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Coast Water Services Board

Water and Sanitation Development Project for the Dadaab Refugee Camps **Host Community**







SOCIAL ASSESSMENT FINAL REPORT

FEBRUARY, 2017 **Zamconsult Consulting Engineers** P.O Box 68221-00200 Nairobi

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ACRONYMS

A.P Administration Police

ACC Assistant County Administrator

ASAL Arid and Semi-Arid Lands

AWSB, Athi Water Services Board

CBO Community Based Organization

CEC County Executive Committee

CEO Chief Executive Officer

CO Chief Officer

CSR Corporate Social Responsibility

CWSB Coast water services Board

D.C.C Deputy County Commissioner

DC District Commissioner

DWUA District Water Users Association

FaIDA Fafi Integrated Development Association

FAO Food and Agricultural Organization

FGD Focus Group Discussion

FPIC Free Prior informed consultation

GBV Gender Based Violence

GOK Government of Kenya

HIV/AIDS Human Immuno Virus / Acquired Immune Deficiency Syndrome

IGAD Intergovernmental Authority on Development

JICA Japan International Cooperation Agency

KII Key Informant Interview

KNCHR Kenya National Commission for Human Rights

LVNWSB Lake Victoria North Water Services Board

MCA Member of County Assembly

MYWO Maendeleo ya Wanawake Organization

NGO Non-Governmental Organization

OP Operating Principle

PLWA People Living with AIDS

PLWD People Living With Disability

PSHC Public Stakeholder consultations

RRDO Relief Reconstruction and development Organization

SCA Sub county Administrator

UN United Nations

UNHCR United Nations High Commissioner for refugees

VMGP Vulnerable and marginalized Groups and People

WA Ward Administrator

WSDP Water and sanitation Development Project

WUA Water Users Association

Executive summary

Introduction

In Kenya the supply of water and sanitation services is characterized by scarcity and low levels of access. As such the UN categorizes the country as chronically water scarce with the estimates of water supply in the country showing that only 56% of the population has access to safe water. Furthermore in Kenya, 50% of the preventable diseases are water, sanitation and hygiene related. In the ASALs of northern and North Eastern Kenya, the dry lands comprise the poorest counties in the country, which are characterized by recurrent drought and are considered to be gravely water stressed. Water is one of the most important drivers for unlocking the potential of ASALs, which have huge potential for livestock production and irrigated agriculture can be harnessed to enhance food and nutrition security for the region and beyond.

In response to the challenge of ensuring that water and sanitation services are not only available, but also accessible to all Kenyans, including those inhabiting the ASALs, the government has set out as its priority to come up with strategies to improve water and sanitation infrastructure across the northern and north eastern region of the country, including those inhabited by the Dadaab refugee camps host community in Garissa county.

Project Description

Water and Sanitation Development Project (WSDP)

The Kenyan government has requested financial assistance from the World Bank to finance the implementation of the Water and Sanitation Development Project (WSDP) project among the Dadaab refugee camps host community in Garissa County. The project aims at provision of Sustainable water supplies and sanitation services to the refugee host community centres and villages around Dadaab Area and its environs.

Project Components

Component 1: Rehabilitation of existing water supply system infrastructure

This component aims to rehabilitate the existing Boreholes & pumping units (sources) and the elevated water tanks situated at various points within the refugee camps host community.

Component 2: Expanding piped water supply services to under-served areas through the extension of primary and secondary distribution pipes where required

This component aims to increase access to safe water for the Vulnerable and marginalized people and groups in the Dadaab refugee camps host community.

Component 3: Refining and strengthening the institutional structure, emphasizing on increasing accountability and transparency of the institutional, governance, training and management framework

This component aims to enhance quality, reliability, affordability and sustainability of service provision to the Vulnerable and marginalized people and groups in the Dadaab refugee host community and enhancing long term viability and sustainability of service provision institutions.

The Social Assessment

The WSDP triggered the OP 4.10 of the World Bank and the relevant laws and regulations of the government of Kenya concerning VMG (Vulnerable and Marginalized Groups). The OP 4.10 contributes to the Bank's mission of poverty reduction and sustainable development by guaranteeing that the development process fully takes due regard to the dignity, human rights and cultures of indigenous people (known in Kenya as Vulnerable and Marginalized Groups). The OP 4.10 emphasizes the need for borrower and the Bank staff to identify Indigenous Peoples (known in Kenya as Vulnerable and marginalized groups) and consult with them to ensure that they participate in and benefit from bank funded operations in a culturally appropriate fashion. In case of any adverse impacts, theses should be avoided and where possible or where not feasible, they should be mitigated. In view of this, the borrower is undertaking a social assessment in compliance with the statutory requirement.

