



# **Coast Water Services Board**

## **A Social Assessment Report**

**On**

**Wajir Town Water Masterplan Project**

**Prepared**

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## ACRONYMS

ALDEF	Arid Lands Development Focus
ASAL	Arid and Semi-arid Lands
CAJ	Commission for Administration of Justice
CBC	Central Business Centre
Cap	Chapter
CEC	County Executive Committee
CIDP	County Integrated Development Plan
COK	Constitution of Kenya
CRWSCR	Coastal Region Water Security and Climate Resilience Project
CWSB	Coast Water Service Board
EMCA	Environmental Management and Coordination Act
ESIA	Environmental and Social Impact Assessment
FGD	Focus Group Discussion
GA	Gender Analysis
GoK	Government of Kenya
KI	Key Informant
KII	Key Informant Interview
LA	Livelihoods Analysis
MCA	Member of County Assembly
M&E	Monitoring and Evaluation
NDMA	National Drought Management Authority
NFD	Northern Frontier District
NGO	Non-governmental Organization
NMK	National Museums of Kenya
NWSB	Northern Water Service Board
OP	Operating Policy
PAP	Project Affected Person
RAP	Resettlement Action Plan
SA	Social Assessment
SPSS	Statistical Package for Social Sciences
UK	United Kingdom
UNESCO	United Nations Educational, Scientific and Cultural Organization
VCT	Voluntary Counselling and Testing
VMG	Vulnerable and Marginalized Group
WaSSIP	Water and Sanitation Improvement Project
WFP	World Food Programme
WSDP	Water and Sanitation Development Project
WTWMP	Wajir Town Water Masterplan Project



## EXECUTIVE SUMMARY

This report delves into the findings of the Social Assessment (SA) carried out in Wajir County for the Wajir Town Masterplan Project. The SA evaluates the project's potential positive and adverse impacts on Vulnerable and Marginalized Groups (VMGs) in the town, around identified water sources and along proposed pipelines to the town. On the bases of the foregoing, this report presents measures to mitigate the adverse impacts as well as action plans to enhance inclusion of the VMGs in the project process and enhance their participation and benefits from the project. Additionally, the report looks at the policy, legal and institutional frameworks for redressing exclusion of VMGs in Kenya and in line with World Bank's Operational Policy – OP 4.10. Therefore, the report also speaks to communication and consultation arrangements including process for free, prior and informed consultation with VMGs; complaints and grievance handling mechanisms, and monitoring and evaluation (M&E) plan.

The objectives of the assignment are as follows: To assist the project to support the aspirations and needs of the Vulnerable and Marginalized Groups (VMGs) in the project area; To identify and prepare a comprehensive plan that will avert any potentially adverse effects from project interventions on VMGs and where not possible or feasible, mitigate or compensate such adverse impacts; and to ensure that project benefits reach the VMGs in an equitable manner and through institutions that respect and are able to serve them in a decentralized manner.

The SA study methodology entailed a baseline household survey in eight sites across the project areas. A standard questionnaire was used by trained enumerators recruited from each of those sites to collect quantitative data on VMG demographics, livelihoods, water and sanitation, and health outlook. Qualitative data were collected through FGD/consultative meetings in each of the eight sites visited. The FGDs also used gender and livelihood analysis tools to capture more nuanced data. Additional data were collected through desk review and observation during fieldwork. Quantitative data were processed using the SPSS computer software to produce simple statistics – frequencies and means for data analysis. Qualitative data were analysed manually to tease out main themes and used verbatim in the report to provide the voices of the VMGs and include their perspectives.

The main demographic findings were that 100% of the VMG respondents were Muslims and 60% of the respondents had families where the majority of members were aged between 0 and 14 years. About 54% of the respondents reported that they had no formal education, 36% of school age children did not attend school and 88% of the respondents said they lived in traditional Somali huts. This means that majority of the VMGs surveyed were poor and lived in difficult circumstances in which connection to pipe-borne water would be challenging. This called for creative design of the proposed Wajir Town Water Masterplan Project (WTWMP) in order for it serve and meet the needs of the VMGs.

In terms of livelihoods, the main findings showed that the main occupation for majority of the respondents (52%) was herding followed by business (28%). Equally the main source of income was herding (46%) and business (37%). In terms of possession of basic assets, while 100% of the respondents had beds, just over 50% had tables and chairs, and only 2% of them had a television set. Therefore, while the livelihoods were largely natural resource dependent pastoralism,

diversification was in progress in the direction of business and formal employment. But this process was slow and isolated as shown by the data on basic assets possession.

In terms of water, sanitation and health outlook, the main social assessment findings indicated that the primary source of water for domestic use was shallow wells (56%) and that 96% of the respondents had problems with their current water supply arrangements. These problems included that water was contaminated, expensive and the distance covered to fetch was long. Water-borne diseases were prevalent in the project areas with 39% of the respondents reporting a case in their household last year. This prevalence behaviour was confirmed by the widespread practice of open defaecation (61%) in the project areas.

The SA study also found out that the policy, legal and institutional framework for VMG involvement in development projects was robust. There were many policy documents including Vision 2030 and the land policy that discusses reasonable water and sanitation conditions for all and fair processes of land acquisition for public use respectively. The Constitution of Kenya and World Bank Operating Policy OP. 4.10 were also discussed as they related to VMGs.

The study also identified a number of potential adverse project impacts on VMGs and how they will be mitigated. The main impacts identified include *inter alia* – unaffordability of metered water by VMG members; loss of graves; inappropriate VMG housing units for connection to pipe-borne water; elite capture of water supply services; loss of business opportunities by VMGs around existing water points and loss of land and trees. Following those potential adverse impacts of the project on VMGs, some interventions were suggested by VMGs to help mainstream them in the project and position them to benefit fully from the project. Key among these interventions were water kiosks near their houses, subsidized tariffs or exemption, market stalls adjacent to re-developed water sources and livestock watering points in water sources and along water pipelines.

This SA concludes that the VMGs in the project areas in Wajir County were indeed vulnerable and marginalized within the integrated Kenyan life, but that even within those marginalized groups there were deeper cleavages of exclusion along gender, clan and economic position. This implies that one cannot proceed with project design as if the marginalized people of Wajir were homogenous.

The SA also established that the VMGs under study were primarily pastoralists depending to a large extent on natural resources mainly water and pasture to weave their livelihoods. And that the proposed project thus speaks to their needs and aspirations. Nonetheless, those livelihoods have been diversifying in the direction of trade, formal employment and remittances from urban areas in Kenya and from the Diasporas across the globe.

The SA study recommends the following:

- Sensitize community members to the project and consult VMGs continuously on the design of the project so that it turns out relevant, culturally appropriate and responsive to their needs and aspirations.
- Provide employment quarters for VMGs especially in unskilled or semi-skilled cadres during project implementation.

- Provide support infrastructures as per the VMG Action plans to support their participation in the project.
- Engage with clan elders, county and political leaders on long-term water resource sharing across the county. This will reduce political risks around water projects.
- Support and facilitate the use of customary institutions for grievance and complaints handling. It is cheaper for VMGs, more appropriate, fairer and acceptable. Engage with *bula* elders to mobilise VMGs for consultation meetings around the project cycle.
- Build the capacity of rural and peri-urban women who have ventured into business in entrepreneurship so they can sustainably do business and lift themselves from poverty.
- Train members of customary law and dispute resolution mechanisms in process facilitation and other soft skills to enable them effectively do their work.
- Subsidize VMG water bills or exempt them from tariffs altogether.
- Provide water kiosks in sufficient numbers in each *bula* in the project area to reach VMGs in their traditional housing units.
- Provide watering points for livestock around water sources and along water pipelines.
- The project should find modalities for sharing benefits in water supplies to host communities as well as some small levy for the social benefits of the said host communities.

## **CHAPTER I: INTRODUCTION AND CONTEXT OF THE SOCIAL ASSESSMENT**

### **1.1 Introduction**

This report delves into the findings of the Social Assessment (SA) carried out in Wajir County for the Wajir Town Masterplan Project. The SA evaluates the project's potential positive and adverse impacts on Vulnerable and Marginalized Groups (VMGs) in the town, around identified water sources and along proposed pipelines to the town. On the bases of the foregoing, this report presents measures to mitigate the adverse impacts as well as action plans to enhance inclusion of the VMGs in the project process and enhance their participation and benefits from the project. Additionally, the report looks at the policy, legal and institutional frameworks for redressing exclusion of VMGs in Kenya and in line with World Bank's Operational Policy – OP 4.10. Therefore, the report also speaks to communication and consultation arrangements including process for free, prior and informed consultation with VMGs; complaints and grievance handling mechanisms, and monitoring and evaluation (M&E) plan.

The rest of this chapter deals with an overview of the project context in Wajir, a description of the water masterplan project and its components; project impact, justification, beneficiaries and policy and legal context. It then turns to identifying the VMGs in the project area; the socio-cultural characterization of the Somali People of Wajir and ends with a description of the expected deliverables of the assignment and a conclusion.

### **1.2 The Context – Wajir County**

Wajir County is part of the Northern Kenya Arid and Semi-Arid Region covering Turkana, Samburu, Marsabit, Isiolo, Garissa, Wajir and Mandera. According to ALDEF (2014:11) the defining feature of Northern Kenya is its separation from the rest of the country as evidenced in the wide development gap between the region and the rest of the country, and in the existence of (negative) socio-cultural attitudes and perceptions. The region has thus historically lagged behind in terms of infrastructural development and service delivery to the citizens. Birch and Shuria (2001: 3) have shown that the tarmac road from Nairobi ends in the neighbouring Garissa County, where businesses flourish from easy access to the passing trade, and where papaya, peppers and watermelon are harvested from the gardens which line the stately Tana River. Water infrastructure also lags behind the rest of the country.

According to Wajir County (2013: 14) in the County Integrated Development Plan (CIDP), 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. Kenya (1997:4) avers that Wajir is the largest county in the former North Eastern Province; its maximum width (east-west) is 226 kilometres while the maximum length (north-south) is 350 kilometres. During the SA study it was observed that in this huge geographical space there are only 28 kilometres of tarmac roads, all within Wajir Town and done only since 2013 with the implementation of devolution. Therefore the county has historically been isolated like the rest of Northern Kenya. According to Birch and Shuria (2001: 5) there are three main clans in Wajir – the Dagodia, Ajuran and the Ogaden, each of which is divided into sub-clans and then further into sections. Menkhaus (2008) has argued that these clans have deep-seated

tensions which have often broken into open clashes between them over resources and political power.

Administratively, the county comprises of eight sub-counties namely Wajir East, Tarbaj, Wajir West, Eldas, Wajir North, Buna, Habaswein and Wajir South (Wajir County 2014: 17). The county has 6 constituencies namely Wajir East, Tarbaj, Wajir west, Eldas, Wajir South and Wajir North and has 30 electoral wards. Wajir North and Wajir South constituencies have the largest number of wards at 7, and the rest have 4 wards each (Wajir County 2014: 26). With the county covering an area of 56,685.9 Km<sup>2</sup> (Wajir County 2014: 14) there is on average a member of parliament for 9,447.65 square kilometres and one member of county assembly to 1,889.53 square kilometres. In county with no tarmac roads outside Wajir town, the representation is generally ineffective as Members of County Assembly (MCAs) and Members of Parliament (MPs) have difficulties reaching citizens and hearing their challenges. Therefore, people's participation in decision-making at county level and national level are hampered by the poor transport infrastructure in the county.

According to the CIDP (Wajir County, 2014: 24) the county had an estimated population of 727,966 in 2012 projected at an annual growth rate of 3.22 per cent from the 661,941 figure of 2009. This is further projected to increase to 800,576 and 852,963 in 2015 and 2017 respectively. This is a high growth rate that needs to be checked as it will stretch the already thin resource pool of the county.

The CIDP adds that Wajir County is a featureless plain and lies between 150 metres and 460 metres above sea level and receives an average of 240 mm precipitation annually or 20 mm each month. This makes the county one of the most water scarce counties in the country especially because it has no permanent river or lake. Birch and Shuria (2001: 5) argue that most of the county's population follows a nomadic life on the *baadia* (rangelands). Lwevo et.al (2014: 195) confirm this arguing that an average 100% of people in Wajir County use land for grazing livestock, 6% for crop farming and 3% for harvesting of building materials.

The CIDP (Wajir County, 2014: 32) indicates that the main types of livestock are cattle (mostly Borana type and dairy crosses), sheep, goats (dominantly Totenberg goats), camels and donkeys. Poultry keeping is more pronounced in Wajir Town. The CIDP further reports that according to the 2009 population and housing census, there were 794, 552 cattle, 1,406,883 sheep, 1,866,226 goats, 115,503 donkeys and 533,651 camels in the county. The sustainability of this nomadic pastoralist livelihood styles depends on efficient water management and enhanced marketing of livestock products.

The people of Wajir County therefore depend largely on livestock for their livelihoods. Given that the county constitutes arid and semi-arid land (ASAL) livestock keeping is constrained by inadequate pasture, water and markets. Lwevo et.al (2014: 195) show that the people of Wajir perceive the poor as those who have no livestock and cannot meet their basic needs such as adequate food and shelter. Overall, the people of Wajir are marginalized relative to the rest of the country as Birch and Shuria (2001: 10) show, 'they are relegated to the political and economic margins of society'. Therefore, while there is local social differentiation in the county, generally

the people of Wajir largely depend on their land and water to support livestock for their livelihoods in the periphery of society. The proposed Wajir Town Masterplan Project (WTMP) will mainly attempt water development and distribution to the town. This intervention will ultimately provide water in pipes and taps, a form that is unusual to majority of the people and which may lead to dispossession among some of the people. Besides, this intervention may place water in the hands of some especially the local elites with the necessary housing and storage infrastructure to the exclusion of others – a majority living in poor housing with no provision for sewer and water connections. Hence, the need for this social assessment to seek avenues for ensuring that the VMGs are not disadvantaged by the project, their access to water and other benefits from the project and participation in it enhanced.

### **1.3 The Project**

The proposed Water and Sanitation Development Project (WSDP) will leverage development impacts of ongoing World Bank programs and projects. It will ensure that the Coastal Region Water-Security and Climate Resilience Project (CRWSCR) meet its development objectives. It will also build on the achievements of Water and Sanitation Service Improvement Project (WaSSIP) in improving performance of the water institutions in a devolved context.

The ongoing WaSSIP is already financing two service contracts for the bulk water service provider, which has substantially increased the efficiency of the operation. The bulk water system is currently operated by Coast WSB, but negotiations between the coastal counties and the national government are underway to establish the most efficient and effective mechanism to provide these services in devolved systems. Ultimately, it is expected that the two levels of government will agree on a joint authority to manage cross-county operations as provided for in the 2010 constitution and the Water Act 2016. The Water and Sanitation Program has been supporting the dialogue between the national and county governments and will continue to do so.

Overall, the WSDP will support investments in water and sanitation for selected priority areas in the north-eastern counties. The Council of Governors of the north-eastern counties together with the national government have identified Wajir town and Dadaab host communities as the first priorities, as they are facing critical water supply and sanitation challenges due to pollution and depletion of the water resources upon which they rely.

The WSDP is under preparation and part of the funds will be used to improve the water supply and sanitation in Wajir town in Wajir County. Zamconsult Consulting Engineers has been commissioned to carry out Feasibility Study and Preliminary Design of Water Supplies in the above mentioned areas.

## 1.4 Project Objectives

The Project Development Objective (PDO) is to improve water supply and sanitation services in select coastal and north-eastern regions in Kenya.<sup>1</sup> These will be achieved by investing in water supply and sanitation infrastructure in urban centres in coastal counties and two counties in Kenya's arid north-eastern region. The project will also improve services by strengthening institutional capacity in areas such as reducing non-revenue water, improving billing and revenue collection systems, and developing medium-term business plans. In addition, the WSDP will establish a results-based financing mechanism at the national level to provide incentives to WSPs to accelerate access to water supply and sanitation services and improve operational and financial performance.

While the proposed WSDP has broader objectives which this SA addresses, the more immediate target of the SA was the proposed project (being undertaken by Zamconsult Consulting Engineers Limited) to deliver a Water Masterplan for Wajir Town. The masterplan looks into the long-term namely 20 years and seeks to provide avenues for Wajir Town to be supplied with water in adequate quality and quantities that keep pace with population growth in the town.

## 1.5 Rationale for the Social Assessment

The proposed WSDP in general and the said Wajir Town Water Masterplan Project (WTWMP) touches on water development and distribution. This intervention will take place in a county that is part of northern Kenya, which is marginalized relative to the rest of the country. Besides, the WTWMP seeks to re-organize access to a major natural resource in the area over which clans have fought and upon which these marginalized communities depend almost wholly for their livelihoods.

The proposed project therefore has potential to adversely affect vulnerable and marginalized groups (VMGs) in the project areas. These adverse impacts will most likely take the form of elite capture of project benefits and relative or absolute exclusion of majority of the VMGs from water services. Therefore, in compliance to World Bank Operating Policies – OP. 4.10, it became necessary to carry out a social assessment (SA) in order to ensure that the VMGs are not disadvantaged by the project, excluded from participating and benefiting from the project, and to develop alternative plans to enhance project benefits to the VMGs and mitigate any such adverse impacts that are anticipated.

Additionally, the SA will also review relevant legal, policy and institutional provisions in Kenya that protect VMGs with a view to recommending actions necessary for the project to comply with such provisions and to enhance the quality of the project in terms of responding to the needs and adhering to the rights of VMGs in Kenya. For instance, the project may displace some people or their economic/social activities during installation of water infrastructure; hence the land acquisition procedures provided for in Kenyan law will be elaborated and upheld by the project. The project will also adhere to World Bank Operating Policy – OP 4.12 relating to Involuntary Resettlement arising from development of proposed water infrastructure.

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<sup>1</sup> Improved water services mean increased access to and reliability of water services. Improved sanitation services means expanded household connections to the sewerage system and improved wastewater collection and treatment.

## 1.6 Objectives of the Social Assessment

The objectives of the assignment are as follows:

1. To assist the project to support the aspirations and needs of the Vulnerable and Marginalized Groups (VMGs) in the project area.
2. To identify and prepare a comprehensive plan that will avert any potentially adverse effects from project interventions on VMGs and where not possible or feasible, mitigate or compensate such adverse impacts.
3. To ensure that project benefits reach the VMGs in an equitable manner and through institutions that respect and are able to serve them in a decentralized manner.

## 1.7 Project Components

The proposed WSDP has four inter-related components: (1) expansion of water supply and sanitation services in the coastal region, (2) expansion of water supply and sanitation services in marginalized north-eastern counties of Kenya, (3) water supply and sanitation sector reforms, and (4) project management.

Under Component 1, there is a sub-component to provide finance to counties and their WSPs that are connected to the bulk water system for the construction and rehabilitation of water distribution and sanitation systems in urban areas. In total about 800 km of pipes will be rehabilitated, about 400 km of pipes for extension will be laid, and about 144,000 new connections will be installed. These bulk water connections will be boosted once the Bank-financed Mwache Dam is completed to serve Mombasa and Kwale counties and free water to other counties in the coast region. The AFD will finance additional bulk water infrastructure downstream of Mwache dam and the water treatment plant (the AFD-financed project was approved in October 2016). This subcomponent will also finance technical assistance to the bulk water operator including the continuation of the service contract that is being financed under WaSSIP, or a new management contract for the bulk water operation.

Under Component 3, WASREB has identified a cluster of indicators for improving water and sanitation services. These are (a) quality of services (improving coverage of water supply and sanitation services, drinking water quality, hours of supply); (b) economic efficiency (reducing staff costs, improving cost coverage, improving revenue collection efficiency); (c) and operational sustainability (reducing non-revenue water, improving staff productivity, improving metering ratio). Supporting WASREB's initiatives, the PBF will encourage WSPs to improve access to water and sanitation services and to improve operational and financial performance of the WSPs, based on an agreed set of performance measures. In addition, the PBF will encourage counties to design and implement programs and policies to improve water resource management (for example promoting integrated urban water management (IUWM) programs such as rainwater catchment, wastewater recycling, demand-side management, and the like).

Component 4 will finance the management activities associated with project implementation, including establishing and implementing a comprehensive monitoring and evaluation (M&E) system and training of the implementing entities on applying the World Bank's safeguard and



fiduciary policies. This component will also provide funds for studies identified and agreed during implementation. Funds from this component can also be used to prepare follow on projects or additional financing.

This SA relates to Component 2 on expansion of water supply and sanitation services in marginalized north-eastern counties of Kenya. This component will finance short, medium, and long-term investments to increase access to water and sanitation services in Wajir town and in the Dadaab refugee camp host communities in Garissa County. The component will also provide technical assistance to the Wajir and Garissa counties and their Water Services Providers (WSPs) to expand and improve water and sanitation services.

Measures to improve access to safe drinking water in the medium and long terms differ for Wajir town and the Dadaab host communities because their water sources are different. For Wajir town, a consultancy has been launched under WaSSIP to assess the potential of groundwater, surface water, rainwater, and other sources to provide adequate and quantity and quality water to the town. The consultants will prepare a water masterplan for Wajir town that specifies the priority investments to address the medium and long-term needs. The consultants will also prepare the designs and specifications for the short-term interventions. For the Dadaab host communities, priority investments will be identified primarily through the ongoing study of the Merti aquifer, an important source of water for communities near Dadaab refugee camp. The ongoing consultancy focusing primarily on Wajir town will also prepare a water masterplan for the Dadaab host communities and the designs and specifications for the short-term interventions. This SA is on Wajir Town and there is a separate SA for Dadaab.

### **1.7.1 Elements of the Wajir Water Masterplan Project**

The specific Water Masterplan Project for Wajir will consider the first three elements<sup>2</sup> listed below among others:

#### **1.7.1.1 Element 1: Water Sources Development**

- Exploration of the potential availability of a deep seated aquifer in and around Wajir Town. Further hydrogeological investigations are required to enable locating strategic borehole sites to explore the potential of this source. It was determined from the Water office that the deepest boreholes within Wajir town were only around 80-100m deep. The deep seated aquifer is believed to be in the region of between 140-250m deep. While this can be explored, the CEC for water in Wajir County, Mr Mohammed Abdi, in addition to many other stakeholders were concerned that punching a hole in the aquiclude that separates the shallow and potential deep aquifer, may deplete the already depleting water available in the shallow aquifer.
- Rain water/surface water runoff harvesting through huge water pans and potentially constructing large reservoirs based on laggas (seasonal rivers) such as Logbogolo (60km away from Wajir) and Laghar stream at Griftu area. The logic is to use surface water during seasonal rains and preserving the ground water for the dry season. It was determined that the stream with the potential of providing over 2 million cubic meters of water on an annual basis

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<sup>2</sup> The fourth element (1.7.4) on sanitation is being handled by a different consultant, but is described in this report to complete the picture of WSDP Component 2 sub-projects.

should be developed as a source of fresh water for Wajir town. While this is an envisaged figure, the stream may not meet this requirement. In which case, boreholes can be drilled in water rich regions especially next to these laggas, Arbejahan and Athibohol to supplement the source. The management of these sources should be done as a single entity. Political factors, distance and cost/benefit analysis are a potential deterrent to having decentralized water sources.

- The potential exploration of Lake Yahud (an ancient Jewish Lake that never lacks water) as a potential water source for Wajir town. The manner in which to determine the adequacy of this water source is by carrying out pump tests to determine the rate of recharge for the lake. This is envisaged to be the solution to the Wajir Town water problems especially if a treatment plant is established to clear the water of impurities.
- Consideration of a decentralized low cost household desalination plants for most of the shallow wells in Wajir Town households is seen as a temporary measure to sustain the households while awaiting the larger project.
- The other alternatives were seen to be the exploration of Merti aquifer and pumping water from river Tana to Wajir Town. The latter is a one of the best solutions. However, the cost of pumping may be so high that would raise the cost of water at the target location hence may not adequately address the concerns of the vulnerable and marginalized groups.

#### **1.7.1.2 Element 2: Water Transmission to Wajir Town**

The Ministry of Water together with the Ministry of state for development of northern Kenya and other arid lands had a plan to construct a water reticulation system from Habaswein (100 Km south of Wajir Town) to supply water to the entire Planning area to serve developed areas. The second phase of the construction of the sewerage system identified Habaswein as the source of fresh water to serve the town. There was a proposal to establish a water treatment site at Habaswein. A site (17.71Ha) has been set aside for the development of a water storage, pumping and treatment off Wajir-Mandera road. In addition to pumping stations for the water, the proposed water reticulation was set to be linked to the sewer reticulation for drainage purposes. New shallow wells were also proposed to be developed at Halane, Wagberi and Hodhan areas together with associated treatment and distribution works.

Depending on the source of the water, it shall be transported through pipelines to Wajir town. The ideal power sources that would alleviate the potentially high price of water include use of solar and wind energy at pump stations. Some of the sources are as far as 130km away from the intended destination. The consultant will perform investigations and a cost/benefit analysis to gauge the viability of the manner of transmission, to ensure that the intended consumers are able to afford the water.

#### **1.7.1.3 Element 3: Water Distribution in Wajir Town**

The main water distribution approach within Wajir town is intended to be through a piped network into people's homes. However, this option may not be viable for all the residents due to the affordability of the water. In this case, other options may be considered such as the use of water kiosks because not all residents may afford the connection charges into their homes.

#### **1.7.1.4 Element 4: Sanitation in Wajir Town**

The sanitation in Wajir town is below set required standards. Solid waste is usually generated at residential, commercial, industrial and institutional levels. The amount of waste generated depends on the activities being carried out at each level. The quantity of solid waste generated in Wajir town is increasing due to the population increase. Solid waste production is estimated at 44.5 tons per day and, currently, only 28% of the waste produced is collected and transported to the dumpsite. The County Council owns only one truck for collecting the garbage which is inadequate to serve the whole town. By the year 2032, it is projected that 91.66 tonnes of solid waste will be generated on a daily basis.

Septic tanks are used by wealthier individuals as well as premises such as hotels and public and private offices. The town currently lacks a proper sewerage system. However, there was a sewerage network construction by the Triple Eight Company which was contracted by the Ministry of State for Northern Kenya and Other Arid Lands. It extends 6Km towards Garissa, 1.7 Km along Mandera and the airport road. The town is currently served by an open solid waste management site which is also the dumpsite for the human refuse.

The designed sewage treatment plant will be located near the dumpsite. The design is of oxidation ponds with flow capacity of 9,000M3 per day and it can carry up-to 15, 000M3. The current waste water production is estimated at 8,538M3 while the projected waste water production is estimated at 17,657M3 in the year 2032.

There was a plan to have water connection from Habaswein and Yahud dam to the sewage reticulation to facilitate easier drainage of the sewer. The reticulation has three pumping stations that have been set to boost the gravity and flow of the sewer. This project did not materialise as expected. A separate consultancy team has been contracted by the World Bank to develop a sanitation masterplan for Wajir town.

#### **1.8 Project Rationale and Impact**

Wajir Town is the main urban centre of Wajir County. The Town depends on shallow groundwater for its domestic use. Currently, its aquifer is depleting leading to shortage of water at household level. The major causes of the problem are recurrent drought, erratic rainfall, and human activity on aquifers' recharge points and increased population. Therefore, the County Government of Wajir considers investing in infrastructure in two areas:

- i) to harvest rain water through construction of big reservoirs with large storage capacities around seasonal laggas (Laghar and Lagbor), whichever has more adequate water
- ii) to tap water from the Merti aquifer to supply Wajir Town with drinking water, through 130km pipeline.

This is because Wajir has three main water sources: surface water (streams and pans); shallow groundwater (Wajir aquifer) and deep ground water (e.g. the Merti aquifer). However, sustainable yield of deep groundwater needs limitation of abstractions to no more than long term average recharge. This makes necessary planning conjunctive use of both surface and groundwater during the rain periods and groundwater during the dry periods, while the sources are managed as a single entity. In addition, the town can depend on decentralised water points to supplement

the available resources at Wajir town. For this reason, the project may be divided into several phases as determined by the consultant during the design stage. The phasing will enable thorough exploration and development of the potential sources to eliminate the problem of water scarcity in Wajir town at least for its design period of up to 2038. Phase one for instance, may involve the abstraction and supply of Ground water to the residents of Wajir Town. Decentralised sourcing will involve the development of a water supply at the water points in order to supply the excess to Wajir town.

### 1.8.1 Project Impact

Various impacts are expected with the establishment of the water supply project in Wajir town. They shall be divided into two categories as shown below;

## POSITIVE IMPACTS

***Alleviate water shortage:*** one of the biggest problems that has hindered development and strained survival of both humans and livestock is the lack of water. With the development of the water supply, both humans and livestock will not strain to survive and thus improve their wellbeing.

***Create a sustainable water resource system:*** Promote a more sustainable use of water resources with improvements in the infrastructure to reduce losses and introduction of better metering and billing procedures to encourage more efficient use of water

***Creation of settlements and reduced migration of communities:*** the overall trend within the entire county is that there is major settlement within and around water points. Several groups from the pastoralist communities cluster around a water-rich region until it is depleted whereby they migrate. This means that developing the supply at the decentralised water sources is prone to create settlements and develop the region.

***Creation of Employment opportunities:*** the water supply project is an infrastructure project prone to create some employment opportunities during the construction and maintenance phases. Once completed the project will enrich the livelihoods of the communities living along and within the scope of the project through spurring business and agricultural development in the area as urban population grows for better markets.

***Reduced livestock diseases and death:*** this will lead to better health and overall survival of the livestock within the region. This would further reduce the mortality rate of the livestock hence improving the households/families depending on livestock as a means of making a living.

***Growth of town with water supply:*** one of the key reasons why the industrial development in Wajir is poor is the lack of water. Availability of water within the region will attract and sustain investors leading to growth.

***Improved business:*** most ongoing businesses within the town are done on a small scale. One of the hindrances to expansion is the lack of water. Some of the ways inadequate water supply may affect businesses includes time spent to obtain the water for domestic use and for the

business. This will certainly improve if water is piped to the consumer.

**Improved hygiene:** the lack of water leads to poor hygiene since the priority of the little available water is to for consumption rather than cleaning. This means that many people forego even showering in order to use the water for consumption. Improved supply will entirely salvager the situation.

