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**Regional Centre on Groundwater
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**REGIONAL CENTRE ON
GROUNDWATER RESOURCES**

MINISTRY OF WATER, SANITATION AND IRRIGATION

HORN OF AFRICA GROUNDWATER FOR RESILIENCE PROJECT

STAKEHOLDER ENGAGEMENT PLAN

JANUARY 2022



**MARSABIT COUNTY
GOVERNMENT**



**TURKANA COUNTY
GOVERNMENT**



**GARISSA COUNTY
GOVERNMENT**



**WAJIR COUNTY
GOVERNMENT**



**MANDERA COUNTY
GOVERNMENT**

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ABBREVIATIONS AND ACRONYMS

AAD&MPs	Aquifer Assessments, Development and Management Plans
ASALs	Arid and Semi-Arid Lands
AWP	Annual work plan
CAJ	Commission on Administrative Justice
CBO	Community-based organization
CGA	County Government Act
CoC	Code of Conduct
CoK	Constitution of Kenya
CSO	Civil society organization
DG	Director General
ESF	Environment and Social Framework
ESIRT	Environmental and Social Incident Reporting
ESMF	Environmental and Social Management Framework
ESS	Environment and Social Standards
FPIC	Free, prior, informed consent
GBV	Gender-based Violence
GC	Grievance Committee
GM	Grievance Mechanism
GoK	Government of Kenya
GRS	Grievance Redress System
HOA	Horn of Africa
HOAGW4R	Horn of Africa Groundwater for Resilience Project
IDA	International Development Association
IDPs	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development
KNCHR	Kenya National Commission on Human Rights
LMP	Labour Management Procedures
M&E	Monitoring and Evaluation
MDAs	Ministries, Departments and Agencies
MoFP	Ministry of Finance Planning
MoH	Ministry of Health
MoWSI	Ministry of Water & Sanitation and Irrigation
NGEC	National Gender and Equality Commission
NGO	Non-governmental Organization
NSAs	Non-State Actors
OHS	Occupation health and safety
OIP	Other Interested Parties
PAD	Project Appraisal Document
PAI	Project Area of Influence
PDO	Project Development Objective
PFMA	Public Finance Management Act
PIU	Project Implementation Unit
PMC	Project Management Committee
PMU	Project Management Unit
PWDs	Persons with Disabilities
RPF	Resettlement Planning Framework

Kenya SEP GW4R

SEAH	Sexual Exploitation and Abuse/Harassment
SEP	Stakeholder Engagement Plan
TOR	Terms of Reference
UACA	Urban Areas and Cities Act
UNICEF	United Nations Children's Fund
WASH	Water and Sanitation Hygiene
WASREB	Water Services Regulatory Board
WB	World Bank
WRA	Water Resources Agencies
WRMA	Water Resources Management Authority
WRUAs	Water Resource Users Associations
WSTF	Water Services Trust Fund
WWDA	Water Works Development Agencies
WWUAs	Ward Water Users' Associations

EXECUTIVE SUMMARY

Background

1. Kenya is one of the five countries that plans to implement the Horn of Africa Ground Water for Resilience Project (HOAGW4R). The other four countries are Somalia, Ethiopia, Sudan, and Djibouti. The team is seeking financing support from the World Bank to implement this project. The Horn of Africa (HoA) is characterized by under-development, resource scarcity, conflict and violence, economic shocks, food insecurity and adverse climate change impacts. The Project is being prepared in consultation and collaboration with HoA target countries and Intergovernmental Authority on Development (IGAD) to strengthen resilience to climate change through groundwater management and exploitation. The Kenya project will be implemented in Marsabit, Moyale, Garissa, Turkana, and Wajir Counties, which form the main part of arid and semi-arid lands (ASALs) in Kenya.

2. The overarching objective of the HoAGW4R is “To increase the sustainable use and management of groundwater by beneficiary groups in the Horn of Africa.” To achieve this objective, four intervention components will be implemented as detailed further below. The Kenya project’s components, whose focus is on groundwater management, development and use, contributes to climate change adaptation and co-benefits in Kenya in two ways: (i) building the capacity of groundwater institutions will equip key actors with the requisite know-how to anticipate groundwater impacts and manage groundwater potential and possibilities for the counties; and (ii) the project’s development and rehabilitation of groundwater infrastructure will augment the availability of freshwater to enhance climate change adaptation.

3. The project will have four components, thus:

- i. Strengthening the enabling environment for sound groundwater development and management;
- ii. Groundwater infrastructure and inclusive community level use;
- iii. Project management support; and
- iv. Contingent emergency response component.

4. The project beneficiaries include the institutions that work on groundwater at the transboundary, national, and subnational levels. These include the Ministry of Water Sanitation and Irrigation (MoWSI), the Water Resources Agency (WRA), Water and Sanitation Trust Fund (WSTF), the Regional Center on Groundwater (RCG), the National Disaster Management Authority (NDMA), the Water Services Regulatory Board (WASREB), the Water Works Development Agencies (WWDAs), and County Water Departments of the participating counties. The project is estimated to reach 1,300,000 people in Kenya through the rehabilitation and construction of boreholes.

Environment and social risk rating

5. The environmental risk rating is considered Substantial. There are potential environmental risks that are likely to occur from implementing component 2 interventions. Activities under component two will include drilling and rehabilitation of both testing and production wells and the rehabilitation of groundwater water supply schemes. These infrastructures could have either or both manual, electrical or solarized water abstraction and pumping systems. As such, the project will generate positive long-term impacts for the participating counties, participating institutions and recipient communities. Groundwater natural resources will also benefit from proper management and control. However, there are potential environmental risks that are likely to occur. These risks may not be limited to air, noise and vibration pollution from drilling and rehabilitation activities. Other anticipated risks include visual/aesthetic intrusion, heat/light reflection, resource depletion by over-abstraction of groundwater resources, and loss

of vegetation. Also, workers and community occupational health and public safety risks relating to associated civil works activities. Further, there is the potential for distribution and consumption of contaminated water in addition to soil pollution due to contamination from solid waste and other hazardous electronic waste. There are also risks of biodiversity depletion and spread of invasive plant species.

6. The social risk rating is considered Substantial. Activities under Component 2, which focus on groundwater infrastructure, both for people and to support livelihoods, could lead to a range of social risks and impacts. The social risks associated with component two included resettlement, cultural disruptions, restriction on access to services and other community-owned infrastructure, and limitations social networks. There is the potential for exclusion of disadvantaged and vulnerable groups from decision-making and project benefits (particularly women, minority groups and nomadic pastoralists). The areas of implementation are characterized by water, land and ethnic conflicts, which are exacerbated by climatic variability, economic and political drivers. The northeast is particularly vulnerable to terrorism and radicalization, especially near the Kenya-Somalia border where the Somalia-based terrorist organization Al-Shabaab often live in close contact with communities. Violence takes the form of frequent attacks on police posts and police, army or public vehicles using firearms or improvised explosive devices, occasional kidnaps and executions of civilians, and attacks on telecommunication masts. Importantly, the fragility and conflict prone nature of the surrounding countries of the Horn of Africa (South Sudan, Uganda, Ethiopia, and Somalia) has a spill-over effect on the northern counties of Kenya. Land is mainly unregistered community land, with often contested public and private land, all subject to increasing tension as the process of community land adjudication and registration advances. The project will be subject to a range of labor risks including occupational health and safety (OHS) risks, safety and security risks and the potential use of child labor. There are also potential gender-based violence (GBV), sexual exploitation and abuse (SEA) and sexual harassment (SH) risks that will need to be mitigated.

Objectives of the SEP

7. The aim of the Stakeholder Engagement Plan (SEP) is the identification and analysis of key stakeholders (including disadvantaged and vulnerable individuals and groups), their characteristics and interests, and the methods of communication, engagement and consultation that are appropriate for the different groups. The SEP describes the timing and methods of engagement with stakeholders throughout the lifecycle of a project. Stakeholders are usually categorized as “project-affected parties”, “other interested parties” and “disadvantaged and vulnerable individuals and groups”. Effective stakeholder engagement is expected to improve the environmental and social (E&S) sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.

Stakeholder engagement

8. Consultations on the project design and the planned activities have been carried out with key institutional stakeholders including the relevant government offices at national and county levels and other Implementing Agencies (IAs), non-state actors (NSAs), development partners, private sector institutions and universities. Virtual communication was used for these consultations given the Covid-19 context and meeting restrictions. The MoWSI team will continue to engage in extensive consultations with all relevant stakeholders including the County Governments participating in the project, community leaders, and development partners, civil society organizations (CSOs) working in the water sector or with disadvantaged and marginalized groups, academic and research organizations, business entrepreneurs and the private sector, among others. Information gathered through these consultations will be used to update the SEP. Further engagement will be made with other WB financed projects, especially the Water and Sanitation Development Project (WSDP), Kenya Climate Smart Agriculture Project (KCASP) and Kenya

Response to Displacement Impacts Project (KDRDIP) to draw lessons to inform effective design and implementation of the project.

Project stakeholders

9. As per the ESF, “stakeholder” refers to individuals or groups who: (a) are affected or likely to be affected by the project (project-affected parties); and (b) may have an interest in the project (other interested parties).

10. The project affected parties are primarily the communities and vulnerable and disadvantaged groups that will directly benefit from or may be affected by projects activities, including nomadic pastoralists, people with disabilities (PWDs), internally displaced persons (IDPs), minority groups/clans/sub-clans, female, and child-headed households, among others. MoWSI and other water sector institutions and County Government institutions and their staff and other government institutions and staff that will support the project including, but not limited to: the Ministry of Finance and Planning, the National Land Commission, NEMA, the Commission on Administrative Justice, the Ministry of Interior, National Treasury, Ministry of Environment, Ministry of Public Services and Special Programs, among others. Others will include academic and research organizations and other technical institutions targeted for capacity building under the project. More project affected parties may be identified as the project is implemented and the SEP will be updated accordingly.

11. The other interested parties (OIPs) include civil society organizations (CSOs), and development partners engaged in the water sector in the country, academic and research organizations. Others include local entrepreneurs and the business community who will benefit from business opportunities and contracts; and mass media and associated interest groups, including local, regional, and national print and broadcasting media, digital/web-based entities, and their associations, among others.

Stakeholder engagement process

12. Stakeholder analysis has been used to generate information on the perceptions, interests, needs, and influence of different actors on the project. Identifying the appropriate consultation approach for each stakeholder throughout the project lifecycle is necessary. To meet best practice approaches, the project will apply the following principles for stakeholder engagement: (i) openness and life-cycle approach; (ii) informed participation and feedback; (iii) inclusivity and sensitivity; and sensitivity to stakeholders’ needs.

13. The stakeholder engagement approach proposed for this project will cover the following: the purpose and timing of stakeholder engagement program; proposed strategy for information disclosure (when and how); proposed strategy for consultation (channels to be used, frequency); proposed strategy to incorporate the views of disadvantaged and vulnerable groups; timelines; review of comments; and future phases. Table 3 (further below) presents the key stakeholder engagement activities to be implemented during the project preparation stage through to implementation and closure. It is notable that given the Covid-19 context, some of the engagements will be virtual in compliance with the Ministry of Health (MoH) guidelines.

14. Information will be packaged and shared with the key stakeholders using different approaches. The PCU/PIU will be responsible for ensuring that the information gets to the stakeholders in a timely manner. Feedback from stakeholders will be taken into view and improvements will be made to ensure robust and consistent information flow. The SEP is a living document that may be updated following inputs and suggestions from project stakeholders.

Inclusion plan

15. This project will be implemented in five ASAL counties that are characterized by high levels of poverty, high unemployment, low literacy levels, food insecurity and poor access to basic services including health, education, and water. There are, however, additional vulnerabilities that affect the community, relegating some categories of people and groups to further disadvantage. These individuals and groups include: (i) minority groups including minor clans and sub-clans; (ii) internally displaced persons (IDPs); (iii) people that live in remote rural areas or areas characterized by violence, which are bereft of social services and amenities; (iv) nomadic pastoralists; (v) persons with disabilities (PWDs); (vi) female/child-headed households; and (vii) older people and those with chronic illnesses. Women and youth may encounter difficulties due to the way in which the communities are structured culturally and religiously, with authority vested in older men who then tend to make decisions with little or no regard to them.

16. Consultations with county directorates from Turkana, Marsabit, Wajir, Mandera, and Garissa indicated that counties were not keen on the project forming new institutions. They preferred that the project works with existing institutions. For instance, in Mandera County the WRUAs were already dissolved, and water services would be handled by Rural Water Supply Companies managing clusters of rural water schemes. For accountability, the county had facilitated the formation of Ward Water User's Associations (WWUAs), civic organizations meant to hold the water supply companies to account. The WWUAs have in their membership local religious leaders, women's representatives, Differently Abled People representatives and the local ward administrator.

17. The project will support the formation of WWUAs in other counties to hold WUAs to account, promote inclusion and ensure the representation of the disadvantaged and vulnerable groups in all project activities. Project teams will be trained on inclusion of the disadvantaged and vulnerable individuals and groups and promote cohesion and peace building including water sharing agreements. In addition, the monitoring tools will have questions on inclusion and the results will be used to strengthen the adopted strategies.

18. The WWUAs will focus on embedding inclusivity in the project and creating a culture of inclusivity in the water sector. To ensure continuity of this focus even after the project and mitigate institutional competition and rivalry, the WUA leaderships will be trained on accountability and inclusive development. This way the WUAs will be better prepared for being held accountable by the WWUAs. This will deepen the culture of accountability and inclusivity in the water sector in the ASALS. The social specialists in the respective counties will be very critical in promoting the social accountability and cohesion agenda and strengthening the WWUAs.

19. Considering the likelihood of clannism, elite capture and potential exclusion of the disadvantaged and vulnerable individuals and groups during project implementation, the WWUAs will report directly to the social specialists at county level. They will promote accountability and transparency in the management of the project at the local level and receive complaints or concerns from the community, which will be channeled to the county social specialist. They will also be the liaison between the community and the county team. They will use various means to document the project progress, including photography and phone calls. The members shall reflect the diversity of the community including representatives from the various categories of disadvantaged and vulnerable groups. The PIUs and county project teams will engage with the WWUAs to develop and adopt a code of conduct (CoC) for their operations.

20. The selection of project investment sites will take into consideration inclusion and equity to ensure that disadvantaged and vulnerable groups are not excluded. For instance, borehole rehabilitation and/or construction will put into consideration the access for minority groups and PWDs (e.g., the access to the borehole will need to be made accessible to PWDs). The following activities will be undertaken during the implementation stage of the project to ensure inclusivity: (i) provision of an effective mechanisms for monitoring the implementation of the Inclusion Plan; (ii) establishment of WWUAs; (iii) development of accountability mechanisms to ensure that planned benefits of the project are received by disadvantaged and vulnerable individuals and groups; (iv) involvement of suitably experienced CBOs/NGOs to address the disadvantaged individuals through developing and implementing action plans; (v) ensuring appropriate budgetary allocation of resources for the Inclusion Plan; (vi) provision of technical assistance for sustaining the activities that address the needs of the disadvantaged and vulnerable individuals and groups; and (vii) ensuring that disadvantaged and vulnerable individuals and groups' traditional social organizations, cultural heritage, political and community organizations are respected and protected.

Grievance mechanism

21. The GM aims to address project-related concerns in a timely and transparent manner and effectively. Information on the GM will be readily available to all project-affected parties, interested parties and disadvantaged and vulnerable individuals and groups. The GM is designed in a culturally appropriate way and can respond to all needs and concerns of project-affected parties. Locally familiar institutions such as Bula or clan elders (including women) will be included in the GM. The availability of these GMs does not prevent recourse to judicial and administrative resolution mechanisms.

22. Complaints may be raised by staff, partners, consultants, contractors, members of the community where the project is being implemented or by members of the public regarding any aspect of the project. Potential complaints include selection of sites for project interventions; involuntary resettlement and compensation; fairness in contracting; fraud or corruption issues; inclusion; quality of works; workers' rights and GBV/SEAH, among others. The project will entail multiple avenues to allow people to channel complaints including via phone, email, walk-in, toll free line and websites.

23. The MoWSI will have the responsibility of overseeing the resolution of all grievances related to the project in accordance with the laws, regulations, and policies of the National and County Governments, and the WB ESSs through a clearly defined GM that outlines its processes and is available and accessible to all stakeholders. The social specialists at the PCU and PIUs will be responsible for providing oversight over all GM related activities including logging, resolution, and feedback.

GBV/SEAH

24. GBV/SEAH risks are judged high in the project counties due to traditional/cultural contexts of the respective communities. These risks may be exacerbated by the project grants that shall be managed by the Community Investment Groups. It is notable that the patriarchal nature of the communities and male dominant roles may influence decision-making and determination on how the funds should be allocated. The prevailing legal, moral, social, and religious norms may lead to project risks especially when workers from other regions or areas, who do not share these norms, start exercising their own norms in the project area.

