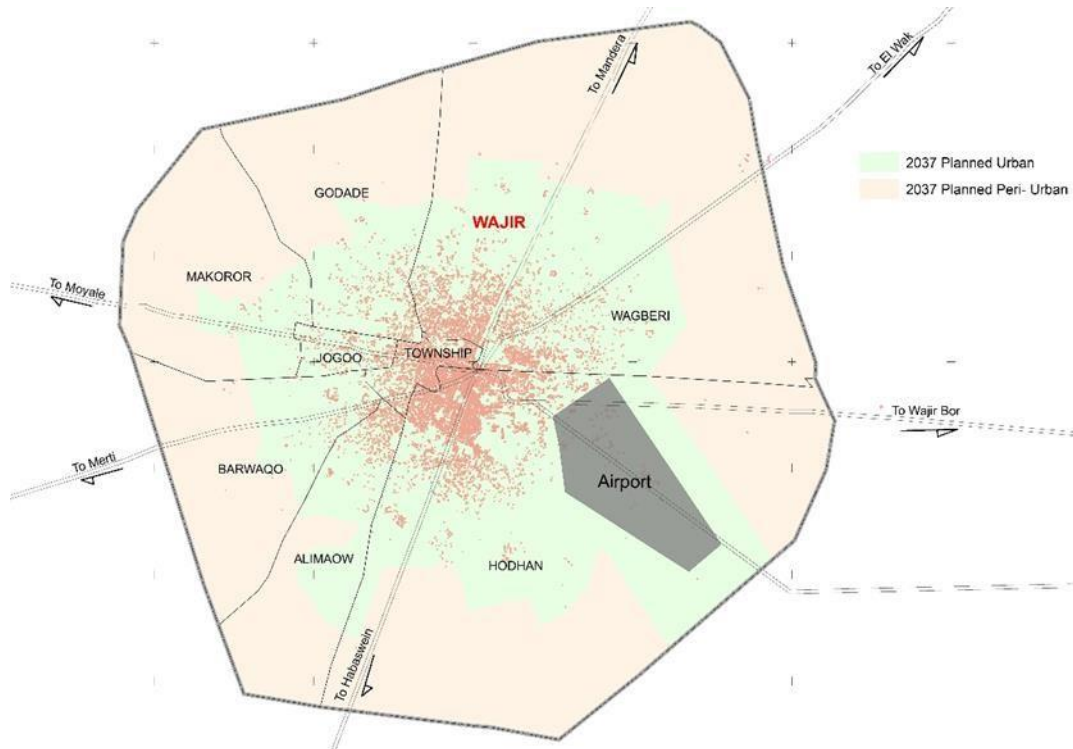




**UPDATED RESETTLEMENT ACTION PLAN (RAP)
FOR REHABILITATION OF SANITARY LANES
WAJIR PROJECT AREA (WAJIWASCO)**

PROJECT: WATER AND SANITATION DEVELOPMENT PROJECT (WSDP)
CREDIT NO: IDA-60300KE
COUNTRY: REPUBLIC OF KENYA
EMPLOYER: WAJIR WATER AND SEWERAGE COMPANY



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Annexes

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LIST OF ABBREVIATIONS

AoI	Area of Interest
ASAL	Arid and Semi-Arid Lands
CG	County Government
GO	Grievance Officer
GRM	Grievance Redress Mechanisms
KPLC	Kenya power and lighting company
LA	Land Act
MoWSI	Ministry of Water, Sanitation and Irrigation
NGO's	Non-Governmental Organizations
NWWDA	Northern Water works Development Agency
NLC	National Land Commission
NLP	National Land Policy
OP	Operational Policy
PAPs	Project Affected Persons
PC	Project Coordinator
RAP	Resettlement Action Plan
ROW	Right of Way
RPF	Resettlement Policy Framework
VMG	Vulnerable and Marginalized Group
WaSSIP	Water and Sanitation Improvement Project
WAJWASCO	Wajir Water and Sanitation Company
WB	World Bank
WSDP	Water and Sanitation Development Project
WWTP	Waste Water Treatment Plant

Glossary

The following terms as adopted from the WSDP Resettlement Policy Framework (RPF) and used in this RAP shall have the following meanings unless stated otherwise.

Census: A field survey carried out to identify and determine the number of project-affected persons (PAP), their assets, and potential impacts; in accordance with the procedures satisfactory to the relevant government authorities, and the applicable World Bank Safeguard Policies.

Compensation: The total payment in cash for partially or wholly affected of assets encroaching the sanitary lanes. The compensation will also include loss of tenancy and livelihood stream for the affected business owners.

Cut-off date: The date at which the census of PAPs within the project area boundaries commenced. This is the date as consulted on and agreed with PAPs on and beyond which any person whose asset, business and tenancy will not be eligible for compensation.

Project-affected persons (PAPs): persons experiencing either loss of business or asset encroaching the sanitary lanes.

Project-affected household: families who are directly impacted by a development project (here in opening and rehabilitation of sanitary lanes) in term of physical displacement, loss of properties or assets, livelihoods or other significant changes to their living condition due to the activities of the development project.

Involuntary displacement: The involuntary taking of land resulting in direct or indirect economic and social impacts caused by:

- *loss of benefits from use of such land*
- *relocation or loss of shelter*
- *loss of assets or access to assets*
- *loss of business income sources*

Resettlement Action Plan (RAP): instrument (document) prepared to address the impact of development project on community or individuals who may be affected negatively by the development project. it involves compensation of loss structures, trees and community utilities, restoration of loss of livelihoods and provision of assistance to vulnerable groups in the community. RAPs are prepared by the project owners (managers or their appointed representative) impacting on the PAPs and their livelihoods and contain specific and legally binding requirements for compensation of the PAPs before the implementation of such project activities.

Full Replacement Cost: The rate of compensation for lost assets at a calculated current market value of the assets plus 15% disturbance allowance to cover for cost such as transports and inflation..

Disturbance Allowance: A sum equal to 15% of the full replacement value added to the market costs of affected structures by way of covering cost of transport and others.

Vulnerable groups: Socially and economically disadvantaged groups of persons (especially those living below the poverty line) such as female headed household, widows/widower, the person living with disability, elderly above 70 years, households living below the poverty line, household headed by chronically ill person, households loosing business and animals due to drought.

Support to vulnerable PAPs / Groups. An extra financial assistance given to the vulnerable group in this document amounting to ksh 18,200 that covers an average household income for 2 weeks when such PAPs are expected to reinstate the affected property.

E. EXECUTIVE SUMMARY

E.1 Project Information

The Government of Kenya through the ministry of water, sanitation and irrigation has received funding from the World Bank toward the cost of financing Water and Sanitation Development Project (WSDP). The funding is an additional fund requested upon the successful implementation of the gains and achievements already made through the implementation of WaSSIP. The funding is dispersed to a number of water and sanitation service providers in both coastal and northern counties through their respective county government.

Water and sanitation development project (WSDP) is targeted largely at investment on rehabilitation and expansion of existing water supply schemes and development of sanitation infrastructure. The general objective of the WSDP is to; improve the water and wastewater services, Increase access to reliable, affordable and sustainable water supply and sanitation services and Mitigate the effects of drought through response measures.

In Wajir to achieve the specific sanitation objectives, a number of sub-projects is implemented under the immediate urgent measure of the WSDP investment program within wajir town project area. This includes:

- a. Construction of onsite sanitation facilities such as ablution blocks in schools and pilot ecosan toilet for the vulnerable community members.
- b. Opening, improvement and rehabilitation of Wajir sanitary lanes.
- c. Development and construction fecal sludge treatment plant for wajir town.
- d. Technical assistant to night soil management-a program intended to improve handling, conveyance, treatment and disposal of fecal for staffs working in emptying bucket toilets.
- e. Development of hygiene policy frame work document
- f. Development and roll out of wajir county behavior change campaign development program.

Wajwasco being the only mandated water and sewerage service provider in the county it is fully implementing the above sub-projects under WSDP intended to improve water and sanitation services. Part of this funding as stated above is planned to open, improve and rehabilitate Wajir sanitary lanes in seven locations within wajir town. This is generally expected to improve the quality of life through better health by improving sanitation and sustaining the environment within the Project areas.

The specific objective of opening and rehabilitation of wajir sanitary lane project include:

- a. Open access lane for efficient collection of both faecal waste and solid waste.
- b. Reduce the tendencies of burying faecal waste behind the bucket toilet
- c. Provide drainage services to sanitary lane in order to maintain general cleanliness of the project area.
- d. Reduce the risk of contaminating the source of water such as shallow wells.
- e. Reduce the prevalent occurrence rate and transmission of waterborne diseases.

This Report presents the updated Resettlement Action Plan (RAP) prepared for the planned opening, improvement and rehabilitation of Wajir Sanitary Lanes Project Areas under the Immediate and Short-Term Plan.

The update was necessitated by the following reasons.

- Two years have lapsed since the initial RAP report was prepared. The World Bank safeguard guidelines recommends that the RAP document is updated before implementation of the same commences.
- It is expected that the project area will have experienced considerable changes with reference to population growth, migration, social economic dynamics and implementation of related infrastructure.

E.2 Project location:

The proposed opening, improvement and rehabilitations of wajir sanitary lane is intended to be implemented in seven locations within wajir town project area. The locations include Township, Hodhan, Alimaow, Barwaqo, Jogoo, Godade and Wagberi location. The **figure1-1** below shows the location of the project area.

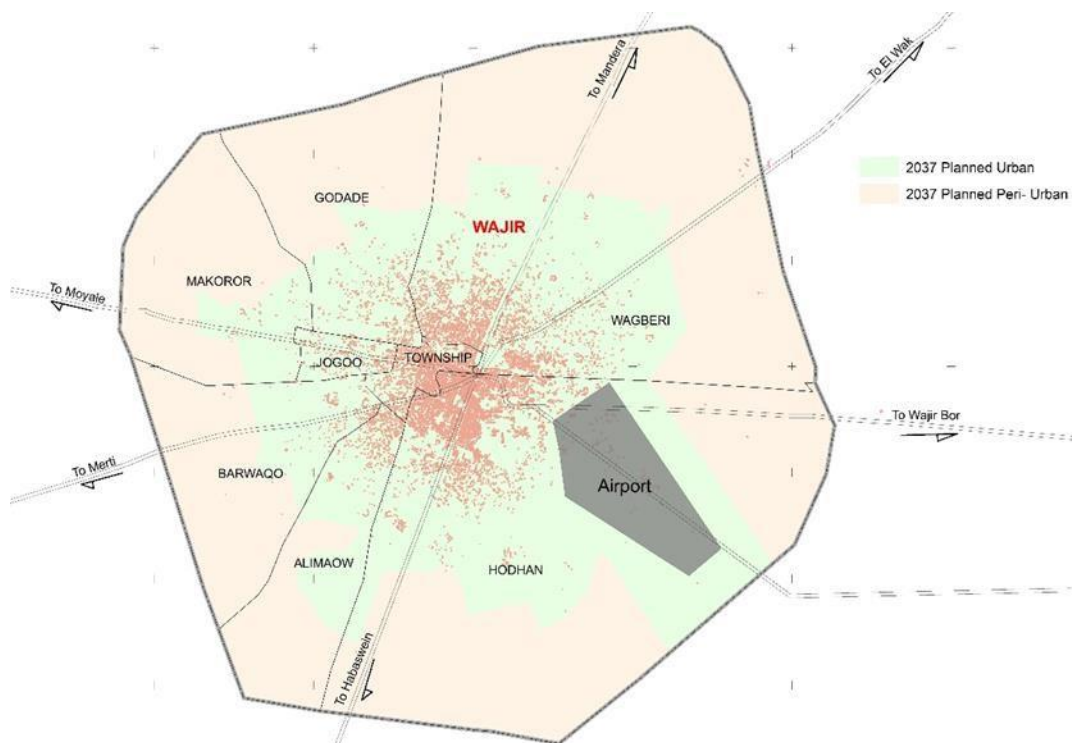


Figure E-1: Wajir town locations of the project areas.

E.3 Details of Sanitary Lanes in the Target Locations

The location of the sanitary lanes and the nature of the land ownership is important for the successful implementation of Rehabilitation Works of the Sanitary Lanes.

Interpretation of Cadastral Maps for targeted locations in Wajir town indicates that land has been adjudicated in all the other locations except Godade location. Land owners in Hodhan, Township, Barwaqo, Alimaow, Wagberi, and Jogoo locations have had their pieces of land surveyed,

plans approved, acquired allotment letters and about two household acquired title deeds. In godade survey have been recently conducted and the plan is yet to be approved.

Summary of details of the Plots and Sanitary Lanes in the respective locations in Wajir Town is given in **Table E-1** below.

Table E-1: Details of Plots and Sanitary Lanes in Wajir

Location	Number of Plots	Number of Sanitary Lanes	Length of Sanitary lanes
Township/madina	1930	12	5.17km
Hodhan/shallete	1250	11	7.05km
Alimao	1050	5	3.05km
Wagberi	1200	8	6.5km
Barwaqo	1100	7	4.1km
godade	970	7	4.85km
Jogoo	950	6	5.25km

Detailed Maps showing encroachments in the respective locations of Wajir Town are given in **Figures E-2 to E-8**



Figure E-2: Encroachment on Sanitary Lanes in Jogoo



Figure E-3: Encroachment on Sanitary Lanes in Hodhan

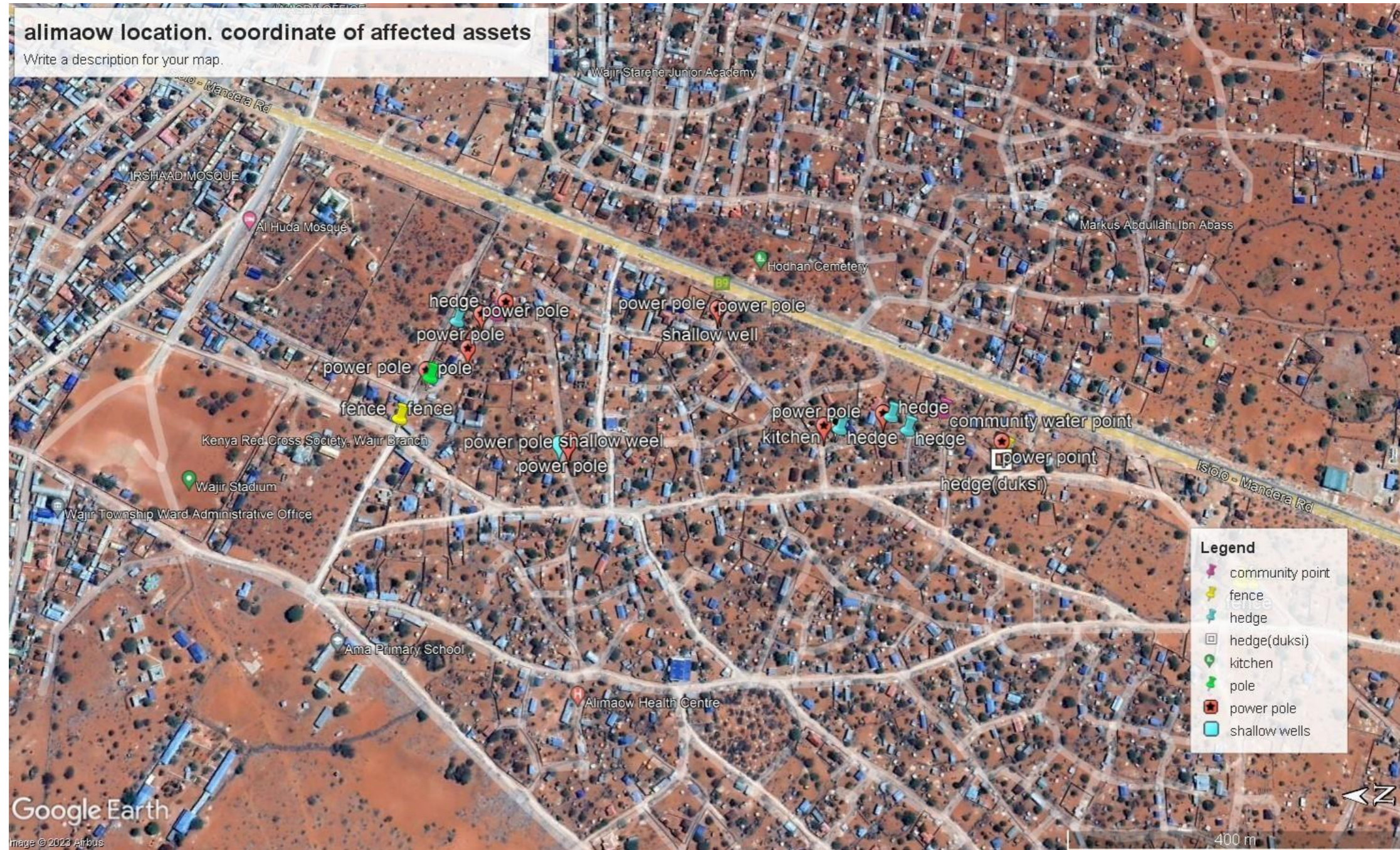


Figure E-4: Encroachment on Sanitary Lanes in Alimaow



Figure E-5: Encroachment on Sanitary Lanes in Township location

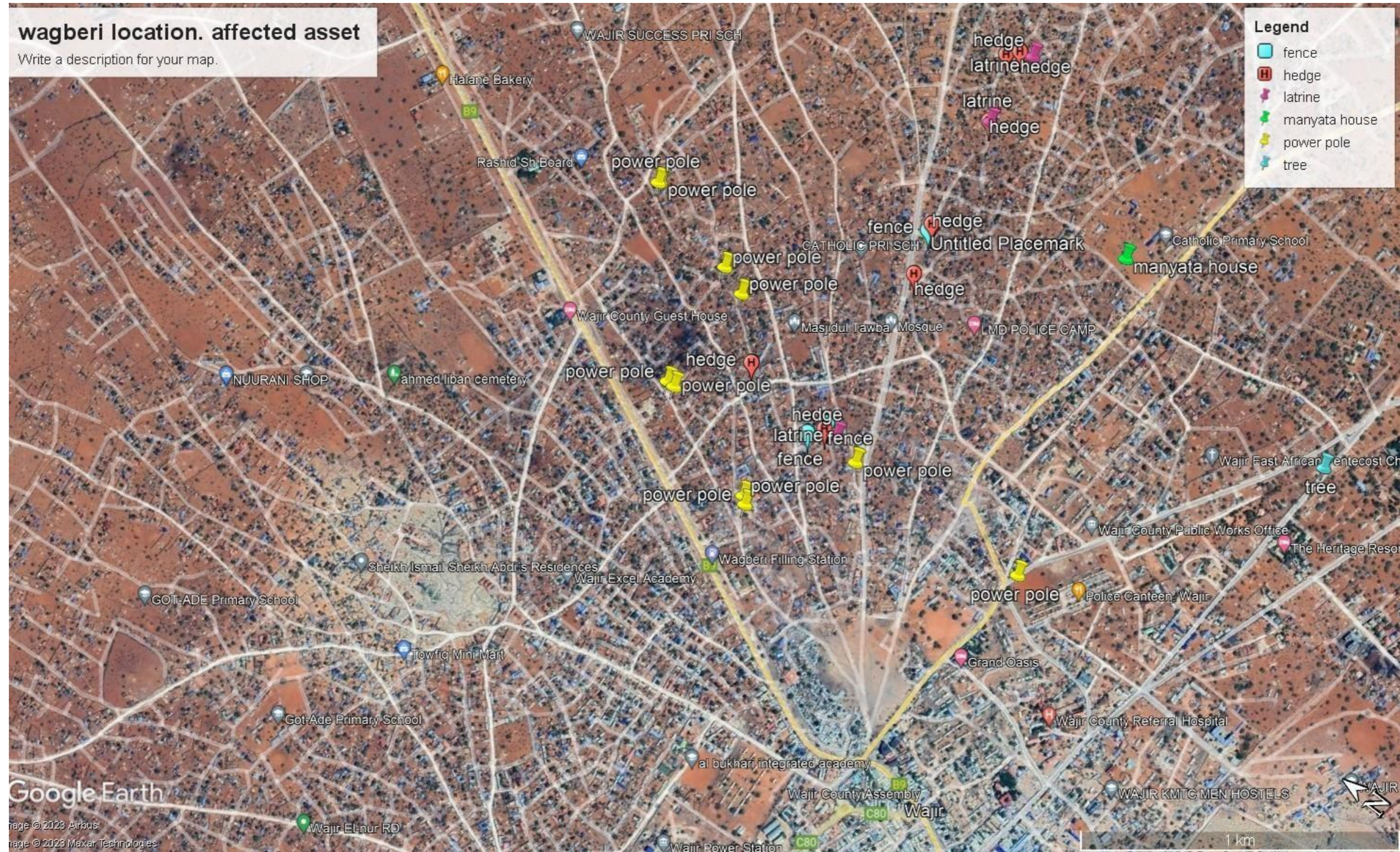


Figure E-6: Encroachment on Sanitary Lanes in Wagberi



Figure E-7: Encroachment on Sanitary Lanes in Barwaqo

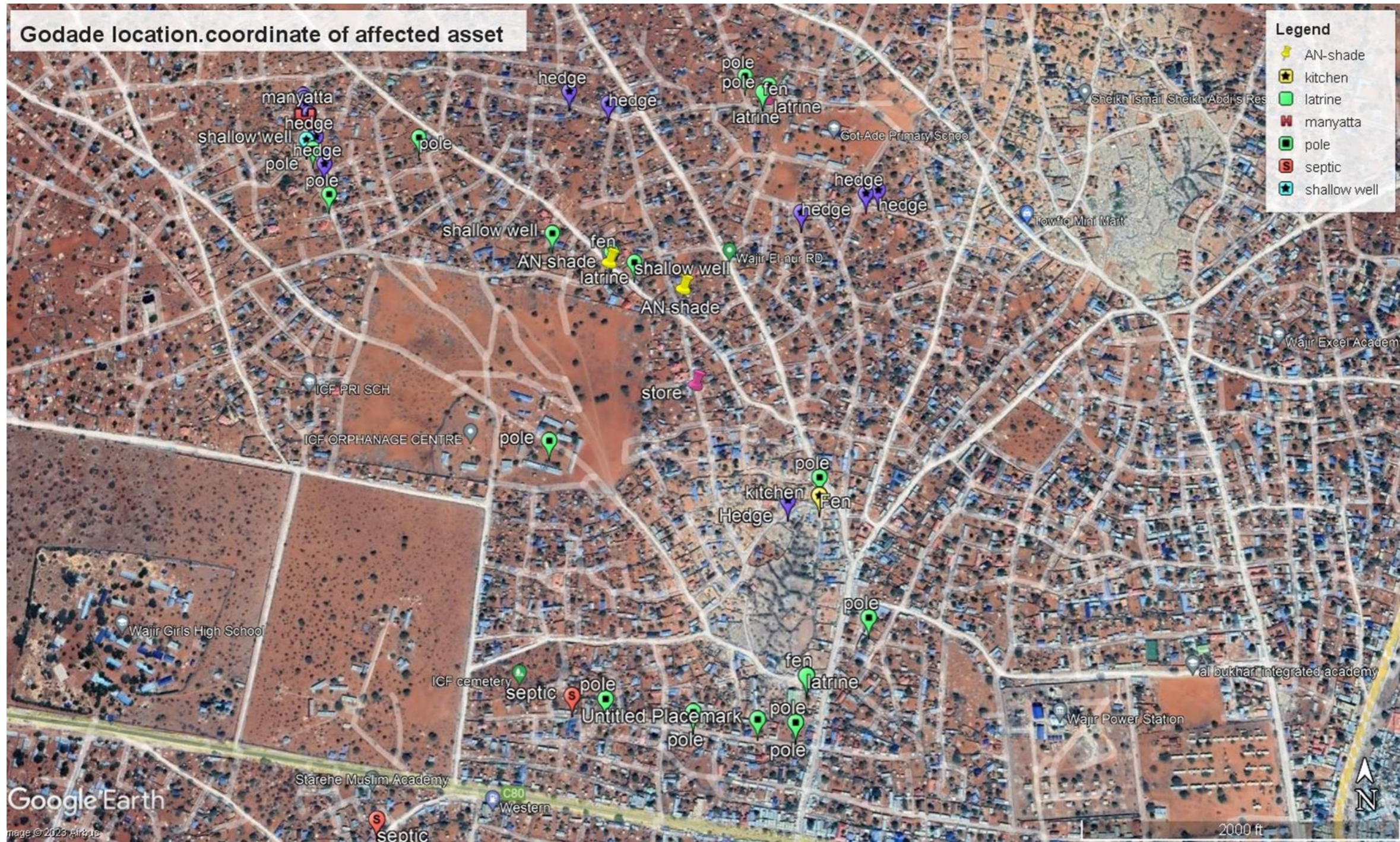


Figure E-8: Encroachment on Sanitary Lanes in Godade

E.4 Objectives of Resettlement Action Plan (RAP)

The general objective of this Resettlement Action Plan (RAP) is to highlight the principles and procedures that will govern mitigation of adverse social impacts induced by the proposed rehabilitation, opening and upgrading of sanitary lanes within Wajir Town Project area. Also, it aids in the identification of vulnerable persons and set out measures to ensure that they are protected from adverse project impacts

The RAP is specifically designed to ensure that:

- (i) All types of losses are identified, clearly defined and properly categorized to reflect the nature and scope of the loss.
- (ii) A standard measure for defining eligibility and entitlement is developed for fair assessment of compensation for the loss or impact suffered.
- (iii) Compliance with provisions of Kenyan Laws and World Bank Operational Policies (OP4.12, paragraph 2(b)): which state that resettlement activity has been conceived and executed as development programs, providing sufficient investment resources to enable the PAPs to share in project benefits.
- (iv) Project Affected persons will be compensated for their losses at full replacement cost and provided assistance for disturbance prior to the beginning of civil works.
- (v) Vulnerable persons are identified and livelihood restoration measures set up for them to ensure they restore their livelihoods and standard of living.
- (vi) A comprehensive database, based on which values will be assessed, validated in the event of disputes and, more importantly, serve as the database for monitoring and evaluation of the resettlement instrument.
- (vii) The PAPs have been consulted and given the opportunity of participating in the design, implementation and monitoring of the resettlement.
- (viii) A Grievance & Redress mechanism has been established to acknowledge and resolve conflicts arising from Resettlement and Compensation.

E.5 Approach and Methodology

The approach of RAP preparation includes the following tasks:

- (i) Community mobilization and sensitization;
- (ii) PAPs and property identification.
- (iii) Property assessment and valuation;
- (iv) Institutional and individual stakeholder consultation;
- (v) PAP census Survey and Socio-Economic Surveys
- (vi) Review of secondary sources and legislations related to the project area profile;
- (vii) Data analysis; and report production.

The outputs of this exercise will generate community consultation minutes/lists,

affected property survey data/strip maps, property catalogues and a valuation roll, institutional and implementation arrangements, necessary references, annexes and social-economic profiles of PAPs have been incorporated into this RAP Report.

The Update of this RAP report took place from March 2022. The project area was surveyed, affected plots and households identified.

The update was initiated march 2022, however, there were delays in availability of funds that were needed to facilitate households and census surveys. A verification of PAPs was carried out in July 2023 to ascertained that there were no changes in the project area. Minutes of this proceedings, attendance register and Photographic plates have been presented in annexed II (PP 169- 192) .

E.6 Policy, Institutional and Legal Framework

The over-arching principle governing the RAP process is Article 40 of the Constitution of the Republic of Kenya (2010) which establishes the fundamental principles of right to and protection of private property.

In addition to the Constitution, the RAP Process will comply with the requirements of the relevant national legislation of the Republic of Kenya as well as the Operational policy of World Bank.

The main local legislations governing the RAP process include;

- (i) The constitution of Kenya, 2010
- (ii) Land Laws Act (2012)
- (iii) Land Laws Act (amendments) (no. 28 of 2016)
- (iv) The Valuers Act (1985)
- (v) National Land Commission Act (2012)
- (vi) Environmental and land court act (2011)
- (vii) Environmental and management coordination act (1999)
- (viii) Urban areas and cities act (2011)
- (ix) Housing policy (2011)
- (x) Matrimonial property act No49 of 2013, ownership of matrimonial property
- (xi) Wayleave acquisition process in Kenya
- (xii) Sexual offence act 2006
- (xiii) The Children's act 2001
- (xiv) The prevention, protection and assistance to internally displaced persons and affected communities act, 2012
- (xv) County Government Act 2012
- (xvi) Eviction Guidelines (April 2020)
- (xvii) Physical planning act 2010

World Bank Safeguards and Framework documents which govern RAP process include:

- (i) Resettlement Policy Framework (RPF) for WSDP – February 2017

(ii) World Bank OP 4.12 on Involuntary Resettlement

E.7 Resettlement Impacts

The Project activities will involve rehabilitation and upgrading of existing sanitary lanes with an aim of improving mobility within the target locations. Therefore, *No Impact on Private Land Is Triggered*.

However, impacts on property in form of structures are anticipated owing to the encroachment of the sanitary lanes by community members with assets which include; Septic tanks, walls, semi-permanent house/ and or manyatta, extensions, shop canopies and temporal livestock houses. Public and community amenities including KPLC power poles and electricity cable lines and communal water points and hedges will also be affected.

The RAP study identified a total number of 250 PAPs; all of whom are losing structures, 11 PAPs will lose trees and 12 PAPs will lose business income temporarily. Further, 3 community water points and 99 KPLC poles will be affected. However, there are 7 acacia trees whose ownership are not claimed. There are no cultural properties that are impacted.

Detailed breakdown of location, general information and RAP impacts is provided in **Tables E-2 to E-8 on Page E-13 to E-14**.

Table E-2: Resettlement Impacts – Township Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Township	Number of Sanitary Lanes	12
	Length of Sanitary Lanes	5.17km
	Total number of plots	1930
	Total PAPs	26
Category of Impact	Structure Owners	26
	Loss of Business	1
	Community Water Points	0
	KPLC power Poles	19
	Tree	0

Table E-3: Resettlement Impacts – Hodhan Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Hodhan	Number of Sanitary Lanes	11
	Length of Sanitary Lanes	7.05km
	Total Number of Plots	1250
	Total PAPs	65
Category of Impact	Structure Owners	65
	Loss of Business	10
	Community Water Points	1
	KPLC power Poles	21
	tree	2

Table E-4: Resettlement Impacts – Barwaquo Location

Location	General Information	PAPs / Assets / Sanitary Lanes
barwaquo	Number of Sanitary Lanes	7
	Length of Sanitary Lanes	4.1km
	Total Number of Plots	1100
	Total PAPs	21
Category of Impact	Structure Owners	21
	Loss of Business	1
	Community Water Points	1
	KPLC power Poles	15
	Tree	1

Table E-5: Resettlement Impacts – Godade Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Godade	Number of Sanitary Lanes	7
	Length of Sanitary Lanes	6.85km
	Total number of Plots	970
	Total PAPs	28
Category of Impact	Structure Owners	28
	Loss of Business	Nil
	Community Water Points	0
	KPLC power Poles	11
	tree	0

Table E-6: Resettlement Impacts – Wagberi Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Wagberi	Number of Sanitary Lanes	7
	Length of Sanitary Lanes	6.5km
	Total number of plots	1200
	Total PAPs	20
Category of Impact	Structure Owners	20
	Loss of Business	Nil
	Community Water Points	Nil
	KPLC power Poles	10
	Tree	3

Table E-7: Resettlement Impacts – Jogoo Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Jogoo	Number of Sanitary Lanes	6
	Length of Sanitary Lanes	5.25km
	Total number of Plots	950
	Total PAPs	76
Category of Impact	Structure Owners	76
	Loss of Business	Nil
	Community Water Points	Nil
	KPLC power Poles	11
	Tree	5

Table E-8: Resettlement Impacts – Alimao Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Alimao	Number of Sanitary Lanes	5
	Length of Sanitary Lanes	3.05km
	Total number of plots	1050
	Total PAPs	14
Category of Impact	Structure Owners	14
	Loss of Business	Nil
	Community Water Points	2
	KPLC power Poles	12
	tree	0

E.8 Public and Institutional Consultations

World Bank Operational Policy (OP) 4.12 on Involuntary Resettlement requires that affected persons should be consulted and accorded opportunities to participate in planning and implementation of the resettlement programs. On the other hand, Land Act 2012 outlines the NLC procedures for consultation with affected persons and grievance management procedures.

The RAP update involved consultations with relevant stakeholders in Wajir Town Project Area in compliance with the requisite statutes. Consultations were held with all stakeholders including the PAPs and vulnerable members of the community in all the target locations. Consultations were done through public meetings and key informant interviews. **Table E-9** give a schedule of public consultation and PAPs Meetings held within the target locations.

Table E-9: Schedule of Public and PAPs Discussions.

S/NO	DATE	VENUE	MEMBERS OF PUBLIC
1	5 th April 2022	WAJWASCO BOARDROOM.	<ul style="list-style-type: none"> Area chiefs of seven locations and technical team
2	7 th April 2022	Wajir Resort	<ul style="list-style-type: none"> Members of Hodhan and Township locations
3	12 th April 2022	Wajir county guest house	<ul style="list-style-type: none"> Members of Jogoo, Wagberi, Godade locations
4	16 th April 2022	Wajir Red cross hall	<ul style="list-style-type: none"> Members of Alimaow and Barwaqo locations.
5.	31 st December 2022	KPLC wajir branch office	<ul style="list-style-type: none"> Kplc manager and other kplc staff, and project technical team..
6.	19 th july 2023	Wajir Redcross hall	<ul style="list-style-type: none"> PAPs of Alimaow, Barwaqo and Hodhan locations

7.	21 st JULY 2023	Midpoint hotel	<ul style="list-style-type: none"> • PAPs of Wagberi and Township locations
8.	25 th July 2023	Greenville garden hotel	<ul style="list-style-type: none"> • PAPs of Jogoo and Godade locations.

The summary of key issues discussed during the Consultative Meetings include;

- (i) Location of Project Area and status of land ownership
- (ii) Harmonization of the Project with existing Spatial Integrated Development Plan
- (iii) Likely impacts of the Proposed Project interventions (rehabilitation of Sanitary lanes) to people's assets
- (iv) Project mechanism to address marginalization perception by the community
- (v) Health and sanitation challenges posed by poor and in accessible sanitary lanes.
- (vi) Employment opportunities to locals and labour flux management during rehabilitation of the sanitary lanes
- (vii) Preferred Community Grievance Redress Mechanisms acceptable by the community during Project implementation

E.9 Eligibility and Cut-off Dates

The concept of eligibility is used with respect to the definition of PAPs and the criteria for determining their qualification for compensation and other resettlement assistance. The Project affected persons, irrespective of their status, are eligible to some form of assistance due to interference with land they had occupied or their income-generating activity at the affected sites.

It was agreed with the PAPs that the 'Cut-off date' for the Project be **13th April 2022**; this was the first day of the census activities.

The PAPs categories identified in Wajir that are eligible for compensation / assistance include;

- a) *People /Institutions whose structures will be affected by Project activity implementation (encroachers of the sanitary lane), the RAP identified that common structures affected were; Septic tanks, walls, animal shades, semi-permanent house and/or manyatta, shop canopies, community water points and hedges and KPLC power poles.*
- b) *People whose structures (whether permanent, semi-permanent or temporary) are in the in the set-out project area for operating businesses or kiosk, and whose kiosks are to be removed and relocated within their compound; (encroachers)*
- c) *People whose trees are within the set-out project area or the physical project activity implementation; (encroachers)*

E.10 Vulnerable and Marginalized Groups

Wajir County is predominantly occupied by native Somali speaking communities who according to world bank OP 4.10 are categorized as Vulnerable and Marginalized (VMGs).

Therefore, the census identified the following social and distinct groups of people who might suffer disproportionately or face the risk of being vulnerable as a result of resettlement compensation and specifically include:

- (i) Widow- Female headed households
- (ii) People Living with Disability (PLWDs) household heads,
- (iii) Households headed by elderly persons with no means of economic & Social support (Poor).
- (iv) Households that have lost livestock during drought.
- (v) Sickly household heads with no source of income (unemployed)

The RAP, however, identified and enumerated 35 Elderly PAPs, 31 Poor families, 6 Chronically ill, 17 female household heads, 7 PLWDs and 5 PAPs experiencing loss of business/ livestock due to drought. The vulnerable categories are presented in Table E-11.

Table E-11: Categories and Number of Vulnerable PAPs

Location	Type of vulnerability						Total
	elderly	Poor family	Chronically ill	Female headed h/h or widower	disabled	Loss of business/livestock due to drought	
Township	2	nil	1	1	nil	nil	4
Hodhan	10	9	1	3	2	Nil	26
Barwaqo	3	4	NIL	2	1	NIL	10
Godade	3	2	nil	4	nil	4	13
Alimaow	1	6	Nil	Nil	1	Nil	8
Wagberi	1	4	nil	1	1	1	8
Jogoo	15	6	4	6	2	nil	33
Total	35	31	6	17	7	5	101

The Proposed Assistance which the RAP can provide to the Vulnerable PAPs include;

- (i) Deliberate efforts to be put in place by WAJWASCO to ensure that spouses are included in the opening of joint bank accounts for payment of compensation monies.
- (ii) Linkage to government social programme such as the **"Inua Jamii-Senior citizens"** 70 years, orphan vulnerable children(OVC) and above cash transfer programme for aged PAPs
- (iii) Linkage to Livestock extension services where PAPs can receive information about; improved breeds of livestock, veterinary services to livestock and technical assistance for livestock management
- (iv) Targeted and localized house-to-house or group sensitization for the vulnerable project affected households during pre-payment consultations.
- (v) Priority consideration will be given in processing resettlement compensation payments and specialized assistance in explaining and filling out compensation payment forms.
- (vi) An extra Ksh. 18,200 /= for all vulnerable PAPs identified. This amount covers the average household income for 2 weeks when the PAP will be expected to spend in reinstating the affected property. The socio-economic findings presented below have

informed this position.

- (vii) Specific support such as identification of movers and service providers e.g. plumber and mason will be provided to the vulnerable groups by WAJWASCO in regard to either aiding these PAPs in relocating, moving property or any support that may be deemed appropriate. This support does not attract additional financial implication.
- (viii) Consideration of eligible members of the vulnerable Project affected households in the employment in project activities

E.11 Applicable Grievance Redress Mechanism

This RAP provides for a Grievance Redress Mechanism (GRM) which includes instruments, methods and processes by which a resolution to a grievance is sought and provided.

The RAP established a three level (tiers) grievance redress mechanism with the last and third alternative after exhausting the first two level being the resort to judicial recourse. At any one given time the first two level can adopt and include a mediator if they find it necessary.

The grievance redress mechanism levels include:

(a) Level (1)- VILLAGE LEVEL GRIEVANCE REDRESS COMMITTEES

This RAP prefers the first level of grievance or conflict redress on project related issues to be handled by the village level GRC. These committees have already been constituted and already exist in the seven villages and handle all forms of grievances in an amicable manner and as an alternative dispute resolution to formal process, which is normally lengthy and costly. Grievances not resolved by the site level committees will be taken to the second level. The membership of 8 will be included in the first level committee to comprise:

- a. sub-location assistant chief
- b. 4 PAPs representative (1 elder, 1 woman and 1 youth and 1PLWD)
- c. Contractor's site representative
- d. 1 respected community elder
- e. Representative of ward administrator

(b) Level (2) Project PCU level

This committee is an already established committee within the project level and it composed of the 12members. They handle any complain escalated from site level. Any complain or concerns raised at this level should be confirmed if it has passed the first level. The membersinclude:

1. A respected religious elder
2. The area chief where the complainant hails from.
3. The social safeguard expert of the project
4. Three of implementing agency PCU members
5. social expert at the supervising consulting firm
6. Representative of sub-county administrator
7. Three respected community elders.
8. Representative of VMGs

(c) Level (3) Formal Judicial System

If an aggrieved person chooses not to use the above customary institutions for grievance resolution or ignores pronouncements of either or both the customary institutions; such a complainant may seek recourse to the formal justice system that includes courts of law, the National Land Commission to the extent that a grievance is relevant.

E.12 RAP Budget

The total budget for resettlement compensation is **Kshs, 52,035,182.00**. The budget includes: cost of replacement of impacted assets **ksh 45,296,682.00**, RAP implementation cost of **ksh 4,261,000.00**, livelihood restoration cost of **ksh 1,137,500** and estimated monitoring and evaluation cost of **ksh 1,340,000**. Detail is provided in **Table E-12** below and the attached valuation roll.

Table E-12-: Resettlement Action Plan Budg

Total RAP Cost	Number of PAPs	Kshs
Township location	26	6,351,375
Hodhan location	65	12,115,707
Barwaqo location	21	4,478,780
Godade location	28	5,145,490
Wagberi Location	20	2,622,528
Jogoo location	76	12,308,923
Alimao location	14	2,223,730
Sub Total 1 (Replacement cost of impacted asset)		45,296,682.00
Livelihood Restoration measures Cost (breakdown provided in valuation roll)		1,137,500
RAP Implementation Costs (breakdown provided in valuation roll)		4,261,000.00
RAP Monitoring and Evaluation Cost		1,340,000
Grand Total		52,035,182.00

CHAPTER 1: PROJECT BACKGROUND

1.1 General Information

The Government of Kenya through the ministry of water sanitation and Irrigation has received funding from the World Bank toward the cost of financing Water and Sanitation Development Project (WSDP). The funding is an additional fund requested upon the successful implementation of the gains and achievements already made through the implementation of WaSSIP. The funding is dispersed to a number of water and sanitation service providers in both coastal and northern counties through their respective county government.

Water and sanitation development project (WSDP) is targeted largely at investment on rehabilitation and expansion of existing water supply schemes and development of sanitation infrastructure. The general objective of the WSDP is to; improve the water and wastewater services, Increase access to reliable, affordable and sustainable water supply and sanitation services and Mitigate the effects of drought through response measures.

In Wajir to achieve the specific sanitation objectives, a number of sub-projects is implemented under the immediate urgent measure of the WSDP investment program within wajir town project area. This includes:

- a. Construction of onsite sanitation facilities such as ablution blocks in schools and pilot ecosan toilet for the vulnerable community members.
- b. Opening, improvement and rehabilitation of Wajir sanitary lanes.
- c. Development and construction fecal sludge treatment plant for wajir town.
- d. Technical assistant to night soil management-a program intended to improve handling, conveyance, treatment and disposal of fecal for staffs working in emptying bucket toilets.
- e. Development of hygiene policy frame work document
- f. Development and roll out of wajir county behavior change campaign development program.

Wajwasco being the only mandated water and sewerage service provider in the county it is fully implementing the above sub-projects under WSDP intended to improve water and sanitation services. Part of this funding as stated above is planned to open, improve and rehabilitate Wajir sanitary lanes in seven locations within wajir town. This is generally expected to improve the quality of life through better health by improving sanitation and sustaining the environment within the Project areas.

The specific objective of opening and rehabilitation of wajir sanitary lane project include:

- f. Open access lane for efficient collection of both faecal waste and solid waste.
- g. Reduce the tendencies of burying faecal waste behind the bucket toilet
- h. Provide drainage services to sanitary lane in order to maintain general cleanliness of the project area.
- i. Reduce the risk of contaminating the source of water such as shallow wells.
- j. Reduce the prevalent occurrence rate and transmission of waterborne diseases.

This Report presents the updated Resettlement Action Plan (RAP) prepared for the planned opening, improvement and rehabilitation of Wajir Sanitary Lanes Project Areas under the Immediate and Short-Term Plan.

The update was necessitated by the following reasons.

- Two years have lapsed since the initial RAP report was prepared. The World Bank safeguard guidelines recommends that the RAP document is updated before implementation of the same commences.
- It is expected that the project area will have experienced considerable changes with reference to population growth, migration, social economic dynamics and implementation of related infrastructure.

1.2 Justification of the project

Wajir Town has no waterborne sanitation system with majority of the residents, about 70%, using bucket toilet and other on plot sanitations facilities such as ecosan toilets and septic tanks. As part of the recommendations of the wajir Sanitation Master Plan, Wajir town Project Area is planned to have both water-borne Sewerage System, Sewage Treatment Plant and on-plot Sanitation facility for improved sanitation. Under the Immediate Urgent Works of WSDP, focus is put on access to On-Plot Sanitation Facilities and fecal sludge management in terms of handling, conveyance, treatment and disposal. This cannot be achieved when the sanitary lanes have been encroached and access to bucket toilets have been blocked. As a result most of these sanitary lanes have been turn to a non-motorable lanes.

A Field Surveys undertaken by MIBP 2017 in the target locations of Township, Hodhan, Wagberi, Alimao, Jogoo, Barwaquo and Godade in wajir town, have identified and described wajir sanitary lanes as follows;

- (i) Motorable Sanitary lanes.
- (ii) Non Motorable Sanitary Lanes.
- (iii) Encroached Sanitary Lanes
- (iv) Sanitary Lanes with debris and solid wastes
- (v) Sanitary Lanes with overgrown vegetation

Under the sanitary lane improvement project the focus is on the encroached lanes mentioned above.

At present, the main challenge that hinders the provision of sanitation services include construction of assets such as containment tanks, bucket toilets, power poles, fences and among others within the wayleaves of the lanes thus reducing the access road to even 2-3 meters. This has increase the haulage distance of the bucket and the septic tanks to the collection exhauster tankers resulting spillage of sludge that poses health risk of human lives. Further, due to the encroachment of the sanitary lanes most of the bucket toilet users have turned to empty their bucket toilets by burying fecal waste behind their toilets. This further exposed the targeted project population the risk of encountering some waterborne diseases such as cholera, typhoid and diarrhea since wajir is known to have a high water table. During the rainy season this fecal matter is swept into the predominantly used open shallow wells hence contaminating the only major water source for wajir town population.

1.3 Project location.

The proposed opening, improvement and rehabilitations of wajir sanitary lane is intended to be implemented in seven locations within wajir town project area. The locations include Township, Hodhan, Alimaow, Barwaqo, Jogoo, Godade and Wagberi location.

The **figure1-1** below shows the location of the project area.

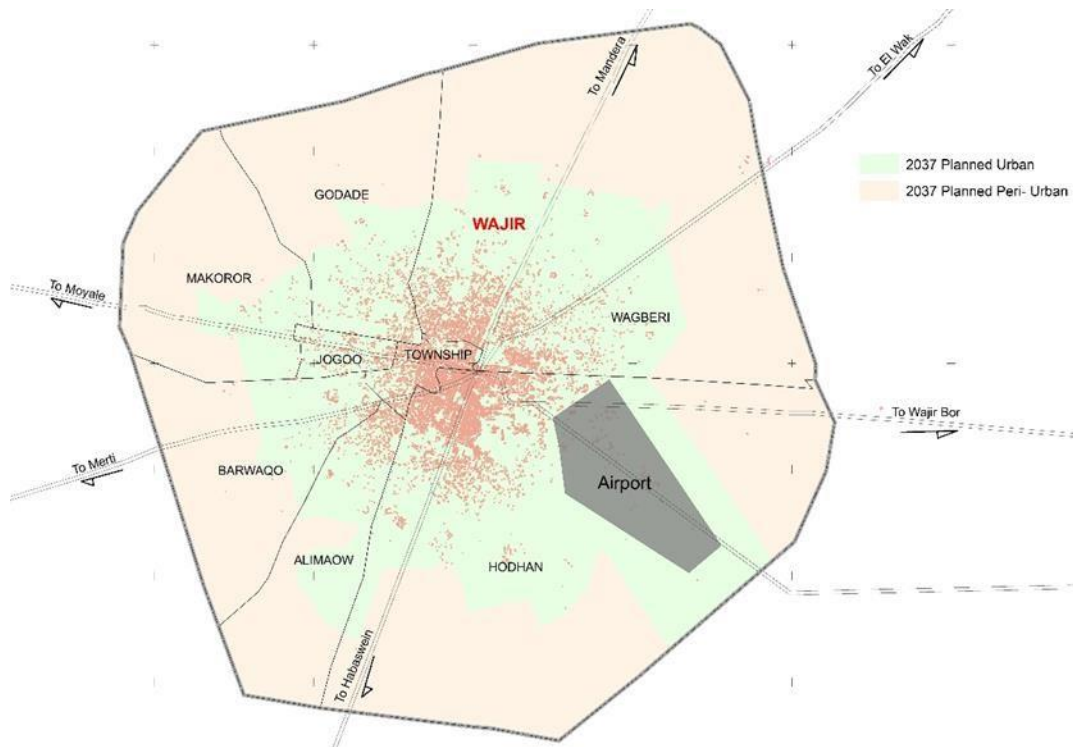


Figure 1-1: Wajir town locations of the project areas.

1.4 Details of Sanitary Lanes in the Target Locations

The location of the sanitary lanes and the nature of the land ownership is important for the successful implementation of Rehabilitation Works of the Sanitary Lanes.

Interpretation of Cadastral Maps for targeted locations in Wajir town indicates that land has been adjudicated in all the other locations except Godade location. Land owners in Hodhan, Township, barwaqo, alimaow, wagberi and Jogoo locations have had their pieces of land surveyed, plans approved, acquired allotment letters and about two household acquired title deeds. In Godade survey have been recently conducted and the plan is yet to be approved.

Summary of details of the Plots and Sanitary Lanes in the respective locations in Wajir Town is given in **Table 1-1** below.

Table 1-1: Details of Plots and Sanitary Lanes in Wajir

Location	Number of Plots	Number of Sanitary Lanes	Length of Sanitary lanes
Township	1930	12	5.17km
Hodhan	1250	11	7.05km
Alimao	1050	5	3.05km
Wagberi	1200	8	6.5km
Barwaqo	1100	7	4.1km
godade	970	7	4.85km
Jogoo	950	6	5.25km
Total	8450	56	35.97km

Detailed Maps showing the affected asset location in the respective locations of Wajir Town are given in **Figures 1-2 to 1-8** on **Pages 1-4 to 1-11**.



