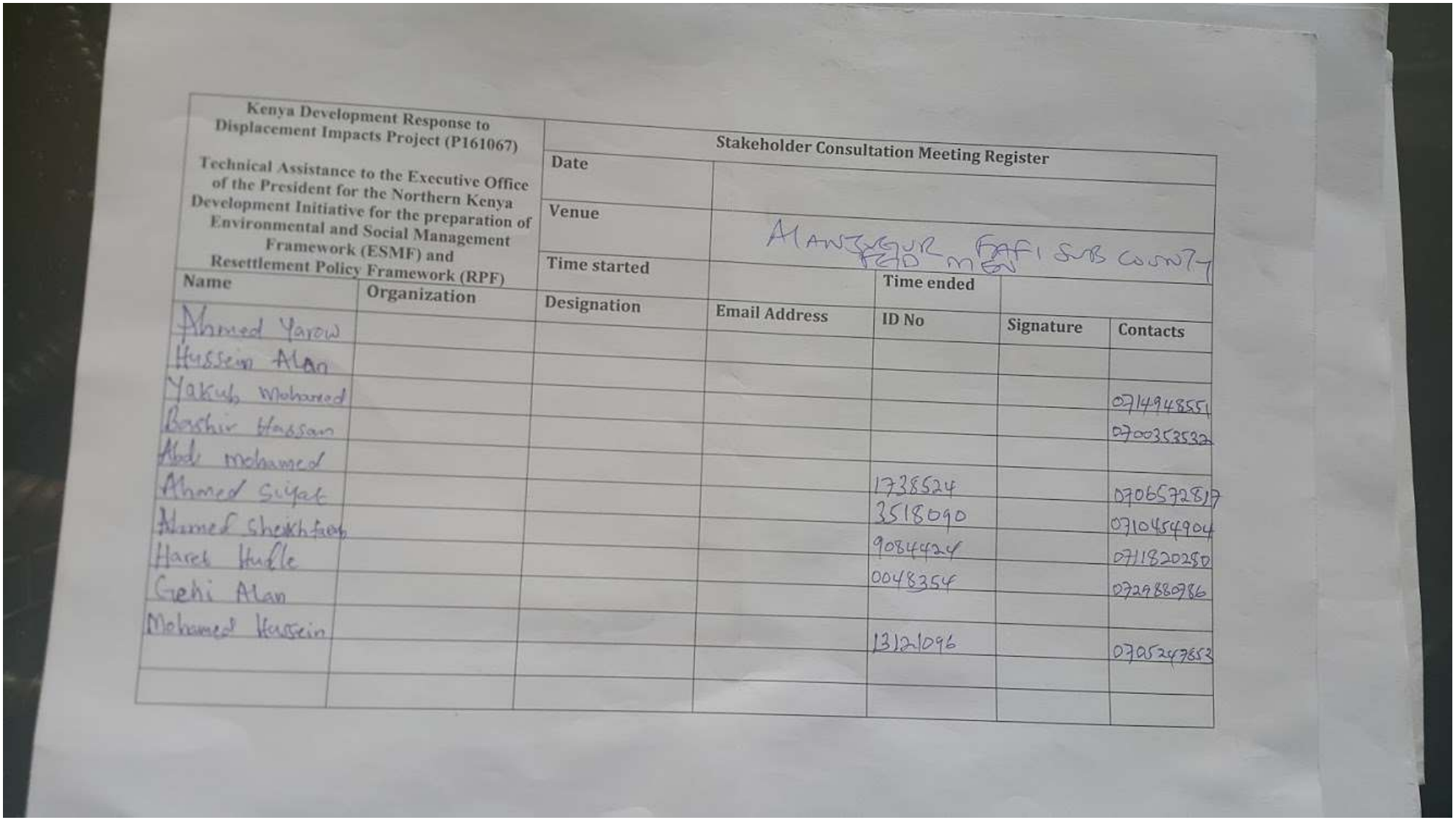
FAFI 0725090391



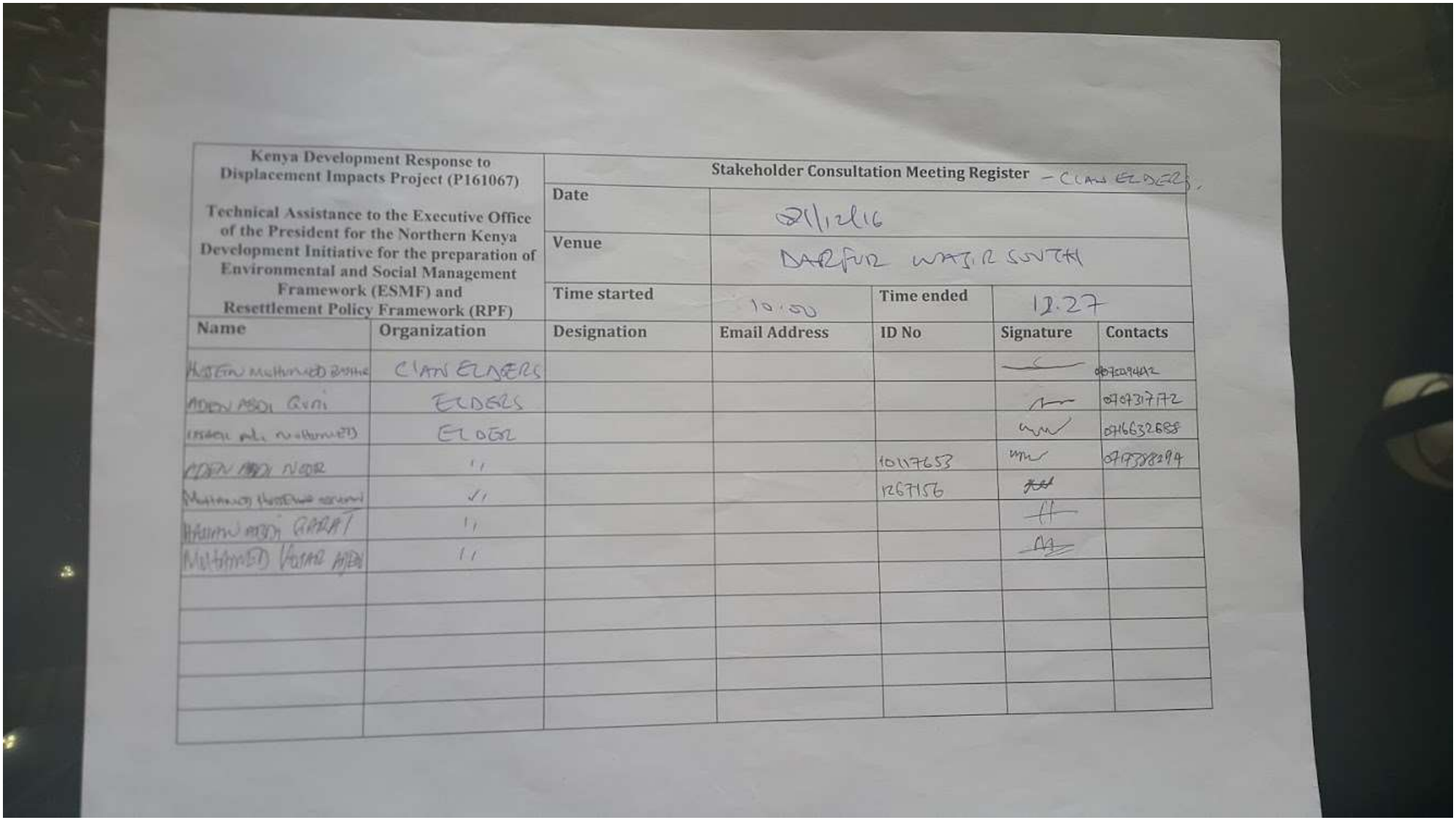
Kenya Development Response to Displacement Impacts Project (P161067) Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Stakeholder Consultation Meeting Register				
		Date	22/12/2016			
		Venue	FAIDA OFFICE - ATIANJUGUE - FAFI SUB COUNTY			
		Time started	10 56	Time ended		
Name	Organization	Designation	Email Address	ID No	Signature	Contacts
Hassan S Farah	FAIDA	Environmental Assistant	Hsfarah@faidakenya.org	23681403	[signature]	0722111799
Silas Otieno	FAIDA	Environmental Officer	sasaka@faidakenya.org	13828434	[signature]	0720312411



Kenya Development Response to Displacement Impacts Project (P161067) Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Stakeholder Consultation Meeting Register				
		Date	21/12/2016			
		Venue	DARFUR			
		Time started	11:00am	Time ended	12:12 am	
Name	Organization	Designation	Email Address	ID No	Signature	Contacts
13 HALIMA HASSAN DERE	-	Women	-	8495727		0708658488
14 DAHABA KASSIM SHEKH	-	Women	-	25335504		0792616 25
15 KALTUMA DEGOW	-	Women	-	27015160		0718949475
16 SALABA MOHAMED	-	Women	-	9747759		0797146107
17 MARIAM MOHAMED	-	Women	-	27016088		0721541312
18 FARHIA AHMED MOHAMED	-	Women	-	-		0719744854
19 SAHAR ABUBAR	-	Women	-	-		0716247586
HALIMA AHMED	-	Women	-	-		0719264242
KAGAH ABDI	-	Women	-	0055197		-
KHADIJA ABDI	-	Women	-	20413414		-
DOFA ABDIKADIR	-	Women	-	22170907		0719844072