25. Cases of GBV/SEAH can be reported through the general Project GM. However, additional channels for reporting GBV/SEAH complaints will be identified and integrated into the GM (details to be provided in the SEAH Prevention and Response Plan). The GBV/SEAH survivors will have the opportunity

and right to report an incident to anyone: community member; WWUAs member; project staff; GBV case manager; or service provider. Given the sensitive nature of GBV/SEAH complaints, the GM will provide different ways to submit grievances such as phone, text message and email. All relevant staff of the PCU/PIU will be trained on handling GBV/SEAH complaints and referral systems, ideally during the project initiation phase and as part of the staff induction.

26. The GM proposes the following key features on preventing GBV/SEAH: (i) establish quotas for women in community-level grievance management to facilitate safe reporting; (ii) provide multiple channels to receive complaints (channels to be determined after community consultation); (iii) resolve complaints at the point of service delivery to reduce information and transaction costs; (iv) avail gender sensitive independent channels for redress; and (v) communicate GM services at the community level to create GBV/SEAH awareness and enable project-affected persons to file complaints.

Monitoring and evaluation (M&E) team

27. The SEP will be periodically revised and updated as necessary to ensure that the information and methods of engagement remain appropriate and effective in relation to the project context and Covid-19 protocols. Any major changes to the project related activities and to its schedule will be duly reflected in an updated SEP. Monthly/quarterly summaries and internal reports on grievances, enquiries, and related incidents, together with the status of implementation of associated corrective/preventive actions will be collated by responsible staff and referred to the project senior management.

Roles and responsibilities

28. The overall project implementation and coordination will be led by the MoWSI. The Ministry will collaborate with all the county departments of water and other IAs to implement the different components of the project in Kenya. A dedicated PCU will be formed at the national level and PIUs at Implementing Agency level. The PCU/PIUs will be headed by a Program Manager/Coordinator and will include a small team of experts: (i) financial management specialist; (ii) procurement specialist; (iii) M&E specialist; (iv) communication specialist; (v) social specialist; (vi) environmental specialist and other technical experts as needed. The project manager/coordinator will be responsible for the day-to-day administration of the project activities. The PCU will conduct quarterly and annual reviews with all stakeholders including the WB and other IAs. The social specialist will ensure that the SEP is appropriately implemented, monitored, and evaluated. He/she will share monthly reports with the PCU and quarterly reports with the WB.

1.0 INTRODUCTION

1.1 Background

1. The Horn of Africa (HoA) countries and regional authorities, including the Intergovernmental Authority on Development (IGAD), are preparing a project aimed at strengthening resilience to climate through groundwater management and exploitation. The team is seeking financing from the World Bank (WB) to support the implementation of the project. The project, ***Horn of Africa Groundwater for Resilience Project*** (HOAGW4R), will be implemented in five countries, namely: Kenya, Somalia, Ethiopia, Sudan, and Djibouti. The HOA is characterized by underdevelopment, resource scarcity, conflict and violence, economic shocks, food insecurity and adverse climate change impacts. The climate is characterized by short rainy seasons and recurrent droughts. About 30 percent of the region is categorized as Arid and Semi-Arid Lands (ASALs). Approximately 70 percent of the population live in rural areas and have high levels of poverty and unemployment. Most of the population depends on rainfed agriculture and pastoralism for their livelihoods. The HoA is also home to many displaced people, approximately 4.6 million refugees and asylum seekers, which is close to one sixth of refugees and asylum seekers worldwide,¹ including countries of origin (Somalia), and countries of asylum (Ethiopia and Kenya), as well as internally displaced populations, especially in Somalia. Kenya has a refugee population of 508,033 as of January 2021 with about 44% residing in Dadaab, 40% in Kakuma, and 16% in urban areas.²

2. In Kenya, the proposed project will be implemented by the National Government and the five participating County Governments in the North and North-Eastern Development Initiative (NEDI)³ region: Garissa, Wajir, Mandera, Marsabit and Turkana. The target region/counties⁴ have high levels of poverty, approximately 63 percent on average (while the national average is 36 percent). Only 54 percent of the households have access to safe and clean water, and only 41 percent have access to improved sanitation. Wajir County, at 7 percent access to improved sanitation, has the lowest coverage in the country. The harsh environment, coupled with recurrent droughts, create vulnerabilities for the population, 90 percent of whom rely on livestock. Conflict in the neighboring countries of Somalia, Ethiopia and South Sudan has resulted in the protracted presence of refugees⁵ in the region. The refugees are mainly hosted in Garissa County (Dadaab camp) and Turkana County (in Kakuma camp).

3. Groundwater is a critical water source that sustains: (i) 4 million people who are involved in livestock keeping and subsistence agriculture; (ii) water supply for major county towns in Wajir, Garissa and Moyale; and (iii) water supply for the refugee camps of Dadaab and Kakuma. Increasingly, groundwater plays a critical role in the country's drought resilience. In times of drought, when surface water dries or pans silt up, communities, particularly women and children, walk long distances in search of the few available productive boreholes. Drought does not only threaten the livelihoods and food

¹ The EU Emergency Trust Fund for Africa (2019) Pioneering the Global Compact on Refugees in the Horn of Africa. Brussels: The EU Emergency Trust Fund for Africa, Page 1.

² [Unhcr.org/ke/figures-at-a-glance](https://www.unhcr.org/ke/figures-at-a-glance) (accessed on 12th November 2021).

³ NEDI is a GoK and WB transformative program that targets 10 historically underserved counties in North and North-Eastern Kenya. At the Bank, NEDI region means the region that NEDI projects are implemented which is commonly called ASALs. The 5 counties targeted by the project is part of the NEDI region. The initiative aims at investing in NEDI counties with a special focus on transformative and integrated infrastructure investments and support to sustainable livelihoods. This together with other World Bank investments in the region amounts to over US\$ 2 billion.

⁴ Garissa, Isiolo, Lamu, Mandera, Marsabit, Samburu, Tana River, Turkana, Wajir, and West Pokot.

⁵ There are about 426,000 refugees in Kenya (<https://www.unhcr.org/ke/figures-at-a-glance>).

security of these communities (in the last decade, 2010 – 2020, drought related livestock losses amounted to US\$1.08 billion), but also creates tensions within communities on the use of the few available water points. Resource constraints exacerbate conflict and fragility within Kenya, particularly in the borderlands.

4. To build the resilience of vulnerable communities, particularly of those occupying the region's borderlands, untapping the groundwater's potential is key.⁶ Strengthening the ability of these communities to better prepare for and respond to the impact of shocks and stressors, to adapt to climate change and to potentially transform⁷ is of paramount importance. This requires robust groundwater development and disaster risk management that tackles the information and infrastructure challenges, as well as legal, policy, institutional and inclusion aspects at the local, county, national and transboundary levels. The proposed project will address these challenges as elaborated below.

1.2 Project description

5. The project aim is to increase the capacity of vulnerable communities to prepare for, respond and adapt to the impacts of climate shocks, such as drought, through the sustainable management and use of groundwater resources. The project has four components as described below.

- a) **Component 1: Strengthen groundwater institutions and information.** This component focuses on strengthening the enabling environment for sound groundwater development and management through two interlinked sub-components. Sub-component 1.A that aims at *strengthening the enabling environment and the institutional capacity for developing and managing groundwater sustainably. It will focus on institutional strengthening at transboundary, national, and county levels. Subcomponent. 1.B aims at enhancing the groundwater and drought plans and information systems.* It will support enhancement of knowledge base of the aquifer systems and the usability of this knowledge for management and development purposes.
- b) **Component 2: Support infrastructure development and community-level use of groundwater.** This component focuses on the groundwater development aspects of the project and it will be implemented through interrelated sub-components: (i) Sub-component 2.A, which will consist of the development of new infrastructure for the use and sustainable conservation and recharge of the seven aquifers of focus based on the seven Aquifer Assessments, Development and Management Plans (AAD&MP); and (ii) Sub-component 2.B, which will focus on the rehabilitation of community-based infrastructure and enhancement of the drought strategic network to ensure communities' resilience to droughts and mainstreaming the operation and maintenance of the infrastructure. Component 2 will be implemented following a performance-based approach through the inclusion of a performance-based grant.
- c) **Component 3. Project Management Support.** This component provides technical and operational assistance to the Project Coordination Unit (to be based at the MoWSI) and the Project Implementation Units (to be based at the two implementing agencies) for the management of the Project. Each PIUs will have consultants who will provide technical assistance on the operational aspects of the project including financial management, procurement, environmental and social areas. At the PCU level the project will receive support on monitoring and evaluation (M&E), including geotagging of the assets rehabilitated or constructed under the project; supporting stakeholder outreach to increase awareness on the Project through the preparation and implementation of a communication strategy.

⁶ Kenya's most recent estimated sustainable groundwater yield is 2,597 MCM/a.

⁷ Working definition of resilience, WB (2017) "[Operational Guidance for Monitoring and Evaluation \(M&E\) in Climate and Disaster Resilience-Building Operations](#)", Resilience M&E (ReM&E) initiative.

- d) **Component 4. Contingent Emergency Response Component.** This zero-cost component will finance eligible expenditures under the Immediate Response Mechanism (IRM) in case of natural or man-made crises or disasters, severe economic shocks, or other crises and emergencies in Kenya. This contingency facility can be triggered through formal declaration of a national emergency by the Government and upon a formal request from GoK to the WB through the National Treasury. In such cases, funds from other project components will be reallocated to finance emergency response expenditures to meet agricultural crises and emergency needs. The emergency response would include mitigation, recovery, and reconstruction following crises and disasters, such as severe droughts, floods, disease outbreaks, and landslides, among others. Implementation of this subcomponent will follow a detailed Contingent Emergency Response Implementation Plan (CERIP) satisfactory to the WB that will be prepared for each Eligible Crisis of Emergency.

1.3 Project beneficiaries

6. The project beneficiaries will be institutions and staff of the National Government and five County Governments of Garissa, Wajir, Mandera, Marsabit, and Turkana; communities; and disadvantaged and vulnerable individuals and groups in those counties. The project will benefit the institutions of Kenya that work on groundwater at the transboundary, national, and subnational levels. These include the MoWSI, Water Resources Agency (WRA), Regional Center on Groundwater (RCG), the National Drought Management Authority (NDMA), and County Water Departments. By giving more visibility to groundwater through policies, strategies, regulations and guidelines, the institutions and groundwater management will be strengthened. These institutions will also benefit from training, capacity building and the acquisition of equipment.

7. The project is estimated to reach 1,300,000 people through the rehabilitation and construction of boreholes. Further, the people will benefit from the aquifer restoration, recharge, and conservation activities. The project will invest in the rehabilitation and operations and maintenance (O&M) of the rural water supply infrastructure and the strategic borehole network of NDMA. Water harvesting infrastructure will also be constructed under the coordination of the Water Resources User Associations (WRUAs) and WRA to benefit aquifer recharge. The locations of the rural water supply boreholes and the communities to benefit will be informed by a rural water supply inventory, which is currently being developed and is estimated to be finalized by March 2022. An inclusive selection criterion will be applied against this inventory to ensure the project benefits the needy communities in the five counties.

8. The siting of the new high yielding boreholes, to be part of the strategic borehole network, will be informed by the rural water supply inventory (existing network) and the aquifer development and management plans that will be prepared during the project implementation period. Similarly, the locations of the water harvesting, and groundwater recharge infrastructure will be identified by the AAD&MPs. These sites will also be included in the sub-catchment management plans. An inclusive selection criterion will be applied for the selection of both the rural water supply boreholes and the strategic borehole network sites. These criteria will be applied against the inventory and the potential sites identified by the AAD&MP for the selection of project sites.

1.4 Environment and social risk rating

9. The environmental risk rating is considered Substantial. Potential environmental risks are likely to occur from implementing the component 2 interventions. Activities under component two will include drilling and rehabilitation of both testing and production wells and the rehabilitation of groundwater water supply schemes. These infrastructures could have either or both manual, electrical, or solarized water abstraction and pumping systems. As such, the project will generate positive long-term impacts for the participating counties, participating institutions and recipient communities. Groundwater natural resources will also benefit from proper management and control. However, there are potential environmental risks that are likely to occur. These risks may not be limited to air, noise and vibration pollution from drilling and rehabilitation activities. Other anticipated risks include visual/aesthetic intrusion, heat/light reflection, resource depletion by over-abstraction of groundwater resources, and loss of vegetation. Also, workers and community occupational health and public safety risks relating to associated civil works activities. Further, there is the potential for distribution and consumption of contaminated water in addition to soil pollution due to contamination from solid waste and other hazardous electronic waste. There are also risks of biodiversity depletion and spread of invasive plant species.

10. The social risk rating is adjudged Substantial. Activities under Component 2, which focus on groundwater infrastructure both for people and to support livelihoods, could lead to a range of social risks and impacts. The social risks associated with component two included resettlement, cultural disruptions, restriction on access to services and other community-owned infrastructure, and limitations social networks. There is the potential for exclusion of disadvantaged and vulnerable individuals and groups from decision making and project benefits (particularly women, minority groups and nomadic pastoralists). There are a range of contextual risks of operating in conflict-affected areas with complex social contexts where effective and inclusive community consultations and meaningful stakeholder engagement is challenging. The project will be subject to a range of labor risks including OHS risks, safety and security risks and the potential use of child labor. There are also potential gender-based violence (GBV), sexual exploitation and abuse (SEA) and sexual harassment risks that will need to be mitigated. GBV/SEAH risks are adjudged high in the selected project counties due to the traditional/cultural context of the respective communities. These risks may be exacerbated by the project grants given to the Community Investment Groups, mainly due to the patriarchal and male dominant roles that may influence decision-making and determination on how the funds should be allocated. The prevailing legal, moral, social, and religious norms may lead to project risks especially when workers from other regions or areas, who do not share these norms, start exercising their own norms in the project area.

1.5 Objectives of the Stakeholder Engagement Plan (SEP)

11. The aim of the SEP is the identification and analysis of key stakeholders (including disadvantaged and vulnerable individuals and groups), their characteristics and interests, and the methods of communication, engagement and consultation that are appropriate for the different groups. The SEP describes the timing and methods of engagement with stakeholders throughout the lifecycle of a project. Stakeholders are usually categorized as “project-affected parties”, “other interested parties” and “disadvantaged and vulnerable individuals and groups”. Effective stakeholder engagement is expected to improve the environmental and social sustainability of projects, enhance project acceptance, and make a significant contribution to successful project design and implementation.

1.6 World Bank Requirements for Stakeholder Engagement

12. The project is being prepared under the WB’s Environment and Social Framework (ESF). As per Environmental and Social Standard (ESS) 10 on *Stakeholder Engagement and Information Disclosure*, the

borrower/implementing agencies (IAs) are required to provide stakeholders with timely, relevant, understandable, and accessible information, and consult with them in a culturally appropriate manner, which is free of manipulation, interference, coercion, discrimination, and intimidation.

13. Stakeholder engagement is an inclusive process conducted throughout the project lifecycle. Where properly designed and implemented, it supports the development of strong, constructive, and responsive relationships that are important for successful management of a project's environmental and social risks. Stakeholder engagement is most effective when initiated at an early stage of the project development process and becomes an integral part of early project decisions and the assessment, management, and monitoring of the project's environmental and social risks and impacts.

14. The ESS 10 defines the requirements for stakeholder engagement as follows:

- i. Establish a systematic approach to stakeholder engagement that helps Borrowers identify stakeholders and maintain a constructive relationship with them;
- ii. Assess stakeholder interests and support for the project and enable stakeholders' views to be taken into account in project design;
- iii. Promote and provide means for effective and inclusive engagement with project-affected parties throughout the project lifecycle; and
- iv. Ensure that appropriate project information is disclosed to stakeholders in a timely, understandable, accessible, and appropriate manner.

1.7 Government of Kenya requirements on stakeholder engagement and Public Participation

15. The Constitution of Kenya (CoK) 2010 has several provisions for stakeholder engagement under public participation pronouncements. Art. 10 of the CoK 2010, on the national values and principles of governance, sets the foundation for stakeholder engagement, among other aspects. It binds all State organs, State officers, public officers, and all persons whenever any of them applies or interprets the Constitution; enacts, applies, or interprets any law; or makes or implements public policy decisions. The Art. 10 provides the national values and principles as follows: (a) patriotism, national unity, sharing and devolution of power, the rule of law, democracy, and participation of the people; (b) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination, and protection of the marginalized; (c) good governance, integrity, transparency, and accountability; and (d) sustainable development. Other key Constitutional provisions⁸ on public participation are on sovereignty of the people that can be exercised directly or indirectly, participation in public financial management, intergovernmental relations, objectives of devolution, values and principles of public services, and participation in legislative processes, among others.

16. There are also Acts of Parliament that have operationalized the Constitutional provisions on public participation. The key ones are devolution-related laws including the County Government Act (CGA) 2012, Public Finance Management Act (PFMA) 2012, and Urban Areas and Cities Act (2011). The laws require public participation in many aspects of National and County Government functions including developing new legislation, setting national and county planning and budget priorities, reviewing public sector performance and expenditures, and submitting grievances. Public participation is required in all stages of the planning and budget cycle. County Governments are required to create structures, mechanisms, and guidelines for public participation, promote access for minorities and marginalized groups, establish

⁸ Some provisions of the CoK 2010 that make reference to public participation: Art. 1, Art. 184, Art. 196, Art. 201, Art. 232, and fourth Schedule, Part 2 (14).

mechanisms for wide public communication and access to information, and submit an annual report on citizen participation to the County Assembly. Non-state actors (NSAs) are also recognized as having an important role of implementation and oversight (CGA Section 87), and in ensuring public participation in county planning processes (CGA Section 104). County Governments are also expected to publish and publicize within laid down times and in user-friendly formats some of the key planning and budget documents. County Governments and their agencies are also legally required to designate an office or officers for purposes of ensuring access to information and to enact legislation to ensure access to information for which reasonable fees may be imposed (CGA 96).