**Reduced cases of water diseases:** the overall health of residents and communities within the project area will significantly improve. This ranges from all waterborne diseases such as malnutrition, cholera and malaria, hence improving their wellbeing and minimizing the existing mortality rate.

**Reduced time and cost of travel to look for water:** the residents and communities within the county travel long distances to obtain water. This leads to a high cost of acquiring the resource in addition to fatigue. The project will bring water closer to the people hence dealing with the cost of acquiring the resource as well as fatigue.

## NEGATIVE IMPACTS

**Political Interference:** in the past some of the potential sources are prone to experience political interference that may drag or even bring the project to a halt. This has already been the case in Habaswein whereby political influence that the water source will deplete in two years upon abstraction dismissed the hope of the project from proceeding. All the mitigation measures poised at rectifying the issue were unsuccessful. However, since the Habaswein debacle the County Governor has taken steps to engage with political and community leaders especially through a County Water Conference in Wajir in 2016 that brought together over 200 delegates from across the county, with the result there is increased harmony and common understanding on water sharing in the county. Moreover, this SA process involved harmonious discussions and agreements on water sharing across communities/clans in the county.

**Lack of cooperation by the local community:** although most of the people within the scope of the project are highly supportive of the development, there are concerns from some regions that the water will deplete rapidly. As such, communities living in such regions are not entirely supportive of the initiative and may require further convincing for the project to proceed.

**Wells run dry:** the current situation within Wajir shallow aquifer reveals a gradual and consistent decline in well levels over the years. This remains to be the case in most areas visited during the reconnaissance survey. This implies that further exploration of the available water sources has the potential impact of depleting the existing sources. In addition, several key informants raised the concern that exploring the deep Wajir aquifer may punch a hole on the shallow aquifer hence eliminating the already depleting shallow aquifer.

**Low Water Table:** the drying wells are an indicator that the water table in Wajir is going low. This also implies that the consumption is higher than the recharge. If this continues, it might impact the price of water since water will either have to be found at deeper grounds or

outsourced from other areas.

**Increased salinity of the water:** it is also anticipated that the closer the water is to the bedrock, the more saline it is. This means that measures have to be taken to mitigate the salinity issue.

**High Water Price:** the introduction of a piped system in Wajir town also means that the water tariffs may impact the affected communities depending on the source and the manner of obtaining the water. The wealthy individuals may be the only ones benefiting from the project leaving out the vulnerable and marginalized groups.

**Dispute over management of the water supply:** Wajir town has not had a proper water and sanitation infrastructure before. With devolution and the various bodies in the water sector, there is the potential of having disputes in managing the water. In addition, in areas where water kiosks will be installed, there is the likelihood of people to fight over managing the kiosk. This is an inherent problem in various regions within the country whereby local cartels run the kiosks while extorting money from poor individuals who depend on the facility.

**Security of the pipeline:** it is possible that the pipeline may be vandalised and people tapping water into their households unlawfully. This is also a recurrent problem in major regions in the country that increases the amount of unaccounted for water hence impacting the price of water in the region.

## 1.9 Project Justification

The annual precipitation recharge stands at 110,000m<sup>3</sup> which initially could sustain the town's water demand for the earlier population of only 10,000 people. However, with the increasing population and urbanized lifestyles, the water demand has grown higher. The area is characterised with the high water table shallow aquifer. High yield boreholes are far from the Central Business Centre of Wajir town approximately 120km away making it difficult to provide water services to the CBC. This has exposed the residents of the town (150,000 persons) and neighbouring villages to shortage of water.

Furthermore, because of increase in population in Wajir Town, and lack of proper waste disposal system, contamination of groundwater sources has increased. As a result, there was frequent outbreak of water borne diseases in this area. As an economy driver, it is important that the county considers technological options that can provide water supply to the urban area and the surrounding villages to reduce the current water stress, risks of water related diseases and depletion of the aquifer.

## 1.10 Project Beneficiaries

The project will improve the lives of many within the scope of the works as listed below;

1. Schools (Education sector): Increased attendance as some students travel long distances in search for water.
2. Hospitals and other health facilities (health sector): Enable expansion in both size and capacity.
3. Local households: Improved hygiene, health and lifestyle

4. Businesspeople (Economy sector): improved business and growth of the town meaning more business.
5. Industries (Economy sector): More industries will thrive in the presence of water.
6. Pastoral communities: will settle and stop moving from region to region in search for water

### **1.11 Policy and Legal Context**

This social assessment, the recommendations it comes up with and the protocols developed including the Action Plan for Vulnerable and Marginalized Groups have been carried out in compliance with Constitution of Kenya, 2010 (COK, 2010) provisions on marginalized and minority groups; provisions on the Bill of Rights and Enforcement of the Bill of Rights. The SA also complies with and elaborates various Acts of Parliament that relate to resettlement such as the Trust Land Act (Cap 28), Way Leaves Act (Cap 292) and the Land Acquisition Act (Cap 295) *inter alia*. The SA also alludes to and elaborates the Water Act 2016 and the Physical Planning Act 1996.

In terms of compliance to International Standards and Practices, the SA complies with World Bank Operational Policies – OP 4.10 on Indigenous Peoples and aspires to adhere to OP. 4.11 on Physical Cultural Resources particularly with regard to ‘Muslim Burial Grounds and Cemeteries’ in the project sites as well as archaeological sites such as caves.

Both the national policy, constitutional and legal requirements and the international standards and practices will be elaborated and their relevance to the SA and the project explained in Chapter 4 of this report.

### **1.12 Vulnerable and Marginalized Groups in the Project Area**

Wajir County is predominantly occupied by the Somali people. These are the people that are intended as beneficiaries of the WTWMP, but also they are the people that will potentially be adversely affected by the project; in the town, at the water points and along the water pipelines to Wajir Town. Therefore, the whole population of Wajir County has been classified as vulnerable and marginalized as screened by the Northern Water Service Board (NWSB) in consultation with the World Bank and in line with OP. 4.10.

The northern Kenya populations including the people of Wajir County are also classified as marginalized communities by the Constitution of Kenya Article 260 which defines a ‘marginalised community’ *inter alia* as – “pastoral persons and communities whether they are (i) nomadic; or (ii) a settled community that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole”. Hence this social assessment to safeguard the rights of these VMGs and to develop procedures for mitigating potential adverse impacts of the proposed WTWMP and channel benefits to the VMGs in an equitable manner.



### 1.12.1 Socio-cultural Characterization of the Somali of Wajir

The project sites in Wajir County are occupied predominantly by the Somali people. They speak the Somali Language. However, there are three distinct clans of the Somali that reside in the county. These are Dagodia, Ajuran and Ogaden. These clans have their kin across the international borders in Somali and Ethiopia. Therefore, actors in local inter-clan disputes often enlist support including armed men from across the borders.

The local economy is mainly organized around pastoralist practices. According to Birch and Shuria (2001: 5) nomadic pastoralists in Wajir are organized in herding groups called *rer*s, each one consisting of between five and 20 households. The *rer* is the smallest unit of the clan structure, which though weakened, remains the most important traditional institution in the county and has been in existence for generations. Hence, the WTWMP has to take cognizance of this institution so that water reaches it to support the pastoralist economy at that level. This should be done by enlisting *rer*s as beneficiaries along the water pipelines instead of individuals who will easily short-change weaker members of communities and most likely direct water at private use including irrigation.

Birch and Shuria (2001: 10) add that although livestock keeping is the bedrock of the Somali economy and culture, pastoralists have successfully diversified their livelihoods to the extent that other forms of income – from trade, or from family members in employment – have made increasingly important contributions towards their economic security. Pastoralism as a way of life is widely misunderstood in Kenya, mostly as wandering, warlike and careless bands of livestock keepers who wantonly unleash cattle on other people's property including crops. As Birch and Shuria (2001: 11) point out, the failure to appreciate how pastoralist societies function is at the root of the marginalization and consequent impoverishment which has so damaged pastoral communities. The WTWMP should therefore aim at recognizing pastoralist structures including *rer*s that share labour in livestock keeping as well as livestock products amongst themselves as beneficiary units. Besides, the project should recognize that livestock watering is as important as providing potable water. Hence the project should provide livestock watering points along water pipelines and water sources in order to buttress the local pastoralist economies and cultures. This project approach will support rather than undermine the local economy and culture.

Another dimension of the culture of Wajir people is their religion. The people are predominantly Muslim. At a time when Islam is globally being mistakenly linked and tied to terrorism, the project has to be both sensitive to and sympathetic to Islam as a religion of peace, and also as a religion with certain principles and practices deeply entrenched in the local communities. Key among these is the nature of communication with men and women in the local communities. Meetings for women have to be organized separately from those of men, and each group will have opportunities to express themselves.

Division of labour by gender where men water and protect big stock such as camels and cattle, while women milk, clean and wash, fetch water for domestic use, build traditional huts and take care of children and small stock including goats and sheep should be appreciated by the project. This implies that water around the *bulas* or *manyattas* will support women and free them to other economic activities. Alternately, livestock watering points around the *baadia* or rangelands will



make work easier for men but also reduce points of conflicts over water resources between clans. The project can thus play a major role in empowering women and de-escalating inter-clan conflicts in the county.

In terms of decision-making the national and county administrations have become very important in recent years. Nonetheless, formal authority is still tempered with traditional power. For instance, the chief works with *bula elders* in local security operations and dispute resolution. At a higher level the sub-county commissioners work with clan elders and county government officials to reach decisions in those domains.

Therefore in terms of communication and consultation with local people to reach decisions and support, the project will recognize and work with both formal and traditional institutions of authority. Communication will equally be gender sensitive and yet be owned by members of either gender in order to reduce suspicions and ease project operations.

### 1.13 Deliverables of the Consultancy

The main deliverables of this consultancy are as follows:

- **Draft Report** – this report should contain the main findings of the SA and preliminary action plans for VMGs that will not contain estimated costs and budgets. The report will also contain free, prior and informed consultation as performed during the SA consultations in the field work for the social assessment.
- **Final Report** – following reviews carried out by the client and the appropriate department of the World Bank, the draft report will be revised. The revisions may include if time allows, results from disclosure to stakeholders and community members in the project areas. If this is done then the final report will include some rough estimates of the cost of action plans for VMGs.

### 1.14 Conclusions

This chapter of the report introduced the project and the SA study in general including bringing out the nature and justification of the study as well as the socio-cultural, economic, policy, legal and institutional context of the project and study. The chapter also delved into the deliverables expected from the assignment.

## **CHAPTER II: STUDY APPROACH AND METHODOLOGY**

### **2.1 Introduction**

This chapter deals with the scope of the SA study and the methodology employed in accessing the necessary data. The chapter looks specifically at the various methods used in data collection and analysis and then turns to the challenges faced during field work.

### **2.2 Study Scope**

The coverage of the SA study was Wajir County. This is in spite of the fact that the project under design is Wajir Town Water Masterplan Project (WTWMP). In order to capture the entire project in terms of water sources, pipelines and distribution, the study looked at the suggested water sources and possible pipeline corridors as well as the VMG communities in the town. Therefore the geographical scope of the study flowed outside the town to cover rural areas hosting water sources and pipeline corridors.

The rural areas covered in the study include Arbejahan and Grifitu in Wajir West Sub-county, Logbogolo, Leheley and Kanyure in Wajir West sub-county, and Lake Yahud and Lafale in Wajir East Sub-county. In the town the focus was on the VMG communities who were accessed in Bula Elmi in Salat Location, Almauw in Almauw Location, and Bula Adey in Township Location, all in Central Division, Wajir East Sub-county.

In terms of methods the study focused on capturing the baseline data through household surveys in the various water points mentioned above. In line with World Bank OP 4.10 requirements for free, prior and informed consultations, VMGs were engaged through focus group discussions (FGDs) for men and women separately in all of the sites visited. The men and women were engaged with separately in conformity with local and Islamic Culture that keeps men and women in separate social spaces. The study also engaged with various key informants (KIs) including chiefs and/or their assistants in all the sites. In the course of the VMGs and key informant interviews (KIIs) especially among VMGs in town, specific mappings of relatively more vulnerable VMGs were developed with a view to informing VMG action plans particularly in the town where some in business and professions have crossed the line into local elite groups that may tilt the WTWMP to the disadvantage of the VMGs.

### **2.3 Study Methodology**

The data collection exercise was conducted in two simultaneous steps. First, collection of baseline data through household surveys in all the VMG sites identified. Second was facilitating focus group discussions (FGDs) in all the sites following the procedure of free, prior and informed consultation (World Bank OP 4.10) with a view to communicating/consulting effectively with the various VMG communities in the sites. The process of carrying out the two steps was simultaneous due to time constraints in the field. The process was as follows in each site.

### 2.3.1 Recruitment and Training of Enumerators

In order to ensure that respondents accurately responded to the household survey questions, enumerators were recruited locally in each of the sites and trained on survey interviewing and recording as well as on the questionnaire in use and sampling before being released to the *bulas* or VMG communities to collect the baseline data.

The enumerators recruited had a minimum of secondary level of education with the ability to write in English accurately and to easily translate questions from English to Somali and responses from Somali to English. These were young people who either had completed secondary school in 2015 and were at home waiting for placement in colleges or were on recess from colleges around the country. There was no shortage of these personnel and their work was generally good, although due to the presence of international development and relief actors such as World Food Program (WFP) and Oxfam International, their rates per day were higher than in the rest of the country.

The process of recruitment and developing rapport with the community in order to mobilize for FGDs, a county official who was from the local community and spoke Somali well was at hand to help us throughout the field work. Otherwise, the SA team was also able to recruit local teachers, retired or in service to translate in the FGDs.

### 2.3.2 Baseline Assessment

After the enumerators were trained for the site, they were released to the neighbouring *bulas* to sample and interview respondents from the VMG communities. Sampling was systematic by starting with the first house in the *bula* and then skipping at least one home on either side of the *bula* road or footpath until about ten adults were interviewed. The number of houses skipped depended on the size of the *bula* and because the enumerators were from within they tried to pick respondents as widely as possible skipping more houses in large *bulas* and less in smaller ones. The process of these quantitative data collection was smooth because local chiefs had informed local people beforehand that the exercise would take place and thus they were prepared to participate. The enumerators used a standard questionnaire across all the sites in which the SA study was conducted.

### 2.3.3 Focus Group Discussions/Consultation Meetings

The focus group discussions (FGDs) were carried for women and men separately in each of the sites in order to enhance free discussion of issues and participation. A total of 16 FGDs were conducted – 8 with women participants and another 8 with men participants. In each FGD there was a facilitator (the lead sociologist) who also took notes, an engineer from the WTWMP consulting and designing firm, a translator and the participants who numbered between six and 15. The discussion started with disclosure from the facilitator and the engineer of everything that was known about the project at the time to the participants. Once this was done and any questions from the participants answered, the facilitators then posed questions about how the participants would relate with the project, their economic, social and cultural lives, and gender profiles, and finally after a summary of all discussions was made to the participants, the facilitator

asked whether or not they supported the project. This question led to discussions among participants that culminated in one of them reiterating the facilitator's question followed by a chorus of *baa* (yes). The discussions that ensued were noted and have been reproduced in this report as justifications for the *baa* (yes) or broad community support for the project. This process assisted the SA team to carry out disclosure of findings and thus enable the participants to consider consent (*baa*) or otherwise (*mayaa* or no) to the project from an informed position.

### **2.3.4 Key Informant Interviews**

Key informant interviews were conducted with County officials including the County Executive Committee (CEC) Member for Water and Natural Resources, Chief Officer in-charge of Social Development and Gender, Managing Director of Wajir Water and Sanitation Company Limited at the county headquarters in Wajir Town. Other interviewed in Wajir Town include NGO officials at Arid Lands Development Focus (ALDEF) Kenya and Oxfam. In the *bulas* chiefs and/or their assistants were interviewed. A total of 15 key informants were interviewed.

The main thrust of the interviews was to bring out the development situation in the local areas, the gender division of labour, the water situation and the various stakeholders that needed to be brought on board for the success of the project. The key informants were also asked for the possible positive and adverse impacts of the project on VMGs as understood, as well as how best to communicate and consult with VMGs.

### **2.3.5 VMG Mapping**

In Wajir town which is the main project site if the WTWMP, a general sketch of the areas occupied by the VMGs was developed following discussions with key informants especially those from the county office and the chiefs or their assistants in the town. The sketch which also follows the social differentiation outlook in the town is annexed to the report under Annex 5 and is not drawn to scale. The position of the VMGs in the peripheries of the town fit in well with the distribution of the main services including water, roads and schools in the town, with most of these concentrated in or near the centre of the town and the least of them in the peripheries where most of the VMGs reside. Therefore, the WTWMP should aspire to bridge the water supply quality deficit in the VMG areas. In particular there is need for the project to aim at providing water kiosks and subsidizing water for VMGs as they ordinarily will not afford general urban tariffs.

## **2.4 Gender Considerations in the Study**

The consultations through FGDs took cognizance of the patriarchal structure of the Somali people and the differentiated social spaces for men and women in Islam. Therefore, separate FGDs were held for men and women in order to facilitate smooth communication and consultation and comply with local cultural norms. In the process of these separate consultations for men and women it became clear that majority of the women did not own land because land belonged to men and that while women fetched water for domestic use, men watered the big stock mainly camels and cattle which equally belonged to them. Men also controlled family

income, whether it was from remittances or livestock sales, although it is women who prepared family budgets.

Therefore, the SA established that there was deep gender-based social differentiation in the Somali society in general but also more specifically in the VMG communities and households. The WTWMP should therefore deploy gender lenses during project design and implementation with a view to developing project products that speak to special needs of men and women separately – with regard to watering big stock, water for domestic use, income and use of time. For instance, while men may be willing to pay for big stock watering, they may not readily pay for domestic water even when women ordinarily have no command over resources including income.

## 2.5 Data Analysis

**Quantitative data** from the household surveys in the VMG communities were coded and entered into the SPSS computer software and processed to produce simple descriptive statistics mainly frequencies and means that are analysed in chapter three.

**Qualitative data** from the KIIs and FGDs were analysed manually for emerging themes and used in some instances verbatim to bring out certain opinions and perspectives from VMG communities in the report.

## 2.6 Challenges in Field Work and Social Assessment

The main challenges encountered in the field were as follows:

- Language barrier due to the fact that majority of adults especially women did not speak Kiswahili or English. This challenge was overcome by using translators who were generally effective.
- Anxiety over insecurity arising from frequent *Al Shabab* incursions to the neighbouring Mandera and Garissa Counties as well as in the eastern parts of Wajir County.
- Limited time in the field due to the short time allowed for the assignment as a whole. This was overcome by arranging with VMG leaders and chiefs/assistant chiefs in advance so that consultation and data collection were smooth in each site.

## 2.7 Conclusion

In this chapter the SA study methodology was discussed in details including data collection and analysis techniques. Then the chapter turned to gender considerations in the study that should also find their way in the project design and implementation. The chapter ends with a discussion of the challenges faced in the field and how they were handled for best results.

## CHAPTER III: STUDY FINDINGS

### 3.1 Introduction

This chapter delves in to the findings of the SA study findings. It commences with a description of the data and information collected, touches on the socio-cultural context of the study and project and then turns to stakeholder and institutional analysis. The chapter also looks at the baseline situation under sub-titles such as demographic characteristics, livelihood approaches, water and sanitation situation, health outlook and potential project benefits. The chapter closes with a conclusion.

### 3.2 Description of Data and Information Collected

The SA study collected the following types of data:

- Quantitative data using surveys of VMG households in the various project sites identified. The survey made use of semi-structured questionnaires covering demographic data, livelihood techniques, water and sanitation, and diseases they suffered from in the households. These data were summarised to produce frequencies and means using the SPSS computer software and are used in this chapter.
- Qualitative data were collected using key informant interviews (KIIs) and focus group discussions (FGDs). These were guided by KII and FGD checklists that covered issues such as livelihood approaches, gender analysis, institutions in the VMG communities, land use patterns, expected adverse impacts of the WTWMP, project benefits, water and sanitation, health and development actors in the communities. These data are largely quoted verbatim in this chapter.
- Observation data – these were recorded in notebooks as observed and the rest captured in still pictures, most of which are annexed to this report as evidence of certain activities.

### 3.3 Socio-cultural Context

As already indicated in chapter two this SA study took place in Wajir County which is occupied by the Somali people of three clans namely Ajuran, Ogaden and Dagodia. Majority of the people in the county are Muslims. In terms of livelihoods, the people largely depend on livestock keeping because Wajir is an arid and semi-arid land (ASAL). They rear camels, cattle, sheep, goats and some chicken. Besides livestock people also earn their living through trade, social networks and remittances from Diasporas in urban areas locally, nationally and globally. The main social network in the VMG communities under study is called *reer*, organized around livestock which defines the culture of the people.

According to the CIDP (Wajir County, 2013: 20) the county has an inter-censal growth rate of 3.22 per cent which is higher than the national population growth rate of 3.0 per cent. This growth rate threatens to put pressure on local resources including water and pastures. Therefore the proposed WTWMP is relevant to the current situation in the county.

### 3.4 Stakeholder and Institutional Analysis

Although Wajir County is in the Arid and Semi-Arid Lands (ASAL) and should attract a lot of NGO activities in the areas of relief and development, not many NGOs were found to permanently operate from Wajir. The SA study found out that the following NGOs worked with VMG communities from Wajir town – Arid Lands Development Focus (ALDEF) Kenya, Oxfam UK, World Vision Kenya and Islamic Relief. The Red Cross Society of Kenya was reported to work with VMG communities on an off and on basis mainly doing relief work. Other actors working with VMG communities in the county include World Food Program (WFP) engaged in relief work throughout northern Kenya, the county government especially in health and water supplies, and the national government in the areas of education and security and peace building through the chief and their assistants. A summary of the areas of operation of the various organizations is provided in the table below.

Table 3.4 Summary of Organizations Operating in Wajir Town

#	Organization	Thematic Areas/Sectors of Operation
1	Arid Lands Development Focus (ALDEF) Kenya	Water; Livelihoods; Humanitarian; Governance; Education; Institutional Sustainability; Technical Support.
2	Oxfam UK	Humanitarian; Water; Livestock Development; Education.
3	World Vision International	Education; Water; Relief; Livestock Development.
4	Red Cross Society of Kenya	Relief; Water; Livestock Development and Education.
5	Islamic Relief	Relief; Water Supplies; Livestock Development and Education
6	World Food Program (WFP)	Food and Commodities Relief; Water Supplies
7	National Museums of Kenya (NMK)	Cultural Conservation; Education
8	County Government of Wajir	Infrastructure; Water and Sanitation; Basic Education; Relief; Livestock Development; Agriculture; Health; Technical Education.
9	National Government of Kenya (GoK)	Security; Education; Irrigation; Research and Development; Cross-County Infrastructure; Foreign Affairs and Donor Liaison; Taxation; Social Protection; Land Adjudication.

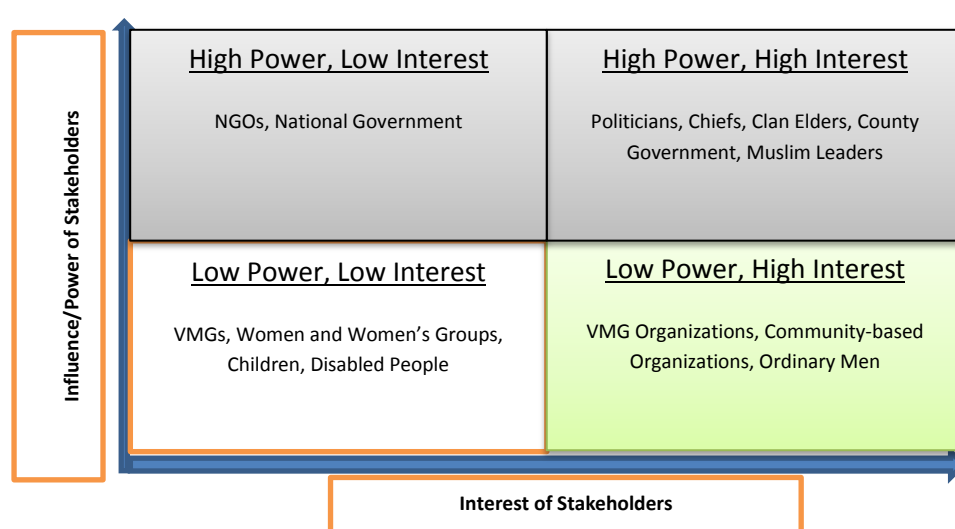
Overall, all the actors in the development arena in Wajir County; work with VMGs in some way and particularly in the area of water and sanitation. Besides, staff of the NGOs such as Oxfam UK and ALDEF Kenya have a lot of institutional memory regarding water development in the town and county. Therefore, it will be critical to keep all these actors in the loop during design and implementation of the WTWMP. Another set of actors to engage in this process are self-help groups and women's groups in the *bulas* as they also wield influence among VMG communities. The National Museums of Kenya (NMK) Wajir branch was also found to be a major actor in the local development arena especially in the area of cultural conservation. For instance, the curator in-charge of the education programs at the Museum said, *"If the water pipelines run in to burial grounds in VMG communities cultural cannons regarding the sacredness of graves will stand in the way. However, this can be negotiated so that elders and Muslim leaders in the affected communities will decide if some rituals can be performed before exhuming and reburying elsewhere. Otherwise in some instances if a grave is interfered with without performing the requisite rituals, droughts and diseases will plague the community around it"*. Finally, the mosques in the VMG communities are major water consumers and are always in the forefront in the search for water given its critical place in worship. These should also be engaged with during project design and implementation as they also speak from within VMG communities.



In the political front clan elders hold informal positions that are very influential to the extent that they lead negotiations within and between clans on how to share political positions. Therefore, while politicians hold formal offices their influence and power are moderated by clan elders. It is for this reason that the Governor for Wajir County has continually engaged with clan elders and politicians on the issue of water sharing across clans around the county.

Therefore, in subsequent phases of the WSDP project further consultations with VMGs and their organizations should include engagement with politicians, chiefs and clan elders to maintain support for the project as established during the SA consultation and participation processes.

In terms of stakeholder mapping which should also be a continuous process as the project unfolds the SA used the Mendelow Matrix as shown below.



From the matrix above it is clear that the key players are politicians, chiefs, clan elders, county government and Muslim leaders. The project team will thus need to engage with them on project design, progress, contracting, employment opportunities, implementation timelines, beneficiaries, and other emerging issues on the project on a continues basis in order to safeguard the project from controversy and political backlash. The rest of the stakeholders will also need information and satisfaction with the project process in order that they do not become hostile due to lack of information or misinformation by disgruntled sections of the key players.

### 3.5 Demographic Characteristics

This sub-section looks at the baseline data collected on demographic characteristics of the people in the various project sites visited. The data are largely quantitative, but some qualitative are brought in to emphasize or triangulate a point.

#### 3.5.1 Age of Respondents

The study sought to know the age of the respondents and the results were as shown in Figure 1 below. The figure shows that majority of the respondents (64%) were aged 26 to 49 years, while only 24% were aged 50 to 65 years and a minority 2% were aged above 65 years. This implies that most of the people in the project areas were young and formed a good labour pool for the



project when implementation begins. The only drawback is that literacy levels were low in the county and thus the labour are largely of the unskilled type. Another implication for the project is that only a minority of the population was aged namely above 65 years of age and thus requiring special treatment from the project.

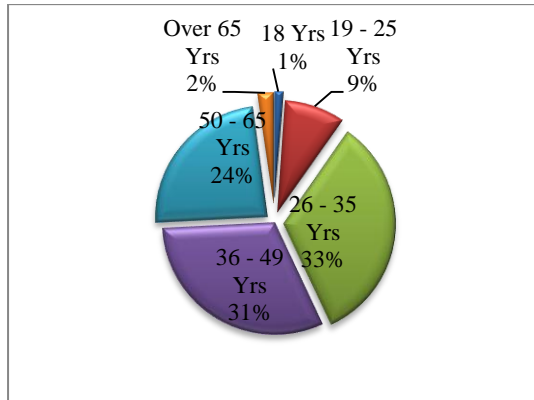


Figure 1: Respondents' Age (n=93)

### 3.5.2 Respondents' Gender

When the study turned to the gender of the respondents the results were as shown in Figure 2 below. Majority of the respondents (62%) were female and the remainder 38% were male. The SA study therefore covered women sufficiently to reflect their opinions and perspectives of the project especially because they are disadvantaged even within VMG communities.

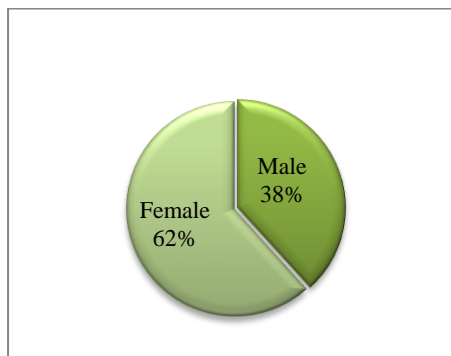


Figure 2: Respondents' Gender (n=94)

### 3.5.3 Respondent's Marital Status

When the study considered respondents' marital status, the results were as shown in Figure 3 below.

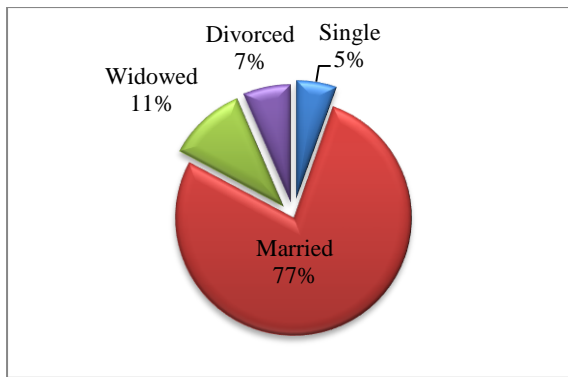


Figure 3: Respondents' Distribution by Marital Status (n=93)

Figure 3 shows that majority of the respondents (77%) were married while just 5% of the respondents were single. However, 11% of the respondents were widowed while 7% were divorced. This has implications for the proposed MTWMP. Widows and widowers are usually among the most dispossessed in rural Kenya. As Lwevo et.al (2014: 195) the community perceives a poor person as one who has no livestock, no spouse, no children and no source of income. Hence, absence of a spouse is an indicator of poverty not just for the widower or widow being lonely and deprived of the labour of the departed, but more importantly they are deprived of the social networks of the departed. Social networks are the bulwark of rural livelihoods. Therefore, the proposed project should focus on the needs of these disposed people and develop sub-projects that speak to them.