Figure 1-2: Encroachment on Sanitary Lanes in Jogoo



Figure 1-3: Encroachment on Sanitary Lanes in Hodhan



Figure 1-4: Encroachment on Sanitary Lanes in Alimaow



Figure 1-5: Encroachment on sanitary lane in Township

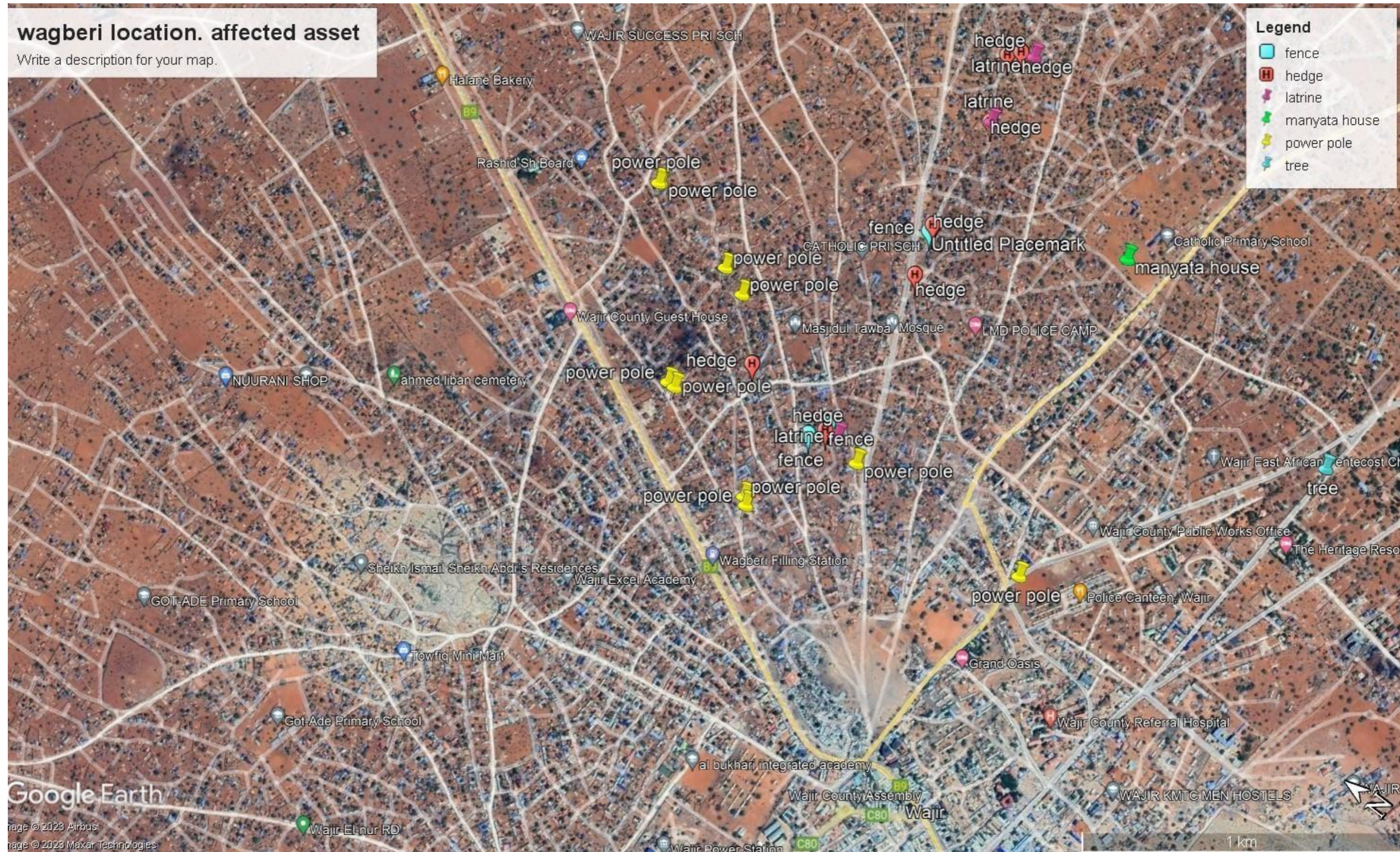


Figure 1-6: Encroachment on Sanitary Lanes in Wagberi



Figure 1-7: Encroachment on Sanitary Lanes in Barwaqo

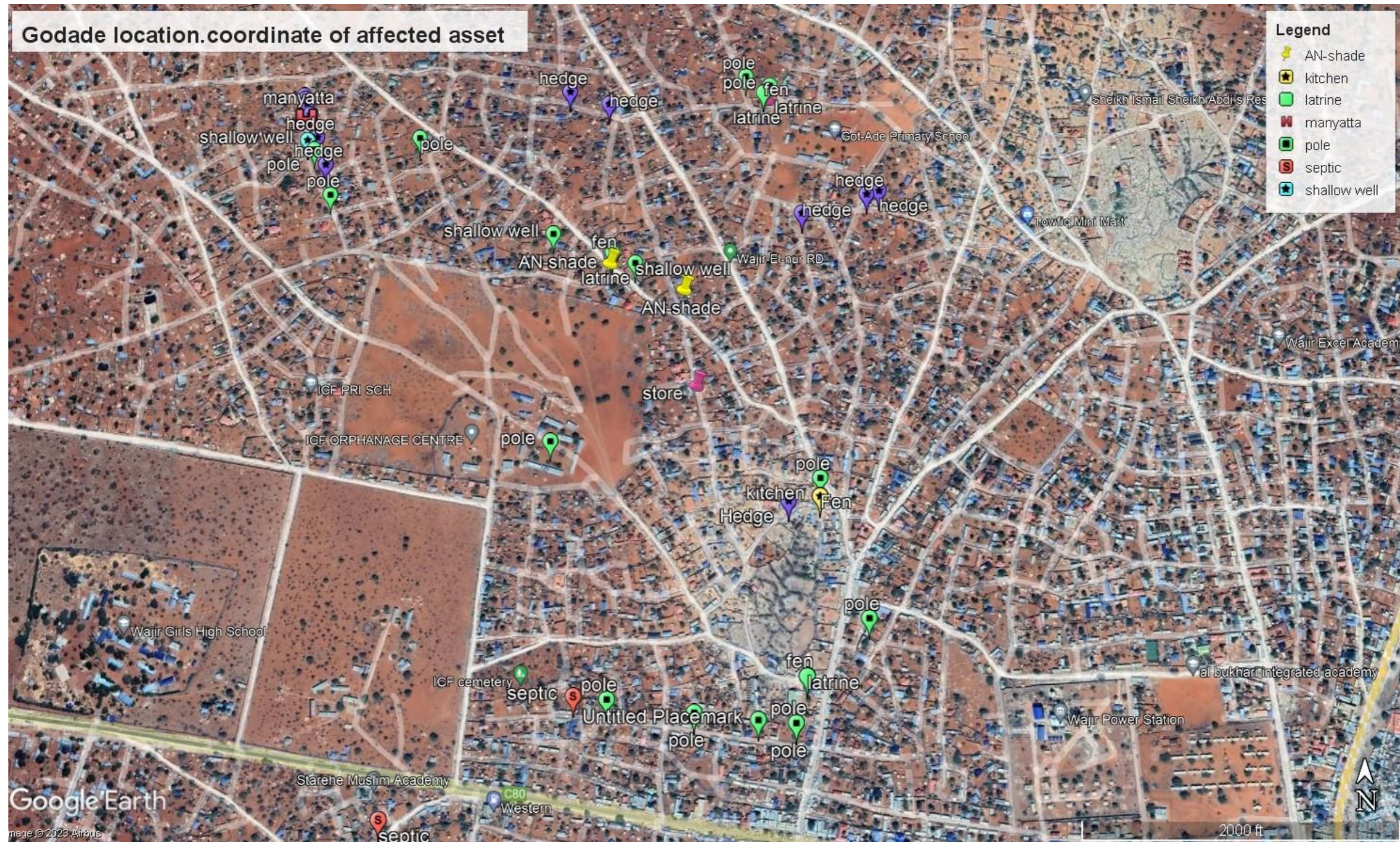


Figure 1-8: Encroachment on Sanitary Lanes in Godade

1.5 Objectives of Resettlement Action Plan (RAP)

The general objective of this Resettlement Action Plan (RAP) is to highlight the principles and procedures that will govern mitigation of adverse social impacts induced by the proposed rehabilitation, opening and upgrading of sanitary lanes within Wajir Town Project area. Also, it aids in the identification of vulnerable persons and set out measures to ensure that they are protected from adverse project impacts

The RAP is specifically designed to ensure that:

- (ix) All types of losses are identified, clearly defined and properly categorized to reflect the nature and scope of the loss.
- (x) A standard measure for defining eligibility and entitlement is developed for fair assessment of compensation for the loss or impact suffered.
- (xi) Compliance with provisions of Kenyan Laws and World Bank Operational Policies (OP4.12, paragraph 2(b)): which state that resettlement activity has been conceived and executed as development programs, providing sufficient investment resources to enable the PAPs to share in project benefits.
- (xii) Project Affected persons will be compensated for their losses at full replacement cost and provided assistance for disturbance prior to the beginning of civil works.
- (xiii) Vulnerable persons are identified and livelihood restoration measures set up for them to ensure they restore their livelihoods and standard of living.
- (xiv) A comprehensive database, based on which values will be assessed, validated in the event of disputes and, more importantly, serve as the database for monitoring and evaluation of the resettlement instrument.
- (xv) The PAPs have been consulted and given the opportunity of participating in the design, implementation and monitoring of the resettlement.
- (xvi) A Grievance & Redress mechanism has been established to acknowledge and resolve conflicts arising from Resettlement and Compensation.

1.6 Approach and Methodology

The approach of RAP preparation includes the following tasks:

- (viii) Community mobilization and sensitization;
- (ix) PAPs and property identification.
- (x) Property assessment and valuation;
- (xi) Institutional and individual stakeholder consultation;
- (xii) PAP census Survey and Socio-Economic Surveys
- (xiii) Review of secondary sources and legislations related to the project area profile;
- (xiv) Data analysis; and report production.

The outputs of this exercise will generate community consultation minutes/lists,

affected property survey data/strip maps, property catalogues and a valuation roll, institutional and implementation arrangements, necessary references, annexes and social-economic profiles of PAPs have been incorporated into this RAP Report.

CHAPTER 2: PROJECT RESETTLEMENT IMPACTS

2.1 Project Impacts

This Section describes the Project activities and their potential impacts on property likely to be affected by the implementation of the Project. It also presents the PAP categories properties /structures and social amenities that are likely to be affected because of rehabilitation of the sanitary lanes.

The Project activities will involve rehabilitation and upgrading of existing sanitary lanes with an aim of improving mobility within the target locations. Therefore, *No Impact on Private Land Is Triggered.*

However, likely resettlement impacts will result due to the encroachment of the sanitary lanes by assets such as; Septic tanks, perimeter walls, live fences, house extensions, shop canopies, temporal livestock houses, power poles and electricity lines, communal water points, etc. There will be limited access to businesses and living quarters close to the sanitary lanes during the civil works construction activities.

The RAP study identified a total number of 250 PAPs; all of whom are losing structures, 12 PAPs will lose trees and 12 PAPs will lose business income temporarily. Further, 3 community water points and 99 KPLC poles will be affected. However, there are 7 acacia trees whose ownership are not claimed. There are no cultural properties that are impacted.

Details of the PAP locations and impacts are provided in the subsequent sub-sections and the PAPs and properties impacted have been documented and presented in the following manner.

- a. A table showing the total number of property owners (PAPs) and KPLC poles.
- b. A table showing the total number of assets impacted per category.
- c. A graph showing the percentage of the categories of asset impacted.
- d. A table summarising the materials the impacted assets are made of.

It should be noted that the total number of asset impacted could be higher than the total number of PAPs identified. This is because there are PAPs who own more than one asset and /or fall in more than one asset category.

Categories of PAPs.

During the census survey the identified PAPs were categorized into the following four categories.

1. PAPs whose structures are totally impacted and requires to be relocated/reconstructed within their respective compound/plots. e.g. septic tank and shallow well
2. PAPs whose structures are partially impact and required to be realigned with the remaining part of the structure. e.g. PAPs with partial impact on their fence and hedge
3. PAPs that experiences loss of business income due to limited access to their business during the civil work construction activity e.g. Those whose shop canopies encroached the lane and as well experience loss of business income during the civil works activity.
4. PAPs whose trees are within the ROW and required to be compensated. The trees whose ownership is claimed are neem tree and acacia tree. However, there are 7 No of acacia tree whose ownership is not claimed.

2.1.1 Resettlement Impacts in Township Location

The updated RAP identified a total number of **26 PAPs and 19 KPLC power poles** in Township location. General information and details of PAP impacts are provided in **Tables 2-1 and 2.2** below.

Table 2-1: Resettlement Impacts – Township Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Township	Number of Sanitary Lanes	12
	Length of Sanitary Lanes	5.17km
	Total number of plots	1930
	Total PAPs	26
Category of Impact	Structure Owners	26
	Loss of Business	1
	Community Water Points	0
	KPLC power Poles	19
	tree	0

Table 2-2: Details of Affected Assets in Township Location

Location	Affected asset	Quantity	percentage
Township	septic tank	12	24.49%
	fence	6	12.24%
	Kitchen	1	2.04%
	store	1	2.04%
	poultry house	1	2.04%
	Hedge	6	12.24%
	Kenya Power pole	19	38.78%
	Animal Shed	1	2.04%
	shop canopy	1	2.04%
	latrine	1	2.04%
		TOTAL	49

NB: we have PAPs who own more than one structure. That is why we have a total of 49 impacted assets and 26 PAPs.

A graphical representation of Affected Assets in Township location is given in **Figure 2-1**.

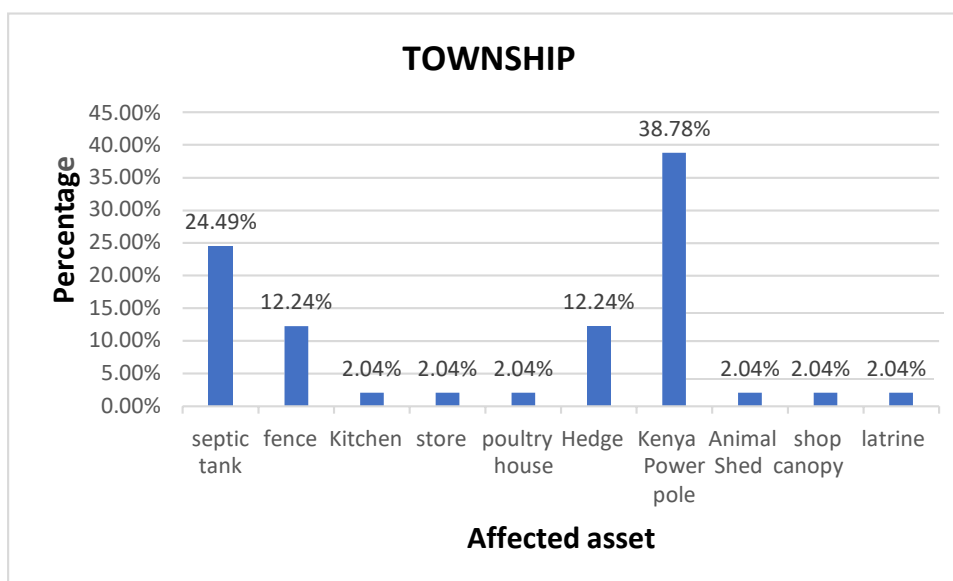


Figure 2-1: Affected Assets in Township Location.

From **Figure 2-1** above, power poles and septic tanks are the main assets within the sanitary lanes encroachment in Township location representing 38.78% and 24.49% respectively of the enumerated assets.

It was also established that other than KPLC wooden poles, blocks, masonry stone and cement are the most common type of construction material used for affected assets in Township location as shown in **Table 2-3** and **Figure 2-2** below. Typical photographs of kplc poles and Septic Tank impacted are given in **Figure 2-3**.

Table 2-3: Materials of Assets Affected in Township Location

Location	material of affected asset	quantity	percentage
Township	wood	19	38.78%
	block not plastered	2	4.08%
	blocks and plastered	12	24.49%
	blocks not plastered with GCI roof	1	2.04%
	cedar post and barbed wire	2	4.08%
	cedar post, barbed wire and concrete floor	1	2.04%
	GCI roof, poles, binding, wooded wall and mud floor	2	4.08%
	GCI and round pipe	1	2.04%
	sticks, branches of tree and binding wire	6	12.24%
	scrap metal	1	2.04%
	Stone and plastered and metal door	1	2.04%
stones plaster, concrete floor with no roofing	1	2.04%	
	Total	49	100.00%

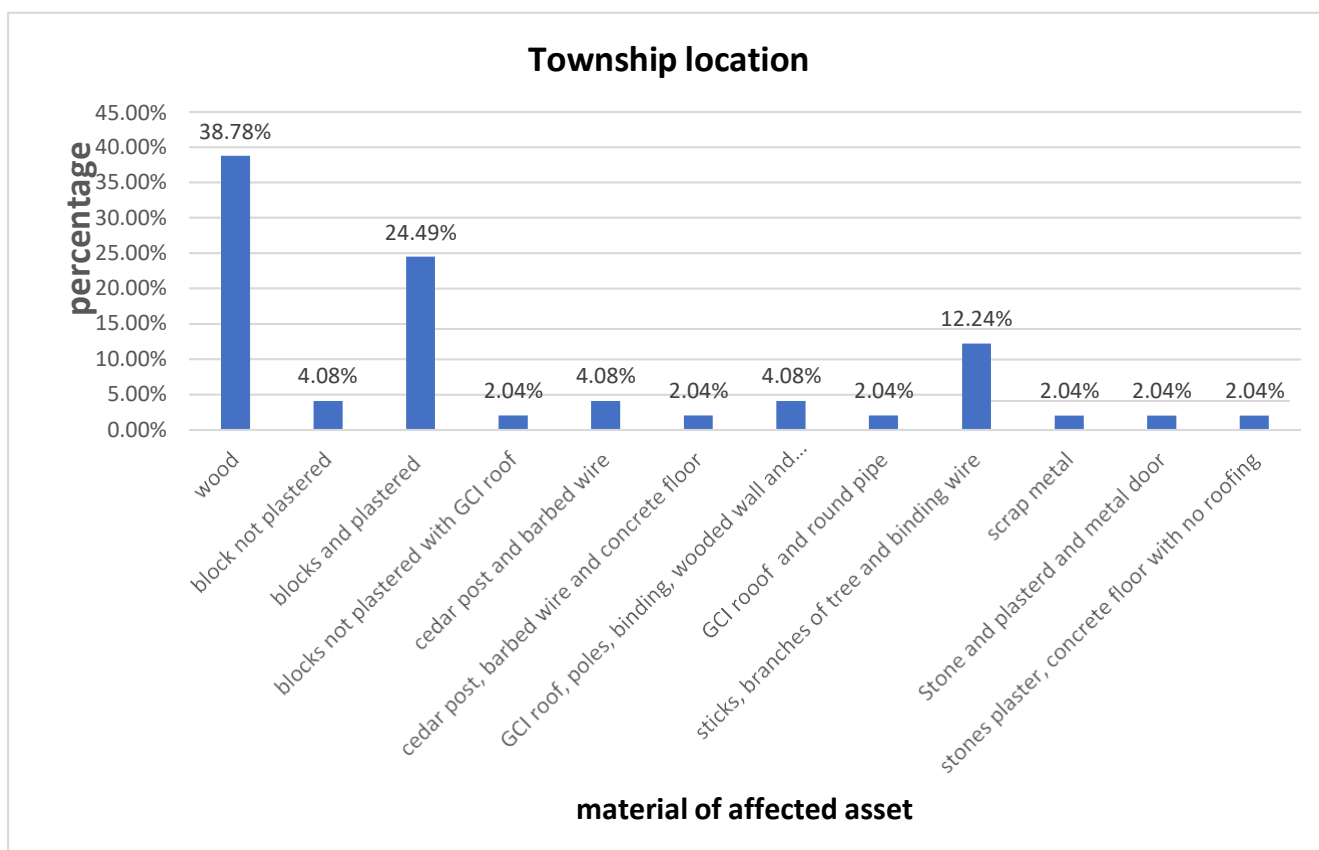


Figure 2-2: Materials of Assets Affected in Township Location



Figure 2-3: Septic tanks and KPLC power pole impacted in Township location

2.1.2 Resettlement Impacts in Hodhan Location

The RAP identified a total number of **61 PAPs and 21Nr of KPLC poles** in Hodhan location. General information and details of PAP impacts are provided in **Tables 2-4 and 2-5** below.

Table 2-4: Resettlement Impacts – Hodhan Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Hodhan	Number of Sanitary Lanes	11
	Length of Sanitary Lanes	7.05km
	Total Number of Plots	1250

	Total PAPs	65
Category of Impact	Structure Owners	65
	Loss of Business	10
	Community Water Points	1
	KPLC power Poles	21
	tree	2

Table 2-5: Details of Affected Assets in Hodhan Location

LOCATIO N	AFFECTED ASSET	QUANTIT Y	PERCENTAGE(%)
HODHAN	Septic tank	14	13%
	fence	16	14%
	hedge	19	17%
	store	4	4%
	kitchen	1	1%
	latrine	6	5%
	Animal Shade	5	5%
	shop(kiosk)	1	1%
	Shallow Well	6	5%
	manyatta house	2	2%
	Power pole	21	19%
	shop canopy(partial impact on business shade)	9	8%
	community water point	1	1%
	tree	2	2%
	car parking	1	1%
	temporary shade	1	1%
	poultry house	1	1%
	Bathroom	1	1%
TOTAL	111	100%	

A graphical representation of Affected Assets in Hodhan location is given in **Figure 2-4**.

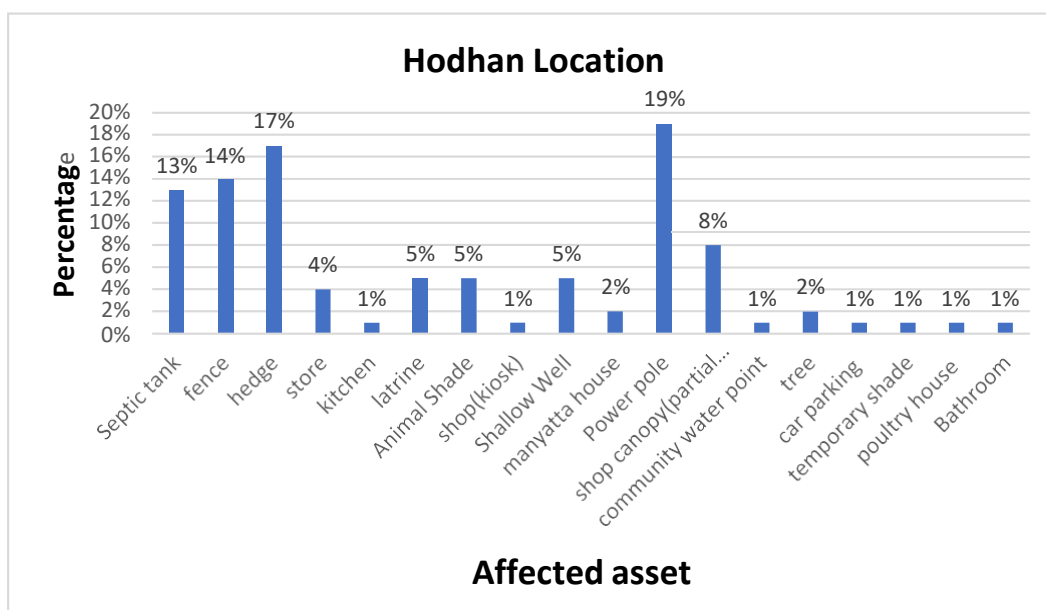


Figure 2-4: Affected Assets in Hodhan Location

From **Figure 2-4** above, apart from wooden KPLC poles representing 19%, hedge, permanent fence and septic tank are the three main assets within the sanitary lanes area of impact in Hodhan location representing 17%, 14% and 13% respectively of the enumerated assets.

It was also established that blocks, masonry stone, cement and GCI (iron sheet) are the most common type of construction material used for affected assets in Hodhan location as shown in **Table 2-6** and **Figure 2-5** below. Typical photographs of Structures on Sanitary Lanes encroachment are given in **Figure 2-6**.

Table 2-6: Materials of Assets Affected in Hodhan Location

Location	Materials Of Asset Affected	Quantity	Percentage
Hodhan	block not plastered and concrete floor	6	5.41%
	plastered wall, concrete floor	24	21.62%
	Chain link, ceda post, barbed wire and poles	10	9.01%
	wood	21	18.92%
	GCI roof, GCI wall, concrete floor and timber	1	0.90%
	GCI roof, wooded wall, mud floor and timber	16	14.41%
	sticks and binding wire	14	12.61%
	tree branches, sticks and overgrown bush	5	4.50%
	grass, sticks, rope and other local materials	2	1.80%
	scrap metal	1	0.90%
	matured tree	1	0.90%
		111	100%

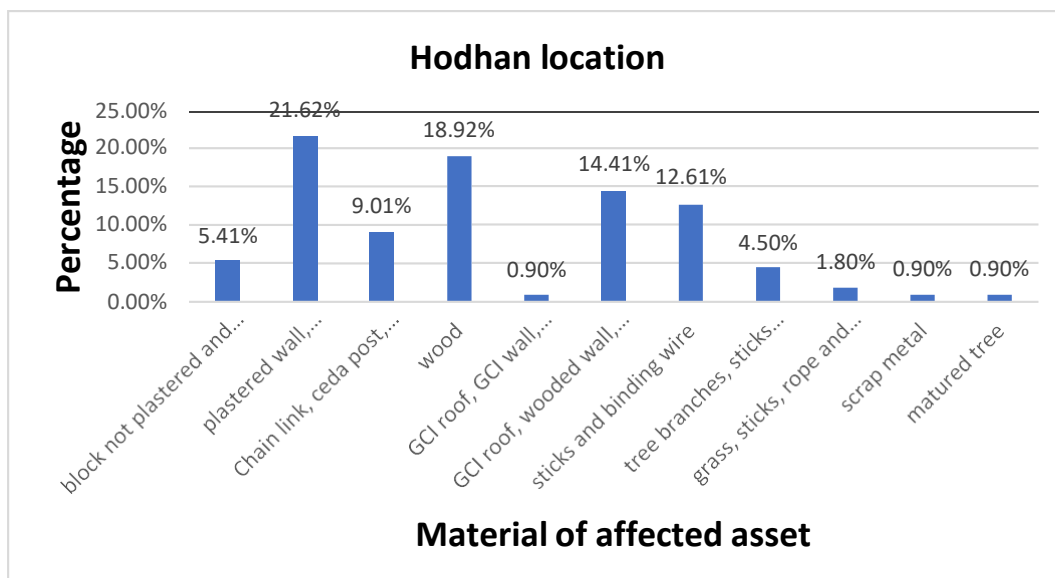


Figure 2-5: Materials of Assets Affected in Hodhan Location



Figure 2-6: Structures (septic tank, fence, power pole and hedge) encroachment on the Sanitary Lanes in Hodhan location.

2.1.3 Resettlement Impacts in Barwaqo Location.

The RAP identified a total number of **21 PAPs and 15 KPLC poles** in Barwaqo location. General information and details of PAP impacts are provided in **Tables 2-7 and 2.8.**

Table 2-7: Resettlement Impacts – Barwaqo Location.

Location	General Information	PAPs / Assets / Sanitary Lanes
barwaqo	Number of Sanitary Lanes	7
	Length of Sanitary Lanes	4.1km
	Total Number of Plots	1100
	Total PAPs	21
Category of Impact	Structure Owners	21
	Loss of Business	1
	Community Water Points	1

KPLC power Poles	15
tree	1

Table 2-8: Details of Affected Assets in Barwaquo Location

Location	Asset Affected	Quantity	Percentage%
BARWAQO	fence	3	6.98
	power pole	15	34.88
	hedge	9	20.93
	septic tank	6	13.95
	shop canopy	1	2.33
	tree	1	2.33
	shallow well	2	4.65
	latrine	1	2.33
	House(semi-permanent)	2	4.65
	community water point	1	2.33
	Poultry house	1	2.33
	Animal Shade	1	2.33
	TOTAL	43	100%

A graphical representation of Affected Assets in Barwaquo location is given in **Figure 2-7**.

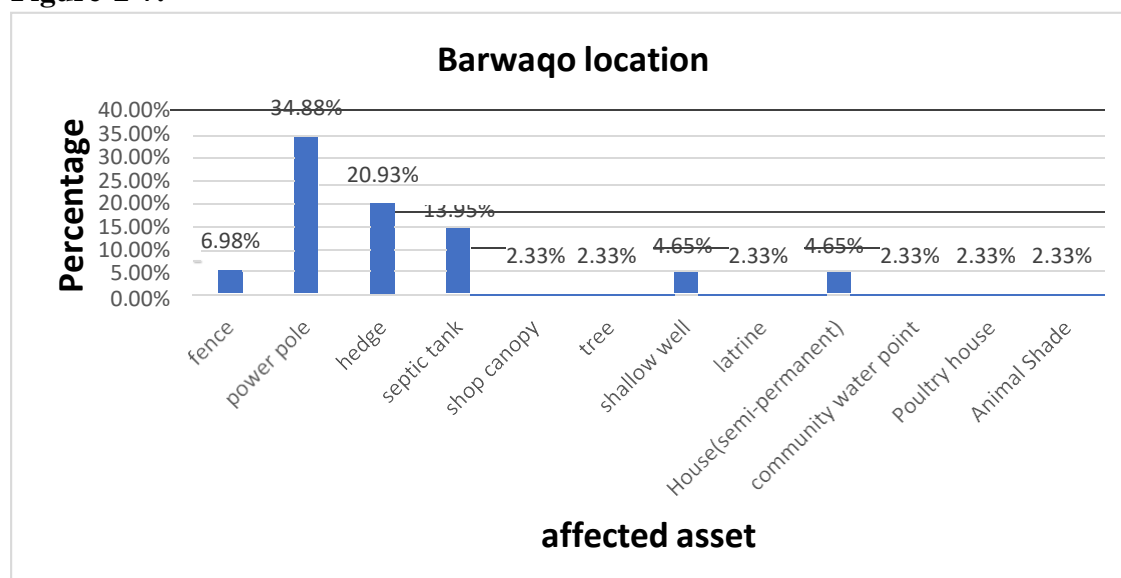


Figure 2-7: Affected Assets in Barwaquo Location

From **Figure 2-7** above, other than the KPLC power poles representing 34.88%, hedge and septic tanks are the main assets impacted within the sanitary lanes in Barwaquo location representing 20.93% and 13.95% respectively of the enumerated assets.

It was also established that other than KPLC wooden poles, masonry stone, blocks, cement, sticks and binding wire are the most common type of construction material used for affected assets in Barwaquo location as shown in **Table 2-9** and **Figure 2-8**.

Typical photographs of Structures within the Sanitary Lanes encroachment are given in **Figure 2-9**.

Table 2-9: Materials of Assets Affected in Barwaquo Location

Location	Material Of Affected Asset	Quantity	Percentage%
Barwaquo	plastered blocks	9	21.95%
	blocks, stones, limestone without plaster and concrete floor	3	7.32%
	Cedar post and barbed wire	1	2.44%
	wood	15	36.59%
	GCI roof, GCI wall, mud floor and timber	4	7.32%
	stick, poles, binding wire	7	17.07%
	sticks, tree branches and overgrown shrubs	4	7.32%
	Total	43	100.0%

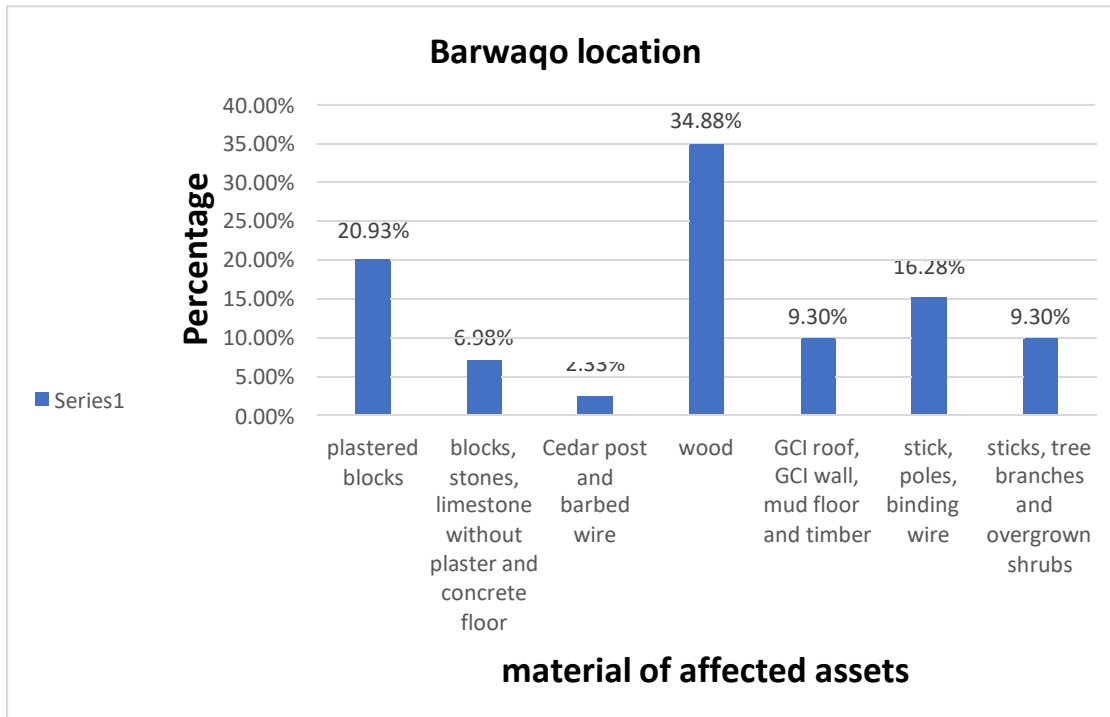


Figure 2-8: Materials of Assets Affected in Barwaquo Location



Figure 2-9: structures (Septic Tanks, hedge and power pole) encroachment on the Sanitary Lanes in Barwaquo Location.

2.1.4 Resettlement Impacts in Godade Location

The RAP identified a total number of **28 PAPs and 11 KPLC power poles** in Godade location. General information and details of PAP impacts are provided in **Tables 2-10 and 2.11.**

Table 2-10: Resettlement Impacts – Godade Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Godade	Number of Sanitary Lanes	7
	Length of Sanitary Lanes	4.85km
	Total number of Plots	970
	Total PAPs	28
Category of Impact	Structure Owners	28
	Loss of Business	Nil
	Community Water Points	0
	KPLC power Poles	11
	tree	0

Table 2-11: Details of Affected Assets in Godade Location

Location	Affected Asset	Quantity	Percentage%
Godade	Septic Tank	3	6%
	Shallow Well	4	8%
	Hedge	17	35%
	Fence	5	10%
	Kitchen	1	2%
	Power Pole	11	22%
	Animal Shade	2	4%
	Store	1	2%
	Semi-permanent House	1	2%
	Main Gate	1	2%
	Latrine	2	4%
	Manyatta House	1	2%
Total		49	100%

A graphical representation of Affected Assets in Godade location is given in **Figure 2-10.**

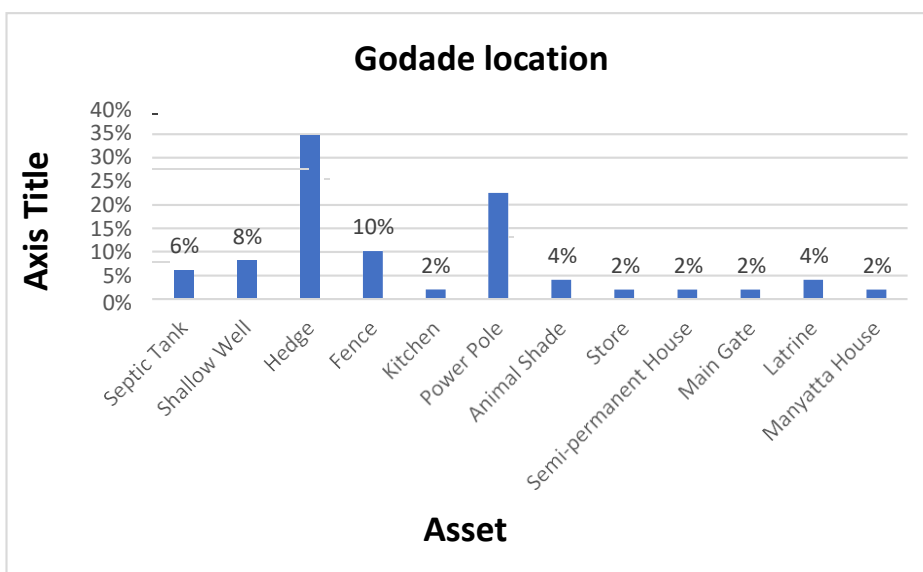


Figure 2-10: Affected Assets in Godade Location

From **Figure 2-10** above, hedge and KPLC power pole are the main assets within the sanitary lanes encroachment in Godade location representing 35% and 22% of enumerated assets respectively.

It was also established that wood, sticks and branches of tree are the most common type of construction material used for affected assets in Godade location as shown in **Table 2-12** and **Figure 2-11**. Typical photographs of Structures on Sanitary Lanes encroachment are given in **Figure 2-12**.

Table 2-12: Materials of Assets Affected in Godade Location

Location	Material of asset affected	Quantity	Percentage%
Godade	unplaster block, concrete floor and without roof	4	9.30%
	plastered blocks, concrete floor, woven wire and GCI doors	5	9.30%
	sticks, tree branches and binding	7	11.63%
	GCI roof, GCI wall, timber and mud floor	2	4.65%
	GCI roof, GCI wall, timber and concrete floor	2	4.65%
	grass, sticks, ropes and other local materials	1	2.33%
	metal sheet and square	1	2.33%
	wood	12	27.91%
	sticks ,branches of tree and overgrown bush	13	25.58%
	wooden wall, mud floor	2	2.33%
	Total	49	100%

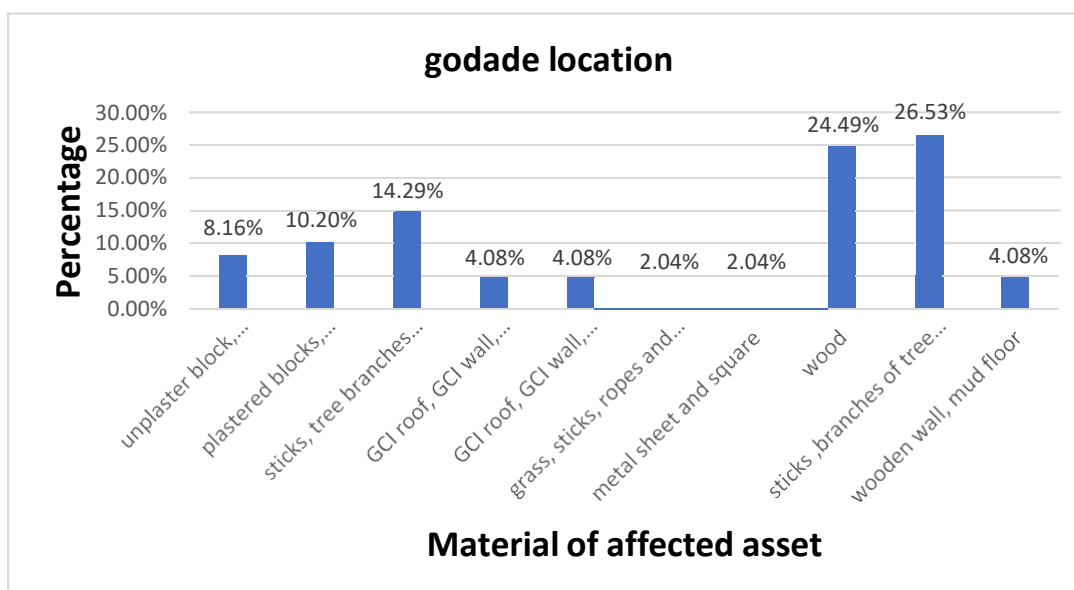


Figure 2-11: Materials of Assets Affected in Godade Location



Figure 2-12: power pole, hedge and masonry wall encroachment in Godade location

2.1.5 Resettlement Impacts in Jogoo Location

The RAP identified a total number of **76 PAPs and 11 KPLC power poles** in Jogoo location. General information and details of RAP impacts are provided in **Tables 2-13 and 2.14**.

Table 2-13: Resettlement Impacts – Jogoo Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Jogoo	Number of Sanitary Lanes	6
	Length of Sanitary Lanes	5.25km
	Total number of Plots	950
	Total PAPs	76
Category of Impact	Structure Owners	76
	Loss of Business	Nil
	Community Water Points	Nil
	KPLC power Poles	11
	tree	5

Table 2-14: Details of Affected Assets in Jogoo Location

Location	Affected Asset	Quantity	Percentage%
JOGOO	Latrine	10	8.47%
	hedge	38	32.20%
	fence	18	15.26%
	tree	5	4.24%
	Bush	1	0.85%
	bio-digester	1	0.85%
	septic tank	14	11.86%
	Store	2	1.69%
	Animal Shade	7	5.93%
	power pole	11	9.33%
	Shallow Well	4	3.39%
	Temporary House	1	0.85%
	kitchen	2	1.69%
	manyatta house	2	1.69%
	poultry house	1	0.85%
	hut	1	0.85%
		118	100.00%

A graphical representation of Affected Assets in Jogoo location is given in **Figure 2-13**.

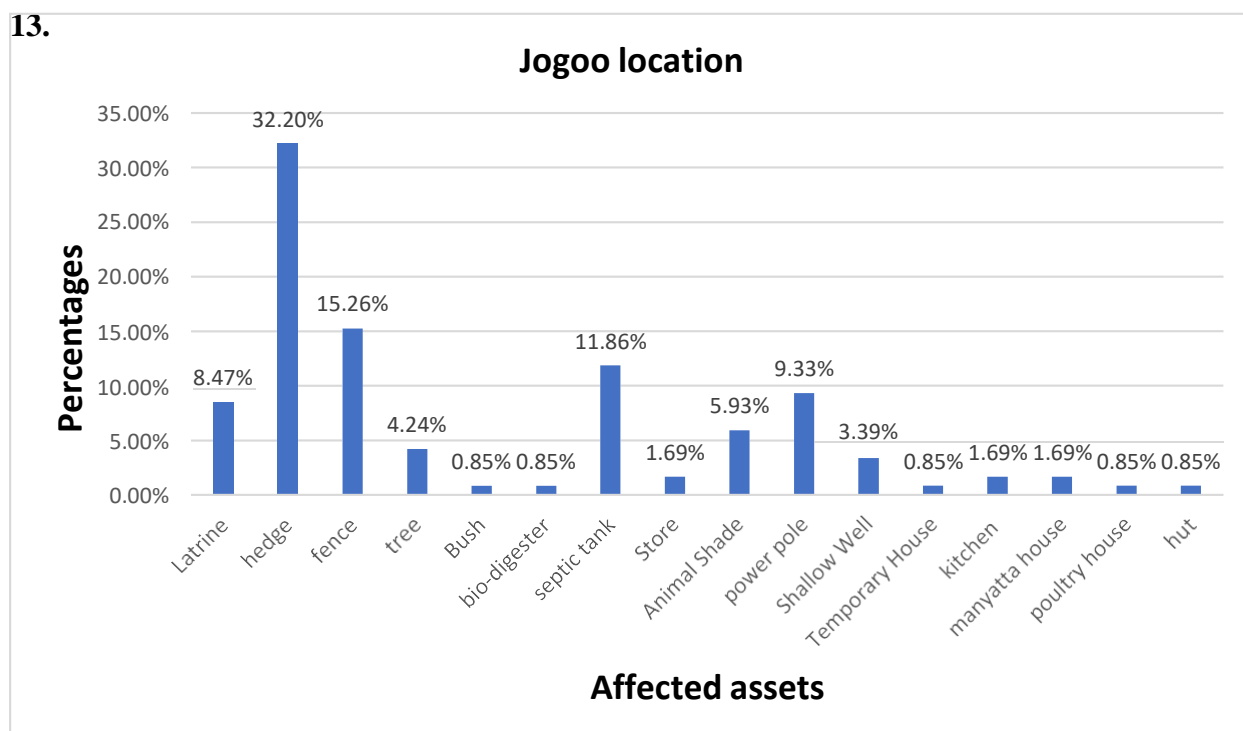


Figure 2-13: Affected Assets in Jogoo Location

From **Figure 2-13** above, hedge, fence and septic tank are the main assets within the sanitary lanes encroachment in Jogoo location representing 32.2%, 15.25% and 11.86% of enumerated assets respectively.

It was also established that sticks, branches of tree, binding wire, masonry stone, blocks and cement are the most common type of construction material used for affected assets in Jogoo location as shown in **Table 2-15** and **Figure 2-14**. Typical photographs of Structures on Sanitary Lanes encroachment are given in **Figure 2-15**.

Table 2-15: Materials of Assets Affected in Jogoo Location

location	Material of asset affected	quantity	percentage
	wooden	11	
JOGOO	Cedarpost, barbed wire, concrete floor	2	1.85%
	block not plastered and concrete floor	18	16.67%
	plastered blocks, concrete floor, paint and vent	26	24.07%
	tree	5	4.63%
	branches of tree, sticks and overgrown shrubs	17	15.74%
	sticks, branches of tree and binding wire	28	26.85%
	grass, sticks, ropes and other local materials	2	1.85%
	scrap metal	1	0.93%
	Stone and plastered wall, GCI roof, Concrete floor	1	0.93%
	poles, sticks, binding wire and GCI roof, mud floor	5	4.63%
	wooden wall, GCI Roof and mud Floor	2	1.85%
	TOTAL		118

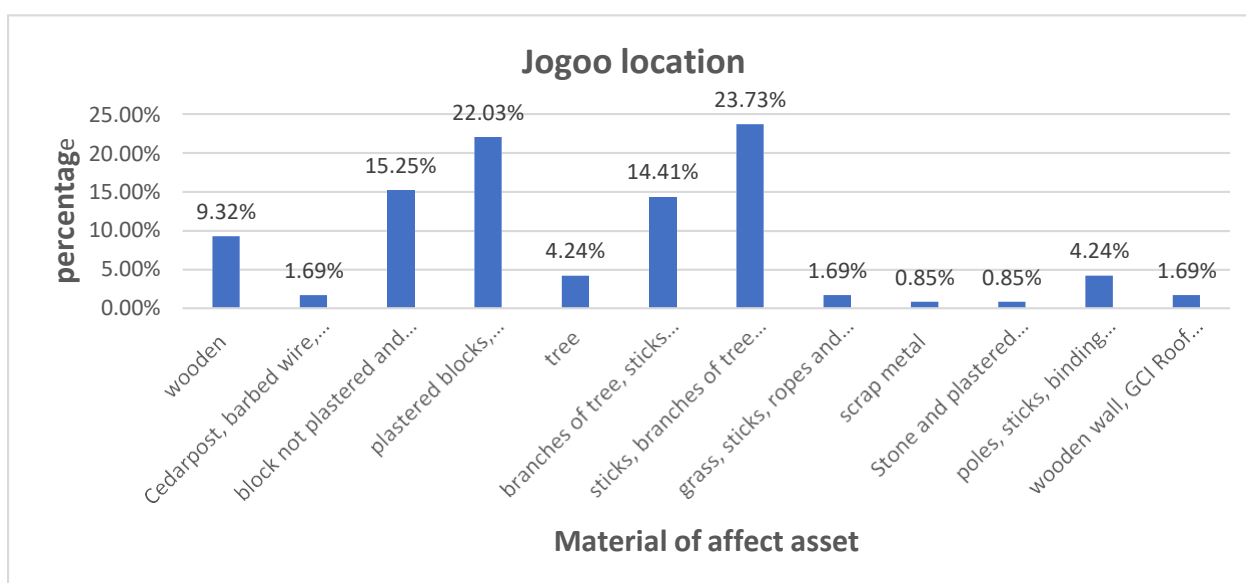


Figure 2-14: Materials of Assets Affected in Jogoo Location



Figure 2-15: Wall and Bucket Latrine encroaching in Jogoo Location

2.1.6 Resettlement Impacts in Wagberi Location

The RAP identified a total number of **20 PAPs and 10 KPLC power poles** in Wagberi location. General information and details of RAP impacts are provided in **Tables 2-16 and 2.17.**

Table 2-16: Resettlement Impacts – Wagberi Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Wagberi	Number of Sanitary Lanes	8
	Length of Sanitary Lanes	6.5km
	Total number of plots	1200
	Total PAPs	20
Category of Impact	Structure Owners	20
	Loss of Business	Nil
	Community Water Points	Nil
	KPLC power Poles	10
	tree	3

Table 2-17: Details of Affected Assets in Wagberi Location

Location	Affected Asset	Quantity	Percentage%
Wagberi	Kitchen	1	2.33%
	Shallow Well	4	9.30%
	fence	5	11.63%
	main gate	1	2.33%
	Latrine	5	11.63%
	power pole	10	23.26%
	hedge	10	23.26%
	Animal Shade	1	2.33%
	Manyatta house	2	4.65%
	Tree	3	6.98%
	temporary shade	1	2.33%
	Total	43	100.00%

A graphical representation of Affected Assets in Wagberi location is given in **Figure 2-16.**

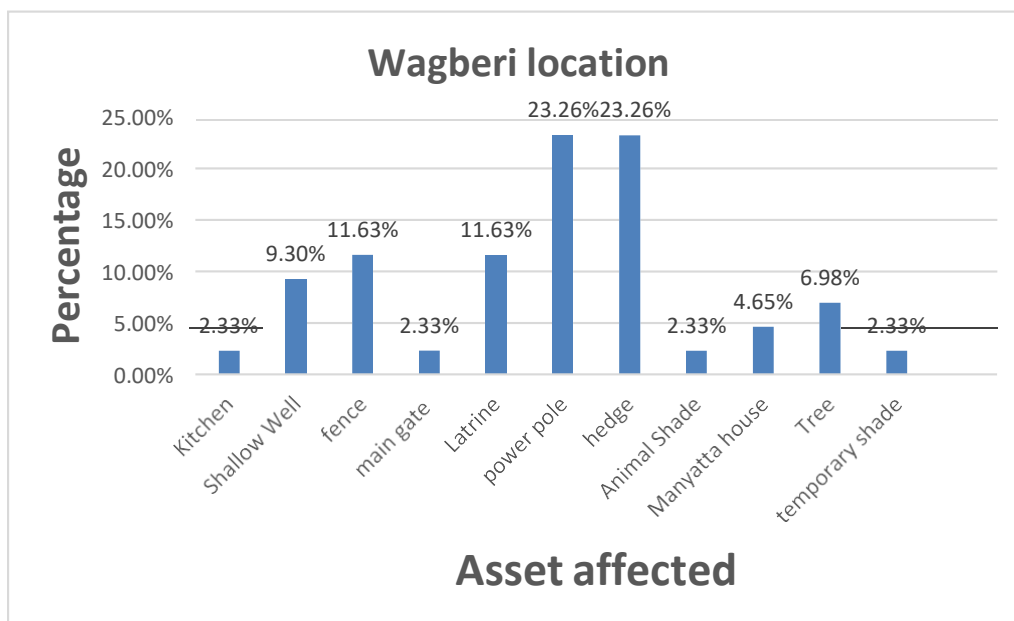


Figure 2-16: Affected Assets in Wagberi Location

From **Figure 2-16** above, hedge, power posts, fence and latrine are the main assets within the sanitary lanes encroachment in Wagberi location representing 23.26% and 11.63% of enumerated assets respectively.