17. There are also constitutional commissions that are mandated to ensure equality, deal with maladministration and access to information, including the Kenya National Commission on Human Rights (KNCHR), National Gender and Equality Commission (NGEC), and Commission on Administrative Justice (CAJ), which is also referred to as the office of the Ombudsman. The KNCHR has two broad mandates: (a) acts as a watchdog over the Government in human rights; and (b) provides leadership in moving the country towards a human rights state. The main goal of KNCHR is to investigate and provide redress for human rights violations, to research and monitor the compliance of human rights norms and standards, to conduct human rights education, to facilitate training, campaigns and advocacy on human rights as well as collaborate with other stakeholders in Kenya. The mandates of the NGEC are to promote and ensure gender equality, principles of equality and non-discrimination for all persons in Kenya with a focus on the following Special Interest Groups (SIGs): women; persons with disability; children; youth; older members of society; minority and marginalized groups. The mandate of Office of the Ombudsman is two-fold: (a) tackling maladministration (improper administration) in the public sector and to among other things, investigate complaints of delay, abuse of power, unfair treatment, manifest injustice, or discourtesy; and (b) to oversee and enforce the implementation of the Access to Information Act, 2016. Their mandates cover both National and County Governments.

2.0 SUMMARY OF STAKEHOLDER ENGAGEMENT ACTIVITIES

2.1 Brief Summary of Previous Stakeholder Engagement Activities

18. Consultations on the project design and the planned activities have been carried out with key institutional stakeholders including the relevant Government offices at national and county levels and other IAs, NSAs, development partners, private sector institutions and universities, as summarized in Table 1. Virtual communication was used for these consultations given the Covid-19 context and in-person meeting restrictions.

19. Additional consultations have been undertaken to deepen stakeholder reach. The first consultation was held on November 21, 2021, at Sarova Panafric Hotel, Nairobi with HoAGW4R project county stakeholders (Minutes in Annex 5). The second stakeholder consultations were held virtually on 1st February 2022 (see Annex 6 for minutes, participants' list, and comments on the project). The stakeholders' meeting included grassroots groups including women and vulnerable people from the project area counties of Turkana, Marsabit, Wajir, Mandera, and Garissa. The third stakeholder consultation meeting was held online on 1st March 2022 (see Annex 7 for Minutes). The meeting brought together more stakeholders from the communities and civil society.

20. It is anticipated that further consultations will be undertaken to get the views of the key stakeholders in the country to inform the stakeholder engagement process. The MoWSI team will continue to engage in extensive consultations with all relevant stakeholders including the County Governments in the selected project sites, community leaders, business entrepreneurs/private sector, development partners, the United Nation (UN) agencies, civil society organizations (CSOs), universities/colleges, among others. Information gathered through these consultations will be used to update the SEP.

Table 1: Summary of Stakeholder consultations held between months of June 2021

Place and type of engagement	Participants	Key issues discussed
GOVERNMENT OF KENYA		
Consultation between WB and Government Line ministries virtually or at Government offices	WB and MoWSI officials represented by Minister, DG and Ministry of Finance (MoF) represented by	Introducing the project idea and receive government response.
Consultation within Government line ministries virtually or face to face meeting at Government offices	MoWSI officials represented by Minister, DG and WB staff comprising of the	Introducing the project to the larger team and brainstorming on the project ideas
	MoWSI officials including Minister, DG	<ul style="list-style-type: none"> Project priority activities, target counties and other beneficiary institutions, Identification of stakeholders Development of necessary projects documents Establishment of interim Project Management Units with key staff designated for project coordination, social and environmental safeguards, finance and procurement

Place and type of engagement	Participants	Key issues discussed
Consultation with Ministry of Finance and Planning/National Treasury virtually	MOF officials including Minister, DG, MoWSI and WB	<ul style="list-style-type: none"> • Financing options • Role of the MoF, MoWSI and Counties in Financial management • Capacity building on fiduciary matters • Intergovernmental financial transfers
COUNTY GOVERNMENTS		
TURKANA Consultation with members of county water directorates from Turkana, Marsabit, Mandera, Wajir and Garissa (November 12, 2021)	Water CEC Members, Directors of Water, and of County Water and Sanitation Companies	<ul style="list-style-type: none"> • Disclosure of the project proposal • Disclosure of potential adverse environmental and social impacts • Discussion of possible mitigation measures • Discussion of project logical framework, and monitoring procedures
GARISSA Consultation with the office of the governor and Office of the county secretary	Governor's office officials, county secretary and unit responsible for donor coordination	Introducing the project idea and receive county leadership response and guidance
Consultation with line department responsible for water	Department of Water officials	Discussion on proposed projects and the role of the department and intergovernmental relations arrangement in the management of the project
Consultation with Department of Finance virtually	Department of Finance officials	Role of the finance department in the project
MARSABIT		
Consultation with the office of the governor and Office of the county secretary	Governor's office officials, county secretary and unit responsible for donor coordination	Introducing the project idea and receive county leadership response and guidance
Consultation with line department responsible for water	Department of Water officials	<ul style="list-style-type: none"> • Discussion on proposed projects and the role of the ministry and intergovernmental relations arrangement in the management of the project
Consultation with Department of Finance virtually		<ul style="list-style-type: none"> • Role of the finance department in the project
TURKANA		
Consultation with the office of the governor and Office of the county secretary	Governor's office officials, county secretary and unit responsible for donor coordination	Introducing the project idea and receive county leadership response and guidance.
Consultation with line department responsible for water	Department of water officials	Discussion on proposed projects and the role of the ministry and intergovernmental relations and arrangement in the management of the project
Consultation with Department of Finance virtually???		Role of the finance department in the project

Place and type of engagement	Participants	Key issues discussed
WAJIR		
Consultation with the office of the governor and Office of the county secretary	Governor's office officials, county secretary and unit responsible for donor coordination	Introducing the project idea and receive county leadership response and guidance
Consultation with line department responsible for water	Department of Water officials	Discussion on proposed projects and the role of the ministry and intergovernmental relations arrangement in the management of the project
Consultation with Department of Finance virtually		Role of the finance department in the project
MANDERA		
Consultation with the office of the governor and Office of the county secretary	Governor's office officials, county secretary and unit responsible for donor coordination	Introducing the project idea and receive county leadership response and guidance.
Consultation with line department responsible for water	Department of Water officials	Discussion on proposed projects and the role of the department and intergovernmental relations arrangement in the management of the project
Consultation with Department of Finance virtually		Role of the finance department in the project
DEVELOPMENT PARTNERS/UN/CSOs		
Consultation with development partners and UN	Selected Development partners working in the water sector	<ul style="list-style-type: none"> • Introduction to the proposed project • Discussion on their respective projects in the water sector in target locations • Discussion on good practices on stakeholder engagement -Explore partnership possibilities
Consultation with CSOs/CBOs	Selected Organizations working in the water sector	<ul style="list-style-type: none"> • Introduction to the proposed project • Discussion on their respective projects in the water sector and target locations • Discussion on good practices on stakeholder engagement • Explore partnership/synergy possibilities
PRIVATE SECTOR		
Consultation with private sector institutions	Selected Organizations working in the water sector	<ul style="list-style-type: none"> • Introduction to the proposed project • Understanding their role in water sector • Identify synergies and partnership options
UNIVERSITIES/ COLLEGES/OTHER WATER SECTOR INSTITUTIONS		
Consultation with Universities and colleges	Selected Universities and colleges	<ul style="list-style-type: none"> • Introduction to the proposed project and solicit input. • Discussion on their role in the project as implementing partner and/or beneficiary institution.

21. Further, engagement will be made with other WB financed projects' staff, especially the Water and Sanitation Development Project (WSDP), Kenya Climate Smart Agriculture Project (KCASP), and Kenya Response to Displacement Impacts Project (KDRDIP) to draw lessons to inform effective design and implementation of the project. So far, the existing project team members have attended meetings during which they have shared lessons on project preparation and implementation arrangements.

2.2 FPIC Process

22. The majority of the population in the NEDI counties are Indigenous People / Vulnerable and Marginalized Groups (IPs/VMGs), thus any subproject that will affect community members' homes/structures, access to land they traditionally occupy or utilize, or to any other resources including cultural or sacred sites or sources of herbal medicines, will be subjected to a Free, Prior, Informed Consent (FPIC) consultation process with the affected sections of the community.

23. The aim of the FPIC process is to provide opportunities for the affected communities to be consulted in a culturally appropriate way. In the consultation subproject information is disclosed complete with all potential benefits and adverse impacts, and the community given time to deliberate on their own to decide on giving consent or denying it for the subproject implementation. This process is documented and constitutes the social license to operate the subproject is consent is given.

3.0 STAKEHOLDER IDENTIFICATION AND ANALYSIS

3.1 Project stakeholders

24. Project stakeholders are individuals, groups or other entities who are affected by, or have interest in, the Project and must be informed and consulted about the project. Engagements with the project affected communities will be conducted upon project effectiveness and will be sustained throughout project implementation and closure. For effective engagement, project stakeholders are categorized into three main groups, as described below.

- a. **Affected Parties:** persons, groups, and other entities within the Project Area of Influence (PAI) that are impacted or are likely to be impacted directly or indirectly, positively, or adversely, by the project. Such stakeholders are directly influenced (actual or potential) by the project and/or have been identified as most susceptible to change associated with the project, and who need to be closely engaged in identifying impacts and their significance, as well as in decision-making on mitigation and management measures.

For this project, the affected parties are the MoWSI and other water sector institutions and County Government institutions and their staff, communities and community institutions that will directly benefit from projects activities, and other government staff that will support the project including, but not limited to, Ministry of Finance and Planning, National Treasury, Ministry of Environment, Ministry of Public Services and Special Programs, among others. Others will include universities, colleges and other technical institutions targeted for capacity building under the project. More project affected parties may be identified as the project is implemented and the SEP will be updated accordingly.

- b. **Other Interested Parties (OIP):** these constitute individuals/groups/entities whose interests may be affected by the project and who have the potential to influence project outcomes. OIP may not experience direct impacts from the project, but they may consider or perceive their interests as being affected by the project and/or who could affect the project and the process of its implementation in some way.

For this project, OIPs include CSOs, UN agencies, and development partners engaged in the water sector in the country who may become partners. Others include local entrepreneurs and the business community that will benefit from business opportunities and contracts; universities and colleges which will provide technical expertise to the project; and mass media and associated interest groups, including local, regional, and national print and broadcasting media, digital/web-based entities, and their associations, among others.

- c. **Disadvantaged and vulnerable individuals and Groups:** these are persons who may be disproportionately impacted or further disadvantaged by the project as compared with any other groups due to their lowly position in society and their vulnerability. Such individuals and groups may require special efforts to ensure their equal representation in the project consultation and decision-making processes.

The disadvantaged and vulnerable individuals and groups identified for this project include nomadic pastoralists, people with disabilities (PWDs), internally displaced persons (IDPs), minority groups/clans/sub-clans, female and child headed households, among others.

3.2 Identification of stakeholders

25. There are several categories of people and institutions that will be affected directly by the project and those with an interest in the project at different levels that will need to be consulted and engaged in the project activities, as summarized in Table 2.

Table 2: Description of stakeholders and areas of interest

Stakeholder Group	Nature of interest in the project	Interest	Influence
Project affected parties			
Communities that will benefit from water infrastructure investments for their households' consumption, livestock, and farming	<ul style="list-style-type: none"> • Meaningful community engagement in the project decisions including identification of priority groundwater infrastructure need, project site selection • Involvement in project implementation • They reap maximum benefits from the project activities including resilience to climate shocks • Lack of interference in the selection of community project committees at the local level • Community project committees are trained and facilitated to perform their multiple roles • They will get employment from the project activities (e.g., construction workers, security guards, jobs for youth, men and women with requisite education and skills in project management) 	High	High??
MoWSI officials and staff at the National (including WRMA, WSRB, etc.) and County Government levels	<ul style="list-style-type: none"> • MoWSI will meaningfully engage with partners in all aspects of the project from project design and throughout the project cycle • Capacities of the staff are built to effectively deliver the project • Communities benefit from the projects which will enhance government legitimacy • National groundwater legal, policy and administrative actions are developed and/or reformed for effective groundwater management and use • Coordination between the National and County Governments is done in a transparent and accountable manner, and with mutual respect for institutional and functional integrity at the level of government • Principles of engagement are observed in all aspects of consultation at different levels- National, County, and local community 	High	High
Department of Water Officials in County Governments	<ul style="list-style-type: none"> • Meaningful and structured engagement in all aspects of the project from design and throughout implementation cycle • Capacities of the staff are built to effectively deliver the project • Communities benefit from the projects, which will enhance government legitimacy • County groundwater legal, policy and administrative actions are developed and/or reformed for effective groundwater management and use • The coordination between the National and County Governments is done in a transparent and accountable manner, and with mutual respect for institutional and functional integrity of the different levels of government • Principles of engagement are observed in all aspects of consultation at different levels - national, county and local/community I 	High	High
Other Ministries at national and County levels (e.g.	<ul style="list-style-type: none"> • Principles of engagement are observed in all aspects of consultation at the different levels 	Medium	Medium

Stakeholder Group	Nature of interest in the project	Interest	Influence
Finance; Environment and Natural Resources, Labour and Social Security/Services; Gender	<ul style="list-style-type: none"> Information is shared in a timely manner and feedback is used to inform further engagement on the project Clarity on terms of engagement and ministries'/departments' role is provided from the beginning. 		
Other interested parties			
CBOs, CSOs, NGOs, operating in the districts and grassroots level involved in water and development projects	<ul style="list-style-type: none"> The CBOs/NGOs receive information about the project and provide feedback in a timely manner especially on the issues of overlap, duplication, and maximization of resource use There is transparency and accountability in all aspects of the engagement That they will share their knowledge on the project sites and location for the benefit of the project They could benefit from training that may be offered by the project 	Medium	Medium
Development partners and UN agencies engaged in water and climate change and resilience sectors	<ul style="list-style-type: none"> They are interested to learn and get full disclosure about the project to explore partnerships To share lessons learnt from their own work for the benefit of the project To participate in policy dialogue that may be supported by the project Coordination of development work and build synergies and avoidance of duplication of efforts 	Medium	Medium
Business communities and contractors	<ul style="list-style-type: none"> They will be awarded contracts to deliver specific groundwater infrastructure activities and/or provide services for the project There will be fair and transparent tendering process for works and service contracts That they will be able to identify and mitigate potential E&S risks and impacts as well as community health and safety They will be able to plan for and deliver on their obligations amid security challenges They shall assess, plan for, and mitigate security risks in their respective sites/locations 	Medium	Low
Academic institutions (e.g., universities, colleges, experts think tanks)	<ul style="list-style-type: none"> They will be interested to receive financial support for training and research in relevant topics They will be called upon to provide technical knowledge and expertise on groundwater and related topics. Potential concerns over E&S impacts of the project They will seek internship and industrial attachment opportunities for their trainees. 	Medium	Medium
Media (print and electronic) and online communication platforms	<ul style="list-style-type: none"> Get and share accurate information about the project To have clear channel of information flow from the project teams Complaints and grievances shared on social media platforms will be picked and addressed as necessary 	Low	High
Disadvantaged Groups			
Women and Youth	<ul style="list-style-type: none"> That they will be involved in project related decision-making processes to overcome traditional practices that have relegated them to the sidelines of decision making That female/child headed households will benefit equally from the project. 	High	Low

Stakeholder Group	Nature of interest in the project	Interest	Influence
Older people and those with chronic illnesses	<ul style="list-style-type: none"> • These people have limited movement and may not be able to attend meetings and be part of decision-making • That some are illiterate and would require communication to be delivered to them in a language they understand using channels they can access • That they, or their caregivers/representatives, will be informed and engaged in project processes • That they will have access to project services once the project is operationalized 		
People with Disabilities	<ul style="list-style-type: none"> • The project takes cognizance of the fact some of the communities cannot be reached with information due to isolation or mode/materials used to deliver information are not accessible to them. Therefore, deliberate efforts will be made to reach the PWDs with information and services • That the project involves them in decision making processes • That their priority needs are catered for by the project (as part of project target communities) 	High	Low
Nomadic pastoralists	<ul style="list-style-type: none"> • They are interested to have water for their livestock but due to their mobility, their needs may be overlooked by the project • That there will be investments in infrastructure at strategic sites and location to strengthen resilience • Due to mobility, they may miss out on community consultations. Deliberate efforts will be made by project teams to identify their locations and devise best way to reach them. 	High	Low
Minority groups/clans/ sub-clans	<ul style="list-style-type: none"> • The project recognizes that some members of the community may not be reached due to the way communities are structured – may be along clan or sub-clans. Efforts will be made to identify minorities in the communities and ensure they are reached with project information • That the project involves them in decision making processes using their own local structures • That their priority needs are catered for by the project (as part of project target communities) • That some of the water infrastructure may be in their territories to alleviate their exclusion and inadequate access to water services. 	High	Low

3.3 Stakeholder engagement principles

26. Stakeholder analysis generates information on the perceptions, interests, needs, and influence of different actors on the project. Identifying the appropriate consultation approach for each stakeholder throughout the project lifecycle is necessary. To meet best practice approaches, the project will apply the following principles for stakeholder engagement.