Rationale for the Social assessment

The social assessment was undertaken to analyze the socio economic and cultural characteristics of the VMGs in the project area in order to inform the preliminary design of water supplies for the refugee camps host communities. The local population is comprised of the nomadic ethnic Somali pastoralists who are mainly camel, livestock and goat herders.

Objectives of the Social Assessment

The Overall objective was to analyze the characteristics of the local community (MVGPs) in order to inform the preliminary design of water supplies for the refugee camps host community. The specific objectives were to:

- a) Assist the project to support the aspirations and needs of the Vulnerable and Marginalized groups and peoples in the project area.
- b) Identify and prepare a comprehensive plan that will avert any potentially adverse effects from project interventions on Vulnerable and Marginalized Groups and where not possible or feasible, mitigate or compensate such adverse impacts.
- c) Ensure that the project benefits reach the Vulnerable and marginalized groups and peoples in an equitable manner and through institutions that respect and are able to serve them in a decentralized manner.

Scope of the social assessment

The social assessment entailed obtaining background information from documented literature followed by primary data collection in parts of Wajir south, Dadaab, Fafi and Lagdera subcounties where the VMGs who comprise the refugee camps host community are located. Pertinent information was also obtained from the Ministry of Water and the UNHCR offices in Nairobi. The detailed social assessment activities and the data sources utilized for the social assessment are outlined in the subsequent sections.

Methodology

Preliminary activities and Meetings

Prior to the commencement of the actual assessment, preliminary meetings were held with the World Bank Social safeguards staff and the design engineer consultant for the preliminary design of the water master plan to reach a consensus and agree on the tools of analysis and the deadlines for the outputs. As the organization involved in the overall coordination of refugee operations in the country, the UNHCR headquarters in Nairobi was consulted and pertinent information was obtained, especially with regard to the host community and relevant stakeholders to be targeted for the study. In Garissa, consultative meetings were held with the Ministry for interior and coordination of central Government, represented by the County Commissioner, The Garissa

County Government leadership, County assembly and executive office in Charge of water and sanitation docket, the Executive and technical officers at the Northern water services Board and the Director, Social services.

Desktop study and Document review

A host of related literature and documents which formed the basis of the literature review and secondary data analysis were reviewed.

Sample Survey

A sample survey was administered to obtain quantitative data which entailed basic demographic data in relation to project components and as relates to water and sanitation issues in the study.

Focus Group discussions

A total of eleven FGDs were held with key components of the population groups in the study area.

Key Informant interviews

KII with important stakeholders of the WSDP Project were carried out to obtain in depth qualitative data with regard to the social assessment. A total of 23 KII were conducted.

Stakeholder Consultations

Public and stakeholder consultations were held with the community members to identify stakeholders and the community members' perceptions of and general views regarding the proposed project especially with regard to the degree of community support and specific areas of potential opposition and conflict.

Observation

In all the areas visited during the data collection exercise, unstructured observations were made in the study locality. Notable issues of concern such as cultural materials, economic, livelihoods and production systems, land use and settlement patterns and facilities and natural resources were captured using a camera.

Data Analysis and Report writing

Quantitative data was entered into excel spreadsheet and run to obtain basic frequencies and information regarding the key variables of concern to the social assessment study. The qualitative data (FGD and KII) was transcribed and audited. It was then analyzed using content analysis and category building and grouping which enabled the developing of themes in line with the objectives of the social assessment.

Legal, Policy and Institutional Frameworks

The social assessment was guided by a broad spectrum of rules which govern and regulate decision making, agreements and laws pertaining to the VMGs in Kenya. These include: The Constitution of Kenya 2010, which is the supreme law in the country that recognizes the socioeconomic and cultural rights of all her citizens as stipulated under article 43. Its repeated reference to Vulnerable Marginalized and Minority Groups signals a significant commitment to the principles of equity and equality, and thus compares favourably with the spirit of the OP 4.10. Other relevant statutes include: The National Cohesion and Integration Act, The Kenya Vision 2030 development Policy, National Policy on Gender and Development, Kenya National Youth Policy, National Land Policy and the Draft National Policy on Older Persons and Ageing.