Kenya Development Response to Displacement Impacts Project (P161067) Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Stakeholder Consultation Meeting Register				
		Date				
		Venue	MANDERA FAFI SUB COUNTY			
		Time started		Time ended		
Name	Organization	Designation	Email Address	ID No	Signature	Contacts
Ahmed Yarow						
Hussein Alan						
Yakub Mohamed						0714948551
Bashir Hassan						0700353532
Abdi mohamed						
Ahmed Sujat				1738524		0706572817
Hamed Sheikh Isak				3518090		0710454904
Harsi Hulle				9084424		0711820250
Gehi Alan				0048354		0729880986
Mohamed Hussein						
				13121096		0705247853



Kenya Development Response to Displacement Impacts Project (P161067) Technical Assistance to the Executive Office of the President for the Northern Kenya Development Initiative for the preparation of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF)		Stakeholder Consultation Meeting Register – CLAN ELDERS.				
		Date	21/12/16			
		Venue	DARFUR WATER SOUTH			
		Time started	10:00	Time ended	12.27	
Name	Organization	Designation	Email Address	ID No	Signature	Contacts
[illegible]	CLAN ELDERS					[illegible]
ADEN ABDI GURI	ELDERS					0707317772
[illegible]	ELDER					0716632685
[illegible] NOOR	"			10117653		0713588294
[illegible]	"			1267156		
[illegible] GARAT	"					
MUHAMED [illegible]	"					

ANNEX 4: DISTRIBUTION OF NATIONAL AND COUNTY GOVERNMENTS' FUNCTIONS

Article 185(2),186(1) and 187(2))

National Functions

1. Foreign affairs, foreign policy and international trade.
2. The use of international waters and water resources.
3. Immigration and citizenship.
4. The relationship between religion and state.
5. Language policy and the promotion of official and local languages.
6. National defense and the use of the national defense services.
7. Police services, including-

(a) the setting of standards of recruitment, training of police and use of police services;
(b) criminal law; and
(c) correctional services.

8. Courts.
9. National economic policy and planning.
10. Monetary policy, currency, banking (including central banking), the incorporation and regulation of banking, insurance and financial corporations.
11. National statistics and data on population, the economy and society generally.
12. Intellectual property rights.
13. Labour standards.
14. Consumer protection, including standards for social security and professional pension plans.
15. Education policy, standards, curricula, examinations and the granting of university charters.
16. Universities, tertiary educational institutions and other institutions of research and higher learning and primary schools, special education, secondary schools and special education institutions.
17. Promotion of sports and sports education.
18. Transport and communications, including, in particular--

(a) road traffic;
(b) the construction and operation of national trunk roads;
(c) standards for the construction and maintenance of other roads by counties;
(d) railways;
(e) pipelines;
(f) marine navigation;
(g) civil aviation;
(h) space travel;
(i) postal services;
(j) telecommunications; and
(k) radio and television broadcasting.

19. National public works.
20. Housing policy.
21. General principles of land planning and the co-ordination of planning by the counties.
22. Protection of the environment and natural resources with a view to establishing a durable and sustainable system of development, including, in particular;

(a) fishing, hunting and gathering;

(b) protection of animals and wildlife;
(c) water protection, securing sufficient residual water, hydraulic engineering and the safety of dams; and
(d) energy policy.
23. National referral health facilities.
24. Disaster management.
25. Ancient and historical monuments of national importance.
26. National elections.
28. Health policy.
29. Agricultural policy.
30. Veterinary policy.
31. Energy policy including electricity and gas reticulation and energy regulation.
32. Capacity building and technical assistance to the counties.
33. Public investment.
34. National betting, casinos and other forms of gambling.
35. Tourism policy and development.

County Functions
The functions and powers of the county are--
1. Agriculture, including-
(a) crop and animal husbandry;
(b) livestock sale yards;
(c) county abattoirs;
(d) plant and animal disease control; and
(e) fisheries.
2. County health services, including, in particular-
(a) county health facilities and pharmacies;
(b) ambulance services;
(c) promotion of primary health care;
(d) licensing and control of undertakings that sell food to the public;
(e) veterinary services (excluding regulation of the profession);
(f) cemeteries, funeral parlours and crematoria; and
(g) refuse removal, refuse dumps and solid waste disposal.
3. Control of air pollution, noise pollution, other public nuisances and outdoor advertising.
4. Cultural activities, public entertainment and public amenities, including--
(a) betting, casinos and other forms of gambling;
(b) racing;
(c) liquor licensing;
(d) cinemas;
(e) video shows and hiring;
(f) libraries;
(g) museums;
(h) sports and cultural activities and facilities; and
(i) county parks, beaches and recreation facilities.
5. County transport, including--
(a) county roads;
(b) street lighting;
(c) traffic and parking;
(d) public road transport; and
(e) ferries and harbours, excluding the regulation of international and national shipping and