- *Openness and life-cycle approach:* public consultations for the project will continue during the whole project lifecycle from preparation through implementation. Stakeholder engagement will be free of manipulation, interference, coercion, and intimidation.
- *Informed participation and feedback:* information will be provided and widely distributed among all stakeholders in an appropriate format; conducted based on timely, relevant, understandable, and accessible information related to the project; opportunities provided to raise concerns and ensure that stakeholder feedback is taken into consideration during decision making.

- *Inclusivity and sensitivity:* stakeholder identification will be undertaken to support better communication and building effective relationships. The participation process for the project will be inclusive. All stakeholders will be encouraged to be involved in the consultation processes. Equal access to information will be provided to all stakeholders. Sensitivity to stakeholders' needs is the key principle underlying the selection of engagement methods. Special attention will be given to disadvantaged and vulnerable individuals and groups taking into consideration cultural sensitivities.

27. Initial consultations with county water sector stakeholders were held on 12th November 2021 at the Sarova Panafric Hotel. The stakeholders provided advise on how various stakeholder communities—particularly minorities, women, youth, and people living with disabilities—will be reached for consultation in the borderland counties. The consultation record of the meeting is in Annex 5.

4.0 STAKEHOLDER ENGAGEMENT PROGRAM

28. Stakeholder engagement is an inclusive process that must be conducted throughout the project lifecycle. The stakeholder engagement approach proposed for this project will cover the following: the purpose and timing of stakeholder engagement program; proposed strategy for information disclosure (when and how); proposed strategy for consultation (channels to be used, frequency); proposed strategy to incorporate the view of disadvantaged and vulnerable groups; timelines; review of comments; and future phases. Table 3 presents the key stakeholder engagement activities to be implemented during the project preparation stage through to implementation and closure. It is notable that given the Covid-19 context, some of the engagements will be virtual in compliance to the Ministry of Health guidelines.

Table 3:Stakeholders' consultation matrix

Consultation Stage	Participants		Method	Expected Outcome
	Project Authority	Project stakeholders and beneficiaries including disadvantaged individuals and groups		
Government contribution to the preparation of project documents for concept note and appraisal	MoWSI leadership and technical staff Project Coordination Unit (PCU) Project Implementing Units (PIUs) Consultants (technical experts/ specialists – program management E&S safeguards, finance, procurement, communication) National and County Ministries, Departments and Agencies	UN, CSOs, development partners, other line ministries, agencies, universities involved in the water sector	<ul style="list-style-type: none"> Virtual meetings using Webex/Skype/zoom/ Teams Face-to-face meetings (adhering to government guidelines on Covid-19) 	<ul style="list-style-type: none"> Contribute to the development of the project documents Identification of staff to be deployed to the project Agreement on project target beneficiaries and implementing entities Government assurance and commitment to the project communicated to the WB Views of project Interested parties considered in the project development Staff trained/sensitized on WB tools and processes
Consultation after project approval and effectiveness	MOWSI leadership and technical staff PCU & PIUs Consultants (technical experts/ specialists – program management E&S safeguards, finance, procurement, communication) National and County Ministries, Departments and Agencies (MDAs)	MDAs - National and County Government levels Other Implementing agencies (universities), WB	<ul style="list-style-type: none"> Virtual meetings using Webex/Skype/zoom/ teams Face-to-face meetings (adhering to government guidelines on Covid-19) 	<ul style="list-style-type: none"> Awareness created on the final version of the PAD, the E&S Commitment Plan Agreement signing Annual workplan and Budget Developed/reviewer All stakeholders brought on board

Consultation Stage	Participants		Method	Expected Outcome
	Project Authority	Project stakeholders and beneficiaries including disadvantaged individuals and groups		
	National and County Governments' line MDAs			
Verification of existing and location/sites for projects	PMU, project consultants (Social specialists) and other stakeholders	Groups, CBOs, community leaders/elders	<ul style="list-style-type: none"> • Public announcements • Face-to-face meetings (adhering to government guidelines on Covid-19) • Virtual meetings using Webex/Skype/zoom 	<ul style="list-style-type: none"> • Project sites/location identified. • Community level project committees formed. • First-hand assessment of the local people's perceptions of potential project benefits and risks
Screening of the proposed projects	PCU/PIU consultants (Social specialists) and other stakeholders	<ul style="list-style-type: none"> • Affected groups including nomadic pastoralists, disadvantaged and vulnerable individuals and groups) • CBOs • Community leaders/elders • Key informants 	<ul style="list-style-type: none"> • Public announcements • Face-to-face meetings (adhering to government guidelines on Covid-19) • Virtual meetings using Webex/Skype/zoom/ Teams 	<ul style="list-style-type: none"> • Identification of priority project activities. • Identification of concerns on project impacts, feedback from would-be affected persons
In-depth study of risks and benefits taking into consideration, inter alia, the conditions that led to community consensus	PCU/PIU, consultants (social specialists), NGOs /CBOs, other knowledgeable persons	<ul style="list-style-type: none"> • Would-be affected individuals and groups • Locally based CBOs/NGOs • Community leaders/elders • Key informants 	<ul style="list-style-type: none"> • Formal/informal meetings • interviews • Focus group discussions (FGDs) • Discussions on specific impacts, alternatives, and mitigation; etc. 	<ul style="list-style-type: none"> • More concrete views of project impacts and feedback on possible alternatives • mitigation and development measures.
Social Assessment (SA)	PCU/PIU (social specialists) -Consultants	Adversely affected individuals, households and groups	<ul style="list-style-type: none"> • Structured survey • Questionnaires covering quantitative and qualitative information 	Inputs for disadvantaged groups and identification of issues that could be incorporated into the design and implementation of the project activities
Implementation	PMU (social specialists) -Consultants -Locally based NGOs/CBOs	<ul style="list-style-type: none"> • Individuals and groups of disadvantaged groups • Community and community groups • leaders/elders and other stakeholders 	<ul style="list-style-type: none"> • Implementation • Monitoring committees (formal or informal) face to face meetings • Public announcements • Use of print and electronic media to inform 	<ul style="list-style-type: none"> • Quick resolution of issues • Effective implementation of the Inclusion Plan. • Information on project progress communicated. • Beneficiary communities' views and perception of the project obtained.

Consultation Stage	Participants		Method	Expected Outcome
	Project Authority	Project stakeholders and beneficiaries including disadvantaged individuals and groups		
Monitoring and Evaluation	<ul style="list-style-type: none"> - PCU/PIU (social specialists) -Consultants -NGOs & CBOs 	Project affected and interested persons and entities including disadvantaged and vulnerable individuals and groups	<ul style="list-style-type: none"> • Formal participation in review and monitoring sessions • FGDS • Questionnaires. • Interviews • Virtual meetings using Webex/Skype/zoom 	<ul style="list-style-type: none"> • Identification and resolution of implementation issues • Effectiveness of Inclusion Plan • Project results identified, documented and communicated/ disseminated using language and methods accessible to stakeholders including those disadvantaged and vulnerable

4.2 Project Information Disclosure

29. Information will be packaged and shared with the key stakeholders using different means. The PCU/PIU will be responsible for ensuring that the information gets to the stakeholders in a timely manner. Feedback from stakeholders will be taken into view and improvements will be made to ensure robust and consistent information flow. Table 4 presents a summary of the information disclosure for the project. The SEP is a living document that may be updated following inputs and suggestions from project stakeholders.

Table 4: Disclosure of project information at different stages of the project cycle

Information to be disclosed	Method used	Target stakeholders	Responsibilities
Before Appraisal			
Disclosure of project documents (PAD, ESMF, RF, SEP, ESCP)	<ul style="list-style-type: none"> • Websites - MoWSI and WB • Brief summaries of the main features of the project documents 	All key stakeholders	MoWSI PMU
After Appraisal			
Publicity on project approval and roll-out plans	<ul style="list-style-type: none"> • Audio-visual messages on project information (radio, TV in different local languages) • FM radio in local languages to reach nomadic pastoralists and different groups in 5 counties • Newspaper stories and supplements • Printed materials on project information • Social Media (Twitter, Facebook, Instagram, WhatsApp) • Emails • Press releases • Speeches • Websites (National Government and County Government, Other Implementing partners, WB) 	All key project stakeholders	<ul style="list-style-type: none"> • MoWSI PCU • Communication consultant • Social specialists

Information to be disclosed	Method used	Target stakeholders	Responsibilities
Disclosure of the project documents PAD, SMPs, updated SEP, LMP, SEAH Prevention and Response Plan, among others	<ul style="list-style-type: none"> • Websites - MoWSI and WB • Brief summaries of the main features of the project SEP • Audio-visual messages on the project (radio, TV in different languages) • Newspaper stories/supplement • Social Media (twitter, Facebook, Instagram WhatsApp) • Emails • Press releases • Speeches 	<ul style="list-style-type: none"> • MoWSI and all partners involved in the project • Open access to all interested parties • Development and distribution of printed project flyers 	<ul style="list-style-type: none"> • MoWSI PCU • WB Team
During implementation			
Roll-out of project activities	<ul style="list-style-type: none"> • Key informant interviews with key stakeholders • Community discussions (through public meetings and call-in radio sessions/activations) • Newsletters • Newspaper stories/supplement • Social Media (twitter, Facebook, Instagram WhatsApp) • Emails • Press releases • Speeches • Mobile phone block messages 	<ul style="list-style-type: none"> • Community members including disadvantaged and vulnerable individuals and groups • Government departments • Community Project Committees • Target Universities/Colleges administrations • Media houses 	<ul style="list-style-type: none"> • MoWSI PCU • County water departments • Communication expert • Social specialists • Project management specialist
Highlights project activities, achievements and lessons learned	<ul style="list-style-type: none"> • TV/Radio spots/activations and announcements • Print materials (newsletters and flyers) • Town hall meetings • Newspaper stories/supplement • Social Media (twitter, Facebook, Instagram WhatsApp) • Emails • Press releases • Speeches • Mobile phone block message 	<ul style="list-style-type: none"> • Project affected persons and entities and interested parties • WB 	<ul style="list-style-type: none"> • MoWSI PCU • County PIUs • Other Implementing partners • Social specialists
Update on project processes	<ul style="list-style-type: none"> • Print materials (newsletter, flyers, etc.) • Project progress reports • Town hall meetings 	<ul style="list-style-type: none"> • Communities • Government Beneficiary institutions • Local leadership • WB 	<ul style="list-style-type: none"> • Social specialists • PMU and PIUs MoWSI leadership
Complaints/ Compliments about project implementation	<ul style="list-style-type: none"> • Logs and reports from the national GM focal person, • State GM focal persons • (GM complaints points in National and County Governments, and local/community level 	<ul style="list-style-type: none"> • Receivers of information and services • Information or data managers 	PCU/PIUs and social specialists
	Surveys and direct observations of the project beneficiaries	<ul style="list-style-type: none"> • All stakeholders including disadvantaged and vulnerable groups 	<ul style="list-style-type: none"> • MoWSI PCU • County PIU • Communication Officer • M&E Officer
Monitoring and reporting			

Information to be disclosed	Method used	Target stakeholders	Responsibilities
Feedback of effectiveness of different modalities of engagement	<ul style="list-style-type: none"> • Semi-structured interviews • Online surveys • Satisfaction surveys 	<ul style="list-style-type: none"> • All Project primary beneficiaries and all stakeholders 	<ul style="list-style-type: none"> • MoWSI PCU • County PIU • Social specialists • M&E Officer
Quarterly progress reports	Progress report including summaries of complaints and resolution	<ul style="list-style-type: none"> • MoWSI offices and County departments 	<ul style="list-style-type: none"> • MoWSI PCU • County PIU • M&E officer • Social specialists

30. The MoWSI and the PCU will provide appropriate background and relevant technical information to stakeholders whose feedback is sought on various project issues with sufficient advance notice (7-10 business days) so that the stakeholders have enough time to prepare to provide meaningful feedback.

5.0 INCLUSION PLAN

5.1 Disadvantaged and vulnerable individuals and groups

31. This project will be implemented in five ASAL counties that are characterized with high levels of poverty, high unemployment, low literacy levels, food insecurity and poor access to basic services including health, education, and water. The project is being implemented in areas where most of the population fit the criteria for ESS7, as Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, thus those considerations will be included in the design. The Borrower will proactively engage with the relevant to ensure their ownership and participation of all groups fitting these criteria in project design, implementation, monitoring and evaluation. The Borrower will also consult with them as to the cultural appropriateness of proposed services or facilities and will seek to identify and address any economic or social constraints (including those relating to gender) that may limit opportunities to benefit from, or participate in, the project. Thus, relevant channels, including local FM radio stations in local languages, will be used for communication and reference to traditional structures, e.g., elders or traditional leaders who are responsible for water management and conflict resolution, etc.

32. There are, however, additional vulnerabilities that affect the community, relegating some categories of people and groups to further disadvantage. These individuals and groups include: (i) minority groups such as minor clans and sub-clans; (ii) IDPs; (iii) those who live in remote rural areas bereft of social services and amenities; (iv) nomadic pastoralists; (v) PWDs; (vi) female/child-headed households; and (vii) older people and those with chronic illnesses. Women and youth may encounter difficulties due to the way in which the communities are structured culturally and religiously, with authority vested in older men who then tend to make decisions with little or no regard to them.

33. There are social, economic, and physical barriers that prevent disadvantaged and vulnerable individuals and groups from fully participating in development projects. These include lack of financial resources, inaccessibility of meeting venues, social stigma, low levels of literacy, lack of awareness and/or poor consultation. In this regard, the project will map out the distribution of these individuals and groups in the respective counties. The outcomes of the mapping will inform the strategies to be adopted by the project. The project will adopt and strengthen the WWUAs in Mandera County, support the formation of the WWUAs in the other four project counties to promote inclusion and ensure the representation of the disadvantaged and vulnerable groups in all project activities. Project teams will be trained on inclusion of disadvantaged and vulnerable the individuals and groups. In addition, the monitoring tools will have questions on inclusion and the results will be used to strengthen the project strategies.

34. The WWUAs will focus on embedding inclusivity in the project and creating a culture of inclusivity in the water sector. To ensure continuity of this focus even after the project and mitigate institutional competition and rivalry, the WUA leaderships will be trained on accountability and inclusive development. This way the WUAs will be better prepared for being held accountable by the WWUAs. This will deepen the culture of accountability and inclusivity in the water sector in the ASALS. The social specialists in the respective counties will be very critical in promoting the social accountability and cohesion agenda and strengthening the WWUAs.

35. Due to likely clannism, elite capture and potential exclusion of the disadvantaged and vulnerable individuals and group during project implementation, the WWUAs will report directly to the social specialists at the county level or the PCU level. The WWUAs will promote accountability and transparency in the management of the project at the local level and receive complaints or concerns from the community, which

will be channeled to the county social specialist. They will also be the intermediaries between the community and the county teams. They will use various means to capture the project progress including photographs and phone calls. The committee members shall reflect the diversity of the community including representatives from the various categories of disadvantaged and vulnerable groups. The PIUs and county project teams will engage with the WWUAs to develop and adopt a code of conduct for their operations.

36. The selection of project investment sites shall take into consideration disadvantaged and vulnerable groups. For instance, borehole rehabilitation and/or construction will consider access for minority groups and PWDs (e.g., access to the borehole will need to be made friendly to PWDs).

5.2 Proposed strategies to incorporate the view of disadvantaged and vulnerable groups

37. The project will take deliberate measures to ensure that those who are disadvantaged and vulnerable are consulted and have equal access to project benefits. This will include ensuring that they are involved in consultations on project siting and design, have access to employment and training opportunities, are involved in project management, and have access to benefits. In addition, efforts will be made to promote diversity in staffing and community level committees to reflect the local context. Communities know vulnerable members of their communities better than external actors and should be engaged in the identification of these individuals and groups.

38. Continuous stakeholder and community engagement will be key in the sensitization of community level structures on the grievance mechanism.

39. The selection of sites will be discussed and agreed upon with the local communities to ensure that disadvantaged and vulnerable groups are served as much as areas inhabited by the dominant clans and/or groups. To ensure equity in the distribution of the water resources and points, the engagement of representatives and members of disadvantaged and vulnerable groups is critical. Where adverse impacts are likely, the PCU/PIUs will undertake prior and informed consultations with the affected communities, based on the results of a local mapping exercise. The primary objectives will be to:

- i. Understand the operational structures in the respective communities;
- ii. Seek the input/feedback of the disadvantaged and vulnerable individuals and groups into the project to avoid or minimize the potential adverse impacts associated with the planned interventions;
- iii. Ensure equitable access to the water resources and other project benefits;
- iv. Identify culturally appropriate impact mitigation measures; and
- v. Assess and adopt economic opportunities, which the MoWSI could promote to complement the measures required to mitigate the adverse impacts.