### 3.5.4 Gender of the Head of Household

The study sought to find out the gender of the head of household and the results were as shown in Figure 4 below. Slightly more than half (54%) of the households were headed by females. This was the result of the males having gone to work in the towns or died. The proposed project should take this phenomenon into consideration to provide subsidized water to these female-headed households who will mostly be on the periphery even within VMG communities. As one key informant put it, *“poor people without proper housing rely on human powered shallow wells which are polluted with human waste and thus suffer from diseases such as cholera”*. The project should offer better chances for the poor by providing subsidized potable water for them.

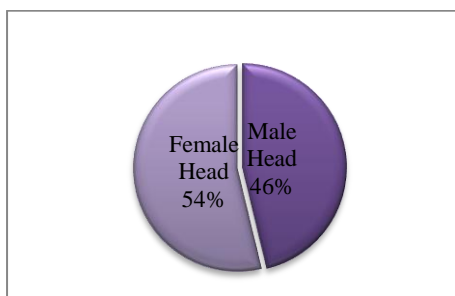


Figure 4: Distribution by the Gender of Head of Household (n=93)

### 3.5.5 Age Group of Household Members

The study also looked into the age of members of respondents' households and the results were as shown in Figure 5 below.

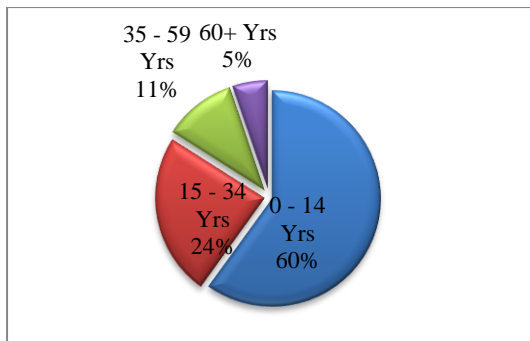


Figure 5: Distribution by Age Group of Household Members

Figure 5 shows that majority of the respondents (60%) reported that their household members were aged between 0 and 14 years and a further 24% reported that household members were aged between 15 and 34 years. Only five percent reported of household members aged 60 years and above. These data imply that majority of household members in the project areas were children requiring project support to access clean water as they were vulnerable to sanitation and hygiene related diseases.

### 3.5.6 Religious Affiliation

When the study investigated the religious affiliation of respondents, it was found out that all of them (100%; n=94) were Muslims. This makes it easier for project preparation because one is planning a project for religiously uniform VMG communities. However, this fact also poses some dangers for project implementation because of fear that workers from outside the communities who worship differently may not be welcome to the project sites. These fears were however dispelled in a VMG consultation meeting when participants said that, *“outsiders coming to work in the proposed project will need to introduce themselves, understand and respect local customs and norms”*. This means that local people need to be understood and appreciated rather than be feared and avoided. The VMG community members appreciate development activities and if approached with respect, will eagerly embrace new projects such as the proposed WTWMP.

### 3.5.7 Educational Attainment

When the study turned to the formal educational attainment, the findings were as shown in Figure 6 below.

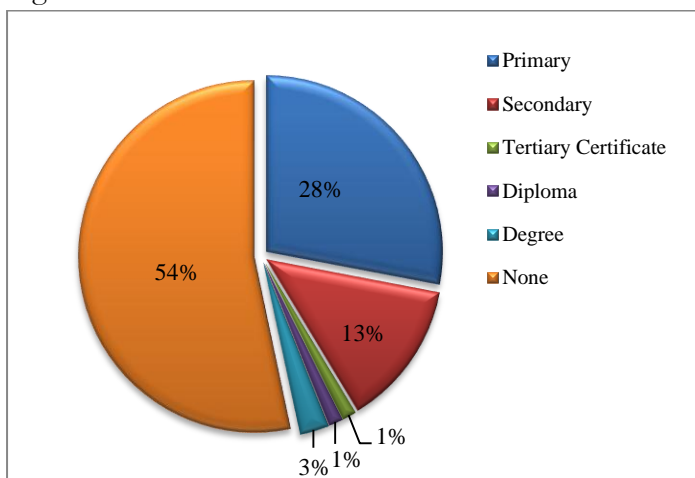


Figure 6: Distribution by Educational Attainment (n=75)

Figure 6 shows that majority of the respondents (54%) had no formal education compared to 28% that had attained primary level of education and 13% that had reached secondary level of education. Only 5% had attained a tertiary certificate level or higher. This educational attainment outlook will pose some challenges to project implementation and operation. At implementation local labour will largely be unskilled with a language barrier to outsiders. At operation with this low level of literacy meter reading or concurrence with meter readers will be problematic. The project may have to devise simpler ways of charging for water consumption like flat rates for the VMG communities.

### 3.5.8 Quality of Housing in VMG Communities

#### 3.5.8.1 Material used in the Floor of Main House

In order to ascertain the quality of housing in the VMG communities the study sought to know the material used in the floor of the main house and the findings were as shown in Figure 7 below.

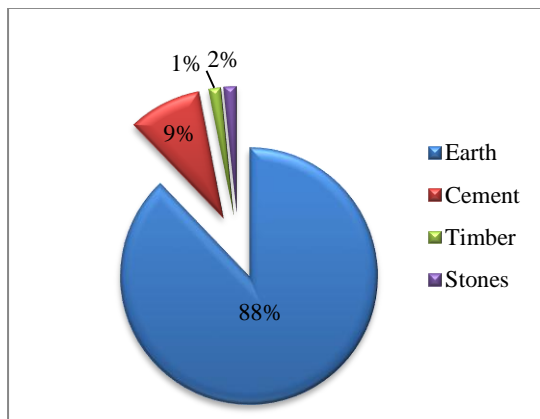


Figure 7: Distribution by Material used in Making Floor of Main House (n=77)

Figure 7 shows that majority of the respondents (88%) lived in main houses whose floors were made of earth while 9% of the respondents had their floors made of screed. The remainder three percent of the respondents had floors made of stones or timber.

#### 3.5.8.2 Material used in the Wall of Main House

Another dimension of housing quality that the study sought to establish was the material used in the walls of main houses in VMG communities and the results were as shown in Figure 8 below.

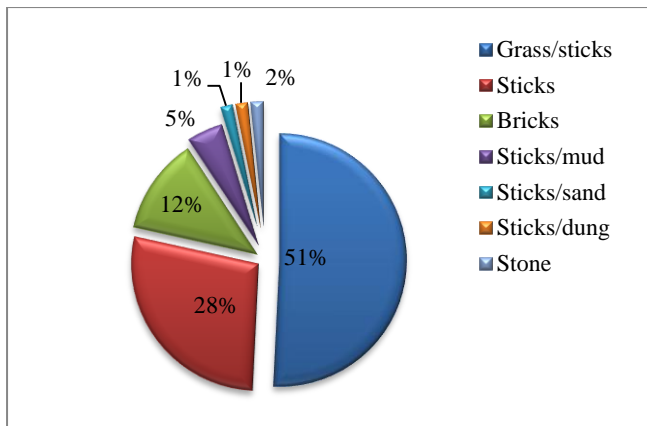


Figure 8: Distribution by Material used in Making Floor of Main House (n=65)

Figure 8 shows that 51% of the respondents had used grass and sticks to make their walls, 28% had used sticks only for making walls, 5% had used sticks and mud while 12% had used bricks. About 4% of the respondents had used stone or combinations of dung and sticks and sand and sticks.

### 3.5.8.3 Material used in the Roof of Main House

The study sought to find out the material used in making the roofs of respondents' main houses. The findings were as shown in Figure 9 below.

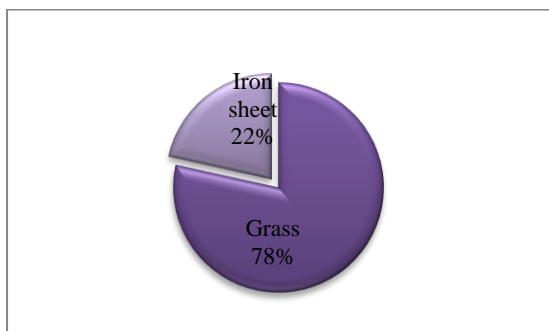


Figure 9: Distribution by Material used in Making Floor of Main House (n=65)

Figure 9 shows that majority of the respondents (78%) used grass to do the roofs of their main houses while the remainder 22% used iron sheets.

Overall, the housing outlook in the VMG communities was poor with at least 78% using grass on their roofs and earth for their floors. This implies a very poor standard of housing. Besides, this kind of houses was inappropriate for rainwater harvesting as it was difficult to use gutters and even if that was possible the quality of water harvested would be poor mixed with pieces of grass and the quantity low because with low rains most of the water will be absorbed by the grass on the roofs. Additionally, this low quality of housing implies that connecting homes to piped water is largely out of the question in most VMG communities. Therefore, there will be need for water kiosks and bathrooms in the *bulas*. Sanitation plans will also have to be based on these facts as well.

### 3.6 Livelihood Approaches

This sub-section discusses the various ways by which members of VMG communities made livelihoods.

#### 3.6.1 Respondents' Main Occupation

The study sought to find out the respondents' main occupation and the results were as shown in Figure 10 below.

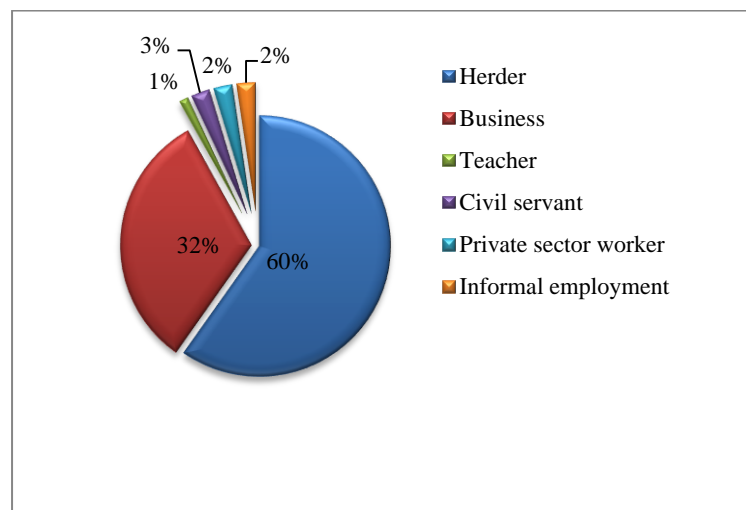


Figure 10: Distribution by Main Occupation (n=87)

Figure 10 shows that majority of the respondents (60%) were herders or pastoralists while about 32% were traders. The remainder 8% were generally in the formal and informal employment sectors. These data show that livelihoods were diversifying in to trade and formal employment. Participants in all the FGDs and all key informants said that members of VMG communities were moving into trade after losing their livestock to droughts or in order to supplement their dwindling livestock keeping. For instance participants in the women's FGD in Leheley said, *"After losing livestock to droughts pastoralists move to the outskirts of Wajir Town or to the small towns and market centres to transport water and firewood using donkey-drawn carts to sell in the towns. Others also transported building materials such as stone and gravel from the plains to the markets and towns for sale"*. Overall, livelihood diversification had made VMG communities more complex, although they remained VMGs because they were diversifying only into petty trade.

#### 3.6.2 Main Source of Income

When the study sought to find out the main source from respondents, the findings were as shown in Figure 11 below.

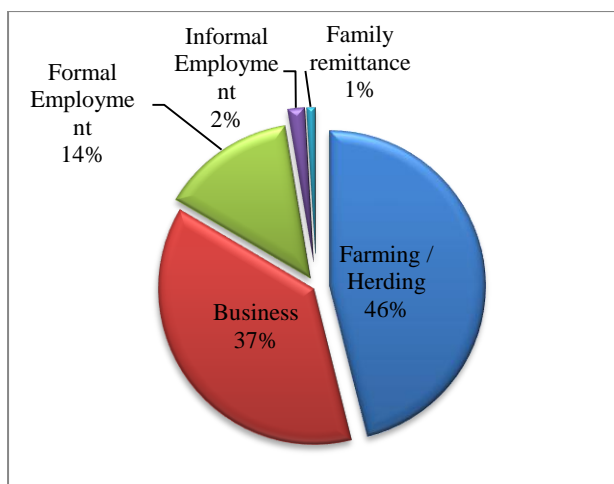


Figure 11: Distribution by Main Source of Household Income (n=115)

Figure 11 shows that majority of the respondents (46%) earned their income mainly from herding and farming while 37% earned it from business. It is worth noting that for about 1% the main source of income was remittance from the diaspora. This implies that other sources had failed and indeed underscores the vulnerability of some with VMG communities in the project areas. This calls for careful design of the project to serve the interests of these people with precarious income sources.

### 3.6.3 Household Assets Owned

The study also sought to establish the extent of ownership of specific simple household assets and the findings were as shown in Figure 12 below.

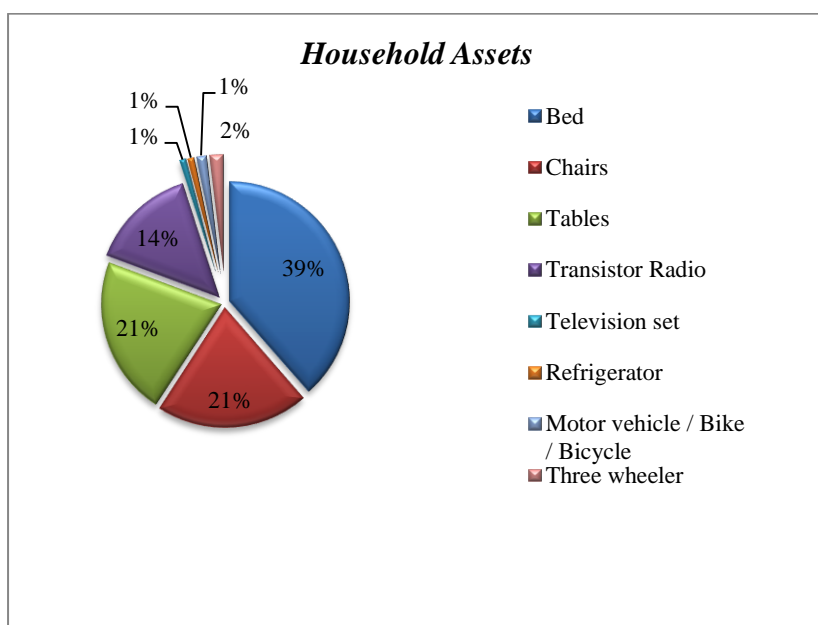


Figure 12: Distribution by Ownership of Household Assets (n=223)

Figure 12 shows majority of the respondents (39%) interviewed in the VMG communities at least had a bed of some kind. Some 21% and 21% had chairs and tables respectively, while a transistor radio was owned by 14% of the respondents. Only 5% or less had television sets, refrigerators, bicycles, motor bikes, motor vehicles or three wheelers. This implies that most of

the household assets of convenience were rarely owned in the VMG communities. This explains the extent of marginalization in those communities and calls for a more nuanced approach to designing of the proposed WTWMP in order to respond to the core poverty and dispossession in the VMG communities.

### 3.6.4 School Attendance and Non-Attendance

This sub-section of the report deals with the participation of respondents' children in formal schools. The idea was to find out if children from VMG communities attended schools, particularly primary schools.

#### 3.6.4.1 School Attendance

The study set to find out if children attended schools or not and the findings were as shown in Figure 13 below.

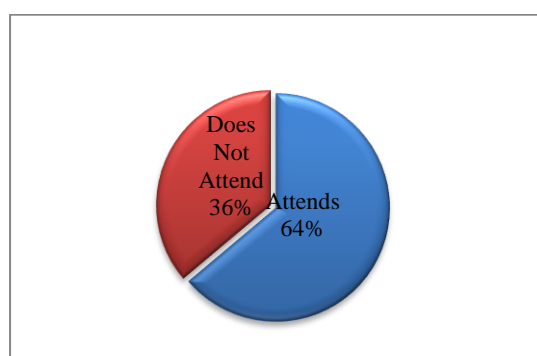


Figure 13: Distribution by Whether or Not Respondents' Children Attended School (n=94)

Figure 13 shows that majority of the respondents (64%) reported that their children attended school. This compares poorly with national average of 83% in 2010, sub-Saharan Africa's 76% and the global average of 89% in 2010 (UNESCO, 2012:1). This shows that the VMG communities were indeed disadvantaged in the area of children's participation in formal education.

#### 3.6.4.2 Reasons for Non-Attendance of School

When the study sought to find out the reasons children did not attend formal schools the findings were as shown in Figure 14 below. The reasons given for children not attending school including fetching water, grazing livestock and lack of school fees point to the underlying problems of poverty in the VMG communities because fetching water and taking care of livestock could be out-sourced if resources allowed and fees could easily be availed. The issue of school fees in Kenya where the Free Primary School Program has been rolled out nationally might look like an oddity. However, in marginalized communities especially in northern Kenya where insecurity is rampant there are never enough teachers in schools and parents have to pay some fees so that school committees employ teachers to bridge the shortfall. The proposed project can add value to school attendance by locating water points in schools so children can go back home with water after school.



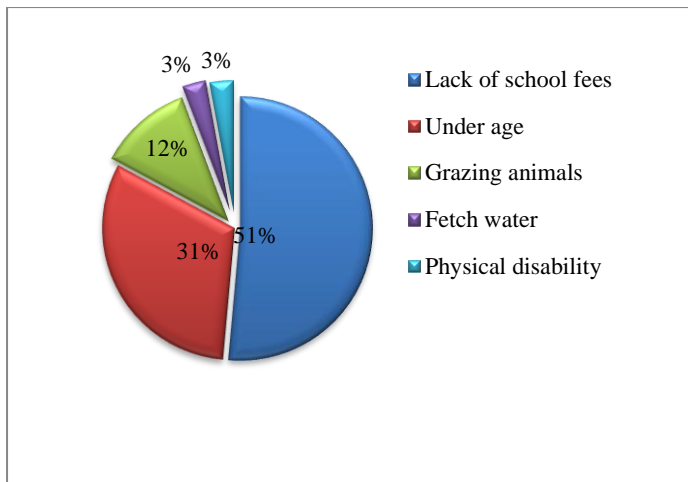


Figure 14: Distribution by Reason for Non-Attendance of School (n=35)

### 3.7 Water and Sanitation Situation

This sub-section of the report looks at what the main sources of water for domestic use were and the challenges respondents encountered in accessing the water.

#### 3.7.1 Main Source of Water for Domestic Use

When respondents were asked what their main source of water for domestic use was the findings were as shown in Figure 15 below.

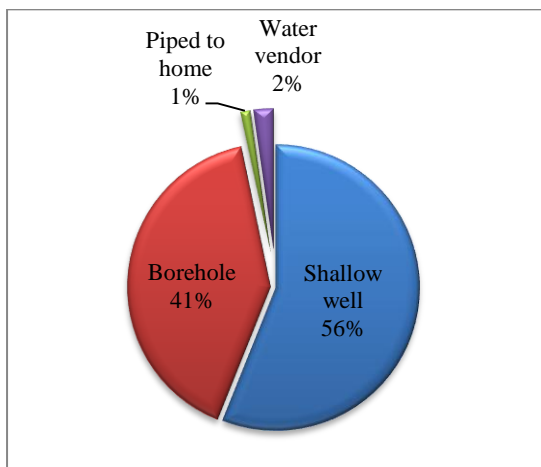


Figure 15: Distribution by Main Source of Water for Domestic Use (n=91)

Figure 15 shows that majority of the respondents (56%) accessed water for domestic use from shallow wells. These were usually hand-dug and human operated wells, which were widely contaminated with human waste because of common open defaecation in the VMG communities especially in Wajir Town. Some 41% of the respondents reported accessing water from boreholes and 1% said water was piped to their homes, while 2% got their water from water vendors. These vendors almost certainly accessed the water from shallow wells and transported it on donkey-drawn carts to the VMG communities for sell. Therefore, most of the water consumed by members of VMG communities was contaminated with human waste. The proposed project can make a difference in this by availing potable water in water kiosks around the *bulas* in VMG communities to alleviate the suffering.

### 3.7.2 Problems with Current Water Supply

The study also sought to find out if the respondents had any problems with current water supply arrangements, the results were as shown in Figure 16 below.

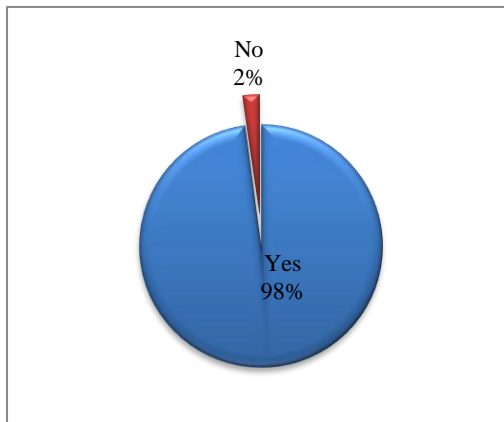


Figure 16: Distribution by If Household Had a Problem with Supply of Water for Domestic use (n=94)

Figure 16 shows that majority of the respondents (98%) reported that they had problems with current water supply arrangements. This implies that the members of VMG communities were suffering under current water supply arrangements and the proposed project can help alleviate some of that suffering.

When the respondents were asked which specific problems they had with current water supply arrangements their responses were as shown in Figure 17 below.

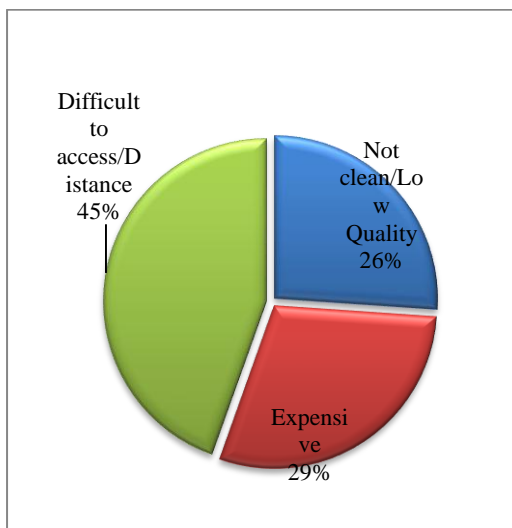


Figure 17: Distribution by Problems Faced in Water Supply (n=92)

Figure 17 shows that water was difficult to access, expensive or of poor quality. This combination of problems, point to a collapsed water supply system. This seems to have fallen beyond the reach of majority VMG community members. The proposed project would therefore respond by making water affordable, clean and distributed closer to the homes of VMG community members.

The study also sought to find out if VMG community members paid for their water for domestic use and the findings were as shown in Figure 18 below.

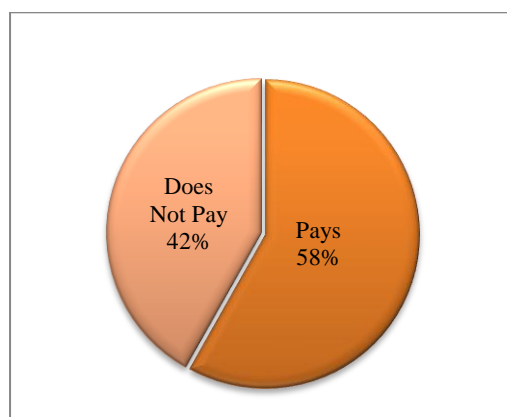


Figure 18: Distribution By If Household Pays for Domestic Water (n=86)

Figure 18 shows that majority of the respondents (58%) reported that they paid for their domestic water. This includes people who bought water from vendors who brought it in on donkey-drawn carts or neighbours who drew it from shallow wells. Overall, it appears that there is a culture of paying for water in the VMG communities which is good for the proposed project. If the project can improve the quality of water through treatment and subsidize the bills, then the VMG communities will have better water services.

### 3.8 Health Outlook

#### 3.8.1 Water-borne Diseases and Human Waste Disposal Practices

This sub-section of the report looks at the health situation in the VMG communities that were surveyed especially regarding prevalence of sanitation and hygiene related diseases and human waste disposal practices.

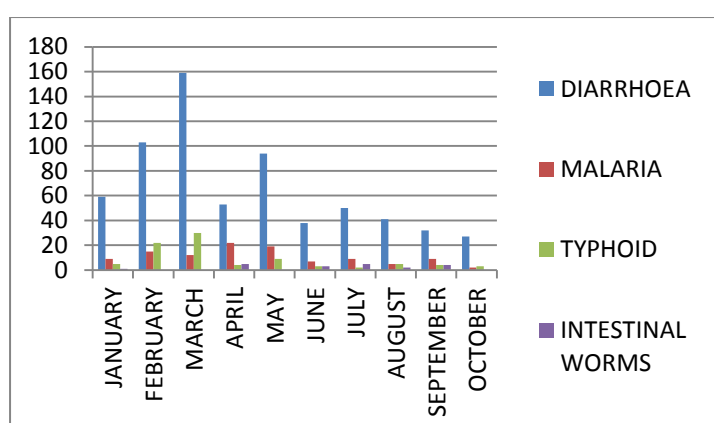


Figure 19: Behaviour of Diseases of Interest in Alimauw Health Centre (January – October 2016)

The study looked at data on water-borne diseases (January – October 2016) at Alimauw Health Centre in Central Division that covers Wajir Town, with a view to establishing the extent of water pollution with human waste. The findings are shown in Figure 16 above. The data shows that diarrhoea, typhoid and intestinal worms were prevalent in the community. The prevalence

of these diseases particularly typhoid indicates that water was largely contaminated with human waste. The proposed project is thus relevant to the needs of members of VMG communities especially because the water will be treated and free of contamination.

When the respondents were asked if any member of their household had suffered from a water-borne disease their responses were as shown in Figure 20 below.

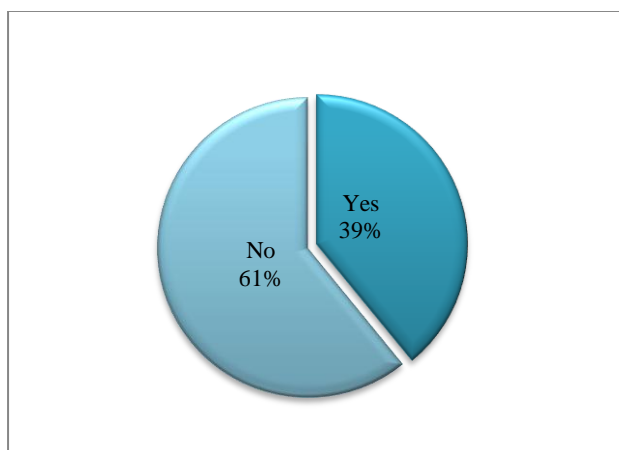


Figure 20: Distribution by If a Household Member Had Suffered from a Water-borne Disease (n=90)

Figure 20 shows that 39% of the respondents reported that members of their households had suffered from a water-borne disease. This confirms data in Figure 16 which establishes widespread prevalence of water-borne diseases in the project area.

The prevalence of water-borne diseases in the project areas is borne out by the human waste disposal practices in the VMG communities shown in Figure 21 below.

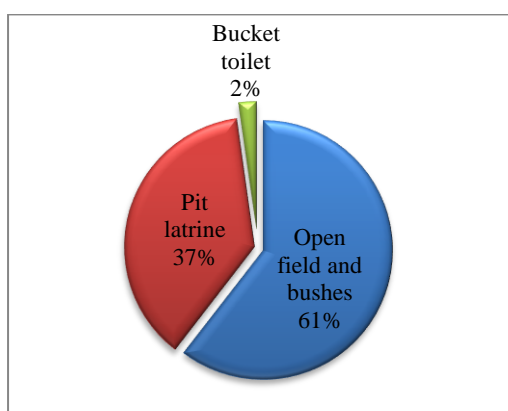


Figure 21: Distribution by Method of Disposing Human Waste (n=91)

Figure 21 shows that majority of the respondents (61%) dispose of their human waste in the open fields and bushes and a further two percent through bucket toilets. These are emptied in the open fields or in the bushes. The 37% of respondents that reported using pit latrines do not help matters as these contaminate shallow wells especially in Wajir Town where the water table is high. Therefore, the proposed project will have to consider these factors and respond to them by

offering small-scale water treatment works around major water points or training people to treat their water at source if they off the supply grid.

### 3.8.2 Mental and Physical Disability

Mental and/or physical disability cases take a lot of time and resources to care for and in marginalized and vulnerable families where resources are scarce; these cases may push households deeper into poverty and isolation. When the study sought to find out if respondents had cases of permanent mental or physical disabilities in their households the results were as shown in Figure 22 below.

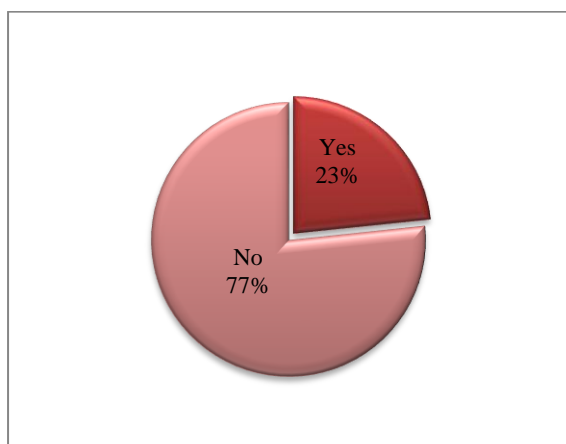


Figure 22: Distribution by If a Household had a Person with Permanent Mental/Physical Disability (n=90)

It is shown in Figure 22 that 23% of the respondents reported having cases of permanent mental or physical disabilities in their households. Therefore, within VMG communities there were many cases of disabilities that may have been isolated and in dire need of support and services. The proposed project should seek out these cases and provide water directly to their households in order to reach them in their situations of relatively more vulnerability.