matters related thereto.
6. Animal control and welfare, including--
(a) licensing of dogs; and
(b) facilities for the accommodation, care and burial of animals.
7. Trade development and regulation, including--
(a) markets;
(b) trade licenses (excluding regulation of professions);
(c) fair trading practices;
(d) local tourism; and
(e) cooperative societies.
8. County planning and development, including—
(a) statistics;
(b) land survey and mapping;
(c) boundaries and fencing;
(d) housing; and
(e) electricity and gas reticulation and energy regulation.
9. Pre-primary education, village polytechnics, homecraft centres and childcare facilities.
10. Implementation of specific national government policies on natural resources and environmental conservation, including--
(a) soil and water conservation; and
(b) forestry.
11. County public works and services, including--
(a) storm water management systems in built-up areas; and
(b) water and sanitation services.
12. Fire fighting services and disaster management.
13. Control of drugs and pornography.
14. Ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

ANNEX 5: SOCIO-ECONOMIC INDICATORS FOR THE PROJECT SITES

	Turkana		Garissa				Wajir	
	County	**Sub-County**	**County**	**Sub-County**			**County**	**Sub-County**
		Turkana West		Dadaab	Fafi	Lagdera		Wajir South
Population								
Total	**855,399** Male (445,069) Female (410,330)	245,327	**620,183** Male (334,635) Female (285,548)	152,487	95,212	92,636	**661,941** Male (363,766) Female (298,175)	137, 991
Children Under 5	**111,579** Male (57,530) Female (54,049)		**109,757** Male (58,238) Female (52,227)				**92,413** Male (47,776) Female (44,637)	
Income								
Human development index	**0.3331**		**0.47**				**0.42**	
Youth Development Index	**0.5952**		**-**				**-**	
Gender Development Index	**0.4943**		**-**				**-**	
Human Poverty Index	**0.613**		**0.395**				**0.467**	
Health								
Underweight (weight for age) (%)	**34%**		**26.8%**				**-**	
Stunted (height for age) (%)	**23.9%**		**38.6%**				**35%**	
Children (12-13 months immunized (%)	**56.7%**		**62%**				**48%**	
Births attended to at a health facility (%)	**23.1%**		**22.6%**				**17%**	
Contraceptive prevalence (%)	**10.1%**		**4%**				**4%**	
Number of people living with HIV on ART	**2,867**		**-**				**-**	
Nurses (per 1000,000 people)	**19**		**1:2,453**				**24**	
Doctors (per 100,000 people)	**2**		**1:41,538**				**1**	
Clinical officer (per 100,000 people)	**10**		**-**				**-**	
Sanitation (access to toilet facilities) (%)	**8**		**49.37**				**15.3%**	
Education								
No. of Primary Schools	**338**		**131**				**203**	
No. of Secondary schools	**33**		**18**	02	05		**34**	
% Enrolment rate (Primary)	**50%** Male (53.2%) Female (46.6%)		**27.40%** Male (60.1%) Female (39.9%)	40%	06%		**34.6%** Male (35.9%) Female (32.9%)	
% Enrolment rate (Secondary)	**14.6%**		**6.60%** Male (60.1%) Female (39.9%)				**7.2%** Male (7.5%) Female (6.8%)	
% Literacy rate	**22%**		**28.3%**				**23.8%**	
Livelihoods								
Pastoralism	**60**		**85%**				**59.5%**	
Agro-pastoralism	**20**		**5%**				**23.4%**	
Fishing%	**12**		**-**				**-**	

Work for pay/family Business (%)	**08**		**4.3%**				-	
Forest Cover	10%		7.09%				1%	
Road network (in kms)	5,496		1,804.5				5,280	
Water access	37%		23.8%				40%	
Unemployment rate	14.9%		28.4%				27%	