40. Consultations will be carried out broadly in two stages. First, prior to commencement of any project activities, the PCU will arrange for consultations with community leaders, the existing local level development committees and representatives of disadvantaged and vulnerable individuals and groups about the need for, and the probable positive and negative impacts associated with, the project activities. Secondly, after initial roll-out of the project activities, a rapid assessment (perception survey) will be conducted to ascertain how the disadvantaged and vulnerable individuals and groups in general perceive the interventions and gather any inputs/feedback they might offer for better outcomes which would inform the project delivery. The PCU and PIUs will:

- i. Facilitate the active participation of disadvantaged and vulnerable individuals and groups with adequate gender and generational representation; community elders/leaders; and CBOs;

- ii. Provide the disadvantaged and vulnerable individuals and groups with all relevant information about project activities including on potential adverse impacts;
- iii. Organize and conduct the consultations in forms that ensure free expression of the participants' views and preferences;
- iv. Document details of all consultation meetings, with disadvantaged and vulnerable individuals and groups on their perceptions of project activities and the associated impacts, especially the adverse ones;
- v. Share any input/feedback offered by the target populations; and
- vi. Provide an account of the conditions agreed with the people consulted.

41. Once the disadvantaged and vulnerable individuals and groups are identified in the project area, the provisions in this Inclusion Plan will ensure mitigation measures of any adverse impacts of the project are implemented in a timely manner. The project should ensure benefits to the disadvantaged and vulnerable individuals and groups by facilitating their consultation, access to trusted complaints mechanism and benefits from project interventions.

42. The following activities will be undertaken during the implementation stage of the project:
- i. Provision of an effective mechanism for monitoring the implementation of this Inclusion Plan;
 - ii. Establishment and strengthening of WWUAs;
 - iii. Development of accountability mechanisms to ensure that planned benefits of the project are received by disadvantaged individuals and groups;
 - iv. Involve suitably experienced CBOs/NGOs to address the disadvantaged individuals through developing and implementing action plans;
 - v. Ensuring appropriate budgetary allocation of resources for the Inclusion Plan;
 - vi. Provision of technical assistance for sustaining the activities that address the needs of the disadvantaged and vulnerable individuals and groups; and
 - vii. Ensure that disadvantaged and vulnerable individuals and groups' traditional social organizations, cultural heritage, political and community organizations are respected and protected.

6.0 GRIEVANCE MECHANISM

43. The goal of the GM is to strengthen accountability and ensure transparency to beneficiaries and to provide channels and structures for project stakeholders to provide feedback and/or express grievances related to project supported activities. By increasing transparency and accountability, the GM aims to enhance citizens'/beneficiaries' ownership and participation in the project, and serves as important feedback and learning mechanism that can help improve the project outcomes.

44. The GM aims to address project-related concerns in a timely and transparent manner and effectively. Information on the GM will be readily available to all project-affected parties, interested parties and disadvantaged and vulnerable individuals and groups. The GM is designed in a culturally appropriate way and can respond to all needs and concerns of project-affected parties. The availability of the GM does not prevent recourse to judicial and administrative resolution mechanisms.

6.1 Types of grievances

45. Complaints may be raised by staff, partners, consultants, contractors, members of the community where the project is being implemented or by members of the public regarding any aspect of the project. Potential complaints include:

- i. Selection of sites for project interventions;
- ii. Involuntary resettlement and compensation;
- iii. Fairness in contracting;
- iv. Fraud or corruption issues;
- v. Inclusion;
- vi. E&S impacts;
- vii. Payment related complaints;
- viii. Quality of service issues;
- ix. Poor use of funds;
- x. Workers' rights;
- xi. Gender-Based Violence (GBV) and Sexual Exploitation and Abuse (SEAH) and sexual harassment;
- xii. Forced labor, including human trafficking and use of prison labor;
- xiii. Child labor; and
- xiv. Threats to personal or communal safety.

6.2 GM structures and processes

46. As per WB standards, the GM will be operated, in addition to the SEAH Prevention and Response Plan, which includes reporting and referral guidelines. The GM will also operate in addition to specific workers' GMs, which are laid out in the project Labor Management Procedures (LMP).

47. The MoWSI will have the responsibility of overseeing the resolution of all grievances related to the project in accordance with the laws, regulations, and policies of National and County Governments, and the WB ESSs through a clearly defined GM that outlines its processes and is available and accessible to all stakeholders. The entry point for all grievances will be with the social specialists at the national and county levels who will receive grievances by phone, text, or email to publicized toll free mobile phone lines (if possible) and email addresses at both county and community levels. The social specialists will acknowledge, log, forward, follow up grievance resolution and inform the complainant of the outcome. The complainants have the right to remain anonymous, thus their names and contacts will not be logged and whistleblower protection for complaints raised in good faith will be assured. The social specialist will carry out training of

all Government staff involved in the project, and contractors on receiving complaints and referrals, complaints handling and reporting, and will oversee awareness raising on the GM at national level.

48. A grievance committee (GC) will be established at national and county levels chaired by the project manager, and the relevant staff will be included as necessary depending on the complaint (procurement, finance, monitoring and evaluation (M&E), GBV advisor and communication). The social specialists will compile minutes for the meetings and follow up the grievance resolution process. The GRC will meet monthly to review minor complaints, progress on complaints resolution, review the development and effectiveness of the GM, and ensure that all staff and communities are aware of the system and the project. Immediate meetings will be held in case of significant complaints to be addressed at the MoWSI PCU and County PIU. Significant complaints will be outlined in the GM manual. For serious or severe complaints involving harm to people or the environment or those which may pose a risk to the project reputation, the County social specialist should immediately inform the social specialist or head of the PCU, who will inform the WB within 48 hours as per the Environmental and Social Incident Reporting (ESIRT) requirements.

49. All contractors and suppliers will be expected to sensitize their workers on the Project GM and have a focal person to receive complaints regarding the construction and their workers and put in place complaints structures specific to the workers (as detailed in the LMP). It is notable that the workers will also be free to use the project wide GM depending on their preference. All complaints will be treated in confidence.

50. At the community level, the WWUAs with strong representation of disadvantaged and vulnerable groups will receive complaints directly from the communities, contractors, or schools and forward to the county social specialist to support resolution and follow up. The WWUAs will be the key link between the county team and the community, and the members will be useful in the feedback loop. Figure 2 presents the structure to be adopted by the project in managing grievances.

6.3 GBV and SEAH

51. Cases of GBV/SEAH can be reported through the general Project GM. However, additional channels for reporting GBV/SEAH complaints will be identified and integrated into the GM (details to be provided in the SEAH Prevention and Response Plan). The GBV/SEAH survivors will have the opportunity and right to report an incident to anyone: community member; WWUA member; project staff; GBV case manager; or service provider. Given to the sensitive nature of GBV/SEAH complaints, the GM will provide different ways to submit grievances such as phone, text message and email. All relevant staff of the PCU will receive training on handling GBV/SEAH complaints and referral systems, ideally during the project initiation phase and as part of the staff welcome package. The GM operators will be trained on key protocols including referral, reporting and informed consent protocols on receiving GBV/SEAH cases in an appropriate manner and immediately forward them to the GBV/SEAH referral system. The GM operators will ensure appropriate response by: (i) providing a safe caring environment and respect confidentiality and wishes of the survivor; (ii) if the survivor agrees, obtain informed consent, and make referrals; and (iii) provide reliable and comprehensive information on the available services and support to GBV/SEAH survivors.

52. The GM proposes the following key features on preventing GBV/SEAH: (i) establish quotas for women in community level grievance management to facilitate safe reporting; (ii) provide multiple channels to receive complaints (channels to be determined after community consultation); (iii) resolve complaints at the point of service delivery to reduce information and transaction costs; (iv) avail gender sensitive independent channels for redress; and (v) communicate GM services at the community level to create GBV/SEAH awareness and enable project-affected persons to file complaints.

53. Beneficiaries and communities will generally be encouraged to report all GBV/SEAH cases through the dedicated GBV/SEAH referral system and complaints resolution mechanism. This will be made explicit in all community awareness sessions, as well as be part of the publicly disclosed information. The GBV/SEAH referral system will guarantee that survivors have access to the critical services they may need, including medical, legal, counselling, safety and that cases are reported to the police should the survivor choose to do so. Formal processes for disclosing, reporting, and responding to cases of GBV/SEAH will be articulated within the SEAH Prevention and Response Plan.

54. If a GBV/SEAH case is reported through the Project GM, the GM operator will report the case within 24 hours to the PCU, and the PCU is obliged to report this case to the WB within 24 hours. Furthermore, cases of SH will be reported through the workers' GM, if it concerns a direct worker or a worker from a sub-contractor, NGO partner or even a community worker following a survivor-centered approach. The PIUs will oversee holding sensitization sessions for contractors and primary suppliers regarding the Code of Conduct (CoC) obligations and awareness raising activities in communities. All reporting on GBV/SEAH will limit information in accordance with the survivor's wishes regarding confidentiality, and in case the survivor agrees on further reporting, information will be shared only on a need-to-know-basis, avoiding all information which may lead to the identification of the survivor and any potential risk of retribution.

55. Table 5 presents the process to be used to channel complaints. The system will be updated as the team addresses complaints at the field level.

Table 5: Grievance Redress Mechanisms structures and processes

#	Step	Description of process	Timeframe	Responsibility
1	GM implementation structures	A Grievance committee (GC) will be established at National and County Government levels chaired by the Coordinator at the national level and the Manager at the county level. Social specialists at the national and county levels will receive grievances using various channels and address them in consultation with relevant entities, escalating to different levels depending on the complaints. The GC will meet every 2 months to review the functioning of the GM and the Grievance log. WWUAs, to be established at community levels, will support the functioning of the GM system.	Throughout project implementation	Program managers at National and County Level
2	Grievance uptake	Grievances can be submitted via the following channels: by phone, text, or email to publicized toll free (if possible), mobile phone lines, suggestion boxes, and email addresses, websites, and in-person at the project offices.	Throughout project implementation	Social specialist
3	Receipt, Sorting, assigning	Any complaint received is forwarded to GM focal point in the WRUA and/or WWUA, logged in a GM register and categorized according to the complaint type. The social specialist will assess the complaint in conjunction with the PM and forward it to the relevant level of entities. If the grievance cannot be easily resolved, the social specialist, in conjunction with the project manager, will call a meeting of the GC and develop a course of action.	Upon receipt of complaint	Social accountability and cohesion committee and social specialist

#	Step	Description of process	Timeframe	Responsibility
8	Provision of feedback	Feedback from complainants regarding their satisfaction with the complaint resolution is collected and recorded in the register as well.	As they come in	Social specialist
9	Training	Training needs for staff/consultants in the Project, Contractors and Supervision Consultants will be assessed and necessary training provided.	At the beginning of project implementation	PMU and County PIU
1	Incident reporting	Severe incidents, those that cause <i>significant adverse effect on the environment, the project affected parties, the public, or workers</i> , e.g., fatality, GBV/SEAH, forced or child labor, will be reported by the IAs to the PCU and the WB (details on this process will be described in the LMP).	within 24 hours	IP/PMU
1	Grievance of Sexual nature	Where grievances are of sexual nature and can be categorized as GBV/SEAH, the IA will handle the case appropriately and refer the case to the GBV/SEAH reporting protocols and referral system, defined in the SEAH Prevention and Response Plan. Dedicated training on how to respond to and manage complaints related to GBV/SEAH will be required for all GM operators and relevant project staff.	Within 24 hours of reporting	IP/Contractors
1	GM Appeals and Escalation Mechanisms	Where agreement on grievance resolution has not been reached, the project team will offer the complainant with appeal options and processes available in the country. The approaches will include an Independent Panel, internal or external offices or individuals with appreciable degree of independence, and third-party fact-finding, facilitation, and mediation missions as applicable. Depending on the grievance, the appeal may entail offering the aggrieved person the option to seek redress through statutory referral institutions operational in the country.	When required	PMU
1	WB's Grievance Redress Service (GRS)	World Bank Kenya Office: Communities and individuals who believe that they are adversely affected by a WB supported project may submit complaints to existing project-level grievance redress mechanisms or the World Bank Kenya office at: Kenyaalert@worldbank.org .	When required	World Bank Kenya Office
1	World Bank Grievance Redress services (GRS)	If no response has been received from the WB Kenya office, the complainant can report directly to the WB Grievance Redress Service (GRS) on email: grievances@worldbank.org . The GRS ensures that complaints received are promptly reviewed to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, because of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to WB's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit https://www.worldbank.org/en/projects-	When required	World Bank Independent Inspection panel

#	Step	Description of process	Timeframe	Responsibility
		operations/products-and-services/grievance-redress-service For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org		

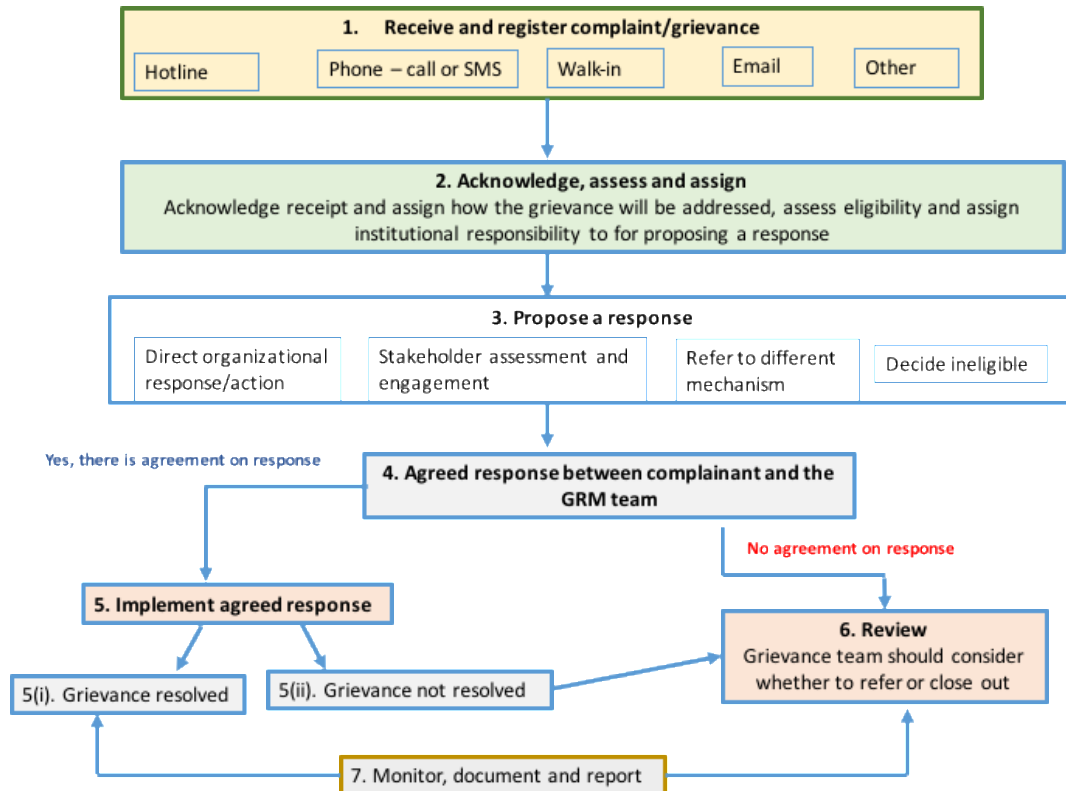


Figure 1: Grievance process for the project

PROJECT GRIEVANCE MECHANISM

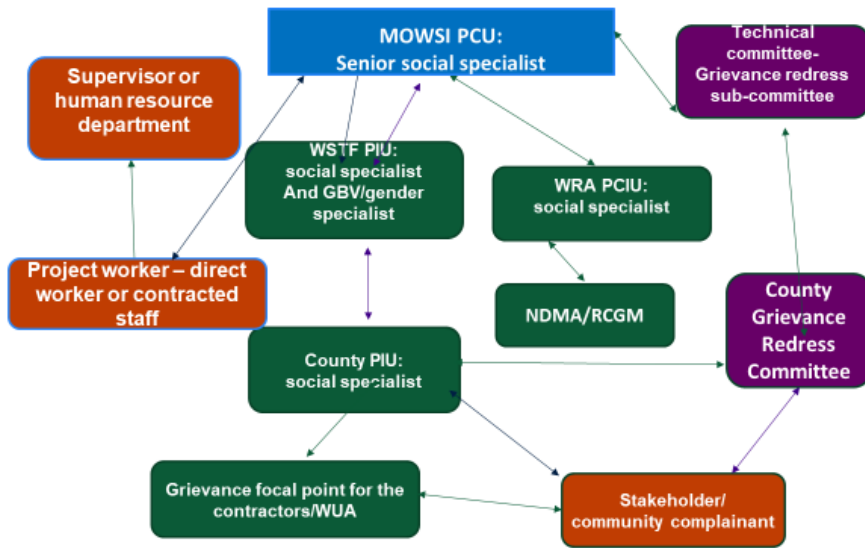


Figure 2: Project grievance mechanism

7.0 RESOURCES AND RESPONSIBILITIES FOR SEP IMPLEMENTATION AND MONITORING

7.1 Management

56. The overall project implementation and coordination will be led by the MoWSI. The Ministry will collaborate with all the county department of water and other implementing agencies to implement the different components of the project in Kenya. A dedicated PCU will be formed at the national level and PIUs at the county level. The PCU/PIUs will be headed by a Program Manager/Coordinator and include a small team of experts: (i) financial management specialist; (ii) procurement specialist; (iii) M&E specialist; (iv) communication specialist; (v) social specialist; and (vi) environmental specialist and other technical experts as needed. The project manager/coordinator will be responsible for the day-to-day administration of the project activities. The PCU will conduct quarterly and annual reviews with all stakeholders including the WB and other IAs. The social specialist will ensure that the SEP is appropriately implemented, monitored, and evaluated. He/she will share the monthly reports with the PMU and the quarterly reports with the WB.