### 3.9 Gender Analysis – Women in the Periphery of the Marginalized

The SA study sought to find out the roles that were set aside for females and those set aside for males in the VMG communities. This was done in order to inform the proposed WTWMP in terms of how to best reach women as more vulnerable members of VMG communities or at any rate on how best to reach women and men separately through the proposed projects. The results from a gender analysis tool that was used across the project sites were as shown in Table 1 below.

Table 1: Gender Roles in VMG Communities

#### Roles for Women

- Sell vegetables and milk
- Washing clothes and utensils
- Cooking
- Cleaning the compound
- Building huts and maintaining them

#### Roles for Men

- Quarrying
- Taking care of Camels and Cattle
- Watering camels and cattle
- Chewing Khat (miraa)
- Collecting firewood on donkey-drawn carts

- Taking care of small stock – goats and sheep for sale
- Milking
- Fetching water for domestic use
- Collect firewood for domestic use
- Making gravel for sale
- Fetching water on donkey-drawn carts for sale
- Trading in goats

Table 1 shows that women do most of the work in the homes. As participants in one of the FGDs for women put it, “*men eat, give orders and leave all the work for women*”. Women felt burdened with a lot of work in the households. In some instances women take the initiative to begin small businesses such as selling vegetables and milk but their income is often captured by men. In Ganyure participants in a women’s FGD said, “*We go for vegetables from irrigated gardens or from Wajir town to sell here in Ganyure for a profit, we also have a group of women who collect money together buy camel milk and sell locally. The group buys milk and processes yoghurt for sell in Wajir town and we also have butchery from where we sell meat. However, we face two challenges; one, men think that we make a lot of money and when we share profits they ask for most of the money and decide how it will be used. Two, we sell vegetables on the dust if your project can build stalls for us we can sell more comfortably*”. In the Leheley women’s FGD, participants said, “*We spend on average seven hours working in the home – washing, cooking, cleaning, taking care of children and small stock – let alone the fact that during the dry season we spend over five hours waiting in line to fetch water for domestic use. Meanwhile men relax at home if they have not taken camels and livestock for watering*”. The women said that men own the land and control all family income which largely was from selling camels or cattle, arguing, “*They use the income to buy food, clothes and meeting our other needs, but may also use it to get a second or subsequent wife*”. Therefore, even within VMG communities; women have their more marginalized position in the ‘periphery of the marginalized’.

This scenario has implications for the proposed project. First, the project has to take specific steps to reach the women and reduce the burden of their work. This means dealing with the problem of domestic water by availing it near their homes to make the work of cleaning and washing easier. Second, the project can respond to the women’s needs by building market stalls around the water points, so that women can be comfortably engaged in some trade to empower them.

### 3.10 Cultural Resources

There are not many land-based fixed cultural resources in Wajir County. However, there are a number of important cultural sites. First is the Gorahey Wells in Wajir East which were constructed in the 1970s by the Italian Government. The Wajir Museum Curator said that elders used to live there and this has remained a tourist attraction where people go to follow how elders lived in the past. Second, the Shalety Caves in Wajir South, where elders also used to live and people visit to learn how they used to live in caves. The third is Yahud Dam which formed as a result of quarrying for materials for the construction of Wajir Airport in the 1970s. Once the quarry filled with water a lake known as Yahud was formed named after the airport contractor who was Jewish. The fourth cultural resource in the county constitutes burial grounds around the county. The Wajir Museum curator said that should these fall within pipeline corridors there will have to be negotiations with clan elders and religious leaders to determine the nature of rituals to undertake in order to smoothly relocate the graves to give way for the pipelines.

Otherwise if the graves are disregarded, there will be droughts and disease outbreaks in the land as the ancestral spirits will be angry.

### **3.11 Potential Project Benefits to VMGs**

In this sub-section the results of the study regarding the benefits of the proposed project of Wajir Town Water Masterplan Project (WTWMP) are presented and discussed.

#### **3.11.1 Benefits for Women in VMG Communities**

The project promises to reduce the distance that women will have to walk to fetch water for domestic use. Once this distance is reduced women will have more time to engage in economically productive activities such as trade to improve their lives and those of their families.

Because children help women to fetch water for domestic use and often miss or fail to attend school permanently for this reason, the project once implemented will most likely improve the chances of children attending school for the first time or more consistently for those that may not have been consistent in the past. The chances for attending school might be higher for girls who usually are tied up to their mothers in domestic work and will now be freer as water will be available around their homes.

Once water is supplied to schools through the proposed project, it will enhance school feeding programs run by the national and county governments as well as by development partners and this will attract more children to school more consistently.

#### **3.11.2 Benefits for Men in VMG Communities**

Men usually walk long distances to water their big stock mainly camels and cattle. Once the project is implemented they will do this closer home and thus have more time for other more productive activities. In any event the livestock will be healthier because of not walking long distances and will fetch more money in the market besides producing more milk for domestic consumption or for sale.

Men also fight over water for their livestock, often losing lives in the process. Once the project is implemented, they will have no reason to leave their homes and thus conflicts over water will cease and with that men will be safer and healthier.

#### **3.11.3 Health Benefits for VMG Communities**

The prevalence of water-borne diseases in the project areas has been discussed. A major benefit of the proposed project for VMG communities is in reducing cases of these diseases and saving people from death of diseases such as cholera that claimed the lives of 2000 people in Wajir in 2014. As one of the key informants said, *“If we get clean water to Wajir, our hospital beds will be empty”*.

#### **3.11.4 Environmental Benefits for VMG Communities**

A key feature of the centralized watering points around major water sources in Wajir was environmental degradation due to concentration of thousands of livestock in small spaces during watering. After the proposed project is implemented water points for livestock will be decentralized most likely to the *bulas* and this will ease environmental pressure on water sources.



### 3.12 VMGs' Verdict on Supporting the Project

In all the consultation cum focus group discussion meetings held across the project areas participants were asked to state whether or not they supported the project as had been explained to them and as they understood it. This was done after the facilitator had summarised the main points raised in FGD/consultation meetings towards the end of respective sessions and then asked them whether or not they supported the project. This question led to discussions among participants that culminated in one of them reiterating the facilitator's question followed by a chorus of *haa* (yes). The discussions that ensued were noted and have been reproduced in this sub-section of the report as the bases for the *haa* (yes) or broad community support for the project. This process assisted the SA team to carry out disclosure of findings and thus enable the participants to consider consent (*haa*) or otherwise (*mayaa* or no) to the project from an informed position.

In all the six consultation meetings held in the VMG areas in Wajir town the participants unanimously supported the project. They indicated that they had suffered water shortages and water-borne diseases for long and would be happy to be supplied with clean water in higher quantities. The women's FGD participants at Bula Adey capture this mood thus, *"The project design should recognize that most of us live in traditional Somali huts. We fully support the project to bring in clean water from outside. We also welcome workers from outside to implement the project for us; we will protect and support them"*. In Bula Elmi, participants in the men's FGD said, *"We support the water project and visitors can come and work in the project. VMGs will benefit as they will get water near their homes to use. The rich should be prevented from taking the water away for irrigation farming, Water in Lake Yahud is not clean but if you treat it and pump it to our village we will use it happily, but the lake should be fenced so that cars are not washed in there as is happening now"*.

In the six water source sites surveyed there was unequivocal support from Lake Yahud, Logbogolo, Arbejahan, Griftu and Ganyure. In Ganyure the men's FGD participants said, *"We welcome the project to re-develop this site and pipe the water to Wajir, but the contractors should sub-contract community members so we can benefit during construction"*. The women's FGD participants in Ganyure also agreed on the proposed project saying, *"Water can be piped from here to Wajir, we have no problem. If you ask the people watering their livestock at the wells where they have come from you will find out they have come from very far, if we let them use the water why would we deny those of Wajir? The people who come here to water their livestock sell milk to us and we take it to Wajir and sell at a profit, this shopping centre is here because of the wells. So if the wells are expanded our businesses expand as well"*. In Logbogolo, the men's FGD said *"we welcome the project. People fear this place, but we stand for security; citizens have no problem with visitors working here to develop the project. Even teachers who had left because of insecurity are back. If we get more boreholes and expansion of the pan to hold more water we can share with Wajir Town. There is a lot of water here only that it is saline and it can be desalinated"*. In Arbajahan, participants in the women's FGD said, *"Water can be piped from here to other communities including Wajir Town – we support expansion of these wells and boreholes"* and participants in the men's FGD said, *"Water can be distributed to other areas of the county especially to avoid over-grazing around the water sources here, but we would like to collect cess (tax) on water taken out of the community"*. Participants in the men's FGD in Griftu supported the project saying, *"Water can be distributed to other communities outside Griftu but only after all Griftu Location residents have been given water. So these water sources have to be expanded to serve everyone"*. The participants in the women's FGD in Griftu also supported the project saying, *"More boreholes are required so water can be distributed to other areas to avoid overgrazing and congestion in the health centre. But we have to be*



*careful not to deplete the water*". In Leheley water source, the community groups expressed fears that their water will get finished and said if they are assured that expansion will increase water available to them, they would have no problem sharing the water with Wajir Town. They sought assurances from the county government that water will not be depleted.

During subsequent phases of the project there will be need to clarify outstanding issues mainly assuring VMGs and other interested groups such as chiefs, politicians and clan elders that the project will increase water supply both locally and to the town. Once this is done and explained in terms of quantities of water output from respective planned water facilities then the same process of asking participants in community consultation/FGD meetings whether or not they support the project will be done. Overall, future consultations should focus on disclosure of project design and progress as well as how local and external water needs will be met without jeopardizing the needs of host communities of water facilities. Consistent and continuous communication with VMGs and their organizations using local language will thus be critical.

### **3.13 Conclusions**

This chapter discussed the findings of the study laying out the demographic characteristics of the VMG communities surveyed, their health outlook and the sources of water they used as well as the problems they faced in using them. The chapter then turned to the key benefits the proposed project would have for the VMG communities.

## CHAPTER IV: POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK

### 4.1 Introduction

This chapter considers the national policy context for the project especially as it related to VMG communities. It also looks at the legal and institutional framework for the project and how those affect VMGs. Finally, the chapter covers a reflection on the World Bank Safeguards for the VMGs particularly the OP 4.10 on Indigenous Peoples. The chapter closes with a conclusion.

### 4.2 Policy Framework

In this sub-section of the report the policy context of the project with regard vulnerable people is discussed. The aim is to support the project to comply with policy provisions for dealing with VMGs and communities in general.

#### 4.2.1 Kenya's Vision 2030

Launched in 2007, Vision 2030 (Kenya, 2007) is Kenya's premier policy document and development blueprint into 2030 and is designed to transform the country into a middle income country within the intervening period. This calls for a variety of World class services including water and sanitation services across the country.

Vision 2030 has three pillars – economic, social and political. Under the social pillar it is argued that Kenya's journey towards widespread prosperity also involves the building of a just and cohesive society that enjoys equitable social development in a clean and secure environment (Kenya, 2007: 93). It is recognized that Kenya is a water scarce country but stated (Kenya, 2007: 115) that the Vision for the water and sanitation sector is “to ensure water and improved sanitation availability and access to all by 2030”. This means that VMGs have a place in the Kenya envisioned by 2030. In particular that efforts being made in water and sanitation sub-sector should be inclusive of all including VMGs and that the quality of such services should not be compromised on account of the clients' social standing. The vision talks of access to water and sanitation services for all, which means that cost of services should be borne in mind while reaching out to VMGs with services. Therefore, the proposed WTWMP should aim at delivering high quality and affordable water and sanitation services to VMG communities.

#### 4.2.2 National Drought Management Authority Act No. 4 of 2016

The Act establishes an Authority to *inter alia* handle overall coordination over all matters relating to drought management including implementation of policies and programs relating to drought management and to coordinate drought response initiatives being undertaken by other bodies, institutions and agencies.

In particular the authority known as the National Drought Management Authority (NDMA) shall conduct research on drought management and generate, consolidate and disseminate drought management information. This makes the authority a major stakeholder in the proposed project to the extent that information on ground water resources will be required. The authority is also mandated to review drought preparedness strategies, hence the proposed project promoters will be required to work closed with the authority as the project is being designed and implemented.

### 4.2.3 National Climate Change Response Strategy, 2010

The strategy paper recognizes that Kenya is a water scarce country and offers a variety of strategies for ensuring that the resource is utilized in ways that recognize that it is a finite resource. The paper also argues that interventions in the water sector should take a participatory approach involving different water users including gender groups, socioeconomic groups, planners and policy makers in water resource management (Kenya, 2010: 53). Concerning the proposed WTWMP, the project will be required to develop as is being done through this SA, a comprehensive consultation program for involving and communicating with VMGs in the project areas so that they have an input to the project process as recommended in this national strategy.

### 4.2.4 The National Land Policy

The National Land Policy is contained in Sessional Paper No. 3 of 2009. It declares its vision thus, *“To guide the country towards efficient, sustainable and equitable use of land for prosperity and posterity”*. It therefore envisages the treatment of all people equitably so that the voices of VMGs also count. Besides, the policy also recognizes the pre-emptive rights of original property owners as follows, *“the government should confer pre-emptive rights on the original owners or their successor in title where the public purpose or interest justifying the compulsory acquisition fails or ceases”*. This protects VMGs from local elites that may use their positions to acquire their land the reason for compulsory acquisition ceases or even stage-manage compulsory acquisition and takeover after declaring change of course of a project. The proposed project should thus make clear to the VMG communities that in the event that right of ways privileges are not actualized, the land will revert to the original owners.

Most of the land in the project areas is classified as community land. The policy also provides that part of community land may be set aside for public use. Therefore, the project promoters may negotiate to set apart some of the community land for water development and transmission. This can be compensated by sharing the water developed with people around the source. This way VMGs will also benefit from the project as monetary compensation for use of land may actually never reach them as the elite appropriate it.

## 4.3 Legal and Institutional Framework

In this sub-section of the report the legal and institutional guarantees for VMGs are considered and avenues for complying with those guarantees explained. The aim is to both assist project promoters comply and also help VMGs claim on those guarantees from the project.

### 4.3.1 The Constitution of Kenya

The Constitution of Kenya (COK) is the supreme law of the land. If there is conflict between the constitution and any other law, practice, regulation or institution; the constitution prevails. It is therefore, important to consider keenly what kinds of provisions the constitution makes on the VMGs and how project promoters and designers should deal with them during and after design and implementation.

The COK at Article 260 defines a ‘marginalized community’ as (a) a community that, because of its relatively small population or for any other reason, has been unable to fully participate in the integrated social and economic life of Kenya as a whole; (b) a traditional community that, out of

need or desire to preserve its unique culture and identity from assimilation, has remained outside the integrated social and economic life of Kenya as a whole; (c) an indigenous community that has retained and maintained a traditional lifestyle and livelihood based on a hunter or gatherer economy; or (d) pastoral persons and communities, whether they are – (i) nomadic; or (ii) a settled community that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole; and a ‘marginalized group’ means a group of people who, because of laws and practices before, on, or after the effective date, were or are disadvantaged by discrimination on one or more of the grounds in Article 27 (4).

On the basis of the foregoing definitions the people of Wajir County being pastoralists per excellence qualify as marginalized people. Given that these people follow livelihoods that are isolated, precarious and susceptible to droughts and floods characteristic of their county and given their historical exclusion and higher levels of poverty, these people are also vulnerable. Therefore, in spite of the internal social differentiation in the county, the people are generally VMGs.

Article 27 (3) provides thus, “women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres”. This requires that the project takes the views of both men and women about the project and responds to the needs and aspirations of all people in the project. The proposed project should thus afford both men and women equal opportunities to express themselves on the proposed project. This right to participation and to access information is also affirmed in Article 33 (1) (a) on ‘freedom to seek, receive or impart information or ideas’.

The COK at Article 43 (1) provides that every person has the right – (b) to accessible and adequate housing, and to reasonable standards or sanitation; and, (d) to clean and safe water in adequate quantities. These provisions covers VMGs as well and bind the promoters of the proposed project to ensure that they provide not just high quality or clean and safe water but also of adequate quantities to all people that they will serve including VMGs.

Article 44 (2) provides that “a person belonging to a cultural or linguistic community has the right, with other members of that community- (a) to enjoy the person’s culture and use the person’s language. These provisions bound the SA team to consult and discuss with the VMGs in their language and binds the project to engage with them in their language and to respect their culture including *inter alia* their preference to be consulted in separate venues for men and women.

#### **4.3.2 The Land Act, Cap 280, Revised 2015 (2012)**

The Land Act provides for community land and shows that use of community land for public purposes is allowed, but that such use must be compensated for. This does not prevent the project promoters from negotiating other arrangements with the VMG communities including getting right of way free or in exchange of offering water points to community members.

The Act provides for Compulsory Land Acquisition of Interests in Land at Part 8 and offers a detailed process of inspection, survey, valuation and compensation. In the event that the project is to use these provisions especially in the towns where land is privately owned a resettlement action plan (RAP) that follows these provisions has to be completed. In the event of any disputes the Act shows that matters will be referred to the National Land Commission and ultimately to the Environment and Land Court.

The thrust of the Act is safeguarding the rights of land owners and also providing legitimate and predictable avenues for acquiring land for public use. Therefore, compliance to the law is part of the rule of law regime in Kenya. The provisions of the Act are tailored for VMGs, it is therefore incumbent on the project promoters to disclose to the VMGs the process of compulsory land acquisition so that the VMGs are aware and to follow that process for transparency and to benefit the VMGs.

#### **4.3.2.1 The National Land Commission Act No. 5 of 2012**

The Act creates the National Land Commission to *inter alia* manage public land on behalf of the national and county governments; initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress; and, encourage the application of traditional dispute resolution mechanisms in land conflicts.

The project promoters will have occasion to work with the National Land Commission in the event of any dispute on compensation occasioned by compulsory acquisition of rights in land. Also the project personnel may seek advice and support in preparing resettlement action plans (RAPs) in the event of land acquisition for the project. The commission also has powers to investigate any injustice relating to land whether it happened in the past or in the present, and they can initiate such investigations on their own motion or upon receiving a complaint. This means that the rights of VMGs to their land are safeguarded and the project ought to follow the Land Act in acquiring any land for the project.

#### **4.3.3 Water Act, 2016**

This Act responds to some of the rights to water and sanitation that are provided for in Article 43 of the Constitution of Kenya, 2010. At Section 5 the Act points out that ‘every water resource is vested in and held by the national government in trust for the people of Kenya’. This provision is critical especially for VMGs because it secures for them water resources that would otherwise be privatised by powerful groups.

Section 6 of the Act points out that the Water Resources Authority established in Section 11 of the Act shall serve as an agent of the national government and regulate the management and use of water resources. This supports the cause of VMGs in the sense that powerful groups will not wantonly appropriate water resources to their exclusion. The proposed Wajir Water Masterplan Project should thus make reference to the authority in order to fully include VMGs in the planning and utilisation of the project by VMGs.

The proposed project will certainly run into challenges in accessing land for water works and this is covered in Section 8(4) which points out that ‘subject to the Land Act, 2012, land required for

national public water works may be acquired in any manner provided by law for the acquisition of land for public purposes’.

Section 63 states that ‘every person in Kenya has the right to clean and safe water in adequate quantities and to reasonable standards of sanitation as stipulated in Article 43 of the Constitution’. This further ring-fences VMGs’ right to water even in their very state of being VMGs and thus compels government at county and national level to take recognizable steps towards the realization of this right especially through the Water Strategy provided for at Section 64 of the Act. The water strategy is to be revised every three years and forms the basis for holding the cabinet secretary (CS) in-charge of water accountable regarding the progressive realization of the right to water and reasonable sanitation for everyone in Kenya.

The Act anticipates disputes in the water sector and thus establishes at Section 119, a Water Tribunal to adjudicate disputes arising from decisions of the CS for Water or the Water Resources Authority or their agents. Decisions of the tribunal become binding if not appealed within thirty days, but they may be appealed at the Land and Environment Court. Therefore, VMGs have recourse if they are wronged by the national government water agencies in the course of the proposed project.

#### **4.3.4 Community Land Act, 2016**

This is an Act of Parliament to give effect to Article 63 (5) of the Constitution; to provide for the recognition, protection and registration of community land rights; management and administration of community land; to provide for the role of county governments in relation to unregistered community land and for connected purposes. This Act is critical for the proposed project because most of the VMGs in Wajir County live on community land and the water resources being targeted for extraction are in community land.

Section 6(1) of the Act provides that ‘county governments shall hold in trust all unregistered community land on behalf of the communities for which it is held’. Furthermore, Section 6(2) maintains that ‘the respective county government shall hold in trust for a community any monies payable as compensation for compulsory acquisition of any unregistered community land’. Therefore, the proposed project can access land or water resources in community land that may be unregistered and pay compensation to the County Government of Wajir which the law authorises to hold such monies in trust for the communities. In this regard VMGs whether or not registered as community land owners will have rights to water extracted from the land as well as compensation for the land where they have proprietary rights. This is covered in Section 30(1) which states that ‘Every member of the community has the right to equal benefit from community land’.

Section 26(1) provides that ‘a community may set aside part of the registered community land for public purposes’ and Sub-section (2) holds that ‘where land is set aside for public purposes under Sub-section (1), the (Land) Commission shall gazette such parcel of land as public land’. This provisions offer a window for the proposed project to acquire land for project works legally for communities as necessary and to convert the same into public land. This is useful for VMGs as once done powerful groups will not have opportunity to exclude them on account of their socio-



economic statuses. In any event Section 35 holds that, ‘subject to any other law, natural resources found in community land shall be used and managed-

- (a) sustainably and productively;
- (b) for the benefit of the whole community including future generations;
- (c) with transparency and accountability; and
- (d) on the basis of equitable sharing of accruing benefits’.

The concept of community land has been defined broadly enough to include VMGs. Women, children, old people and future generations have been thought of as beneficiaries and thus their rights secured in this Act.

#### **4.3.5 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. Section 5(2c) provides that functions provided for in Article 186 and assigned in the Fourth Schedule of the constitution. One of the functions listed in the Fourth Schedule for county governments is water and sanitation services. This puts the burden of providing water to VMGs in the Wajir Town on the County Government of Wajir. However, the function is to some extent shared as shown in the Water Act, 2016 which shows that CS in-charge of water will work with county governments to develop a water strategy whose object is inter alia the progressive realization of the right to water for everyone in Kenya. Therefore in the proposed project that County Government of Wajir should collaborate with the national government to reach VMGs with water services. Additionally, the county governments have the function of caring for cultural facilities and the County Government of Wajir will thus work with the project to ensure that cultural resources in the county are not interfered with by the project.

#### **4.3.6 Urban Areas and Cities Act, 2011**

This is An Act of Parliament to give effect to Article 184 of the Constitution; to provide for the, classification, governance and management of urban areas and cities; to provide for the criteria of establishing urban areas, to provide for the principle of governance and participation of residents and for connected purposes.

In line with Section 9(4) which states that ‘notwithstanding the provisions of subsection (1), the county governor shall confer the status of a special municipality to the headquarters of the county even where it does not meet the threshold specified under subsection (3)(a)’; Wajir is a special municipality being the headquarters of the county. The county governor had however, not invoked this Act to confer the status on the town. This would be preceded by the preparation of an integrated plan for the town and thus a laid down process for provision of services to residents including VMGs. Such an integrated plan for the town would according to Section 37 of the Act be aligned to the county integrated development plan (CIDP) for Wajir.

Given that a board to manage and govern Wajir town was not in place in line with this Act, the proposed project will have to work with the County Government of Wajir to follow a participatory process in planning the project in line with the Second Schedule of this Act.

Therefore VMGs will be involved in laying out strategies for water and sanitation services provision in the town.

#### **4.4 World Bank Safeguard Policy on VMGs**

The relevant World Bank Safeguard Policies are mechanisms for integration of socio-cultural issues into decision making using a set of specialized tools to improve development and Support participatory approaches and transparency. The safeguard policy relevant to this SA study is set below.

##### *Operational Policy (OP) 4.10 - Indigenous Peoples, 2005*

The policy was endorsed by the World Bank's Board of Executive Directors on May 10, 2005. This policy contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples for all projects that are proposed for Bank financing and affect Indigenous peoples. The Bank requires the borrower to engage in a process of free, prior, and informed consultation with the indigenous people to disclose information on the proposed project and secure their informed concurrence on the continuation of the project to implementation. The bank provides financing only where free, prior, and informed consultation results in broad community support to the project by the affected Indigenous Peoples. Such Bank-financed projects include measures to (a) avoid potentially adverse effects on the Indigenous Peoples' communities; or (b) when avoidance is not feasible, minimize, mitigate, or compensate for such effects. Bank-financed projects are also designed to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate and gender and inter-generationally inclusive.

The Kenya government does not use the concept 'Indigenous People or Communities or Groups' in her official documents. Instead the government has adopted the concept 'Marginalized Communities or Groups'. Therefore, in this SA study the term 'vulnerable and marginalized groups' is used in place of 'indigenous people'.

The proposed project has already commenced compliance to OP. 4.10 by way of screening the people of Wajir County and recognizing that they qualify as vulnerable and marginalized groups (VMGs). The project then set out through this SA to establish the baseline characteristics of the VMGs, engage in free, prior and informed consultation, and find out the possible adverse project impacts and how to avoid them or if not possible reduce or mitigate or compensate for them. This SA study also aims at developing action plans for interventions to deliver culturally appropriate benefits to the VMGs. This whole process is continuing and the project is set to comply with the results and recommendations of this social assessment report.

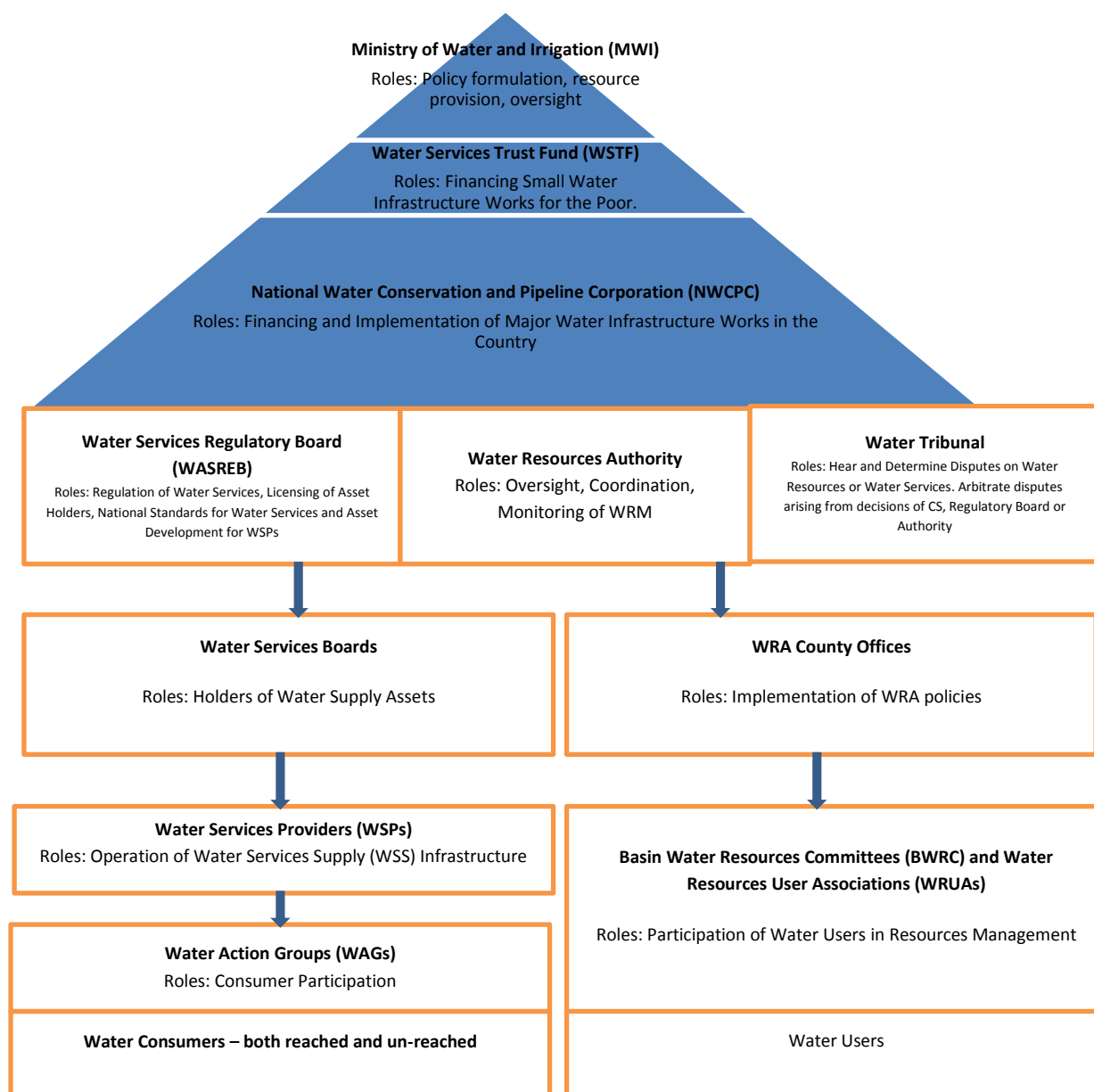
#### **4.5 Water Governance in Kenya**

Reforms in the Water Sector commenced in earnest with the 1999 National Water Policy that led to the enactment of the Water Act, 2002. When the new government came into power in 2003, the Act was implemented comprehensively. Further impetus to the reforms was provided following the promulgation of the Constitution of Kenya, 2010 and the subsequent enactment of



the Water Act, 2016. These reforms have created a hierarchy of institutions that provide for peoples' participation in the management of water resources and water towers, and the separation of policy and regulation from service delivery and day-to-day management of water facilities. This has in effect led to a relatively more transparent and robust water sector.

The key institutions so far created and their respective roles are summarized in the figure below.