Potential project benefits

- Realization of sufficient quantity and quality of safe water supply when required and at appropriate distance to the user will lead to health benefits such as: Reduction in incidences of diarrhea, waterborne diseases, fatigue among women, incidences of postnatal infections and increased availability of water during and after childbirth;
- The livelihoods of the VMGs and those of the general population will be boosted;
- The quality of life for school age children will be improved;
- The level of family cohesion and interaction will increase substantially;
- Water and sanitation improvement component will lead to improved hygiene;
- The component will create an enabling environment for attaining gender parity among the VMGs;
- The VMGs will benefit from the process of engagement and ensuring of inclusivity during the project implementation and operation phases;

- For the short term ("Quick fix") which will involve the rehabilitation and equipping of
 existing boreholes will benefit the VMGs by amelioration of the effects of the current
 higher levels of drought in the locality;
- The rehabilitation of existing and putting up of water storage facilities such as dams and pans will benefit the VMGs through maximization of trapping surface water which is usually lost as run off for plant growth and future use
- The WSDP will endeavor to refine and strengthen the institutional structures so as boost the accountability and transparency of the institutional, governance, and management framework.

Potential Negative Impacts

- The installation of new water sources will interfere with the indigenous adaptation styles, which indirectly contributes to strengthening of social bonds among the VMGs whose kinship ties extend to far flung localities. Harmonious co-existence of the VMGs with the neighboring communities such as the Borana and the Miji Kenda (Tana River, Lamu) may be weakened in the absence of shared resources, mainly pasture and water.
- The VMGs in the locality are economically marginalized and experience above average levels of poverty and have below average rates of participation in mainstream labour markets due to their socio economic disadvantage, geographical location and the cultural preference for traditional pastoral lifestyle. This may see a scenario in which only a small number of VMGs turn up for paid work during project implementation.

Project concerns

- Inadequate consultation will lead to sustained protests, making it difficult to carry out planned project activities in the locality as planned.
- Lack of community ownership of the water and sanitation improvement projects can result in ineffective utilization of the water and sanitation products and raise serious issues of sustainability.
- Development projects implemented in fragile ecosystems such as the ASALs where the current project is located have the ability to achieve peace building goals. However, as

already pointed out in the foregoing section, new infrastructural developments on problems that are endemic to the region could increase instability and conflict, especially in the northern frontier region of the country.

- The skills gap and low competency of the VMGs in maintenance and sustainability of the WSDP project interventions may lead to the overreliance on external skills and management capacities. This may lead to the risk of ineffective technical maintenance.
- Due to the multi transformative goals of the WSDP project outcomes, the area is likely to encounter rapid transformation especially with regard to livelihood diversification. This presupposes the need to adopt an integrated development approach so as to improve delivery on other important social services sectors such as Health, Education, Agricultural extension, strengthening the community asset base and micro finance services. There should be strong CSR elements within the project cycle to enhance the capacity of the VMGs to cope with emerging circumstances.

Free, Prior and Informed Consultation

Courtesy call and introductory meeting

The assessment team began the mission by calling on the office of the Northern Water Services Board for introduction and performing a general courtesy call. Upon deliberation with the CEO on pertinent issues that are of relevance to the scheduled assessment process, the team was permitted to freely hold discussions with the relevant staff in the organization and issued with a letter of introduction.

Consultation with County (including national) Government Authorities.

The assessment team did Initial consultations with the National government leaders, specifically the office of the County Commissioner at the county level and the Garissa County Government with the objective of providing them with the information about the proposed project and soliciting their opinions concerning the WSDP. This was also in conformity and respect to official protocol.

Consultation with the Vulnerable and Marginalized Groups

The consultations with the Dadaab Refugee camps Host community members were held in the project area with the support and active participation of the elders and other components of the local community power structure. The community members had been informed in advance of the objectives of the meetings, location, the time and the stakeholders to be expected at the event. During the actual consultations, irrespective of the procedure adopted i.e. whether KII, SI, UI or FGD, prayers were conducted, followed by the introduction of team members and community members by the local elder, assistant chief or Chief. This was followed by the local Sub - County water officer who again introduced the team. The Sociologist then took up the session by informing the participants of the project details, objectives of the social assessment and the procedure to be followed to enhance constructive engagement in line with the expectations of FPIC. In all sessions with the VMGs, a full time interpreter who was part of the Social Assessment team was at hand to ensure that all the communication is relayed in the language of the VMGs.

Recommendations

In order to avoid or minimize adverse impacts, while at the same time ensuring equitable benefits for VMGs a variety of measures will be taken into consideration during the various phases of the project:

- During the project design phase, the feasibility and needs assessment teams should consider inclusion and participation of the VMGs. Their engagement will inculcate community ownership of the WSDP subprojects. This can be in form of a joint preparatory survey/reconnaissance covering all the mutually agreed upon subprojects in the target refugee camps host community.
- There should be concerted efforts to involve the VMGs in the screening of the activities
 of all project components for an advance understanding of the nature and enormity of the
 potential impacts of the projects.
- During the feasibility study, needs assessment, the VMGs should be involved adequately in determining the scope of the host community.