It was also established that wood, sticks and branches of tree are the most common type of construction material used for affected assets in Wagberi location as shown in **Table 2-18** and **Figure 2-17**. Typical photographs of Structures on Sanitary Lanes encroachment are given in **Figure 2-18**.

Table 2-18: Materials of Assets Affected in Wagberi Location

Location	material	quantity	percentage%
Wagberi	Wood	10	23.26%
	plastered block	6	13.95%
	GCI wall, GCI roof and mud floor	1	2.33%
	GCI wall, No roof and concrete floor	3	6.98%
	Un-plastered block	1	2.33%
	cedar post, barbed wire and chain link	1	2.33%
	Chain link, cedar post and GCI Wall	2	4.65%
	sticks, binding wire, poles and branches of tree	4	9.30%
	sticks, tree branches and overgrown shrubs	9	20.93%
	Acacia tree	3	6.98%
	grass, sticks, ropes and other local materials	2	4.65%
	metal sheet and square tubes ,with painting	1	2.33%
		43	100.00%

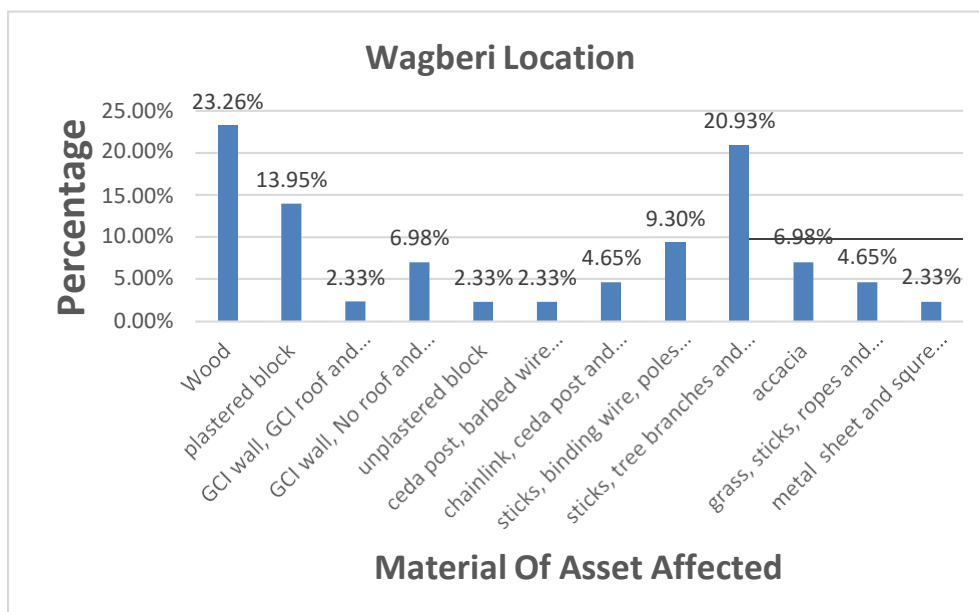


Figure 2-17: Materials of Assets Affected in Wagberi Location



Figure 2-18: structures (hedge, power pole, fence and latrine) encroaching sanitary lanes in Wagberi Location.

2.1.7 Resettlement Impacts in Alimao Location

The RAP identified **14 PAPs and 12 KPLC power poles** in Ali Maow location. General information and details of RAP impacts are provided in **Tables 2-19 and 2.20**.

Table 2-19: Resettlement Impacts – Alimao Location

Location	General Information	PAPs / Assets / Sanitary Lanes
Alimao	Number of Sanitary Lanes	5
	Length of Sanitary Lanes	3.05
	Total number of plots	1050
	Total PAPs	14
Category of Impact	Structure Owners	14
	Loss of Business	Nil
	Community Water Points	2
	KPLC power Poles	12
	tree	0

Table 2-20: Details of Affected Assets in Alimao Location

Location	Assets Affected	Quantity	Percentage%
Ali maow Percentage	fence	4	14.29%
	power pole	12	42.86%
	hedge	6	21.43%
	community water point	2	7.14%
	Shallow Well	2	7.14%
	kitchen	1	3.57%
	temporary shade	1	3.57%
	Total	28	100.00%

A graphical representation of Affected Assets in Alimaow location is given in **Figure 2-19**.

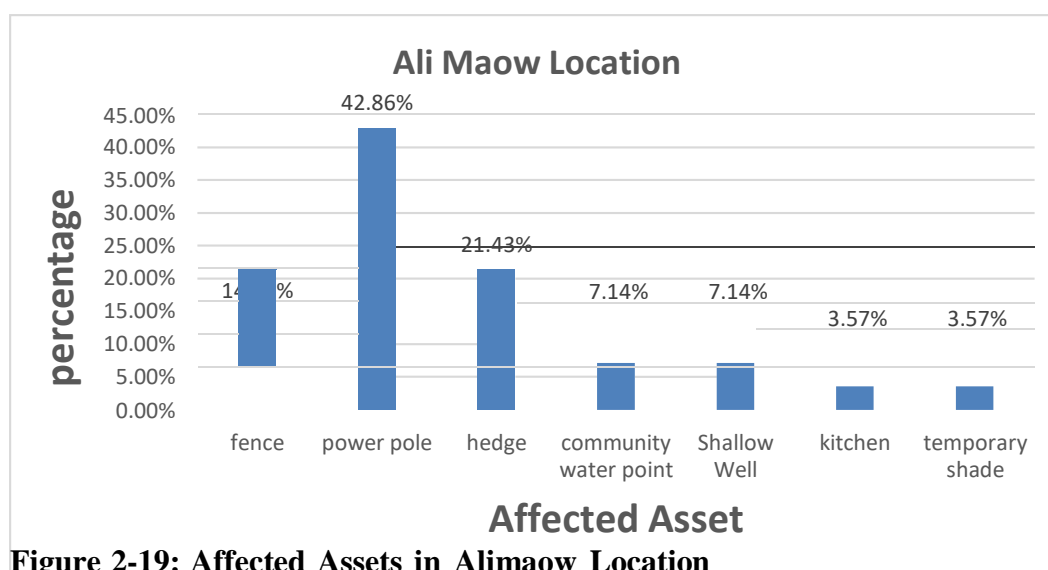


Figure 2-19: Affected Assets in Alimaow Location

From **Figure 2-19** above, the main assets within the sanitary lanes encroachment in Alimaow location are power posts and hedge representing 42.86% and 21.43% respectively.

It was also established that wood, sticks and branches of tree are the most common type of construction material used for affected assets in Alimaow location as shown in **Table 2-21** and **Figure 2-20**. Typical photographs of Structures on Sanitary Lanes encroachment are given in **Figure 2-21**

Table 2-21: Materials of Assets Affected in Alimaow Location

Location	Material of affected asset	quantity	Percentage%
Ali maow	unplaster blocks	2	7.14%
	plastered blocks and stones	4	14.29%
	cedar post, chain-link, barbed wire and concrete	2	7.14%
	sticks, tree branches, binding wire and mud floor	7	25.00%
	wood	12	42.86%
	branches of tree	1	3.57%
		28	100.00%

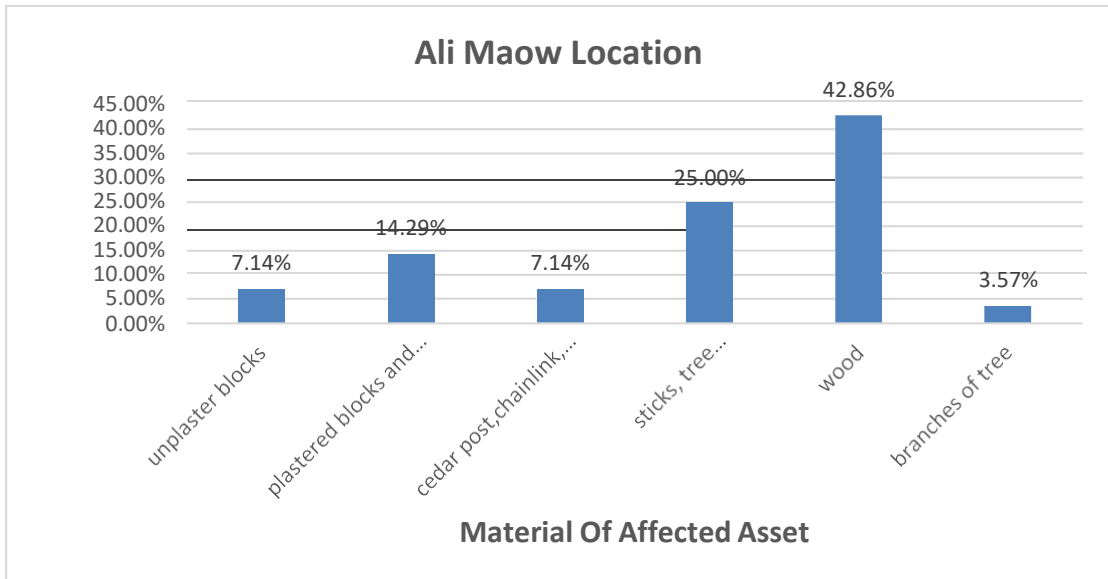


Figure 2-20: materials of affected assets in Alimao Location

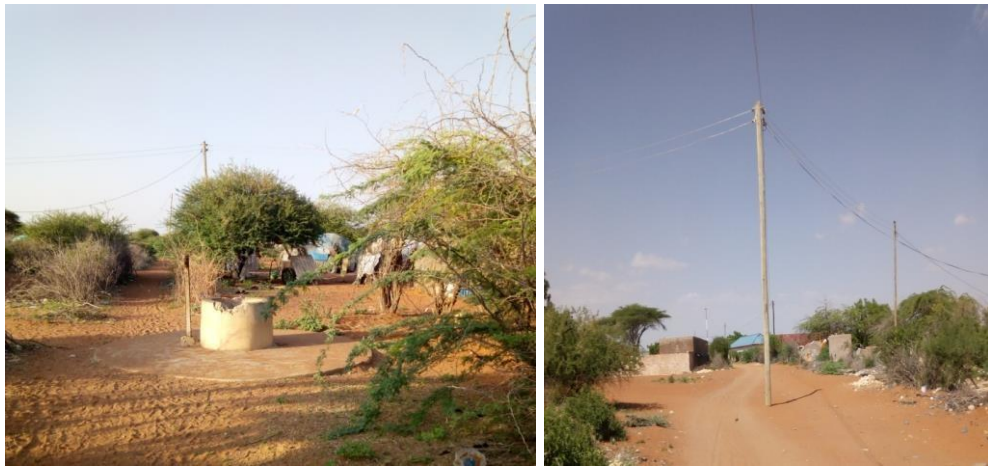


Figure 2-21: structures (*hedge, community water point and power pole*) encroaching Sanitary Lanes in Alimao location

CHAPTER 3: SOCIO ECONOMIC PROFILE OF WAJIR TOWN PROJECT AREA

3.1 Wajir Town Project Area

Wajir Town is the headquarter of Wajir County, which is the largest county in the former North-Eastern Province. Wajir County borders Somalia to the East, Ethiopia to the North, Mandera County to the Northeast, Isiolo County to the South West, Marsabit County to the West and Garissa County to the South.

Administratively, the County comprises of eight sub-counties namely Wajir East, Tarbaj, Wajir West, Eldas, Wajir North, Buna, Habaswein and Wajir South. The County has 6 Constituencies namely Wajir East, Tarbaj, Wajir West, Eldas, Wajir South and Wajir North. According to Birch and Shuria (2001), there are three main clans in Wajir – the Dagodia, Ajuran and the Ogaden, which are further sub-divided into sub-clans. Menkhaus (2008) reports that competition for resources and political power between these clans lead to tension and subsequently clashes.

According to the 2019 Kenya population and housing census, the County had a population of 781,263 with a population density of 14 people per square km and annual growth rate of 3.7%. The population is projected to have increased to 100,187 people by the year 2023. Due to limited resources, rapid population growth in Wajir county is disastrous and require control measures.

The Study Area of Wajir Town is however confined within a Wajir Core-Urban and Peri-Urban Area covering a radius of 4 KMS. The Study Area encompasses the following locations;

- Hodhan -
- Alimao
- Wagberi
- Township
- Jogoo
- Godade
- Barwaqo

3.2 Land Tenure

Traditionally, the Somalis have no fixed territorial rights to land and seasonal migration is the norm. The right to utilize pasture and water is dependent upon the establishment of effective occupation of an area from competing groups. Presently, as practiced in other ASAL pastoral counties of Turkana, Marsabit, Isiolo, Mandera, Wajir, Ijara and parts of Lamu, land is held as trust land by the respective county governments. There has been no formal land adjudication in the locality and land is held communally under customary tenure. The land for settlement and sporadic agricultural use is allocated to community members by the clan elders, while that for livestock is used freely by the members of the community.

An exception is found in Wajir Town, where land has been adjudicated and people issued with titles. However, land away from the Town is unregistered community land. In accordance with the Constitution, all unregistered community land is held in trust by the County Government on behalf of the community. Research by USAID indicated that approximately 70% of land in Kenya is classified as community land (USAID, 2011). Cadastral Maps for targeted locations in Wajir town indicates that land has been adjudicated in all seven locations. Land owners in Hodhan, Township, barwaqo, alimaow , wagberi and Jogoo locations have had their pieces of land surveyed, plans approved, acquired allotment letters and about two hundred households acquired title deeds. In godade survey have been recently conducted and the plan is yet to be approved. As a result, some residents in godade location lack plot numbers and land ownership documents.

3.3 Population of the project area.

According to 2019 Kenya population and housing census the project locations have a total population of 86,638 and is expected to grow to 100,187 by 2023 as per the annual growth of 3.7%.The breakdown of the data per location is summarized in table 3-1 below.

Table 3-1 population of the project locations

S/ No	Location	2019 Population census	No of Households	Area in Km ²	Current projected Population Of 2023
1	township	2462	1516	1.4	2847
2	hodhan	3377	817	26.32	3905
3	alimaow	9322	1326	9.7	10780
4	barwaqo	8498	1702	10.1	9827
5	jogoo	11110	1419	1.4	12847
6	godade	31454	5320	29	36373
7	wagberi	20415	3439	45.6	23608
total		86,638	15,539	123.52	100,187

3.4 Demographic Characteristic Attributes of Project Affected Persons

The findings and results of the socio-economic survey carried out in the Study Area are presented in the following subsections;

3.4.1 Location of Respondents

The socio-economic survey was conducted within the project area and drew respondents from the areas identified in the figure below.

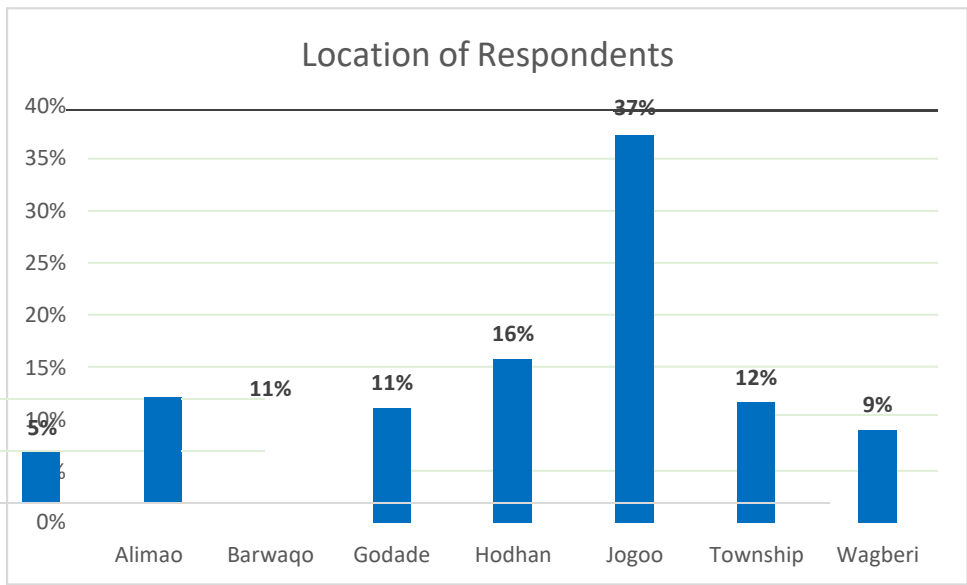


Figure 3-1 location of the respondent

3.4.2 Age of Household Head

The survey collected data on some of the identifying variables such as the age of the respondents and presented in the pie-chart below. It shows that the most populous age category was that of between 35 and 45 given that 43% of the respondents fall in this category. Further it implies that most of the respondents fall the active age of between 26- 50 year and form the effective labour pool for the project implementation. Of Note is that 23% of the respondents are above the age of 65 and should be given special consideration highlighted in section 6.3.4 during project implementation.

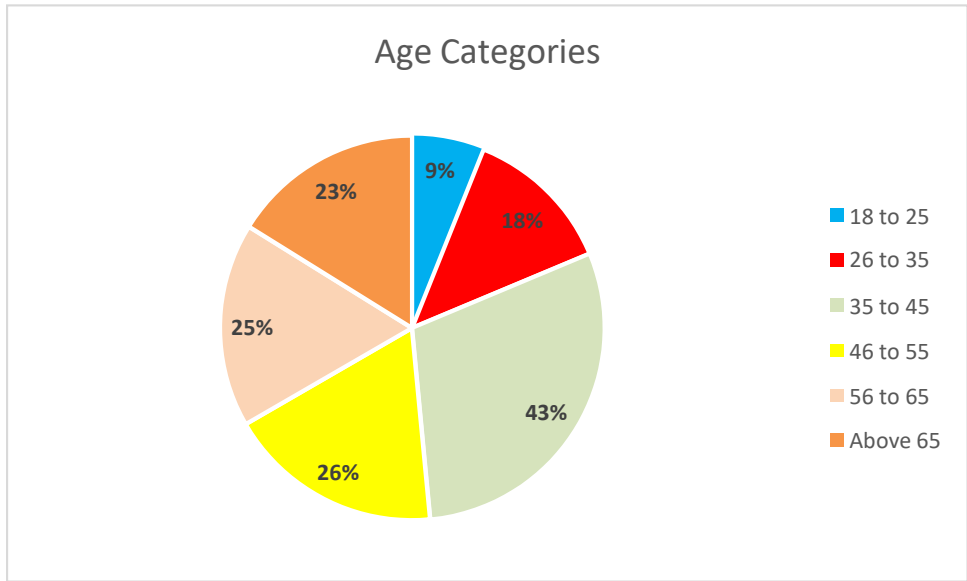


Figure 3-2 age of the household head

3.4.3 Gender profile of respondents.

Most of the respondents were male, with the proportions being considerably higher in Barwaqo and Wagberi. This could imply that most households are patriarchal and are male headed households. The figure below shows the gender split of the respondent for each of the areas.

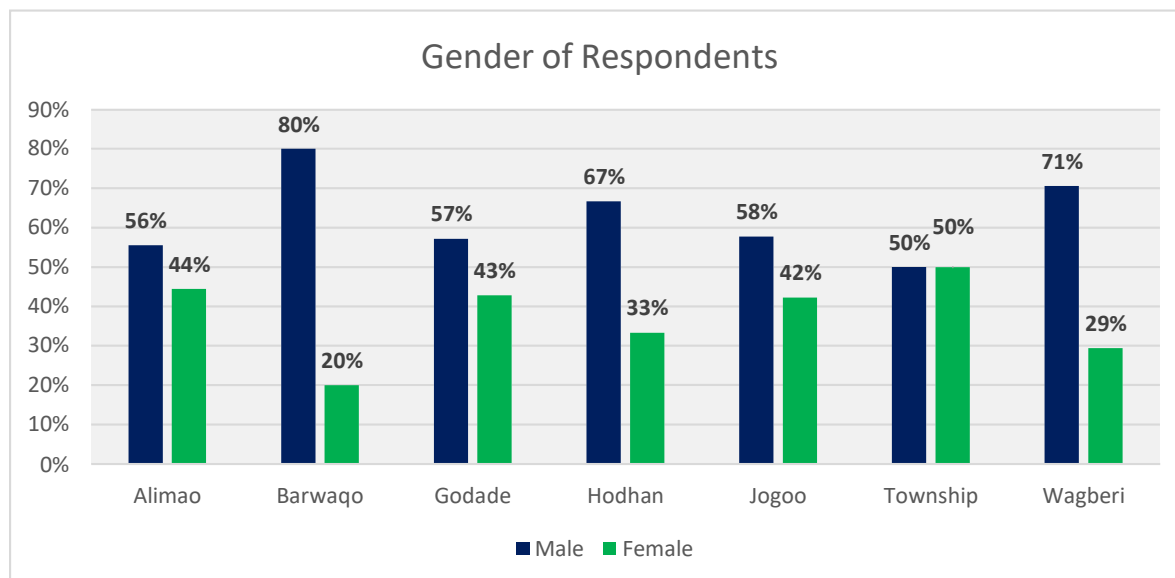


Figure 3-3 gender of the respondent

The results attest to the biased cultural practice where only males who are required to make and respond to issues touching on households. This negative perception limits women from taking up opportunities even in Development Projects. A provision is thus required within the Project Implementation to ensure active participation of women in the Project.

3.4.4 Marital Status of the respondents.

The socio-economic survey established that 78% of the respondents were married with 15%, 5%, 2% and 1% being widowed, single, divorced or separated respectively. This is an indication that the family unit in this area is fairly stable. However, there are considerable number of those widowed as shown in **figure 3-4**.

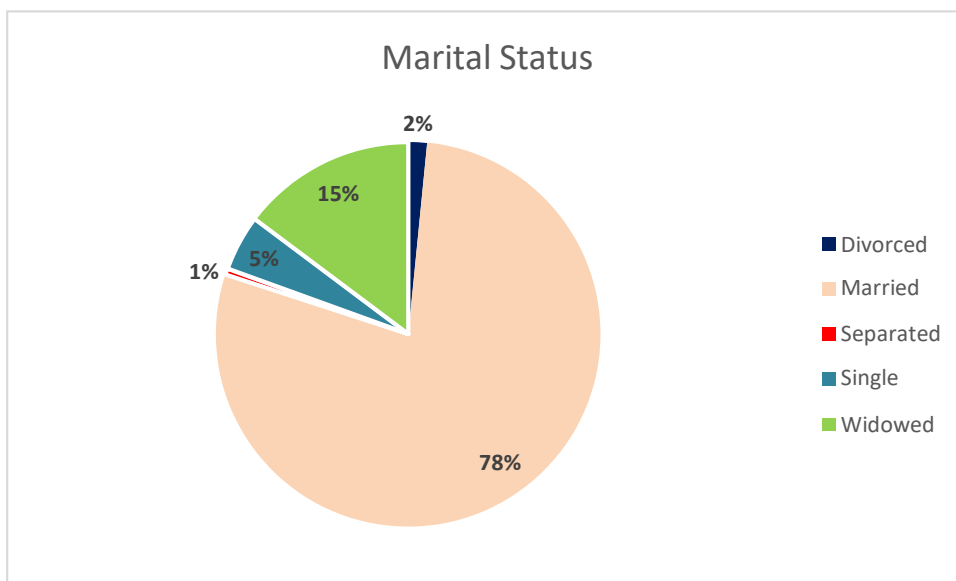


Figure 3-4: Marital Status of Households

This has implications for the proposed Project where widows and widowers are usually among the most dispossessed in rural areas. Also, during disbursement of compensation funds, this *Resettlement Action Plan (RAP)* provides for opening up of joint account for married households, in line with the provision of Kenya's Matrimonial Property Act No 49 of 2013.

3.4.5 Education Profile of respondent

The figure 3-5 below shows that 63% of the respondents have received some form of education as they attended but not completed primary school. Further, only 6% have attained university education. This information will inform the approach to use when conducting public participation and engagement with the public within the project area. Further, From the analysis most of Wajir Town residents would be engaged in the Project implementation as unskilled personnel. To ensure more benefits to the community, adequate sensitization and empowerment of the community members during RAP implementation by WAJWASCO will be done.

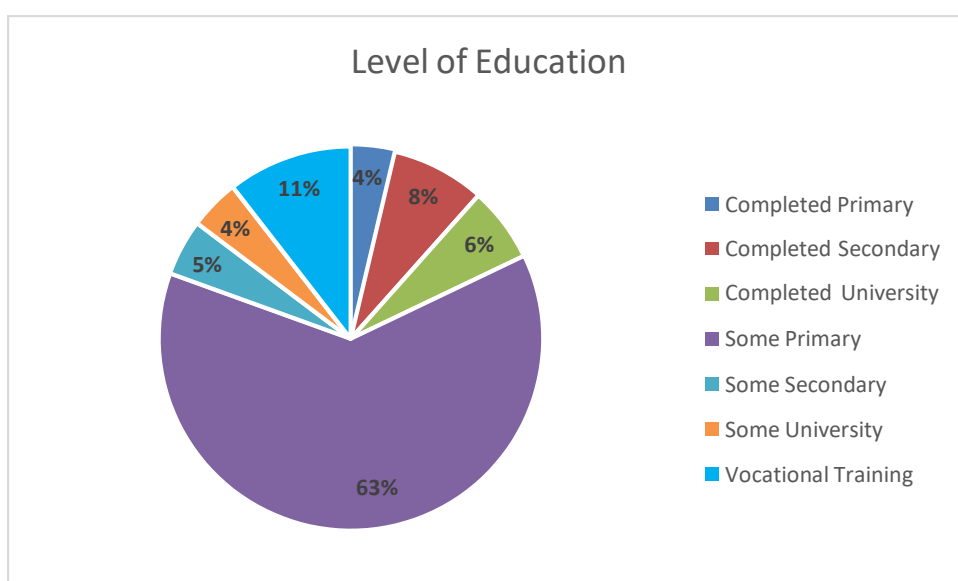


Figure 3-5: Education Profile of the respondent

3.5 Water Supply Information

3.5.1 Common Sources of Water

The survey results identified the main water sources as those presented in the figure 3-6 below. 67% of the households mentioned that they get their water from shallow wells, 15% and 12% of the households have water vendors and water bowsers as their main source of water.

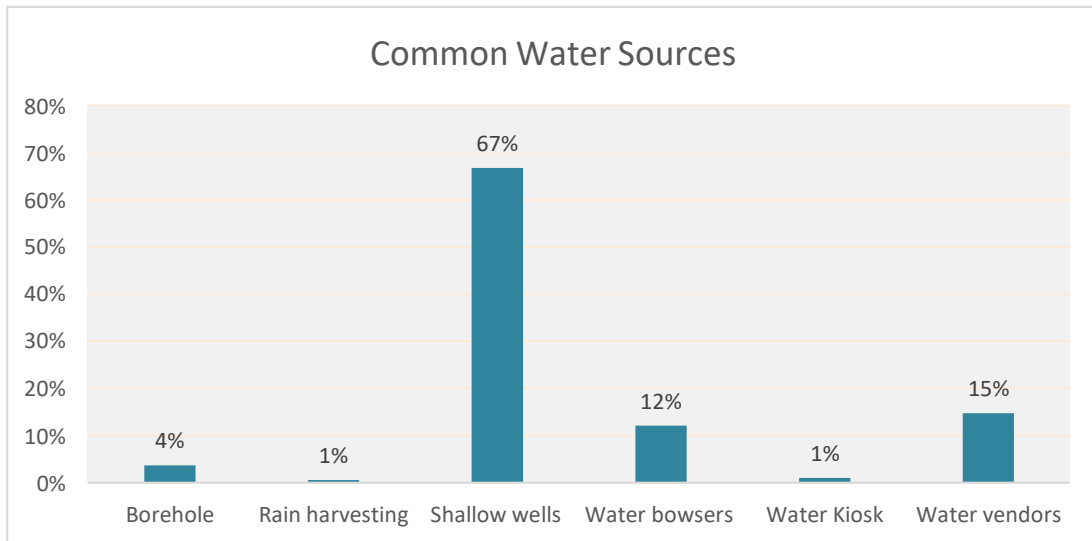


Figure 3-6: main Sources of Domestic Water Supply

3.5.2 Alternative Water Sources

The survey also wanted to establish alternative water sources. water vendors were identified as the most preferred alternative source for the 52% who don't have it as their main source, however, it should be noted that the alternative source is dependent on the main source accessed and this may vary depending on the main water source. For instance, a household can have water bowsers as the main source and shallow wells as the alternative as shown in figure 3-7 below.

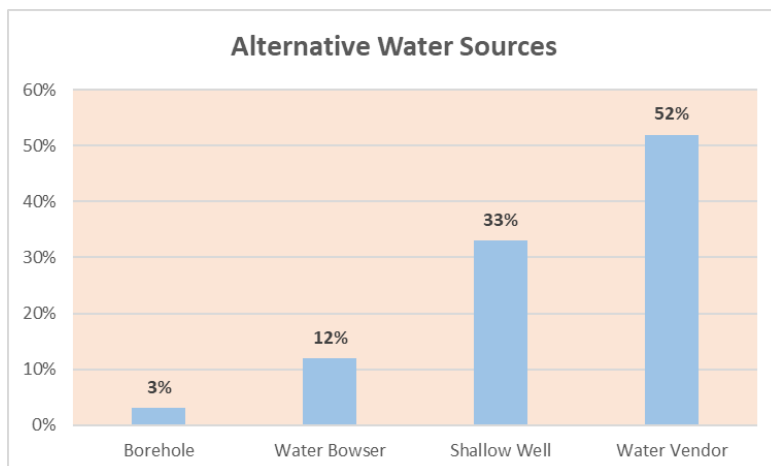


Figure 3-7: Alternative source of water

From the analysis the respondent whose main water source are water vendors and water bowsers indicated that their shallow wells have dried up due to the depletion of the ground water and the poor rainfall pattern the region is experiencing from the last couple of years. They indicated that if it rains well the shallow wells will be recharged and the cost of getting water will go down.

3.5.3 Water Quality and treatment.

The water quality from both the main and alternative source can be described as fair with only 13% saying the water was bad as shown in **figure 3-8** below. The aspects under consideration when assessing water quality was the taste and turbidity.

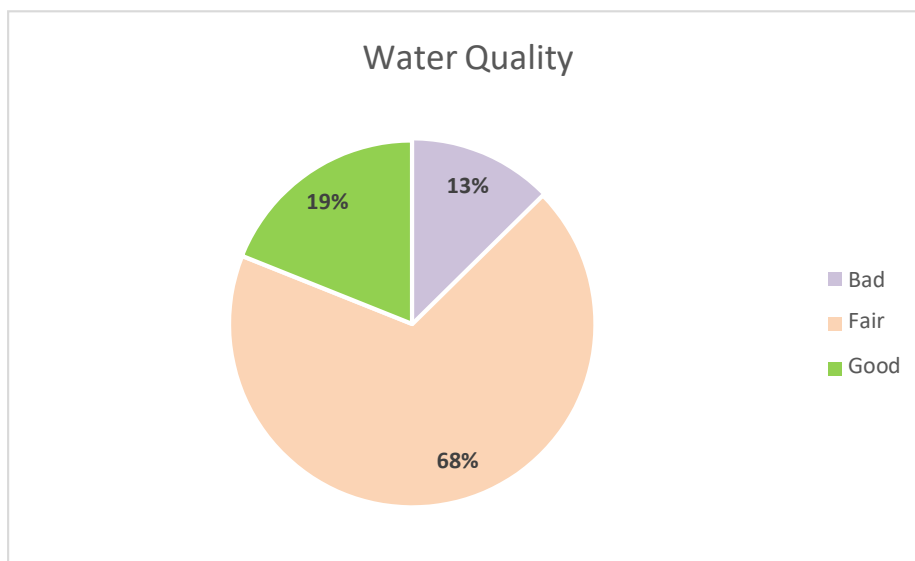


Figure 3-8: water quality

The study also revealed that majority of households use untreated water (64%) as shown in **Figure 3-9**; only 13% treat their water by boiling.

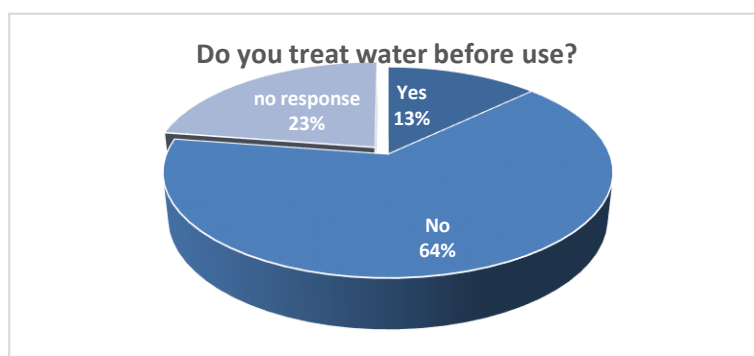


Figure 3-9: Water Treatment by Households

There is a serious health risk considering that the high-water table in the area and prevalent on-plot sanitation systems such as pit latrines and bucket system.

3.5.4 Water Transportation mode

The study revealed that most of the households have shallow wells within their compounds but majority have dried up forcing the households to fetch water from the available ones which are not necessarily within their compound. this therefore requires them to spend time and resources to transport water where they live. 40% roll the jerricans on the ground while 25% responded that water bowsers deliver the water at their residences. Other methods

used to transport the water include the use of animal drawn carts, wheelbarrows, packing animals and carrying the water on the head as presented in figure 3-10 below

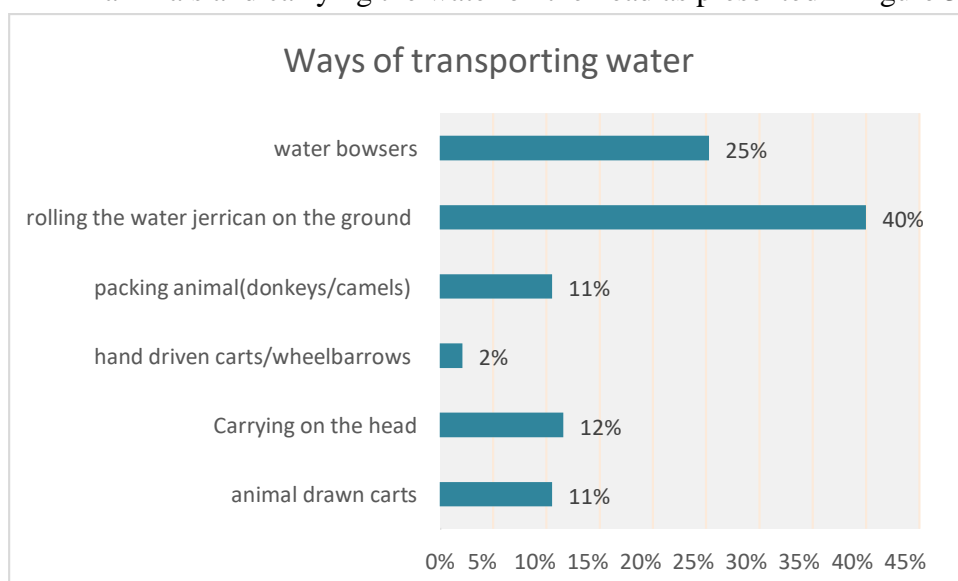


Figure 3-10: water transportation modes

The RAP recommends reinstatement of Community Water Projects to be affected due to encroachment on sanitary lane to alleviate scarcity of water sources.

As per the valuation roll, community will receive compensation which will be paid out to selected committee members who will be in charge of reinstating community water point. Refer to “minutes of paps consultations meeting for wajir sanitary lane improvement project held at redcross hall, wajir on 19th july 2023 at 9:30 am.” IN ANNEX II.

MINUTE FOR

3.5.5 Water transportation challenges

The main challenges identified in transporting water are as presented in the **figure 3-11** below. The main challenge was the loss of time. This clearly implies that majority of the water sources are located far from the residences. Other challenges include physical fatigue, high cost and

absenteeism among school going children. The respondents were allowed to pick multiple challenges hence the reason why the cumulative figure is above 100%.

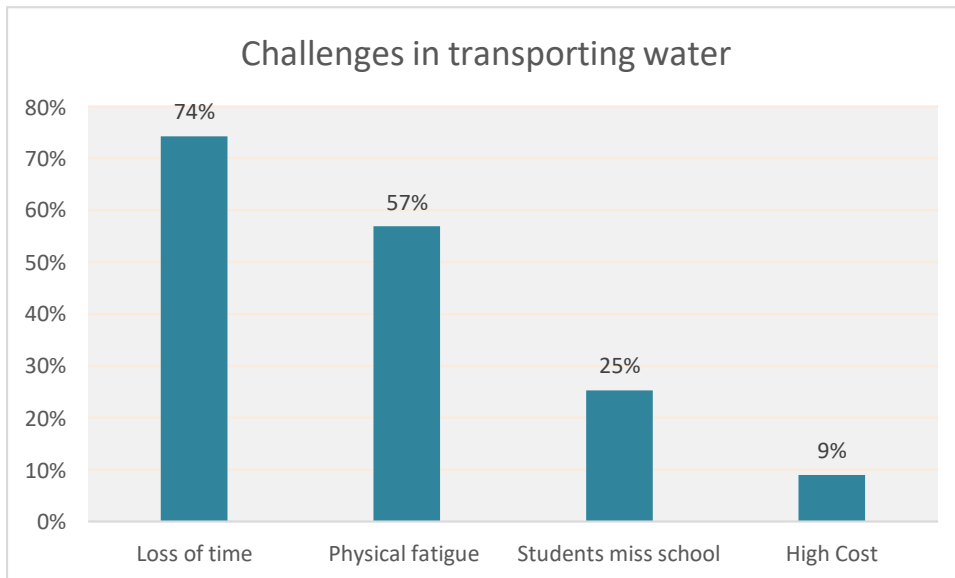


Figure 3-11: water transportation challenges

3.5.6 Adequacy of Water Source

More than half of the households (63%) reiterated that the water quantities they are able to access from all sources at their disposal is not adequate. This means that the water demanded for domestic use and that needed to water livestock is way above the supply. This imply that with the growing population the current water sources are unreliable and not sustainable.

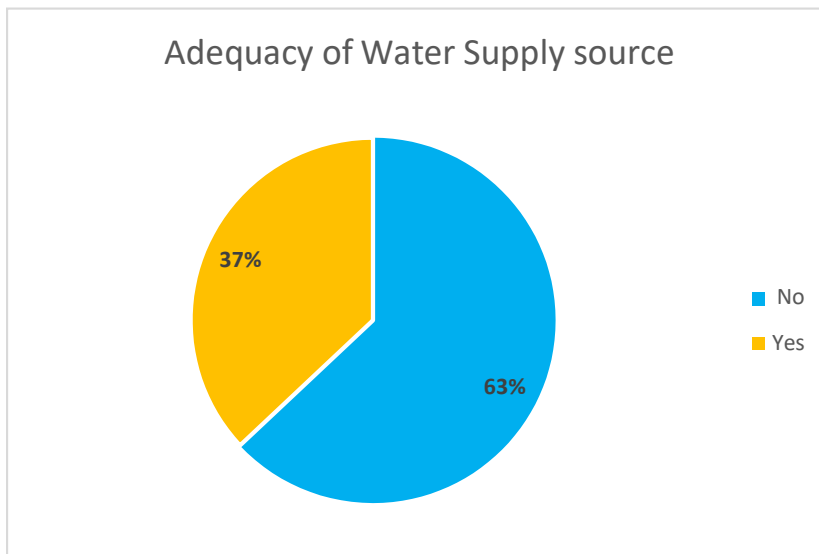


Figure 3-12: adequacy of the water supply sources.

3.5.7 Ownership status of Water Source

The survey results show that 82% of the water sources are privately owned, 15% are public and the remaining 3% are communally owned as shown in figure 3-13 below. These findings will

give insight to other aspects of the water situation such as pricing and availability and adequacy of water within the project area.

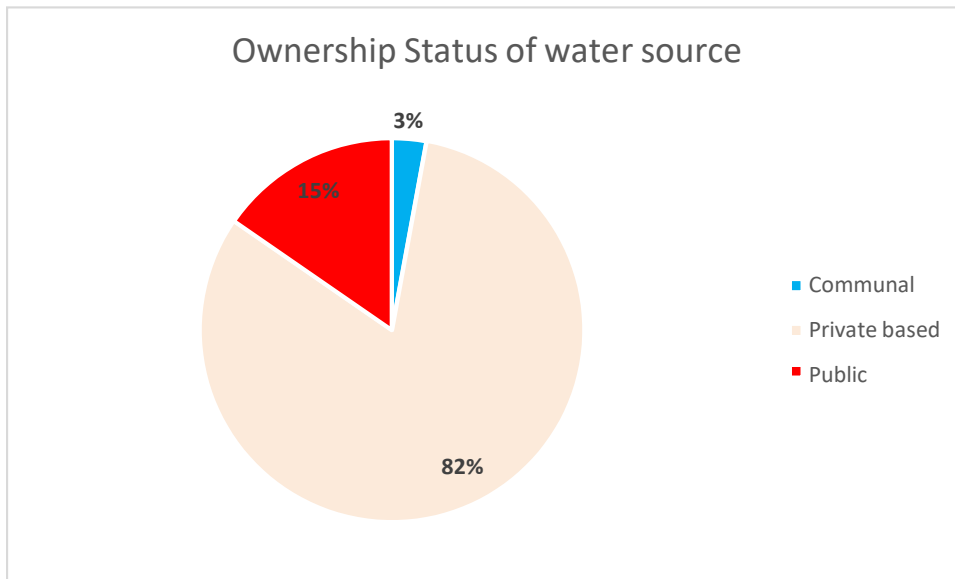


Figure 3-13: ownership of the water sources.

Do you pay for water?

72% the households surveyed indicated that they pay for water as shown in **figure 3-14** below.. This further validates the results above that show majority of the water sources are privately owned and it is expected that they would sell the water. This could also imply that some of the water sources within the project area are used exclusively by a single household.

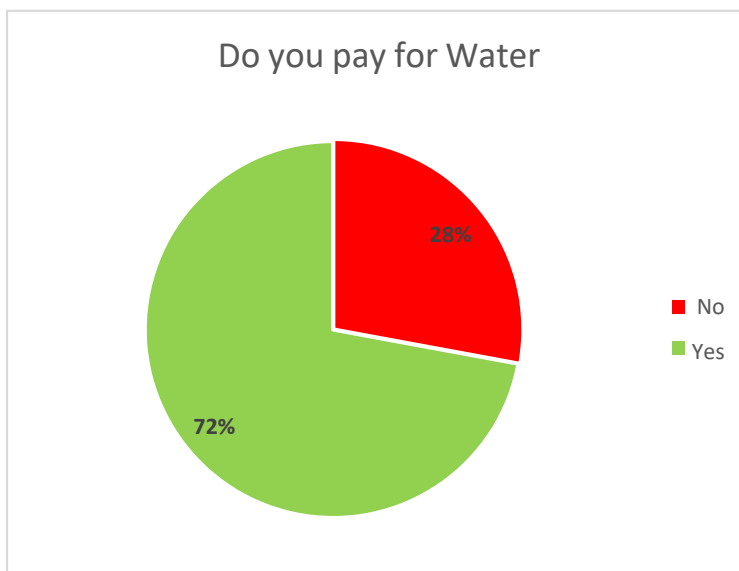


Figure 3-14: payment for access to water.

3.5.8 Cost of water for the popular 20l jerrican.

The cost of the popular 20 -litre jerrican of water ranges from Kshs 5 to above Kshs 25. 32% and 31% of the surveyed households buy water at Kshs 25 or more. It will be safe to say that more than half of the households spend Kshs 25 and above to access water.

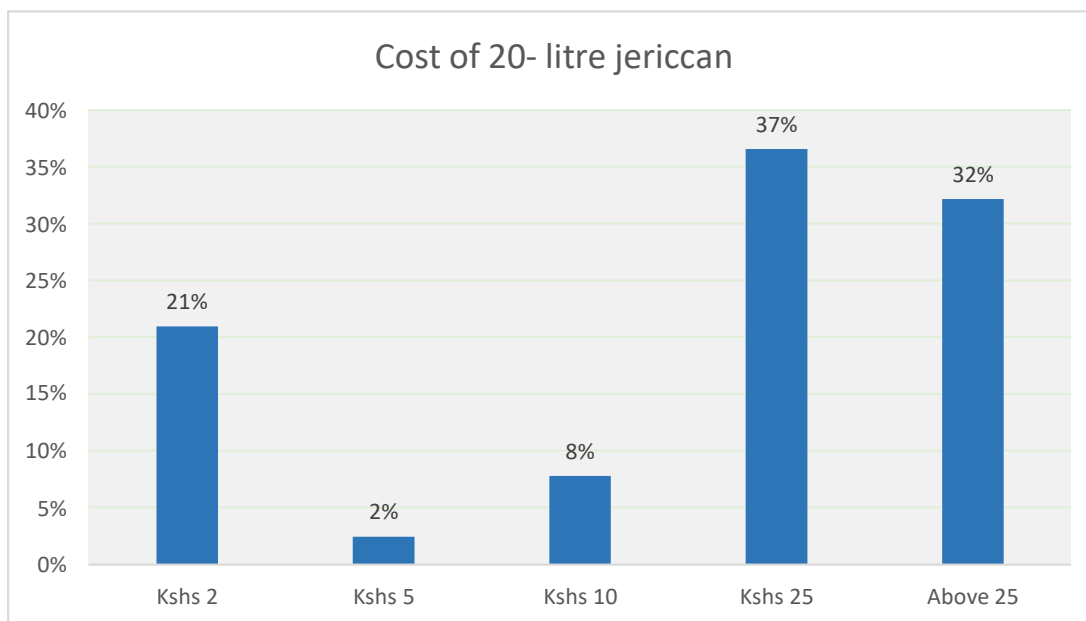


Figure 3-15: cost of 20L Jerriccan of water.

3.5.9 Frequency of collecting Water

The survey findings established that 73% of the households collected water everyday from the different sources with the remaining proportion collecting water after a specified period of time as shown in **figure 3-16**. During data collection it was observed that some of the households have storage facilities and would collect/ buy water in bulk.

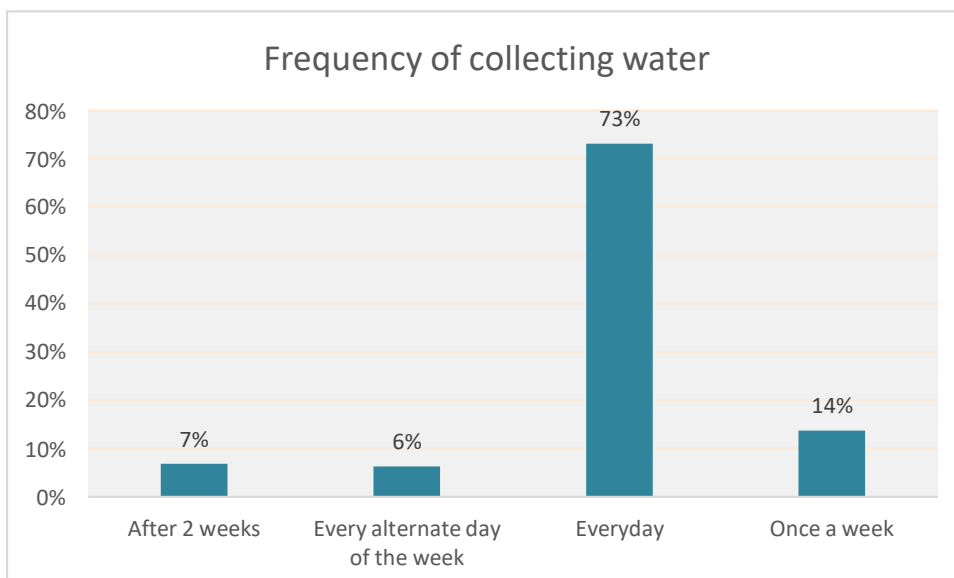


Figure 3-16: frequency of collecting water.

3.5.10 Distance Covered and Time Taken to Get to Water Source

The Survey revealed that the time taken to get to sources within the Study Area varies from 15 minutes to 8 hours. This translates to approximately 800m distance for those within Wajir Town and up to 5km for villages at the periphery of Wajir Town; an indication of inadequate water services within the Project area.

3.6 Sanitation Status Information

The findings on Sanitation status are summarized in the following sub-sections;

3.6.1 Mode of Human Excreta Disposal

To ensure that sanitation standards are adhered to, each household should have a toilet for human waste disposal and hand washing facilities. The survey established that all households own a toilet although the type varies. The most common and popular mode of human excreta disposal is the use of bucket toilets representing 76%. The other types of toilets within the project area are pour flush toilet connected to a septic tank and ecosan toilets. Figure 3-17 below shows the type of toilets owned by the households.

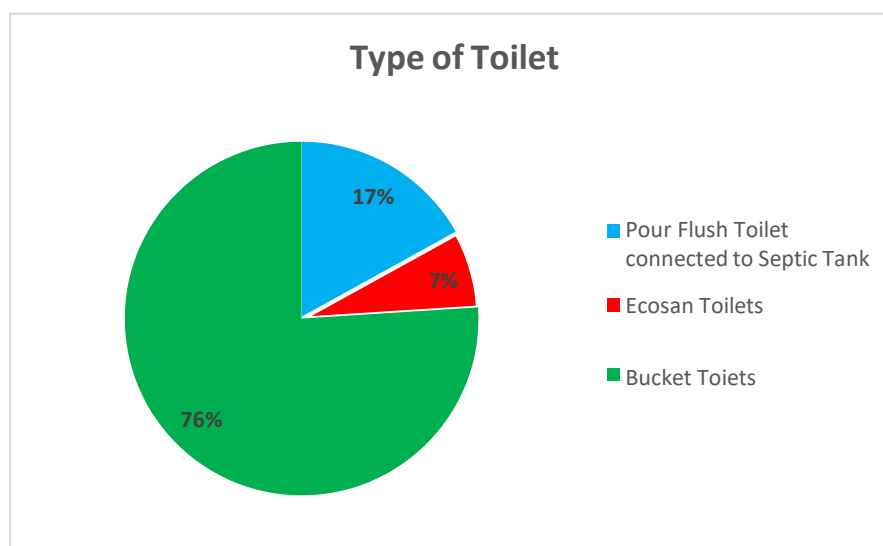


Figure 3-17: type of toilets.