57. A Project Management Committee (PMC) will be established to provide collaborative management of project activities, decision-making around co-design and co-management of activities including the annual work plan (AWP) and budget, co-monitor project activities, conducts quarterly progress reviews, make joint decisions on issues pertaining to implementation and ensure open communication and maximum accountability. The PMC team consists of Director, Coordinator, Technical component leads – procurement finance, social safeguards, environmental safeguards, and M&E officers.

58. The PCU will be based in the MoWSI and will be responsible for technical oversight and support to the county PIU and other implementing entities, partner coordination, and financial and administrative management, program activity monitoring and reporting to the donor. The PCU will be responsible for day-to-day project management activities, including monitoring and reporting on project progress to all the relevant stakeholders (please see the table on Information Disclosure). For this purpose, the PCU will organize, at regular intervals, workshops involving representatives of all stakeholders to present project progress and seek stakeholder input. The costs for all these activities are budgeted for under the Component 3 of the project and may be adjusted on need basis.

7.2 Resources

59. The project will set aside funds to ensure that the planned stakeholder engagement activities are implemented and monitored effectively. The main budget items are staff salaries and related expenses; events and workshops; communication campaigns; capacity building; SEP related surveys; and GM. The summary budget is presented in Table 6.

Table 6 Stakeholder engagement plan and timeline

Activity	Responsibility	Timing
National stakeholder consultations workshop and updates on the project and GM	MOWSI	Annual
County stakeholder consultations workshop and updates on the project and GM	County departments of water	Annual
Establishment of GM, toll free lines and focal points	PIU and Sub-PIU	Monthly
Training of water agencies and county departments on SEP and GM	PIU and Sub-PIU	Quarterly
Inclusive consultations on selection and design of water points	Sub-PIU and County departments of water	Monthly
Mapping of vulnerable groups, residents, and users at subproject level	PIU and Sub-PIU	Monthly
Consultations and agreements on management and use of water points including GM	Sub-PIU and Ward Water Committees	Monthly
Training of WRUAs and social accountability and cohesion committees on community engagement and GM	PIU	Monthly
Inclusion of SEP, inclusion plan and GM in contract for communication consultant	PIU	Monthly
Training of WWUAs on Accountability, Inclusivity and Conflict Resolution	PIU and Sub-PIU	Monthly
Project affected persons and beneficiary communities awareness creation and progress reporting meetings	PIU and Sub-PIU	Monthly
Stakeholder feedback survey	PIU	Annually

Table 7: Summary budget for implementing the SEP

Budget categories	Quantity	Unit costs(KES)	Times/ Year	Total costs (KES)	Remarks
1. Staff salaries and related expenses					
1a. E.g. Communications consultant	5	700,000	12	42,000,000	Unit cost can be negotiated and only one may be required to support county
1b. E.g., Social Expert	1	800,000	12	9,600,000	One social expert will be required to support and enhance the capacity of county social experts
1c. E.g. Travel costs for staff	5	150,000	12		
1d. E.g. Salaries for Community Liaison Officers	5	100,000			Unit cost includes health insurance costs
2. Events					
2a. E.g. Project launch meetings					
Annual stakeholder consultations at national and county level	6	2,000,000	1	12,000,000	One event at national level and 5 in the counties
2b. E.g. Organization of focus groups	25	200,000	1	4,500,000	
3. Communication campaigns					
3a. E.g. Posters, flyers	1	500,000	1	500,000	One set for all counties
3b. E.g. Social media campaign	6	600,000	1	3,600,000	One campaigner per county and another at national level
4. Trainings					
Training of national and county partners and stakeholder engagement planning	6	2,000,000	1	12,000,000	
4a. E.g. Training of WWUAs including on GM	26	1,000,000	1	26,000,000	
4b. E.g. Training on GBV for PIU and contractor staff	26	500,000	1	13,000,000	
5. Beneficiary surveys					
5a. E.g. Mid-project perception survey	5	1,000,000	1	5,000,000	
5b. E.g. End-of-project perception survey	5	1,500,000	1	7,500,000	
6. Grievance Mechanism					
6a. E.g. Training of GM committees	26	500,000	1	13,000,000	
6b. Toll free line and web based management	26	500,000	1	13,000,000	
6c. E.g. GM communication materials	1	300,000	1	300,000	
7. Other expenses					
7a. FPIC Process	5	2,000,000	1	10,000,000	
TOTAL STAKEHOLDER ENGAGEMENT BUDGET				159,000,000	

8.0 MONITORING AND REPORTING

60. The SEP will be periodically revised and updated as necessary to ensure that the information and the methods of engagement remain appropriate and effective in relation to the project context and Covid-19 protocols. Any major changes to the project related activities and to its schedule will be duly reflected in the updated SEP. Monthly/quarterly summaries and internal reports on public grievances, enquiries, and related incidents, together with the status of implementation of associated corrective/preventive actions will be collated by responsible staff and referred to the senior management of the project.

61. The monthly/quarterly summaries will provide a mechanism for assessing both the number and the nature of complaints and requests for information, along with the project's ability to address those in a timely and effective manner. Information on public engagement activities undertaken by the project during the year may be conveyed to the stakeholders in two possible ways:

- (i) Publication of a standalone annual report on project's interaction with the stakeholders;
and
- (ii) Several Key Performance Indicators (KPIs) will also be monitored by the project on a regular basis and reported on.

62. The project team will conduct surveys on WB supported components at the entry, mid-point and end of the project. The results from these surveys will be used to inform the WB on the necessary steps to take towards meeting the SEP objectives and project goals.

ANNEXES

Annex 1: Consultation meeting held with key stakeholders

Date :

List of participants for the IDA project stakeholder meeting

Meeting Mode: Zoom

No	Name	Institution	Main issues discussed/agreed actions
1.		MOWSI	
2.		MOWSI	
3.		WB	

Agenda of the stakeholder consultation meeting

Activities	Time	Presenter
Welcome & introductions	10:00 – 10:15	All
Opening remarks	10:15 – 10:20	PS
Objectives of the consultation workshop	10: 20 – 10:25	World Bank Team
SEP Presentation Project objectives, project component, target beneficiaries, project activities	10:25 – 10:50	MOWSI –
Q & A Session	10:50 – 11:20	All
Project risks and impacts - Questionnaire	11:20 – 11:40	World Bank team
Q & A session	11:40 – 11:55	All
Closing Remarks	11:55 – 12:00	PS

Annex 2: Complaints' log

Date and complaint from	Complaint e.g. non-issuance of ID	Officer/ department complained against	Nature of complaint/ service issue, e.g., delay	Type of cause – physical (e.g. system failure), human (e.g. inefficient officers, slow, unresponsive) or organization (e.g. policies, procedures, regulations)	Remedy granted	Corrective/ preventive action to be taken	Feedback given to complainant

Annex 3: Sample Grievance Form

Grievance Form			
Grievance reference number (to be completed by GM Officer/Socal/GBV specialist):			
Contact details (may be submitted anonymously)	Name (s):		
	Address:		
	Telephone:		
	Email:		
How would you prefer to be contacted (check one)	By mail/post: <input type="checkbox"/>	By phone: <input type="checkbox"/>	By email <input type="checkbox"/>
Preferred language	<input type="checkbox"/> Vernacular (Turkana, Borana, Oromo, Meru, Somali)	<input type="checkbox"/> Kiswahili	<input type="checkbox"/> English
Provide details of your grievance. Please describe the problem, who it happened to, when and where it happened, how many times, etc. Describe in as much detail as possible.			
What is your suggested Redress for the grievance if you have one? Is there something you would like HoAGW4R or another party/person to do to solve the problem?			
How have you submitted this form to the project?	Website <input type="checkbox"/>	email <input type="checkbox"/>	By hand <input type="checkbox"/>
	In person <input type="checkbox"/>	By telephone <input type="checkbox"/>	Other (specify) <input type="checkbox"/>
Who filled out this form (If not the person named above)?	Name and contact details:		
Signature			
Name of HoAGW4R person assigned responsibility			
Resolved or referred to Grievance Mechanism Committee 1 (GMC1)	<input type="checkbox"/> Resolved	<input type="checkbox"/> Referred	If referred, date:

Resolved or referred to (Grievance Mechanism Committee 2 (GMC2))	<input type="checkbox"/> Resolved	<input type="checkbox"/> Referred	If referred, date:
Completion			
Final Redress (briefly describe)			
	Short description	Accepted? (Y/N)	Acknowledgement signature
1 st proposed solution			
2 nd proposed solution			
3 rd proposed solution			

Annex 4: Sample Stakeholder Log

Date/Place	Project Officers Present	Contact Persons/Organizations	Summary of Key Issues Raised	Follow Up Actions	Responsibilities
15 Jan 2022 Kakuma Social Hall					

Annex 5: Minutes of Stakeholder Consultation Meeting with HoAGW4RP County Stakeholders at Sarova Panafric on November 12, 2021

ENGAGEMENT WITH HoAGW4RP COUNTY STAKEHOLDERS

DATE: NOVEMBER 12, 2021

VENUE: SAROVA PANAFRIC

COUNTY EXPERIENCES AND RECOMMENDATIONS ON THE FOLLOWING SOCIAL AND ENVIRONMENTAL ASPECTS OF GROUNDWATER RESOURCE UTILIZATION AND MANAGEMENT	
TOPIC	COUNTY RESPONSES
<p>1. Ensuring inclusive consultations with residents and users of water on siting and design of water infrastructure – including women, minorities and nomadic pastoralists</p>	<p>Mandera – through public <i>barazas</i> and every village has their own structure with representatives from different groups. When? During the needs assessment, after feasibility studies and towards Operation and Maintenance (O/M)</p>
	<p>Garissa – 3 simple quotes –</p> <ol style="list-style-type: none"> 1. Tell me and I will know 2. Teach me and I will remember. 3. Involve me and I will understand <p>This way is the best way. Through FGDs, local leaders, chiefs etc. at the Ward and sub-county level as they have representatives from the villages and ward committees.</p>
	<p>Turkana – the Turkana people are usually willing to express their opinion. Women are the ones that mostly participate in water activities. They do not want clustered water points, and this is to consume their pasture – they want to conserve their pasture and therefore there are no hindrances to access minority community areas. Consultations should begin from the initial stages from which they will actively participate in all stages. This is easily organized through the administrators from the ward admin, sub-county etc. especially the ward level where they can be gathered in a venue and provided with refreshments and transport, and they will be willing to participate.</p> <p>Wajir – We engage the locals, Chiefs, minority groups, disabled - especially through the elders.</p>
	<p>Marsabit – this is necessary and should be the first activity, once you understand and respect the culture it becomes easy. Marsabit is composed of the Borana, Rendille, Samburu, Turkana, Burji, etc. and they use the Elder system, you can use the wards, chiefs but elders are a must. There are minorities but are recognized and are brought together through the Turkana Cultural festival.</p>
<p>2. Promoting awareness and appreciation of the limitations of ground water resources and the need to conserve and promote equitable and sustainable use;</p>	<p>Garissa – water is known as a valuable and limited resource. We promote inclusivity from the top to bottom – this is what should be promoted to avoid conflict. Communities are aware of the limited nature of it and they are promoting the purchase of storage such as tanks to avoid wastage from fetching from taps. GARAWASCO WSP promotes prepaid meters to promote equitable access to water.</p>
	<p>Mandera– from the groundwater survey, the communities are usually on board, and they move around with the groundwater surveyors and are aware of the levels of water. They agree on the use of the boreholes for different users, e.g., the community, livestock, etc.</p>

COUNTY EXPERIENCES AND RECOMMENDATIONS ON THE FOLLOWING SOCIAL AND ENVIRONMENTAL ASPECTS OF GROUNDWATER RESOURCE UTILIZATION AND MANAGEMENT	
TOPIC	COUNTY RESPONSES
	<p>In terms of structure, an engineering assistant is in charge at ward level and works with communities to manage water at the ward level. This way, sustainability is enhanced, and knowledge of breakdowns is communicated effectively. The people recognize the finite nature of water resources.</p> <p>Marsabit – are mostly unaware of the finite nature of groundwater, we need to sensitize the community on the finite issue, and this should be included on this Project.</p> <p>Turkana – are more about the supply of the resource to the users and are not very concerned about the finite nature.</p>
3. Resolving and preventing water conflicts	<p>Garissa – There is a Conflict Resolution Mechanism at Village / ward level. There are Peace Elders at every village who promote peace and resolve conflicts. The community is usually aware of the various components.</p> <p>Mandera – conflict is cross-cutting, here all stakeholders at sub-county and ward level play a part/ role in conflict resolution including the administration and committees.</p> <p>Marsabit – In the last 10 years more boreholes have been built, most conflict is about grazing. Peace committees and local government help to resolve them. Usually, care is taken not to put a project in such conflict prone areas.</p> <p>Wajir – make sure the committees are incorporated in the management of water resources.</p> <p>Turkana – conflict occurs mostly along the border. The community is usually quick to relay the info to the various relevant persons etc.</p>
4. Trusted and functioning grievance mechanisms to improve project implementation	<p>Marsabit - Grievances are mostly channeled to the politicians.</p> <p>Marsabit - Grievances are mostly channeled to the politicians.</p> <p>Turkana - They will resort to the political leadership when not satisfied, involves the local leadership.</p> <p>Garissa – Produced some booklets to record the grievances but didn't work because proper consultation was not done. This maybe should be relooked at. The Chief Officers, Directors, Chiefs, community usually try to solve the grievances</p>
5. How can sustainable management of water points by community structures be promoted? Could a social accountability and cohesion committee (as mentioned in the SEP) help ensure this? How could this be established and how would it	<p>Garissa – Still have the WRUAs – we should operationalize the Garissa Rural Water corporation (GARAWASCO) and it should work to address inclusivity issues and grievances</p> <p>Mandera – have a committee formed by the department of water services, operator and 2 other people. Enhance existing structures - assess the local structures and improve them. Had a bad experience with the WRUAs, lets utilize the models that exist, e.g., the water companies, etc., also have committees that work with the users. Don't put management of the water into the hands of the community.</p> <p>Marsabit – still struggling with the WRUA, prefer the Mandera model. Marsabit solarized over 40% of the boreholes yet the tariffs for water have not come down and this is not sustainable.</p> <p>Turkana – have had a bad experience with the WRUAs, give licenses to entities that can supply the water e.g., WSPs, whose contracts can be revoked.</p>

COUNTY EXPERIENCES AND RECOMMENDATIONS ON THE FOLLOWING SOCIAL AND ENVIRONMENTAL ASPECTS OF GROUNDWATER RESOURCE UTILIZATION AND MANAGEMENT	
TOPIC	COUNTY RESPONSES
relate to the WRUAs/county?	
6. Experiences of gazettement/ protection of recharge areas?	Turkana – not an issue if the land is community-owned. However, in areas where land is individually owned like where the Napuu aquifer is situated will likely pose a challenge.

ANNEX 6: Minutes of Stakeholder Consultation Meeting Held Virtually on 1st February 2022

MINUTES OF THE VIRTUAL STAKEHOLDERS' CONSULTATION MEETING ON THE ENVIRONMENTAL AND SOCIAL SAFEGUARDS INSTRUMENTS FOR THE HORN OF AFRICA - KENYA GROUNDWATER FOR RESILIENCE PROJECT WHICH TOOK PLACE ON 1ST FEBRUARY 2022 FROM 9.00AM -12.30PM

Participants Present:

See attached list at the end of the document.

Agenda

1. Introduction and registration of participants
2. Opening remarks from PCU coordinator -MoWSI
3. Presentation of E&S documents - RPF, SEP, and ESMF
4. Plenary
5. Closing remarks

MIN 1: Introductions and registration of participants

The meeting started at 9.00 with a word of prayer from Phoebe Orina from WRA. The facilitator, Ms. Agatha Njuguna from WRA welcomed participants and requested everyone to introduce themselves and register their names, designations and organizations at the chat box so that they can be captured for documentation.