The figure above depicts complex linkages for conservation, exploitation, distribution and consumption of water in Kenya. Of interest to this SA is the role of the Water Resources Authority in the regulation of water tariffs. The tariffs are proposed by WSPs and ratified by WRA with input from WSBs, WASREB and WAGs as well as other actors such as Consumers Association of Kenya (CAK) and Neighbourhood Associations. If there are disputes they are arbitrated by the Water Tribunal.

In Wajir County, the Wajir Water and Sanitation Company (WAJWASCO) is the WSP and the Northern Water Services Board serves as the WSB in the region. At the respective water facility levels there were Water Management Committees (WMCs). These were informal committees running community water facilities in a not-so-transparent fashion. The CWCs were largely composed of literate men mainly retired and sitting chiefs and teachers as well as businessmen, to the exclusion of VMGs. At the core of Wajir Town water facilities were managed by WAJWASCO, again to the exclusion of VMGs. Therefore, while in most of the county the water sector has largely been formalised in Wajir formalization was only starting. There were no Basin Water Resource Committees or Water Resources User Associations or Water Action Groups. The WSDP will thus have to provide significant capacity building and organizational development support to the county government in order for it to spur formalization in the water sector in the county and create more inclusive institutions where VMG voices may be expressed even if through representation.

#### 4.6 Avenues for VMGs Public Participation in Development

In line with legal, institutional and policy requirements for the inclusion of VMGs in decision-making on the proposed project and its various components and in order to engage with them throughout the project and be accountable to them as stakeholders, the SA study has identified the following avenues for their participation:

- *Bula* meetings – these take place near their houses. Because of cultural cannons in place, men meet separately from women. These meetings are organized by *bula* elders in consultation with local chiefs and their assistants. The elders that convene these meeting are trusted by both men and women in their bulas and thus convene meetings for both separately. The VMGs discuss matters openly in these meetings and can make decisions affecting their own *bulas* or cluster of households. These meetings were used widely and effectively during the SA study where they were also transformed in FGDs.
- Chief's *Barazas* – these are public meetings convened by the chiefs and their assistants for purposes of deliberating wider issues that cannot be finalized in *bula* meetings. Here the elders from several *bulas* as well as several assistant chiefs participate to reach consensus on issues at hand. The trouble with these meetings is that women will not be represented unless they hold the office of chief or assistant which is rare. However, it was agreed in the consultations/FGDs that women can specifically be invited to the *barazas* for parallel meetings with their male counterparts in adjacent venues.
- Women's Group Meetings – the SA study found out that there were a few women's groups organized around camel milk or vegetable trade in some *bulas*. These were recommended as possible avenues for reaching and consulting women. The disadvantage is that most women did not belong to these groups.
- Mosques – the people in the project areas surveyed were 100% Muslim. This means that majority of the VMGs attend prayers in the mosque every Friday. It was recommended that some consultations with VMGs may be undertaken after Friday prayers. For feedback to be effective these meetings will have to be broken into separate male and female meetings.

## **4.6 Conclusions**

In this chapter the policy, legal and institutional frameworks for working with VMGs have been reviewed and their application for VMG engagement explained. The main avenues for consulting VMGs have also been described as recommended by VMGs and key informants.

## CHAPTER V: POTENTIAL PROJECT ADVERSE IMPACTS ON VMGS

### 5.1 Introduction

This chapter delves into the project's potential adverse impacts on the VMGs as they mentioned during consultations/FGDs with them in various project sites in Wajir County. The chapter will then turn to measures to mitigate the adverse impacts. Special interventions for women, children and aged are then discussed briefly and the chapter ends with a conclusion.

### 5.2 Potential Adverse Impacts

#### 5.2.1 Non-affordability of Metered Water by VMGs

Some of the VMGs may not afford metered water and this may lead to further exclusion from the service and deeper vulnerability to water-borne diseases and in a sense to pushing deadly diseases such as cholera to VMG communities as the wealthy in the town enjoy clean water supply.

#### 5.2.2 Difficulties Connecting Water to VMG's Makeshift Huts

VMG housing units being traditional huts may not be appropriate to connect with pipe-borne water services leading to exclusion from the services.

#### 5.2.3 Resistance to Share Water with other Clans

Due to fierce inter-clan rivalry in the county clans that host water sources may say no to sharing water with other clans.

#### 5.2.4 Elite Capture of Water Supply Services

Elite capture of water supply services and exclusion of majority of the VMGs from the services. This exclusion may be inadvertent to the extent that supplying water through pipes with attendant bills may appear convenient but turn out inappropriate to those who may not afford the bills or who may be unprepared to access water in the form in which it will be availed namely through pipes to homes.

The elite may also divert water from town to irrigation farming in the suburbs, as one key informant said, *"The rich want water and a sewerage system because they have designed their homes for both, and even gardens to irrigate both in the back-yards and in the suburbs; but the poor want their 40 – 60 litres of water per day"*.

#### 5.2.5 Loss of Graves

As water sources are expanded and re-developed, pipelines laid – the way-leaves may run into graves. This will lead to cultural clashes and resistance to the project if not handled with care.

#### 5.2.6 Rejection of Outsiders Working with Contractors

The local community may not welcome outsiders working with contractors or even during project operation upon completion. This may be on account of aggression on or insensitivity to their culture and religion.

#### 5.2.7 Loss of Business around Current Water Sources

Concentration of people around current water sources coming there to water livestock or fetch water for domestic use and providing business opportunities for local restaurants and shops as

well as selling milk to local traders will probably cease once the sources are redeveloped and water distributed to other areas along pipelines to Wajir Town. This will lead to business losses for local VMG communities involved in petty trade and restaurant business.

### 5.2.8 Vandalism on Pipelines to Wajir

Pastoralists may vandalize pipelines transporting water to Wajir town in order to access the water for their livestock. This likely adverse effect of the project may make the project untenable if not mitigated.

### 5.2.9 Loss of Land and Trees

The VMG communities may lose land around water sources earmarked for expansion and redevelopment, and along the pipelines to Wajir Town. This loss may come with losses in trees and biodiversity.

### 5.2.10 Loss of Structures

During expansion and redevelopment of water sources houses and other structures in adjacent *bulas* may be lost. This might in some instances include mosques built near *bulas* adjacent to water points.

### 5.2.11 Spread of HIV/AIDS

During project implementation there will be contractors bringing in people from outside the local communities and this poses the danger of spreading HIV/AIDS in the VMG communities around the water sources and along the water pipelines.

## 5.3 Counteracting Adverse Impacts – Mitigation Measures

#	Potential Adverse Impact	Mitigation Measure
1	Non-affordability of Metered Water	<ul style="list-style-type: none"> <li>• County Government to subsidize water bills to a minimum flat rates for VMGs</li> <li>• Or if feasible exempt VMGs from water bills altogether</li> </ul>
2	Difficulties Connecting Water to VMG's Makeshift Huts	<ul style="list-style-type: none"> <li>• Water kiosks in and around the <i>bulas</i> (clusters of houses).</li> <li>• Water kiosks around schools so pupils can go home with water rather than skip school to fetch water for domestic use.</li> </ul>
3	In the event of resistance to Share Water with other Clans	<ul style="list-style-type: none"> <li>• Community sensitization/education</li> <li>• Negotiations involving clan elders</li> <li>• Revenue sharing with communities hosting water sources through WAJWASCO corporate social responsibility (CSR) activities.</li> </ul>
4	Elite Capture of Water Supply Services	<ul style="list-style-type: none"> <li>• County government develops appropriate by-laws and enforce them to prevent use of clean water in irrigation agriculture by elite groups.</li> </ul>

	<ul style="list-style-type: none"> <li>• Charge more for consumption of units above a certain minimum to discourage misuse of clean water</li> </ul>
5 Loss of Graves	<ul style="list-style-type: none"> <li>• Negotiate with clan/bula elders and religious leaders to perform rituals for grave relocation.</li> <li>• Community education to avoid this loss being viewed as cultural aggression on local people</li> </ul>
6 Rejection of Outsiders Working with Contractors	<ul style="list-style-type: none"> <li>• Community sensitization/education</li> <li>• Induction of outsiders on local customs and norms</li> </ul>
7 Loss of Business around Current Water Sources	<ul style="list-style-type: none"> <li>• Develop market stalls next to redeveloped water sources to forestall business loss</li> <li>• Develop livestock watering points in the vicinity of redeveloped water sources</li> <li>• Capacity building on business practices for local business and women's groups through WAJWASCO CSR activities.</li> </ul>
8 Vandalism on Pipelines to Wajir	<ul style="list-style-type: none"> <li>• Provide livestock watering points along the pipelines</li> <li>• Provide water kiosks for <i>bulas</i> along the pipelines</li> </ul>
9 Loss of Land and Trees	<ul style="list-style-type: none"> <li>• Minimize to the extent possible</li> <li>• Compensation and/or</li> <li>• Negotiation with community leaders to access community land for public use</li> </ul>
10 Loss of Structures	<ul style="list-style-type: none"> <li>• Compensation</li> <li>• Livelihood restoration</li> <li>• Capacity building of Project affected persons (PAPs)</li> </ul>
11 Spread of HIV/AIDS	<ul style="list-style-type: none"> <li>• Awareness creation/community education</li> <li>• Provision of Voluntary Counselling and Testing (VCT) Services in each construction site including along pipelines</li> </ul>

## 5.4 Opportunities for VMGs from the Project

Despite the various potential negative impacts and risks associated with the proposed project and which have been discussed above, the proposed project offers new opportunities for VMGs in the county. These are listed below.

- **Good health:** The project promises to deliver water and sanitation services to the residents of Wajir Town. These residents include VMGs and once this benefit is realized the VMGs have a chance to overcome water-borne diseases and enjoy good health.
- **Employment:** During project implementation and potentially during operation, members of VMGs have potential to be gainfully employed especially in semi-skilled and unskilled levels. This will increase family incomes and potentially improve livelihoods for some of them.
- **Conflict Resolution:** There were often conflicts around water points especially in rural areas where water was scarce. Once water is piped to some of these areas there is potential for peace and hence the project would have helped resolve conflicts.
- **Better Business premises:** Once the water points are re-designed and redeveloped, there is likely to be developed market stalls for local business women and thus they will work in better and more permanent facilities for their trade.
- **Robust VMG Organization:** In the process of participating in the project members of VMGs will have opportunities to develop their organizational capacities and to better represent their interests and defend them. Overall, this will improve their negotiation capacities and chances in life within the county and even as they interact with outsiders.

## 5.5 Special Interventions for Women and Children

This social assessment identified a number of interventions that could enhance the participation and benefit of women, children and the aged from the proposed project. These interventions will also offer good opportunities for the project promoter's sustainable corporate social responsibility work in the VMG communities.

The women identified small businesses in milk trading, making yoghurt and selling vegetables in the bulas as their main entry points to life outside the house. If these activities are supported as part of CSR through capacity building and basic infrastructure development such as stalls provided, women will benefit positively from the time gained from not fetching water from long distances after the project is implemented.

Implementation of the proposed project will also free children from fetching water to probably attend school more consistently or even for the first time. To make this experience worthwhile and beneficial to VMG communities, it was suggested in this SA that Water and Health Clubs be founded in local schools with trained patrons from the teaching staff to promote hygiene, sanitation and good health practices in the community through school children. If the teacher patrons are trained in these subjects they will train others and spread the message to support the proposed project gain traction and offer better results in VMG communities.

## 5.6 Conclusions

This chapter has looked at the main potential adverse impacts of the proposed project on VMG communities and how they can be mitigated. It has also covered possible special interventions for women and children.

## CHAPTER VI: ACTION PLAN FOR VMGS

### 6.1 Introduction

This chapter brings out the various interventions that VMGs suggested as necessary for enhancing their participation and benefit from the proposed project. These interventions are meant to help draw VMGs to mainstream community life and thus to utilising the proposed project more directly and fruitfully.

### 6.2 Interventions in Support of VMGs

#### 6.2.1 Water Kiosks/Subsidies

The housing units that most VMG members resided in were traditional grass-thatched huts with bare earth as floors. This type of housing units is typical of pastoralist communities where resources are scarce for most people to make better houses even in the towns. It would be a big challenge to connect this type of houses with piped water because drainage and space to use the water indoor would be a challenge. Besides, the VMG communities will in most part not afford paying for these connections.

In the FGD/consultation meeting the VMG participants suggested that water kiosks be provided in their *bulas* as close to their houses as possible so they can benefit fully from the project. This will give them access to clean water especially if the county government can subsidize the charges for the water or exempt them from any payments after all.

#### 6.2.2 Community Eco-San Toilets

The water supply alone will not improve the hygiene and sanitation situation in the *bulas*. And yet pit latrines are not an option as they contaminate shallow wells that will continue to be sources of water for some in the VMGs. Hence, the VMGs suggested that they be provided with Eco-san toilets which are appropriate for the areas and which have been piloted there in the past and found acceptable to community members. This approach will help fight water-borne diseases that were prevalent in the project areas. This is a sanitation issue but VMGs participants felt that once the WSDP improves water supply for the rest and they start using sewerage systems; VMG households will continue using pit latrines, may not afford metered water and end up using contaminated water from shallow wells. If this recommendation is not taken up in this project, perhaps the county government should deal with it separately as it affects how VMGs will relate to the overall WSDP.

#### 6.2.3 Water Supply to Communities Clusters along Pipelines

The water pipelines transporting water to Wajir Town from several water points identified and other to be identified during project design, will run through settlement areas. It was suggested that for the security of those pipeline infrastructures and for good community relations with host communities, those communities be provided with water kiosks on the same terms as those in the water source communities. This approach will create buy-in and support for the project throughout its width and breadth.

#### 6.2.4 Livestock Watering Points along Pipelines

For the same reasons as those advanced for water kiosks along the pipelines, VMGs suggested that livestock watering points be provided at strategic points along the pipelines so that pipes are



not vandalized to water livestock. This approach will encompass a major livelihood approach in the project and make it more beneficial and meaningful to the VMG communities and men in particular who were shown in the gender analysis results as being in charge of watering big stock mainly cattle and camels.

#### **6.2.5 Health Clubs in Schools**

In order to entrench best sanitation and hygiene practices in the VMG communities, the participants in the consultation/FGD meetings suggested that health clubs be started in schools with the support of trained patrons from school staff. These teachers will then train children in sanitation and hygiene practices and the children will take the messages home for implementation. This approach will pressure VMG community members to use water more meaningfully by empowering children with the necessary skills and practices in school.

### **6.3 VMGs Capacity Building to Enhance Participation in and Management of the Project**

In the FGD/consultation meetings conducted in various project sites the participants identified three major areas in which they wanted capacity building support to enable them participate in the proposed project from a position of strength. These are general skills training for youth, youth training water infrastructure installation and maintenance, and business and entrepreneurship training for women's groups.

The participants argued that there were many youth in the communities who had completed primary schools and required training in such areas as carpentry, tailoring and dress making, and brick-laying. The participants suggested that the project in liaison with the county government support the youth access those courses in order to create opportunities beyond pastoralism in the community.

With regard to water infrastructure, the participants suggested that local youth with the required education be recruited and trained even before the project is implemented in order to work in it ultimately. This will help the communities share in the construction of the project gain through skills transfer in order for project maintenance to work better during operation.

In many of the VMG communities in which FGD/consultation meetings were held, some women were already involved in petty trade around milk, yoghurt, vegetable and fruits. The participants suggested that these women be trained in entrepreneurship and management skills in order for them to better run those businesses and create value for the community members. With profits from better run businesses they can then pay their water bills in the future.

### **6.4 Compliance to Environmental Regulations and Safeguards**

The proposed project comes with certain responsibilities on the part of project promoters and the county government with regard to compliance to environmental law and safeguards. The issue of solid and human waste disposal is intractable in Wajir County. The huge amount of solid waste especially plastic bags in disuse around existing water sources was an eyesore. The huge percentage of people in the VMG communities who practiced open defaecation also calls for a new approach to life. This water project, besides supplying water to Wajir Town should also focus on sanitation and hygiene for it to be completely useful. To achieve that fete the project

will have to liaise with the county government to ensure compliance to environmental law in particular Environmental Management and Coordination Act (EMCA) 1999 on solid and human waste management respectively. During construction the project should also adhere to the same law in all its construction sites.

### **6.5 Recommendations for Project Design and Implementation**

The proposed project is at the design stage and it is recommended that the design takes a participatory approach using the avenues recommended in this SA report for reaching out to and consulting VMG communities. The project should also bring on board the various interventions for enhancing VMG community's participation in the project and securing their buy-in to the project. There will also be other social and environmental management processes that will kick in before project implementation such as ESIA and RAP that the project will need to recognise and adhere to as they are completed.

### **6.6 Conclusions**

This chapter set out to discuss the main interventions to be put in place in order to mainstream VMG communities in service delivery and utilization. The chapter also looked at VMG members' capacity building proposals, compliance to environmental law by VMGs and some recommendations for project design and implementation.

## CHAPTER VII: COMPLAINTS AND GRIEVANCE HANDLING MECHANISMS

### 7.1 Introduction

This chapter focuses on the procedures to be followed in handling complaints and grievances during implementation and operation of the proposed project especially with regard to VMGs. The chapter opens with a review of the socio-cultural context to conflict resolution in Wajir, then principles for grievances redress and the processes of grievance identification, registration and management through informal and formal procedures. The chapter ends with a conclusion.

### 7.2 Socio-Cultural Context to Conflict Resolution

The history of Wajir County is almost synonymous with conflicts and conflict resolution. This is because even before independence the Somali people occupying the then Northern Frontier District (NFD) of which Wajir was a part sought to secede from Kenya (Osman, et.al, 2011: 37). This did not sit well with the newly independent government of Kenya led to the Shifta wars of the 1960s through 1970s, and variously to the marginalization of the whole region over the years. After the wars ended, clans and sub-clans became the new cleavages of social tension and conflict. In Wajir County the main clans are Ogaden, Ajuraan and Degodia. According to Menkhaus (2008: 25) the Ajuraan consider themselves to be the “original” inhabitants of much of Wajir.

Amidst all these conflicts the Somali people have developed their customary mechanisms for conflict resolution. At the core of the customary are the clan elders who meet and discuss a dispute to determine who is wronged and how they will be compensated. This according to Menkhaus (2008: 26) may include ‘blood compensation payment utilized to manage murders’.

During the SA field work it was found out that elders acted at two levels. One, at the *bula* or village level where they came together to deal with local intra-clan issues. At that level they were convened by village elders. Two, was at the clan level where they still dealt with intra-clan issues including disputes between sub-clans or with inter-clan issues when joined by elders from other clans. At this level elders mobilized each other as need arose or were convened by chiefs. Discussions over disputes and their solutions in these two domains take time and other resources. Negotiations are protracted and there are trade-offs on both sides. But at the end of the day they are preferred in most part to the formal processes that impersonal.

### 7.3 Development of General Principles of Grievance Redress

The SA process has given rise to some principles that will apply in the grievance and complaints handling mechanisms that will be used in the proposed project. These principles are preliminary and will hopefully be developed further as more consultations take place with VMGs as the project unfolds and design takes place. The key principles that have emerged so far are as follows:

- Equity – 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.
- 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.

- Language – the language of discussion in the process of handling grievances shall be that that is used by 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.
- Participation – 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.
- 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.
- 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 Grievance Identification, Registration and Management**

The project will set up a mechanism for receiving and registering grievances at bula (village) level and disclose the same to VMG members in appropriate community meetings. Therefore, grievances will be registered: (a) by *bula* elders (b) by community development officer in the project offices in the sites at water sources, along pipeline corridors and in Wajir Town. Once the grievances are registered and reach the project office, the office will respond exhaustively providing options open to the aggrieved party and helping activate such options to the expressed preference of the aggrieved party in the earliest opportunity not later than seven working days of grievance registration.

### **7.4.1 Bula Elders**

This is part of the customary mechanisms for dispute resolution and will be the institution of grievance/complaint debut unless dealt with fully by the community development office in the first instance or not preferred by the aggrieved party. Once, the bula elders are seized of a matter, the project through the community development officer will monitor the process and update project leaders on progress every seven days until resolved or referred to the chief and clan elders within 30 days of registration, whichever is earlier.

### **7.4.2 Chief and Clan Elders**

Grievances to be handled at this level will be referred by the bula elders or originate directly from the community development officer when the grievance touches on inter-clan issues. The elders and chief responsible will be facilitated to deal with the matter exhaustively within 30 days of being seized of it. Monitoring will be done promptly by the project community development officer in charge.

## **7.5 Formal Justice System**

In the event that an aggrieved person chooses not to use customary institutions for grievance /complaint resolution provided above or ignores pronouncements of either or all of the customary institutions; a grievance/complaint will end up in the formal justice system that includes courts of law, the National Land Commission to the extent that a grievance is relevant and the Commission for Administration of Justice. This report discusses the latter two mechanisms

briefly leaving the courts of law out because their procedures are lengthy and may not be in line with VMG needs.

#### **7.5.1 National Land Commission Grievance Mechanism**

The National Land Commission is set up by the Constitution of Kenya at Article 67 to *inter alia*, manage public land on behalf of county and national governments; initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress; encourage the application of traditional dispute resolution mechanisms in land conflicts.

Given the foregoing functions if a VMG community feels aggrieved and the traditional mechanisms have not worked to their satisfaction may take their grievances to the commission. The commission may also initiate their own investigations if they notice that the project has wronged the VMG communities with regard to land. Overall, the project will have to work closely with the commission in its work and declare all her dealings in land.

#### **7.5.2 Commission for Administration of Justice (CAJ) Mechanism**

This is the office of the Ombudsman in Kenya established in line with Article 59 (4) of the Constitution of Kenya by the Commission for Administration of Justice Act No. 23 of 2011. It was established to *inter alia* - inquire into allegations of maladministration, delay, administrative injustice, discourtesy, incompetence, misbehaviour, inefficiency or ineptitude within the public service; investigate complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct within the public sector.

Should any member of the VMG communities feel they have been treated unfairly for example their compensation money delayed or paid to somebody else, they can petition the commission to investigate and recommend redress. This option to grievance settlement should be disclosed to VMG communities during continuous consultation and communication with them.

### **7.6 Conclusions**

This chapter has considered the proposed procedures for grievance/complaints handling in the proposed project as well as emerging principles to guide those procedures especially those based on customary institutions.

## CHAPTER VIII: PROCESS OF FREE, PRIOR AND INFORMED CONSULTATION WITH VMGS

### 8.1 Introduction

This chapter delves into the processes of free, prior and informed consultation with VMGs during the SA study, during project design and implementation, and during project operation. The chapter commences with a description of the nature of information to be disseminated, discusses proposed communication channels, and turns to communication/consultation methodologies, consultation as practiced during the SA study, in disclosure and during implementation of the project. It then reiterates the SA findings on project perception and support and closes with a conclusion.

### 8.2 Nature of Information for Dissemination

The project will have to disseminate all information that covers the entire project cycle whether such information affects the VMGs or not, and if it affects VMGs whether those impacts are positive or negative. Therefore, the project will disseminate at least three board forms of information to VMG communities, namely.

- Project components and scope – at different phases of the project cycle information on the project components will be disseminated showing what will be done where and when. For instance will a water development entail boreholes or shallow wells or both, how many of each will be done on what acreage of land and so forth. The scope of the project will also be disclosed to the VMGs as the project unfolds and scope becomes clearer including where each component will be implemented.
- Project benefits and negative impacts – the project is under obligation to disclose in details the impacts of the project on VMGs. The potential negative impacts and benefits of the project have already been fully disclosed to VMGs during SA consultations/FGD meetings to the extent that they were clear given that the project is under initial design. Once the design is ready for implementation then further disclosure will be done at that stage of the project cycle as appropriate. The project has also undertaken to and continues to involve VMGs in the design of the project through consultations so that the design is relevant and responsive to their unique needs and situation.
- Project Actions – through a consultative process the project will disclose to the VMGs all information regarding implementation plans and processes and their possible impacts on VMGs; possible land acquisition plans and how much of it and where that will be; employment plans, the skills required and quarters for local VMGs; construction processes and lengths of time involved, and operational issues including tariffs, rules, regulations and so forth.

### 8.3 Proposed Communication Channels

During the SA study field work consultations/FGDs participants were asked to explain how they would prefer that the project reaches out to them for mobilization to attend project meetings. The VMG participants named the following as the main channels for reaching them – *bula* elders, chiefs and their assistants, clan elders, women's group leaders, and ward administrators. These channels are discussed in some detail below.

- *Bula* elders – these assume their positions in the *bulas* or villages on the basis of seniority and trust by people to lead them well. They are elected but not in a competitive process entailing campaigns. The elders are respected by most people in the villages and their messages are taken seriously. The participants said that when they hear from their *bula* elders about the project or any other issue they turn up in meetings.
- Chiefs and their Assistants – these are formal offices established in the office of the president of the national government. However, these officials have over the years seen their offices transform from peddlers of draconian state law and oppression of the one party era to facilitators of development and peace at the grassroots under the Constitution of Kenya, 2010 regime. In Wajir the FGD participants from VMGs said that chiefs and their assistants call for widely attended meetings that discuss development and that they would prefer them convening wider project meetings that covered more than a few *bulas*.
- Clan elders – these came across in the SA study as more influential than chiefs and *bula* elders not in terms of convening meetings but in pronouncing themselves on controversial issues and resolving disputes and grievances. The elders are acceptable across clans and are sensitive to the needs and rights of the poor and weak in their clans. Therefore, they would be expected to negotiate any disputes over water within and between clans and find amicable solutions. They will be handy to the project in these respects and the project team will utilize them to reach out to VMGs.
- Women's Group Leaders – there are few active women's groups with broad membership in the county. However, the FGD participants mentioned these are leaders in the grassroots who would mobilize them for project consultation meetings. Therefore, the project team will use them as such to the extent of their availability.
- Ward administrators – these are formal offices established by the county government of Wajir. The VMG consultation/FGD participants said these were among local leaders that would mobilize them. The project team will involve them in VMG mobilization.

#### 8.4 Communication/Consultation Methodologies

The Somali people of Wajir like other African societies are an oral culture. The written word was not very popular except for the Holy Quran. Therefore, the project team will focus on oral communication and consultation with VMGs about the project. Nonetheless, to the extent possible written learning aids such as posters with clear and simple messages will be used in the consultations. Overall, the consultation methodologies will be as follows:

- *Bula* Meetings – where consultations will be held orally about specific project issues. Learning support materials such as posters may be used alongside the oral discussions. Separate meetings will be held for men and women.
- Chief's barazas – there will be separate ones for men and women in adjacent venues to be convened by chiefs and their assistants. Separate meetings for men and women are emphasized because of the established gender structure of the Somali community based on culture and religion.
- Women's Group Meetings – these will target women only in the course of their usual businesses, although women's groups are few and far apart especially in rural Wajir. These



meetings will complement Bula and chief's barazas and further speak to the obtaining gender structure in Wajir in general and VMGs in particular.

- Mosques – after prayers consultations will be held with men and women separately in the mosque compounds. The VMG participants said that is possible. Gender considerations also demand that separate meetings are held for men and women.

## 8.5 Consultation for Social Assessment and Disclosure

These consultations were held during the last week of October and first week of November 2016 in the *bulas*. Several key informant interviews were also conducted with several leaders in the county headquarters and at the grassroots. The key consultations for the preparation of this SA were as shown below:

- October 30, 2016 morning – FGD/consultation meeting with men and women separately at Arbajahan water sources. Simultaneously household surveys were conducted in the Arbajahan *bulas* by trained research assistants.
- October 30, 2016 afternoon – FGD/consultation meetings with men and women separately at Griftu water sources. Simultaneously household surveys were conducted by trained enumerators.
- October 31, 2016 morning – FGD/consultation meeting with men and women separately at Leheley water sources and simultaneous household surveys in the *bulas* around the water sources.
- October 31, 2016 afternoon – FGD/consultation meetings with women and men separately at Logbogolo water sources and simultaneous household surveys in the *bulas* nearby.
- November 1, 2016 morning – FGD/consultation meetings with men and women separately at Ganyure water sources and simultaneous household surveys in *bulas* nearby.
- November 2, 2016 morning – FGD/consultation meetings with women and men separately at Bula Elmi and simultaneous household surveys nearby.
- November 2, 2016 late morning and early afternoon – FGD/consultation meetings with men and women separately at Alimauw and household surveys nearby.
- November 2, 2016 late afternoon – FGD/consultation meetings with men and women separately at Bula Adey and household surveys nearby.

The FGD/consultation meetings entailed the following activities:

- Introductions of those present including one who be the translator
- Detailed presentation of the project and its components by the project engineer. This presentation included discussion of the envisaged geographical scope of the project.
- Presentation by the sociologist of the project benefits and potential adverse impacts of the project on VMGs as understood at that stage of the project design.
- Questions and answers, clarifications on the presentations
- Facilitator/sociologist sought permission from participants to discuss some more issues. Once this was accepted and it was the case everywhere, the facilitator then raised issues from a checklist to structure the discussions and took notes.



- Before the closure of the discussions (summarising the key issues including benefits and negative impacts) the facilitator asked whether with the information given and the discussions carried out thus far participants supported the proposed project. After some further discussions among participants one participant usually reiterated the facilitator's question and the participants responded with a chorus *haa* or yes to the project.
- After pictures were taken the facilitator thanked participants and ended the meeting.

The foregoing meetings and focus group discussions were attended voluntarily by VMG participants. The discussions in women's and men's FGDs/consultation meetings were unhindered because the environment was free of coercion or intimidation from any quarters. The participants' support for the project were considered and discussed even after the question of support or otherwise was raised, hence the VMGs were not manipulated by anyone in the SA team or in the community or county at large. Going forward the participation and consultation with VMGs will be secured by taking the following steps:

- ✓ Use the local Somali Language in all consultations with VMGs
- ✓ Emphasize oral engagements with the VMGs as the written word is not very popular in the county especially among VMGs
- ✓ Mobilize VMGs for consultation meetings using their recognized leaders namely *bula elders*, women's group leaders, chiefs and their assistants and clan elders.
- ✓ Hold consultation meetings separately for men and men in line with local culture and Muslim requirements of separate social spaces for men and women.
- ✓ Deliberately ask participants whether or not they support aspects of the project at hand or under discussion and allow for any clarification and further discussions among participants in order to get deeply considered responses.
- ✓ Continue to engage separately with politicians, clan elders and chiefs through the Governor's water conferences and other forums to ensure sustainability of consensus on water resources sharing across clans and sub-counties in the county.
- ✓ Ensure that the WSDP team of consultants/contractors are seized of the resolutions of the Governor's 2016 Wajir Water Conference in order to disseminate the same during consultations with VMGs and other stakeholders for purposes of harmonising communication with the grassroots groups.
- ✓ Representation of sections of the WSDP teams in future Wajir Water Conferences in order to inform project decisions more readily from conference decisions.
- ✓ Tapping into Northern Kenya Council of Governors deliberations for strategic direction and engaging with them more on water resources sharing across counties and clans.