3.6.2 Users of Sanitation Facility and Time Taken to Fill the Facility

For the bucket toilet system, the survey revealed that the bucket filled up averagely in 2 weeks. This system is unsustainable, and households incur high expenses in paying night soil handlers for exhausting services and there are risks of water related diseases. However, the septic tank and ecosan toilets filled up averagely on six to eight month depending on the household population.

3.6.3 Collection and emptying of the buckets and the containment tanks.

It should be noted that there is no sewer line within the project area and that the human waste has to be retrieved from either the bucket toilet or septic tanks and disposed off to **designated waste disposal site at Alimaow**. The survey revealed that the most common method of human waste disposal is by burying behind the toilets. This was the most preferred method because the sanitary lanes were encroached and blocked and access to alternative collection method such as county government and private collectors was considered a challenge.

Figure 3-18 below indicate the mode collection.

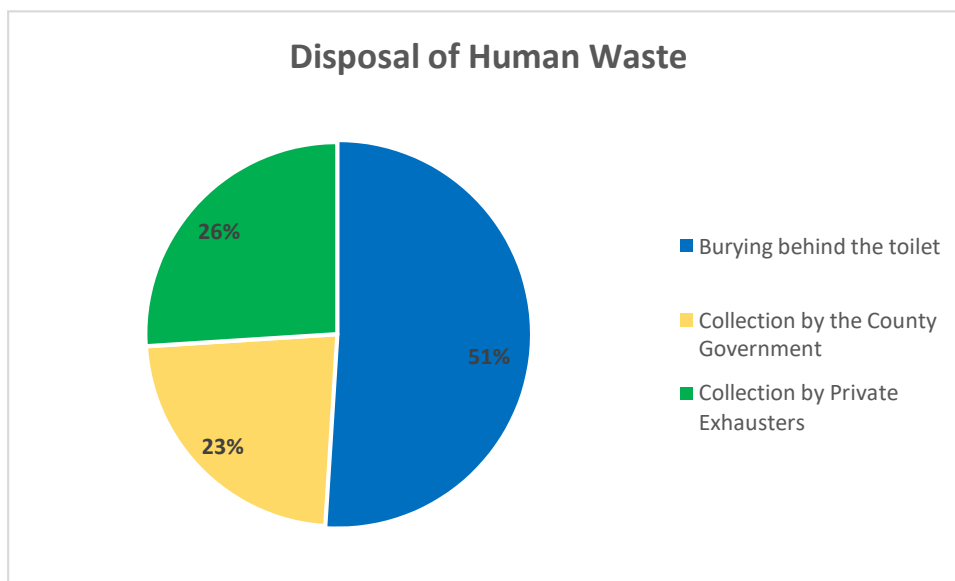


Figure 3-18: human waste collection mode.

It is worthy to note that the frequency of emptying the containers (bucket, septic and ecosan) depend on the capacity of the containers and the household size. On average the bucket toilets are emptied one a week while septic tanks and ecosan toilets are emptied after six months.

3.6.4 Disposal cost of human waste.

The survey reveal that the 51% of household burying the waste behind the toilet incur an average cost of ksh250 for every occasion while those attend to by the county government pay ksh 400 for every month. However, the private exhausters that usually empty the septic tanks charges an average amount of ksh 8000 for every trip.

3.6.5 Availability of Hand Wash Basin and Charges for Use of Facility

The Survey revealed that most bucket toilets in Wajir do not have a hand wash basin and may result to poor hygiene. Some Toilets have hand wash basins outside the facility. However, this a washer community meaning the residents carry water in small Jericans which they use to clean themselves after a call of nature.

3.6.6 Disposal Site for human waste.

The Survey revealed that the existing Sludge Disposal Facility for Wajir Town is located adjacent to the decommissioned WWTP. At the disposal site, no form of wastewater treatment is carried out. Thus, raw wastewater is discharged to environment which poses serious pollution risk to ground and surface water resources.

The existing sludge disposal and Solid Waste Disposal Site is presented in **Figure 3-19** below.



Figure 3-19: Existing Site for Sewage and Solid Waste Disposal Site

3.6.7 Awareness on human waste disposal site

3.6.8 Solid waste disposal

Solid waste disposal is a critical issue which should be handled with importance as this will most likely impact the wastewater disposal and the quality of drinking water within the area. The survey revealed that 42% of the households bury their solid waste, 32% of the household waste is collected by the county government (wajir municipal), 27% burn the waste, 13% dump in an open area and 1% sell to recycle. It should be noted that the respondents would make use of multiple waste disposal options and that the 13% that dump their waste in open areas should be sensitized on the need to go about it correctly. Figure 3-20 below shows solid waste disposal mode

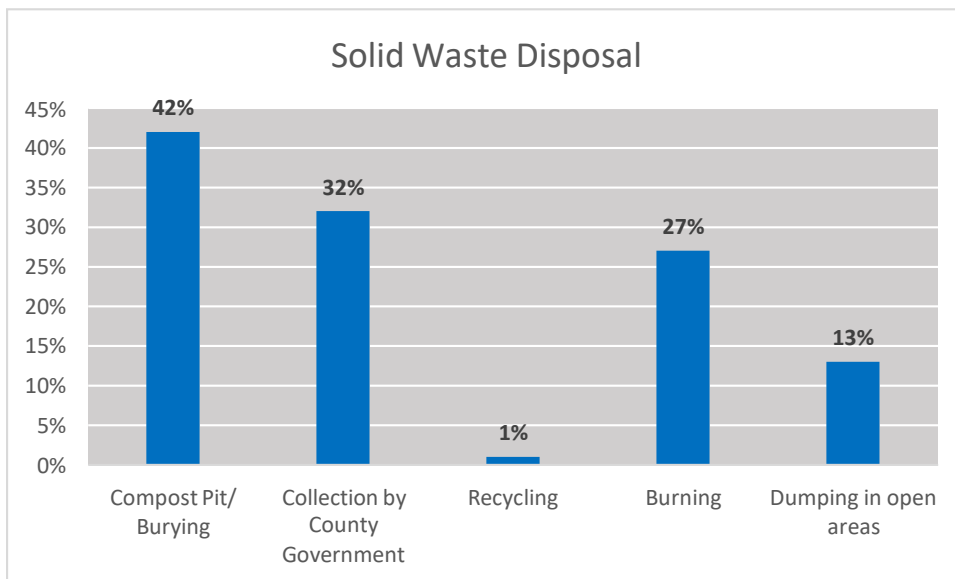


Figure 3-20: solid waste disposal mode

3.6.9 Awareness on the proposed opening and rehabilitation of wajir sanitary lanes.

The survey wanted to establish the awareness level of opening, rehabilitation and improvement of wajir sanitary lane. 88% of the responded were aware of the project components that touches on opening up of the sanitary lanes. This show that key project details have been shared and awareness created.

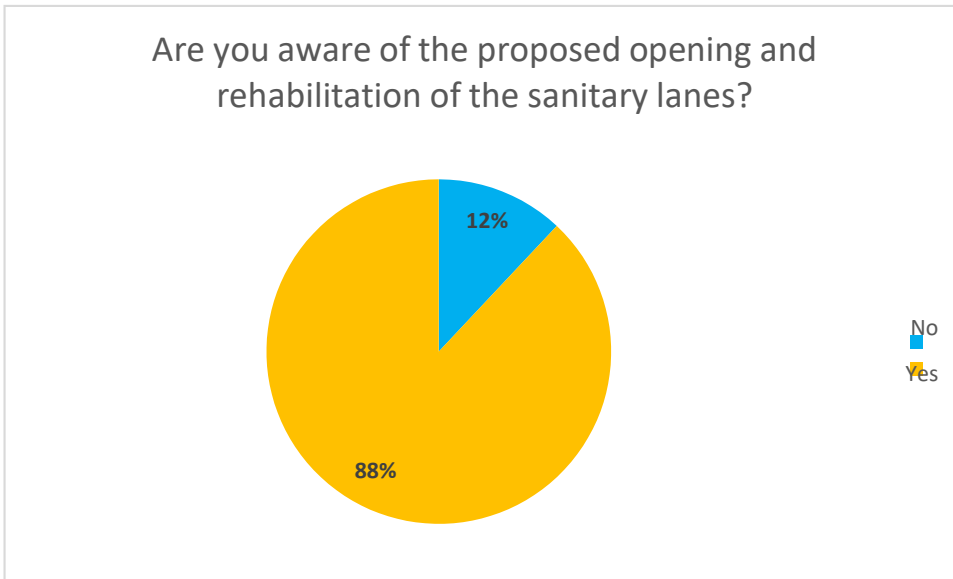


Figure 3-21: awareness of opening and rehabilitation of sanitary lanes.

3.7 Water Borne Related Illness

The Survey also sought to analyze the health situation in the Project Area and more importantly on the water-borne illnesses.

A summary of the common water-borne diseases reported in the Study Area is presented in **Figure 3-22** below.

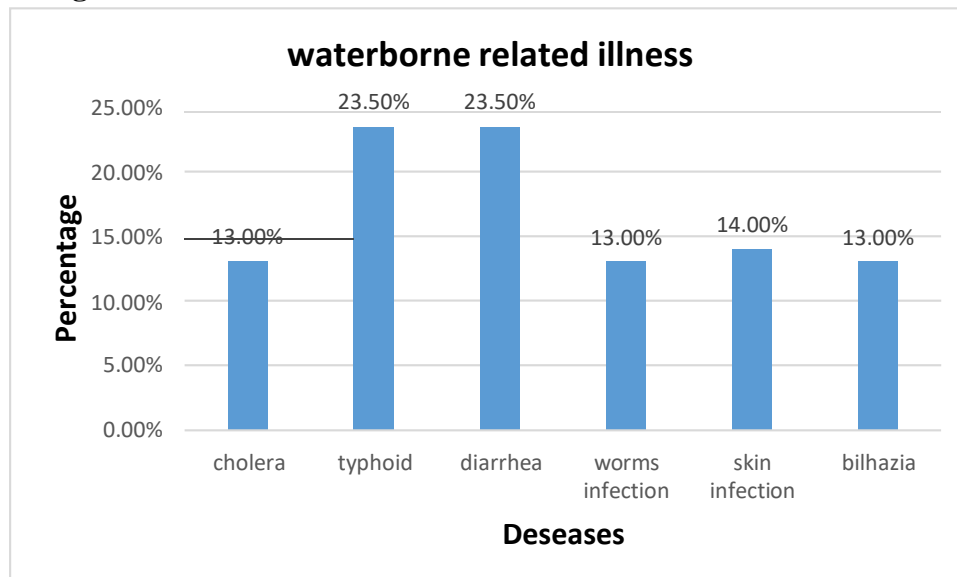


Figure 3-22: Prevalent Water Borne Diseases

It can be deduced from **Figure 3-21** that the most prevalent water borne diseases in the Project Area are diarrhea (23.5%) and typhoid (23.5%) . The major cause of these diseases is human waste contamination of water sources especially from use of bucket toilet system.

The proposed opening, improvement and rehabilitation of wajir sanitary lanes is expected to result to improved access to sanitation facilities and improve hygiene, thus contribute to the reduce occurrence of water-borne diseases.

3.8 Health facilities and its ownership

3.8.1 health facilities in the project area

Since the project is out to address sanitation challenges, it would be interesting to take note of the existing health facilities within the project area and ownership of the same. The survey established that the following are the some of the health facilities within the project area as shown in table 3-1 below.

s/no	locations	Names of the hospitals
1	township	a. Wajir county referral hospital b. Camel hospital c. Al-hayat nursing home d. AL-amana hospital e. Ladnan hospital
2	hodhan	a. Hodhan dispensary b. Al-muntasir nursing home c. Shalety nursing home d. Mama gutha nursing home e. TB manyatta
3	Ali maow	a. Alimaow dispensary b. Apya medical clinic c. Alimaow nursing home
4	barwaqo	a. barwaqo health facility. b. Barwaqo medical clinic c. Wajir marternity nursing home d. Umma clinic
5	jogoo	a. Jogoo dispensary b. Roadside medical clinic c. New manyalo nursing home
6	godade	a. Samad hospital b. Jiddah hospital c. Ramaz nursing home
7	wagberi	a. A.I.C clinic b. Wagberi dispensary c. Volunteer nursing home d. Kowthar wellness hospital

3.8.2 Ownership of health facilities visited by the respondent

The figure 3-22 below shows that 67% of the health facilities visited by the respondent are publicly owned, the assumption is that they are county hospitals; 29% visit private hospitals while the remaining 4% visit faith based hospitals.

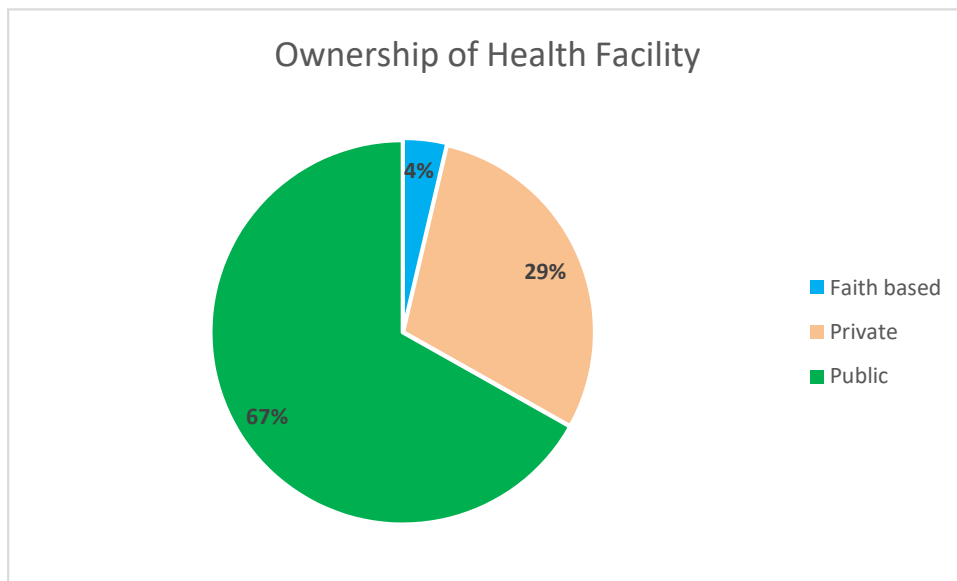
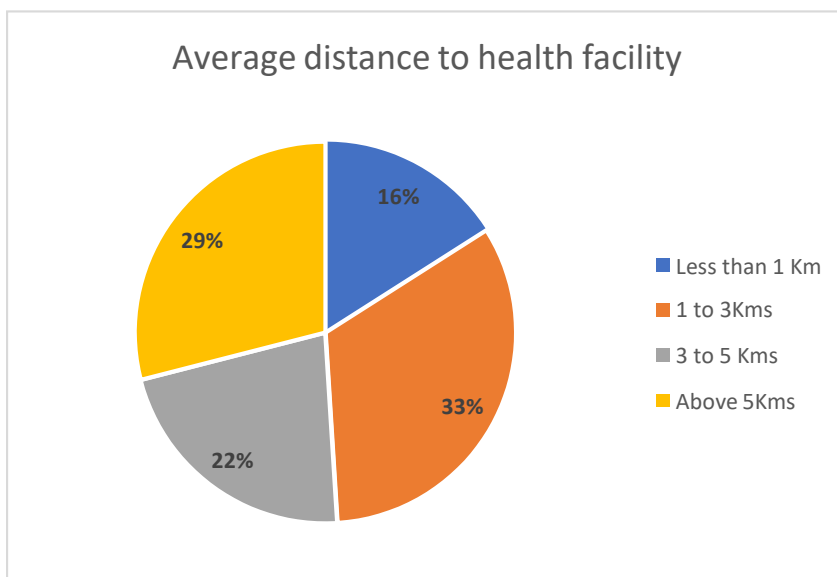


Figure 3-21: ownership of health facilities

3.8.3 Distance to health facilities

The average distance to those health facilities vary for each of the households. The pie-cart below shows the disparity.



3.9 Consumption Indicators

3.9.1 Main Source of Income

The main source of income among the respondents/ households surveyed was business. This is because they are in an urban setting and mostly lead a sedentary life in as much as majority of the community members are pastoralists. It is worthy to note that most of the respondent business are located within market areas in the town and not within the lanes. However, the few who have kiosks and shop canopies which will be affect will be compensated. The category "Others" include income as a result of government support programs such as HSNP, cash transfer programs, informal employment, sale of vegetables though on a small scale and assistance from neighbours. It should be noted that a good number of the respondents have

multiple sources of income. The figure3-23 below highlights the main sources of income;

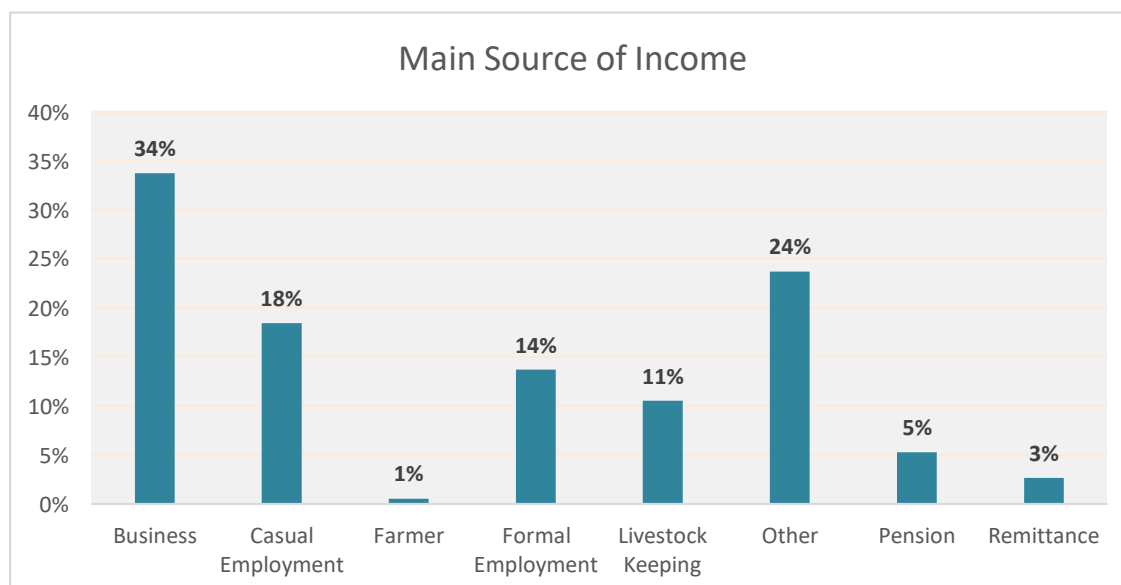


Figure 3-23: main source of income

The results give an indication that consideration is necessary in employment during Project implementation for the people with unstable income sources.

The survey result also established that the average monthly business incomes for the PAPs within project area is about Ksh 47,000 which translate about 1500 per day.

3.9.2 Gender roles

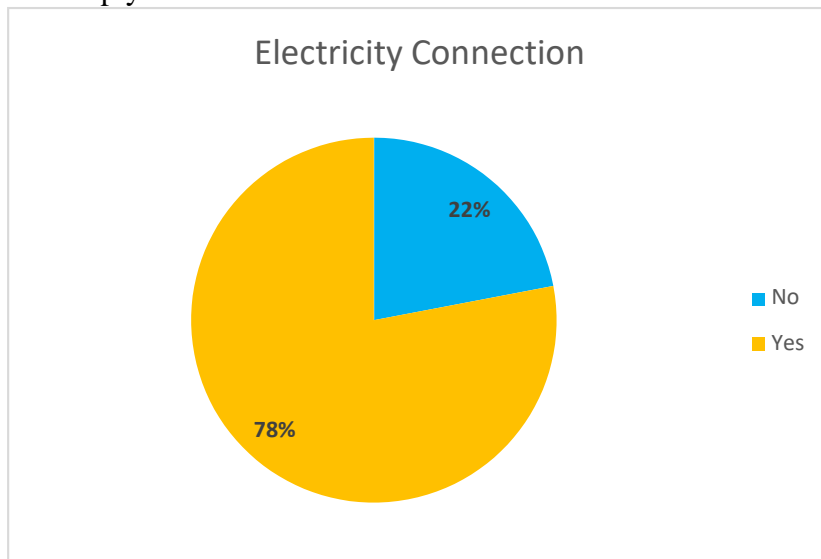
The study sought to find out the respective roles of each gender and the findings are shown in table 3-4 below. It was established that it was the responsibility of women to handle duties such as fetching water and maintaining cleanliness at the household level. It is envisaged that once the project is complete the women will have an easier time maintaining cleanliness as a result of the efficient disposal of wastewater, human waste and solid waste.

Table 3-4: Role of Women and Men in Households

Role of Women	Role of Men
Sell vegetables and milk	Quarrying
Washing clothes and utensils	Taking care of Camels and Cattle
Cooking	Watering camels and cattle
Cleaning the compound	Chewing Khat (miraa)
Building huts and maintaining them	Collecting firewood on donkey-drawn carts for sale
Taking care of small stock – goats and sheep	
Milking	
Fetching water for domestic use	
Collect firewood for domestic use	
Making gravel for sale	

3.9.3 Connection to Electricity

In regards to the figure 3-24 below the study revealed that 78% of the respondent have access to an electricity connection. This gives an indication of the value of the property owned and could also imply that the household/ structure owners live close to the town.



This is further cemented by the fact that 77% of the households use electricity as their main source of energy for lighting. The other available alternatives are battery, paraffin lamp and solar energy. The figure 3-25 below presents these findings;

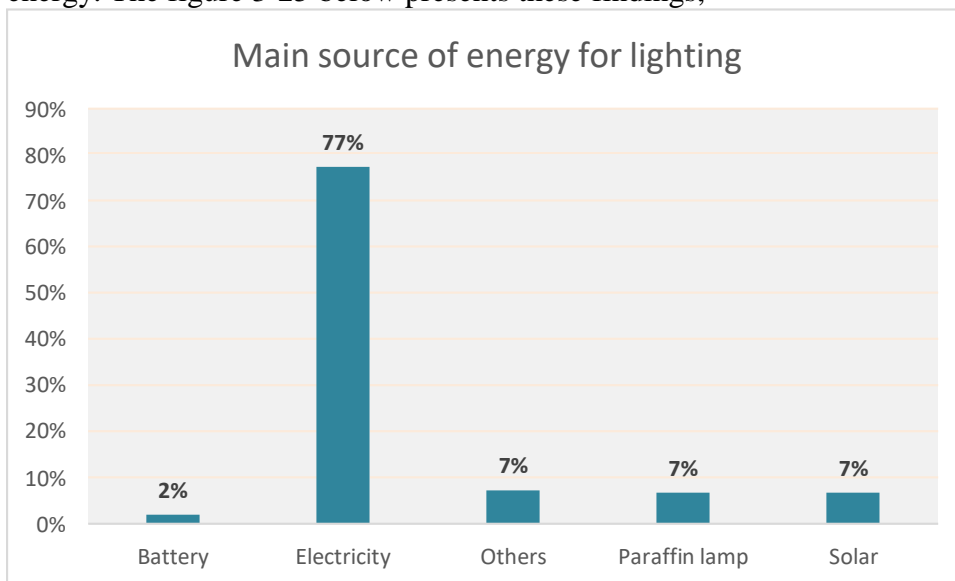


figure 3-25: source of energy for lighting

3.9.4 Source of energy for cooking.

The main source of energy for cooking is firewood, as reported by 68% of the households followed by 26% of the households using charcoal. Of note is that 5% of the households use stove while the 1% uses gas for cooking. None of the respondent indicated use electricity for cooking. This will reaffirm that the resident in the project area have unreliable source of electricity.

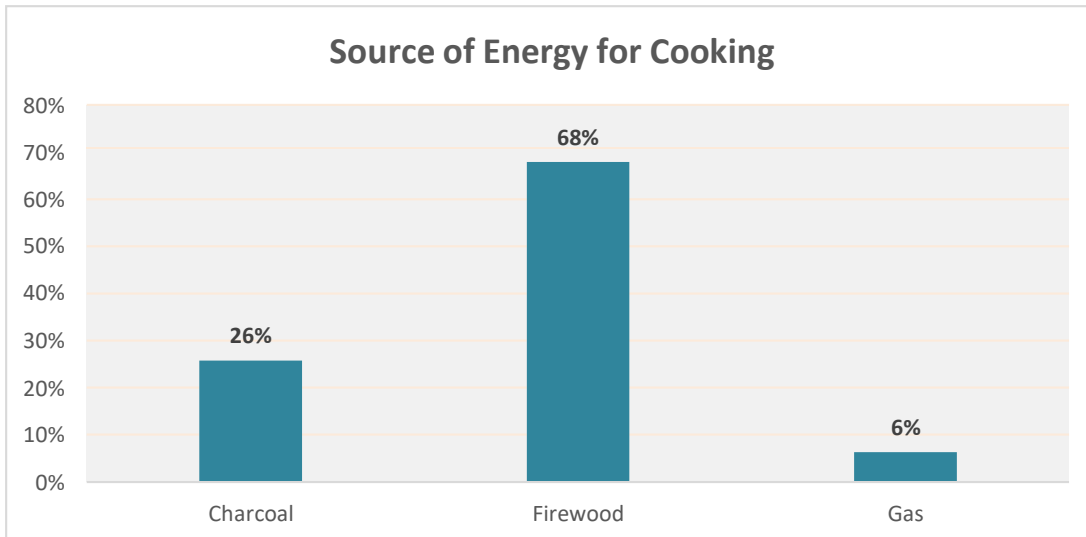


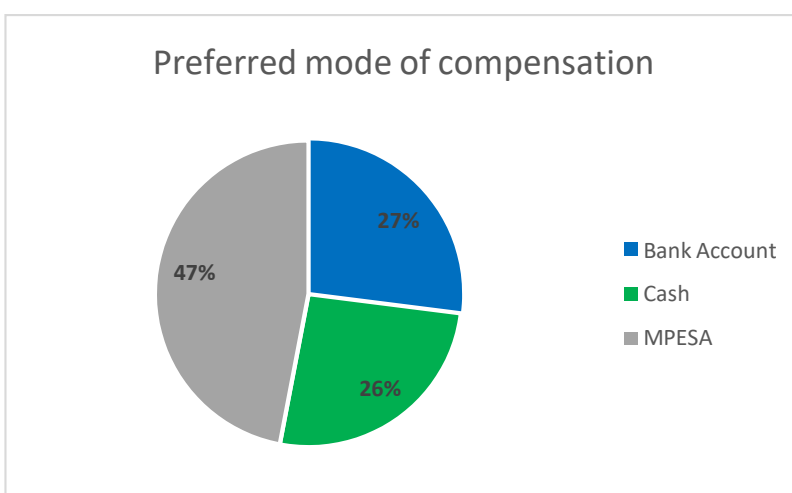
figure 3-26: source of energy for cooking

3.9.5 Type of Housing Material

The survey established that the type of houses in the project area are permanent houses, manyatta house, semi-permanent house, mud house and iron sheet house. It revealed that blocks and stones, wood & timber and grasses are the most common material used for walls construction. The most common floor types are mud floor and cemented floors. The roofs are mostly made of iron sheet and grasses.

3.10 Mode of compensation

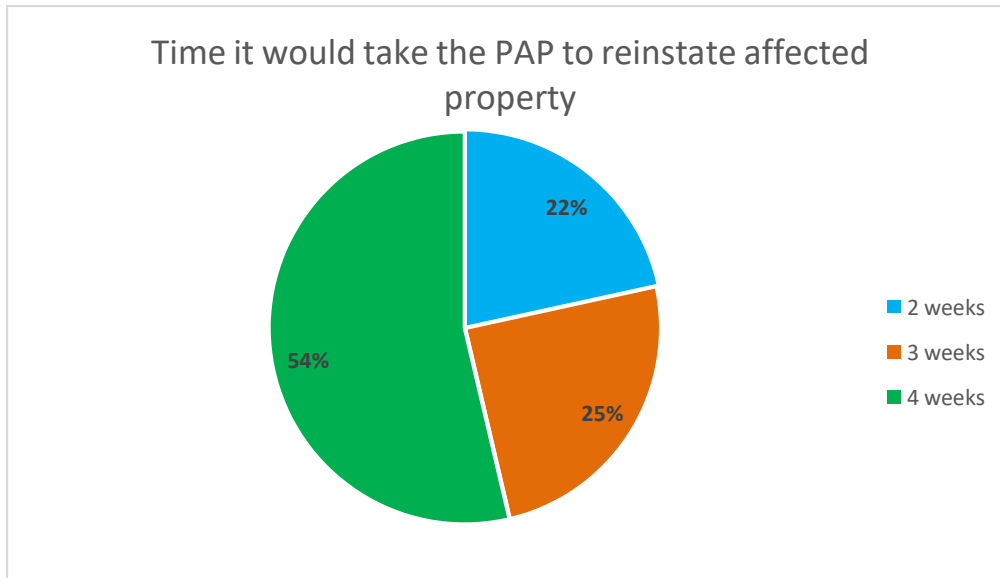
As per World Bank safeguard standards, all the property owners affected/ impacted during implementation should be compensated before any works commence. The compensation can either be in kind or in cash, where in-kind compensation is in the form of reinstatement of affected property or relocation of the said structure or property while cash compensation covers cash pay-outs after valuation of the property impacted. The pie-chart below shows that all of the respondents would prefer cash compensation with difference being the mode of payment.



3.11 Time take to relocate or reconstruct the affected asset.

For the asset owners whose properties will be impacted, 54% of them stated that they would require an average of four weeks to carry out reinstatement activities, the remaining proportion said that they would do it in either 2 or 3 weeks. This confirms the proposal by the

community be informed four weeks prior to construction works to take off/ notice period to be 4 weeks. Refer to minutes in annex II.



3.12 Grievance redress mechanism

The survey wanted to establish how common projects grievances would be handled and addressed. It has come out clearly that village elders especially women elders are paramount when it comes to dispute resolution since grievances are always first brought to them.

Elders usually deal with grievance at their level or work closely with chiefs and assistant chiefs before the issues are forward to a higher level such as the court of law.

Most of the respondent showed that they have confidence in their chiefs and community elders including both women and religious leaders when it comes to grievances redress. It can be deduced that the project grievances can be handled at village level before it escalated to higher level.

CHAPTER 4: POLICY AND LEGAL PROVISIONS

4.1 General Information

The Chapter highlights key issues related to Kenyan land legislation with regards to involuntary resettlement, overview of provisions related to land use, planning, acquisition, management and tenure, and more specifically the legislations related with land expropriation or acquisition, land valuation and land replacement.

The Project activities will involve rehabilitation and upgrading of existing sanitary lanes with an aim of improving mobility within the target locations. Therefore, *No Impact on Private Land Is Triggered*.

However, other resettlement impacts are anticipated owing to the encroachment of the sanitary lanes by community members with which include; septic tanks, walls, house extensions, shop canopies, temporal livestock houses, power poles and electricity lines, communal water points, shops.

The Chapter also compares the Kenyan legislation with the World Bank provisions on resettlement and displacement, highlighting gaps and making recommendations to fill up gaps.

4.2 Legal and Policy Provision for Vulnerable and Marginalized Community (VMGs)

The Social Assessment Report for Water and Sanitation Development Project (WSDP) (Zamconsult 2017) and Vulnerable and Marginalized Groups (VMGs) Screening Report prepared by Northern Water Works Development Agency (NWWDA), categorizes Wajir County as a region for Vulnerable and Marginalized Communities. Project Area of Wajir is predominantly occupied by native Somali communities who according to OP 4.10 are categorized as Marginalized.

Therefore, the following detailed policy provision will apply when implementing the RAP;

4.2.1 The Constitution of Kenya, 2010

The Constitution of Kenya is the supreme law in the country which recognizes the socio-economic and cultural rights of a citizens as stipulated under Article 43. In recognition of the need to enhance inclusivity, the document outlines key measures meant to address the plight of the VMGs in society. The important sections include:

In Article 56, the State is mandated to put in place affirmative action programmes designed to ensure that minorities and marginalized groups participate and are represented in governance and other spheres of life; are provided special opportunities in education and economic fields; are provided special opportunities

for access to education; develop their cultural values, languages and practices; and have reasonable access to water, health services and infrastructure.

This Project under Water and sanitation development Project (WSDP) aims at addressing sanitation challenges in Wajir which is classified as marginalized.

4.2.2 The World Bank Operation Policy OP 4.10 on Indigenous People

The OP 4.10 on indigenous people contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that development processes fully respects the dignity, human rights, economies and cultures of indigenous people. It is required that the borrower engages in FPIC to secure broad community support to the project by the affected indigenous people. The Bank advances financial resources, only where the FPIC results in the aforementioned support. In this case then, the financing is inclusive of measures to avoid potentially adverse impacts on the indigenous communities. In addition, the benefits accruing from the projects should be gender sensitive, inter-generationally inclusive and culturally appropriate. The OP.4.10 aligns with Kenya's policy instruments regarding the VMGs. A comprehensive Social Assessment of likely Project impacts on Vulnerable and Marginalized Communities are among the project documents already prepared which the social expert will also make reference to. The assessment objectives included;

- (i) Assisting the Project support the aspirations and needs of the Vulnerable and Marginalized Groups (VMGs) in the project area.
- (ii) Identifying and preparing a comprehensive plan to avert potentially adverse effects from project interventions on VMGs where not possible or feasible, mitigate or compensate such adverse impacts
- (iii) Ensuring that project benefits reach the VMGs in an equitable manner through institutions that respect and are able to serve them in a decentralized manner.

Some of the recommendations identified for remedial measures include;

- (i) To ensure that the Project supports the aspirations and needs of the Vulnerable and Marginalized Groups (VMGs) in the project area.
- (ii) To identify and prepare a comprehensive plan that will avert any potentially adverse effects from project interventions on VMGs where not possible or feasible, mitigate or compensate such adverse impacts.
- (iii) To ensure that project benefits reach the VMGs in an equitable manner and through institutions that respect and serve them in a decentralized manner.

These provisions have been used to develop extra assistance to the VMGs identified in this RAP.

4.3 National Relevant Laws

The National Land Policy ("NLP" or "Policy")¹ was adopted in August 2009 with the aim of providing an overall framework for new legislation and defining key measures required to address critical issues such as land administration, access to land, land use and restitution related to historical injustices and an outdated legal framework. The NLP addresses constitutional issues such as compulsory acquisition and development control.²Section 45

of the NLP defines compulsory acquisition as “the power of the State to extinguish or acquire any title or other interest in land for a public purpose, subject to prompt payment of compensation.”³ Under the current Constitution,⁴ the Land Act 2012 empowers the National Land Commission (under the guidance of Minister for Lands) to exercise the power of compulsory acquisition on behalf of the State.⁵ Similarly, the NLP empowers the National Land Commission to compulsorily acquire land.⁶

¹*Sessional Paper No. 3 of 2009 on National Land Policy* (referred to as the “National Land Policy” in this report) was adopted in August 2009 by Ministry of Lands. Available at http://www.lands.go.ke/index.php?option=com_content&task=view&id=238&Itemid=48, accessed May 25, 2011.

² Development control is the power of the State to regulate the property rights in urban and rural areas and is derived from the State’s responsibility to ensure that the use of land promotes the public interest.

³*Sessional Paper No. 3 of 2009 on National Land Policy*, § 45.

⁴ The Constitution of Kenya, 1963, was replaced in 2010.

⁵ Land Act, § 6, 2012.

⁶*Sessional Paper No. 3 of 2009 on National Land Policy*.§233(d).

Table 4-1: Summary of Relevant Resettlement Legal Statutes Applicable to Project

Legal Framework	Functional Relationship to Resettlement	
Constitution of Kenya 2010	Constitution of Kenya 2010 recognizes individuals' right to acquire and own property provided they are citizens of the country in article 40. However, Article 66 of the same Constitution provides for the State to regulate the manner in which these rights may be curtailed for the benefit of the general public. Article 47 of the Constitution provides for administrative action to override the individual rights but the victim must be given written reason for the action taken that undermines the right.	The project complies with the requirements of the Constitution with respect to land and property rights
The Land Act 2012 Laws of Kenya	It is the substantive law governing land in Kenya and provides legal regime over administration of public and private lands. It also provides for the acquisition of land for public benefit. The government has the powers under this Act to acquire land for projects, which are intended to benefit the general public. The projects requiring resettlement are under the provision of this Act.	The project complies with the requirements of the Land Act 2012. Official cadastral maps prepared for Wajir were used in designating the sanitary lanes
Land Registration Act, 2012	The law provides for the registration of absolute proprietorship interests over land (exclusive rights) that has been adjudicated or any other leasehold ownership interest on the land. Such land can be acquired by the state under the Land Act 2012 in the project area.	Survey and registration of plots in Wajir is ongoing, this statute has been complied with
National Land Commission Act 2012	The act establishes the National Land Commission with the purpose of managing public land and carrying out compulsory acquisition of land for specified public purposes.	In the event that way-leave acquisition will be required, NLC Act will be complied
The Land Adjudication Chapter 95 Laws of Kenya 2012	Provides for ascertainment of interests prior to land registrations under the Land Registration Act 2012 through an adjudication committee that works in liaison with adjudication officers.	Land adjudication is ongoing in Wajir as required by this statute
The Valuers Act 532	The act establishes a valuers registration board, which has the responsibility of regulating the activities and conduct of registered valuers in accordance with the provision of the act.	The assets presented in this RAP were valued at replacement cost with a registered Valuer as required

4.3.1 Constitution of Kenya 2010

The Constitution of Kenya, 2010,⁷ protects the sanctity of private property rights and states that no property can be compulsorily acquired by the Government except in accordance with law.⁸ Article 40(3) states:

“The State shall not deprive a person of property of any description, or of any interest in, or right over, property of any description, unless the deprivation—results from an acquisition of land or an interest in land or a conversion of an interest in land, or title to land, in accordance with Chapter Five; or is for a public purpose or in the public interest and is carried out in accordance with this Constitution and any Act of Parliament that –

- (i) Requires prompt payment in full, of just compensation to the person; and*
- (ii) Allows any person who has an interest in or right over, that property a right of access to a court of law.⁹*

The Constitution empowers the state to exercise the authority of compulsory acquisition. Land Act 2012 (LA) designates the National Land Commission(NLC) as the agency empowered to compulsorily acquire land.¹⁰ Article 40 of the Constitution provides that the state may deprive owners of property only if the deprivation is "for a public purpose or in the public interest," which includes public buildings, roads, way leaves, drainage, irrigation canals among others. The state's exercise of this power is left at the discretion of NLC, and requires the state to make full and prompt payment of "just compensation" and an opportunity for appeal to court.

Article 40(3) (a) refers to acquisition and conversion of all kinds of land in Kenya (private, public, community land and foreign interests in land). The Constitution further provides that payment of compensation shall be made to “occupants in good faith” of land acquired by the state who do not hold title for such land.¹¹ An occupant in good faith is a “bona fide” occupant. On the other hand, under the Kenyan Constitution, those who have acquired land illegally are not regarded as deserving any compensation¹²Therefore, the RAP implementation will follow OP. 4.12 which recognises the rights of illegal land owners and will compensate them for loss of structure and livelihood/disturbance allowance.

In addition to Article 40, Chapter Five of the Constitution is relevant to compulsory acquisition. Article 60 -68 of Part 1 of Chapter Five, describes the Principles of Land Policy. It explains that land should be held, used and managed in a manner that is equitable, efficient, productive and sustainable and in accordance with security of land rights, sound conservation and protection of ecologically sensitive areas.¹³ These principles must be

⁷ The Constitution of Kenya, 2010, was adopted by the Government of Kenya on 27 August 2010. The full text is available at http://www.kenyalaw.org/klr/fileadmin/pdfdownloads/Constitution/Constitution_of_Kenya2010.pdf, accessed May 25, 2011.

⁸Constitution of Kenya, art. 40.

⁹ Id.

¹⁰ The Land Act, 2012 The Government of Kenya, Section 8.

¹¹Constitution of Kenya.Id. at art.40(5).

¹²Constitution of Kenya.Id. at art.40(3).

¹³Id. at art. 60.

implemented through a national land policy reviewed regularly by the national government and through legislation.¹⁴

The project complies with the requirements of the constitution with respect to land and property rights, land acquisition is not triggered by this RAP hence compulsory acquisition clause will not apply.

4.3.2 The Land Act (2012)

The Land Act (“LA”) is the Kenya’s framework legislation regulating compulsory acquisition of land (i.e. land, houses, easements etc.). The LA was adopted on 2nd may 2012 and provides for sustainable administration and management of land and land-based resources including compulsory acquisition.

This Act applies to all land declared as public land in Article 62 of the Constitution and all private land as declared by Article 64 of the Constitution. The portion of the Act touching on Involuntary Resettlement is Part (viii) that spells out the process required to involuntarily acquire private land. The Act permits involuntary land purchases to be resorted to where “the possession of the land is necessary in the interests of defense, public safety, public order, public morality, public health, urban and planning, or the development or utilization of any property in such manner as to promote the public benefit” and where “the necessity therefore is such as to afford reasonable justification for the causing of any hardship that may result to any person having an interest in or right over the property”. Kenya’s definition of purposes for which involuntary settlement can be resorted to is open ended, providing much greater space for the exercise of discretion and interpretation. The involuntary purchase’ powers do not, however, extend to settlement of squatters, the poor and landless, persons displaced by infrastructure developments and the internally displaced persons. Section 134 (4) of the Land Act specifically provide that land purchases for such purposes be subject to the Public Procurement and Disposal Act, 2005 (No. 3 of 2005). The enactment of the Land Act, Sec 157(2), criminalized encroachments on public land as follows:

- i. Unlawful occupation of public land is an offence which attracts fines of up to KES 500,000 and if a continuous offence, a sum not exceeding KES 10,000 for every day the offence is continued;*
- ii. Wrongful obstruction of a public right of way is an offence and attracts a fine of up to KES 10,000,000 and if a continuous offence, a sum of up to KES 100,000 for every day the offence is continued; and*
- iii. In addition to these criminal sanctions, any rights over land that were obtained by virtue or on account of an offence may be cancelled or revoked.*

The encroachers who have erected structures within the right of way (ROW) will be compensated for the loss of assets and business income.

4.3.3 The Land Laws (Amendment) Act 2016

The Land Laws (Amendment) Act, 2016 (No. 28 of 2016) was assented to by the President on 31st August, 2016 and came into effect on 21st September, 2016.

14Id. at art.60(2).

The Land Laws (Amendment) Act, 2016 revises the Land Act, 2012, the Land Registration Act, 2012 and National Land Commission Act, 2012. It also sets out regulations to give effect to Articles 67 (2) (e) and 68 (c) (i) of The Constitution of Kenya which deal with the National Land Commission's function of initiating investigations into present or historical land injustices and reparation and prescribed minimum and maximum land holding acreages for private land respectively.

4.3.4 National Land Commission Act 2012

The National Land Commission (NLC) will undertake compensation. NLC is an independent government commission whose establishment was provided for by the Constitution of Kenya, 2010 to, amongst other things, manage public land on behalf of the national and county governments, initiate investigations into present or historical land injustices and recommend appropriate redress, and monitor and have oversight responsibilities over land use planning throughout the country. [1] It was officially established under The National Land Commission Act, 2012. Pursuant to

Article 67(2) of the Constitution, the functions of the Commission are:

- To manage public land on behalf of the national and county governments;
- Compulsory acquire land for national and county governments
- Compensate acquired land on behalf of national and County government
- To recommend a national land policy to the national government;
- To advise the national government on a comprehensive programme for the registration of title in land throughout Kenya;
- To conduct research related to land and the use of natural resources, and make recommendations to appropriate authorities;
- To initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress;
- To encourage the application of traditional dispute resolution mechanisms in land conflicts;
- To assess tax on land and premiums on immovable property in any area designated by law; and
- Monitor and have oversight responsibilities over land use planning throughout the country.

Under the National Land Commission Act, the Commission shall:

- *On behalf of, and with the consent of the national and county governments, alienate public land;*
- *Monitor the registration of all rights and interests in land;*
- *Ensure that public land and land under the management of designated state agencies are sustainably managed for their intended purpose and for future generations;*
- *Develop and maintain an effective land information management system at national and county levels;*

- *Manage and administer all unregistered trust land and unregistered community land on behalf of the county government; and*
- *Develop and encourage alternative dispute resolution mechanisms in land dispute handling and management.*
- *Implement Settlement programmes on behalf of national and county governments as outlined in section 134 of the Land Act.*
- *Administer the Land Settlement Fund in accordance with section 135 of Land Act*
- *Manage the Land Compensation Fund*
- *Identify ecologically sensitive areas that are within public land and demarcate and take any other justified action on those areas and act to prevent environmental degradation and climate change in accordance with the Land Act.*
- *Reserve public land for the establishment of approved settlement programmes, and where public land is not available, purchase private land subject to the Public Procurement and Disposal Act, 2005 or any other law as provided for in section 134 (5) of the Land Act.*
- *Set aside land for investment purposes in accordance with section 12(3) of the Land Act.*
- *Approve compulsory acquisitions, wayleaves, easements and analogous rights.*
- *Ensure that the investments, in land benefit local communities and their economies.*
- *Make regulations prescribing the criteria for allocation of public land, such regulations to prescribe forms of ownership and access to land under all tenure systems.*
- *The procedure and manner of setting aside land for investment should respect mechanisms of benefit sharing with local communities.*

Since there is no acquisition of public or private land, NLC will not compensate any of the affected PAPs, compensation will be done by County Government of Wajir through WAJWASCO to those that will lose assets and businesses incomes.

4.3.5 Environment and Land Court Act (2011)

The Act gives effect to Article 162(2) (b) of the Constitution by establishing the Environment and Land Court that has original and appellate jurisdiction. According to Section 4 (2) and (3), it is a court with the status of the High Court. It exercises jurisdiction throughout Kenya and pursuant to section 26, is expected to ensure reasonable and equitable access to its services in every county. The principal objective of this Act is to enable the Court to facilitate a just, expeditious, proportionate and accessible resolution of disputes governed by the Act. The Court exercises its jurisdiction under Section 162 (2) (b) of the Constitution and has power to hear and determine disputes relating to —

- a) Environmental planning and protection, climate issues, land use planning, title, tenure, boundaries, rates, rents, valuations, mining, minerals and other natural resources;*
- b) Compulsory acquisition of land;*
- c) Land administration and management;*
- d) Public, private and community land and contracts, choses in action or other instruments granting any enforceable interests in land; and*
- e) Any other dispute relating to environment and land.*

Nothing in the Act precludes the Court from hearing and determining applications for redress of a denial, violation or infringement of, or threat to, rights or fundamental freedom relating to land and to a clean and healthy environment under Sections 42, 69 and 70 of the Constitution.

Although the environmental and land court is the last resort option, this updated RAP has developed a well-structured grievance redress mechanism in chapter 6 and its expected that the PAPs will be able to resolve their grievances and complaints at the local level before turning to the final court of law.

4.3.6 Environmental and management coordination Act No.8 of 1999

Article 42 of the Constitution guarantees every person the right to a clean and healthy environment. Consequently, the protection of the environment is a constitutional duty. The main objective of the Act, though enacted before promulgation of the new Kenyan Constitution, is to provide an appropriate legal and institutional framework for management of the environment. The Act makes it a criminal offence to interfere with fragile ecosystems and the penalties provided are criminal in nature.

The impacts resulting from the construction of the project have been documented in Chapter 3 of this updated RAP report and will be mitigated as directed in the project ESIA report.

4.3.7 Urban areas and cities act, 2011

Section 26 (b) gives power to the County government to formulate and implement a master plan for urban and physical planning. This plan framework would form the basis for infrastructure development and provision of essential services including provision of water, sanitation, health care, education, housing, transport, disaster management system and facility for safe environment. According to section 26 (c) the County government is expected to exercise control over land use, land subdivision, land development and zoning of public and private land for any purpose including agriculture, industry, commerce, market, employment centres, residential areas, recreation parks, entertainment, passage transport freight and the transit stations within the framework of spatial and master plans of City and Municipality. Section 44 provides for the County Government to form partnership of social infrastructural services with companies within and outside the County. This includes the construction of roads, environmental conservations and preservation, construction of health centers and promotion of tourist and cultural events.

The proposed activities are in line with the county spatial plans and the respective infrastructure master plans for Wajir County.

4.3.8 The Valuers Act (1985)

Valuation of land is a critical aspect of compulsory acquisition practice and compensation. The National Land Commission based on land valuation determined by registered valuers will make compensation awards. Besides, the Valuers Act¹⁵ establishes the Valuers Registration Board, which regulates the activities and practice of registered valuers. All valuers must be registered with the Board to practice in Kenya. The Board shall keep and maintain the names of registered valuers, which shall include the date of entry in the register; the address of the person registered the qualification of the person and other particulars that Board may find necessary.

¹⁵The Valuers Act, Chapter 532, http://www.kenyalaw.org/kenyalaw/klr_app/frames.php, accessed May 25, 2011.

As of June 2012, there were 627 registered valuers in Kenya.¹⁶ The Valuers Act does not provide for a description of the valuation procedures and methods. The RAP team has made use of the services of registered valuers who are approved by the Valuers Registration Board.

Under the Valuers Act, professional misconduct of a registered valuer will include:

- False or incorrect entry in the register;
- False or misleading statement caused by omission or suppression of material fact;¹⁷ and
- The acceptance of “any professional valuation work which involves the giving or receiving of discounts or commissions.”¹⁸

In case of professional misconduct, the registered valuer is guilty of an offense punishable with a fine (not exceeding KShs.10, 000) and/or imprisonment for three years. Fees for land valuation in case of compulsory acquisition are established based on the value of the property as “the first KShs 400,000 at 1 percent. Residue at 0.5 percent”¹⁹ and are paid by those who requested the valuation.

4.3.9 Housing Policy 2011

The overall goal of this Housing Policy is to facilitate the provisions of adequate shelter and a healthy living environment at an affordable cost to all socio-economic groups in Kenya to foster sustainable human settlements. This will minimize the number of citizens living in shelters that are below the habitable living conditions. It will also curtail the mushrooming of slums and informal settlements especially in the major towns. **This RAP identified that no person would lose shelter due to the planned Project.**

4.3.10 Evictions Guidelines April 2020

The policy guidelines recommend that the Government shall take all appropriate steps to prohibit, prevent and provide remedies in all cases of forced evictions whether carried out or threatened by State or non-State actors. The Government shall take all necessary steps to legally prohibit forced evictions. The Government shall apply all appropriate civil and/or criminal penalties against any person or entity whether public or private, who carries out a forced eviction in breach of the law. The Government shall ensure that protections against forced evictions, the right to secure tenure and the right to adequate housing shall be guaranteed without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The Government shall guarantee the equal right of women and men to the enjoyment of the rights articulated within the present Guidelines. The Government shall also take special action to provide sufficient protection to vulnerable groups such as women, people living HIV/AIDS, children, and people with disabilities, the sick and the elderly. The Government shall secure, by all appropriate means including the provision of security of tenure, the maximum

¹⁶Government of Kenya, Kenya Gazette notice no. 2892, March 18, 2011. Registered and Practicing Valuers.