- The local community based organizations such as PIDAD, FaIDA and PPRO which have been operating in the refugee camps host community as implementing partners with the UN agencies should be identified and brought on board the project processes.
- The VMGs should be involved and consulted adequately during key phases of the project cycle, specifically tendering, groundbreaking, and hand over processes.
- Alternative energy sources should be explored such as installation of solar energy panels for use at water provision points.
- The maintenance capacity of WUAs should be given priority so as to fill up the inherent skills gap and promote the competency of the VMGs in water governance.
- Design friendly approaches in capacity building initiatives. The use of workshops should be conducted at community level to enable female participants to attend conveniently. The training material should be designed in a manner that takes consideration of the literacy levels of the beneficiaries e.g. materials in the local language.
- Involvement of women in the leadership and decision making of WUAs.
- The provision of water for farming and other uses should be considered and included in the water design.
- CSR activities during the project development cycle should be considered during project design stage. This will be in form of assistance to local health facilities, schools, social welfare and agricultural programmes.
- Design an urban master plan for Dadaab town, complete with infrastructural development to replace the current special part development plan.
- The prevailing peace restoration and conflict resolution framework mechanism should be targeted for capacity building to include elements of peace education.

1 INTRODUCTION

1.1 Background

In Kenya the supply of water and sanitation services is characterized by scarcity and low levels of access. As such the UN categorizes the country as chronically water scarce with the estimates of water supply in the country showing that only 56% of the population has access to safe water. Furthermore in Kenya, 50% of the preventable diseases are water, sanitation and hygiene related. In the ASALs of northern and North Eastern Kenya, the dry lands comprise the poorest counties the country, which are characterized by recurrent drought and are considered to be gravely water stressed. Water is one of the most important drivers for unlocking the potential of ASALs, which have huge potential for livestock production and irrigated agriculture can be harnessed to enhance food and nutrition security for the region and beyond.

In response to the challenge of ensuring that water and sanitation services are not only available, but also accessible to all Kenyans, including those inhabiting the ASALs, the government has set out as its priority to come up with strategies to improve water and sanitation infrastructure across the northern and north eastern region of the country. This has been realized through various interventions such as building partnerships with intergovernmental bodies like IGAD to increase access to water, and developing water harvesting and irrigation infrastructure in areas where it is appropriate to do so. Inter - agency programmes have also been initiated to improve access to clean and safe water for domestic and livestock use by strengthening the capacity of water service providers, sinking of boreholes and water pans, construction of rock catchments and purchasing of water equipment such as generator sets, submersible pumps and water pipes.

However, further investments are required to ensure sustained livelihoods for the ASAL communities, whose reliance on natural resources renders them vulnerable to the devastating impacts of frequent droughts that afflict the region. The situation has been made worse with the burgeoning of the refugee population around the Dadaab camps' complex which has led to the host community's water supply situation severely compromised. Figure 2 shows the map of existing water points, while figure 3 shows the names of the boreholes and water pans (See appendix IVa & IV b). Lack of sufficient water, soil erosion and deforestation by the refugees has also threatened the livelihood and food security of the host community who depends solely

on water and pasture for survival. Direct government investments and public private partnerships arrangements are required to expedite the rehabilitation and enhancement of the water and sanitation infrastructure in the region. Figure 1.shows the region that was targeted by the SA Study.

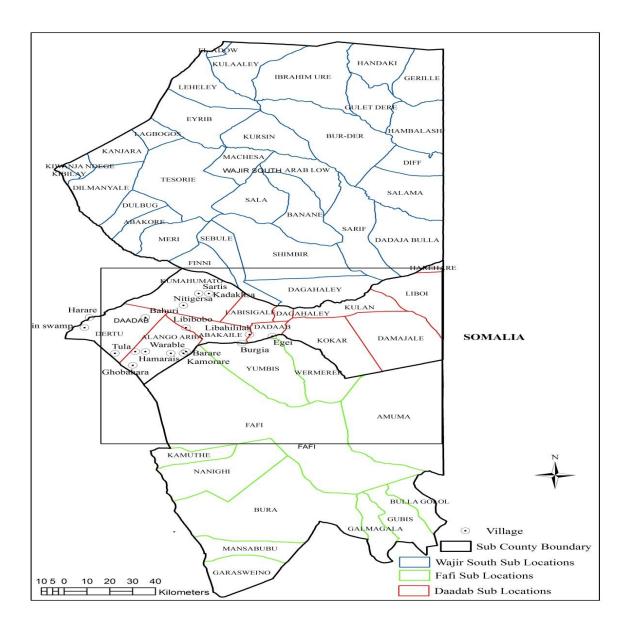


Fig 1: Map showing the Dadaab Refugee Camps host community Region (Within the framed Area)

Source: KNBS, 2016

1.2 Project Description

The Kenyan government has requested financial assistance from the World Bank to finance the implementation of the Water and Sanitation Development Project (WSDP) project in selected locations in the form of multiple sub – projects within area of jurisdiction of AWSB, CWSB and LVNWSB. This particular component falls within the CWSB, and will target the Dadaab refugee camps host community. The project aims at provision of Sustainable water supplies and sanitation services to the refugee host community centres and villages around Dadaab Area, Garissa County. The project will forestall friction and lead to harmonious co-existence between the refugees and the local refugee camps host communities.