## 8.6 Consultation during Design and Implementation

During project design the project team will go into meetings similar to those used during SA and disclose their preliminary designs of the project then ask for suggestions from VMGs on how to make the project design better, relevant and culturally appropriate to their situations and needs. Once the suggestions are offered the team will disclose to the extent immediately possible how changes will be made to the design in response so there are tangible outputs from the meetings.

At implementation the project team will present to the VMGs or their representatives the design already agreed on and lay out the implementation plan and process, specifying how VMGs will participate in employment and other support – and how that will be processed. During implementation those agreements will be carried out and the social/environmental management plans will be implemented and monitored in consultation with VMGs’ representatives.

Overall, the future priority topics for consultation and disclosure will *inter alia* include the following:

- ✓ VMGs awareness of the project
- ✓ Suggestions on project design
- ✓ Positive impacts of the project on VMGs
- ✓ Negative impacts of the project on VMGs
- ✓ Steps in mitigating negative impacts and enhancing benefits to VMGs
- ✓ Challenges/barriers faced by VMGs in accessing water and using it
- ✓ Experience of VMGs with the project
- ✓ VMGs’ level of satisfaction with grievance handling and processing
- ✓ VMGs’ level of satisfaction with communication on project process
- ✓ VMG’s level of satisfaction with employment opportunities in the project.
- ✓ VMGs’ level of satisfaction with implementation of the interventions they suggested to enhance their benefitting from the WSDP
- ✓ Satisfaction with distance they walk to access water
- ✓ Status of VMGs’ business around water points
- ✓ Consensus on water resources sharing around the county
- ✓ Potential quantities of water per water point and recharge trends
- ✓ Information on aquifer finds and their potentials and recharge trends

## **8.7 Project Perception and Support by VMGs**

As already discussed in details in the findings section, there was widespread support for the proposed project in all but one of the project sites that were surveyed and FGD/consultation meetings held. In this one site the participants wanted assurance from the county office that the project will increase water supply rather than reduce it locally. This was the only condition for their support. Hence it is expected that this will be clarified and the site comes on board. They stated that once this was cleared they will support the project.

## **8.8 Conclusions**

This chapter reviewed the nature of information meant for dissemination, looked at the communication channels that VMGs suggested for use and consultation methodologies proposed. The chapter then turned to how consultation was done during the SA study and disclosure and the proposed consultation processes during design and implementation of the project.

## **CHAPTER IX: PROJECT IMPACT MONITORING AND EVALUATION FRAMEWORK**

### **9.1 Introduction**

This chapter attempts to present initial thoughts of a monitoring and evaluation (M&E) framework for the project particularly to track progress and processes of mitigating potential adverse impacts of the project on VMGs as well tracking implementation of interventions to deepen VMG participation in the project in particular and the general life of their communities in general.

### **9.2 Monitoring and Evaluation (M&E) Components**

The key M&E components in discussion entail – internal monitoring and outcome evaluation. Internal monitoring focuses on tracking processes and progress day-to-day in achieving targets with regard to mitigation measures and with regard to delivering the interventions specified for enabling VMGs participate and benefit from the project fully. Outcome evaluation on the other hand entails overall final evaluation of the enterprise to determine the extent to which the project delivered the changes in behaviour and practices of the VMGs envisaged in the project plan for VMGs.

#### **9.2.1 M&E Objectives**

The M&E objectives in the proposed project are as follows:

- To track VMG perception of the project. This includes their satisfaction with and complaints about implementation of measures to mitigate adverse impacts and interventions for enhancing their participation in the project.
- To track compliance to social and environmental management plans including resettlement action plans as appropriate
- To track project activities and outputs throughout implementation for learning and remedial action to deliver the project on time.
- To ascertain the overall impact of the project on the welfare of the people of Wajir including their health, socio-cultural and economic outlook after the project is completed.

The responsibility to carry out monitoring and ultimately manage outcome evaluation rests with the project proponent, Coast Water Services Board (CWSB) and the County Government of Wajir, Some aspects of these may be accomplished through WSDP sub-project contractors.

#### **9.2.2 M&E Approach**

In terms of approach the project will take a participatory approach where VMGs or their representatives will be involved in designing and carrying out monitoring activities such as finding out their satisfaction with implementation or mitigation measures undertaken and how improvements may be effected. Therefore while monitoring is an internal project function VMGs will be considered as part of the internal of the project organization. Additionally while the outcome evaluation will be external it will also take a participatory approach to enable VMGs construct the reality around the outcomes and make meaning of it from their perspectives in order to see how it would have worked for them. Overall then the approach constitutes two facets – internal monitoring that includes VMG participation and external outcome monitoring that is participatory and sensitive to VMG perspectives.

### 9.2.3 Specification of Potential Adverse Impacts and Mitigation Measures

The potential adverse impacts and appropriate mitigation have been developed as below:

#	Potential Adverse Impact	Mitigation Measure
1	Non-affordability of Metered Water	<ul style="list-style-type: none"> <li>• County Government to subsidize water bills to a minimum flat rates for VMGs</li> <li>• Or if feasible exempt VMGs from water bills altogether</li> </ul>
2	Difficulties Connecting Water to VMG's Makeshift Huts	<ul style="list-style-type: none"> <li>• Water kiosks in and around the <i>bulas</i> (clusters of houses).</li> <li>• Water kiosks around schools so pupils can go home with water rather than skip school to fetch water for domestic use.</li> </ul>
3	In the event of resistance to Share Water with other Clans	<ul style="list-style-type: none"> <li>• Community sensitization/education</li> <li>• Negotiations involving clan elders</li> <li>• Revenue sharing with communities hosting water sources through WAJWASCO corporate social responsibility (CSR) activities.</li> </ul>
4	Elite Capture of Water Supply Services	<ul style="list-style-type: none"> <li>• County government develops appropriate by-laws and enforce them to prevent use of clean water in irrigation agriculture by elite groups.</li> <li>• Charge more for consumption of units above a certain minimum to discourage misuse of clean water</li> </ul>
5	Loss of Graves	<ul style="list-style-type: none"> <li>• Negotiate with clan/bula elders and religious leaders to perform rituals for grave relocation.</li> <li>• Community education to avoid this loss being viewed as cultural aggression on local people</li> </ul>
6	Rejection of Outsiders Working with Contractors	<ul style="list-style-type: none"> <li>• Community sensitization/education</li> <li>• Induction of outsiders on local customs and norms</li> </ul>
7	Loss of Business around Current Water Sources	<ul style="list-style-type: none"> <li>• Develop market stalls next to redeveloped water sources to forestall business loss</li> <li>• Develop livestock watering points in the vicinity of redeveloped water sources</li> <li>• Capacity building on business practices for local business and women's groups through WAJWASCO CSR activities.</li> </ul>
8	Vandalism on Pipelines to Wajir	<ul style="list-style-type: none"> <li>• Provide livestock watering points along the pipelines</li> </ul>

- Provide water kiosks for *bulas* along the pipelines
  - Minimize to the extent possible
  - Compensation and/or
  - Negotiation with community leaders to access community land for public use
- 9 Loss of Land and Trees
- 10 Loss of Structures
  - Compensation
  - Livelihood restoration
  - Capacity building of Project affected persons (PAPs)
- 11 Spread of HIV/AIDS
  - Awareness creation/community education
  - Provision of Voluntary Counselling and Testing (VCT) Services in each construction site including along pipelines

#### 9.2.4 Detailed M&E Plan

A detailed M&E plan will be developed from the specified potential adverse impacts and mitigation measures above in consultation with VMGs during project design. This will provide an opportunity for the VMGs to develop indicators for the mitigation measures that are relevant to their situation and appropriate to their culture.

#### 9.2.5 Outcome Evaluation

Outcome evaluation will be contracted to an external evaluator by CWSB with ToRs indicating that it should take a participatory perspective and aim to bring out the project's outcomes for all beneficiaries and the county in general and VMGs in particular. This evaluation should be undertaken within a year of commissioning of the project to allow for operations to settle and provide opportunities for independence of the evaluation from community consultations characteristic of implementation processes.

#### 9.2.6 Compliance and Completion Audit

A project compliance and completion audit will be carried within three months of commissioning to ascertain that the project fully complied with requirements in policy, law and institutional frameworks as well as with commitments in social and environmental safeguard documents prepared such as RAPs, SA and ESIA as may be appropriate. This will be an independent external audit.

#### 9.2.7 M&E Responsibilities

The internal monitoring of processes, progress and VMG satisfaction and complaints will be the primary responsibility of CWSB through the project team on the ground in Wajir. The outcome evaluation will also be managed by CWSB although it will be external and independent.

#### 9.2.8 Evaluation Process and Procedure

In order to be sensitive and relevant to VMGs, the evaluation will take a participatory approach in order to capture their perspectives and voices. The independent evaluator without any prior involvement in the project cycle will be procured by CWSB to carry out the evaluation with a year of it commissioning and at any rate after the compliance and completion audit is done.

### 9.3 Conclusions

This chapter has provided glimpses into the nature and form of monitoring and evaluation (M&E) for the project during implementation and after. It has been emphasized that both internal monitoring and outcome evaluation should take a participatory approach and involvement of VMGs to capture their perspectives fully and learn from them.

## CHAPTER X: CONCLUSIONS AND RECOMMENDATIONS

### 10.1 Introduction

This final chapter of the SA report covers the study conclusions and recommendations specifically for project design and implementation; capacity building and institutional strengthening; VMG participation in the project and project benefits' sharing with VMGs.

### 10.2 Conclusions

This SA has shown that the VMGs in the project areas in Wajir County were indeed vulnerable and marginalized and excluded from the socioeconomic mainstream of Kenyan life, but that even within those marginalized groups there were deeper cleavages of exclusion along gender, clan and economic position. This implies that one cannot proceed with project design as if the marginalized people of Wajir were homogenous. Nevertheless even those in the 'periphery of the marginalized' have not been dehumanized by their situation, they are active people busy making a living and able to express themselves, defend their positions and beliefs, lead their families and state their preferences as to the shape of external interventions such as the proposed project.

The SA also established that the VMGs under study were primarily pastoralists depending to a large extent on natural resources mainly water and pasture to weave their livelihoods. And that the proposed project thus speaks to their needs and aspirations. Nonetheless, those livelihoods have been diversifying in the direction of trade, formal employment and remittances from urban areas in Kenya and from the Diasporas across the globe. Therefore, while the people in the project sites are marginalized they are not completely isolated uniformly and lacking in internal and external social networks or social capital as it were. Therefore, the VMGs under discussion are more complex socio-culturally than a casual look would reveal.

Women and children constitute the weaker sectors of the marginalized groups. The women and children especially girls take the burden of taking care of families – fetching water for domestic use, cleaning and taking care of small stock. The women in particular single-handedly construct housing units and maintain them throughout the *bulas*. The SA conversely revealed that meanwhile men while it away chewing Khat or taking care and watering big stock – cattle and camels. Even from the depths of these burdens ordinary women had risen to start petty businesses in milk and vegetable trade. This means that the VMGs were not helpless, powerless and hopeless as one would be quick to conclude at first encounter. Furthermore, this persuades the proposed project promoters to listen to the VMGs knowing that they can follow through their aspirations and resolve – they have the will to transform their lives – the process may be slow but they are on the move. Support that is sensitive, relevant and respectful will speed up the process of change.

### 10.3 Recommendations

On the bases of the foregoing conclusions and findings of this SA study in general the following recommendations are made to entrench VMGs in the project process and enhance their participation and benefit from the project.



### 10.3.1 Project Design and Implementation

- Sensitize community members to the project and consult VMGs continuously on the design of the project so that it turns out relevant, culturally appropriate and responsive to their needs and aspirations.
- Reserve employment opportunities for VMGs especially in unskilled or semi-skilled cadres during project implementation.
- Provide support infrastructures as per the VMG Action plans to enhance their participation in the project.
- Engage with clan elders, county and political leaders on long-term water resource sharing across the county.

### 10.3.2 Capacity Building and Institutional Strengthening

- Support and facilitate the use of customary institutions for grievance and complaints handling. It is cheaper for VMGs, more appropriate, fairer and acceptable.
- Build the capacity of rural and peri-urban women who have ventured into business in entrepreneurship so they can sustainably do business and lift themselves from poverty. This can be done through WAJWASCO Corporate Social Responsibility (CSR) activities.
- Train members of customary law and dispute resolution mechanisms in process facilitation and other soft skills to enable them effectively do their work.

### 10.3.3 VMGs Participation

- Engage with *bula* elders to mobilise VMGs for consultation meetings around the project cycle.
- Subsidize VMG water bills or exempt them from tariffs altogether.
- Provide water kiosks in sufficient numbers in each *bula* in the project area to reach VMGs in their traditional housing units and near schools to retain children in school as they go back home with water.
- Provide watering points for livestock around water sources and along water pipelines to forestall vandalism to water infrastructure especially on water pipelines.
- Support the establishment of health and water clubs in primary schools to facilitate practice and learning on the place of water in health status, water resource conservation/sharing and dissemination of these to the homes through school children.

### 10.3.4 Project Benefits Sharing with VMGs

In order to sustain existing VMG buy-in to the project and water sharing across clans, the project should find modalities for deepening benefits sharing in water supplies with host communities as well as some small WAJWASCO CSR activities that provide social benefits to the said host communities. This should be negotiated with clan elders and the county government.

## 10.4 Concluding Remarks

This chapter provided key SA study conclusions and some important recommendations for the project throughout the project cycle. It also argued the case for project benefits sharing.





## REFERENCES

ALDEF (2014) ALDEF – Arid Lands Development Focus Kenya: Strategic Plan 2014 – 2018. Nairobi: ALDEF-Kenya.

Birch, I. and H.A.O. Shuria (2001) *Perspectives on Pastoral Development: A Casebook from Kenya*. Oxford: Oxfam Publishing.

Kenya Republic of (1997) Wajir District Development Plan, 1997 – 2001. Nairobi: The Government Printer.

Kenya Republic of (2007) Kenya Vision 2030: A Globally Competitive and Prosperous Kenya. Nairobi: Government Printer.

Kenya Republic of (2010) National Climate Change Response Strategy. Nairobi: Government Printer.

Lwevo, E., C.A. Onyango, V.V. Nyando, A. Bulle and C.A. Digo (2014) 'Knowledge System of Land Use Potential (KSLUP) for Food Security among Pastoralists: A Case Study of Wajir County'. *International Journal of Humanities and Social Science* Vol. 4, No. 7(1) May: 189 – 198.

Menkhaus, K. (2008) 'The Rise of a Mediated State in Northern Kenya: The Wajir Story and its Implications for State-building'. *Afrika Focus* Vol 21(2): 23 – 38.

Osman, A.D., V. Lin, P. Robinson and D. Jackson (2011) 'Policy and Governance Issues in Kenya's Border Towns: The Case of Wajir Groundwater Management'. *ARAS* Vol 32(1) June: 32 – 58.

UNESCO (2012) Education for All Global Monitoring Report: Education in Kenya Fact Sheet. Paris: UNESCO

Wajir County (2013) Wajir County Integrated Development Plan, 2013 – 2017. Wajir: Wajir County Government.

## ANNEXES

### Annex I: List of Key Informants Interviewed

#	Name	Position	Organization
1	Abdi Hosman Mohammed	CEC Member for Water	County Government of Wajir
2	Halima Ali	Director, Gender, Culture, Sports and Social Services	County Government of Wajir
3	Yusuf Gedi	CEC Member, Agriculture, Livestock and Fisheries	County Government of Wajir
4	Roble A Subow	CEO, Wajir Water and Sanitation Company Limited	County Government of Wajir
5	Ahmed Abdi	Curator In-charge of Educational Programs	National Museums of Kenya, Wajir Museum
6	Bishar Mohammed	Human Resource Officer	ALDEF Kenya
7	Mohammed Noor	Project Officer	ALDEF Kenya
8	Mohammed Kuresh	Chief Executive Officer	ALDEF Kenya
9	Mohammed Mursal	Programs Coordinator	Oxfam UK, Wajir
10	Yusuf Osman	Chief	Griftu Location
11	Ibrahim Yusuf Adan	Chief	Ganyure Location
12	Abdi Ibrahim Abdi	Chief Officer, Lands and Physical Planning Department	County Government of Wajir
13	Abdulahi Abdilatif	County Surveyor	County Government of Wajir
14	Adow Birik	Chief	Salat Location
15	Erick Odunga	In-charge	Alimauf Health Centre

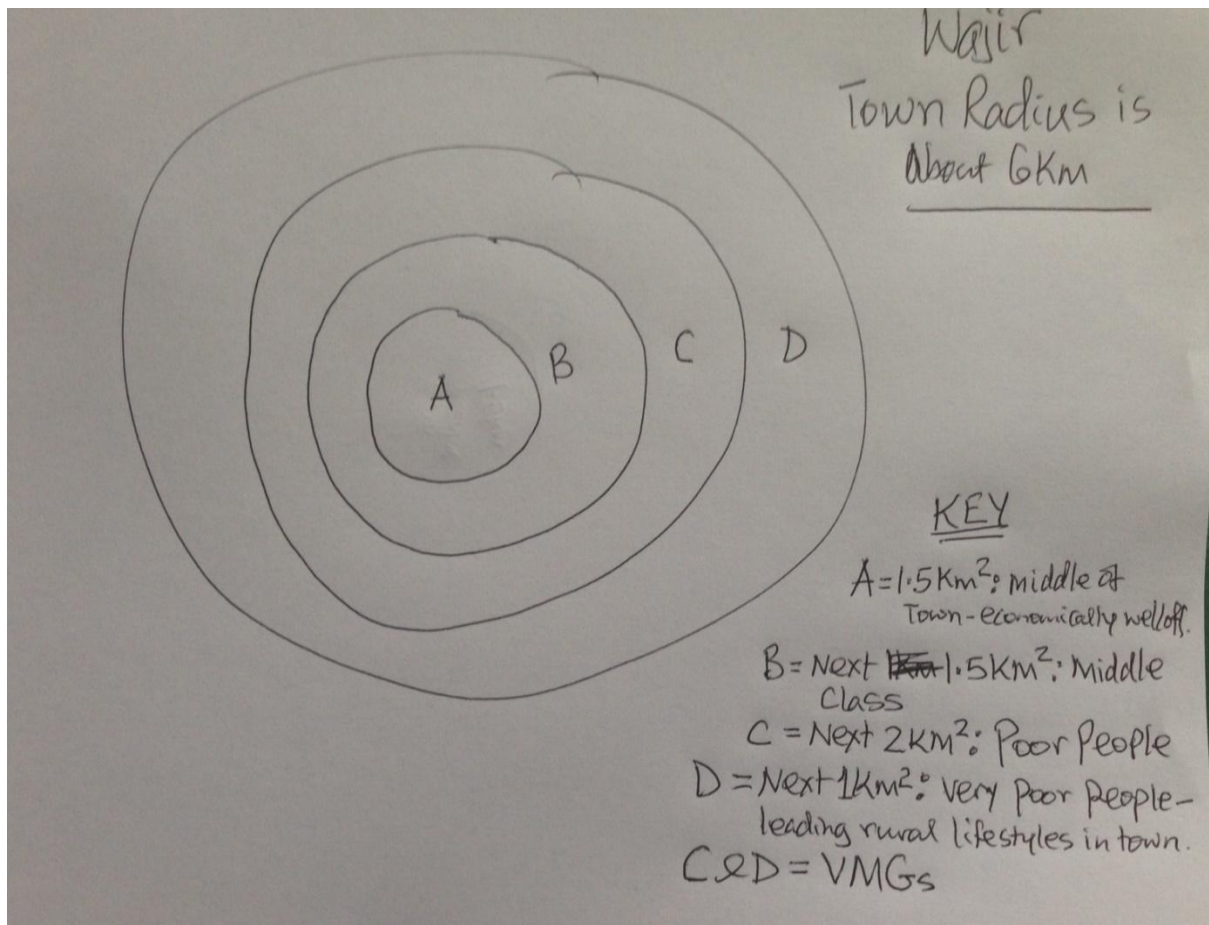
## **Annex II: Focus Group Discussions/Consultation Meetings with VMGs**

1. October 30, 2016 morning – FGD/consultation meeting with men at Arbajahan water sources.
2. October 30, 2016 morning – FGD/consultation meeting with women separately at Arbajahan water sources.
3. October 30, 2016 afternoon – FGD/consultation meetings with men at Griftu water sources.
4. October 30, 2016 afternoon – FGD/consultation meetings with women at Griftu water sources.
5. October 31, 2016 morning – FGD/consultation meeting with men at Leheley water sources.
6. October 31, 2016 morning – FGD/consultation meeting with women at Leheley water sources.
7. October 31, 2016 afternoon – FGD/consultation meetings with women at Logbogolo water sources
8. October 31, 2016 afternoon – FGD/consultation meetings with men at Logbogolo water sources.
9. November 1, 2016 morning – FGD/consultation meetings with men at Ganyure water sources.
10. November 1, 2016 morning – FGD/consultation meetings with women at Ganyure water sources.
11. November 2, 2016 morning – FGD/consultation meetings with women at Bula Elmi
12. November 2, 2016 morning – FGD/consultation meetings with men at Bula Elmi.
13. November 2, 2016 late morning and early afternoon – FGD/consultation meetings with men at Alimauw
14. November 2, 2016 late morning and early afternoon – FGD/consultation meetings with women at Alimauw.
15. November 2, 2016 late afternoon – FGD/consultation meetings with men at Bula Adey.
16. November 2, 2016 late afternoon – FGD/consultation meetings with women at Bula Adey.

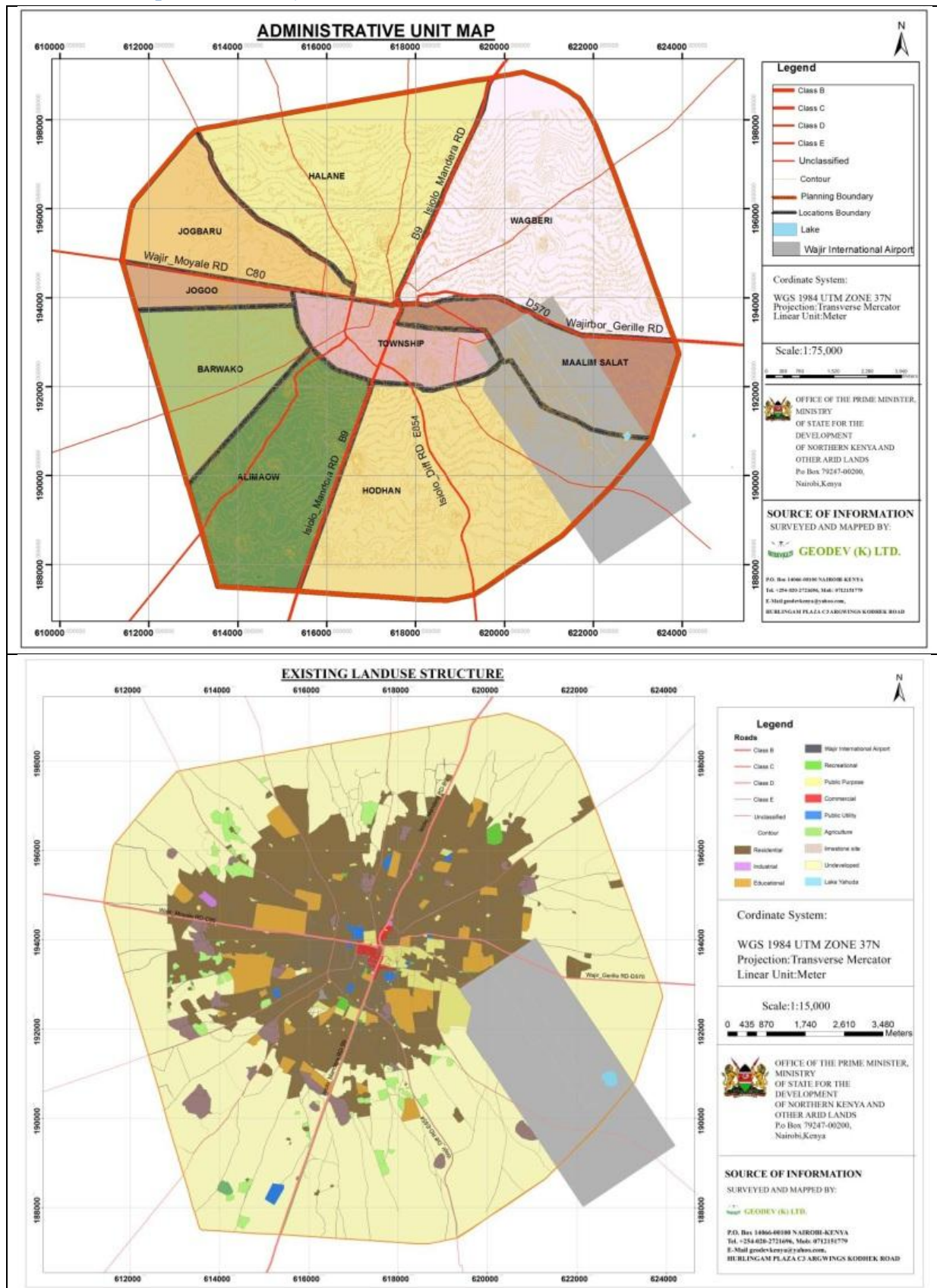
### **Annex III: List of NGOs Operating in Wajir Town**

1. Adeso
2. Arid Lands Development Focus (ALDEF) Kenya
3. Caritas Kenya
4. Islamic Relief
5. Kenya Rapid
6. Mercy Corps
7. Oxfam UK
8. Red Cross Society of Kenya
9. Save The Children
10. Wajir South Development Association
11. Windle Trust Kenya
12. World Vision International
13. Care International

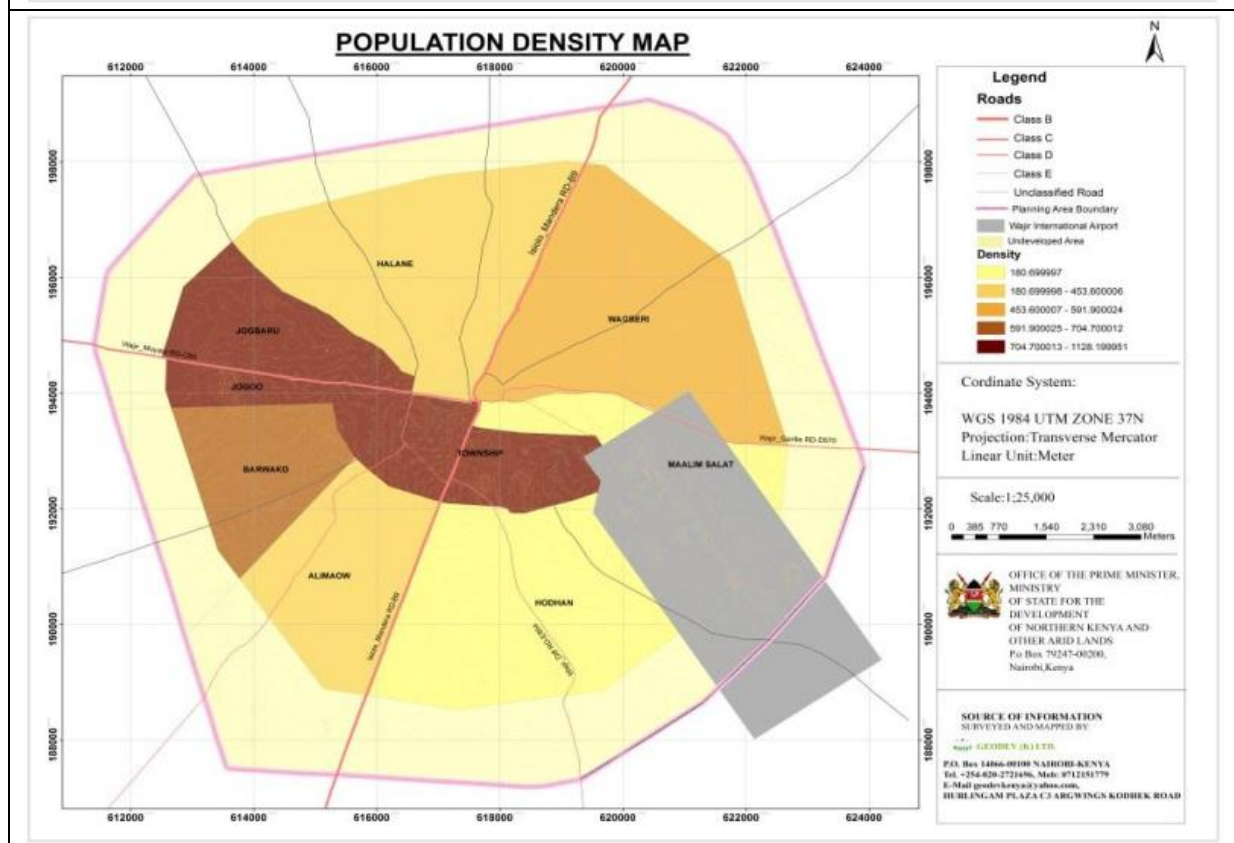
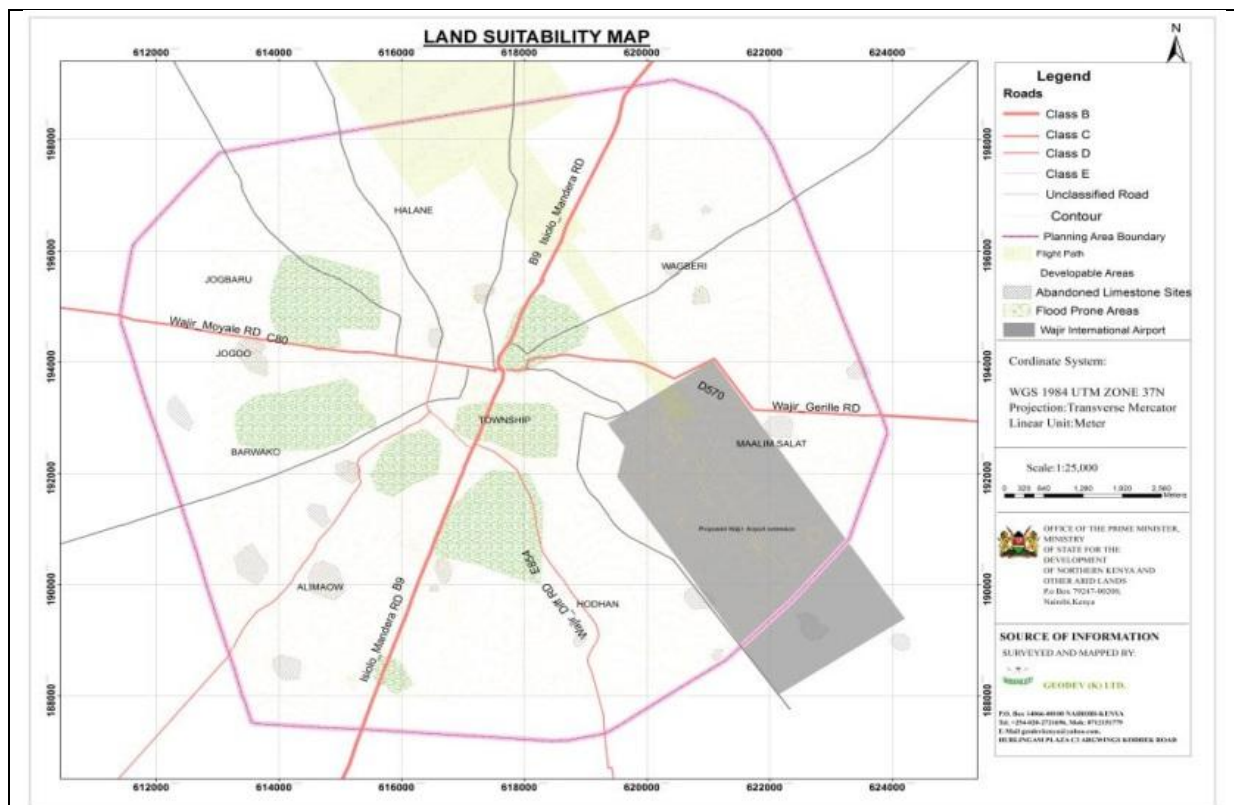
#### Annex IV: Sketch of VMG Areas in Wajir Town