MIN 2: Opening remarks from the PCU Coordinator

The PCU coordinator Mr. Wotuku gave his opening remarks by making a presentation on the background of the Horn of Africa Groundwater for Resilience (HoAGW4R) Project, the scope and budget of the project. He also mentioned that the meeting that was taking place was critical in ensuring that the project is disclosed to stakeholders but also that the stakeholders are consulted on the various environmental and social safeguards issues which are likely to arise during project implementation. Stakeholders were urged to give their comments during plenary to improve the documents.

MIN 3: Presentation of E&S documents

1. Resettlement Policy Framework

Edward Ontita, a consultant for the Ministry of Water, Sanitation and Irrigation in the development of the Resettlement Policy Framework (RPF) and Stakeholders Engagement Plan (SEP) made his presentations to the stakeholders. He highlighted the potential sub-projects which were likely to trigger resettlement impacts in the project. He emphasized that efforts will be made to avoid relocation of people in the project areas and if unavoidable, minimize any such impact. The consultant highlighted the processes which shall be followed to ensure resettlement is undertaken as per the World Banks' Environmental and Social Standards, and national policies and laws governing land and resettlement processes in Kenya. All these will be done having in mind the vulnerable and marginalized populations in the affected areas.

2. Stakeholders Engagement Plan

Edward Ontita also presented the SEP to the stakeholders and highlighted that stakeholder's engagement in the project was critical in ensuring project success. It was a requirement by the Bank and National Law that all project affected parties, those with different levels of influence and power, as well as the vulnerable and disadvantaged were to be engaged in the project. Therefore, stakeholder engagement will be all inclusive to enhance project ownership and utilization once complete. This then meant that stakeholders mapping should be done comprehensively to ensure none of the stakeholders is left out.

3. Environmental and Social Management Framework

Mr. Liya Mango, a consultant engaged in development of the Environmental and Social Management Framework (ESMF) made his presentation to the stakeholders. He highlighted that the main objective of the ESMF was to provide a framework for effective management of environmental and social (E&S) risks in the proposed HOAGW4R project. It sought to both enhance (E&S) development benefits of the project and mitigate any potential adverse impacts, in line with Government of Kenya (GoK) and World Bank (WB) Environment and Social Standards (ESSs) including the WB Group Environment, Health and Safety (EHS) Guidelines.

Comments/Discussion

RPF & SEP

1. **Question (Qn):** Ms. Hawa Dekow from Lagha Bulale WRUA in Garissa County requested for a clarification on compensation because the land in Garissa is mostly community land.

Response (Resp): Prof. Ontita answered that the Community Land Act, 2016 governs community land and that those would be complied to during compensation in case it happens.

2. **Qn:** Mr. Joe Ondulo from National Water Harvesting and Storage Authority was concerned that vulnerable persons' needs during displacement and compensation especially the elderly should be carefully considered.

Resp: Prof. Ontita responded that the RAP considers the elderly as part of the vulnerable population and thus in cases where they have affected property and requires construction, they should not just be given funds but construction of the same property to a similar standard shall be considered because they might not have the energy to re-establish themselves.

3. **Qn:** Ms. Phoebe Orina from WRA asked how land where pastoralists and their families move to during drought will be treated incase this is considered for protection and conservation as aquifer recharge sites or other use.

Resp: Prof. Ontita answered that there is no free land. Land tenure in Northern Kenya is organized around community land rights and this will be treated as community land and processes and procedures for acquisition of community land will be followed as per the Community Land Act, 2016.

4. **Qn:** Mr. Hussein Guyo WRA Marsabit Sub Basin Area Manager was concerned that the Marsabit areas covered by the Sub-basin is over 88,000 sq km and communities are majorly homogenous however, the problems arise on the borderlands because of frequent conflicts in these areas. How will the project deal with sub-projects which may lie on the borderlands e.g., drilling of a new or rehabilitation of a borehole in these areas?

Resp: Prof Ontita responded by saying that communities know their territories and boundaries. The project should therefore consider planning well with the communities to understand the structure and dynamics of the communities to reduce or mitigate conflicts by siting projects appropriately and in line with community interests.

5. **Qn:** Mr. Abdullahi, a WRUA member wanted to know where they would need to apply their part of project funds from.

Resp: Mr. Willis Ombai from WSTF clarified that funding in this program is specific to the roles and responsibilities conferred to the two institutions under the project. Funds will go to both WRA and WSTF where Sub-component 1A will be under WRA and this is where WRUAs come in for mobilization of new WRUAs, Sub Catchment Management Plan development and implementation with a specific focus on ground water recharge, conservation and management. Funds to WSTF are under sub-component 1B where they will work with counties for rehabilitation and drilling of boreholes.

6. **Qn:** Ms. Margaret from the Transboundary Water department of MoWSI asked how dynamics for management of aquifers which are being recharged from a different country and what would be necessary for consideration in management of these aquifers?

Resp: Madam Agatha from WRA responded that an aquifer and aquifer management and development plan (AADMP) will be developed to map out the aquifers and activities. There is already a declaration through IGAD by Kenya on the transboundary aquifers that the number of boreholes to be drilled are not likely to cause any negative impact on the groundwater. There will be negotiations held between any such countries and engage stakeholders through IGAD.

7. **Qn:** Eng. Rose Nyikuri from WSTF asked that when communities will be resettled in new areas there are affected livelihoods and community owned water infrastructure e.g., water pans, irrigation systems, boreholes etc. how will these be considered in the new areas?

Resp: Prof. Ontita responded that the RPF has currently considered and provided for compensation for assets such as land and buildings, trees, businesses, crops etc. This only provide a framework for land acquisition and once the AADMPs have been done sub-project specific RAPs shall be developed for each area and shall look beyond land, livelihood and infrastructure which shall include community owned infrastructure such as water pans, schools, irrigation infrastructure. The RAPs will look at what, who, how?

Mr. Benedict Omondi from KFS mentioned that KFS staff will assist the project in understanding the inventory of forest materials for compensation purposes as explained by Mr. Ontita added that this will ensure that the affected persons are properly and adequately compensated.

8. **Qn:** Mr. Ahmed of Buriya of WRUA commented that the SEP and RPF are well done. He however asked that since the SEP and RPF are well documented are these the outcomes of the EIAs? He also noted that since aquifers cover vast areas and where such resources exist conflicts often arise. How is conflict management catered for in the project?

Resp: Prof. Ontita responded by stating that currently, project entry points are county governments and tools for conflict management are stakeholders' engagement so that we are able to know the triggers and depending on our engagement on water conflict management. The projects shall also a look at lessons learnt from implementation of similar projects. Grievance mechanisms also constitute further avenues for conflict management.

9. **Qn:** Mr. Adan Gollo Accountant WRA Mandera/Wajir Sub-Basin area asked if the projects will be exempted from Capital Gains Tax.

Resp: This question will be handled with treasury and a response provided later.

ESMF

10. **Qn:** Ann Nabangala climate change program officer from WSTF asked how conflicts will be handled on infrastructure on transboundary aquifers.

Resp: Mr. Liya responded that legal and policy issues will be dealt with stakeholders and appropriate causes of action taken. Project specific EIAs will be developed with mitigation measures for conflicts in these projects proposed.

11. **Comment:** Mr. Hussein Guyo WRA Marsabit Sub Basin Area Manager gave a comment that human wildlife conflicts should also be considered in the ESMF. He went ahead and suggested that water troughs or water

pans for elephants can be developed far away from those of livestock. This would allow wildlife to access water and reduce conflicts.

12. Comment: Ms. Hilda Cheyech Community Engagement officer from RVBA gave a comment in the discussion that in order to improve sustainability of projects and infrastructure small groups of communities are selected to manage the infrastructure and would then report back to the WRUAs or WUAs.

13. Qn: Mr. David Mumo WRA Rift Valley Basin Area Coordinator asked that where grazing areas, where most likely high yielding boreholes are and that is where settlements are likely to be. How do we balance aquifer conservation, migratory routes, grazing areas among other issues in this project?

Resp: Agatha from WRA responded by saying that an overlay of these factors will be done together with the AADMPs in order to take care of sanitation aspects which come as a result of settlements in these areas, therefore the project might consider removing settlements from these conservation areas for example. Sub-project specific ESIA's will be done to address such issues in consultation with stakeholders to come up with the best approach.

Qn: Ms. Mirriam asked how we shall ensure ESMPs are implemented to curb impacts e.g., pollution arising from the projects.

Resp: Mr. Liya responded that monitoring plans are part of the ESMPs to ensure the plans are implemented.

Summary of E&S issues and mitigation measures

	Issues Raised	How will be addressed in project
1.	Compensation issues affecting of community land	Laws governing community land would be complied with during compensation in case it was required.
2.	Vulnerable persons' needs during displacement and compensation especially the elderly should be carefully considered.	The RAP considers the elderly as part of the vulnerable population and thus in cases where they have affected property and requires construction, they should not just be given funds but construction of the same property to a similar standard shall be considered because they might not have the energy to re-establish themselves.
3	How land where pastoralists and their families move to during drought will be treated incase this is considered for protection and conservation	There will be water sharing agreements developed as part of the sub-projects that will allow for access of other communities (possibly at different rates), and access particularly during drought using rotas mediated by representatives of different groups.

4	How dynamics for management of aquifers which are being recharged from a different country and what would be necessary for consideration in management of these aquifers?	An AADMP will be done outlining water sharing agreements. There will be negotiations held between the two countries and engage stakeholders through IGAD.
5	When communities will be resettled in new areas there are livelihoods and community owned water infrastructure e.g., water pans, irrigation systems, boreholes etc., how will these be considered in the new areas	The RPF has currently considered and provided for compensation for assets such as land and buildings, trees, businesses, crops etc. This only provides a framework for land acquisition and once the AADMPs have been done sub-project specific RAPs shall be developed for each area and shall look beyond land, livelihood and infrastructure which shall include community owned infrastructure such as water pans, schools, irrigation infrastructure. The RAPs will look at what, who, how?
6	How is conflict management catered for in the project?	Currently, project entry points are county governments and tools for conflict management include stakeholders' engagement so that we are able to know the triggers and depending on our engagement on water conflict management. The projects shall also look at lessons learnt from implementation of similar projects. Additionally, Grievance Mechanisms are part of conflict management apparatuses.
7	How conflicts will be handled on infrastructure on transboundary aquifers	Sub-project specific ESIA's will be developed with mitigation measures for conflicts in such sub-projects.
8	How do we balance aquifer conservation, migratory routes, and grazing areas among other issues in this project?	An overlay of these factors will be done together with the AADMPs in order to take care of sanitation aspects which come as a result of settlements in these areas, therefore the project might consider removing settlements from these conservation areas for example. Sub-project specific ESIA's will be done to address such issues in consultation with stakeholders to come up with the best approach.
9	How shall we ensure ESMPs are implemented to curb impacts e.g., pollution arising from the projects?	Monitoring plans are part of the ESMPs to ensure the pans are implemented.

MIN 4: Closing remarks

Ms. Agatha mentioned that the objective of the meeting was to bring disclosure of the project to the stakeholders, present the safeguards instruments to the participants as well as also get feedback from the participants on the safeguards instruments.

Mr. Wotuku thanked everyone who attended the meeting and mentioned that a second stakeholders' meeting would be organized to attract more participants

Way Forward

1. Participants would be given more time to read the instruments sent together with the invitation letters and submit any additional written comments in one week's time to MoWSI.
2. Another stakeholders meeting would be organized to attract more participants.

The meeting was adjourned at 12.30

Participants List

S. No.		Role	Organisation
1.		HOAG4RP Coordinator	MoWSI
2.			MoWSI
3.		Accountant	MoWSI
4.		Economist	MoWSI
5.		Manager, Investments and Programs	WSTF
6.		Manager, Auditor and Risk management	WSTF
7.		Manager, Resource mobilisation	WSTF
8.		Manager, Water Resources & climate change	WSTF
9.		Program Officer	WSTF
10.		Program Officer Climate change	WSTF
11.		Resident Engineer -Mandera	WSTF
12.		Consultant, MOWSI	MoWSI

13.		Consultant, MOWSI	MoWSI
14.		Assistant Manager, Groundwater -HQs	WRA
15.		Snr. Community Engagement Officer -Hqs	WRA
16.		Accountant -Hqs	WRA
17.		Basin Area Coordinator- ENNCA	WRA
18.		Community Engagement officer -Hqs	WRA
19.		Accountant -Mandera	WRA
20.		Principal Community Engagement Officer -ENNBA	WRA
21.		Principal Community Engagement Officer -Tana Basin	WRA
22.		Community Engagement Officer -Rift Valley Basin	WRA
23.		Administration Officer-Hqs	WRA
24.		Snr. Community Engagement Officer-RVBA	WRA
25.		Basin Area Coordinator- RVBA	WRA
26.		Communications Officer-Hqs	WRA
27.		Community Engagement officer -Hqs	WRA
28.		Snr. Hydrogeologist	WRA
29.		Chemist	WRA
30.		Snr. Community Engagement Officer-Tana	WRA
31.		Assistant Manager -Community Engagement- Hqs	WRA
32.		Community Engagement Officer-Marsabit	WRA
33.		Principal Conservation officer- RVBA	WRA
34.		Technical Manager- Regional Centre for Groundwater	
35.		Chief Surveyor	NWHSa

36.		WRUA member	Maalim Shurie WRUA
37.		Hydrogeologist- ENNBA	WRA
38.			
39.			
40.			
41.		Secretary-WRUA	Maalim Shurie Water Resources Users Association
42.		Director KFS, HQ	KFS
43.			
44.			WRUA
45.			
46.		WRUA Member	Lagha Bulale WRUA
47.		WRUA Member	Buriya WRUA
48.		Resident Engineer- Garissa	WSTF
49.		CEO-NWSHA	NWSHA
50.		Senior Water Quality Officer- Environmental Social Safeguards	WRA
51.		Senior Groundwater Officer	WRA

Annex 7: Minutes of Stakeholder Consultation Meeting Held Virtually on 1st March 2022

MINUTES OF THE 2nd VIRTUAL STAKEHOLDERS' CONSULTATION MEETING ON THE ENVIRONMENTAL AND SOCIAL SAFEGUARDS INSTRUMENTS FOR THE KENYA GROUNDWATER FOR RESILIENCE PROJECT WHICH TOOK PLACE ON 1ST MARCH 2022 AT 8.00AM -1.20PM

Participants Present

Phoebe Orina	WRA Social Safeguards Officer	- Chairing
Noel Ndeti	WRA Environmental Safeguards Officer	- Moderator
Stella Warue	WSTF Social Safeguards Officer	- Taking Minutes
Ann Nabangala	WSTF Environmental Safeguards Officer - Managing the chats section	
Prof. Ontita	Consultant RPF & SEP	
Liya Mango	Consultant ESMF	
Margaret Irungu	MoWSI Transboundary department	
Kennedy Mkutu	World Bank	- In attendance

Civil Societies from Mandera, Marsabit, Turkana, Garissa, Wajir and Lamu Counties

Water Resources Authority

Water Sector Trust Fund

*See full attendance list at the end of the document (Annex 1).

Agenda

Introduction and registration of participants

Opening remarks and presentation from MoWSI

Presentation of E&S documents and plenary

Closing remarks

MIN 1: Introductions and registration of participants

The meeting started at 8.30 with a word of prayer from Stella Warue from WSTF. The facilitator, Mr. Noel Ndeti from WRA welcomed all the and requested everyone to introduce themselves and register their names, designations and organizations at the chat box so that they can be captured for documentation. The meeting was taking place on the Microsoft teams platform.

MIN 2: Opening remarks and presentation from MoWSI Transboundary department

Ms. Margaret Irungu from the MoWSI Transboundary department gave her opening remarks by making a presentation on the background of the Horn of Africa Groundwater for resilience project, the scope and budget of the project. She also mentioned that the meeting that was taking place was critical in ensuring that the project is disclosed to stakeholders but also that the stakeholders are consulted on the various environmental and social safeguards issues which are likely to arise during project implementation. Stakeholders were urged to give their comments during plenary to improve the documents.

MIN 3: Presentation of E&S documents

Resettlement Policy Framework

Prof. Edward Ontita, a consultant engaged in the development of the Resettlement Policy Framework (RPF) and Stakeholders Engagement Plan (SEP) made his presentations to the stakeholders. He highlighted some of the potential sub-projects which were likely to cause settlement of the project affected persons. He highlighted the processes which would be followed to ensure resettlement is done as per the World Banks' Environmental and Social Standards as well as the policies and laws of Kenya governing land and resettlement processes. All this having in mind the vulnerable and marginalized populations in the affected areas.

Stakeholders Engagement Plan

Prof. Ontita also presented the SEP to the stakeholders and highlighted that stakeholder's engagement in the project was critical in ensuring project success. It was a requirement by the Bank that all project affected parties, those with different influence and power, as well as those vulnerable and disadvantaged were to be engaged in the project. This then meant that stakeholders mapping should be done comprehensively to ensure none of the stakeholders is left out.

Environmental and Social Management Framework

Mr. Liya Mango, a consultant engaged in development of the Environmental and Social Management Framework (ESMF) made his presentation to the stakeholders. He highlighted that the main objective of the ESMF was to provide a framework for effective management of environmental and social (E&S) risks in the proposed HOAGW4R project. It sought to both enhance (E&S) development benefits of the project and mitigate any potential adverse impacts, in line with Government of Kenya (GoK) and World Bank (WB) Environment and Social Standards (ESSs) including the WB Group Environment, Health and Safety (EHS) Guidelines.