The project therefore targets to increase access to reliable, affordable and sustainable water supply and sanitation services. This will be achieved by:

- a) Rehabilitating selected existing water production, transmission, storage and distribution facilities.
- b) Expanding piped water supply services
- c) Refining and strengthening the institutional structure, emphasizing on increasing accountability and transparency of institutional and governance and management framework.

The scope of the project for the Dadaab Refugee camps Host community is expected to cover water supply to refugee Host community centres and villages located around the five camps within the complex. The project will not cover the refugee camps that are already addressed under the UNHCR.

1.3 Project Components

The project would have three major components as described below:

- i. Rehabilitation of existing water supply system infrastructure which consists of :
 - Boreholes & pumping units (sources) within the refugee host community and four boreholes that have been sunk for intended use by the Dadaab WUA are;
 - Airstrip borehole
 - JICA borehole
 - A.P. Camp borehole

- Others (UN & Kenya Red Cross compounds
- Reservoirs (elevated tanks)

Currently there are two main reservoirs in the form of elevated steel tanks that are used by the DWUA to distribute water within Daadab town, however, there are other reservoirs that may be incorporated into the system in the future.

The reservoirs include;

- DC compound elevated steel tank
- Airstrip elevated steel tank
- Boarding school elevated steel tank
- UN Compound elevated steel tanks

Other elevated water tanks are situated at various water points within the host community.

- Pipe network (water reticulation system)
- Bulk and Consumer meters
- Individual connections/ Households (draw off points)
- Livestock watering points/Communal water Points/Water kiosks
- Farms & Greenhouses (major consumers)
 Schools (institutions
- ii. Expanding piped water supply services to under-served areas through the extension of primary and secondary distribution pipes where required

The main objective for the first and second components will be to increase access of safe water to the vulnerable and marginalized groups in the Dadaab refugee host community.

Refining and strengthening the institutional structure, emphasizing on increasing accountability and transparency of the institutional, governance, and management framework. This component aims to attain two objectives viz;

- a) Enhancing, quality, reliability, affordability and sustainability of service provision to the Vulnerable and marginalized groups in the Dadaab refugee host community.
- b) Enhancing long term viability and sustainability of service provision institutions.

1.4 Rationale for the Social assessment

The social assessment was undertaken to analyze the socio economic and cultural characteristics of the VMGs in the project area in order to inform the preliminary design of water supplies for the refugee host communities. The local population is comprised of the nomadic ethnic Somali pastoralists who are mainly camel, livestock and small stock herders. The WSDP triggered the OP 4.10 of the World Bank and the relevant laws and regulations of the government of Kenya concerning VMGs. The OP 4.10 contributes to the Bank's mission of poverty reduction and sustainable development by guaranteeing that the development process fully takes due regard to the dignity ,human rights and cultures of indigenous people (known in Kenya as Vulnerable and Marginalized Groups). The OP 4.10 emphasizes the need for borrowers and the Bank staff to identify Vulnerable and Marginalized Groups, consult with them to ensure that they participate in and benefit from bank funded operations in a culturally appropriate fashion. In case of any adverse impacts, theses should be avoided and where possible or where not feasible, they should be mitigated. In view of this the borrower is undertaking a social assessment in compliance with the statutory requirement.

1.5 Objectives of the Social Assessment

The Overall objective was to analyze the characteristics of the local community in order to inform the preliminary design of water supplies for the VMGs within the refugee host communities. The specific objectives were to:

- a) Assist the project to support the aspirations and needs of the Vulnerable and Marginalized Groups in the project area.
- b) Identify and prepare a comprehensive plan that will avert any potentially adverse effects from project interventions on Vulnerable and Marginalized Groups and where not possible or feasible, mitigate or compensate such adverse impacts.
- c) Ensure that the project benefits reach the Vulnerable and marginalized Groups in an equitable manner and through institutions that respect and are able to serve them in a decentralized manner.