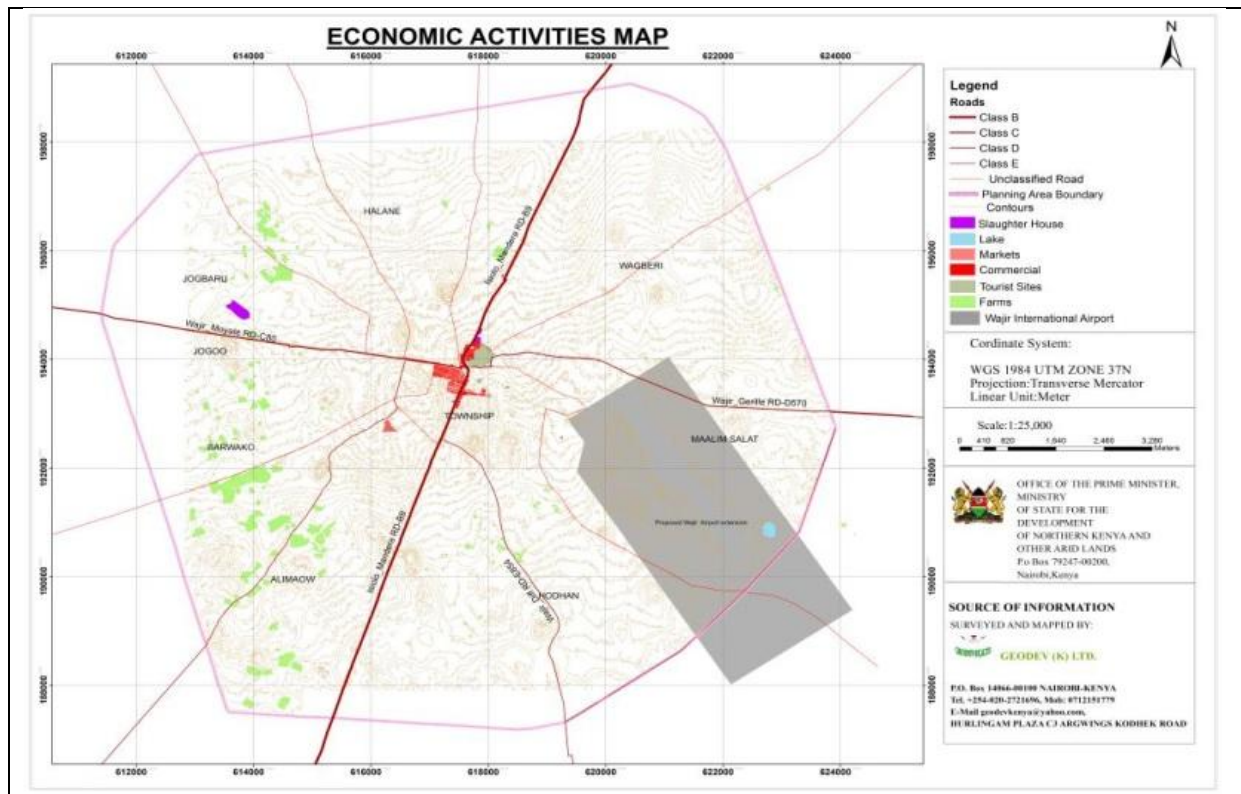
## Annex V: Maps of the Project Area

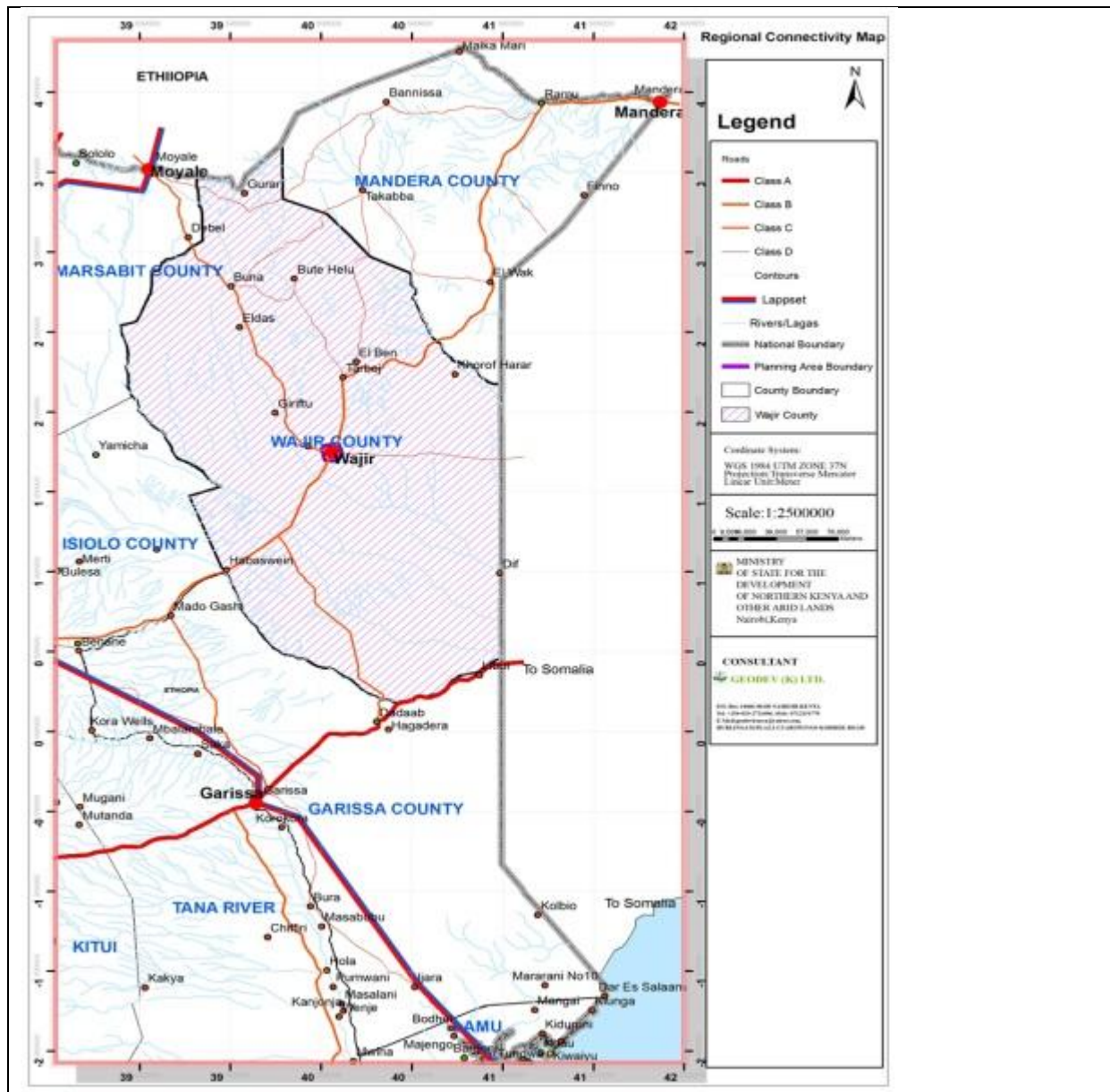


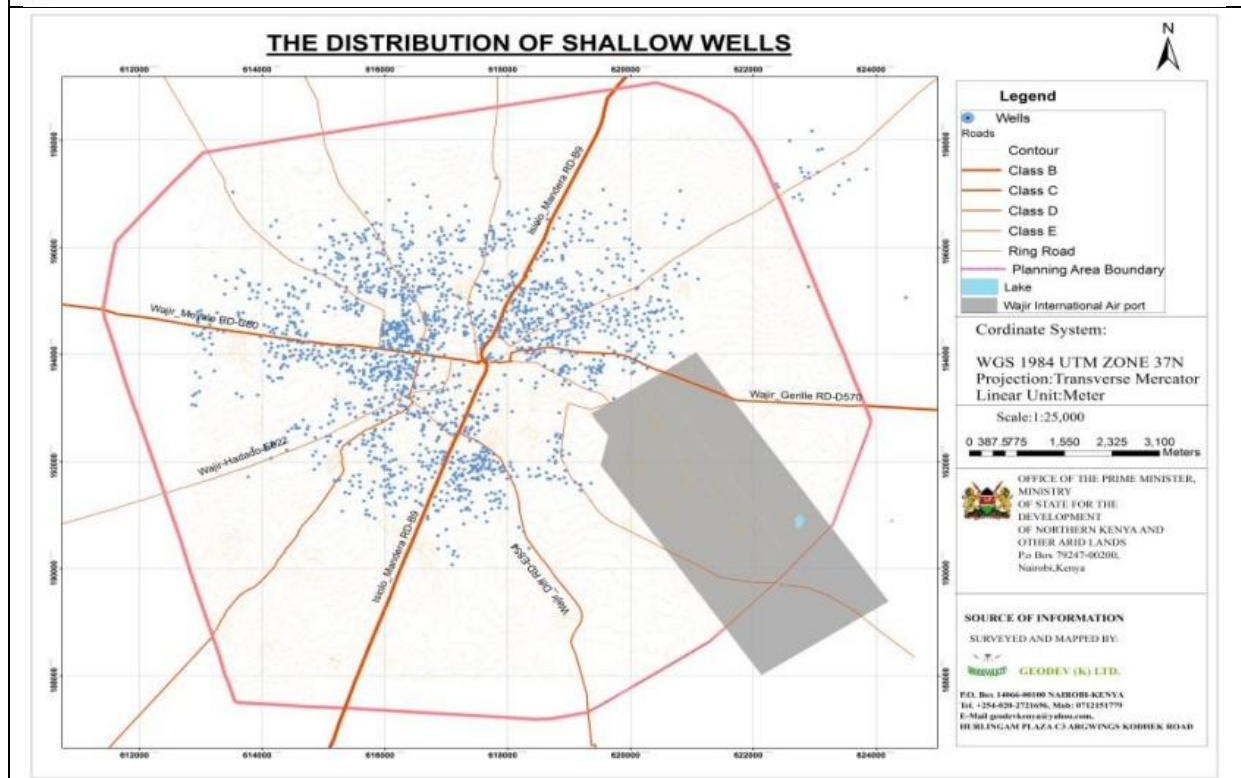
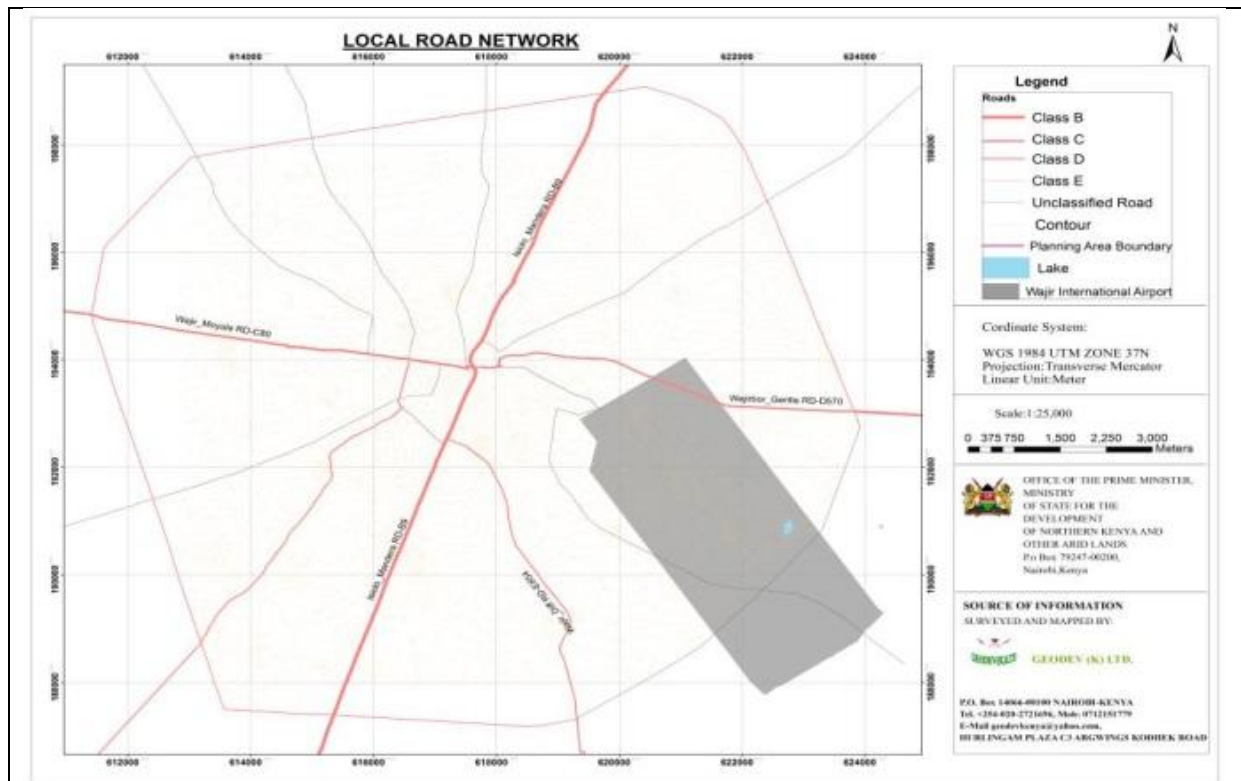




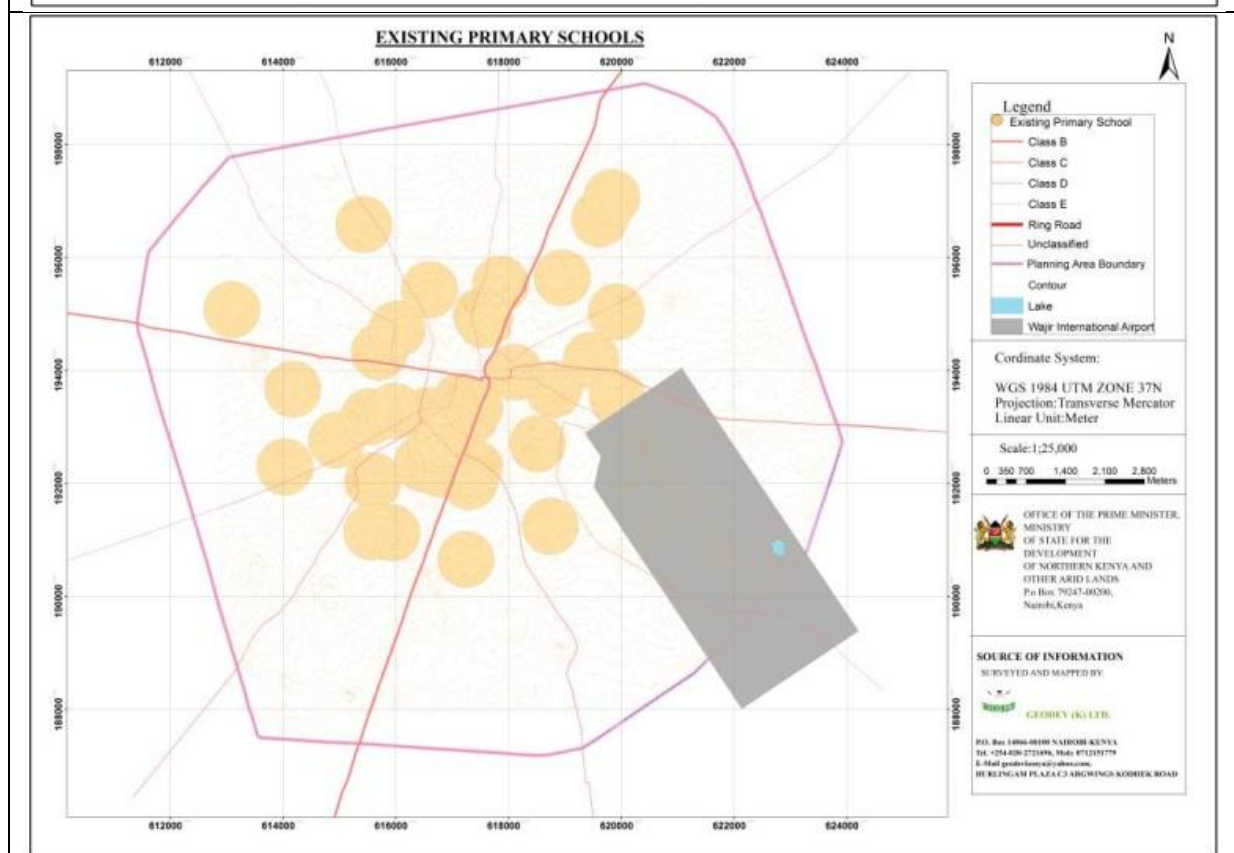
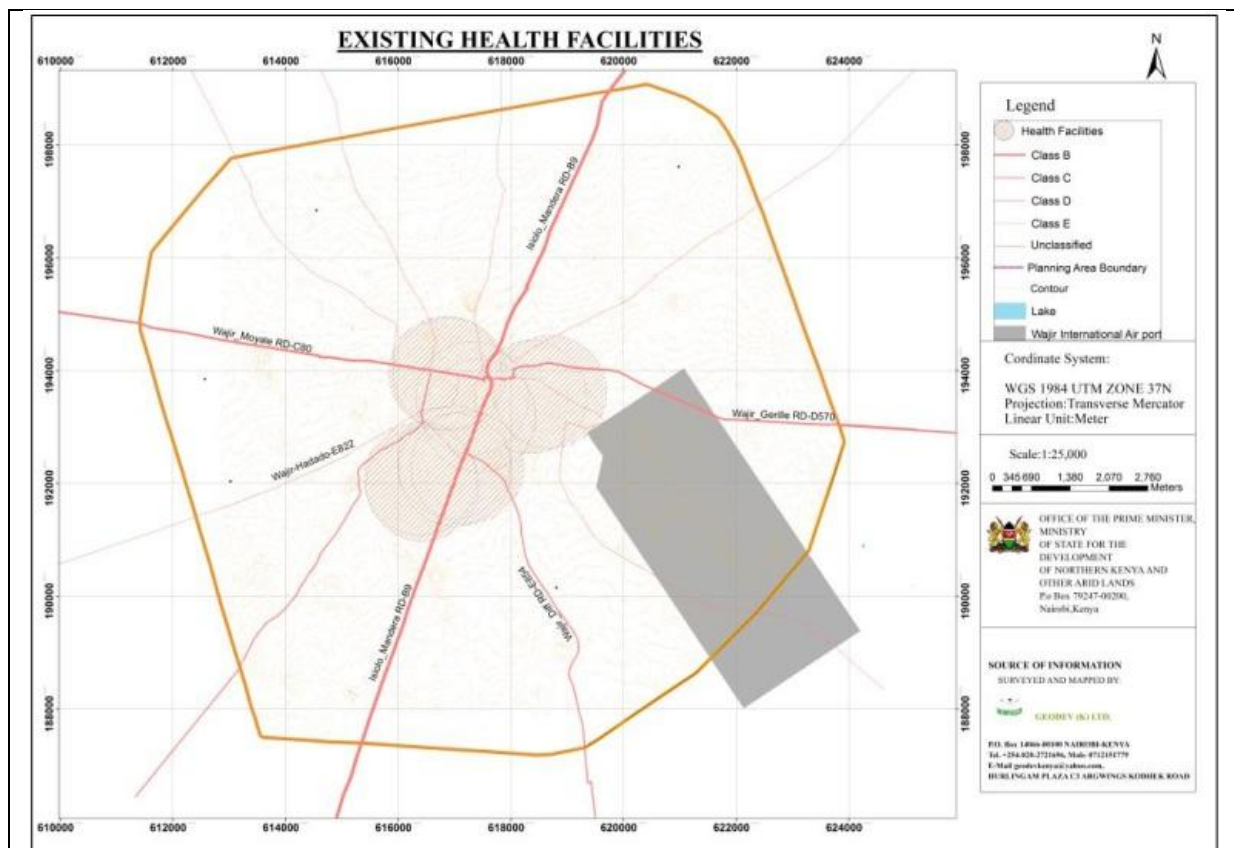


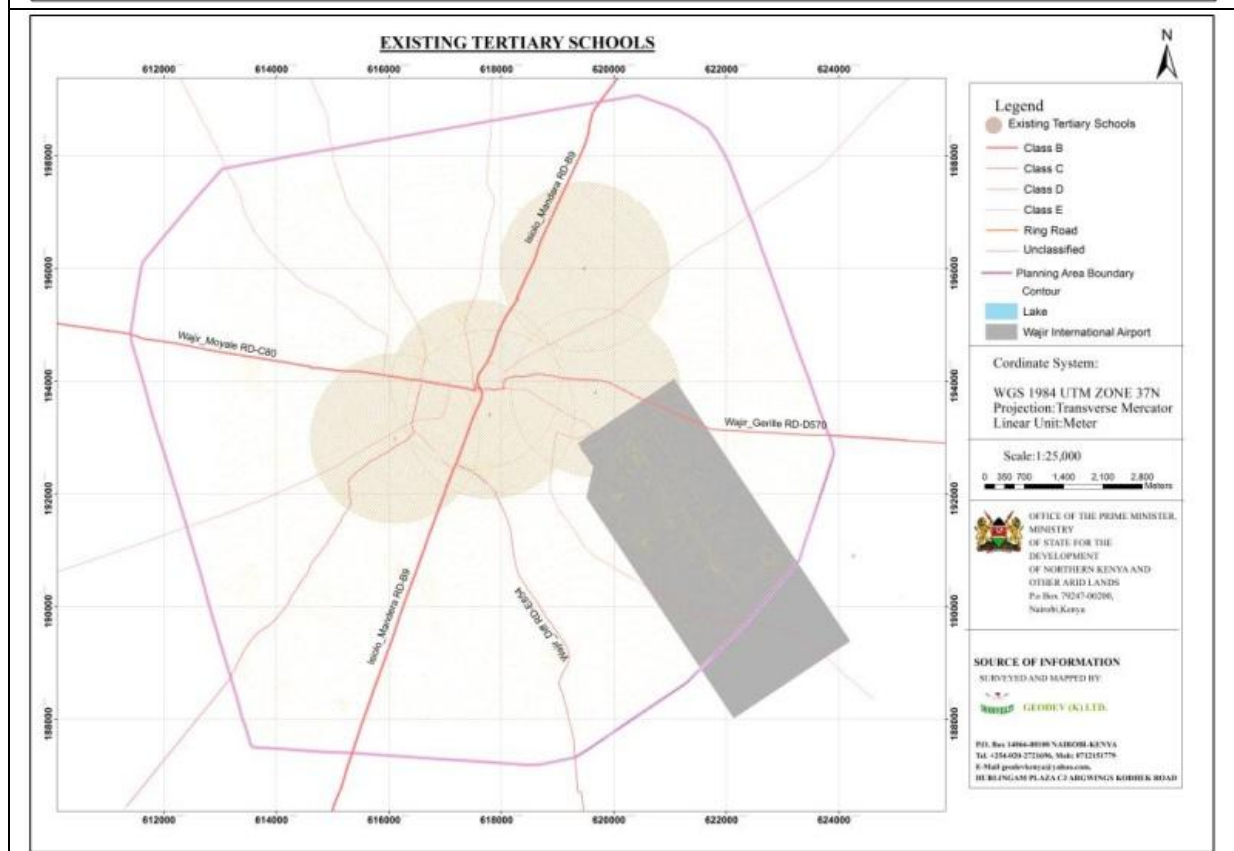
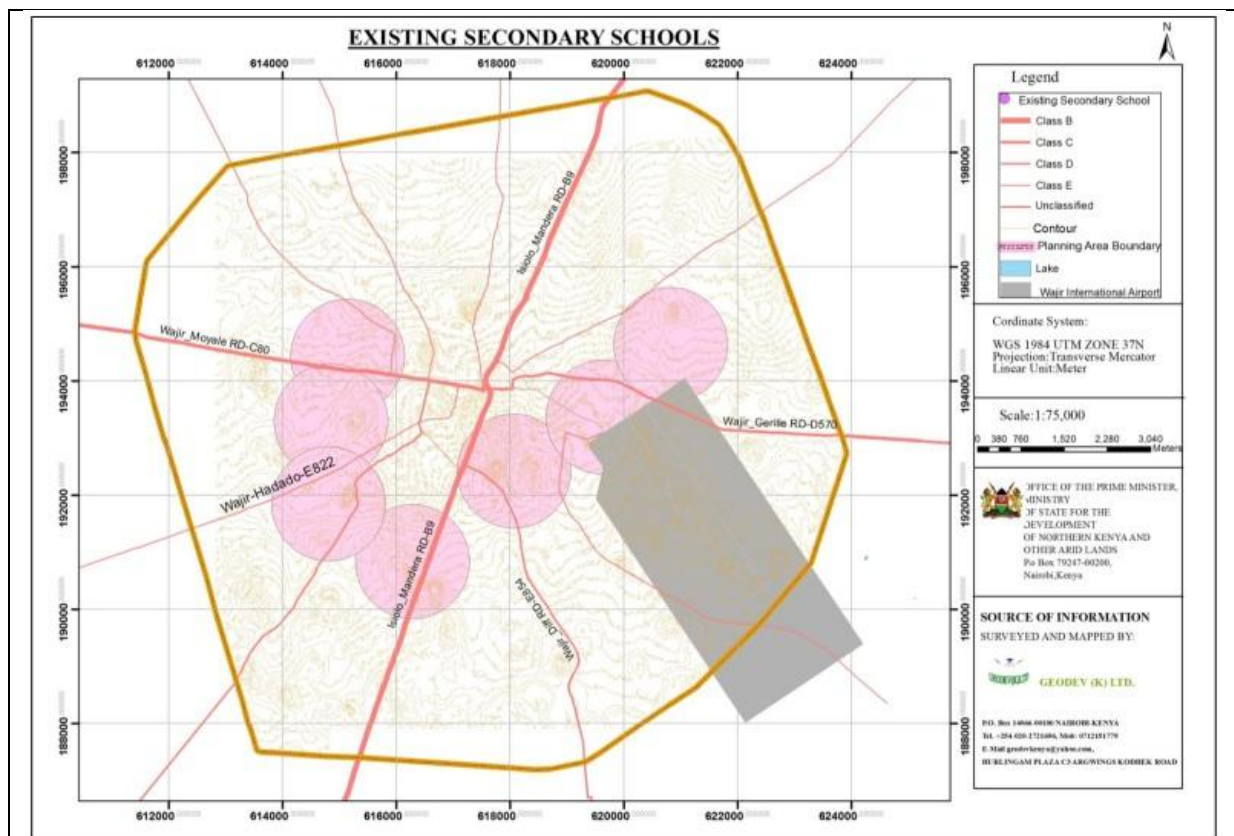