ANNEX 6: ANALYSIS OF THE KEY CONCERNS AND CONSIDERATIONS ON THE PROPOSED INTERVENTIONS IN DADAAB

Table 1: Key Interventions, concerns and considerations for the proposed investment				
Intervention area	**Specific area**	**Key concerns**	**Current interventions**	**Key considerations**
Social and Economic Investments	Education	-poor infrastructure/facilities -limited access to reference and writing materials -poor instruction: teachers are few and not sufficiently trained - lack of government (county and national) goodwill to prioritize education needs -Retrogressive cultural perceptions towards girl-child education -Constant movement of households in search of pasture and water	-construction and rehabilitation of schools -construction of boarding facilities -purchase and upgrading of learning materials -construction of boarding facilities -support to local youth to join teacher training colleges	-reduction of the distance between schools (in the rural areas) -construction of satellite learning blocks along migration routes -prioritize girl-child education to bridge the gender-gap -increase the number and quality of boarding schools for both boys and girls -invest in training local people to take up teaching jobs
	Health	-poor health infrastructure -weak/broken first line healthcare intervention infrastructure -inadequate and unskilled healthcare labor force -limited access to essential drugs and other medical supplies -long distances to health facilities -inadequate referral processes	-construction and rehabilitation of health facilities -equipping facilities	-provide incentives to healthcare personnel to work in the affected sub-counties -train and equip community health workers to diagnose and treat simple ailments -equip the facilities that have been constructed by the county and members of parliament -support the development of a robust referral system
	Water	-limited access to safe and clean drinking water, for both human and animal consumption -unequal distribution of watering points for both human and animal consumption -shallow wells and water pans dry up during dry seasons heightening potential for inter-clan conflict -high concentration of human and animal population around water sources leading to competition	-fencing of water pans and shallow wells to regulate usage -provision of water points to serve settlements (for instance, Darfur) -investment efficient water consumption practices curbing wastage (e.g. minimizing spillage and contamination)	-expansion of borehole coverage especially along traditional migration corridors -empower local engineers to help in servicing broken down water pumps and boreholes -procure emergency water distribution vessels to intervene during dry seasons -invest in more water pans -invest in rain water harvesting -address the diversion of water in the highlands (e.g. Laikipia)

		-delayed servicing of boreholes and water pumps -water from the Ewaso Nyiro river has been diverted by wealthy farmers in Laikipia		
	Sanitation	-low latrine coverage and use -unsafe human waste disposal	-increase access to latrines	-establish open defecation-free (ODF) zones -sensitize communities on the importance of safe human waste disposal -empower and facilitate communities to build their own latrines -support the development of sewer systems in urban centers
Environmental interventions	Reforestation	-High demand for wood fuel for use by refugees and host community members -extraction of forests for sale by both the refugees and host communities -high poverty rate leads to environmental destruction for sale of firewood and charcoal	-planting more trees and establishment of tree nurseries -use of alternative cooking fuel -involvement of the locals in environmental conservation and neighborhood watch -establishment of green belts -providing refugee and host communities with seedlings	-expansion of the tree nursery projects across the four sub-counties -empower local communities to protect and conserve their environment -make alternative fuel affordable, efficient and accessible to all -improve the patrol and surveillance of the forest environment to discourage illegal loggers
	Environmental cleanliness	-Plastic waste, especially from the refugee camps	-	-develop an environmental friendly plastic waste management system -train and develop local skilled labor to sustain the plastic waste management system -establish environmental awareness days where every county resident participates in environmental cleanliness
Livelihoods	Agriculture	-low uptake of modern food production systems -inadequate access to water for irrigation	-demonstration farms on food production	-identify and allocate resources to pilot irrigation schemes for food crop production - introduce drought-resistant crops for farmland
	Livestock	-depletion of stock due to climatic shocks (such as drought) -depletion of stock due to diseases -inadequate pasture due to pressure on the available resources -high numbers of stock – both refugees and host communities	-rotational plan for grazing for the preservation of pastures and watering points -education of communities on livestock shedding during drought -training on appropriate stock management	-develop a livestock insurance scheme to cushion nomadic pastoralists from losing their investment -establish a livestock disease research center in the county headquarters

	Trade/ Entrepreneurship	-poor road network -lack of financial capital -lack of entrepreneurial skills	-laying of the fiber optic cable from Garissa town to Dadaab town -existence of unregistered local financial borrowing schemes for business people intending to expand their portfolios	-manage trade on the Kenya-Somalia border to limit the proliferation of illegal goods getting in from the Somalia market -upgrade the Liboi-Dadaab-Garissa road to ease flow of goods from market to market -strengthen the already existing savings and loans schemes to empower local business people to expand their businesses -organize business development trainings for local business people intending to expand their businesses
Program management, monitoring and evaluation	National structures	-inadequate capacity -corruption	-recruitment of program teams at the national level	-sensitize communities on the role played by the national government in service delivery -establish sound C&G redress mechanisms for those with reports -implement strict sanctions on those found to be corrupt
	County Structures	-inadequate capacity -corruption -inadequate coordination	-capacity building efforts by UNHCR and other organizations -support to FAIDA, RRDO and PIDAD as local implementing partners	-sensitize the community on Schedule IV on the roles of County governments -build the capacity of local accountability structures to monitor usage of funds in order to minimize corruption and leakage -establish sound C&G redress mechanisms