1.6 Scope of the social assessment

The social assessment entailed obtaining background information from documented literature followed by primary data collection in Wajir south, Dadaab, Fafi and Lagdera sub - counties where the VMGs are located. Pertinent information was also obtained from the Ministry of

Water and the UNHCR offices in Nairobi. The detailed social assessment activities and the data sources utilized for the social assessment are outlined in the subsequent sections.

1.7 Project location

The project location is the Dadaab refugee camps host community centres and surrounding villages. The Refugee camp is a complex of five refugee camps, namely Dagahaley, Ifo, Ifo 2, Hagadera and Kambioos is in Garissa County. The UNHCR estimates that as of 1st October, 2016, there were 272, 850 refugees and 2617 Asylum seekers, totaling to 275,467 People. Of these, Hagadera has 84,641, Dagahaley, 70,952, Ifo, 69,918, Ifo 2, 36,813 and Kambioos, 13,143. The Map showing the relative location of the refugee camps is shown in appendix III. The area also hosts the UNHCR staff and other International and local NGOs. The camps are spread across four different sub counties i.e. Wajir South in Wajir County with a population of 157,311, and Lagdera (116,944), Dadaab (192,500) and Fafi (120,196) sub counties. The population is expected to increase substantially by the year 2017²

The region is inhabited by groups of people that are identifiable as satisfying the World Bank's Policy for identification of indigenous people or communities that have collective attachment to the project area. The bank requires to "design and implement projects in a way that fosters full respect for indigenous peoples' dignity, human rights, and cultural uniqueness and so that they (1) receive culturally compatible social and economic benefits, and (2) do not suffer adverse effects during the development process'. The ethnic pastoral Somali, have historically suffered and continue to suffer from marginalization. Their lifestyle is nomadic in nature and livelihood revolves around livestock keeping. Over the years, the host community target area has been experiencing severe droughts threatening their livelihood through dwindling access to water and natural resources on which they depend as pastoralists.

These are the projected population estimates using the 2009 National population census base population figures by the KNBS.

The population is projected to increase to; 167605 in Wajir South in Wajir, Lagdera (126,389), Dadaab (208,048) and Fafi (129,904).

1.8 Methodology

1.8.1 Preliminary activities and Meetings

Prior to the commencement of the actual assessment, preliminary meetings were held with the World Bank Social safeguards department staff and the design engineer consultant for the preliminary design of the water master plan to reach a consensus and agree on the tools of analysis and the deadlines for the outputs. It was agreed that the Social assessment consultant adopt both quantitative and qualitative methods for a comprehensive social assessment. The consultant was also expected to perform a proper stakeholder analysis and subsequently provide evidence that stakeholder consultations were done and all the VMGs communities are consulted. The organization involved in the overall coordination of refugee operations in the country, The UNHCR headquarters in Nairobi was consulted and pertinent information was obtained, especially with regard to the host community and relevant stakeholders to be targeted for study. Three institutions, which are implementing partners to the Kenya comprehensive refugees programme and play an active role in the provision of water and other livelihood related services to the refugee host community, were also consulted. These were: The Pastoral Initiative for Development and advocacy (PIDAD), Relief Reconstruction and development Organization (RRDO) and Fafi integrated Development Association (FaIDA).

In Garissa, consultative meetings were held with the Ministry for interior and coordination of National Government, represented by the County Commissioner, The Garissa County Government leadership, County assembly and executive office in Charge of water and sanitation docket, the Executive and technical officers at the Northern water services Board and the Director, Social services.

In Dadaab Sub County headquarters, the assessment team held consultative meetings with the Deputy County commissioner, The Sub county administrator and the Sub County water Officer. The officers were incorporated into the planning of the actual fieldwork logistics by virtue of their familiarity and extensive working experience in the locality.

1.8.2 Desktop study and Document review

A host of related literature and documents which formed the basis of the literature review and secondary data analysis were reviewed. These included: The Constitution of Kenya, 2010, The Kenya Vision 2030 blue print together with its two medium term plans, The Kenya national policy on Gender and development, The Kenya National youth policy, The Kenya National Land

policy, The Kenya National draft policy older persons and ageing. The consultant also undertook to familiarize himself with the institutional framework and functions of key relevant government ministries, departments and organizations such as: The ministry of water and irrigation, Ministry of public service, youth and gender affairs, the national gender and equality commission and the Kenya National commission on human rights. Lastly, relevant documents such as the second medium term plan, Water resources management programme outlines, WSDP and the water sector institutional responsibilities were reviewed.

1.8.3 Sample Survey

A sample survey was administered to obtain quantitative data which entailed basic demographic data in relation to project components and as relates to water and sanitation issues in the study. The survey questionnaires were administered among a sample in 12 villages. The quantitative baseline data is crucial as it will form the baseline indicators for future evaluation and monitoring activities.