Comments/Discussion

Project background by Ms. Margaret Irungu

Question (Qn): Winnie from SIKOM asked whether the project had already finalized identifying counties where intervention was to be done or there was room to consider West Pokot County since it equally needy.

Responses (Resp): Ms. Irungu mentioned that the project had a regional focus hence was focusing majorly on transboundary aquifers. This therefore meant that counties which shared aquifers with other countries were considered in the project. In this case the counties of interest were Mandera, Wajir, Garissa, Mandera and Marsabit were considered. Also in the project were Lamu and Tana River Counties because of the Neogene aquifer. She however mentioned that the country is trying to understand its groundwater resources and as knowledge and information emerges other Counties might be considered probably in future projects.

RPF, SEP & ESMF

Question (Qn): Prof Ontita Requested participants to identify any other categories of stakeholders who needed to be included in the SEP and share experiences on how they would be engaged?

Responses (Resp)/Discussions:

Unidentified participant mentioned herders needed to be included in the stakeholders list for engagement.

Noor Godana from Mandera County added that herders were part of the community and could be easily reached through the area Chiefs

Mr. Tom Masinde of World Vision Turkana said that one of the ways other stakeholders can be reached and involved was by utilizing already existing structures at the Count level and those that are project based to ensure public participation.

Ms. Hamdi Bishar of Northern Resilience Development Garissa County mentioned that in order to reach stakeholders, the project had to go to the ground for engagement. In addition, on who to engage, she mentioned that one approach was to appoint a member from each marginalized group e.g., PWD. Youth group, women among others

Aydrus from Wajir County mentioned that since the project is at the formative stages, the first step will be to have meetings with Counties then engage beneficiaries' communities where the sub-projects will be done. Have a different SEP for every community since communities are different and what works in one may not work in another. Use existing community/stakeholder engagement structures.

Bashir from Mandera said that County steering groups can also be used as one of the stakeholders' forums.

Sammy Gacheru of Pastoralists Girls initiative Organization mentioned that in order to reach a wide range of stakeholders, it was prudent for the MoWSI to have meetings at the county level to carry out project disclosure and project approaches. He also asked whether the MoWSI had any scheduled meetings with the stakeholders and how CSOs were involved in the project?

Prof. Ontita responded to Mr. Gacheru that the reason we had CSOs in the forum was to share their field experiences on working with these communities and various groups in the field so that the project can learn from these experiences.

Qn: Prof. Ontita asked stakeholders to share their experiences on land compensation for example on Water pans, boreholes etc.

Resp./Discussions

Aydrus from Wajir County responded that land compensation issues is a long journey requiring patience and that communities are difficult when it comes to land compensation. He shared an experience of compensation for the Garissa-Modogashe Road land compensation, and it was not an easy process. He however added that in Wajir, land which is meant for public good use, the communities usually donate the land e.g., for schools, hospitals, boreholes through the Chiefs. After which the land is registered for whatever purpose, it has been donated through the County process. This is because majority of the land is community land. However, if it is private land, then negotiations and agreements with the land owner will have to be reached.

Joel of RRDO from Garissa also said that the experience on land meant for public good use was the same as that of Wajir.

Nyang'ori Ohenjo of Centre for Minority Rights Development said that no community land has been registered. The Counties had been doing inventory with the Ministry of lands. If the project is to deal with community land, they are to make sure the land is first registered. He was concerned that how the project would ensure that the rights of the communities are honored and include the voices of the communities effectively included from the beginning. He mentioned that it was important to map out these communities and engage them effectively to ensure that the right people are engaged. He cautioned against having elite capture. He suggested that proper safeguards are put in place and stratified for women, youth PWD, vulnerable groups among others in case they lose their livelihoods.

Aydrus from Wajir County responded to Nyang'ori by saying that since the communities will own the projects e.g., boreholes, pans etc., there was no need for land titles

Prof. Ontita mentioned that there would be minimal land acquisition under the project however, if there was any, then proper procedures would be followed as per WB requirements and GOK laws.

Qn: Prof. Ontita asked participants to share their experiences on handling grievances in their projects?

Tom Masinde from World Vision Turkana responded by saying that grievance mechanism was a way to ensure the voice of the beneficiaries is heard. He mentioned that this should be looked at as an element of social accountability.

Kennedy Mkutu asked further in addressing grievances, how do we deal with elite capture by ensuring the voice of the marginalized and excluded is heard?

Tom Masinde responded by saying the project needs to stratify the duty bearers and the beneficiaries in order to avoid elite capture and provide different grievance mechanisms for each.

Qn: Prof. Ontita asked participants of any of them have had experiences on gazettement of aquifer recharge areas

None of the stakeholders in the counties had experiences in gazettement. However, Phoebe Orina from WRA shared their experience gazetting the Nairobi Aquifer Suite and the Lamu sand dunes. She said that the process entailed undertaking a scientific study to establish the extent of the aquifer recharge zone, then development of an aquifer management plan which would give recommendations on whether compensation for land would be required. For Nairobi Aquifer, no compensation was required but for Lamu sand dunes, it was recommended that compensation should be done.

In this case affected land was mapped out and submitted to NLC for valuation and the process of compensation was started. Extensive stakeholder engagement had to be done in both areas beginning with the actual project affected persons, industries, farmers, county governments, County assembly and parliament representatives from the area. These stakeholders were engaged on what the meaning and implication of gazettement meant and they were engaged in development of management guides and water allocation plans and conservation activities for these areas. The Nairobi aquifer gazettement process is currently at the AG office but for Lamu the process was still ongoing. Grievance redress is key in this process because it can setback the process and hence require further stakeholders' engagement. In both, WRA ran the whole process and GOK will carry out the compensation

Qn: Participants were requested to share experiences on conflicts in the project area and how they have been handled during implementation of various projects?

Tom Masinde from World Vision Turkana County mentioned that the best approach to handle conflicts in projects is to follow the "Do no harm" principle. This included carrying out an assessment on what brings communities together and what divides them. He added that if the location of a project would bring contention or conflicts, it would be better to identify a different site which would similarly work and bring people together.

Noor Godana from Mandera County also added that if a project e.g., borehole was identified between conflicting clans or communities, it was better to abandon the site since it would bring more conflicts.

Qn: Participants were requested to share their experiences on security issues in the 5 Counties

Tom Masinde from Turkana County mentioned that there are many conflicts in parts of the Counties therefore he recommended that when engaging contractors, the project should ensure there is a budget for security in the bidding process.

Joel of RRDO in Garissa County mentioned that security is a National government issue hence the project should consider working closely with the relevant security bodies.

Noor Godana from Mandera mentioned that for contractors who are non-locals they need to have armed security on a paid basis.

Qn: Participants were requested to share their experiences on GBV/SEAH issues in project implementation

Tom from Turkana mentioned that during bidding, the contractors should be screened to establish if they had any records of involvement in GBV/SEAH issues for elimination. He also added that they needed to be committing to safeguarding the people they are working in writing. He added that the contractors need to sign the code of conduct for non-staff and have guidelines for management of GBV issues and promise of confidentiality. Have clauses in the contract on protection of women and children.

The participants were asked whether there are referrals for GBV/SEAH cases and one participant said that there are trained paralegals in the counties in different locations who reach out to communities to address such cases.

Qn: Participants were requested to contribute on Labor management issues in project implementation

Mr. Nyang'ori Ohenjo mentioned that many projects engage high level skilled manpower from outside the communities as if the locals do not have such skills while cheap labor goes to the locals. He added that the locals should also be considered to provide high skilled manpower where there is any. He said that benefit sharing mechanism should be fair by getting a fair ration of manpower from outside and local communities.

Qn: Mr. David Mumo the WRA BAC Rift raised the issue of the aquifer recharge areas being the main grazing areas and migratory routes hence proposed project intervention may lead to resettlement in such areas?

The participant was informed that measures such as piping of the water can be done away from the areas of the recharge and this could reduce the resettlement in such areas.

There was a concern that the proposed intervention will not lead to degradation of the areas of intervention taking into consideration that migratory routes are determined by the availability of water.

Mr. Mumo also mentioned that County stakeholders knew seasonal migratory routes for communities. Therefore, it would be prudent for the project to establish new watering points in areas where pastoralists have traditionally found watering points and Pasteur and carry out development in the traditional migratory and grazing routes.

It was also suggested that there is need to map out migratory routes during dry and wet times and that development should not cut off migratory routes because it would be a source of conflict.

Aydrus from Wajir mentioned A question came up on how to let the community know that ground water belongs to the government and not to them. This is because some projects like the Ewaso Nyiro water abstraction program failed because the community objected.

Water quality and project sustainability issues in drilled boreholes

Edgar from Wajir and Garissa said that community buy in of projects is important to ensure sustainability. Many communities abandoned projects coz of unsustainability. He also mentioned that some boreholes have poor quality water hence communities tend to abandon the projects and the cost of treatment becomes high as well as the cost of buying diesel may need to be incorporated into the project.

Liya mentions that feasibility studies will be done by the WRA & MoWSI through the AADMPs will be done to establish the quality of water for portability. The exploratory wells will give this information.

Pasture and Environment Management

Aydrus from Wajir said that Boranas are highly disciplined in taking care of their environment unlike the Somalis from Garissa. This is because the Boranas have reserved water and Pasteur for drought but the Somalis sometimes come and invade these resources and create conflicts.

Hamdi from Garissa said that Garissa had once created some reserves which were later destroyed because of poor management She also mentioned that Garissa was generally drier than Isiolo.

Aden from Garissa also added that there were attempts by Garissa to create some reserves in Modogashe area but due to poor planning the reserve was damaged.

Kennedy Mkutu asked how these resource conflicts can be reduced and Aydrus from Wajir responded that water resources management in these counties is complex. Water management is done at village level and majority of Wajir is trying to streamline water management in their laws.

Northern Resilience reported that they have assisted Isiolo people to come up with Reserved Water Plans and this has reduced the conflicts in Isiolo however conflicts with Garissa people still exists. She requested if Garissa people can be assisted to come up with their own reserved water plans and this could reduce the conflicts.

Governance in Water Projects and Water Resources Management

Kennedy Mkutu asked whether WRUAs and WUAs were functional?

The issue of the Water Users Associations (WUAs) was also discussed, whereby Mandera reported that all the WUAs were acquired by the county. One of the participants from Elwak was not happy with the way the county acquired the WUAs. She indicated that she would like to engage further on the issue because the county grabbed the water projects. For the other counties, the WUAs are still in existence, though not many are structured.

Phoebe from WRA mentioned that WRUAs existed in these areas though not optimally established. There were areas where there were no WRUAs. However, WRUAs manage water resources and not water supply. WRUA governance issues vary from one WRUA to another and some require capacity enhancement to strengthen their governance. There is framework in place to support WRUA governance.

Aydrus from Wajir mentioned that water management is a complex issue and is done at the village level. He mentioned that efficient management of water resources needed to be engaged at county and community level. He mentioned that influence from MPs and MCAs (local leaders) allow communities to pocket money meant for projects hence ending up with failed projects.

Mr. Ndeti mentioned that this would then be classified as a social issue touching on governance.

Phoebe and Liya said that the proposed solutions for this would be to manage them using PBG approach since corruption will stall projects. They also mentioned that putting preconditions in place on governance issues such as having duly elected management, having returns to the AG, and also check on how the WRUA/WUA has handled past projects and if there were audit queries etc., would also help solve some of the governance issues.

Summary of E&S issues and mitigation measures

	Issues Raised	How will be addressed in project
1.	Stakeholders mapping and inclusion	Carry out social and stakeholders mapping for inclusion of more stakeholders e.g., herders Utilize existing structures at the County and community level e.g., County steering groups Hold meetings on the ground and have different SEP for different communities since communities are different Stratify stakeholders and Identify members of marginalized and vulnerable groups e.g., women, youth, PWD, elderly etc., for engagement
2.	Land compensation for e.g., water pans, boreholes, gazettement	Majority of land is community land hence laws governing community land will be followed

		<p>Land donation procedures should be followed for land donated by communities for public good use through the chiefs</p> <p>Ensure the rights of communities whose land and livelihoods is being displaced are engaged from the beginning as well as ensure elite capture is managed in compensation issues by ensuring the vulnerable and marginalized in the communities are identifies and properly compensated</p>
2.	Grievance mechanism	The project needs to stratify the duty bearers and the beneficiaries in order to avoid elite capture and provide different grievance mechanisms for each.
3	Conflicts management	the best approach to handle conflicts in projects is to follow the “Do no harm” principle. This included carrying out an assessment on what brings communities together and what divides them. if a project e.g., borehole was identified between conflicting clans or communities, it was better to abandon the site since it would bring more conflicts
4	Security issues in the 5 Counties	<p>the project should ensure there is a budget for security in the bidding process.</p> <p>security is a National government issue hence the project should consider working closely with the relevant security bodies.</p> <p>for contractors who are non-locals they need to have armed security on a paid basis.</p>
5	GBV/SEAH issues	<p>contractors should be screened to establish if they had any records of involvement in GBV/SEAH issues for elimination</p> <p>contractors need to sign the code of conduct for non-staff and have guidelines for management of GBV issues and promise of confidentiality.</p> <p>Have clauses in the contract on protection of women and children</p> <p>there are trained paralegals in the counties in different locations who reach out to communities to address such cases.</p>
6	Labour Management Issues	He said that benefit sharing mechanism should be fair by getting a fair ration of manpower from outside and local communities
7	Grazing areas and migratory routes and settlement in aquifer recharge areas	piping of the water can be done away from the areas of the recharge and this could reduce the resettlement in such areas.

		to map out migratory routes during dry and wet times and that development should not cut off migratory routes because it would be a source of conflict project to establish new watering points in areas where pastoralists have traditionally found watering points and Pasteur and carry out development in the traditional migratory and grazing routes.
8	Water quality and project sustainability issues in drilled boreholes	feasibility studies will be done by the WRA & MoWSI through the AADMPs will be done to establish the quality of water for portability
9	Pasture and environment management	Assist communities to come up with their own water and Pasteur reserves to reduce the conflicts.
10	Governance in water projects and water resources management	Use PBG approach since corruption will stall projects. Have preconditions in place on governance issues such as having duly elected management, having returns to the AG, Evaluate how the WRUA/WUA has handled past projects and if there were audit queries etc., would also help solve some of the governance issues.

MIN 4: Closing remarks

The meeting ended at 1.30pm with a wrap up of the session by the Chairperson. She informed the participants that all the inputs given by the stakeholders would consider in the planning and implementation of the programme. The participants with more contribution were requested to reach out into the contacts provided for the programme.

The closing remarks were given by the World Bank representative who thanked everyone for attending the meeting and for the wonderful engagement and inputs into the programme. A word of prayer was done by one of the participants and everyone was free to leave the meeting.

Way forward

Participants would be given more time to read the instruments sent together with the invitation and submit their comments in one week through a letter to MoWSI.

The meeting was adjourned at 1.30pm.

Participants List

S.no.	Organization	County
1	Strategies for Northern Development	Marsabit
2	Practical Action	Turkana
3	World Vision	Turkana
4	UNICEF	Turkana
5	Lotus Kenya Action for Development	Turkana
6	Womankind Kenya	Garissa
7	Concern Worldwide	Marsabit and Turkana
8	SAPCONE	Turkana
9	Nocras Kenya	Turkana
10	Northern Resilience Development	Garissa
11		Garissa
12	Aldef Kenya	Wajir
13	WRA Basin Area Coordinator (BAC) -Rift Valley Basin	Nakuru
14	WRA Basin Area Coordinator (BAC) -Ewaso Nyiro North Basin	Laikipia
15	WRA -Hqs Social Safeguards Officer	Nairobi
16	WRA -Hqs Community Engagement Officer	Nairobi
17	WRA -Hqs Community Engagement Officer	Nairobi
18	WRA-Hqs Project Coordinator	Nairobi
19	WRA Environmental safeguards officer	Nairobi
20	WSTF Social Safeguards officer	Nairobi
21	WSTF Environmental Safeguards Officer	Nairobi
22	MoWSI Transboundary department	Nairobi
23	Sustainable Approaches for Community Empowerment (SAPCONE)	Turkana
24	NRC	Nairobi
25	Consultant	
26	World Bank	
27	Consultant	
28	Relief, Reconstruction and Development Organization	Garissa
29	SIKOM	West Pokot

30	NAPAD	
31	WASDA	Wajir
32	PACT Kenya Inc	
33	Concern Worldwide	Marsabit and Turkana
34	WFP	
35	Mercy Corps	Samburu
36	Pastoralist Girls Initiative (PGI)	Garissa
37	NAPAD	Mandera
38	Turkana Christian Development Mission (TCDM) Executive Director	Turkana
39	MoWSI Ground Water Department	Nairobi
40	Centre for Minority Rights Development	
41	AFOSC	Mandera
42		
43		
44		
45	Mujitama WRUA	Mandera
46		
47		
48	Islamic Relief Kenya	