ANNEX 7: ANALYSIS OF THE KEY CONCERNS AND CONSIDERATIONS ON THE PROPOSED INTERVENTIONS IN KAKUMA

Key Interventions, concerns and considerations for the proposed investment				
Intervention area	**Specific area**	**Key concerns**	**Current interventions**	**Key considerations**
Social and Economic Investments	Education	-poor infrastructure/facilities -limited access to reference and writing materials -poor instruction: teachers are few and not trained -low levels of enrolment -low levels of literacy -inappropriate type of education given the socio-cultural context of the pastoral Turkana	-construction and rehabilitation of schools -purchase of learning materials -accelerated learning (less than 8 years to complete primary education) -adult literacy -skills training for the youth -teacher training	-investment in early childhood development (ECD) centers -focus not only on facilities but also on the quality of education -invest in adult literacy given the high levels of illiteracy -assess and put in place education systems that are aligned to the needs of the communities
	Health	-poor infrastructure -long distances to health facilities -inadequate health staff -limited access to drugs and other medical supplies	-construction and rehabilitation of health facilities -equipping facilities -increasing access to drugs and other supplies -investment in prevention and health promotion (advocacy campaigns)	-audit the distribution of health facilities (the county government has focused on increased distribution of the same) -increase the number of the health personnel at all levels -invest in health promotion and prevention to reduce the number of people that seek for care -institute an appropriate referral system -develop/strengthen a cadre of community health volunteers
	Water	-limited access to water, for both human and animal consumption -concentration of populations around water sources -potential for conflict among communities who share water sources -use of contaminated water	-drilling of permanent boreholes in underserved areas -establishment of communal watering points for livestock -community sensitization on land use patterns and preservation of seasonal water points	-empower communities to own and service the available water points for project sustainability-develop a community land use protocol that will help with guiding the exploitation of seasonal water pans around the community -audit the available water points in the terms of distribution and functionality
	Sanitation	-low latrine coverage and use -low awareness and appreciation of the use of toilets among the host communities	-establishment of Open Defecation Free (ODF) zones -increased sensitization on safe human waste disposal	-partner with local NGOs (e.g. LOKADO) to monitor the effectiveness and impact of the ODF zones in improving safe human waste disposal -empower the community to adopt best health promotion practices with regards to safe human waste disposal

			-inclusion of a proposed Water and Sanitation Plan in the CIDP that is currently under review -community sensitization on WASH	-partner with the County government to develop a comprehensive WASH master plan -partner with local organizations to construct low-cost-low-maintenance toilets for safe human waste disposal
Environmental interventions	Reforestation	-high demand for wood fuel for use by refugees -exploitation of forests by host communities for fuel and charcoal for own consumption and for sale	-managed harvesting of mature trees -production of charcoal balls -planting of more trees -procurement of dead dry firewood which is distributed to refugees -production of energy efficient cooking stoves which individuals can easily repair -increased surveillance by relevant bodies in charge of environmental conservation -development of green belts -conservation of the environment	-prescribe heavy penalties for those found depleting the area's biodiversity -establish and officially recognize the local forest patrol personnel in charge of monitoring the exploitation of firewood -empower the local communities to embark on tree nursery projects for the improvement of their source of livelihood and increasing the forest cover -monitor the distribution of the energy efficient cooking stoves to prevent unscrupulous beneficiaries reselling the stoves on the black market -sensitize the refugee population on environmental protection -explore the sustainable use of alternative sources of fuel including LPG gas, biomass, etc -increase the number of green belts
	Environmental cleanliness	-plastic waste, especially from the refugee camp -lack of sewer system in Kakuma town	-adoption of environmental friendly alternatives to plastic bags usage -establishment of a central plastic waste dumpsite for coordinated incineration and easier recycling	-invest in latest plastic waste disposal technology -build local capacity to operate the latest plastic waste disposal technology -sensitize communities on the benefits of a plastic-free environment to human and livestock health -adopt a sound plastic waste plan that can be replicated to all the livelihood zones -work with the county government to develop a comprehensive Waste Management Plan
Livelihoods	Agriculture	-inefficient food production systems (traditional versus modern) -limited access to technical know how -inadequate access to water for irrigation	-existence of pilot irrigation scheme at Lotikipi for vegetables and drought resistant cereals -youth polytechnic in Lodwar providing training on technical skills -construction of strategic boreholes for irrigation and domestic use	-invest in large scale irrigation of food crops for long-term food security -upgrade the Lodwar youth polytechnic into a middle-level technical and industrial training institute -expand community water access points -work with local people to plant drought resistant crops
	Livestock	-depletion of stock due to climatic shocks (such as drought) -depletion of stock due to diseases	-increased access to agricultural extension services advising livestock farmers on herd maintenance and disease prevention	-establish a sustainable livestock insurance program for pastoralists in danger of losing herds due to harsh climatic conditions