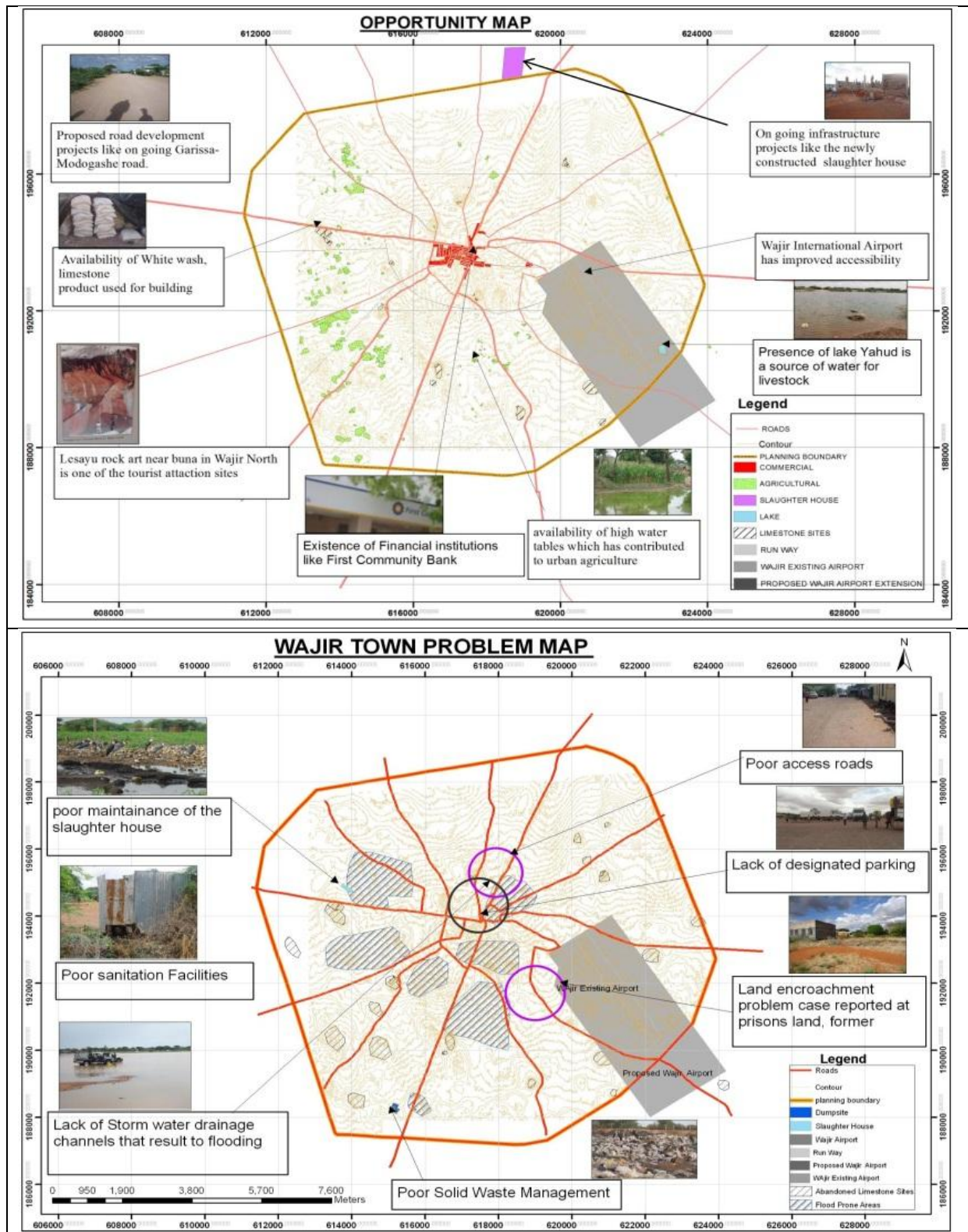


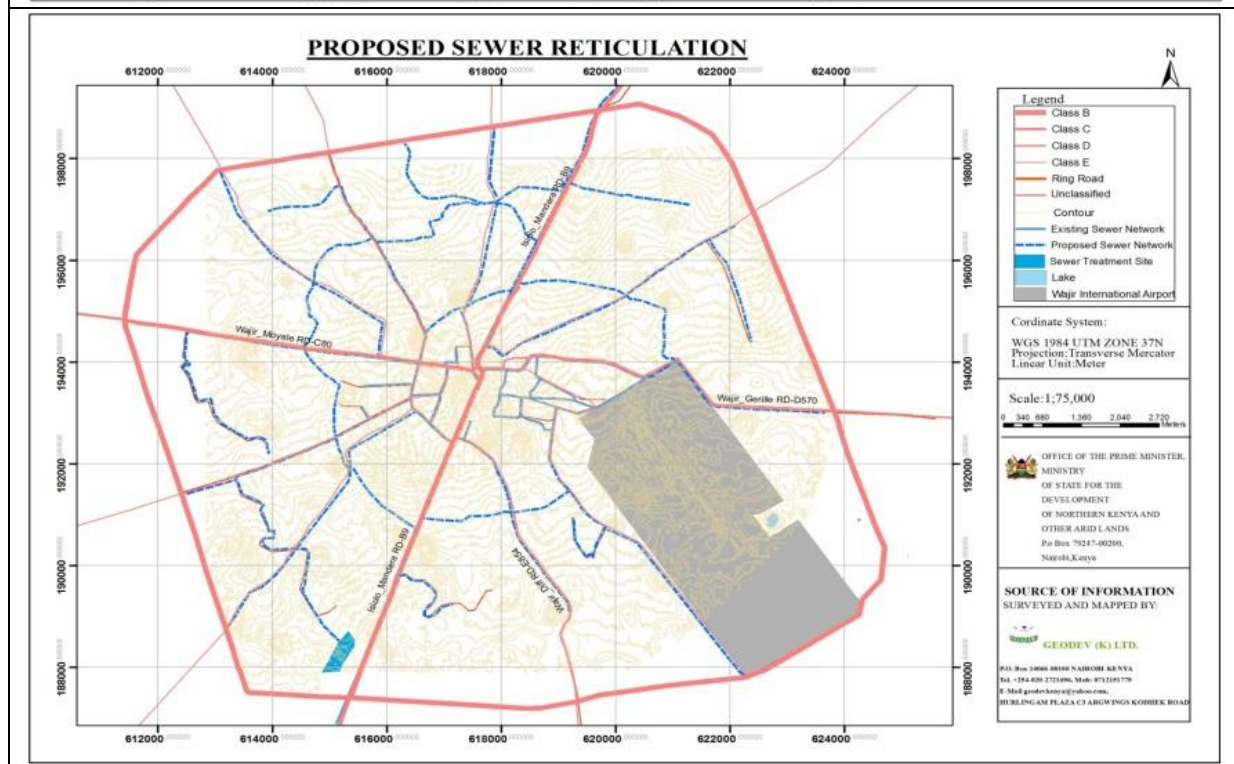
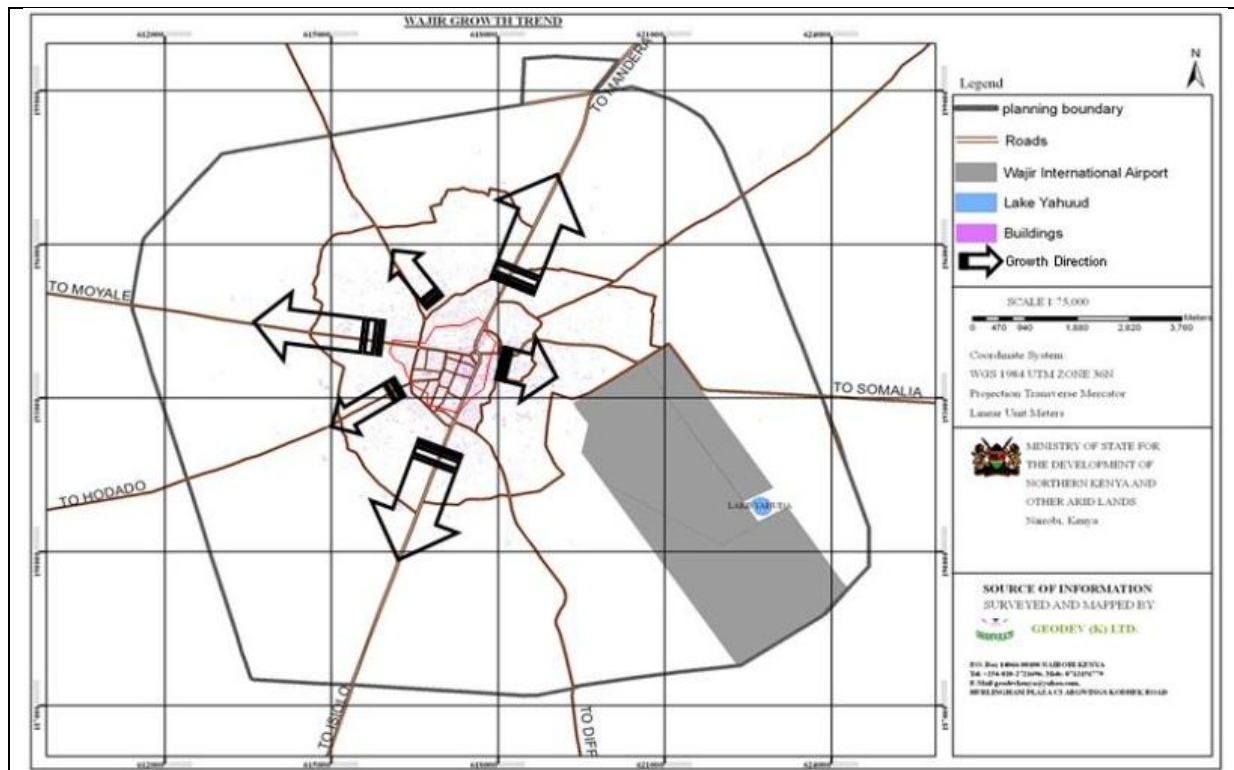




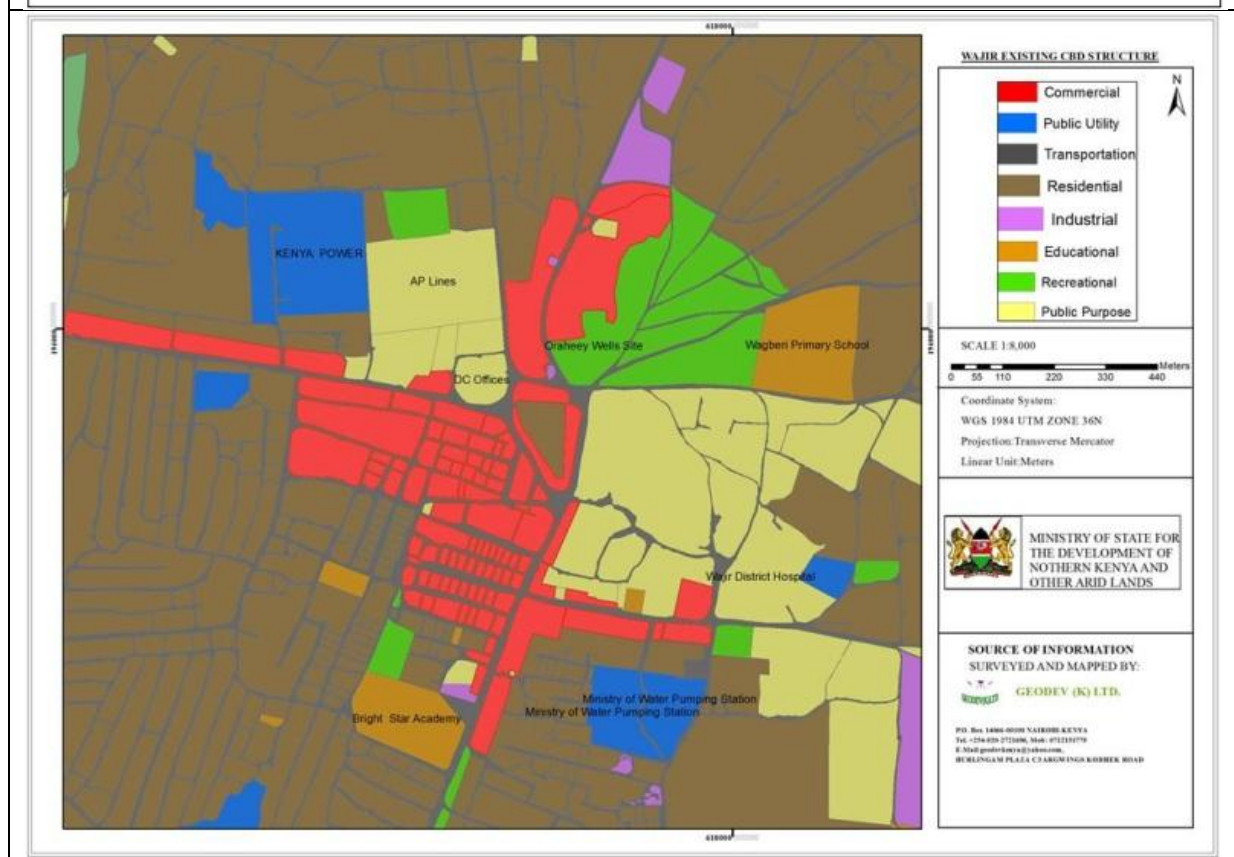
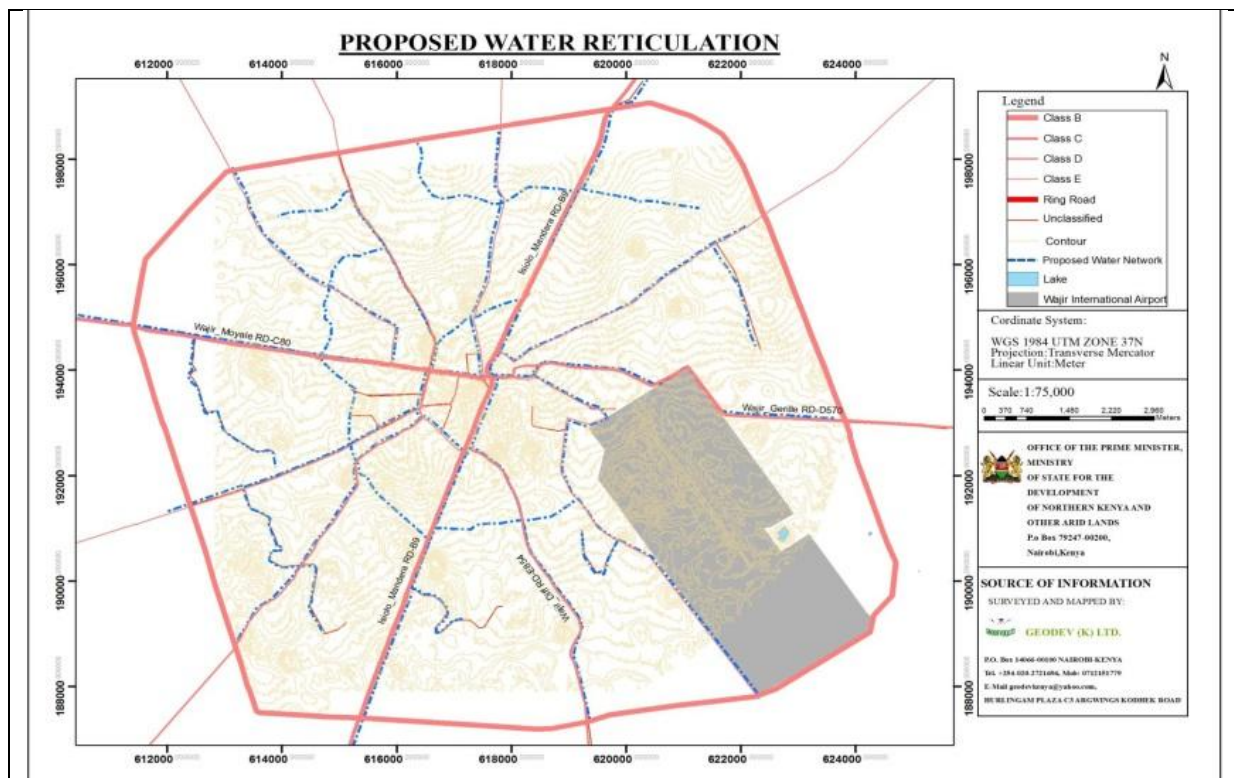














## Annex VI: Photographs from the Social Assessment



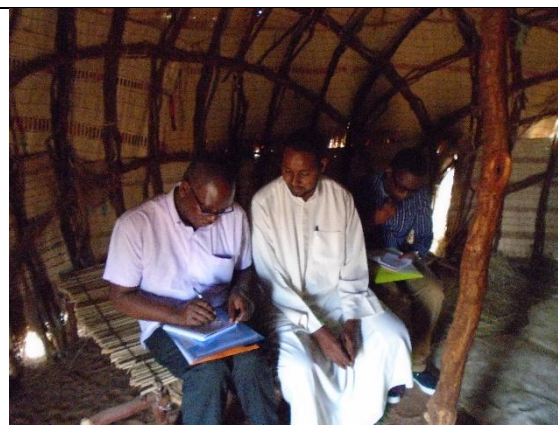
Meeting with the CEC water at Wajir County



Key informant interview; Director for Gender, Youth and Sport as well as the CEC for livestock and Fisheries



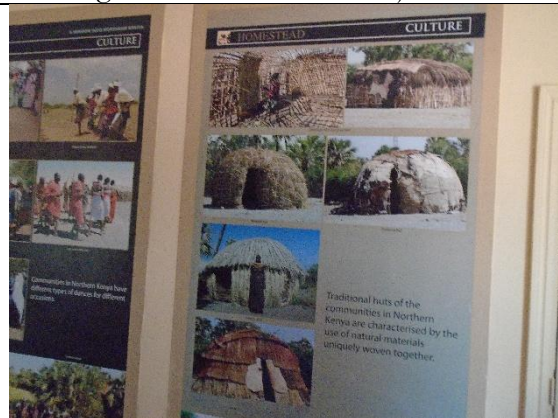
Meeting with the MD for WAJWASCO



Meeting with the curator at Wajir Museum



Assorted artefacts at Wajir Museum



Assorted artefacts at Wajir Museum





Assorted artefacts at Wajir Museum



Key informant interview with the curator at Wajir Museum



Drying well at Wajir Museum



Key informant interview with the Program Manager OXFAM



Key informant interview with the Program Manager ALDEF, Mr Mohammed Kuresh



Male FGD at Arbejahan



	
<p>Sanitation situation at Arbejahan</p>	<p>Water tankers to transport water from Arbejahan</p>
	
<p>Animals seeking water at Arbejahan</p>	<p>Children carrying water by carrying on the head at Arbejahan</p>
	
	<p>Meeting with the chief at Griftu</p>





Meeting with Male FDG at Griftu



Meeting with male FDG at Leheley



Livestock seeking water at Leheley



Meeting with female FDG at Leheley



Male FGD at Logbogolo



Pools of water after a sporadic downpour along the road. This shows that the soil has potential to retain water and hence a source for tapping rainwater



	
<p>Male FGD at Ganyure</p>	<p>Female FGD at Ganyure</p>
	
<p>Housing situation at the outskirts of Wajir Town</p>	<p>Cement industry in the vicinity of L. Yahud</p>
	
<p>Social assessment expert and his team at the potential water source of L. Yahud</p>	<p>Water at Lake Yahud believed to be where the aquifer surfaces.</p>
	



A lone sewerage system in a section of Wajir town.



Key informant interview with the CCO for Lands and Physical Planning Mr Abdi Ibrahim Abdi



Selling firewood as a means of livelihood within Wajir town







Mosque within the Alimauw region

Female FDG at Alimauw



Female FDG at Alimauw

Female FDG at Bula Adey

	
Male FDG at Bula-Elmi	Eco-san toilet at Bula-Elmi
	
Makeshift toilet at Bula-Elmi	Bula-Elmi Women's FDG/Consultation Meeting



## Annex VII: VMG Focus Group Discussion/Consultation Meeting Attendance Sheets

PROJECT WIAJIR WATER SUPPLY  
 VENUE GODADEY, Female FDG.  
 DATE 2nd Nov. 2016.

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Bakam Ado		Gyale		0723 384191	
2	Wang Asua (Faz)		"		0714 806542	
3	Leymb Isack		"		0714 897087	
4	Meresa Muhammed		"		0721 150277	
5	Habab Hassan		"		0722 263476	
6	Daba Ibrahim					
7	Baris Isack					
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## PROJECT

WAJIR WATER MASTERPLAN

## VENUE

GODADEY Mark FDG

## DATE

2nd Nov. 2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Muhammed Abdi				0715 825 700	
2	Abdullah Hassan				0713 32 85 11	
3	Aden Ibrahim				07200 787 79	
4	Abdullah Ahmed				0723 15 68 60	
5	Khadija Ahmed				0790 800 972	
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PROJECT

WASTE WATER M. PLAN

VENUE

GANYURE MALE FDG.

DATE

1st Nov 2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Yakubu Adamu	Elder		Ganyure	0728632754	
2	Kalish Adam	"		"	0713159215	
3	Zillo Kadike	"		"	0725294786	
4	Musa Adamu	"		"	0726082020	
5	Muhammad Yusuf	Chief		"	0720450802	
6	Adam Kadi				0720348653	
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PROJECT

WAJIR WATER N. PLAN.

VENUE

GANTURE FEMALE FDC

DATE

1<sup>st</sup> Nov 2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Khadija Korow					
2	Halima Osman					
3	Fatuma Abdi					
4	Kutiya Adan				0729631936	
5	Sadia Mohammed				0726305887	
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PROJECT WATER MASTERPLAN - S.A. FDG - WOMEN

VENUE Arbajahan

DATE 20/09/2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Khalid Abdulnoor	Water Engineer	Arbajahan	Arbajahan	0714114246	
2	Rukia Ahmed	Community	Arbajahan	Arbajahan	0722023731	
3	Hasna Mohamed	Water	Arbajahan	Arbajahan	0713431345	
4	Sarira Bishar	Water	Arbajahan	Arbajahan	N/A	
5	Alasa Nami	Water	Arbajahan	Arbajahan	0792054006	
6	Halima Jele	Water	Arbajahan	Arbajahan	0792054006	
7	Salatha Habbale	Water	Arbajahan	Arbajahan	N/A	
8	Meymuna Habbale		Arbajahan	Arbajahan	0722393786	
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PROJECT WAJIR WATER MASTERPLAN - SOCIAL ASSESSMENT - FDG - New.

VENUE ARBELJAHAN - AL-JAZEERA HOTEL

DATE 30<sup>th</sup> Oct. 2016.

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	MATHAT ABPI	Committee	Arbajahan	Arbajahan	0716251990	MATHAT
2	ABDUL FADIL DAFU	"	"	"	022962572	ABDUL FADIL
3	ABDUL FADIL DAFU	Observer/Supervisor	Arbajahan	Arbajahan	0229614277	ABDUL FADIL
4	Abeyorod amun					
5	Mohd Adnan	Supervising	Arbajahan	Arbajahan	022962572	Mohd Adnan
6	Mohd Adnan	Water Engineer	Arbajahan	Arbajahan	022962572	Mohd Adnan
7	Abdullah Jusuf Ali	Public Relation	Arbajahan	Arbajahan	022962572	Abdullah Jusuf Ali
8	Abdullah Jusuf Ali	Chairman	Arbajahan	Arbajahan	022962572	Abdullah Jusuf Ali
9	Abdullah Jusuf Ali	Chairman	Arbajahan	Arbajahan	022962572	Abdullah Jusuf Ali
10	Abdullah Jusuf Ali					
11	Abdullah Jusuf Ali					
12	Abdullah Jusuf Ali					
13	Abdullah Jusuf Ali	Observer/Supervisor	Arbajahan	Arbajahan	022962572	Abdullah Jusuf Ali
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PROJECT

WAIR WATER M-PLAN.

VENUE

Bula A'i Naon Fendlo FDG

DATE

2nd Nov 2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Sugira, Jusef		Bula A'i Naon		0710 28 85 46	
2	Hakuna Jusef				0710 28 85 46	
3	Hakuna Jusef				0710 40 1523	
4	Hakuna Jusef				0715 38 74 53	
5	Sugira Jusef				0716 44 84 80	
6	Hakuna Jusef				0724 28 85 46	
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PROJECT

LEHELE-7 WAIR WATER N. PLAN- WOMEN FDG.

VENUE

LEHELE-7

DATE

31<sup>st</sup> Oct. 2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Amun Guruv			Lehele-7 South	091264914	
2	Kisha Nhamuel			Lehele-7 South	0912453526	
3	Morgan Shalek, Abameel			Lehele-7 South	091263547	
4	Lelel, d'G			"	091267534	
5	Kallian Dashed			"	091508924	
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PROJECT Major Water Masterplan  
 VENUE Leheley Borokde Sirp  
 DATE 31/10/2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Abdullah Hussain	Head				
2	Abdullah Hussain	Chief				
3	Abdullah Hussain				0720 72313	
4	Abdullah Hussain				0720 72313	
5	Abdullah Hussain				0720 654050	
6	Abdullah Hussain				0720 1105407	
7	Abdullah Hussain				0720 72313	
8	Abdullah Hussain					
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PROJECT WAJIB WATER M. PLAN

VENUE BULGA - ELMU Female FDG.

DATE 2nd Nov. 2016.

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Abdullah Sheikh Mohamed		Bula Shani	Bula Shani	0705 87146	
2	Sahar Mohamed		Bula Shani		0729 342031	
3	Khadija Ali		"			
4	Khalid Bishar		"			
5	Burhan Ali Mohamed		"		0726 536109	
6	Abdullah Yous		"			
7	Amir Mohamed					
8	Farida Samir					
9	Isabel Mohamed					
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PROJECT Wojir Water Masterplan  
 VENUE Bula-Elmi Male FDG  
 DATE 2nd Nov.

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Ali Yareub		Bula Elmi	Tannokir	0721 141964	
2	Georle Borjume				0708 6464	
3	Yochin Ashullahi				0721 281650	
4	Moslem Gede				0721 6985	
5	Chief Alex Brock	Chief	Bula Elmi		0720 45 146	
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PROJECT WAIR WATER MASTERPLAN MEN FDG-  
 VENUE HIGH BERTY SHOP  
 DATE 30th Oct 2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1						
2						
3	ALI BULE ADAN				0721470265	
4	<del>FA</del> HUSSEIN YUSUF FARAH				0725087376	
5	YUSUF ORE AHMED				0729060815	
6	YAKUB ARE				07	
7	YUSUF OSMAN				0712398320	
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PROJECT

WAJIR WATER MASTERPLAN - Female FDG.

VENUE

HIGH BERY SHOP.

DATE

30<sup>th</sup> Oct 2016.

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	Habiba Hussein				0700055874	
2	Aya Hassan				0727924043	
3	Nasir Farah Isac				0700195686	
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PROJECT WAJIR WATER M. PLAN MEN-FDG.

VENUE LAGSEGUL NORTH

DATE 31-10-2016

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
1	ISMAIL A. OSMAN	Chief-L	LAGSEGUL	LAGSEGUL	0724688753	<i>[Signature]</i>
2	KEINAT BAKAR OSMAN	Elder	"	"	0724688753	<i>[Signature]</i>
3	JIMAT MOHAMMED BAKAR	"	"	"	072848099	<i>[Signature]</i>
4	MOHAMMED BAKAR ALI	"	BURBUS	BURBUS	072848099	<i>[Signature]</i>
5					0717085398	<i>[Signature]</i>
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## Annex VIII: Sample Minutes of Meetings with Stakeholders

### Minutes of Meeting held at Griftu on 30<sup>th</sup> October 2016

#### Present

1. Dr Edward Ontita – Team Leader and facilitator
2. Eng. Francis Moturi – Project Engineer
3. Mr Ali Osman – Translator
4. Stakeholders as per attendance sheet attached.

#### Introduction

The meeting took place outside High Bery Shop in Griftu Town and brought together male VMG members. The chief welcomed the consultants' team to the meeting and the participants introduced themselves. The consultants' team members also introduced themselves and explained the project under study.

#### Discussions

Issue	Participants' Response
Source of Livelihood	The participants said that they mostly relied on livestock for their livelihoods. They also said that they were also livestock traders and some people were involved in trade in groceries.
Water situation	Water was abundant in the town and had been piped into water kiosks from the Griftu Water Wells, most of which were shallow and some boreholes.
Community Cultural Resources	A local burial ground for Griftu Location
Local VMG Organizations	Women's Groups and Self-help Groups
NGOs working with VMGs	Islamic Relief had been working there on Water, Nutrition and Food Security projects but had been scaling down since 2014.
Social Cohesion and Conflict Resolution	The local population was said to be cohesive although there had been a few conflicts over water during drought seasons. The chief and assistant chief and local <i>bula</i> elders were reported as critical in conflict resolution.
Support for the Project	Support for the project was conditional on redevelopment of water points that guaranteed enough water for Griftu Town residents before sharing surplus water with Wajir Town

#### Conclusion

The VMG stakeholders appreciated the proposed project and pledged to support it as long as there was enough water for the town residents before they could share the water with Wajir Town and other areas that need water from Griftu.

## Minutes of Meeting held at Logbogol on 31<sup>st</sup> October 2016

### Present

1. Dr Edward Ontita – Team Leader and facilitator
2. Eng. Francis Moturi – Project Engineer
3. Mr Ali Osman – Translator
4. Stakeholders as per attendance sheet attached.

### Introduction

The meeting took place at the Logbogol Chief's Office and brought together male VMG members. One of the elders welcomes the chief to the meeting and the chief introduced the stakeholders in attendance. The consultants' team also introduced themselves and explained the project under study.

### Discussions

Issue	Participants' Response
Source of Livelihood	The participants said that they mostly relied on livestock for their livelihoods although some people were involved in trade in groceries.
Water situation	Water was very scarce and was mostly fetched from a nearby earth dam that was already silted. Asked that a borehole that a German NGO abandoned due to security concerns be completed and commissioned.
Community Cultural Resources	A local burial ground for Logbogol North Location
Local VMG Organizations	Women's Groups and Self-help Groups
NGOs working with VMGs	Islamic Relief had been working there on Nutrition and Food Security projects hat left in 2015
Social Cohesion and Conflict Resolution	The local population was said to be cohesive although there had been a few conflicts over water during drought seasons. The chief and assistant chief and local bula elders were reported as critical in conflict resolution.
Support for the Project	Support for the project was unanimous with stakeholders saying once the water points are developed they were willing to share water with Wajir Town

### Conclusion

The VMG stakeholders appreciated the proposed project and pledged to fully support it and the people who will implement it. They said they were willing to share the water in their area with Wajir Town.