1.8.4 Focus Group discussions

A total of eleven FGDs were held with key components of the population groups in the study area. FGDs with youth were held at Kulan, Borehole 5, Kokar, Dertu and Hagarbul. FGDs for women were held at Kulan, Borehole 5, Kokar, Serdub, Dertu and Hagarbul. FGDs for men were conducted at Borehole 5, Alinjugur, Kokar, Welhar, Nyanya, Seldub, Dertu and Hagarbul. At Alinjugur, the planned FGDs with youth and women failed to take place as the youth were said to have travelled far to fend livestock, while all women were away in search of water to address a shortage occasioned by the breakdown of the only water pump in the village.

1.8.5 Key Informant interviews

KII with important stakeholders of the WSDP Project were carried out to obtain in depth qualitative data with regard to the social assessment. A total of 23 KII were conducted. Of these, 17 were done in Garissa town among relevant officials in the national and county government. Discussions were held with the Chief Executive officer – NWSB, The Garissa County Maendeleo ya wanawake Chairlady, The Chaiman of the water and sanitation committee-Garissa County government assembly and Chairman of the Peace committee Dadaab Sub - county.

In Dadaab town Discussions were held with the Garissa County youth president who hails from Dadaab sub county, Dadaab Ward Maendeleo ya wanawake youth leader, The chairman of Dadaab Water Users Association and Sheikh Mohammud, the senior most Muslim cleric in Dadaab.

1.8.6 Stakeholder Consultations

Stakeholder consultations were held with the community members to identify stakeholders and the community members' perceptions of and general views regarding the proposed project especially with regard to the degree of community support and specific areas of potential opposition and conflict. Specifically the stakeholder consultation meetings were held at Mathegesi village in Mathegesi Ward, Welhar village in Abakaile Ward, Bulla Nyanya Water point in Dadaab ward, Alinjugur, Sheldub and Kokar markets in Damajale Ward.

1.8.7 Observations

In all the areas visited during the data collection exercise, unstructured observations were made in the study locality. Notable issues of concern such as cultural materials, economic, livelihoods and production systems, land use and settlement patterns and facilities and natural resources were captured using a camera. These served to provide first-hand information which prompted probing for explanations and further information. All the photographs of events and activities and Audio – Visual data was captured is attached to this report.

1.8.8 Data Analysis and Report writing

Quantitative data was entered into excel spreadsheet and run to obtain basic frequencies and information regarding the key variables of concern to the social assessment study. The qualitative data (FGD and KII) was transcribed and audited. It was then analyzed using content analysis and category building and grouping which enabled the developing of themes in line with the objectives of the social assessment. The verbatim audio – visual recordings attached to this report were continuously reviewed during the report writing stage to give anecdotal evidence necessary to enrich the social assessment report.

1.8.9 Summary of Schedule of Consultative meetings and Data collection

The summary of all the scheduled consultative meetings which culminated in obtaining the required data are shown below:

Stakeholder	Venue	Date
Nairobi Based Stakeholders		
The World Bank	The world Bank meeting room	26.10.16
UNHCR	The UNHCR, Westlands office	24.10.16
RRDO		-
PIDAD		-
Garissa County Governmenty Headqu	arters – Garissa Town	
County Commissioner - Garrissa	County Commissioner office – Garissa	28.10.16
NWSB	NWSB Headquarters - Garissa	28.10.16
Garissa County Government	County Government of Garissa – Garissa	28.10.16
MYWO - Garissa County	Nomad palace, Garissa Town	3.11.16
County Peace Committee	Garissa Town	3.11.16
Garissa County Assembly Water and Sanitation Committee	Nomad Palace, Garissa Town	3.11.16
County Social Services - Garissa	Garissa office	28.11.16
Dadaab Sub - County		
Sub - County Administrator- Dadaab	Dadaab	29.10.16
Sub – County Commissioner, Dadaab	Dadaab	29.10.16
A.C.C - Dertu	Dertu	2.11.16
A.C.C - Jarajira	Alinjugur	1.11.16
MYWO – Dadaab Ward	Dadaab	30.10.16
County President, Garissa - Youth	Dadaab	30.10.16
Religious organizations	Dadaab Mosque, Dadaab	30.10.16
WUA - Dadaab	Dadaab	30.10.16
Liboi	Kulan	3.11.16
Mathgesi	Mathgesi	3.11.16
Libasigale	Welhar	3.11.16
Dadaab	Nyanya	3.11.16
Bore hole 5	Borehole 5	4.11.16
Jarajira	Alinjugur	4.11.16
Damajale	Sheldub	4.11.16
Damajale	Kokar	4.11.16
Dertu	Dertu	2.11.16
Dertu	Hagarbul	2.11.16

2. LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK

2.0 Introduction

The social assessment was guided by a broad spectrum of rules which govern and regulate decision making, agreements and laws pertaining to the VMGs in Kenya. These are considered in three levels, viz; The Policy, Legal, and Institutional framework. The section also considers the World Bank Safeguards for the VMGs particularly the OP 4.10 on Indigenous Peoples.