		-inadequate pasture due to pressure on the available land resources -theft (to sell to refugees) or act of banditry	-heightened security patrols in and around the refugee camps to curb cases of livestock theft and banditry -sensitization on good neighborliness between refugees and host communities	-strengthen the weak agricultural extension programs monitoring livestock disease trends around the communities -build on the existing community land use plans to prevent resource-based conflicts with regards to water and pasture -strengthen the existing community policing action groups to ensure harmonious coexistence between host communities and the refugees
	Trade/ Entrepreneurship	-poor transport system -lack of financial capital -lack of entrepreneurial skills	-feeder roads currently being upgraded to ensure smooth transport even during adverse weather conditions -injection of infrastructure funds by the County Government to upgrade community access pathways for easier movement of man and livestock -building capacity of youth and women groups to adopt modern entrepreneurial skills for livelihood sustainability and community development	-build ultramodern bridges across seasonal rivers to ensure smooth transport all year round -reserve low-and-medium-skilled jobs to host community youth to improve their skillset and livelihood -establish business training and skills development resource centers in each ward to enhance local capacity of the youth and women across the county -empower youth and women groups with skills to manage and market their goods
Program management, monitoring and evaluation	National structures	-limited capacity -ineffective devolution of services -corruption	-easier access to government services through the devolved system of governance -systems being established for transparency and accountability	-sensitize communities on the role played by the national government in service delivery -establish sound C&G redress mechanisms for those with reports -implement strict sanctions on those found to be corrupt
	County structures	-limited capacity -limited mandates (apart from ECD, education remains a national function) -corruption -inadequate coordination (duplication of effort) -inadequate resources (since Turkana has historically been marginalized)	-creation and strengthening of county-based service points at the community level -increased coordination of county activities through the CDC -expansion of services to each sub-county and all wards	-sensitize the community on Schedule IV on the roles of County governments -build the capacity of local accountability structures to monitor usage of funds in order to minimize corruption and leakage -establish sound C&G redress mechanisms
	Community structures	-dependency (hand-out mentality) -inadequate capacity -limited knowledge of rights	-existence of community-level youth and women groups pooling funds together for livelihood sustainability -existence of community-level government intervention programs empowering youth	-partner with local implementing agencies to create sustainable job opportunities for the youth and other marginalized groups -improve the skillset of youth and women groups to take up available medium-skilled job opportunities

			and women on poverty eradication best practices -availability of local training programs targeting youth and women -functioning capacity building forums for community structures	-establish community-level awareness campaigns on rights and responsibilities -strengthen and work through existing community structures to implement the proposed investment -involve the youth in public works for sustainable community projects

ANNEX 8: PROJECT ACTIVITIES, ISSUES, MITIGATION MEASURES AND KEY STAKEHOLDERS FOR KDRDIP INTERVENTIONS

No	Component	Project activities	Risks/issues	Mitigation measures	Key stakeholders
1.	Social and economic investments	Health service delivery and access	Hiring of non-locals who do not understand the host community language to serve as medical practitioners.	Training in host community cultural norms and belief system to reduce cross-cultural insensitivity to health-seeking behavior.	✓ Local community ✓ Community monitoring committee ✓ MOH ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ NEMA
		Education access and quality	Partnership with the national government whose docket education belongs and bypassing the County government	Delineating the roles and responsibilities of all the key partners at the local level to prevent duplication of roles and political acrimony arising from the fallout.	✓ Local community ✓ Community monitoring committee ✓ MOE ✓ CBOs/FBOs/NGOs ✓ WB and Development partners ✓ National Government ✓ County Government ✓ NEMA
		Water points and access	Lack of skilled manpower to operate the boreholes and pump stations after the IFC have handed over the project to the community.	Skilled manpower training for local host community members to work as engineers and site managers to help communities utilize the resource centres.	✓ Local community ✓ Ministry of Water and Irrigation ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ NEMA
		Road infrastructure	Increase in road traffic incidences along the main road connecting the various towns	Engage the association of drivers and the owners of those vehicles to adhere to the highway safety code at all times.	✓ Local community ✓ Community monitoring committee ✓ CBOs/FBOs/NGOs ✓ WB and Development partners ✓ National Government ✓ County Government