¹⁷ The Valuers Act, § 24 and Legal Notice no. 32.

¹⁸ Land Act 2012, article 128.

¹⁹Legal Notice 32.

degree of effective protection against the practice of forced evictions for all persons. The Government shall actively monitor and carry out quantitative and qualitative evaluations to determine the number, type and long-term consequences of evictions, including forced eviction, that occur within their jurisdiction and territory of effective control. Monitoring reports and findings should be made available to the public and concerned international parties in order to promote the development of best practices and problem-solving experiences based on lessons learned. The policy guideline advise that the Government shall entrust an independent national body such as the Kenya National Human Rights Commission, to monitor and investigate forced evictions and State compliance with these guidelines and international human rights law.

In this updated RAP, no one will be will be displaced and evicted forcefully from any public or private land but will be compensated for both structure and loss of business income in order to relocate their assets encroaching sanitary lane right of way(ROW).

4.3.11 Matrimonial Property Act No 49 of 2013, Ownership of Matrimonial Property

In the event of a divorce, Matrimonial Property Act 2019, provides a framework on how spouses share the wealth. The act states that property acquired during the subsistence of the marriage is divided according to the contribution of a spouse towards that acquisition. In considering what constitutes contribution, the Courts are guided by Section 2 of the Act under which both monetary and non-monetary contribution are considered. Non-monetary contribution includes farm work, management of the family business or property, companionship, child care, domestic work and management of the matrimonial home. Property acquired during the subsistence of the marriage is presumed to be owned by both spouses equally, until proven otherwise. For property registered in the name of one spouse acquired during the subsistence of the marriage, the law presumes that it is held in trust for the other spouse. As for property held in their joint names, the presumption is that each of the spouses has an equal beneficial interest to the property. Therefore, in division of such properties, each party has to prove his/her level of contribution, whether monetary or non-monetary. It is important to note that property rights do not have to be determined only after the dissolution of the marriage. A person can move to court by way of a petition for declaration of rights over any property that is contested between that person and a spouse or former spouse of that person. This can happen when for example auctioneers wrongly attach property that is presumed to be matrimonial property. In a polygamous marriage set up, the principles espoused above remain the same. However, each wife owns her property distinctly from the others, and is presumed to co-own it with the husband unless the contrary is proved. The Matrimonial Property Act applies to all kinds of marriages except those contracted under Islamic law. Marriages under customary law apply customary to the extent that they are consistent with the Constitution of Kenya.

In complying to this policy provision, this RAP provides for equal right to information regarding compensation of affected structure and disbursement of compensation funds through an agreed account of both spouse and with consent from children above the age of 18 years.

4.3.12 Constitutional Provisions and Disability

The Constitution of Kenya 2010, (Chapter 4, part III), Application of Rights (Clause 54) states:

A person with any disability is entitled: -

- a) to be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning;
- b) to access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person;
- c) to reasonable access to all places, public transport and information;
- d) to use Sign language, Braille or other appropriate means of communication;
- e) to access materials and devices to overcome constraint arising from the person's disability.
- f) (2) The State shall ensure the progressive implementation of the principle that at least five percent of the members of the public in elective and appointive bodies are persons with disabilities.

In complying with this provision this RAP has ensured Vulnerable groups including PLWD have been identified and earmarked for special assistance (see sub-section 6.1.3) as well given opportunity in committee's representation such as GRM committees. Further the RAP ensures to provide transport in all implementation period for those PLWD appointed to the committee's positions.

4.3.13 Wayleave Acquisition Process in Kenya

Wayleave is a right of way (ROW) over the land of another. This ROW is for carrying water, drain, power line or pipeline into, through, over or under any lands but in so doing may interfere with the existing buildings. In Kenya the Wayleave Act Cap 292 and Energy Act of 2006 allow for ROW of water supply and sewer lines in this case sanitary lanes. The right of way is for carrying sewer lines, water supply, or pipeline through, over, or under any land. All this is provided for in the Wayleave Act Cap 292 and Energy Act of 2006. In Kenya, wayleaves last for the life of the intended use, which in most cases is in perpetuity. You need to understand that a wayleave is a statutory right that grants Service Provider, the rights to install its lines and other equipment on, over, or under private land. A wayleave is often registrable as an easement, which makes it specifically described and defined. When land is earmarked as a wayleave, it often means that the owner of the land has accepted to its right of way by the holder of the easement. It, therefore, means that he or she omits to do some activity or accepts some activities to be done on the land. In most part of the county, wayleaves are corridors of about 25 to 180 feet's where public utilities such as electric utilities, sewer lines and water pipelines purchase the right of way or easement. Wayleaves are to be kept clear of vegetation and any other obstructions that could hinder the construction, operation, and maintenance of these public utilities. If for any reasons you agree to purchase land where there is an easement, you need to check to confirm that what you seek to do on the land is compatible with wayleave service instituted. Therefore, to be on the safe side, any activity you do must ensure that repair crews have access to the wayleave when doing their work.

In this updated RAP the intention is to clear the sanitary lane right of way and compensate those individual whose assets and business are affected. Affected persons will be given a prior notice in order to clear and rehabilitate the lanes after they are given their full compensation package.

4.3.14 The sexual offences act 2006

This Act protects people and employees from any unwanted sexual attention or advances by staff members. This act ensures the safety of women, children and men from any sexual offences which

include: rape, defilement, indecent acts. This law will govern the code of conduct of the Contractor's staff and provide repercussions of any wrong doing. The sexual offense act, 2006 supports Kenya Employment Act of 2007 that a worker should not be harassed sexually so as to receive preferential treatment at workplace or detrimental treatment on present or future employment.

The project affected person and the staff involved in the implementation of this updated RAP will be sensitized on sexual exploitation and abuse, sexual harassments, GBV cases in order to safeguard the right of every individual involved in the implementation of the RAP activity as well as the civil work construction activities of the proposed opening, rehabilitation and improvement of the sanitary lanes.

4.3.15 The children's act 2001

This Act protects the welfare of children within the Country. The Act identifies children as a person below the age of 18 years old and protects them from any exploitation. Of particular importance to this project, is section 10, which protects the child from economic exploitation and any work that interferes with his/ her education, or is harmful to the child's health or physical, mental, spiritual, moral or social development.

No child will be exploited during the implementation of the project and implementation of this updated RAP. The project will ensure that all project staff and contractor staff are above 18 years of age.

4.3.16 The prevention, protection and assistance to internally displaced persons and affected communities act, 2012

The provisions of this Act are guided by the Bill of Rights under the Constitution of Kenya. (2010). Section 5 of the Act lists development projects among the displacing factors and outlines involvement of the affected persons through awareness, sensitization, training and education on causes, impact, consequences and prevention measures. Section 6 of the Act provides that displacements and relocation from land required for a development project will only be justified by a compelling and overriding public interest. The procedures to follow are listed under section 22 and include: -

- *Justification as to why the displacement is unavoidable and that there is no other feasible alternative;*
- *Seeking free and informed consent from the affected persons;*
- *Holding public hearing on project planning;*
- *Giving reasonable notice to allow the affected persons review and react to the displacement conditions; and that*
- *Displacement process should reflect respect to human rights.*

Relocation of the affected persons should, according to section 22 of the Act, be guided by the following factors: -

- *Full information on the affected persons and ensuring their participation;*
- *Identification of safe, adequate and habitable alternatives;*
- *Availability of safety, nutrition, health, and hygiene as well as protection at the new location; and*
- *Acceptability by the host communities in the new location where re-location is implemented.*

The project will not forcefully displace anyone, PAPs have been informed about the project impacts and have provided support to the project. No one will forcefully be displaced by the project.

4.3.17 County governments act, 2012

This is an act of Parliament to give effect to Chapter Eleven of the Constitution; to provide for county governments powers, functions and responsibilities to deliver services and for connected purposes. According to section 103 the objectives of county planning shall be to;

- Protect the historical and cultural heritage, artefacts and sites within the county; and
- Make reservations for public security and other critical national infrastructure and other utilities and services;
- work towards the achievement and maintenance of a tree cover of at least ten per cent of the land area of Kenya as provided in Article 69 of the Constitution; and
- Develop the human resource capacity of the county.
- Under section 104, (1) A county government shall plan for the county and no public funds shall be appropriated outside a planning framework developed by the county executive committee and approved by the county assembly.
- The county planning framework shall integrate economic, physical, social, environmental and spatial planning.
- The county government shall designate county departments, cities and urban areas, sub-counties and Wards as planning authorities of the county.
- To promote public participation, non-state actors shall be incorporated in the planning processes by all authorities. Under section 111, (1) For each city and municipality there shall be; the
 - a. City or municipal land use plans;
 - b. City or municipal building and zoning plans;
 - c. City or urban area building and zoning plans;
 - d. Location of recreational areas and public facilities.

The project designs are approved by the requisite county government departments which also involved public participation. However, the area is also encroached by few shop canopies who will be compensated by WAJWASCO before works commence the project implementation.

4.3.18 The physical planning act (cap 286) 2010

Under the Physical Planning Act, physical development activities are supposed to be carried out according to the physical plans. The Act provides for the preparation and implementation of physical development plans and for related purposes. It gives provisions for the development of local physical development plan for guiding and coordinating development of infrastructure facilities and services within the area of authority of County, municipal and town council and for specific control of the use and development of land.

Accordingly, the processes of physical planning involve two stages; the plan making stage and the development control stage. The former involves drawing up the actual plan to indicate the various activities and zones whereas the latter involves the process of determining applications by developers to carry out specific development activities. Section 36 states “if in connection with a

development application a local authority is of the opinion that proposals for industrial location, dumping site, sewerage treatment, quarries or any other development activity will have injurious impact on the environment, the applicant shall be required to submit together with the application an environment impact assessment report". The site layout plans of the project locations is provided in chapter 1 this report on figure 1-2 to figure 1-7.

The proponent shall secure all mandatory approvals and permits as required by the law.

4.4 World Bank Safeguard Policy on Resettlement (OP 4.12)

The World Bank Operational Policy 4.12, Framework of November 2002, is a common standard of approved principles and guidelines for compensation/resettlement for this type of project. It however, requires harmonization with national laws of the subject country to the extent possible. Where there are differences, World Bank OP 4.12, applies.

World Bank's Safeguard Operational Policy O.P. 4.12 on 'Involuntary Resettlement' requires that displaced persons should be compensated at full replacement cost.

The World Bank Group O.P. 4.12 on Involuntary Resettlement is, therefore, applicable to the project. The key features of this directive are as follows:

- (a) All viable alternative project designs should be explored to avoid or minimise the need for resettlement and when it cannot be avoided, to minimise the scale and impacts of resettlement.
- (b) Resettlement measures are to be conceived and executed as development activities.
- (c) Assistance should be given to the community in their efforts to improve former production levels, income-earning capacity and living standards, or at least restore them to the levels at which they would have been without the project.
- (d) Displaced persons should be:
 - Compensated at full replacement cost prior to the actual move;
 - Assisted with relocation; and
 - supported during the transition period.

Application

Attention will be given to socially disadvantaged and vulnerable groups as the very poor, the disabled, minorities, orphans and child-headed families, squatters and others without clear legal rights to land, those incapacitated by advanced age, among others. This has been complied with. Vulnerable groups have been identified and earmarked for special assistance (see sub-section 6.1.3).

Communities will be given opportunities to participate in planning, implementing and monitoring their resettlement/compensation. This has been complied with including extensive community and stakeholder consultations. The views of community members and other stakeholders have been

considered and integrated into the RAP (Chapter 5)

4.4.1 Differences Between Kenyan Laws and the World Bank Policy

There are some differences between the World Bank Policy and the Laws of Kenya on resettlement and compensation.

Table 4-2 on Page 4-14 outlines World Bank OP. 4.12 Policy on involuntary resettlement and compares them to the relevant Kenyan legislation.

Recommendations are made on the existing gaps of the Kenyan laws. In general, where there is a difference between Kenyan Law and OP 4.12, the latter shall prevail.

Table 4-2: Comparative Analysis of World Bank OP 4.12 and Government of Kenya requirements including measures to address gaps

OP 4.12	Kenyan Legislation	Comparison	Recommendation to Address Gap
GENERAL REQUIREMENTS			
<p>World Bank OP4.12 has overall policy objectives, requiring that:</p> <ol style="list-style-type: none"> 1. Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives. 2. Resettlement programs should be sustainable, include meaningful consultation with affected parties, and provide benefits to the affected parties. 3. Displaced persons should be assisted in improving livelihoods etc., or at least restoring them to previous levels. 	<ol style="list-style-type: none"> 1. According to Kenyan Legislation, involuntary resettlement may occur as a result of projects implemented in public interest. 2. The Land Act, 2012 Act outlines procedures for sensitizing the affected population to the project and for consultation on implications and grievance procedures. 3. The Land Act 2012 guarantees the right to fair and just compensation in case of relocation. 	<ol style="list-style-type: none"> 1. The Land Act does not stipulate that resettlement should be avoided wherever possible; on the contrary, as long as a project is for public interest, involuntary resettlement is considered to be inevitable. 2. Same as the World Bank 3. Just and fair compensation as outlined in the Land Act 2012 is not clear and can only be determined by NLC, which can be subjective. It does not talk about improving livelihood or restoring them to pre-project status. 	<ol style="list-style-type: none"> 1. For RAP, ensure that resettlement issues are considered at the design stage of the project to avoid/ minimize resettlement. <p>Implement World Bank OP 4.12 policy – affected persons should be assisted in improving their livelihood to pre-project status.</p>
PROCESS REQUIREMENTS			
<p>Consultation: Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs</p>	<p>The Land Act outlines procedures for consultation with affected population by the NLC and grievance management procedures.</p>	<p>Same as World Bank</p>	<p>Implement consultation procedures as outlined in both Kenyan legislation and World Bank.</p>

OP 4.12	Kenyan Legislation	Comparison	Recommendation to Address Gap
<p>Grievance: For physical resettlement, appropriate and accessible grievance mechanism will be established.</p>	<p>Land Act 2012 clearly outline the steps and process for grievance redress that includes alternative dispute resolution, re-negotiation with NLC and is backed by the judicial system through Environmental and Land Court</p>	<p>Kenyan legislation meets OP4.12 requirements.</p>	<p>N/A</p>
<p>Eligibility Criteria Defined as: (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan (c) those who have no recognizable legal right or claim to the land they are occupying To determine eligibility: Carry out resettlement census. Cut-off date for eligibility is the day when the census begins.</p>	<p>The Land Act 2012 provides that written and unwritten official or customary land rights are recognized as valid land right. The Law provides that people eligible for compensation are those holding land tenure rights Land Act also recognizes those who have interest or some claim in the land such pastoralist or who use the land for their livelihood. The constitution recognizes ‘occupants of land even if they do not have titles’ and payment made in good faith to those occupants of land. However, this does not include those who illegally acquired land</p>	<p>Kenya’s Land Law defines eligibility as both formal (legal) and informal (customary) owners of expropriated land. However, it does not specifically recognize all users of the land to be compensated. The constitution of Kenya on the other hand recognizes ‘occupants of land’ who do not have title and who the state has an obligation to pay in good faith when compulsory acquisition is made.</p> <p>Same as World Bank</p>	<p>Ensure ALL users (including illegal squatters, laborers, rights of access) of affected lands are included in the census survey or are paid</p> <p>Implement cut-off procedures as outlined in the RPF and Kenyan Law</p>

OP 4.12	Kenyan Legislation	Comparison	Recommendation to Address Gap
	<p>Land Act 2012 provides for census through NLC inspection and valuation process</p>		
<p>Measures: Preference should be given to land based resettlement strategies for displaced persons whose livelihoods are land-based. Cash based compensation should only be made where (a) land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for lost assets exist and there is sufficient supply of land and housing; or (c) livelihoods are not land-based.</p> <p>World Bank OP4.12 Article 6(a) requires that displaced persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an impact, displaced persons must be provided with assistance during relocation and</p>	<p>Legislation provides for land for land compensation, but the Land Act 2012 does not state whether preference should be granted to land compensation.</p> <p>Land Act 2012 appears to prefer mode of compensation by the Government to the affected population.</p> <p>Land Act talks of prompt, just compensation before the acquisition of land.</p> <p>However, interpretation of just compensation is yet to be clearly outlined through a specific schedule defining just compensation have not been put in place.</p>	<p>Land for Land provided for in the Land Act based on agreement by the PAP. Cash based compensation seems to be the preferred mode of awarding compensation to the affected population by Government of Kenya</p> <p>‘Just compensation’ as stipulated in the Land Act not yet specifically defined.</p> <p>OP 4.12 provides related land transaction fees. Land Act not clear on this.</p>	<p>Ensure ALL users (including illegal squatters, laborers, rights of access) of affected lands are included in the census survey or are paid</p> <p>(b) If the impacts include physical relocation include measures to ensure that the displaced persons are</p> <p>(i) provide assistance (such as moving allowances) during relocation; and</p> <p>(ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to</p>

OP 4.12	Kenyan Legislation	Comparison	Recommendation to Address Gap
<p>residential housing, housing sites and/or agricultural sites to at least equivalent standards as the previous site. Replacement cost does not take depreciation into account. In terms of valuing assets, if the residual of the asset being taken is not economically viable, compensation and assistance must be provided as if the entire asset had been taken.</p> <p>Compensation and other assistance required for relocation should be determined prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required</p>	<p>Attorney’s fees, cost of obtaining advice or cost incurred in preparing and making written claim not in the Land Act other than ‘just compensation’</p> <p>The Act does not out rightly stipulate assistance for relocation but can be interpreted that relocation cost will be included in just compensation.</p>	<p>OP4.12 requires that displacement must not occur before all necessary measures for resettlement are in place, i.e., measures over and above simple compensation</p>	<p>the advantages of the old site.</p> <p>(c) Ensure that displaced persons are</p> <ul style="list-style-type: none"> (i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; (ii) provided with development assistance in addition to compensation measures (iii) such as land preparation, credit facilities, training, or job opportunities. <p>Implement prompt and effective compensation at full replacement cost for the losses of the assets.</p> <p>Ensure that ALL resettlement options are agreed on with PAPs and put in place BEFORE displacement of affected persons.</p>

OP 4.12	Kenyan Legislation	Comparison	Recommendation to Address Gap
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<p>Valuation: With regard to land and structures, “replacement cost” is defined as follows:</p> <p>For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes.</p>	<p>Valuation is covered by the Land Act 2012 and stipulates, as already mentioned, that the affected person receive just compensation from NLC, as determined by National Land Commission. Valuers Act stipulates that a residual amount of 0.5% of the total valuation of an asset is expected to pay the valuer. Land Act 2012 talks of just compensation for the lost assets but it is not specific of the exact amount or procedures on the same.</p> <p>The Land Act 2012 stipulates just compensation.</p>	<p>Though one could argue that there is some form of consistency between the Kenyan Law and World Bank OP.4.12, interpretation of ‘just compensation’ has not been defined.</p> <p>Interpretation of just compensation not clear</p> <p>Interpretation of just compensation not clear.</p>	<p>Apply the World Bank OP4.12 valuation measures, as outlined in Section 6, to fully value all affected assets in a consistent manner.</p> <p>Apply World Bank OP4.12 on valuation and compensation measures.</p> <p>Apply World Bank OP4.12 on valuation and compensation procedures.</p>
<p>Monitor Adequate monitoring and evaluation of activities to be undertaken.</p>	<p>According to Land Act can be undertaken County Land Boards.</p>	<p>Both Kenyan Law and World Bank policy advocates for Monitoring and Evaluation</p>	<p>Implement as prescribed in the World Bank OP4.12 and Kenyan Law.</p>

CHAPTER 5: STAKEHOLDER CONSULTATIONS AND PUBLIC PARTICIPATION

5.1 World Bank Group (WBG) OP 4.12 on Involuntary Resettlement

World Bank OP 4.12 on Involuntary Resettlement requires that under Clause (14) Eligibility for benefits that upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities and it specifies grievance mechanisms.

The Land Act 2012 on the other side outlines procedures for consultation with affected population by the NLC and grievance management procedures.

Therefore, to conform to the above discussed legal and policy provisions, detailed community consultations including the PAPs, were carried out in order to inform them the project component and the expected impacts, affected property identification, Cut-off date and valuation principles to be followed during the RAP update process. The views of the community and PAPs were documented and have been integrated into the resettlement and compensation measures and strategies outlined in this RAP.

5.1.1 Objectives of Stakeholder and public Consultations

Stakeholder and public consultation during RAP update process is aimed to disseminate information to interested and affected parties, solicit their views and consult on sensitive issues. The specific aims of the public consultation and participation include:

- *Explain Justification on the need for an update of the 2017 RAP*
- *Create awareness and garner broad community support for the proposed project.*
- *Explain to them the specific components of the projects and the expected impacts from the proposed project activities*
- *Obtain opinions and suggestions from the directly project affected persons on the Project impact and best suited measures to mitigate them*
- *Introduce project implementation activities and potential impacts to the community members*
- *Explain how these impacts would be mitigated especially for the project affected persons*
- *Identify various socially and culturally acceptable mitigation measures.*
- *Identify the community expectations and fears related to the project activities;*
- *Explain to them grievance channels and identify Grievance Redress Committee members for each of the project village.*

5.2 PUBLIC PARTICIPATION STRATEGY

To ensure full involvement of the affected stakeholders, the following strategy was employed for community and stakeholder consultations:

- a. The local administration was informed of our intended and planned public meetings,

planned with them and mobilized the participants affected through them. This included the Chief, Assistant chiefs, Ward Administrator.

- b. The local leadership assisted the Safeguards team on Stakeholders mappings for consultation.
- c. Local FMs was used to publicize the sanitary project in order to
- d. Community dialogues/meetings were arranged (dates, venues etc.) at the respective site levels where the Project Affected Persons were.
- e. Community leaders were facilitated to undertake community mobilization and arrange for community dialogues.
- f. The meetings were held in both English and Swahili languages.
- g. Community members' and stakeholders' attendance, views and concerns were recorded.

5.3 Public participation methodology

Public participation was mainly achieved through public meetings, interview of key informants, specific consultation meeting with the PAPs, administration of socio-economic survey questionnaires and by observation. The team began the public consultation process by holding preparatory meetings to strategize on how to engage the community and the stakeholders with area chiefs followed by a key informant interview. After the public participation meetings where the community within project area was sensitized on the project component, design and project impacts, cut-off dates the team proceeded to collect data from relevant source.

5.4 Schedule of public Consultations

The project proponent team lead by Wajwasco social safeguard expert undertook public consultations at all the project site locations including township, hodhan, alimaow barwaqo, jogoo, godade and wagberi in order to ensure that all concerns regarding the project implementation activities and the associated impacts on the local people and their livelihood activities were raised and openly discussed prior to the start of the census survey work and asset registry. Public participation meetings provided an opportunity for the community to have an understanding of the project objective, scope, design, and activities. A total of 4 general community consultation meeting were conducted as presented in the table 5-1 below. The meetings provided an opportunity for participants to share their feedback and questions relating to the project and resettlement process. In the meetings the **cut-off date was established to be 13th April 2022; the first date when the census of the impacted asset commenced.** The summary of the verbatim issues raised during the meetings was presented in table 5-2 below. The minutes and signed attendance lists of the public consulted meeting is attached in **Annex II** of this report. However, sample photos of the public consultations are presented in figure 5-1 to 5-3 below.

Table 5-1: schedule of public consultation meetings

S/NO	DATE	VENUE	MEMBERS OF PUBLIC
1	5 th April 2022	WAJWASCO BOARDROOM.	<ul style="list-style-type: none"> • Area chiefs of seven locations and technical team
2	7 th April 2022	Wajir Resort	<ul style="list-style-type: none"> • Members of Hodhan and township locations

3	12 th April 2022	Wajir county guest house	<ul style="list-style-type: none"> Members of jogo, wagberi, godade locations
4	16 th April 2022	Wajir Red cross hall	<ul style="list-style-type: none"> Members of alimaow and barwaqo locations.
5.	31 st December 2022	KPLC wajir branch office	<ul style="list-style-type: none"> Kplc manager and other kplc staff, and project technical team..

Table 5-2: issue raised during the public consultation meeting.

ISSUES Raised	Reponses
<p><u>Project support.</u></p> <p>The community members expressed support for the project and the role it would play in benefiting wajir community with many stating that it will reduce sanitation challenges, enhance collection of solid waste and fecal matter, increase mobility, enhance security and provision of better sanitation service which they don't have currently.</p>	<p>The community were made aware of both project positive and negative impact and informed that the anticipated negative impacts are low and reversible hence proper mitigation measure can be put in place in order to avert negative and enhance positive impacts.</p>
<p><u>Project location and timeline</u></p> <p>The community members enquired whether the project is selectively implemented in a specific location within wajir town.</p> <p>When will the actual civil works commence.</p>	<p>The project is implemented in the entire seven locations within wajir town project area and the aim is to ensure the lanes are opened and accessible to waste collectors of both solid and fecal waste.</p> <p>The civil works are expected to commence around September 2023. The actual dates will be communicated later to the community.</p>
<p><u>Project component.</u></p> <p>As part of the larger WSDP components resident requested the ecosan toilets to be increase to 100 if not more since its cost effective and environmentally friendly. Further the community should be encourage to build ecosan rather than septic tanks that can sip into the ground water.</p>	<p>The ecosan toilets are meant for piloting purpose. It will be monitored and if they work well, more will be constructed to solve the issues of poor sanitation.</p>
<p><u>Project impact</u></p> <p>Due to fear of ravaging drought community members have expressed fear of exacerbating</p>	<p>The project is intending to compensate for each and every affected asset including</p>

<p>water crises if the shallow wells are demolished.</p> <p>Wajir have unstable power supply, will it not increase the problem since a lot of poles are within the lanes.</p> <p>Opening of the lanes will increase the turnover of waste collection. What plan does the project proponent put in place since the Alimaow dumping site have an issue?</p> <p>Bucket toilets are not all registered with the county and most probably these are the people who bury the waste behind their toilets does the project addresses this problem?</p> <p>The community expressed that there are a number of septic tanks which were notemptied since it was constructed. They enquired whether the project has a plan for thissince it address sanitation issue.</p>	<p>shallow wells and the owners are given ample time to reconstruct the said asset before its demolished.</p> <p>All the poles will not be remove at once, the proponent will plan with KPLC and ensure done one line of supply after the other. It will also ensure it restore and fixed quickly since the project will provide budget to undertake restoration of power after the relocation is done.</p> <p>Water and sanitation project (wsdp) is supporting a multi-pronged approach to improved sanitation that includes consultancies, works, and associated goods. The interventions cover the various aspects of the sanitation service chain, from improvement of the containment, collection, emptying, transportation and treatment of fecal waste. There is a hight level of discussion on the alimaow dumping site and the proponent is hopeful that the issue will be resolve quickly. The WSDP project plans to improve and construct fecal sludge treatment facility which is estimated to handle the projected fecal waste of wajir town.</p> <p>WSDP has a consultancy service component such as sanitation behavior change campaign program and technical assistance to night soil collection that will address such matters of great importance. Further county sanitation and hygiene policies will be developed and if adopted it will be enforced.</p> <p>The public were encouraged to report such matter to the county relevant department such as public health and wajir municipality. Farther action will be taken if confirmed true by the concern team.</p>
<p><u>Project design</u></p> <p>Are lanes going to be tarmacked and provided with good drainage system?</p> <p>Members expressed that most of the community member do not understand exact</p>	<p>The project only intends to open, gravel and provide drainage but cannot afford to tarmac due to financial constraints.</p> <p>The county surveyor is part of the project team and will provide clarity on the lanes and</p>

<p>boundary of the lanes and request project proponent to provide surveyor for clarification when the census is undertaken</p>	<p>also enlighten the PAPs areas where the beacon of their plots are.</p>
<p><u>Compensation issues.</u> Who will compensate the affected people and who will determine the cost of compensation.</p> <p>are both permanent and temporary structure considered for compensation?</p> <p>What is the fate of those who will start erecting structure after they hear of compensation?</p> <p>Are Properties attached to and/or close to or adjacent to the affected once considered for compensation?</p>	<p>The project proponent will compensate the affected people but the development fund for civil works construction is a loan to government of Kenya and a grant to the county of government Wajir.</p> <p>The proponent will engage a valuer to do valuation and the methodology will be discussed with the PAPs when the valuation exercise is undertaken at a later stage of the RAP process.</p> <p>All impacted asset whether permanent, semi-permanent or temporary are eligible for compensation regardless of who own.</p> <p>The members of the public are caution not construct structure after the project sensitization meetings. Any individual found will be construed as professional PAPs and the county bulldozers will pull down such structures.</p> <p>PAPs were further clarified to that valuation will be done to only affected structures at full replacement cost. Structures attached to the affected structures and those away from the road reserves will not be included in the asset register.</p>
<p><u>Solid Waste Management Component</u> Community members wanted to know if the project will incorporate any component on solid waste management since it was a major problem faced by residents. They reported that the collection pins provided by the county are not enough and available at strategic areas of waste collection point.</p>	<p>Community members in attendance were informed that in this component already the project has procured a number of goods such as 1Nr. 15-tonne tipper, 500Nr. Personal Protective Equipment (PPE) people charged with the responsibility of garbage collection and an 80HP Multipurpose tractor. The community were also encouraged to give in more proposals on solid waste handling for future deliberation.</p>
<p><u>Employment opportunities to locals</u> The issue of exclusion in participation in paid labour during construction was also raised in the meeting. Residents especially the youth</p>	<p>It was resolved that the contractor should hire casuals from the area during project implementation phase. Recruitment will be overseen by local 'Bula' heads and existing</p>

<p>noted that in the previous projects the contractors outsourced most of the workforce, yet they were willing and to work. Residents further noted that if the contractor does not hire some of the local youth it might lead to resistance and delays in project implementation.</p>	<p>local administration who will vet and hire local labourers and at the same time ensuring that each clan is represented. Vulnerable PAPs will be accorded priority in the hiring of casual labourers and other technical skill. Those with other technical skill ware encouraged to apply for consideration. Residents were informed that the contractors must come with his permanent staff and only hire when job opportunities are available.</p>
<p><u>Other issues</u></p>	
<p><u>Water shortage and plans in WSDP.</u> the attendees expressed that wajir town population is experiencing a serious shortage of water supply and inform the meeting that the shallow wells which were the backbone of the town have dried. Only few areas including qoraxey wells and shalety wells have water. However, they have had in several forums where WSDP is addressing such issues in getting water from lambib and rihfeit area to wajir town. The enquired whether the said sub-projects on course and viable.</p>	<p>The project engineer informed the meeting that the drilling of 10Nr boreholes is ongoing and the team is hopeful to get water that can only sustain the town until the long term phase of the project which getting water from Merti aquifer is implemented. He encourage the public to bear with the team since matter is being addressed.</p>



Figure5-1 Consultation with KPLC wajir branch officials



Figure:5-2: public consultation at wajir count guest house



Figure 5-3: consultation meeting with area chiefs at wajwasco boardroom.

ADDITIONAL CONSULTATION MEETINGS WITH THE PAPs.

Part of the PAPs consultation was undertaken at individual's household level when the census of the impacted asset/PAPs and the socio-economic survey questioner was administered. The PAPs were given project information and enlighten on the resettlement process. In addition, a total of 3 PAPs consultation meeting was undertaken between 19th to 25th of July 2023 as shown in the table 5-3 of the schedule below. The objective was to ensure PAPs comment, concerns and views are incorporated in the RAP update process. In this meetings validation of the census date, asset affected, ownership of asset and formation of village GRM committee members was done. The summary of the verbatim resettlement issues is presented in table 5-4 below and the minutes and attendance list is attached in annex 1 of this report.

Sample photo of the meeting is presented in figure 5-4 to 5-10 below.

Table 5-3: Schedule of PAPs meeting.

S/NO	DATE	VENUE	MEMBERS OF PUBLIC
1	19 th July 2023	Wajir Redcross hall	<ul style="list-style-type: none"> PAPs of Aliow, Barwaqo and Hodhan locations
2	21 st JULY 2023	Midpoint hotel	<ul style="list-style-type: none"> PAPs of Wagberi and Township locations
3	25 th July 2023	Greenville garden hotel	<ul style="list-style-type: none"> PAPs of Jogoo and Godade locations.

Name of the PAPs	Verbatim issue raised	Response to the issue.
<i>Omar abdullahi of wagberi location</i>	Was land considered in the compensation package.	Project doesn't acquire land but rather relocate asset located within the right of way hence not considered.
Ibrahim mohamed of township location	When will the project commence since it was long overdue when the public were made aware of this project.	The proponent is undertaking update of the RAP process which in anticipated thereafter to get approval in a month time. Implementation of RAP is expected to take a month as well and there after civil works construction will commence.
Hassan ali of barwaqo location	Who will meet the cost of relocating KPLC power pole.	The project is aware of the power poles and considered in the RAP budget. No PAP will be required pay for the relocation.
Makai kefa of barwaqo location	Are recently constructed asset considered in the compensation package	Any asset constructed after census of the impacted asset ineligible for compensation and will be pull down during the implementation of the civil works activities
Kadija Hussein of barwaqo	Request surveyor to be on board during the	county surveyor will be on the ground before civil works begin and do what is called setting

location	implementation process to clarify size of plots for PAPs	out of the lane. PAPs were advice not to construct any structure within the lanes and seek guidance and clarification from the county survey office before constructing any structure.
Ugas mohamed of wagberi location	Who will be paid to affected communal asset?	Three selected community members will open joint account and ensure the affected asset is reconstructed in consultation with the area chiefs.
Abdi farah of township location	Enquired whether civil work was contracted and requested respective location to be given priority in award of contracts.	Civil work contractor of the project was already identified and award through the procurement process.
Jimale mohamed of	She enquired if the valuation process has considered the cost of leaving since the cost of reconstructing is not the same as when it was constructed.	Affected asset will be compensated according to current market price. Some of the attribute considered in the valuation includes current market price of the material used, transportation cost and labour cost, the rockiness of the area and among other factors. Beside that vulnerability allowance was also factored in for the vulnerable groups. They were assured that the compensation package for the respective PAPs will be enough for reconstructing new asset of the same size.
Abdi sugow of hodhan village	Who will meet the showing fee of the surveyor and the revenue collection fee collect by the county revenue department when one is constructing permanent structure.	The surveyor will be provided by the project and the revenue collection was considered in the compensation package.
Nasra farah hodhan location	Who will meet the cost of desludging impacted septic tanks	The civil work contractor will desludge and dispose of the waste to the designated site. PAPs are encourage not to demolish septic tanks that were not emptied.
Kadija file of hodhan location	Is demolition of affected asset carried out village by village or all at once ?	The Contractor will present his work program and communicated to the PAPs through the chiefs and local elders on which village the civil work will commence before the others.
Zeytun mohamed of barwaqo location	Are there any other benefit given to the PAPs?	benefit such as employment opportunities will be given priority to the community during the project implementation stage. PAPs who are interested in employment opportunity should

		lias with project implementation team for consideration. However, on the compensation package vulnerability and disturbance allowance was considered in the valuation process and explicitly indicate the respective amounts.
Abdullahi Mohamed of jogoo location	Are PAPs allowed to salvage material from the affected assets	PAPs are allowed to demolish affected asset and salvage valuable material from the impacted asset.
Jimale mohamed of goadade	Are the allowance payable to the PAPs in today's meeting	Due to financial constrains department cannot avoid allowance for today's meeting but it has provided return means of transport for PAPs to their respective locations. it has also procured conference and meals for today's meeting.

Consultation with key informants

In addition to the public consultation meeting The proponent team lead by the social safeguard further consulted Key informants representing various relevant intuitions within Wajir Town project Area. Their views presented in Table 5-5 below.

Table 5-5: view of key informant.

stakeholder	Key issue raised	Response.
CECM water services	The wajir town is experiencing serous water short and several efforts were initiate to avert the situation however as much as sanitation and water go hand in hand the project to take into consideration the current water situation ensure minimal interference to water source.	In regards to water services The project is only affecting the shallow wells within the sanitary lane that are in any case cannot be avoided. The design has ensured the possible limit of extent of destructions.
Forest officer -KFS	Development programs do not give much attention to tree and forest and it's the only way out to control climate change. As long as the project compensate tree own by individuals there could be other tree such as acacia that are not claimed by people. The project team should ensure replanting tree on spaces that are possible to do tree planting. Further the household should be compensated fairly so as it serve as motivation for the people to replant tree.	the project team and civil work contract will identify a suitable area to replant trees after the completion of the civil works. The department will ensure there is fair compensation to all affected asset not only trees.
Social service development office-wajir east	the vulnerable groups in the community should be given an attention so that when the compensation is done a section of the community who cannot speak for themselves is forgotten. The project team	The project team hasenumerator all permanent, semi-permanent and temporary structures regardless of who own. However, in the

	should ensure that temporary structure own by these people are not overlooked.	compensation package the team has ensured allocation of vulnerability allowances to VMGs. In addition, any assistant the is deemed fit will also be accorded to them.
Public health officer wajir east	Appreciated and welcomed the opening and rehabilitation of the lane. Emphasized on inclusion of drainage system to the opening and rehabilitation works. Point that most of the lanes in the town don't have good drainage system and this poses more serious risk when it rains. Request public health officers to be involved during the civil works construction are under taken in order to supervise reconstruction of the septic tanks. This because there are there are cases of reported septic tanks that are leaking to the ground. Now that a good number is demolished and reconstructed he pointed to educate the public during this exercise undertaken.	Informed that in the design drainage system has been considered. However, a general cleaning of this lanes is required from time to time especial when approaching the rainy seasons. This a role under the wajir municipality. For as to achieve high general sanitation standard and reduce the risk of diseases there should be a multi-department approach to enhance such issue. The WSDP project coordination unit has a representative of public health department. However, during the civil work construction it is welcome to have more public health officer in the monitoring team.
Director of urban development-wajir municipality	Appreciated and welcomed the project. pointed that this will ease the task for the department when it comes to improvement of the wajir town sanitation. The civil works part should ensure the work is done a good standard.	There are supervision consultant on board in this WSDP program that will ensure civil works are executed as per the specification.
Surveyor in land department	Most of the project areas has been surveyed and land adjudicated. People should be sensitized and advised to confine their structures within their plots.	Sensitization of the people about the project and the resettlement process will be a continues exercise till the completion and commissioning of the project.
Chairperson of wajir township business community.	Though the project addresses sanitation issues which is a major concern for wajir people, business people should be taken care off in the project and ensure they are fairly compensated. An amble time should also be accorded to relocated their	The project will ensure to capture all affected asset and value them according to the current market rate of reconstruction. On loss of business owners are give both

	business since people are poor and faced several challenges ranging from drought to inflation.	ample time to relocate the structure before its demolished. To cushion from loss of income, Business owners are further given an additional daily average income for the number of days their business will be close for relocation.
Private waste collectors	Welcomed the project and encourage the county to open more lanes since it will open up more customers and increase coverage of waste collection. Enquired on what will happen to KPLC pole.	KPLC poles will be relocated in to a safer area along the lanes. KPLC wajir branch will facilitate to undertake such relocation.



Figure 5-4: Sociologist and director of urban planning noting question raise in the meeting at green vile garden hotel



Figure 5-5: PAPs following proceeding at green vile garden hotel



Figure 5-6: PAPs following proceeding at green vile hotel



Figure 5-7: Sociologist attending to question raised in the meeting at Wajir Redcross hall



Figure 5-8: PAP following meeting at midpoint hotel



Figure 5-9: PAPs raising question in the meeting at Wajir Redcross hall



Figure 5-10: Mowlid Abdullahi helping PAPs to sign attendant list at Greenville garden hotel

5.5 Public Disclosure of RAP and Annual Monitoring Reports

In accordance and OP 4.12, the Project Proponent in this case WAJWASCO will ensure that the results of RAP is disclosed to the Project beneficiary.

- (i) This will be achieved through making the reports available to all relevant host communities within the project locations.
- (ii) This RAP also provides for translation of the executive summary to local somali language which is popularly spoken in the area and presented in annexed IV of this report.

CHAPTER 6: COMPENSATION AND RESETTLEMENT STRATEGY.

6.1 Compensation framework

The constitution of Kenya 2010 and its provision policies have highlighted clearly compensation for projects affected people. These are well stipulated in several acts highlighted in the chapter 4 of this report. The assessment for compensation under this updated RAP is, therefore, statutory and all steps have been taken to comply with the statutory provisions.

This is also in relation to the *World Bank OP 4.12* procedures that spell out who is entitled to resettlement compensation as a result of involuntary displacement due to development projects. However, The Project activities will involve rehabilitation and upgrading of existing sanitary lanes with an aim of improving mobility within the target locations.

There appears to be no legal basis for compensation for land for PAPs along the Right of Way since the main impacts are minimized to asset within the sanitary lane right of way as *No Impact on Private Land Is Triggered.*

6.2 Compensation principles

The compensation principles to be followed are derived from the Kenyan national legislation and the World Bank OP 4.12 procedures on involuntary resettlement. These principles, including the valuation procedures, were all explained to the PAPs and other community members during the community dialogues and stakeholder consultations

- a) *Resettlement and compensation of PAPs will be carried out in compliance with relevant Kenyan laws and WB standards.*
- b) *All PAPs physically or economically displaced shall be adequately, promptly and equitably compensated before the commencement of works at the project-affected sites. All efforts will be taken to provide necessary assistance for PAPs to restore their livelihoods.*
- c) *Special consideration will be given to disadvantaged and/or vulnerable people such as women, children, elderly and the disabled. Provision will be made to enhance their access to their compensation payments. For example, the consent of spouses and children where it applies shall be sought as a prerequisite for compensation payment, as provided by the Land Act (2012).*
- d) *The project will compensate for loss of business income for the number of days the owners have to close the business for project civil work to complete. Its estimate to affect such business for at most 7days.*
- e) *From socio - economic assessment, businesses averagely make KES 1500. For calculated for seven days for each affected business owner experiencing loss of business income.*
- f) *In consideration of the differences between national legislation and the World Bank Safeguard Policy on Involuntary Resettlement, the higher of the two standards will be followed, where it best applies in this RAP, since this approach also satisfies the requirements of the lesser standard.*

6.3 Eligibility for Compensation

The concept of eligibility is used with respect to the definition of PAPs and the criteria for determining their qualification for compensation and other resettlement assistance. This concept was applied in this RAP as described in the Sub section below.

6.3.1 Eligibility for Compensation and ‘cut-off’ date

The project affected persons, irrespective of their status, are eligible for compensation if they have an asset encroaching the sanitary lanes or engaged in any livelihood income-generating activity at the sanitary lane Right of Way sites before the entitlement ‘cut-off date’. The entitlement ‘cut-off’ date refers to the first day when the census and assessment of PAPs and their property in the project area commenced. This was explained to the community members and agreed with PAPs during community dialogues and the PAP census. Thereafter, no new cases will be considered for compensation.

At the start of the asset and census survey, and in order to avoid an influx of additional persons, cut-off date was established to be **13th April 2022**.

The cut-off dates were well-advertised, through discussions with PAPs and local leaders, community meeting and via the dissemination of posters in the project area. Those who encroach on the area after the established cut-off dates will not be eligible for compensation or assistance.

6.3.2 Categories for eligible compensation

The following categories are eligible for compensation:

- d) *PAPs whose structures will be affected by Project activity implementation (encroachers of the sanitary lane), the RAP identified that common structures affected were; Septic tanks, walls, animal shades, semi-permanent house and/or manyatta, shop canopies, community water points and hedges and KPLC power poles.*
- e) *People whose structures (whether permanent, semi-permanent or temporary) are in the in the set-out project area for operating businesses or kiosk, and whose kiosks are to be removed and relocated within their compound; (encroachers)*
- f) *PAPs whose trees are within the set-out project area or the physical project activity implementation; (encroachers)*

Applicable Entitlement Matrix for the above described losses is presented in **Table 6-2**.

The list of the identified properties and owners (PAPs) is attached as in the Valuation Roll in **Annex I**. During the community and public consultations, compensation process was explained to the PAPs and other stakeholders.

6.3.3 Exclusion from Eligibility

As described in earlier, all involuntary displacement (resettlement) is eligible for compensation with the exception of four main categories of loss, which are explicitly classified as ineligible for compensation as described below:

- (i) Losses arising from structures or activities in the ROW of the sanitary lanes, or in any of the sub-project areas impacted by the Project after the cut-off date;
- (ii) Losses arising from structures or activities outside the ROW [fully justified exceptions could be considered by the Grievance Redress Mechanism (GRM)];
- (iii) Losses claimed on a fraudulent basis or by material misrepresentation of facts e.g. of identity, ownership, employment, or nature of asset or use of land.

6.3.4 Vulnerable and marginalized Groups

As per the Social Impact Assessment Report (Zam Consult 2017) and Northern Water works development agencies (NWWDA) Vulnerable and Marginalized Groups (VMGs) Screening, the entire Wajir County is predominantly occupied by native Somali speaking communities who according to world bank OP 4.10 are categorized as Vulnerable and Marginalized.

Therefore, the census identified the following social and distinct groups of people who might suffer disproportionately or face the risk of being vulnerable as a result of resettlement compensation and specifically include: (i) female-and child-headed households, (ii) people leaving with disability household heads, (iii) households where the head is unemployed and (iv) Households headed by elderly persons with no means of support (v) Households that have lost livestock during drought (vi) Sickly household heads with no source of income (unemployed)

This RAP assessment further analyzed vulnerability using several indicators which included:

- (i) Gender dimension regarding ensuring equal right to knowledge and decision on RAP process and management of compensation funds eligible to a household. This vulnerability was identified during census exercise by analysing households with history of misunderstanding and gender abuse between the wife and husband.
- (ii) An analysis of the affected livelihood and assets with regards to ultimate dependency of the on asset or sources of livelihood by the household. This vulnerability was identified during census exercise by analysing and recording other sources of livelihood that the households depend on and/ or the average income from the main income source.
- (iii) Vulnerable and Marginalized Communities likely to be impacted by the Project, this factor was considered with an understanding that Wajir is categorized as a region which is home to native Somali community which is marginalized according to OP 4.10 and Kenyan Constitution 2010.

The RAP also recognizes that vulnerability is a socio-economic dynamic situation and people can stream into a situation of vulnerability as well as stream out. The RAP implementation team will, therefore, need to screen, review and update the vulnerable PAP households identified and update special assistance packages for such vulnerable PAPs; and develop strategies to deliver such assistance. The RAP implementation team will ensure that vulnerable Project affected households understand the RAP implementation process and that their specific needs and concerns at that time are taken into consideration, through targeted consultations with them.

This RAP therefore identified Vulnerable groups during the field census as summarized in **Table 6-1** below and **Figure 6-1**.

Table 6-1: Vulnerable Groups

Location	Type of vulnerability						Total
	elderly	Poor family	Chronically ill	Female headed h/h or widower	disabled	Loss of business/livestock due to drought	
Township	2	nil	1	1	nil	nil	4
Hodhan	10	9	1	3	2	Nil	26
Barwaqo	3	4	NIL	2	1	NIL	10
Godade	3	2	nil	4	nil	4	13
Alimaow	1	6	Nil	Nil	1	Nil	8
Wagberi	1	4	nil	1	1	1	8
Jogoo	15	6	4	6	2	nil	33
Sub total Total	35	31	6	17	7	5	101

The RAP, therefore, identified and enumerated 35 Elderly PAPs, 31 Poor families, 6 Chronically ill, 17 female household heads, 7 PLWDs and 5 PAPs experiencing loss of business/ livestock due to drought

6.3.4.1 Proposed Assistance to Vulnerable Groups

- (viii) Deliberate efforts to be put in place by WAJWASCO to ensure that spouses are included in the opening of joint bank accounts for payment of compensation monies.
- (ix) Linkage to government social programme such as the **"Inua Jamii-Senior citizens"** 70 years, orphan vulnerable children(OVC) and above cash transfer programme for aged PAPs
- (x) Linkage to Livestock extension services where PAPs can receive information about; improved breeds of livestock, veterinary services to livestock and technical assistance for livestock management
- (xi) Targeted and localized house-to-house or group sensitization for the vulnerable project affected households during pre-payment consultations.
- (xii) Priority consideration will be given in processing resettlement compensation payments and specialized assistance in explaining and filling out compensation payment forms.
- (xiii) An extra 18,200 for all vulnerable PAPs identified. This amount covers the average household income for 2 weeks when the PAP will be expected to spend in reinstating the affected property. The socio-economic findings presented below have informed this position.
- (xiv) Specific support involving identification of movers and service providers e.g. plumber and mason will be provided to the vulnerable groups by WAJWASCO in regard to either aiding these PAPs in relocating, moving property or any support that may be deemed appropriate. This support does not attract additional financial implication.

-
- (xv) Consideration of eligible members of the vulnerable Project affected households in the employment in project activities

6.4 Forms of compensations.

6.4.1 Cash compensation.

This is the main strategy for property and income restoration because most of the PAPs are all categorized as encroachers in the project area.

This strategy will be implemented through fair, just and prompt monetary compensation and will apply to all of the PAPs. This strategy will include cash compensation for property and other resettlement assistance to enable PAPs to restore their livelihoods and restore their business for the disruption that will be caused.

The entire PAPs whether experiencing total or partially loss of their physical assets and required to relocate or reconstruct affected or impacted asset within appropriate area of their plot expressed cash compensation as their preferred mode of compensation. The project includes a disturbance allowance of 15% of the value of the impacted asset as part of the compensation package.

6.5 Livelihood Restoration

96% of the impacted asset encroaching the sanitary lane are asset such as septic tank, fence hedge, store, shallow wells, KPLC poles, animal shades, manyatta house, trees and poultry house. However, there are 10 PAPs whose structure of their shops canopies are impacted and required to be removed during the project implementation activities. Such PAPs will further experience reduced or loss of business income during the project activity implementation stage. This PAPs were given in the compensation package an additional seven (7) days average income of 1500 for each day amounting to Ksh 10,500 for each PAP. During the socio economic survey this PAPs reported a business income of Ksh 1000-1500 per day. The total amount payable as a loss of business income to such ten (10) PAPs are Ksh 105,000.

Besides that, the RAP provides for below list of Livelihood restoration measures to be implemented during RAP implementation stage.