					✓ NEMA
		Sustain the infrastructure created for the camps	Potential inter-clan conflict over distribution and ownership of abandoned infrastructure.	Set up a project management committee handling the details of the transition including setting up alternative dispute resolution mechanisms to pacify the beneficiaries.	✓ Local community ✓ Community monitoring committee ✓ CBOs/FBOs/NGOs ✓ WB and Development partners ✓ National Government ✓ County Government ✓ NEMA
2.	Sustainable Environmental Management	Alternative energy sources	Clearing of land to build solar powered-minigrids at the various project sites.	A sound environmental management and land use plan will be put in place to mitigate the consequences of cutting tree	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ NEMA
		Construction or rehabilitation of physical structures for water catchment management such as check-dams, and water harvesting structures	Salty water table making it difficult to get drinking and water for personal use.	Alternative sources of fresh drinking water will be explored and recommendations made to the larger project management team.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ NEMA ✓
		Biological measures like afforestation	Replanting tree species which are not drought resistant and consume more water.	Community sensitization meetings will be held periodically to sensitize them on how best to approach replanting of trees.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government

					✓ County Government ✓ NEMA
		Labor-intensive public works	Heavy earthmovers will cause noise, dust and air pollution.	The public works will be done when there is minimum interaction on the streets, preferably a night.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ NEMA
		Support the creation of an area-based development plan	Lack of stakeholder involvement will sensitization of these activities leading to disagreements on community resource centre sites.	Conduct public forums in all the communities and cohorts represented on the ground.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ NEMA
3.	Livelihoods Program	Map existing productive livelihoods including agricultural, agro-pastoral and pastoral	Creation of suspicion among communities sharing common grazing and pasture lands.	Sensitize communities on the benefits of having an organized way of conducting nomadic pastoralism.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ Kenya meat commission
		Formation of producer/livelihood collectives to achieve efficiencies of scale for accessing both input	Potential locking out of small holder pastoralists who do not have the means to join because of financial resource constraints	Empower small-holder pastoralists to pool together resources and register a recognized outfit.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners

		and outputs markets			✓ National Government ✓ County Government ✓ Kenya Meat Commission ✓ SMEs/Banks
		private sector linkages working closely with the IFC	Lack of sustained involvement due to illiteracy among community action groups	Build the capacity of host community leadership to enable meaningful engagement with the IFC on community development matters	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ SMEs/Banks
		Mapping of potential livelihoods with a focus on resource and market availability	Overemphasis on host community members already settled in small towns while ignoring those still practicing nomadic pastoralism	Develop an inclusion framework to be used to track all voices represented in the community in development.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ SMEs/Banks
		Provision of technical assistance to communities either through training of implementing agency staff, county and sub-county staff, and/or private sector partnerships	Infiltration by political cronies and relatives of the decision-makers at the host community level.	Develop an inclusive capacity building methodology anchored on rewarding merit.	✓ Local community ✓ Community monitoring committee ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ SMEs/Banks
		Enhanced skills for jobs and employment based	Low enrolment by host community youths due to peer influence for white collar jobs.	Develop an empowerment model that seeks to tap into the human resource base in the community for	✓ Local community ✓ Community monitoring committee ✓ Line ministries

		on market needs and skills gap assessment with a focus on women and youth		market driven courses and community ownership.	✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government ✓ Private sector
4.	Project Management, and Monitoring and Evaluation	Support strategic communication, monitoring and evaluation (M&E) arrangements including Management Information System (MIS)	Lack of local capacity to oversee the applicability of these frameworks in the local context.	Offer refresher courses in relevant units to bridge this skill gap.	✓ Local community ✓ Community monitoring committee ✓ M&E experts ✓ IT specialists ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government
		Support measures for enhanced transparency and accountability	Low morale by the workforce due to lack of avenues to enrich themselves from public funds.	Develop alternative ways of motivating the workforce that is merit based and sustainable.	✓ Local community ✓ Community monitoring committee ✓ M&E experts ✓ IT specialists ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government ✓ County Government
		Conduct independent process monitoring, and outcome/impact evaluations at midterm and end of project;	Lack of cooperation by local community gatekeepers out to derive personal gratification from the project cycle.	Develop closer linkages with the various community networks for buy-in and ownership.	✓ Local community ✓ Community monitoring committee ✓ M&E experts ✓ IT specialists ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ WB and other Development partners ✓ National Government

					✓ County Government ✓ Private sector
		Develop learning on policy and practice of forced displacement	Lack of competent institutions and local skillset to sustain this initiative	Use already existing community structures to bridge the gap.	✓ Local community ✓ Community monitoring committee ✓ M&E experts ✓ Line ministries ✓ CBOs/FBOs/NGOs ✓ County Government