6.3.5 Financial Management Training

All PAHs who will receive cash compensation for loss of assets will be eligible for financial management training as per the entitlement matrix. This is in recognition that the absence of financial training could lead to mis-use of the compensation funds leading to increased vulnerability of the PAHs when the PAHs run broke. Financial training will commence as soon as possible but before households get paid their cash compensation. The aim of the training is to ensure adequate money management skills and use of cash to enable livelihood restoration. The financial management training will be based on assessment of existing income-generating patterns which is mainly business.

6.3.6 Linking to Micro-Credit Facilities

Project Affected Households will also be linked to micro-credit facilities in the area.

This is to encourage savings and enable households to invest and restore their livelihoods.

6.3.7 Employment During Construction

PAHs will be offered priority in employment during the implementation stage of this assignment. The supervision consultant will work closely the contractor and wajwasco to ensure that this proposal is effected. The contractor will prepare a Labour Recruitment Plan (LRP) to oversee employment opportunities for PAHs and locals.

6.3.8 Continued Asset Use

Consideration for allowing PAPs to continue to use assets even after they receive compensation (if the assets do not need to be accessed for the project for some time). This will make the transition easier and less stressful. It may reduce the transition periodcosts for the client.

6.6 Entitlement Matrix

The Entitlement Matrix developed for this RAP is presented in **Table 6-2** on **Page 6-5**.

Table 6-2: Entitlement Matrix

Loss	Category of PAP	Entitlement
Residential or Business structure (kiosk, animal shade, poultry house, manyatta house, hedge, kitchen, septic tank e, etc.);	Structure Owners.	<ul style="list-style-type: none"> • Cash compensation based on the market value (= replacement value and 15% of the full replacement cost as the disturbance allowance to cater for the cost of transportation and labour during removal of the structures). • 3-4 weeks' notice to the PAPs of intention to use the site after PAPs have received their compensation amount. • The structure owners have a right of salvage to their property.
	All categories	Provision of 15% cash allowance of the full replacement cost of the impacted asset to the all categories of PAPs.
Loss of Income	Business operators	<ul style="list-style-type: none"> • Cash compensation based on a calculated average loss of business income over an appropriate period (7 days) • 2 weeks' notice to the PAPs of intention to use the site.
Community Asset	Communal waterpoint.	<ul style="list-style-type: none"> • Full replacement cost as compensation of a similar community asset in consultation with the affected persons / community
	Kenya Power Electricity Poles	<ul style="list-style-type: none"> • Realignment of the poles away from the sanitary lane in consultation with Kenya Power as the utility.
Trees	Tree owners	<ul style="list-style-type: none"> • Cash compensation for lost trees and at full replacement cost valued at market rate • 2 weeks notice to the PAPs of intention to use the site
Other	Vulnerable PAPs	<ul style="list-style-type: none"> • Deliberate efforts to be put in place by WAJWASCO to ensure that spouses are included in the opening of joint bank accounts for payment of compensation monies. • Linkage to government social programme such as the "Inua Jamii 70 years and above cash transfer programme for aged PAPs

Loss	Category of PAP	Entitlement
		<ul style="list-style-type: none"> • Linkage to Livestock extension services where PAPs can receive information about; improved breeds of livestock, veterinary services to livestock and technical assistance for livestock management • Targeted and localized house-to-house or group sensitization for the vulnerable PAP households during pre-payment consultations. • Priority consideration will be given in processing resettlement compensation payments and specialized assistance in explaining and filling out compensation payment forms. • Specific support will be provided to the vulnerable groups by WAJWASCO in regard to either aiding these PAPs in relocating, moving property or any support that may be deemed appropriate. • Consideration of eligible members of the vulnerable PAP households in the employment in project activities
Livelihoods restoration measures	All categories	<ul style="list-style-type: none"> • Financial Management training of PAPs • Linking to Micro-Credit Facilities • Employment During Construction • Continued Asset Use
All categories	All categories	<ul style="list-style-type: none"> • Sensitize community members and consulting with the vulnerable groups constantly in order to understand their needs regarding the project to ensure that is relevant, culturally appropriate and responsive to their needs and aspirations. • Support and facilitate the use of customary institutions for grievance and complaints handling. It is cheaper, more appropriate, fairer and acceptable for vulnerable groups to engage ‘bulla ‘elders in mobilization for Project Consultation Meetings.

CHAPTER 7: GRIEVANCE REDRESS MECHANISM

7.1 GRIEVANCE PROCEDURE AND RATIONALE

This section describes the procedure and mechanism through which community members and PAPs will be able to report, make, place/lodge or express a grievance against the Project and its staff or contractors as part of the RAP implementation. It also describes the roles and responsibilities of different structures in resolving grievances. A grievance is any dissatisfaction or sense of injustice or unfairness felt by a person – in this respect a PAP or his/her representative in connection with his/her compensation entitlements, the RAP implementation process, the project developer, the contractor and other scenarios related to project implementation. The grievance is usually brought to the attention of the person(s) in charge, referred to in this RAP as the Grievance Officer (GO). This grievance procedure is intended to put in place and facilitate accessible, prompt and cost-effective handling of grievances at the nearest points of service to community members and the PAPs.

The aim and purpose of this system is to make the grievance handling procedures accessible, prompt and affordable to the PAPs given the generally low values of some of the properties to be affected, and also provide an alternative to the costly and time-consuming formal court procedures for handling grievances and disputes. The objective of the grievance handling systems and procedure is to establish PAPs mechanism for raising complaints related to compensation for loss of structures and assets and having such complaints resolved as amicably as possible through acceptable and binding corrective actions. This grievance management system will be in place throughout the Project construction period, including the exit period.

Grievance management will provide three tiers of amicable review and resolving complains and concerns, with the first tier at the **village level** and second tier at the **project/RAP implementation committee**. At any given time, the two level can adopt and include a mediator if they find it necessary.

Any grievance that has not been amicably resolved at the above two tier level will finally proceed or resort to court which is the third and final (**third level**).

7.2 LEVELS OF GRIEVANCE HANDLING MECHANISM.

7.2.1 First Level: **the first level is Site/village Level grievance redress Committees.**

This RAP prefers the first level of grievance or conflict redress on project related issues to be handled by the village level GRC. These committees have already been constituted and already exist in the seven villages and handle all forms of grievances in an amicable manner and as an alternative dispute resolution to formal process, which is normally lengthy and costly. Grievances not resolved by the site level committees will be taken to the second level. The 8 membership of the first level committee include:

- a. sub-location assistant chiefs
- b. 4 PAPs representative (1 elder, 1 woman, 1 youth and 1 PLWD)

- c. Contractor's site representative
- d. 1 respected community elder
- e. Representative of ward administrator

7.2.2 Second level: PROJECT PCU LEVEL.

this committee is an already established committee within the project level and it composed of the 12 members. They handle any complain escalated from site level. Any complain or concerns raised at this level should be confirmed if it has passed the first level. The members include:

- 9. A respected religious elder
- 10. The area chief where the complainant hails from.
- 11. The social safeguard expert of the project
- 12. Three of implementing agency PCU members
- 13. social expert at the supervising consulting firm
- 14. Representative of sub-county administrator
- 15. Three respected community elders.
- 16. Representative of VMGs

7.2.3 Third level: Formal Judicial System

If an aggrieved person chooses not to use the above customary institutions for grievance resolution or ignores pronouncements of either or both the customary institutions; such a complainant may seek recourse to the formal justice system that includes courts of law, the National Land Commission to the extent that a grievance is relevant.

7.3 GENERAL PRINCIPLE OF GREIVANCE REDRESS PROCESS

The Social Assessment for the Project (Zam Consult 2017) developed principles that will apply in the grievance and complaints handling mechanisms that will be used in the proposed Project. These principles are crucial in ensuring that the VMGs are involved and participate in the GRM process. The principles were therefore adopted by this RAP and are listed below.

- (i) Equity –The Project interested Persons and the VMGs will have a chance to be heard even in situations that require them to write their complaints when some cannot write. The project will put in place mechanisms to allow proxies draft complaints for VMG members who cannot write.
- (ii) Transparency – grievances or complaints will be dealt with openly before elders or other formal institutions with facts being disclosed as and when required without favour.
- (iii) Language – the language of discussion in the process of handling grievances shall be that that is used by the Project interested Persons and the VMGs namely, Somali. When VMG members shall not read or write in this language they will be assisted by the project to grasp what is written that affects them.
- (iv) Participation – The Project interested Persons and the VMGs and their representatives will be allowed to understand matters under discussion and to help actors in disputes understand where community members stand with regard to disputes being discussed. This approach will allow implications of disputes

and grievances for project progress will be disclosed to VMG communities.

- (v) Options – parties to any dispute or any person with a grievance will be given options openly to follow customary procedures or formal procedures. If they begin with customary procedures and are not happy with outcomes they will be allowed to proceed to formal processes. These options and courses of action will be made known to them beforehand.
- (vi) Monitoring – grievances and complaints will be monitored with a view to having them settled within the shortest possible time. The project will to the extent possible facilitate speedy resolution of grievances.

7.4 PROCEDURE OF RECEIVING AND RESOLUTION OF COMPLAINTS

7.4.1 Receipt of Complaint/Grievance

A verbal or written complaint from a PAP or community member will be received by the Grievance Officer or an assigned contact officer in a given administrative jurisdiction/authority near to community level and recorded in a grievance log form (as attached in **Annex 5** which will be held in the office of the Grievance officer.

Table 8 1: Role of a Grievance Officer

<p>A Grievance Officer (GO), who will be a staff of the WAJWASCO or Contractor, will lead the grievance mechanism. Principal responsibilities of the GO will include:</p> <ul style="list-style-type: none">(A) <i>Recording the grievances in grievance log form (Annex 5), both written and oral, of the affected people, categorizing and prioritizing them and providing solutions within a specified time period.</i>(B) <i>Discussing grievances on a regular basis with the project coordinator and coming up with decisions/actions regarding issues that can be resolved at that level.</i>(C) <i>Informing the Project Coordinator of serious cases within an appropriate time frame.</i>(D) <i>Reporting to the aggrieved parties about developments regarding their grievances and the decisions of the PCU</i>(E) <i>Providing inputs into the monitoring and evaluation process.</i>
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Figure 7-1: Grievance Format during Implementation

The grievance team will hold meetings at **village level** where grievances are received by a contact person who would then hand over the received complaints to the GO, for entering into the grievance log form using the grievance form.

The grievance log form (*attached Annex 3: Sample Grievance Redress Form*) will indicate grievances, date opened/lodged, actions taken to address or reasons why the grievance was not acted upon (e.g. the grievance was not related to the resettlement process), information provided to complainant and date on which the grievance was closed.

Grievances can be lodged at any time, either directly to the village GRM committee member/ GO based at the wajwasco, contractor's site office or the sub-county offices. The process of lodging a complaint is outlined below:

- a) *The GO will receive a complaint from the complainant.*
- b) *The GO will ask the claimant questions in somali language, write the answers in English and enter them in English onto the grievance form (refer to grievance registration sample form in Annex E).*
- c) *The assign contact person/an elder and the complainant both sign the grievance form after they have both confirmed the accuracy of the grievance.*
- d) *The GO lodges the complaint in the grievance log.*

7.4.2 Determination of Corrective Action

If in their judgement, the grievance can be solved at this stage the GO and the aggrieved person will determine a corrective action and the GO will do follow up to resolve the complain. If in their judgement the grievance requires the full sitting of the village committee the GO will inform the committee within two days and a meeting will be convene at the village level. A description of the action, the time frame within which the action is to take place, and the party charged with implementing the action will be recorded in the grievance database. Grievances will be resolved and the status reported back to complainants within 5 days. If more time is required, this will be clearly communicated and in advance to the aggrieved person. In cases that are not resolved within the stipulated time, detailed investigations will be undertaken and results discussed in the monthly meetings with the affected persons. In some instances, it may be appropriate to appoint independent third parties to undertake the investigations.

7.4.3 Meeting with the Complainant

The proposed corrective action and the time frame in which it is to be implemented will be discussed with the complainant within **5 days** of receipt of the grievance. Written agreement to proceed with the corrective action will be sought from the complainant (e.g. by use of an appropriate consent form). If no agreement is reached, Step 2 will be revisited.

7.4.4 Implementation of Corrective Action

Agreed corrective actions will be undertaken by WAJWASCO or the contractor within the agreed time frame. The date of the completed action will be recorded in the grievance database.

7.4.5 Verification of Corrective Action

To verify satisfaction, the aggrieved person will be approached by the GO to verify that the corrective action has been implemented. A signature of the complainant will be obtained and recorded in the log and/or on the consent form (see Step 3). If the complainant is not satisfied with the outcome of the corrective action, additional steps may be undertaken to reach agreement between the parties. If additional corrective action is not possible alternative avenues may be pursued.

7.4.6 Action by project PCU Grievance Redress Committee

If the complainant remains dissatisfied and a satisfactory resolution cannot be reached at the village level, the complaint will be handled by the project PCU Grievance Committee. A dedicated Grievance Committee established to assess grievances that arise from disputes and membership will include:

1. A respected religious elder
2. The area chief where the complainant arises from.
3. The social safeguard expert of the project
4. Three of PCU members

5. social expert at the supervising consulting firm acting as an observer
6. Representative of sub-county administrator

This committee must have a quorum of at least five persons and chaired by the religious leader or any other person determine by the committee. The Committee will convene for as long as grievances are being lodged. The committee will have it is meetings at the project PCU office/ WAJWASCO board room

Once the Committee has determined its approach to the lodged grievance, this will be communicated to the GO, who will communicate this to the complainant. If satisfied, the complainant signs to acknowledge that the issue has been resolved satisfactorily. If the complainant is not satisfied, however, the complainant notes the outstanding issues, which may be re-lodged with the committee or the complainant may proceed with judicial proceedings. This committee will determine the complain and provide best appropriate solution within 7 days at the time when the grievance was lodged.

7.4.7 Alternative Action/Judicial Recourse and National Land Commission

In case this mechanism will not allow an amicable agreement to be reached, the complainant or the defendant can resort to seek hearing from National Land Commission.

7.4.8 National Land Commission Grievance Mechanism

The Land Act 2012 and National Land Commission Act 2012 obligate the NLC to manage grievances and disputes related to resettlement or land amicably. NLC will be expected to arbitrate or negotiate with PAPs or landowners that have any grievances concerning their compensation. The cascading structures they put in place are also expected to take up this responsibility.

7.5 OTHER ALTERNATIVES

The other alternative recourse suggested as a last resort is for the complainant to seek redress in formal courts of law. The constitution establishes the Land and Environment Court (high court) and empowers this court to determine disputes relating to the amount of compensation to be paid for land acquired compulsorily in the public interest.

7.6 CAPACITY-BUILDING FOR THE GRIEVANCE OFFICER AND GRIEVANCE COMMITTEES

It will be important for the GO to be appointed based on his/her experience and training in conflict resolution through mediation and reconciliation. It will also be important for the GO to have sufficient skills in data management, including data entry, data analysis and storage. This notwithstanding, it will be important that steps are taken to orient and build the capacity of the GO as part of the project implementation team in conflict resolution procedures, such as mediation and reconciliation, and other management areas such as record-keeping, report-writing and ICT equipment management.

The village grievance Committee members will also need to be oriented to the grievance management system suggested in the RAP. The capacities of the village grievance Committee Members will also need to be built around issues of conflict identification, conflict information analysis and conflict resolution as provided for in the land legislation.

CHAPTER 8: RESETTLEMENT ARRANGEMENT

8.1 Resettlement Implementation Principles

The main objective of resettlement and compensation is to ensure that the PAPs get fair and prompt compensation. In this way it is expected that their income, production capacity and standard of living will be improved, or at least restored to their former levels. The guiding principles for the implementation of this updated RAP will be as follows:

- (i) Resettlement or relocation has been minimized by taking into consideration all feasible alternative measures.
- (ii) The compensation awards will be paid out according to the preference of the PAPs;
- (iii) A statutory disturbance allowance of 15 percent of the asset compensation value will also be included;
- (iv) All other activities related to the RAP will be communicated in advance to the PAPs through meetings with them, notices, one to one dialogue and through community elders and chiefs.
- (v) Where grievances arise, the respective PAPs will be given an opportunity to be heard, fairly and promptly using the laid down grievance redress mechanism highlighted in chapter 6 of this report.
- (vi) Measures will be taken to ensure that vulnerable groups get special assistance and support; and where spousal and children consent is needed, the provision will be enforced.

8.2 Resettlement Implementation Arrangements

This Chapter provides a list of all agencies and institutions that are involved in the implementation of the RAP. These organizations are crucial in the RAP implementation process and are mandated to perform their respective roles and have capacity to undertake their specific responsibilities even though WAJWASCO implementation unit will be charged with the overall responsibilities of implementation of the RAP.

8.2.1 Project Management at Ministry level

Ministry of Water sanitation and Irrigation (MoWSI) will interface with other sector ministries, agencies and Wajir County on matters and policies relating to the Project and more specifically RAP issues. The (MWSI) will interface with the county government of wajir on issues pertaining to RAP budget financing. The ministry will also communicate directly to the Bank on technical issues RAP preparation, approvals, disclosure and implementation.

8.2.2 The Project Coordinator (PC)

Project Coordinator at the ministry of water irrigation and sanitation (PC) is the overall

technical coordinator in the implementation of the Water and Sanitation Development Project (WSDP), this is the head of donor Program Coordination Unit at the (MWI).

The Project Coordinator will supervise the project team and ensure that project implementation activities and reports are on schedule and in compliance with the financing agreement. The coordinator will report to the Principle Secretary (PS) (MWSI) and will from time to time draw the attention of the PS to all emerging policy issues for decision at that level or a higher level.

The office will oversee coordination of the entire process, from development to implementation and monitoring.

The National Coordinating Unit has the following roles:

- (i) Coordinate the effective implementation of the RPF and ensure compliance with agreed implementation procedures and guidelines.
- (ii) Prepare Progress Reports on the implementation of the social safeguards.
- (iii) Procure and supervise consultants for Social Assessments.
- (iv) Build the capacity at all levels to implement the RPF.
- (v) Supervise RPF implementation during and after project implementation.
- (vi) Ensure adequate community participation.

The project team is responsible for routine implementation and technical austerity of the WSDP Project the team has put together a Safeguards team which has an social safeguard specialist responsible of ensuring that the social safeguards are implemented to and complied to under the project. The officer will be responsible under this RAP to do quality checks and review the RAP reports before forwarding to the World Bank safeguards specialist. The officer oversees actual implementation of the RAP with the help of Resettlement Implementation Committee constituted for the project.

8.2.3 Wajir Water and Sewerage Company (WAJWASCO) RAP Implementing Committee

WAJWASCO has a Project Coordinator which will undertake day to day implementation of the RAP by giving directions and guidance in all aspects of the RAP Implementation including reporting to the World Bank.

Some members of Project Coordination Unit will serve as Resettlement Implementation Committee for the RAP activities. The RIC will comprise of a specialist representation of expertise which includes Social Expert (the lead person), Environmentalist, Accountant, surveyor and Monitoring and Evaluation Expert. The committee will work with representative Local County offices and the Project Affected Persons of the respective targeted locations. i.e. Township, Hodhan, Alimaow, Barwaqo, Jogoo, Godade and Wagberi location. The supervising consultant and the contractor will also have their full time social specialists who will work with the team.

With regard to the implementation of the RAP, the RIC has the following responsibilities:

- i. Plan and coordinate prompt compensation payments;
- ii. organize validation meeting and ensure the list of all PAPs has been verified and documented in the PAP register. The register shall have, among other parameters, (1) the name of the person, (2) type of loss (structure / Livelihood) (3) identification number of the PAP, (4) Compensation Amount (5) Bank Details or M-pesa details of the PAP.
- iii. verify payment modes and payment information as preferred by the PAPs. The payment mode will be in line with the government financial management regulations. In the event that an individual is absent during payment, the Compensation Committee will immediately communicate a new date of payment to such individual(s).
- iv. Upon verification and validation of the PAPs list, the committee shall recommend payment and compensation. Payments will be made according to locations and adequate information will be made available to all affected persons prior to payment. Such information will include date and locations of payment, List of eligible people and compensation amount, Mode of payment, etc.
- v. Ensure the proposed livelihood restoration measure are implement before the payment of compensation package.
- vi. Consult and sensitize the community and PAPs with regard to the RAP implementation progress.
- vii. Ensure that the information needs of the PAPs are disseminated promptly and effectively;
- viii. Establish, manage and update the RAP implementation database;
- ix. Ensure women, disabled and children concerns are well taken care of during the payments and are adequately assisted.
- x. Ensure that the compensation process and entitlements adhere to legal provisions such as spousal and children's consent where it applies, and following the succession Act in case of the death of a PAP;
- xi. Ensure the grievance committees are established and working.
- xii. Contribute to the regular monitoring and evaluation of the RAP implementation.

i. RAP Activities Implementation Process Flow

This RAP provides for coordinated approach in RAP implementation, therefore several key institutions were identified as critical to both preparation and implementation of the RAP.

This is summarized in **Table 8-1** on **Page 8-4**, consultations with and involvement of the Project-Affected Persons will be sought during the process.

Table: 8-1RAP Institutional responsibility

Activity	Purpose	Period	Responsible Authority	Implementation
Preparation of Resettlement Action Plan	To provide census of project affected households, socio-economic baseline data of PAPs, Asset inventory, notification and preliminary consultation with PAPs in line with international good practice & Donor requirements	Planning	WAJWASCO	Wajwasco
RAP approval and disclosure	Banks Approval of the RAP and public disclosure	Planning	WAJWASCO, MWIS & World Bank	WAJWASCO, MoWS and World Bank
PAPs Disclosure and Acceptance of compensation value.	To formalize acquisition of rights necessary for construction	Pre-construction	Wajir County Government and WAJWASCO Project Unit	/WAJWASCO RIC
Opening of Bank Accounts for compensation	For ease in facilitation of safe payments of compensation	Pre-construction	Wajir County Government and WAJWASCO Project Unit	WAJWASCO/RIC
Payments of compensation	To disburse cash compensation to all eligible affected property owners and users	Pre-construction	Wajir County Government and WAJWASCO Project Unit	WAJWASCO/RIC
Issue Notices to Vacate	To prepare PAPs compensated to relinquish the property compensated for	1 month after compensation	Wajir County Government and WAJWASCO Project Unit	WAJWASCO/RIC
On-going consultation and disclosure	To keep project affected communities informed about project activities	Planning, Preconstruction and construction period	Wajir County Government and WAJWASCO Project Unit	WAJWASCO/RIC
Reception and redress of grievances	To receive and promptly redress grievances	continuous	Wajir County Government and WAJWASCO Project Unit	-GRC

8.3 RAP Implementation Schedule

The implementation schedule provides a set of activities from the 1st stage of planning to 2nd stage of implementation. The schedule is given in **Table 8-2** on **Page 8-5**.

It is proposed that the RAP be implemented in 2 months. Other activities, such as project monitoring and grievance management, will run throughout the RAP implementation cycle (this is colour-coded in the graphic presentation below). The proposed schedule dates is subject to change depending on when RAP approval is obtained, finances secured and relevant implementation structures established. The implementation schedule is reflected in the table below.

Table 8-2: RAP Implementation Schedule

Project activities	SEP 23				OCT 23			
	IN WEEKS							
	1	2	3	4	1	2	3	4
RAP Review and Update								
RAP approval								
Grievance management								
Training on village GRM committees.								
Disclosure of asset values to the PAPs.								
Issuance of award								
Livelihood restoration trainings								
Compensation payment								
Notification of PAPs to vacate sites								
RAP monitoring								

CHAPTER 9: VALUATION METHODOLOGY AND BUDGET

9.1 Valuation of Assets in Kenya

The section describes the applicable methodology that was used to value PAPs property and community assets impacted by the Project. The section presents fundamentals and basic appraisal methods which enabled the valuer to arrive at a logical and supportable estimate of value of property owned by PAPs.

The following methods considered were reviewed in this RAP.

9.2 Methods of Valuations

In property valuations there are 5 generally accepted methods or approaches to value. These are the Sales Comparison, the Income Capitalization, the Gross Replacement Value Method, the Residual, and the Profits method. These methods are discussed below in detail.

9.2.1 Investment Method

The investment method treats property like any other investment in the market, where the main factors influencing investment decisions are security of principal, adequate yield, security of income, administrative costs and capital growth. The procedure is to capitalize the rental income (net of expenses or outgoing) using a coefficient based on the prevailing market yield. Yield adjustments will have to be made where income is terminable. Where ownership will accrue in future or the expected income stream is likely to change, the benefit is deferred at an appropriate rate, where adequate market data are available. Where sale and rental transactions are rare, and there is scarcity of comparative data on rental and capitalization rates, the method will not be used.

9.2.2 Direct Comparison Method

The method value assets by comparing like with like. It is a very reliable method if current market information is available on sale prices and rentals. It is usual to reduce sales or rented information to unit price for compensation purpose.

9.2.3 Replacement Cost Approach

Replacement Cost Approach, is where market sale and rental information is not available, value can be arrived at by using the cost approach - that the costs of replacing assets is based on damages caused by project operations. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, moving expenses and other transaction costs.

Applicable Valuations method in this RAP: This is the method that was adopted when developing applicable compensation packages for affected assets.

9.2.4 Gross Current Replacement Cost

Gross Current Replacement Cost (GCRC) is defined as the estimated cost of erecting a new building having the same gross external area as that of the existing one, with the same site works and services and on a similar piece of land.

9.3 Other Methods

9.3.1 Rates from Contractors:

When rate schedules do not exist, or are out of date, recent quotations by contractors for similar types of construction in the vicinity of the project is used for calculating replacement costs. In projects offering the options of cash compensation or alternative accommodation, the construction cost estimates for alternative accommodation could be used for calculating cash compensation payable.

9.3.2 Schedule of Rates from Ministry of Public Works:

Ministry of Public Works have a schedule of rates for preparing estimates for construction projects, which the consultant can use to assess costs for construction materials and labour. When applied to calculate replacement cost, rates current for the period of actual replacement must be used.

As noted earlier, to comply with OP 4.12, under at the time of RAP for impacts triggered by sanitary lanes rehabilitation the replacement cost approach was used, which includes all expenses to replace a lost property and/or land. No depreciation was used since the crux of this approach is that the people who lose assets will be able to replace them at least at the pre-project level.

9.3.3 Calculation of Compensation of impacted Assets

Wajwasco will compensate the asset owners using the replacement cost approach. This will inform the preparation of standardized asset valuation tables and/or the application of specific case by case valuations in this case. As part of the compensation package PAPs are also given 15% of the asset value as a disturbance allowance.

9.3.4 Compensation for Buildings and Structures

Compensation will be paid for purposes of replacing structures such as houses, buildings, huts, 'Manyattas', latrines, fences, septic tank etc. by relocating the impacted asset within the plot of the property owners. Cash compensation would be available as

the preferred option for PAPs whose properties and livelihood will be impacted. The ongoing market prices for construction materials will be determined. Since the RAP adopt the replacement cost valuation method, the following aspects will be considered.

- *Measurements of structures and detail of materials used; common material used in Wajir Project area are grass and poles.*
- *Average replacement costs of different types of household buildings and*
- *Structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets, doors etc.).*
- *Prices of these items collected in different local markets;*
- *Costs for transportation and delivery of these items to acquired/ replacement land or building site;*
- *Estimates of construction of new buildings including labour required;*
- *Any associated taxes, registration fees.*

9.4 Compensation for Community Assets

This RAP identified that potential communal water points as the main community resource likely to be impacted by the proposed Project. This Community water points were identified through the census and enumerated, the entitlement matrix presented in table 6-2 provides for full replacement of a similar community water point.

9.5 Compensation for loss of business structure.

PAPs business structures will be impacted are entitled to a cash compensation equivalent to the value of the business structure including a 15% disturbance allowance. They are also given four week notice to vacate site for the commencement of civil works construction.

9.6 Compensation for Loss of business income.

compensation will be paid for the lost income, profits and production during the construction period. The PAPs entitled to compensation for business income also include those who have lost structures amount to ksh 10,500 for which is 1500 paid for the 7 days when the civil work construction continues.

9.7 Compensation for loss of trees.

The method for valuation of trees adopted was the cost approach. Within this approach the Trunk Formula Technique was adopted. This technique involves extrapolating the cost to purchase the largest commonly available nursery tree relative to the size of the tree being appraised. In that manner, the cost of purchasing a nursery tree can be proportionately increased to infer the cost of a larger tree of the same species. The assessment commences by determining the tree's cross-sectional area then multiplying it by the unit tree cost. That basic reproduction cost is then further adjusted if need be for other factors such as depreciation, condition rating, functional limitations and external limitations.

There are no crops identified on the wayleave area during the survey. The trees within the RoW are composed of a variety of Acacia, deloxin elata , and Neem Tree. These trees have been valued. The unit tree costs have been drawn from county Department of Agriculture

and Kenya Forest Services offices in Wajir

9.8 RAP Budget

The total budget for resettlement compensation is **Kshs, 52,035,182.00**. The budget includes: cost of replacement of impacted assets **ksh 45,296,682.00**, RAP implementation cost of **ksh 4,261,000.00**, livelihood restoration cost of **ksh 1,137,500** and estimated monitoring and evaluation cost of **ksh 1,340,000**. Detail is provided in **Table 9-1** below and the attached valuation roll.

Table 9-1:- Resettlement Action Plan Budg

Total RAP Cost	Number of PAPs	Kshs
Township location	26	6,351,375
Hodhan location	61	12,115,707
Barwaqo location	21	4,478,780
Godade location	28	5,145,490
Wagberi Location	20	2,622,528
Jogoo location	76	12,308,923
Alimao location	14	2,223,730
Sub Total 1		45,296,682.00
Livelihood Restoration measures Cost (breakdown provided in valuation roll)		1,137,500
RAP Implementation Costs (breakdown provided in valuation roll)		4,261,000.00
RAP Monitoring and Evaluation Cost		1,340,000
Grand Total		52,035,182.00

CHAPTER 10: MONITORING & EVALUATION AND RAP COMPLETION AUDIT

10.1 Introduction

Monitoring and Evaluation (M&E) procedures establish the effectiveness of all resettlement activities, in addition to the measures designed to mitigate adverse social impacts. The procedures include internal track-keeping efforts as well as independent external monitoring.

The purpose of resettlement monitoring for the Project is to verify that:

- (i) Actions and commitments described in the RAP are implemented;
- (ii) Eligible project-affected persons receive their full compensation prior to the start of the construction activities on the project area;
- (iii) RAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre- project living standards;
- (iv) Complaints and grievances lodged by project-affected persons are followed up and, where necessary, appropriate corrective actions taken;
- (v) Changes in RAP procedure are made, if necessary, to improve delivery of entitlements to project-affected persons.

The World Bank Operational Policy (OP 4.12) states that the project sponsor is responsible for adequate M&E of the activities set forth in the resettlement instrument. Monitoring will provide both a warning system for the project sponsor and a channel for the affected persons to make known their needs and their reactions to resettlement execution.

Monitoring and evaluation activities and programs will be adequately funded and staffed. In-house monitoring may need to be supplemented by independent monitors to ensure complete and objective information. Accordingly, the primary responsibility for monitoring rests with proponent. These groups, in cooperation with each other and with guidance from the external actors, will monitor the Project.

10.2 Monitoring and Evaluation Framework

10.2.1 RAP Monitoring Plan

The RAP Monitoring Plan to be adopted is presented in **Table 10-1** on **Page 10-2**. It involves:

- (i) Internal monitoring by MoWIS and WAJWASCO
- (ii) Impact monitoring commissioned to specialized firms; and
- (iii) RAP Completion Audit

Table 10-10-1: RAP Monitoring Plan

Component Activity	Type of Information/ Data Collected	Source of Information/ Data collection Methods	Responsibility for Data Collection, Analysis and Reporting	Frequency/ Audience of Reporting
Performance Monitoring	Measurement of input indicators against proposed time-table and budget including procurement and physical delivery of goods, structures and services	Monthly or quarterly narrative status and financial reports	MoWIS and WAJWASCO Project Implementation Team	Semi-annual/annual as required by the Proponent (MoWIS WAJWASCO)
Impact Monitoring	Tracking effectiveness of inputs against baseline indicators Assessment of PAP satisfaction with inputs	Quarterly or semi-annual quantitative and qualitative surveys Regular public meetings and other consultation with people affected by the project; review of grievance mechanism outputs	Project resettlement unit or contracted external monitoring agency	Annual or more frequently as required by the Proponent MoWIS and WAJWASCO
Completion Audit	Measurement of output indicators such as productivity gains, , and developmental impact against baseline	External assessment/sign-off report based on performance and impact monitoring reports, independent surveys and consultation with affected persons	Contracted external auditing and evaluation agency	On completion of the RAP time table

10.2.2 RAP Monitoring Framework

RAP Monitoring framework provides for the following provisions;

- Internal RAP Implementation Reports will be verified by a field check of the following:
 - Payment of compensation including its levels and timing
 - Adequacy of training and other developmental inputs
 - Rehabilitation of vulnerable Persons
 - Infrastructure repair, relocation or replacement
 - Enterprise relocation, compensation and its adequacy
 - Transition allowances
- (i) Random samples of affected people will be interviewed in open-ended discussions to assess their knowledge and concerns regarding the resettlement process, their entitlements and rehabilitation measures.
 - (ii) Public Consultations with affected people at the community level will be observed.
 - (iii) Resettlement operation will be observed at all levels to assess effectiveness and compliance with the RAP.
 - (iv) The type of grievance issues and the functioning of grievance redress mechanisms will be checked by reviewing the appeal at all levels and interviewing aggrieved affected people.
 - (v) The standards of living of the affected people before and after implementation of resettlement will be surveyed to assess whether the standards of living of the affected people have improved or been maintained.
 - (vi) Project management will be advised regarding necessary improvements in the implementation of the RAP, if any.

Table 10-2 below shows Internal Monitoring Indicators that will be checked during Internal Performance Monitoring by MoWSI and WAJWASCO.

Table 10-2 Internal Monitoring Indicators

Activity/Parameters	Indicators
Compensation payments to PAPs	<ul style="list-style-type: none"> • Number of PAPs promptly paid • Number of PAPs not paid promptly and reasons • Amounts of money paid to PAPs
Community participation and public engagement	<ul style="list-style-type: none"> • Number of local consultative meetings held • Number of PAP consultative meetings held
Grievance management	<ul style="list-style-type: none"> • Number of grievances received • Number of grievances resolved promptly (within the duration allowed in the Grievance Redress Mechanism) • Number of grievances escalated. • Number of grievances not resolved in time but completed

	<ul style="list-style-type: none"> • Number of outstanding grievances not resolved
--	---

MoWSI and WAJWASCO will initiate the process of external evaluation. To avoid conflict of interest, the external evaluation will be undertaken by an external evaluation agency.

Table 10-3 below shows External Monitoring Indicators that will be checked during External Performance Monitoring.

Table 10-3: External Monitoring Indicators

Parameters	Indicators
Adequacy (of staff number/skills/knowledge levels; equipment and facilities) at RIC and PIU	<ul style="list-style-type: none"> • Number of grievances resolved by the RIC and PIU and durations taken to resolve them • Number of grievances referred to Level 3 (Courts of Law)
Legislative compliance with national and international standards	<ul style="list-style-type: none"> • Number of grievances referred to Level 3 (Courts of Law) • Number of complaints referred to World Bank Safeguards team
Compensation payments, community engagement, reporting, grievance redress mechanisms	<ul style="list-style-type: none"> • Number and amounts of payments made • Number of local consultative meetings held • Number of PAP consultative meetings held • Number of grievances received • Number of grievances resolved promptly (within the duration allowed in the Grievance Redress Mechanism) • Number of grievances not resolved in time but completed • Number of outstanding grievances not resolved

The indicators presented in Table 10-3 above will be revised and appropriate Terms of Reference (ToR) established for the external monitoring consultant.

Evaluation will be done against the existing baseline information identified in the RAP and indicators identified in Tables 10-2 and 10-3 above. MoWSI and WAJWASCO to engage an external evaluation consultant who will be assigned as soon the RAP is approved; this is because tracking will start immediately after PAPs are impacted.

Therefore, monitoring and evaluation will be undertaken regularly during implementation and also at the end for the purposes of compiling the Project Completion Report. The report will include an evaluation that ascertains whether resettlement compensation goals and objectives have been realised. Monitoring will be thematically carried out at two process levels: during the resettlement compensation payment period and after that period (post-compensation payment period).

10.3 RAP Completion Audit

The purpose of the Completion Audit is to verify that the resettlement process has complied with resettlement commitments defined by the RAP. Reference documents for the Completion Audit are the following:

-
- (i) This RAP Report,
 - (ii) Kenyan Policies and Legal Statutes as defined in Section 3 of this Report
 - (iii) The World Bank policies 4.10 and 4.12
 - (iv) The project RFP

The Completion Audit will have the following specific objectives:

- (i) General assessment of the implementation of the RAP against the objectives and methods set forth in the RAP,
- (ii) Assessment of compliance of implementation with laws, regulations and safeguard policies;
- (iii) Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented;
- (iv) Identification of potential corrective actions necessary to mitigate the negative impacts of the program, if any, and to enhance its positive impacts.

The RAP Completion Audit will be based on documents and materials generated by internal and external monitoring. In addition, auditors will make their own assessments, surveys and interviews in the field and with Project-Affected- People.

ANNEXES

ANNEX 1
ASSET REGISTER

ANNEX 2
PUBLIC PARTICIPATION (MINUTES AND LIST OF ATTENDANCE)

MINUTES OF A CONSULTATIONS MEETING WITH AREA CHIEFS FOR THE PROPOSED WAJIR SANITARY LANE IMPROVEMENT PROJECT HELD AT WAJWASCO BOARD ROOM ON 5TH APRIL 2022 AT 9:30 AM.

PRESENT MEMBERS

The attached attendance list forms the present members of the meeting.

1. Preliminary and introduction
2. Introduction of project detail
3. Update of the RAP process.
4. Plenaries
5. A.O.B
6. Adjournment.

PRELIMINARY AND INTRODUCTION.

The meeting commenced at 9:40 am with a word of prayer from Abdi mohamed. The members introduced themselves and there after Abdi Mohamed read out the agenda of the meeting. He gave a brief description of the proposed wajir sanitary lane project and informed the meeting the importance of engaging key community leaders who are always interacting with community on daily basis and as well understand areas of concerns. Further he informed the importance and significance of stakeholder consultations and how it can contribute to the success of the proposed wajir sanitary lane project.

INTRODUCTION OF PROJECT DEATAIL.

Eng ahmed omar gave a brief detail of the prosed opening, rehabilitation and improvement of wajir sanitary lanes. He highlighted the key location where the project will be implement which include Ali maow, Hodhan, Jogoo, Godade, Barwaqo, Township and Wagberi location. Further he informed the lanes are classified into motorable, non-motorable, encroached, and those with debris, overgrown bush and vegetation.

He gave a brief importance of opening the lanes and how it will contribute to the general sanitation and the wellbeing of the community. He highlighted the challenges both the night soil men (staff engage on emptying the bucket toilets) and the solid waste collectors are facing when it comes to collecting and disposing feacal matter.

He shared that two years have lapsed since the initial RAP report was prepared and approved. The World Bank safeguard guidelines recommends that the RAP document is updated before implementation of the same commences.

UPDATE OF THE RAP PROCESS.

The sociologist from the proponent briefly highlighted what the update process entails. He informed stakeholders consultation, socio-economic survey, enumeration of PAPs and valuation of impacted assets are key among the process of updating the report. He requested the corporation of the area leaders especially the chiefs at all project stages until the project is finalized and closed out.

PLENARIES DISCUSSION.

Abdiaziz shire gave his appreciation and thanked the members for involving the area chiefs in this vital process. He emphasized the proponent to ensure implementation of sanitary lane project since it was a

long overdue for when he heard this sanitary lane project. he enquired if the project will bituminize the lanes that were already cleared by the county and know the access is enabled.

Eng Ahmed reply that the project does not involve bituminization of lanes but rather improvement and gravelling of lanes to a good standard. Any lane that was improve will not be considered.

Mohamed duale enquired the eligibility of the PAPs for compensation.

The RAP will carry out census of project affected persons irrespective of gender, race, religion, social status and enumerate all affected structures that are either partially or wholly affected whether permanent or temporary including tree and communal assets. This structures may include: boundary walls, animal sheds, poultry houses, manyatta house, hedges), community water points, KPLC posts and businesses that will be forced to close temporarily during works. However, any structure after the cut-off date will not be eligible for compensation.

Chief hassan welcome and thank the proponent for inviting them on time. he assured the support of the area chiefs since the project enhances the sanitation well-being of the town dwellers. He highlighted how un safe and wrong designated areas of disposing fecal matter contribute to the poor sanitation standard in the town. He enquired whether the county has already budgeted for the compensation money and process will not be derail by lack of funding. Further enquired whether the bank fund can be used for financing the RAP.

The sociologist informed the members that there is a good will from the county leadership that the RAP money will be included in the county 2023/2024 fiscal planning. He informed that the bank will not finance the RAP but rather finance the civil works involved in the development of the lanes. it is upon the county to compensate the PAPs before civil works commenced.

Chief kasim informed the meeting that chief should be included in the grievance redress committees so as to ensure the smooth running of the process. He highlighted that he is involved in other world bank funded project and enlightened the members on the importance of having a strong determined GRM committees for the project.

Sociologist attested to the chief information and informed that meeting the chiefs are always great contributors are to project success. He assured during the implementation and formation GRC members chief will be included and equipped with necessary tools to help the project succeed. He informed the participants that after this meeting there will be other public consultation meetings where chiefs will be invited. He requested their corporation till the end of the project. He also asked the chiefs within the project area to assist in mobilization of the local community.

AOB

There being no any other business to discuss the meeting was adjourned at 10:45 am with a word of prayer from chief Mohamed omar.



Meeting with chiefs at wajwasco boardroom



**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue: Wajjapoko

Date: 5/4/22

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1.	Abdirizq Mohamed Shira	Taliskir	20883484	Township chief	<i>[Signature]</i>
2.	Hassan Abdi Shaid	M	22253509	chief Halane	<i>[Signature]</i>
3.	Yhya Abdi Abdullahi	M	022448477	chief Godade	<i>[Signature]</i>
4.	Mohamed Duale	M	0019140520	Muslim sister chief	<i>[Signature]</i>
5.	XUT Mohamed	M	22427835	Goal Rahma chief	<i>[Signature]</i>
6.	Mohamed Hassan Mohamed	M	22531787	Abi Maam	<i>[Signature]</i>
7.	Mohamed Jama Noor	M	2572284	chief Haelhan	<i>[Signature]</i>
8.	Mohamed Hassan Gacale	M	21258724	Jogoo chief	<i>[Signature]</i>
9.	Kasim I Abdi	M	0447814	chief Jugbar	<i>[Signature]</i>
10.	Abdullahi Abdillacif	M	29191449	survivor	
11.	Abdullahi Hassan Adan	M	27280625	C. Planner	<i>[Signature]</i>
12.	Ahmed Omar Abchele	M	0082786	T-S.M. Wajjapoko	<i>[Signature]</i>

MINUTES OF PUBLIC CONSULTATIONS MEETING HELD ON 7TH APRIL 2022 AT 9:30 AM FOR WAJIR SANITARY LANE IMPROVEMENT PROJECT HELD AT WAJIR RESORT, WAJIR.

Present members

The participation list of all attendees has been annexed.

Min1: Introduction.

The meeting kicked off at 9am with a word of prayer from chief Mohamed Noor. The members have done self-introduction and the chief gave his opening remarks. The chief welcomed the project and highlighted the importance of opening the sanitary lanes within the locations. He raised that access lanes were seriously encroached and even turn to a dumping zone after people failed to get the services they require. He requested members to cooperate since opening and improvements of the lanes are essential and will enhance the general well-being of the community. He informed the meeting that the sanitary lanes contributes to cleanliness, improvement of health, enhance security and ensure mobility of goods, people and services that are required.

Min 2: Over view of the project and objective of the meeting.

Abdi the social safeguard expert welcomed the members and briefly explained the content of the project. He highlighted the reasons behind the government embarking on the opening of the lanes as it contributes majorly to the general sanitation wellbeing of the community and as well ease for the government to execute its mandate of service delivery.

He explained the design is to open, rehabilitate and improve to a motorized standard lane that can be tarmacked later by any another project. He informed that the design doesn't include bitumen but the lanes will be graveled and drainage provided. He informed that the size and the distance of the lanes varies from one lane to the other. The objective of the project is to ensure the lanes are accessible so that both sludge and solid waste collections is collected easily by both the government and private waste collectors.

He highlighted structures restricting mobility within the lanes which include but not limited to septic tanks, fence, toilets shop canopies etc. and informed the meeting that objective of the meeting is to sensitize the public and discuss with them the modality of ensuring the project is executed successfully. He further informed that it's wise to consult the relevant government department especially the lands and survey department before one construct any structure within the lanes.

The sociologist highlighted the negative impact which includes demolition of assets encroaching the lanes, the dust and noise emitted during gravelling of the lanes, the traffic and other inconveniences such disruption of power supply that may arises.

He informed the meeting that the most positive aspect is affected asset will be enumerated, valued and the owner compensated.

Min3: plenary session

Q1: Enquiry on the standard of the lanes by chief mohamed noor?

Abdullahi the surveyor explained that the lanes will not be tarmacked but graveled and provided with a drainage system. The size and the length of the lanes varies from one another, but the project intends to ensure the lanes are accessible in order to enhance mobility of goods and services such as collection of both solid and fecal waste. The project is implemented in seven locations within wajir town municipality and discourages people not to construct any structure within the ROW.

Q2: Abdi sugow enquired the timeframe given to the PAPs for demolition and relocation of impacted assets.

Abdi the social safeguard explained that from the date of payment a reasonable ample time of about four weeks will be given to the PAPs so that they can demolish and relocate their structures. The members deliberated the timeframe and agreed that three weeks is sufficient to relocate structures like septic tanks while some of the other assets may even take less number of days.

Q3: mohamud hirsi enquired what will happen to impacts such as cracks that may occur to other structures that are not within the ROW during the demolition of affected assets.

Engineer ahmed omar informed the meeting that contractor will ensure to minimize such damages. However, in cases where it arises it's the contractor's responsibility to reinstate such structures.

Q4: mohamed ali ahmed, thank the members, appreciated and welcomed the project. He enquired when the rehabilitation of the lanes in hodhan will commence.

Engineer Mowlid informed the meeting that the contractor has already been awarded and is only awaiting finalization of the RAP process which might take a bit of time. However, notification will be given to the PAPs so that they prepare themselves before time.

Q5: The mowli diisow enquired what will happen to the KPLC poles that are within the ROW?

Abdi the social safeguard informed the meeting that the team will engage Kenya Power and ensure the poles are relocated. The cost of relocation will be included in the RAP budget and covered by WAJWASCO. All poles within the lanes will be documented in close consultation with KPLC. No PAPs will be required to contribute to the cost of relocating KPLC poles.

Q6: what will happen to tenants who may be affected.

Tenants who lose their business and/ or those who will be forced to close shop temporarily will be compensated while landlords will be compensated for any asset and structures affected.

Q7. Suleman abdullahi appreciated the government's intention of opening the lanes. He highlighted that there is need for the government to enact county sanitation enforcement law that would deter and fine any person constructing within the ROW. He highlighted that the local community have taken advantage of lack of strict enforcement of government policies leading to sanitation challenges within Wajir Town.

Q8: maryan ali yare informed the meeting that there are old age people who will be affected and need extra assistance even if they are compensated for any structure they lose.

Abdi replied that these category of PAPs are referred to as Vulnerable and will be given special consideration. They will also be allowed any special requests which will be considered during project implementation.

Q8: abdiaziz mire informed the meeting that there are communally owned shallow wells which were constructed by other donors/ well-wishers but unfortunately, they are in the right of way. How will the community be compensated?

Abdi social safeguard replied that its prudent the community to identify and provide three signatories who will be community representatives for such structure to be compensated. It is the responsibility of the community to decide any other option that they deemed fit for consideration. Members deliberated and agreed to forward at a later date three representatives who can stand on behalf of the community. The

social safeguard expert will also explore the possibility of relocation of the wells so that we do not have issues of water scarcity coming up.

Q9. Yussuf Hussein enquired that once compensation is done, can the PAPs salvage material from the asset earmarked for demolition.

Abdi the social safeguard informed the members that PAPs have the right to salvage material from the asset marked for demolition. For the septic tank it will be the contractor to empty the tank before it is demolished and take the waste to the designated dumping site. He requested the PAPs not demolish such asset before its emptied since it can pose health risk to the general public.

Min4: A.O B.

There was no any other business to discuss

Min5: CLOSING REMARK

Abdullahi the surveyor thanked the chief and the community for their time and opinions shared with the project team. He welcomed the positive attitude about the project and the way the community cooperated and raised their concerns. He assured the community that more engagement will be done with all stakeholders for smooth implementation of the project. He pointed that the key focal person in the project is Abdi Mohamed the social safeguard who is responsible for addressing any concerns that may arise.

The meeting adjourned at 11:30 am with a word of prayer from Abdullahi Ali.

PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT

Venue: Hofu rent

date:

S/NO	NAME	Gender	ID NO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
16	Fatima Hassan	F	3452329	Hofhan	<i>[Signature]</i>
17	Mohamed Diis Abd	M	24788336	Hofhan	<i>[Signature]</i>
18	Mohamed Adur hub	M	30323290	media (wqrfm)	<i>[Signature]</i>
19	Abdullah Sabal Al	M	9572412	Committee	<i>[Signature]</i>
20	MULIS MOETAMES	F	299221305	" "	<i>[Signature]</i>
21	Mumina Xam of Kadi	F		" "	<i>[Signature]</i>
22	Mohamed Jami	M	9572254	" SMC chief	<i>[Signature]</i>
23	David Basim Osman	M	20878806	Hofhan	<i>[Signature]</i>
24	Safa Hassan Mohamed	F		Hofhan	<i>[Signature]</i>
25	Ahmed Abdi idow	M	3236578	Hofhan	<i>[Signature]</i>
26	Ahmed Farah Mohamed	M	27293074	Hofhan	<i>[Signature]</i>
27	Musa badel Farah	M		Hofhan	<i>[Signature]</i>
29	Abdi Mohamed Abdi	M	25708019	Hofhan	<i>[Signature]</i>
30	Farah Dahir Ahmed	M	12010619	Hofhan	<i>[Signature]</i>
31	Farah Hussein Ahmed	M	0040961	Hofhan	FARAH

PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT

Venue: Kafir ventfi












date:

S/NO	NAME	Gender	ID NO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1.	Zainab Absalan	F		Hodkan	
2.	Abdi Bayal Haxian	M	1193968	Hodkan	
3.	Israhim Abdirahman Ahmed	M	0059602	Hodkan	
4.	Haxim Mohamed	M	200000081	Hodkan	
5.	Lul Dirigal	F	5955943	Hodkan	lul
6.	Lul Baile	F	0041760	Hodkan	lul
7.	Fatima Mohamed	F	0053941	Hodkan	
8.	Haxan Barbow Isahim	M	1173632	Hodkan	
9.	Nara Farah	F	23358079	Hodkan	
10.	Sahar Muse Gura	F	0037903	Hodkan	
11.	Adin Haxi Hira	M	27094749	Hodkan	
12.	Abdulkadi Ali Galat	M	29880108	Hodkan	
13.	Haxim Haxan	F		Hodkan	
14.	Mamad Dirigal	M	24789536	Hodkan	
15.	Ahmed Farah Suwax	M	22426045	Hodkan	

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue: Maji rang

Date:

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1.	Mohamed Jams Nor	M	95792284	chief Haslan	
2.	Mohamed Abdulkhali	M	98787741	Elder Haslan	
3.	Abdulhaki Hassan	M	27280625	County Planner	
4.	Abdihakim Bahui	M	21884928	Director	
5.	Musa Adli Musti	M	00388198	chief Beomsi	
6.	Muktar Mohamed Adli	M	00548838	Elder	
7.	Adli Bore Mohamed	M	20274847	Haslan Youth	
8.	Morgan Mohamed Saigon	F	13404151	Haslan Woman	
9.	Adli - Mohamed Adlan	M	27271888	social organizer	
10.	Nouid Abdulkhali	M	29376946	Legislator assist	
11.	Adlan Abdulkhali	M	07322253	Surveys	

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue: Wajir kesik

Date:

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1	Farah Nur Hussein	M	0058791	Township	Farah
2	Kadija Fite	F	0043413	Township	FK
3	Fachija Mohamed	F	872941	Township	FK
4	SHUKRI -M. ADAN	M	6822118	Township	Shukri
5	Farah I Farah	M	22228242	Township	F.I. Farah
6	Mogah Abdi	F	0064128	Township	Mogah
7	Mohamed Khair Ali	M	0070401	Township	Mogah
8	Harat arat	M	11573218	Township	Harat
9	Abelia dahir	F	0042834	Township	Abelia
10	Abdifatah Salat Mohamed	M	23514334	Township	Abdifatah
11	Zemah Abdi Shabane	F	0031615	Township	Zemah
12	Mahat Hassan Ahmed	M	31960945	Township	Mahat

MINUTES OF PUBLIC CONSULTATIONS MEETING FOR WAJIR SANITARY LANE IMPROVEMENT PROJECT HELD AT WAJIR COUNTY GUEST HOUSE ON 12TH APRIL 2022 AT 9:30 AM.

Present members

The participation list of all attendees has been annexed.

Min1: Introduction.

The meeting was called to order by Mr. Nasir harun at 9: 50 am with a word of prayer by sheikh abdullahi. He then called for self-introductions from the facilitators and members in attendance.

Nasir Harun gave a brief introduction of the water and sanitation development project and informed the attendees that the county government led department of WAJWASCO intends to open up and rehabilitate Wajir town sanitary lanes that are classified as encroached lanes, lanes with debris and solid wastes and lanes with overgrown vegetation. These lanes are rendered impassable therefore hindering the movement of vehicles collecting waste form respective villages. He also talked about challenges the public and government is encountering When collecting fecal waste.

He informed that its mandatory to engage and discuss with the public and the people affected by the project so that their views and concerns are integrated or addressed during project implementation since the end users of any development are the people befitting from the project which are now people residing along these lanes.

He highlighted the benefit of opening the lanes and informed the public that improved access road will even attract investors since it contributes to general cleanliness of the town.

He briefly discussed the challenges encountered by the general public and the service providers especially those in the field of sanitation and how these lanes are contributing to poor sanitation and occurrences of disease as a result of poor sanitation. He mentioned diseases such as typhoid, cholera, malaria and among others are as a result of poor sanitation systems. He mentioned that majority of Wajir resident uses bucket toilets that overflows within a short period of time and if not attended, Waterborne diseases incidences are expected to increase.

Min2: Importance of Consultations.

The social safeguard expert from Wajwasco explained the importance of public participation and consultations before the project is implemented. He explained that consultations would help in giving the communities a sense of ownership of the project. He also explained the importance of the project and stakeholders' involvement in the project.

Min3: Project Design.

Engineer Mowlid briefly explained the design of the project and informed the attendees that the project intends to open, rehabilitate and gravel the identified currently non-motorable lanes due to encroachment and overgrown bushes. He informed the participants that a total of seven locations are targeted where opening and rehabilitation of sanitary lanes will be done. In the rehabilitation the lanes will be gravelled and provided with a drainage system. He informed that the lanes will not be tarmacked under this project but in the near future the county will ensure it will be upgrade to bitumen standard depending on availability of funds.

Min 4: Asset Affected

Abdi the social safeguard briefly highlighted the kind of assets affected which include septic tanks, permanent fence, non-permanent fence made of tree branches, latrines, hedges, manyatta houses, shop canopies and among others. He requested the attendees to discourage any households that intend to construct any structure within the lanes and inform the relevant authority before one hinders mobility within the town and its villages.

He informed the meeting that the project team will undertake enumeration of all those assets within the right of way, sensitise the owners on the intention to pull it down, and ensure those affected are compensated.

Abdullahi the county surveyor reiterated that most of the villages especially those within the project area, land is adjudicated, surveyed and every household knows the measurement of their plots. He therefore requests people to restrict themselves within their plots when undertaking constructions of both permanent and non-permanent structures.

Min 5: Plenary Session.

Nur farah. appreciated the project proponent for coming up with timely proposal of opening and improving the lanes. He highlighted that in some village people are unable to access social amenities such as mosques since the lanes were completely closed by either overgrown trees and/or seriously encroached. He informed the meeting that he was eagerly waiting for this project but it has taken a lot of time before any tangible activities have been realised. He requested the proponent to hasten the process and open the lanes. He assured the co-operation of the public during the opening of the lane.

Issak mursal . Reiterated the sentiment of Ahmed and welcomed the project. He gave assurance that the public will co-operate if they are compensated for their losses. He said that in some development projects people are not even compensated. He encourages the public to desist from constructing structures within the right of way. From the Islamic point of view, he informed the public that it is prohibited, and one will face the wrath of God for even throwing unpleasant objects within the lanes/roads, leave of even erecting permanent structures that hindered and curtail movement of the public. He encouraged the government and county agencies to swiftly implement the proposed project.

Q1: Abdi shobay. enquired who will assume ownership of the asset after compensation is paid to the PAPs and whether PAPs are allowed to demolish the impacted structures.

Assets affected will be demolished by the contractor after the owners are fully compensated and the agreed time frame for relocation/reconstruction elapses. However, PAPs are encouraged to salvage any valuable material that can be re-used. For the case of septic tanks where the desludging is required the PAPs are encouraged not to demolish if they cannot empty the sludge and dispose the sludge to the designated area.

Q2: mohamed gardale. For the septic tanks he enquired whether they will be given alternative toilets before they reconstruct new septic tanks.

Abdi reiterated that ample time will be given to the PAPs to reconstruct any structure earmarked for demolition, so PAPs are encouraged to make use of the timeframe agreed and re-construct the asset before they are demolished.

Q3: alas Hussein. Are PAPs given good amount of money to reconstruct better structures. Eg some who had no-permanent fence will he/she be given money to construct permanent fence within his compound.

Valuation will be done to the affected structures and an appropriate value of the current market price will be used to determine the amount of money the PAPs will receive but it may not be possible to compensate PAPs for value that is not worthy for the structure identified for demolition.

Q4: adow ahmed, some people may have business within the lanes are these people compensated for the lose customers during the sanitary lane improvement.

The PAP will be compensated for the number of days that he/ she will not be able to conduct business. This duration is determined by the time it takes for the contractor to work on those specific sections. The average daily rate to be considered is dependent on the findings of the average business income from the socio-economic survey.

Q6: Hussein hassan, appreciated the project but raised a concern that people are facing serious drought and some of the people cannot even afford their daily meals. Will PAPs be given any other assistance other than compensation for structure? He requested if the project can be implemented at a later time when the ravaging drought is over, and people have at least recovered from the impact of the drought

Nasir informed the attendees that the project has a defined timeline to be delivered bearing in mind the situation of the drought. The government have already undertaken several efforts in regard to drought mitigation. Department of special programe is already distributing foodstuff to the affected and the less fortunate people. However, the project cannot be stopped since its already behind schedule. On asistance there will be disturbance allowances included in the compensation as well any PAPs who need facilitation such as transport. He informed the participants that the project is not displacing people but rather structure are demolished and reconstructed within the compound of that owners. therefore, since the project is not relocating peoples from there compound to another plots any other imerging issues will be further discussed and sorted during the enumeration and valuation process.

Q7: kadija abdullahi enquired whethere the affected structure will concurently demolished for all the villages or it will be village by village.

The Sociologist informed the meeting that once the PAPs are fully compensated its is encouraged for them to relocate their structures before the civil work contractor pulls down the affected structure. Depending on how the Civil work contractor will mobilise for the activity, a program of works will be prepared and communicated to the respective PAPs on when the actual civil works will begin on Each of the lanes

Q8: halima enquired that since the WSDP has water component, the available shallow wells have dried up and what plan does the government have for the people.

The project is implementing short term measure of pulling water from rihfiet and lambib but the long term plan is to get water from the mertti aquifer to wajir town.

Q9: halima raised concern that gravelling of the lanes will cause alot of dust emissions during the construction and operation the project since the plan is not to tarmac the lanes and most of the residential houses are close to the lane/roads.

Engineer mowlid replied that the contractor will sprinkle water to compact the well so as to ensure minimal dust emission during the construction.

MIN 6: A.O.B

There was no any other business to discuss.

Min7: closing remark

the sociologist thanked all the present members for their time and ensured that their opinion will be incorporated in the project. He informed the attendees that further engagement will be done to ensure to ensure every opinion is counted.



Participant raising their view Public participation meeting















Nasir harun giving talking importance of opening the lane

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue: Katir County Court house













Date: 12/4/22

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1	Nasir Harun	M	35741533	Permanency	
2	Ahmed Omar Abdel	M	0052796	TCM - UG/KWA	
3	Abelisaan Ibrahim	M	20127495	Environmentalist	
4	Abdi Mohamed Adan	M	27271888	Sociologist - UG/KWA	
5	Nur Kato Abdulkader	M	3852962	Public Health	
7	Mohamed Jama Nor	M	9574280	chief Hadhan	
8	Hassan Abdi Shaekh	M	22253509	chief Halane	
9	Mohamed baka Mohamed	M	-	Halane elder	
10	Bashir Abdi Ali	M	0039310		
12	Yahya Abdi Abdullahi	M		chief Gorko	
13	Nor Farah Mohamed	M		Township	
14	Katir Ali Osman	M	0964738	HALANE	

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue:

Date: 12/5/22

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1'	Mohammed Hussein Mohamed	M	22531789	Chief Derman	
2'	Habiba Hussein Elmi	F	38291536	Ali Maow	
3'	Mohamed Barani	M	1312196	Derman	
4'	Issak Mursal Asli	M	0052884	Derman	
5'	Barot Billal Mumin	F	0174626	Derman	
6'	Rukia Abdi Abdurahi	F	27614074	Ali Maow	
7'	Halima Mohamed Asli	F	21260246	Ali Maow	
8'	Abdille rajou Hassan	M	6822403	Ali Maow	
7'	Mariam Asli Asli	F	21260246	Ali Maow	
10'	Barokh Nour Yusuf	M	8888753	Ali Maow	
11	Kisaj Mohamed Asli	F	8843125	Derman	
12	Abdulkadir Geles Baro	M	20912748	Ali Maow	

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue:

Date: 12/4/22

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1	HABIBA A BAROW	F	0091867	WAGBERI	
2	FALI M. ABDI	F	00584817	WAGBERI	
3	ABDULLAH AII AHMED	M	0099772	WAGBERI	
4	AHMED M YUSUF	M	070265772	WAGBERI	
5	ABDIA ABDULLAH AII	F	25307241	WAGBERI	
6	HALIMA AII OSMAN	F	26710708	WAGBERI	
7	HASAN ABDULAHI YUSUF	M	24326100	WAGBERI	
8	HUSSEIN AHMED ALI	M	23007818	WAGBERI	
9	HASSAN DABI STABAN	M	0036480	BARWAG	
10	Adal Ahmed Jabal	M	20136524	ALIMAN	
11	Musa Isack Farah	M	30035586	WAGBERI	
12	Rahma Sheikh Hussein		1288199	ALIMAN	

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue:

Date: 12/4/22

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1.	IBRAHIM ABDILLE	M	27794597	BARWAGO	
2.	Mohamed Noor Abdullahi	M	21467801	BARWAGO	
2.	Kadija Abdullahi Aii	F	32403906	BARWAGO	
4.	Halima Abdullahi Aii	F	0060071	BARWAGO	
5.	Mohamed Aii Osman	F	2830621	BARWAGO	
6.	Hussein Hassan Kadija	M	21907821	BARWAGO	
7.	Halima Aii Osman	F	0213718	BARWAGO	
8.	Ibrahim Aii Osman	M	24379715	BARWAGO	
9.	Zainab Hassan	F	1272363	BARWAGO	
10.	Mohamed Ibrahim Kadija	M	00360226	BARWAGO	
11.	Fatma Aliman	F	0037708	BARWAGO	
12.					

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue:

Date: 12/4/22

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1	Sahar Issa Abeli	F	015642	Jogoo	[Signature]
2	Issa Adan Abdi	M	9248996	Jogoo	[Signature]
3	Mohamed Hassan Gardale	M	21258724	chief Jogoo	[Signature]
4	Dirige Abdulkadir	M	27207402	Jogoo	[Signature]
5	Jasmi Adan O	F	35236040	Jogoo	[Signature]
6	Rahy Abdulkadir Jimale	F	9714072	Jogoo	[Signature]
7	Imran Hassan	M	0048902	Jogoo	[Signature]
8	Skimoy Yusuf Adan	M	0049021	Jogoo	[Signature]
9	Simay Yalshaw	F	0098404	Jogoo	[Signature]
10	Kaltums Kerow A	F	07241254	Jogoo	[Signature]
11	Osman Gede Bawin	M	21242682	Jogoo	[Signature]

**PUBLIC PARTICIPATION
LIST OF ATTENDANCE
WATER AND SANITATION DEVELOPMENT PROJECT**

Venue:

Date: 12/4/22

S/N	NAME	Gender	IDNO	VILLAGE/INSTITUTION/ ORGANIZATION	SIGNATURE
1	Abdina Abdulkadir	F	2375781	Gadale	[Signature]
2	Sahar Mohamed Sarow	F	3812039	Gadale	[Signature]
3	Rakia Shalle Yusuf	F	2108820	Gadale	[Signature]
4	Habiba Ahmed Hais	F	25282612	Gadale	[Signature]
5	Afess Hussein Issak	M	0658910	Gadale	[Signature]
6	Rakia Mohamed Nour	F	0059549	Gadale	[Signature]
7	Rokaa Ahmed Sarwan	F	6392735	Gadale	[Signature]
8	Sahar Mohamed Shalle	M	5491015	Gadale	[Signature]
9	Neria Gede Bawin	F	27159234	Gadale	[Signature]
10	Mouli Hassan Issak	M	27234574	Ward administration	[Signature]
11	Mohamed Maalin O.	M	30674773	Water Tank Member	[Signature]
12	Mohamed Shalle	M	097461	Water Tank	[Signature]

MINUTE OF A MEETING HELD AT KPLC OFFICE- WAJIR ON 31/12/2022 AT 10:30AM.

Present members

- Ahmed Omar Abdille
- Nasir harun
- Abdi mohamed adan
- Hassan Mohamed
- Shukri ali ahmed

Agendas.

1. Introduction and preliminaries
2. Relocation of KPLC power poles
3. Question and answer session
4. A.O.B
5. Adjournment

Minute 1: introduction

The meeting kicked off at 10:30am with word of prayer from the engineer Ahmed Omar followed by self-introduction of the present members. He highlighted the main objective of the meeting which was to discuss the relocation of power poles within the sanitary lane that are earmarked for improvement in order clear sanitary lanes within wajir town.

He gave a brief description of the World Bank funded project implemented by wajwasco that intended to solve both water and sanitation challenges within Wajir town. He highlighted the sanitation challenges and concerns that Wajir resident faces. He informed that night soil men(county staff engaged emptying bucket toilets) are unable to empty both bucket toilets and septic tank due to encroachment of the lanes hence hindering the access of the facilities which contribute to poor service delivery.

Abdi informed the meeting that this is also a follow up meeting to the letter written to KPLC on the 14th of December 2022.

Min2: relocation of KPLC power poles.

Nasir Harun informed the meeting that the RAP process has identified quite number of people's asset encroaching the lane and a total of 99 poles within the lanes that need to be relocated. He informed the siting that the office is working on the ways to open these lanes. He requested the office to fast-track the process of relocating the poles since the contractor has already been awarded and intends to start the work after the completion of the RAP implementation. He informed the objective is to discuss ways to relocate this poles so as to open the service lanes. Further he said that wajir town population is mostly using packet toilets that fills up within a short period of day and septic tank that need to be emptied or desludged occasionally. He informed the meeting that staffs in the county (night soil men) faces an uphill task to access these facilities for service delivery. Simply people have either constructed structure within the

lane or power poles are obstructing them to reach those that need the service. Consequently, mostly of the population using packet toilets are burying the waste behind their toilets hence this contribute to occurrence water bone diseases.

Min3: Questions and Discussion

KPLC manager thanked the team and appreciated the effort of opening the lanes since services are required by the people of wajir. He shared that even kplc maintenance team faces the same challenge of access to some of its customers due to encroachment of the lanes. He said that a lane that you knew is open and accessible will be blocked by someone who constructs a structure without considering the access and service delivery. These force us to look or maneuver in another lane so as to either attend to emergency or do our normal maintenance routine or attend to customers who have a challenge.

However, he said that relocating all the aforementioned number of poles require a budget from the project side, otherwise the team is ready to assess the cost of relocation and share with the team within the shortest time period. Further, he said that there is a need to have county planners and surveyors on board in this program so as to avoid any further interruption in the future.

In the discussion a mowlid abdullahi and musa badel was tasked to show the planner and the kplc team all the poles earmarked for the relocation.

It was further agreed that after the assessment a quotation will be shared with wajwasco to cover the cost. The manager also gave out in the meeting an application form to be filled by proponent.

The safeguards expert enquired how on long it will take to get the preparation of the quotation.

The kplc wajir manager replied that after the assessment the quotation will be shared with wajwasco after review by the KLPC headquarters for approval. He informed the meeting that assessment will take at most five days while the approval can take at most two weeks.

Min 4 Any Other Business (A.O.B)

Having no any other business the meeting was adjourned at 11:20am.



Meeting with KPLC manager.

MINUTES PAPs CONSULTATIONS MEETING FOR WAJIR SANITARY LANE IMPROVEMENT PROJECT HELD AT MID POINT ON 21TH JULY 2023 AT 9:30 AM, WAJIR.

Present members

The participation list of all attendees has been annexed.

Min1: Introduction.

The meeting was called to order by Mr Abdi mohamed at 9: 50 am with a word of prayer from Ali Ahmed Ibrahim. He then called for self-introductions from the facilitators and members in attendance.

He thanked the members for their time and willingness to cooperate with the project team.

The Sociologist gave a brief introduction of the water and sanitation development project and informed the attendees that the county government led department of WAJWASCO intends to open up and rehabilitate wajir town sanitary lanes that are classified as encroached lanes, lanes with debris and solid wastes and lanes with overgrown vegetation. These lanes are rendered impassable hence hindering the movement of vehicles collecting waste from respective villages. He briefly discussed the challenges encountered by the general public and the service providers especially those in the field sanitation and how these lanes are contributing to poor sanitation and occurrences of disease as a result of poor sanitation. He mentioned disease such as typhoid, cholera, malaria and among others are as a result of poor sanitation systems.

Min2: Importance Of Consultations.

The social safeguard expert from wajwasco explained the importance of public participation and consultations before the project is undertaken. He explained that consultations would help in giving the communities a sense of ownership of the project. He also explained public consultation will enable the project to be executed smoothly without any hitch since the views of the public are always incorporated in the project implementation.

He informed the meeting that public and government agencies are always bound to work together if project benefits is to be realised effectively. He informed the meeting that the proponent will commit itself to ensure public interest are served correctly without any segregation. The expert requested the cooperation of the public throughout the life cycle of the RAP implementation and the execution of civil works that enable mobility and service delivery in view of sanitation improvement.

Further he informed the PAPs that the project proponent has already sensitised the public, took census of affected asset, valued the affected assets hence today's meeting was to consult the PAPs so the project can be smoothly executed.

Min3. Validation and verification.

The sociologist informed the meeting that the project affected people were enumerated and all assets valued by a valuer who met with the PAPs at their homestead. He informed that part of this meeting is to verify and validate ownership of the affected asset. Further to this meeting a team will hit the road to ensure those who have not attended this meeting will be sensitized and to ensure validation is carried out.

The present members were requested to present their original identification card for verification of the details capture during the census and confirm that the affected asset was rightly recorded.

Min 4. Constitution of village level Grievance committee.

The sociologist explained to the meeting that challenges are always anticipated in any development project. To address those challenges there is a need to have redress mechanism that are free, timely, effective and responsive to all anticipated challenges. He requested the PAPs to ponder of this level of grievance redress mechanism and propose members who can handle grievances at the village level before and when the implementation activity commence.

With the guidance of the sociologist and the area chief the attendees proposed the following members to steer the wheel in handling grievance of the two locations present the meeting.

Wagberi location.

s/no	name	contact		Representation
1.	Mohamed Duale	29560095	0719140520	Chief
2	Adan bare billow	9572259	0729799396	elders
3	Ugas Mohamed abdille	277634972	0719340406	youth
4	arfon Mohamed Noor	13258030	707619612	plwd
5	Fatuma Kanyara Abdi	0054412	712585843	women

Further to the membership ward amin will appoint his representative who will be included in the list upon appointment.

Township location.

s/no	name	contact		Representation
1.	Abdiaziz mohamed sire	2986141	0723130834	Area chief
2	Ibrahim abdullahi abdi	28026592	0723908931	elders
3	Abdi farah abdi	20368653	0727701981	youth
4	Nasir ali elmi	13249687	0720336992	Ass.chief
5	Fatuma mohamed abdi	13648078	0727722758	women

Min5: Question and answers.

Q1. Omar abdullahi enquired whether the land is considered for compensation?

Sociologist informed the meeting that the project does not acquire land but rather relocate assets located within the right of way. The land where these assets are located is already within the road wayleave hence nobody is claiming ownership. Items considered for compensation are the asset within the ROW.

Q2: How soon will the project begin since it was long overdue when it the public were made aware of this project?

Social safeguard expert explained the tentative implementation road map and informed the meeting that the project closure date is as of 30th April 2024 where both RAP implementation and the civil works contract are expected to end. He informed the meeting that immediately the updated RAP is approved by the bank PAPs will be compensated and civil works will begin upon the elapse of the agreed timeframe accorded to the PAPs for relocating the affected assets within their compound.

Q3: Hassan Ali inquired whether all assets are given some compensation amount?

Assistant engineer mowlid informed the meeting that PAPs are compensated for an equivalent value of reconstructing a new asset of the same size with the one affected by the project. e.g. if what is affected is an old dilapidated septic tank PAPs will be given an amount equivalent to constructing new septic tank of the same size. Further he informed that several factors were considered including disturbance and vulnerability allowance during the calculation of the compensation package.

Q4. Ibrahim Mohamed. Enquired who will meet the cost of relocating kplc poles that are within the ROW?

The Sociologist replied that kplc poles are considered in the project budget hence kplc will be engaged for relocation of these poles. In the RAP budget kplc poles were considered and the public will not meet the cost of relocation.

Abdullahi informed the meeting that it is prudent to engage the project surveyor on the ground during the implementation so that PAPs are guided during the reconstruction of the affected asset.

Abdi Abdullah. Confirmed to the meeting that the county surveyor will be on the ground before civil works begin and do what is called setting out of the lane. He advised the PAPs and informed them to share with the general public that before one constructs any structure its prudent to consult the office of the surveyor so as to avoid encroachments and lose of structures at any one given time.

Q5. Who will be paid the compensation amount of the communally own assets? By ugas Mohamed.

Sociologist informed the attendees that it's advisable to open joint account for three key selected community members so that affected asset is reconstructed in an appropriate area where the community wants. He advised the community should always consider and avoid ROWs when given investment opportunities like construction of shallow wells and other social amenities by donors.

Q6. What will happen to people who have recently constructed assets within the ROW?.

Sociologist informed the attendees that assets constructed after the cut-off are not eligible for compensation. He requested the PAPs to disseminate such information to the public so that they don't incur unnecessary expenditure in the hope of waiting to be compensated.

Q7. Abdi farah enquired whether the civil work project was awarded and further Requested respective locations to be considered in the award of the civil work project.

Sociologist informed the meeting that the civil works contractor has already been identified through the procurement procedure of awarding contract. The contractor is waiting for the implementation of the RAP report before he undertakes civil works activities.

Min 6: A.O.B

There was no any other business to discuss the meeting was adjourned at 12:10 with a word of prayer from Hassan Ali Noor.

Photos of the meeting



PAPs from wagberi and township location



Abdi and mowlid from wajwasco facilitating the meeting



PAPs from wagberi and township location

TOWNSHIP



Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Mid Point Coffee House Date: 21/7/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
1	MUBIQTAD HUSSEIN	8492114	0726382234	M	TOWN SHIP	
2	ARI AHMED IBRAHIM	0036920	0708074413	M	TOWNSHIP	
3	HAMMED IBRAHIM MOHAMED	07021605	0721240585	M	TOWN SHIP	
4	HASSAN NOOR ALI	8494040	0720159203	M	TOWNSHIP	
5	FARAH MAMMED ADEI	13648078	0727722758	F	TOWNSHIP	
6	ABDULRASHEED ABUALLAH	25732400	0728242578	M	TOWNSHIP	
7	AHMED ALI MURIN	22710753	0722115040	M	TOWNSHIP	
8	IBRAHIM ABDULLAH MOHAMED	28026592	0723908931	M	TOWNSHIP	
9	ADEI FARAH HUSSEIN	20368653	0727710981	M	TOWNSHIP	
10	HALIMA MAHMED MAMMED	0035070	0720679902	F	TOWNSHIP	
11	ADEI MOHAMED	07271555	0720306842	M	TOWNSHIP	
12	MUSA BADR FARAH	072211080	0722111050	M	WAPWAGO	
13	BYGOTINGO ISHAK MOHAMED	0720334160	30696023	F	TOWNSHIP	
14	MUHAMMAD ABUALLAH	29376966	0721479150	M	KLEPTASCO	

MINUTES OF PAPs CONSULTATIONS MEETING FOR WAJIR SANITARY LANE IMPROVEMENT PROJECT HELD AT REDCROSS HALL, WAJIR ON 19TH JULY 2023 AT 9:30 AM.

Present members.

The present members were 60 people. The participation list of all attendees has been annexed.

Agendas

Minute 01: Opening of the meeting.

The meeting commenced at 10.00 am by a word of prayer from maalim mohamed. The area chief welcomed all members and told the members to embrace the opening and rehabilitation of Wajir sanitary lanes project since it will address challenges of sanitation and other social issues such as security and movement within the villages.

Min2: Introduction of the participants.

Musa badel welcomed the members present and introduced the proponent team. He thanked the members for their time on turning up for the meeting in good numbers. He requested self-introduction of the PAPs in attendance and requested each to state their names and village they hail from. Afterwards he welcomed the project sociologist to give brief description of the project.

Min3: description of the project

Abdi the social safeguard expert welcomed the members and briefly explained the components of the WSDP project. He highlighted the reasons behind the government is embarking on opening of the lanes as it contributes majorly to the general sanitation wellbeing of the community as well as ease execution of service delivery by both government agencies and private sectors.

He informed the meeting that the design is to open, improve and rehabilitate the lanes. The design doesn't include bitumization but the lanes will be graveled and ensured it has drainages. The objective of the project is to ensure the lanes are accessible so that both sludge and solid waste collection is eased for both the government and private waste collectors.

He highlighted structures restricting mobility within the lanes which include but not limited to septic tanks, fence, toilets shop canopies etc. and informed the attendees that objective of the meeting was to discuss with the PAPs on the modality of ensuring the project is executed successfully and the PAPs are compensated. He informed the meeting that census has already been done and details of the PAPs captured. There after valuation was carried out. He informed that PAPs will be compensated for their loss of assets, provided with disturbance allowance and trained on livelihood restoration measures.

He informed that a valuer has been engaged for valuation of the assets and that structures were valued at the current market price.

He informed that the mode of payment will be electronic, and PAPs are encouraged to open bank account.

Min4: Validation of assets ownership.

In order to validate the ownership of the asset register, the sociologist requested members present to clearly inform the team who owns the affected asset. Members were called for and confirmed whether the detail recorded matched theirs. Further the sociologist requested the PAPs who did not turn up for the meeting to present themselves at wajwasco office for verification of their details and affected asset.

In the PAP consultation the following two community members from each of the affected 3 sub location were selected to open a joint account in order to receive the compensation package and agreed to relocate/ reconstruct the community water points in a preferred area where the community can access the water points.

s/no	name	idno	location	Location
1.	deynaba adan mohamed	0177449	0707351866	barwaqo
	halima abdi godana	213718	0712-253328	
2.	zakaria mohamed salat	27515393		hodhan
	Abdinasir Mohamed salat	33142357	0721961690	
3	Habiba Hussein Elmi	35491836	0704-104830	Alimaow
	Omar Sheikh Abdi	9746070	723232725	
4	mohamed noor yussuf	13256343	0724-951460	Alimaow
	issak sheik mohamed	194754	712768143	

Min5: Grievance redress mechanism.

The sociologist informed the meeting that there is a need to have grievance structure in the project so as to ensure the smooth implementation of the project.

With the guidance of the sociologist and the area chief the attendees proposed the following members for the village grievance redress committee members.

AliMaow location.

S/No	Name	Idno	Contact	Representation
1.	issack mursal abdi	0052484	0711-135830	community elder
1	issack sheikh mohamed	194754	0712-768143	Community elders
2	Mohamed Hassan Gedi	10116408	0728-744930	Religious leader
3	rahma sheikh hassan	12968899	0705-668613	women
4.	Habiba Hussein Elmi	35491836	0704-104830	PLWD
5	Mohamed hassan mohamed	22531789	0728001246	Area chief

Further to the membership ward amin will appoint his representative and will be included in the list upon appointment.

HODHAN location.

s/no	name	ID No	contact	Representation
1.	Abdi Haret Ali	25141795	0721-378084	PLWD
	Bashir Mohamed Hussein	0036067	0716607045	Religious leader
2	Katra jibasi osman	8490687	0724-324362	women
3	Abdi Bedel Ali	0054521	7222404332	Community elder
4.	Haret Sirat Mohamed	11573218	721595828	Community elder
5.	Mohamed jamac noor	9572284	0723770606	Chief hothan

Min6: Plenary discussion

Q1. The current cost of reconstructing affected asset is not the same as when such asset was constructed how will be handle when it comes to cost of replacement? By jimale mohamed.

Sociologist replied that Asset will be compensated at a current market replacement cost so that the PAPs can put up similar structure.

Q2: What will happen to trees within the ROW.

Sociologist replied that trees will be compensated and value according to the guideline of the KFS and the schedule from the Agriculture department.

Q3. Haretha Hussein Informed the meeting that all the affected people are poor, and they cannot reconstruct such affected asset if the right value of constructing new structure is not allocated for them. He enquired if valuation was done correctly, and affected asset were not undervalued.

The social expert informed the meeting that when the valuation was being done most of the PAPs were consulted at their homestead. He informed that attributes considered in the valuation include the current market price of the material used, transportation cost and labour cost, the rockiness of the area among other factors. He assured that the money allocated to the respective PAPs will be enough for reconstructing new asset of the same size.

Q4: Would the proponent demolish structures at once or village by village? By kadija file

Sociologist: Sufficient time will be given to all the PAPs to demolish their structures and relocate elsewhere once they are compensated. After compensation packages are paid, the PAPs will be given an ample agreed timeline of about a month since most of the structures identified for demolition can be reconstructed within the plots less than a month.

Q5: Whose responsibility is to desludge the septic tanks earmark for demolition? by Nasra farah

Mowlid abdullahi replied that during the civil works construction, the contractor will remove the sludge and demolish the structure, so it is advisable the PAPs to reconstruct their septic tanks within their plots and leave the affected septic tank as it is.

Q6: When will the PAPs receive their compensation dues?

The Sociologist replied that once the RAP is approved the RAP implementation process will begin and tentatively the compensation amount will hit the respective account before end of august 2023.

Q7: Abdi sugow informed the meeting that there are fees paid when one requests for surveyor at the department of lands. Who will meet this cost? Further, he requested the surveyor to be available before the PAPs reconstruct their asset again in wrong area.

Surveyor already accompanied the team when the enumeration was done, and the PAPs were shown the boundaries of their plots. However, any PAPs who want to be shown again will be given the services free of charge. Before civil works commences, setting out will be carried out and PAPs will again be shown the size of their plots as well as where the road passes.

Q8: are there any other benefits given to the PAPs?.

The sociologist replied that benefits such as employment opportunities will be given to the community during the project implementation stage. Distribution of these opportunities will be determined at that time through advert and in consultation with the GRM committees and the locals will be given priority depending on competency and skills required.

Min7: adjournment

There being no any other business to discuss the meeting was adjourned at 12:30 pm

Photos of the meeting



Sociologist attending to questions

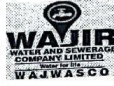


Consultation on who is to be added in the GRM at the village level.



PAPs raising question in the meeting

Barwago



Water and sanitation development project
 PAPs Consultation meeting wajir Sanitary Lane

Venue: Referees Date: 19/7/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
1	Zekun Mohamed Omny	25097040	0791818662	female	Barwago	<i>[Signature]</i>
2	Hadysa Mohamednur Atun	0177641	0717376390	female	Barwago	<i>[Signature]</i>
3	Dagnab Adan Mohamed	01777489	0707357865	female	Barwago	<i>[Signature]</i>
4	Helima Abdi Godans	0213718	0712253328	female	Barwago	<i>[Signature]</i>
5	Husein Nour Mohamed	0036697	0721664589	Male	Barwago	<i>[Signature]</i>
6	Abelisean Adan Gibo	22353409	0727283716	Male	Barwago	<i>[Signature]</i>
7	ISRAHIM ADAN OSMAN	2137915	0723-358-111	Male	Barwago	<i>[Signature]</i>
8	Fatima Hassan Adnan	2218347	0725-600-200			
8	Mohamed Nour Hassan	24713311	0723272669	Male	Barwago	<i>[Signature]</i>
9	Abdi Mohamed	12721188	022030612	M	Sawab	<i>[Signature]</i>
10	Musa badi fereh	3035586	0797211921	M	Barwago	<i>[Signature]</i>



Water and sanitation development project
 PAs Consultation meeting wajir Sanitary Lane

Barwago

Venue: Barwago Date: 19/1/03

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
1	Idoy Abdulkman HJI	210616E	0722289852	F	Barwago	[Signature]
2	Fatima Almarwan	0037708	0722485152	F	Barwago	[Signature]
3	Fatima Almarwan	0037708	0722485152	F	Barwago	[Signature]
4	Ali Muta Abdulk	81531490	0720256695	M	BARWAGO	[Signature]
5	HALEMA ABY BISHAN	1131283	0718134432	F	BARWAGO	[Signature]
6	MOKHAMED IBRAHIM SHAWA	2036422	0728029392	M	BARWAGO	[Signature]
7	KHADIJA HUSAIN DAWA	20382260	0712125426	F	BARWAGO	[Signature]
8	NAKHA KEFA	10116798	0722504190	F	BARWAGO	[Signature]
9	FATIMA MOKHAMED DAW	0038220	0711301449	F	BARWAGO	[Signature]
10	HASSAN ABULI SHAWA	0036480	07222611629	M	Barwago	[Signature]
11	HASSAN MOISE BISHAN	0544253	0728425138	M	Barwago	[Signature]
12	Saidin Hassan	1222263	0714222065	F	Barwago	[Signature]
13	Mohamed Ibrahim	21284666	0722856941	M	Barwago	[Signature]
14	Abdi Mawani	07221884	0722285202	M	Barwago	[Signature]
15	Mohamed Abdulkadi	29326742	0721489154	M	Barwago	[Signature]



Alimaow

Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Redcross Date: 19/7/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
1	Adow Ahmed Jariit	20136821	0723554694	M	Alimaow	<i>[Signature]</i>
2	Mohamed Hassan Gedi	10116408	0728744930	M	Alimaow	<i>[Signature]</i>
3	Issac Mosaaw	0052484	0711135830	M	Alimaow	<i>[Signature]</i>
4	Hassan Abdi Shabay	0036480	0327611679	M	Ramsay	<i>[Signature]</i>
5	Adow Abdi Mohamed	8495928	0720927853	M	Alimaow	<i>[Signature]</i>
6	Abdi Mohamed Bala	27271057	07225602	M	Wajir	<i>[Signature]</i>
7	Musa Ladal Farah	30035586	079721594	M	Wajir	<i>[Signature]</i>
8	Muhammad Adan	2932569	072197154	M	Wajir	<i>[Signature]</i>



Holhan

Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Redcross Date: 19/7/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
1	Sarura Adan Ali	0042609	0710225302	F	Holhan	<i>[Signature]</i>
2	Khadija fille Chug	0043413	0720752045	F	Madina	<i>[Signature]</i>
3	Halima Nor Hanzhi	23473579	0701520600	F	Holhan	<i>[Signature]</i>
4	Hant Siret Had	1172218	0721555818	M	T/Soubi C	<i>[Signature]</i>
5	Muhammad Hersi Hassan	22531666	0797419818	M	Holhan	<i>[Signature]</i>
6	Abdullahi Sata Ali Sata	29890108	0795489771	M	Holhan	<i>[Signature]</i>
7	Ibrahim Alasw Alim	0089002	0722125911	M	Holhan	<i>[Signature]</i>
8	Muhammad Diis Abdi	24789536	0710827717	M	Holhan	<i>[Signature]</i>
9	Abdi Sugan Hussein	1173968	0729234385	M	Holhan	<i>[Signature]</i>
10	Ahmed Hadi Sheikh	3453556	0720242471	M	Holhan	<i>[Signature]</i>
11	Adow Mohamed Sali	5492519	0722464652	M	Holhan	<i>[Signature]</i>
12	Abdi Ahmed Hachii	2587461	0723471612	M	Holhan	<i>[Signature]</i>
13	Abdullahi Dahi	2561747	0722429264	M	Holha	<i>[Signature]</i>
14	Abdi Mohammed	27271588	072250642	M	Holha	<i>[Signature]</i>
15	Muhammad Abdullahi	29276966	0721475104	M	Holhan	<i>[Signature]</i>



Hodken

Water and sanitation development project
 PAPs Consultation meeting Wajir Sanitary Lane

Venue: Rodken Date: 19/1/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
15	Khatera Jubara Osman	84906086	0724324962	F	Hodken	KA TRA
17	Zakeri Mohamed Saleh	27575393	0725873324	M	Hodken	Sekani
14	Amira Adhahman Ad.	81389559	0727220100	F	Hodken	A
15	Mohamed Ad. Hamad	82534271	0720070961	M	Hodken	RS 1050
20	Bardiga Osman Isid.	0055621	0714156350	F	Hodken	Ban
21	Mahmud Mohamed Hussein	27239619	0722290031	M	Hodken	AD
22	Hasrat Sifat Mohamed	11573218	0721535818	M	Hodken	Amant
25	Kasira Farah Atulle	23258079	0793653253	F	Hodken	Kasira
24	Alhad Selam Mohamed	11224941	0721823803	M	Hodken	
25	Amira Hussein Isac	6390290	0723917086	F	Hodken	
25	Araba Kur Omar	1266363	0723197086	F	Hodken	
27	Kasir Mohamed Hussein	07226201	0710558476	F	Hodken	Amant
28	Sahara Rashid Mohamed	22253707	0720758798	F	Hodken	Sahara
29	Had Mohamed Sefi	10117388	0726793326	F	Hodken	Had
30	Asir Bile Hussein	84991907		F	Hodken	



Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Hodhan

Venue: Red Cross Date: 29/7/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
31	Haryan Ali Mohamed	0038041	074742148	F	Hodhan	[Signature]
32	Adey Mohamed Hassan	0038739	0700737282	F	Hodhan	[Signature]
33	Zeynab Osman Aldi	8499143	0715018467	F	Hodhan	[Signature]
34	Adlan Abdi Yaro	27294799	0725351116	M	Hodhan	[Signature]
35	Fatuma Abdikar Shauq	84995085	24405713	F	Hodhan	[Signature]
36	Bashir Mohamed Hussein	0036067	216607045	M	Hodhan	[Signature]
37	Rakia Ali Sahal	6425576	0711613448	F	Hodhan	[Signature]
38	Hana Ha Hussein	6398296	0720409404	F	Hodhan	[Signature]
39	Sayna Abdi Farah	1264180	0726560919	F	Hodhan	[Signature]
40	Safi Adlan Hanyara	14466789	0702545945	F	Hodhan	[Signature]
41	Abuye Abdullain Hassan		07	F	Hodhan	[Signature]
42	Abdirashid Adli	3560714	0700561181	M	Hodhan	[Signature]

MINUTES OF PAPs CONSULTATIONS MEETING HELD ON 25th JULY 2023 AT 9:30AM FOR WAJIR SANITARY LANE IMPROVEMENT PROJECT HELD AT GREENVILE GARDEN HOTEL, WAJIR.

The participation list of all attendees has been annexed.

Introduction

The meeting started 9:30 am with a word of prayer from abdille issak. Members from the proponent and the representatives of wajir municipality introduced themselves. Thereafter the PAPs were allowed to introduce themselves by stating their names and village they came from.

The Sociologist informed the members to sign the attendance register at the entry of the hall after he clarified the essence of signing which was only to confirm their presence in the meeting.

He urged members to keenly follow the proceedings and share their complements and concerns for effective recording and inclusion the RAP report.

Min 2: project component

Eng mowlid thanked the present members for coming and heeding to the call of this meeting which signifies that the willingness of the PAPs to work with the government of the day in order to deliberate and execute important matters such as sanitation that is of great importance to wajir town population. He highlighted the broader scope of WSDP project and informed the meeting that part sanitation component the project intends to open, rehabilitate and gravel wajir sanitary lanes as it was discussed earlier with the general public early last year.

He informed that the design is to ensure the lanes are accessible by removing all encroaching assets, Bushes and debris that have hindered the usability of the lanes. He informed that the project will not tarmac the lanes but gravel and provide drainage until when the government will provide a budget and plan for tarmacking. He informed that due to financial constraints the government cannot tarmac the lanes at this juncture. The project is aimed at ensuring both solid and sludge are collected efficiently and disposed at the designated waste disposal areas. He highlighted the major challenge and hindrance to waste collection in the town is encroachment of the roads.

Min3: importance of consultations.

Representative of Wajir municipality (Director of urban development Mr. abdi Ali) welcomed the members and briefly stated the importance of consultation process. Consultations are usually done in order to reduce adverse impacts and enhance positive impact of the project and also ensure the views of the people are incorporated in any development project. He highlighted the good gesture from the WSDP project and willingness of the PAPs in this specific sanitation project. He then applauded this program for being one of its kind that compensates the affected people and enhance sanitation chain. He raised that wajir town is unique and requires proper sanitation enhancement. This is because of the high water table that forced people to use bucket toilet that requires frequent emptying.

Further he requested the PAPs to no derail this development project with unnecessary short and reversible concerns since the RAP activity and the project civil works have strict timelines to achieve milestones before the general wsdp period come to an end.

Min4: Verification and validation

The sociologist informed meeting that the project affected people were enumerated and all assets valued by a valuer who met with the PAPs at their homestead. He informed that part of this meeting is to verify and validate ownership of the affected asset. Further to this meeting a team will heat the road to ensure those who have not attended this meeting will be reach out and ensure validation is carried out.

The present members were requested to present their original ID card for verification of the detail capture during the census and confirm that the affected asset was rightly recorded.

Min5: grievance redress mechanism.

The sociologist enquired the best approach of handling issues related to preparation of the resettlement action plan and the general project grievances. The members deliberated and it was resolved that for the project to succeed elders, the chiefs and project proponent should take the lead in order to resolve grievances. A team of elders with representative from the PAPs as shown in the tables below was proposed and agreed to handle grievances at the village level.

The sociologist informed the meeting that grievance can be inform of both written and oral that will be recorded at the grievance logbook that will be availed at the office of the respective chiefs and at GRM office in wajwasco. The sociologist shared the contact of both the project social expert (0720306842) and the GRM officer (0110662708) with the PAPs.

List of GRM village committee members for jogoo location.

S/NO	NAME	IDNO	CONTACT	REPRESENTATION
1.	mumina billow muhmed	16007826	723875583	Women
1	ubah mohamed bille	24782382	724204638	Youth
2	Adan Ali Abdi	6822280	722309814	Elder
3	Mohamed ali wayah	22951203	0724667417	Elder
4.	mohamed issak nuh	24617097	729034636	Religious leader
5	Mohammed Hassan Gardale	21258724	723625223	Chief Jogoo

List of GRM village committee members for Godade location.

S/No	Name	Idno	Contact	Representation
1.	Jowhara abdirahman maow	29349662	29349662	Women
2	Harun Yusuf abbey	29606282	0721482027	Youth
3	Ali Sheikh Mudey	,0037215	0711-271756	Elder
4	Yahya abdi abdullahi		0722448971	chief
5	Abdullahi diriye weydow	9573775	0723147017	elder

Min6: Question and answers.

Q1: Hon. Adow kusow. Appreciated the project team and informed the meeting that this project that will have enormous positive impact to the Wajir sanitation chain. He enquired when the compensation money will be paid to the PAPs?.

The social safeguard expert replied that the proponent is planning to release composition package before 30th August 2023 if the bank approves the RAP report before that date.

Q2: Nur Mohamed appreciated the proponent and the county government for considering a compensation for the PAPs and adhering to the laws of the land and the donor/financier of the development project.

He sought clarification from the county director of urban development where the 3000 charges paid to the surveyors are illegal or a valid government charges?

Further he seeked clarification on money collected by county officials when one is doing construction.

Whether the valuation has considered such charges?

The county urban development director replied that the three thousand shilling is not paid to the surveyor but rather to the land department. Any money paid directly to the surveyor to show beacons and measurement of plots is illegal. One is required to visit the department of land make payments and acquire receipts before the above service is rendered to the person. However, this project will ensure that PAPs are accorded to such assistance and no service fee will be required from the PAPs.

On construction fee this is collected by the county revenue department and the project has an administrative budget that will ensure inclusion of such fees.

Q3: abdullahi mohamed are PAPs allowed to salvage material for the affected asset? And who is responsible for collecting waste generated from the demolished structure.

Social expert informed the meeting that its permissible and allowed the PAPs to salvage material from the affected asset. Any solid waste that is found within that specific lane will be collected and disposed of in the designated area by the civil work contractor.

Q4: appreciated and thank the team for the good work. He requested the team to hasten the project implementation. Further he enquired who will be responsible for reconstructing communal affected assets such as community wells.

The area chief and elders are always consulted on community wells. In consultation with the general public depending on the specific wells for water, the area chief and the elders will identify three people who will be responsible for reconstructing such asset for the community. The three proposed names will open a joint account and compensation package will be paid to them.

Q5: Omar mohamed informed the meeting that There has been too much talk on the rehabilitation of the lanes, but no tangible work has been done so far, when will the construction commence?

The project team is currently working on developing the RAP report. In a weeks' time the report will be submitted to the bank for approved. There after the RAP implementation process is expected to commence which is anticipated or tentatively planned to take a month that by end of august. Therefore, the civil work contract is expected to commence early September and expected to end by 30th APRIL 2024.

Q6: Jelle adan. Informed the meeting that majority of this people have closed their business for today's meeting. Is there allowance payable to them?

The social expert informed the meeting that currently the department has not liquid cash to pay for allowances. however, it has procured conference and meals for today.

Q7: Munima billow expressed fear of paying compensation packages to men. She raised that men are polygamous and may not reconstruct such affected asset for the family.

The sociologist informed the meeting that the project team cannot make decision for the family however, it's prudent the family to propose an agreed person to receive the compensation package payment. where there is a foreseen challenge or conflict the GRM committee and the chief will be consulted and there after a decision will be reached amicably.

So far there are no complaints of that kind the project team has received.

Min7: adjournment

There being no any other business to discuss the meeting was adjourned at 3:30pm

PHOTOS



PAPs following the proceedings




Mowlid helping PAPs in signing attendance list



Nur muhemed raising question in the meeting

v



WAJIR
WATER AND SEWERAGE
COMPANY LIMITED
WAJIR
WAJIRWASCO

Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Greenile Date: 25/09/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
	Abdullahi Mohamed Hussein	1081831	0725848905	M	Jogoo	
	Adow Kusow Ibrahim	0216248	0720267765	M	ii	
	Mohamed Issack Nur	24617097	0729034688	M	Jogoo	
	Bashied Mahamed Moad	3453241	0723809117	M	Jogoo	
	DUBA SMAN BUNT	0054244	074051740	F	Jogoo	
	Ahmed Bolow nor	22945888	0711734617	M	Jogoo	
	SIYADU MANNAY	21133968	0770742619	M	Jogoo	
	Abdirrar Abulle Abili	6890207	0704017737	M	Jogoo	
	Isaak Ali Mohamed	1541303	0729653442	M	Jogoo	
	Ahmed Mohamed Ali	20631540	0708319209	M	Jogoo	
	Mohamed Ali Wajal	22957203	0724667417	M	Jogoo	
	Abdullahi Dinye weyda	9573775	072347717	M	Jogoo	
	Ahmed Abdi Issak	0544858	0720347223	M	Jogoo	
	Celle Adan Abdi	0076739	0713081337	M	Jogoo	
	Halima Ibrahim Wajal		0723598581	M	Jogoo	



Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Greenville Date: 25/09/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
	Aftin Abdi Hussein	13256264	0777343600	M	Jogon	
	Muning Bilal Muhamet	16577822		F	Jogon	Muning
	Ruxia Billa		076275464	F	Jogon	RUKIA
	Adore Ali Adh	6822280	0722309884	M	" "	
	Muslims Shams Osman	0038101	0727475754	F	" "	
	Mohammed Assoulatte	22770525	0721837089	M	" "	
	AGANE Amin MOSE		0769749099	F	" "	
	Mohaziz Salsar Mohamed	21516515	0726415838	M	" "	
	Alimed No Mohamed	20874596	0723139616	M	" "	
	Idle Osman Yusuf	23042778	0710747245	M	" "	
	Abouker Sheikh Saly	20794837	0723404302	m	" "	Abouker
	Shukri Ahmed Hassan	29569684	0722478317	M	" "	
	Smart Abdallah	2835553	0722142777	M	Wajir	
	Mouled Abdullahi	29376966	0721479154	M	Wajir	
	Musa Bodehann	3003586	079721582	m	Wajir	



Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Greenville Date: 25/07/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
	Bishara salar Hassan	0038377	0727327603	F	Bula Jogo	R
	Fatuma muhamed Omar	63908529	0710605655	F	Bula Jogo	F
	Abila Abdi Jillo	0054431	0723144295	F	Bula Jogo	A
	Isnana mohamed Ismail	20149491	0724907679	F	Bula Jogo	
	Rukia Salar Buul		073834576	F	Bula Jogo	
	Jamila muhamed	26010715	0721684215	F	Bula Jogo	J
	Amira Adan duuf	11982892	0720599181	F	Bula Jogo	A
	Zainab mohamed	072443989	35503719	F	Bula Jogo	
	Fatuma muhamed		0720915660	F	Bula Jogo	
	Timara Dayaa Orom	22015822	0792409588	F	Bula Jogo	
	Duba Ahmed Aden	6391166	0722102738	F	Bula Jogo	
	Dunin abey AL	13403203	0724153843	F	B - Jogo	
	FARAH ABOI MOHAMMED	35209791	0725283791	M	B - Jogo	A
	ABDIKADIR DIRIYE ALI		0790800734	M	B - Jogo	
	Mohamed Hassan	21258729	0723629223	M	JOGO	



Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Greenville Date: 25/07/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
1	Ubat Mohamed Gila Duba Salar Buul	24782352	0224208635	F	Jogo	Ubat
2	Dessa Nor Jimale	20983057	0724763833	F	Jogo	
3	Amira Mohamed Noor	13257823	0722490271	F	Jogo	A
4	Zaynab Ismail Hassan	20162440	0720157024	F	Jogo	
5	Fatima Badi Ismail	8490715	0716326678	F	Jogo	
6	Amal Zaynab Ismail		07	F	Jogo	
7	Ismael Abdulkadir M	28315753	0722142717	M	WAJIR	
8	Mohamed Dayib	34068472	0721032143	M	WAJIR	
	India Osman Omar	21258705	0727684766	F	Jogo	



CSD/AD/E

Water and sanitation development project
PAPs Consultation meeting wajir Sanitary Lane

Venue: Greenville Date: 2/10/23

S/N	NAME	IDNO	CONTACT	GENDER	VILLAGE	SIGNATURE
1	JIMALE MOHAMMED H	11783085	0720978992	MALE	UDD-ADIE	Jimale
2	Omar Mohamed Abay	13064751	0721794724	Male	" "	Omar
3	Abdulle Isacate	077481	0798634229	M	" "	Abdulle
4	Mohamed Hussien Ali	34769532	0723658330	M	" "	Mohamed
	Ali waz Korow	36420750	0726958168	M	" "	Ali
	Adan Ahmed Salat	25691110	0727960389	M	" "	Adan
	Mohamed Abdi Kelmey		0702556080	M	" "	Mohamed
	Abdullahi Dinyewaydow	9573775	0723-147917	M	" "	Abdullahi
	Hann Abay	29606282	0721148207	M	" "	Hann
	Maryam Faruqa Mameh	1117374	0707982345	F	" "	Maryam
	Abdus Hussein Ali	2106312	0716829847	F	" "	Abdus
	Towhara Abdurmanan Maw	29849662	0720548439	F	" "	Towhara
	Habib Yusuf Jimale		0712021813	F	" "	Habib
	Mouliel Abdullahi		0721079154	M	Kilgudeso	Mouliel
	Musa Badel Farah		0797219921	M	Wajir	Musa

Annex III: Grievance log form

GRIEVANCE LOG FORM:

GRIEVANCE NO:.....

Name of Complainant	Gender:		Age:	
	Male		18 – 35 36 – 65 65 - Above	
	Female		18-35 36 -65 65 - Above	
	Date			
Contact Information	Phone No:		E-mail:	
Location of the Complainant County	County	Sub-County	Ward	Village
Signature of the Complainant	Or if he chooses to be anonymous		Reason for staying anonymous	
Description of the Complaint (s)				
Resolution of the Complaint	Yes		No:	
Referral	Yes		No:	
If referred: Who was it referred and what is position or title of the referral	Contact of the referrals		E-mail of the referral	
Resolution Communicated to the Complainant	Yes		No	

Annex iv: translated version of executive summary.

Macluumaadka Mashruuca

Dowladda Kenya lanta wasaaradda biyaha, fayadhowrka iyo waraabka waxay Bangiga Adduunka ka heshay kharash ku baxaya maalgelinta mashruuca horumarinta fayadhowrka iyo biyaha (WSDP). Maalgelintu waa maalgalin dheeraat ah oo la codsadi marki guul laga gaaray hirgelinta mashruuca logumagacdaraay WaSSIP. Kharashkan waxa loo qaybiyey tiro ka mid ah adeeg bixiyayaasha biyaha iyo fayadhowrka ee katirsan gobolatha xeebta iyo waqooyi baari.

Ujeedada guud ee mashruuca biyaha iyo nadaafadda waa; In la horumariyo adeegyada biyaha iyo biyaha wasakhda ah, Kordhinta helitaan la isku halayn karo, la awoodi karo oo la heli karo biyo iyo adeegyo fayadhowr iyo in la yareeyo saamaynta abaarta iyadoo loo marayo tallaabooyin wax looga qabanayo.

Wajeer si loo gaaro ujeedooyinka fayadhowrka gaarka ah, dhowr mashruuc-hoosaad ayaa laga hirgaliyay Tan oo ka mid yihin.

- Dhisidda tas-hiilaadka fayadhowrka sida meelaha lagu maydho ee dugsiyada iyo musqulaha tijaabada ee loo dhisay xubnaha bulshada ee nugal.
- Furitaanka, hagaajinta iyo dayactirka waddooyinka nadaafadda Wajeer
- Horumarinta iyo dhismaha warshadda saxarada ee magaalada Wajeer
- farsamada maaraynta ciidda habeenkii-barnaamij loogu talagalay in lagu wanaajiyo maaraynta, gudbinta, daawaynta iyo tuurista saxarada ee shaqaalaha ka shaqeeya faaruqinta musqulaha baaldiyada.
- Horumarinta dukumeentiga qaabdhismeedka siyaasadda nadaafadda
- Horumarinta iyo ka bixida barnaamijka horumarinta ol'olaha beddelka dabecadda degmada Wajeer

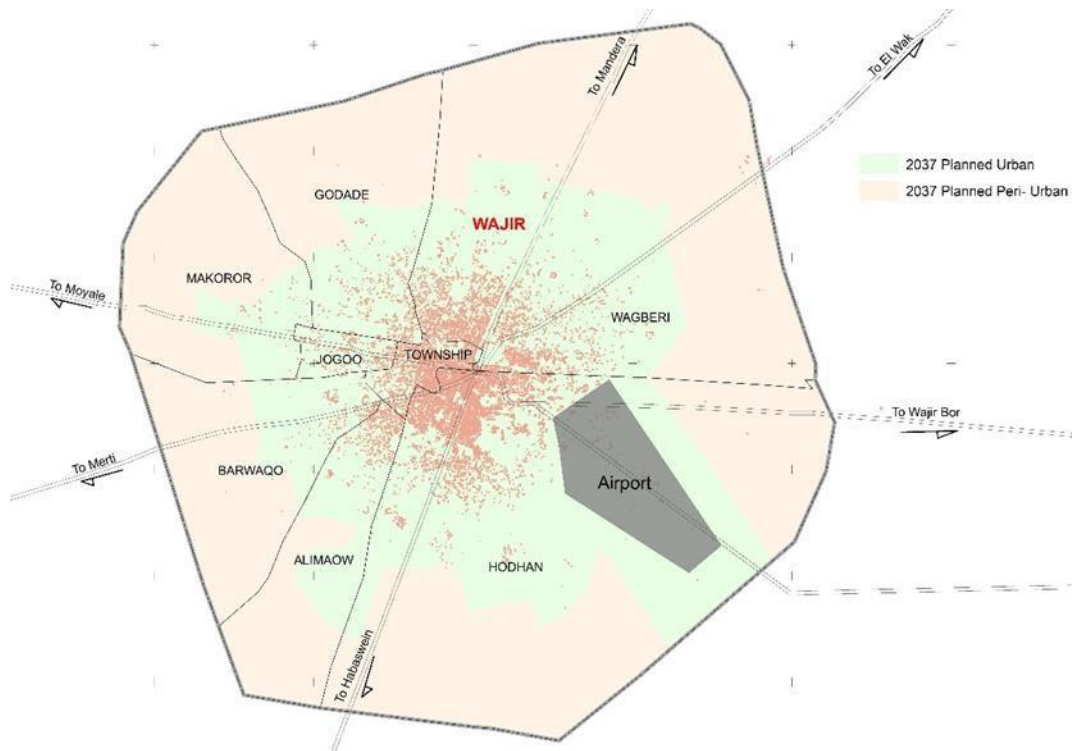
Qayb ka mid ah maalgelintan sida kor lagu sheegay ayaa la qorsheeyay in la furo, la hagaajiyo, laguna dayactiro waddooyinka nadaafadda Wajeer ee toddoba goobood oo kuyela gudaha magaalada Wajeer.

Ujeedada gaarka ah ee furitaanka iyo dayactirka mashruuca haadka nadaafadda ee Wajeer waxaa ka mid ah:

- Furitaanka dariiqa marinka loogu talagalay ururinta hufan ee qashinka, saxarada iyo qashinka adag labadaba
- Yarenta ku aasitanka saaxarada musqusha gadhashedha.
- furinta adeegyada biyo-mareenka jidka fayadhowrka si loo ilaaliyo nadaafadda guud ee aagga mashruuca
- Yaraynta khatarta wasakhaynta isha biyaha ceel gacmeedka
- In la yareeyo heerka faafitaanka iyo gudbinta cudurrada biyaha ka dhasha.

Goobta mashruuca:

Soo jeedinta furitaanka, hagaajinta iyo dayactirka jidka fayadhowrka Wajeer ayaa la doonayaa in laga hirgeliyo toddoba goobood oo ku yaal agagaarka mashruuca magaalada Wajeer. Goobaha waxaa ka mid ah Degmoyinka, Hodhan, Calimaow, Barwaaqo, Jogoo, Godade iyo goobta Waagberi. Jaantuska 1-1 ee hoose wuxuu muujinayaa goobta mashruuca.



Jaantuska E-1: Goobaha magaalada Wajeer ee aaga mashruuca.

Faahfaahinta Wadooyinka Fayadhowrka ee Goobaha Barnamijka.

Fasiraadda khariidadka wajeer ee goobaha mashruuca waxay muujinaysaa in dhulka dhammaan laqeybiyay marka laga reebo goobta Godadde.

Dadka iska leh dhulka ee ku yaala Hodhan, Township, Barwaaqo, Calimaow, Waagberi, iyo Jogoo ayaa la sahmiiyay dhulkooda, Qorshayaasha la ansixiyay, warqadaha qoondaynta la helay iyo ilaa laba kuun oo qoys warqadaha lahaanshaha helay. Goobta godade sahan ayaa dhawaan la sameeyay oo aan weli la ansixin qorshaha.

Soo koobidda faahfaahinta dhulka iyo Waddooyinka Nadaafadda ee xaafadaha ay ka kooban tahay ee Magaalada Wajeer waxaa lagu bixiyey Shaxda E-1 ee hoose.

goobaha	tirada boosaska	Tirada jidadka nadhafada	dhererka jidadka nadaafadda
Township/madina	1930	12	5.17km
Hodhan/shallete	1250	11	7.05km
Alimao	1050	5	3.05km
Wagberi	1200	8	6.5km
Barwaaqo	1100	7	4.1km
godade	970	7	4.85
jogoo	970	7	5.25km

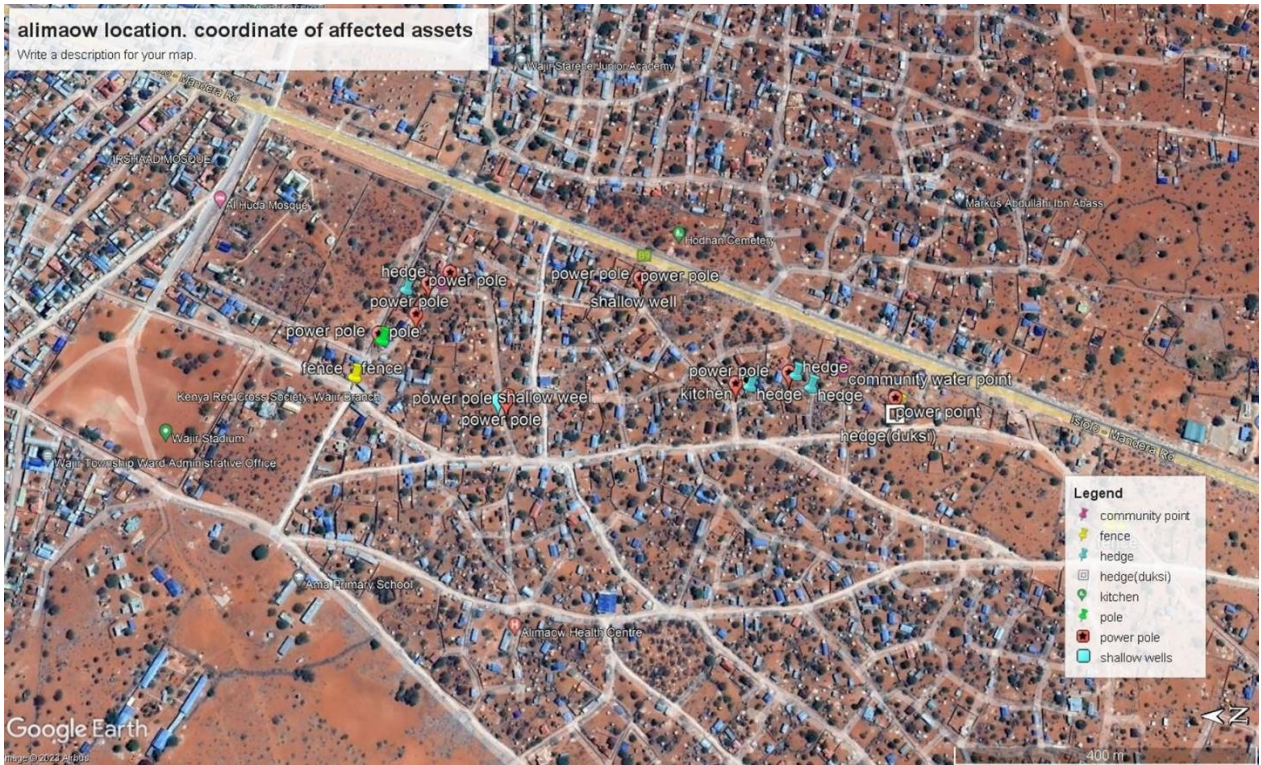
Khariidado faahfaahsan oo muujinaya xad-gudubyada ka jira xaafadaha ay ka kooban tahay Magaalada Wajeer ayaa lagu bixiyay jaantusyada E-2 ilaa E-8



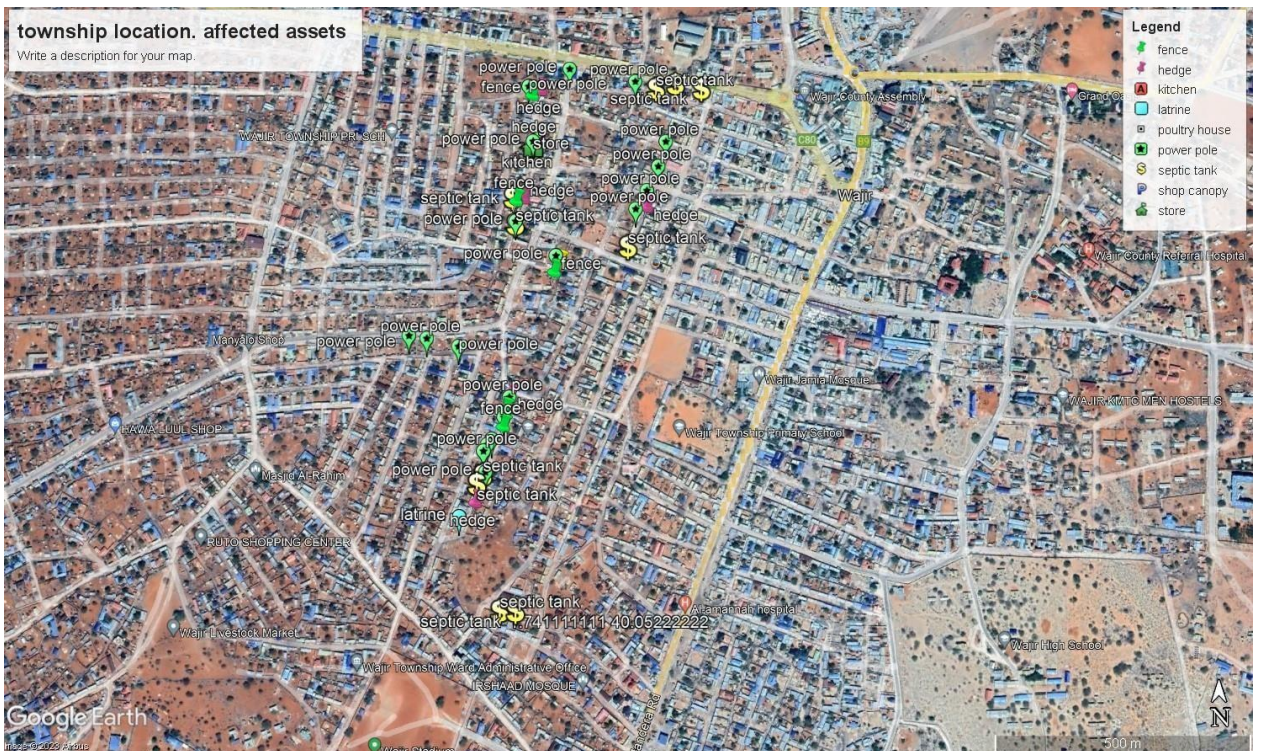
Jaantuska E-2: Ku Xadgudubka Jidadka Fayadhowrka ee Jogoo



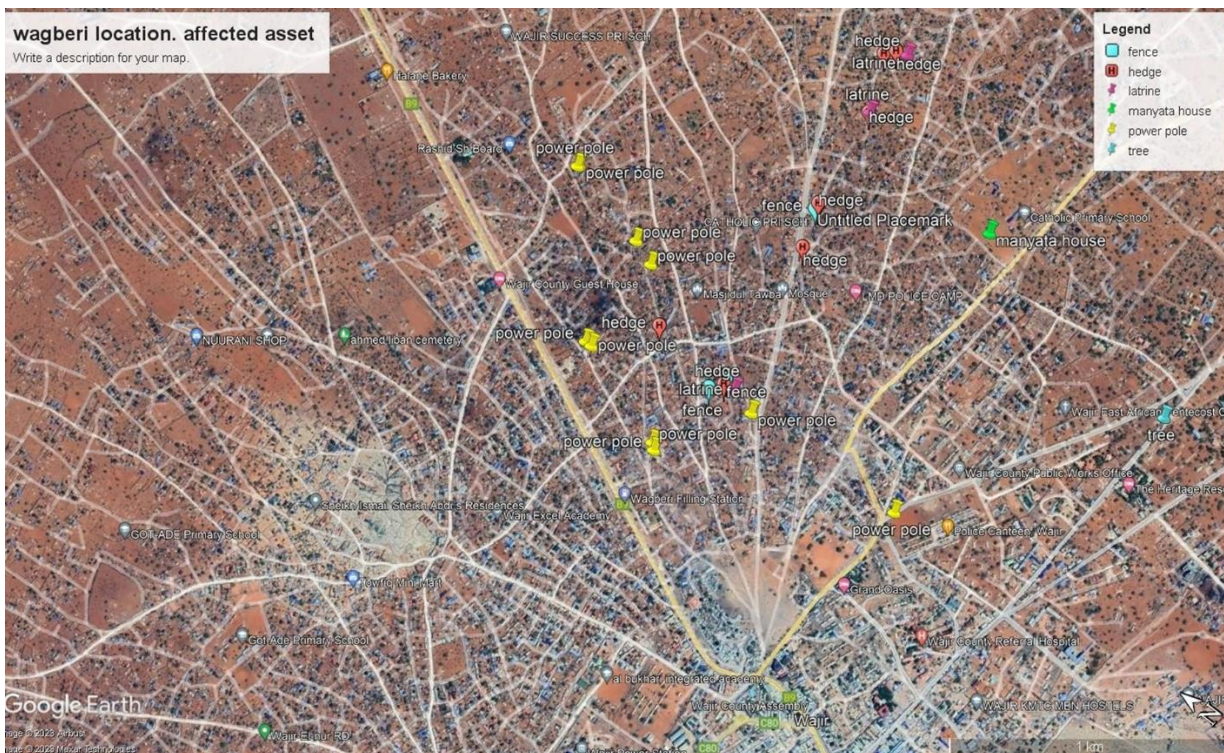
Jaantuska E-3: Ku Xadgudubka Jidadka Fayadhowrka ee hodhan



Jaantuska E-4: Ku Xadgudubka Jidadka Fayadhowrka ee hodhan



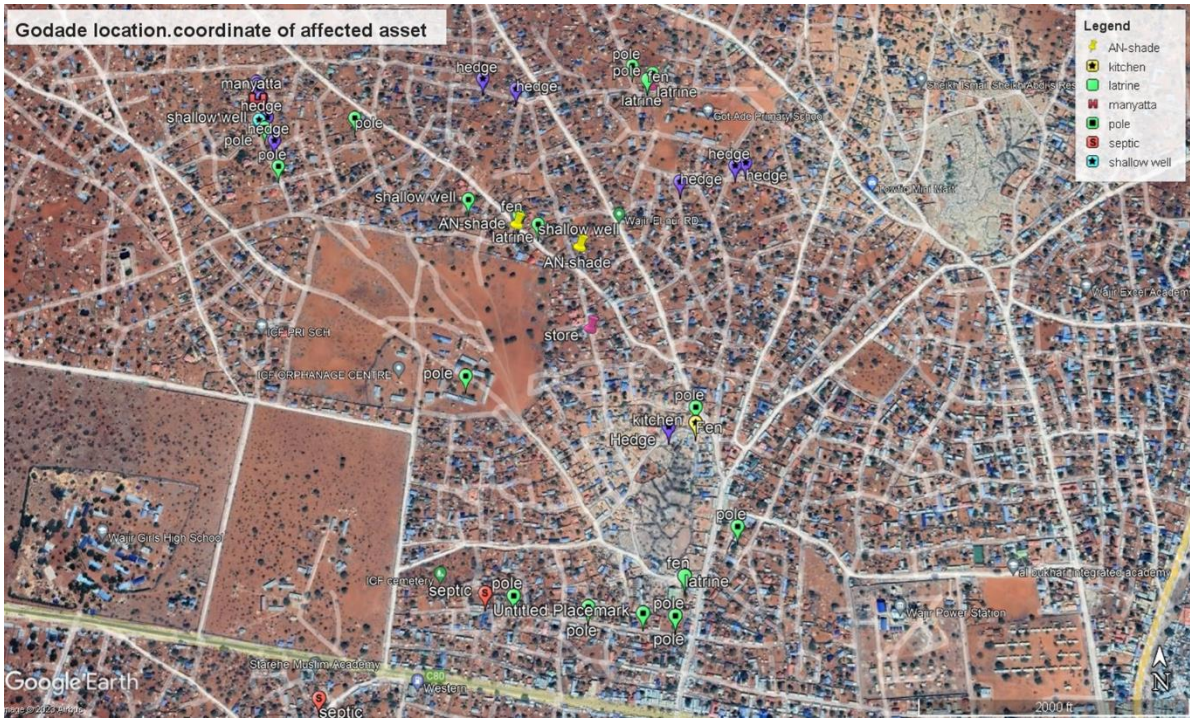
Jaantuska E-5: Ku Xadgudubka Jidadka Fayadhowrka ee township



Jaantuska E-6: Ku Xadgudubka Jidadka Fayadhorka ee wagberi



Jaantuska E-7: Ku Xadgudubka Jidadka Fayadhorka ee barwaqo



Jaantuska E-6: Ku Xadgudubka Jidadka Fayadhowrka ee wagberi

E.4 Ujeedooyinka Qorshe Hawleedka Dib-u-dejinta

Ujeedada guud ee Qorshaha Waxqabadka Dib-u-dejinta (RAP) waa in la muujiyo mabaadi'da iyo hababka lagu maamuli doono yaraynta saameynta xun ee bulshada ee ay keentay dhaqancelinta la soo jeediyay, furitaanka iyo cusboonaysiinta waddooyinka fayadhowrka ee gudaha Mashruuca Magaalada Wajeer. Sidoo kale, waxay gacan ka geysataa aqoonsiga dadka nugul waxayna dejisaa tillaabooyin lagu hubinayo in laga ilaaliyo saamaynta xun ee mashruuca.

Ujeedada gaarka ah ee qorshe hawleedka dib u dejinta waxaa ka mid ah

- (i) In dhammaan noocyada khasaaraha la aqoonsada, si cad loo qeexa oo si sax ah loo kala saara si ay u muujiyaan dabecadda iyo baaxadda khasaaraha.
- (ii) In halbeeg lagu qeexayo u-qalmitaanka iyo xaq u yeelashada loo sameeya qiimayn cadaalad ah oo magdhowga khasaaraha ama saamaynta soo gaadhay.
- (iii) U hoggaansanaanta qodobbada Shuruucda Kenya iyo Bangiga Adduunka
- (iv) in magdhow loo siiyo dadka ay saamaysay mashruuca kahor intuu mashruuca bilabbanin.
- (v) In dadka jilicsan si khas ah loo tixkiliya oona lasiiyo gacan kagoni ah dadka kele ee uu sameyay mashruuca.
- (vi) (vii) In lala tashado dadka uu mashruuca saameeyay lana siiyo fursadda ka qayb qaadashada naqshadaynta, hirgelinta iyo la socodka dib u dejinta.
- (vii) (viii) in la sameeyo hab lagu xallinayo cabashooyinka si loo xalliyo khilaafaadka ka dhasha dib u dejinta iyo magdhowga.

E.5 habka qorshe hawleedka dib u dejinta

Habka diyaarinta hawleedka dib u dejinta waxaa ka mid ah hawlaha soo socda:

- (i) Abaabulka iyo wacyigelinta bulshada
- (ii) mashruuca dadka iyo hantida uu saamen kuyeshay
- (iii) Qiimaynta hantida mashruuca sameyay;
- (iv) La-tashi hay'ad iyo mid shaqsiyeed
- (v) Tirakoobka Dadka iyo Dhaqaale-Bulsheedka ay Saameeyeen Mashruuca

-
- (vi) Dib-u-eegis lagu sameeyo ilaha labaad iyo sharciyada la xidhiidha muuqaalka mashruuca
 - (vii) Falanqaynta xogta

Cusboonaysiinta ayaa la bilaabay Maarso 2022, si kastaba ha ahaatee, waxaa jiray dib u dhac ku yimid helitaanka sanduuqa loo baahan yahay si loo fududeeyo qoysaska iyo sahanka tirakoobka. Xaqiijinta dadka mashruuca samenayo ayaa la fuliyay bishii Luulyo 2023 si loo hubiyo in aysan jirin wax isbeddel ah oo ku yimid aagga mashruuca. Warbixiinta wadatashi raacsan warbixin .

E.6 Qaab-dhismeedka hay'adaha iyo sharciga

Habka diyaarinta hawleedka dib u dejintaan waxa u kudisanyahay sharciga kenya iyo qeeynunka uyalo bankiga adduunka taas oo ay kamid yihiin:

1. dastuurka kenya (2010)
2. fal dhuleed (2012)
3. sharciga dhulka wax ka bedelka (no. 28 of 2016)
4. Xeerka Qiimayaasha (1985)
5. Xeerka Komishanka Dhulka Qaranka (2012)
6. Xeerka maxkamadda deegaanka iyo dhulka (2011)
7. Xeerka isku xirka deegaanka iyo maamulka (1999)
8. Xeerarka magaaloyinka (2011)
9. Geynunka guriyeynta (2011)
10. Sharciga hantida guurka ee No49 ee 2013 iyo lahaanshaha hantida guurka
11. Habka iibsiga Wayleave ee Kenya
12. Xeerka dembiga galmada 2006
13. Xeerka Carruurta 2001
14. Ka-hortagga, ilaalinta iyo caawinta dadka gudaha ku barokacay iyo bulshooyinka ay dhibaataadu saameysey, 2012
15. Xeerka Maamulka Gobolka 2012
16. Sharciga qorsheynta jireed 2010

Badbaadada Bangiga Adduunka iyo dukumeentiyada qaab dhismeedka ee maamula habka RAP waxaa ka mid ah:

- (i) Qaabdhismeedka Dib-u-dejinta (RPF) ee WSDP - Febraayo 2017
- (ii) Bangiga Adduunka OP 4.12 ee ku saabsan dib u dejinta aan ikhtiyaarka ahayn

E.7 Saamaynta Dib-u-dejinta

Hawlaha mashruuca waxay ku lug yeelan doonaan dayactirka iyo cusboonaysiinta waddooyinka fayadhowrka ee jira iyada oo ujeedadu tahay in la wanaajiyo dhaqdhaqaaqa gudaha goobaha bartilmaameedka ah. Sidaa darteed, Wax saamayn ah oo Dhulka Gaarka ah laguma Kicin.

Si kastaba ha ahaatee, saamaynta ay ku yeelanayso hantida qaab dhismeedyo ayaa la filayaa taas oo ay ugu wacan tahay ku xad-gudbida waddooyinka nadaafadda ee xubnaha bulshada ee hantida leh oo ay ka mid yihiin; Taangiyada saxarada, gidaarada, guryahaa heeryoyinka, darafyada dukaannada iyo guryaha xoolaha ee ku meel gaarka ah. Adeegyada dadweynaha iyo bulshada oo ay ka mid yihiin tiirarka korontada ee KPLC iyo xadhkaha korontada iyo meelaha biyaha la wadaago iyo deyrarka ayaa sidoo kale saameyn doona.

Qorshe hawleedka dib-u-dejinta ayaa lagu aqoonsaday 250 qows iyo 99 tiir oo mashruuca samen kuyesha. Dadka mashruuca sameyay waxa lagaduminaya dhismoyin, getho iyo darafyada dukanado sidaa kuqaxsan shaxda hoose. E-2 ila E-8

Shaxda E-2: Saamaynta Dib-u-dejinta - Goobta township.

gobta	Xogta Guud	dadka ay saamaysay mashruuca / Hantida / Wadooyinka nadaafadda
township	tirada jidadka nadaafadda	12
	dhererka jidadka nadaafadda	5.17km
	tirada guud ee boosaska	1930
	tirada guud ee dadka uu saameeyey mashruuca	26
Qaybta Saamaynta	Milkiilayaasha qaab dhismeedka	26
	Luminta Ganacsiga	1
	Baraha Biyaha Bulshada	0
	Tiirarka korontada ee KPLC	19
	Geed	0

Shaxda E-3: Saamaynta Dib-u-dejinta - Goobta hodhan.

gobta	Xogta Guud	dadka ay saamaysay mashruuca / Hantida / Wadooyinka nadaafadda
township	tirada jidadka nadaafadda	11
	dhererka jidadka nadaafadda	7.05km
	tirada guud ee boosaska	1250
	tirada guud ee dadka uu saameeyey mashruuca	65
Qaybta Saamaynta	Milkiilayaasha qaab dhismeedka	65
	Luminta Ganacsiga	10
	Baraha Biyaha Bulshada	1
	Tiirarka korontada ee KPLC	21
	Geed	2

Shaxda E-4: Saamaynta Dib-u-dejinta - Goobta barwaqo.

gobta	Xogta Guud	dadka ay saamaysay mashruuca / Hantida / Wadooyinka nadaafadda
township	tirada jidadka nadaafadda	7
	dhererka jidadka nadaafadda	4.1km
	tirada guud ee boosaska	1100
	tirada guud ee dadka uu saameeyey mashruuca	21
Qaybta Saamaynta	Milkiilayaasha qaab dhismeedka	21
	Luminta Ganacsiga	1
	Baraha Biyaha Bulshada	1
	Tiirarka korontada ee KPLC	15
	Geed	1

Shaxda E-5: Saamaynta Dib-u-dejinta - Goobta Godade.

gobta	Xogta Guud	dadka ay saamaysay mashruuca / Hantida / Wadooyinka nadaafadda
township	tirada jidadka nadaafadda	7
	dhererka jidadka nadaafadda	6.85km
	tirada guud ee boosaska	970
	tirada guud ee dadka uu saameeyey mashruuca	28
	Milkiilayaasha qaab dhismeedka	28

Qaybta Saamaynta	Luminta Ganacsiga	Nil
	Baraha Biyaha Bulshada	0
	Tiirarka korontada ee KPLC	11
	Geed	0

Shaxda E-6: Saamaynta Dib-u-dejinta - Goobta wagberi.

gobta	Xogta Guud	dadka ay saamaysay mashruuca / Hantida / Wadooyinka nadaafadda
township	tirada jidadka nadaafadda	7
	dhererka jidadka nadaafadda	6.5km
	tirada guud ee boosaska	1200
	tirada guud ee dadka uu saameeyey mashruuca	20
Qaybta Saamaynta	Milkiilayaasha qaab dhismeedka	20
	Luminta Ganacsiga	Nil
	Baraha Biyaha Bulshada	Nil
	Tiirarka korontada ee KPLC	10
	Geed	3

Shaxda E-7: Saamaynta Dib-u-dejinta - Goobta Jogoo.

gobta	Xogta Guud	dadka ay saamaysay mashruuca / Hantida / Wadooyinka nadaafadda
township	tirada jidadka nadaafadda	6
	dhererka jidadka nadaafadda	5.25km
	tirada guud ee boosaska	950
	tirada guud ee dadka uu saameeyey mashruuca	76
Qaybta Saamaynta	Milkiilayaasha qaab dhismeedka	76
	Luminta Ganacsiga	Nil
	Baraha Biyaha Bulshada	Nil
	Tiirarka korontada ee KPLC	11
	Geed	5

Shaxda E-8: Saamaynta Dib-u-dejinta - Goobta alimaow.

gobta	Xogta Guud	dadka ay saamaysay mashruuca / Hantida / Wadooyinka nadaafadda
township	tirada jidadka nadaafadda	5
	dhererka jidadka nadaafadda	3.05km
	tirada guud ee boosaska	1050
	tirada guud ee dadka uu saameeyey mashruuca	14
Qaybta Saamaynta	Milkiilayaasha qaab dhismeedka	14
	Luminta Ganacsiga	Nil
	Baraha Biyaha Bulshada	2
	Tiirarka korontada ee KPLC	12
	Geed	0

E.8 Wadatashiga Dadweynaha iyo Hay'adaha

Baanka Adduunka shuruucdisa (OP) 4.12 ee ku saabsan Dib-u-dejinta aan ikhtiyaarka lahayn waxay u baahan tahay in dadka ay khusayso lala tashado oo la siiyo fursado ay kaga qayb qaataan qorsheynta iyo hirgelinta barnaamijyada dib-u-dejinta. Dhanka kale, Sharciga Dhulka Kenya 2012 wuxuu qeexayaa habraacyada komishanka dhulka qaranka (National land commission) ee wadatashiga lala yeelanayo dadka ay khuseyso iyo hababka maaraynta cabashooyinka.

Cusboonaysiinta qorshe hawleedka dib u dejinta(RAP) waxay ku lug lahayd la tashiyo lala yeeshay dadka ay khusayso ee Aagga Mashruuca Magaalada Wajeer iyadoo la raacayo qawaaniinta loo baahan yahay. Waxaa la tashiyo lala yeeshay dhammaan daneeyayaasha oo ay ku jiraan dadka ay saameeyeen mashruuca (PAPs) iyo xubnaha nugul ee bulshada ee ku sugan dhammaan goobaha mashruuca. Wadatashiga ayaa lagu sameeyay shirar dadweyne iyo waraysiyo xog-ogaal ah oo muhiim ah. Jadwalka E-9 waxa uu bixiyaa jadwal wada tashi dadweyne iyo Kulamada dadka ay saameeyeen mashruuca (PAPs) ee lagu qabto meelaha la beegsanayo.

Shaxda E-9: Jadwalka Wadahadallada Dadweynaha iyo dadka ay saameeyeen mashruuca (PAPs).

nambarada taxan	taariikhda	goobta	XUBNAHA GUUD.
1	5-ta Abriil 2022	qolka fadhiga WAJWASCO.	Madaxda deegaanka ee todoba goobood iyo daddihiyasha kooxda mashruuca
2	7-da Abriil 2022	Resort Wajeer	dadweynaha Hodhan iyo township
3	12ka Abriil 2022	Guriga martida ee degmada Wajeer	dadweynaha jogoo, godade iyo wagberi
4	16ka Abriil 2022	Hoolka Wajeer Red Cross	dadweynaha alimaow iyo barwaqo
5	31ka Diseembar 2022	KPLC laanta wajeer	Mamulaha kplc wajeer, shaqalihiso iyo dadihiyasha mashruuca
6	19-ka Luulyo 2023	Hoolka Wajeer Redcross	dadka ay saameeyeen mashruuca ee hodhan, alimaow iyo barwaqo
7	21-ka Luulyo 2023	Midpoint hotel	dadka ay saameeyeen mashruuca ee wagberi iyo townshi
8	25ka Luulyo 2023	Greenville garden hotel	dadka ay saameeyeen mashruuca ee jogoo iyo godade

Qodobada ugu muhiimsan ee looga hadlay shirarkii wadatashiga ayaa waxaa ka mid ahaa;

- (i) Goobta Mashruuca iyo heerka lahaanshaha dhulka
- (ii) Iswaafajinta Mashruuca iyo Qorshaha Horumarineed ee Isku-dhafan ee jira
- (iii) Saamaynta suurtoogalka ah ee waxqabadyada Mashruuca la soo jeediyay (dayactirka jidadka fayadhowrka) ee hantida dadka
- (iv) Habka mashruuca si wax looga qabto aragtida takoorka ee bulshada
- (v) Caqabadaha caafimaadka iyo fayadhowrka ee ay keenaan iisumarinwaga jidadka fayadhowrka.
- (vi) Fursadaha shaqo ee dadka deegaanka iyo maareynta qulqulka shaqada inta lagu jiro dayactirka waddooyinka nadaafadda
- (vii) Habka xalinta Cabashada Bulshada ee la door biday ee ay aqbasho bulshadu inta lagu jiro fulinta mashruuca.

xaq u yeelashada iyo taariikhda goynta.

Fikradda xaq-u-yeelashada waxa loo adeegsadaa marka la eego qeexida PAPs iyo shuruudaha lagu go'aaminayo u-qalmitaanka magdhowga iyo kaalmada kale ee dib u dejinta. Dadka uu mashruuca saameeyay, iyadoon loo eegin xaaladooda, waxay xaq u leeyihiin nooc ka mid ah gargaar sababtoo ah faragelin lagu sameeyay dhulkii ay qabsadeen ama dhaq-dhaqaaqooda dakhli soo saarka ee goobaha ay dhibaataadu saameysey.

Waxaa lagu heshiiyey PAP-yada in 'Taariikhda Goynta' ee Mashruuca ay noqoto 13-ka Abriil 2022; tani waxay ahayd maalintii ugu horaysay ee hawlaha tirakoobka.

Qaybaha dadka Wajeer ee mashruuca uu saameeyay ee xaqa u leh magdhowga/caawinta waxaa ka mid ah:

- a) Dadka/Hay'adaha qaab-dhismeedkooda ay saamayn doonto fulinta hawlaha mashruuca. qaab-dhismeedyada ay saamaysay guud ee la aqoonsaday waxay ahaayeen; Taangiyada septic, gidaarada, hadhka xayawaanka, guri-joogta ah iyo/ama manyatta, dukaamada, meelaha biyaha beesha iyo xayndaabyada iyo tiirarka korontada ee KPLC.
- b) Dadka qaab-dhismeedkooda ganacsi(ha noqoto mid joogto ah ama mid ku meel gaadh ah) oo uu ku yaalla goobta loo dejiyay mashruuca.
- c) Dadka dhirtoodu ay ku dhex jiraan aagga mashruuca la dejiyay ama fulinta waxqabadka mashruuca; (ku xad gudubyasha).

E.10 Kooxaha nugul iyo kuwa la haybsooco

Degmada Wajeer waxaa inta badan degan bulshooyinka ku hadla afka Soomaaliga kuwaas oo marka loo eego shaarciga bangiga adduunka ee OP 4.10 loo kala saaro kuwa nugul iyo kuwa la yaso (VMGs).

Sidaa darteed, tirakoobku wuxuu aqoonsaday kooxaha soo socda ee bulsheed iyo kuwa kala duwan ee dadka kuwaas oo laga yaabo inay si xad dhaaf ah u soo gaaraan ama ay wajahaan khatarta ah inay u nuglaadaan natiijada magdhowga dib-u-dejinta oo gaar ahaan ay ka mid yihiin:

- (i) Carmallada iyo Dumarka ah horjogayasha qosaska.
- (ii) Dadka Naafada ah ee (PLWDs) madaxda qoyska,
- (iii) Qoysaska ay madax ka yihiin dad da' ah oo aan lahayn hab dhaqaale iyo taageero bulsho (Fool).
- (iv) Qoysaskii ku xoolo beelay abaarta.
- (v) Madax-qoyseedka xanuunsanaya oo aan lahayn il dhaqaale (shaqo la'aan)

Qorshe hawleedka dib-u-dejinta, si kastaba ha ahaatee, waxa uu aqoonsaday oo lagu tiriyey 35 waayeel ah, 31 qoys oo danyar ah, 6 jirro joogto ah, 17 haween ah oo ka mid ah madaxda guryaha, 7 dadka naafada ah iyo 5 dadka mashruuca samemeyay oo ay soo food saartay ganacsi dharo/xoolo la'an abaar darteed. Qaybaha nugul waxaa lagu soo bandhigay shaxda E-11

Shaxda E-11: Qeybaha iyo tirada dadka nugul

Goobta/tulada	Nooca nuglaanta						Tirade guud
	waayeel	Qoysaska sabool ah	Guriga bukan uu horjogaha gayayhay	carmal/laga dhintay	Dadka nafada ah	Meherad/xoolo-nooleed oo abaareed awgeed	
Township	2	nil	1	1	nil	nil	4
Hodhan	10	9	1	3	2	Nil	26
Barwago	3	4	NIL	2	1	NIL	10
Godade	3	2	nil	4	nil	4	13
Alimaow	1	6	Nil	Nil	1	Nil	8

Wagberi	1	4	nil	1	1	1	8
Jogoo	15	6	4	6	2	nil	33
Tirade guud	35	31	6	17	7	5	101

Kaalmada la soo jeediyay ee diib -udajinta aya siin karto dadka nugul waxyalaha ka mid ah;

(i) Dadaallo ula kac ah oo ay WAJWASCO gelisay si loo hubiyo in lammaanaha lagu daro furista xisaabaadka bangiyada wadajirka ah ee bixinta lacagaha magdhowga ah.

(ii) Xidhiidhka barnaamijka bulshada ee dawladda sida "Inua Jamii-Senior Citizens" 70 jir, carruurta nugul ee agoonta (OVC) iyo barnaamijka xawilaadda lacagta caddaanka ah ee da'da ah ee PAPs

(iii) Isku xidhka adeegyada fidinta xoolaha halkaasoo PAP ay ka heli karaan macluumaadka ku saabsan; noocyada xoolaha oo la hagaajiyay, adeega caafimaadka xoolaha ee xoolaha iyo kaalmada farsamada ee maaraynta xoolaha

(iv) Guri-ka-guri ama koox gaar ah oo la bar tilmaameedsado oo loogu talagalay mashruuca nugul ee qoysaska saameeya inta lagu jiro wada-tashiyada lacag-bixinta ka hor.

(v) Mudnaanta mudnaanta leh ayaa la siin doonaa hab-socodka lacagaha magdhowga dib-u-dejinta iyo caawinta gaarka ah ee sharraxaadda iyo buuxinta foomamka lacag bixinta magdhowga.

(vi) 18,200 dheeraad ah oo loogu talagalay dhammaan dadka nugul ee la aqoonsaday. Qadarkan ayaa daboolaya celceliska dakhliga qoyska 2 toddobaad marka PAP laga filayo inay ku bixiso dib u soo celinta hantida ay saamaysay. Natiijoyinka dhaqan-dhaqaale ee hoos lagu soo bandhigay ayaa ku wargeliyay booskan.

(vii) Taageero gaar ah sida aqoonsiga guurayaasha iyo adeeg bixiyayaasha tusaale; tuubiste iyo mason waxa siin doonta kooxaha nugul ee WAJWASCO si ay u caawiyaan PAPs raritaan, raritaan hanti ama taageero kasta oo loo arko inay ku haboon tahay. Taageeradani ma soo jiidanayso saamayn dhaqaale oo dheeraad ah.

(viii) Tixgelinta xubnaha u qalma ee mashruuca nugul ee saameeya qoysaska shaqada ee hawlaha mashruuca

E.11 Farsamaynta Cabashada lagu xalinikaro

Qorshe Hawleedka Dib-u-dejinta waxa uu bixiniyaa Habka Cabashada lagu xalinikaro (GRM) kaas oo ay ku jiraan qalabyada, hababka iyo hababka lagu xalliyo cabashooyinka laguna bixiyo xilafatka.

Qorshe hawleedka dib-u-dejintu waxa uu dejiyay qaab saddex heer ah (heer) ah oo lagu xallinayo cabashooyinka iyada oo dariiqa ugu dambeeya uu yahay habka garsoorka. Mar kasta oo la bixiyo labada heer ee hore way qaadan karaan oo ay ku dari karaan dhexdhexaadiye haddii ay lagama maarmaan u arkaan.

Heerarka habaynta cabashada waxaa ka mid ah:

a. guddiyada cabashada heerka tuulada

Qorshe hawleedkan Dib-u-dejintu waxa uu door bidayaa heerka ugu horreeya ee cabashooyinka ama xallinta khilaafaadka ee arrimaha mashruuca la xidhiidha ee ay maamusho GRC heerka tuulo.

Guddiyadan ayaa hore loo dhisay oo ay hore uga jireen todobada tuulo waxayna u maamulaan nooc kasta oo cabashooyin ah si isqancin ah iyo xalinta khilaafaadka beddelka habraaca rasmiga ah, kaas oo ah mid aad u dheer oo kharash badan. Cabashooyinka ay xallin waayaan guddiyada heerka goobta waxa loo gudbin doonaa heerka labaad. Xubnaha ayaa ka kooban 8 qof:

- i. kuxigenya mamula locationka
- ii. 4 kamiid ah dadka mashruuca sameyay; 1 raak ah, hal dumar ah, hal dadka nafadha ah, iyo hal qof oo dalinyare ah.
- iii. Wakiilka goobta qandaraaslaha
- iv. 1 oday dhaqameed la ixtiraamo
- v. Wakiilka maamulka degmada

b. heerka isuduwidda mashruuca

Guddidan ayaa ah guddi hore loo dhisay oo heer mashruuc ah, waxaanay ka kooban yihiin 12 xubnood. Waxay qabtaan cabasho kasta oo ka soo korodhay heerka goobta. Wixii cabasho ama walaac ah ee lagu soo qaado heerkan waa in la xaqiijiyo haddii ay ka gudubtay heerka koowaad. Xubnaha waxaa ka mid ah:

- I. Oday diineed la ixtiraamo
- II. Caaqilka deegaanka uu ka soo jeedo qofka cabanayo.
- III. Khabiirka ilaalinta bulshada ee mashruuca
- IV. Saddex ka mid ah xubnaha guddiga fulinta ee mashruuca
- V. Khabiir bulsheed oo ka tirsan shirkadda la-talinta ee kormeerka
- VI. Wakiilka maamul-goboleedka
- VII. Saddex oday oo beesha ah oo la ixtiraamo.
- VIII. Wakiilka kooxda nugul

c. Nidaamka Garsoorka Rasmiga ah

Haddii qof dhiban uu doorto inuusan u isticmaalin xarumaha dhaqameed ee kor ku xusan xallinta cabashooyinka ama uu iska indhatiro ku dhawaaqida midkood ama labadaba hay'adaha dhaqanka; cabashada noocaas ah waxa laga yaabaa inay raadiso nidaamka cadaalada rasmiga ah ee ay ku jiraan maxkamadaha sharciga, Komishanka Qaranka ee dhulka ilaa xad ay cabashadu khusayso.

E-12 miisaaniyadda qorshaha dib u dejinta

Wadarta guud ee miisaaniyada magdhowga dib u dejinta waa Kshs, 52,035,182.00. Miisaaniyadda waxaa ka mid ah: kharashka beddelka hantida ay saamaysay oo dhan ksh 45,296,682.00, kharashka fulinta RAP ee ksh 4,261,000.00, kharashka soo celinta hab-nololeedka oo dhan ksh 1,137,500 iyo qiyaasta kormeerka iyo qiimaynta ee ksh 1,340,000. Faahfaahinta waxay ku qoran tahay shaxda E-12 ee hoose iyo liiska qiimaynta ee ku lifaaqan.

Shaxda E-12-: Miisaaniyad Qorshe Hawleedka Dib-u-dejinta

	wadarta kharashka Qorshaha Dib-u-dejinta	
Township location	26	6,351,375
Hodhan location	61	12,115,707
Barwaqo location	21	4,478,780
Godade location	28	5,145,490
Wagberi Location	20	2,622,528
Jogoo location	76	12,308,923
Alimao location	14	2,223,730
wadarta guud		45,296,682.00
Qiyaasta Soo-celinta Hab-nololeedka(tababarka maamulka maaliyadda)		1,137,500
kharashyada dhaqangelinta qorshe hawleedka dib-u-dejinta		4,261,000.00
qorshe hawleedka Dib-u-dejinta Kormeerka iyo Qiimaynta		1,340,000
Qarasha guud		52,035,182.00