2.1 The Legal Framework

2.1.1 Constitution of Kenya 2010

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

- i. Article 56 provides that the state should put in place affirmative action programmes designed to ensure that minorities and marginalized groups participate and are represented in governance and other spheres of life; are provided special opportunities in education and economic fields; are provided special opportunities for access to education; develop their cultural values, languages and practices; and have reasonable access to water, health services and infrastructure
- ii. **Article 204** establishes an Equalization Fund which is intended to provide basic services including water, roads, health facilities and electricity to marginalized areas to the extent of the extent necessary to the quality of those services in those areas to the level generally enjoyed by the rest of the nation, so far as possible.
- iii. **Article 100** advocates for promotion of representation of marginalized groups. The article states that parliament shall enact legislation to promote the representation in parliament of women; Persons with disabilities; youth; ethnic and other minorities; and marginalized communities
- iv. **Article 27(4)** prohibits discrimination on an extensive list of specified grounds "race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth"
- v. Article 260 makes reference to the marginalized communities such as the nomadic pastoralists and people with disabilities.

- vi. **Article 174** which is mainly about devolved governance makes reference to people's participation. In effect, it elaborates that the object of devolution is to enhance the participation of people in making decisions on matters affecting them.
- vii. **Article 44(1)** which is on culture asserts that every person has the right to participate in the cultural life of his or her community's culture.

From the above, it is clear that although the document has been cited as falling sort of the global standards with regard to the recognition of the Indigenous Peoples, at least, as per the UN standards, its repeated reference to VMGs heralds significant commitment to the principles of equity and equality, and thus compares favourably with the spirit of the OP 4.10

2.1.2 The National Cohesion and Integration Act

The Act was passed in 2008 to encourage national cohesion and integration by outlawing discrimination on ethnic grounds. Of immediate relevance to the social assessment among the VMGs is **Section 11** of the Act as it introduces important provisions for the "ethnically equitable" distribution of public resources and stipulates that distribution of public resources should take into account Kenya's diverse population and poverty index. It provides that it is unlawful for any public officer to distribute resources in an ethnically inequitable manner and that resources shall be deemed to have been so distributed when *inter alia* specific regions consistently and unjustifiably receive more resources than other regions or more resources are allocated to regions that require remedial resources than to areas that require start up resources. The provision of basic services, such as water goes a long way in eliminating the regional inequalities that have persistently prevailed, especially with regard to the VMGs.

2.1.3 The Community Land Act, 2016

The Community land act came into force in September, 2016 and reiterates the prohibition against disposal of unregistered community land. It clarifies, though, that this will not limit compulsory acquisition for public purposes, and instructs counties to hold compensation for the affected community until it secures formal title. The act is relevant to VMGs as it confirms the validity of existing customary rights of occupancy in community land. Similarly, it spells out the rights of the community as the proprietor of the land.

2.1.4 County Governments Act, 2012

The county governments derive their mandate from chapter eleven of the Kenyan Constitution 2010, which provides for the establishment of county administrative units in the country. The County Governments Act, 2012 spells out the principles governing devolution. The act is relevant to the VMG since it aims at giving powers of self-governance to the people and enhancing their participation in decision making. It also seeks to protect and promote the interests and rights of minorities and marginalized communities.

2.1.5 The Water Act No. 43, 2016

The Kenya Water Act No. 43 of 2016 provides guidelines on ownership, use and management of water resources in the country. It also outlines the regulations to be followed in the management and use of water resources in Kenya. The act has put in place an elaborate institutional framework for effective co-ordination of water and sewerage sector in the country as expounded in section 2.3.1 of the SA Report.

2.2 The Policy Framework

2.2.0 National Policies

The Kenyan government has developed a number of national policies relevant to equality and non-discrimination, including both general policies which contain strong non-discrimination themes such as the national development policy, *Vision 2030*, and policies aimed at combating discrimination against and accelerating progress of particular "vulnerable groups", such as the *National Policy on Gender and Development*.

2.2.1 The Kenya Vision 2030 Development Policy

The Kenya vision 2030 provides a long-term development blueprint for the country. It outlines some of the programmes to be implemented so as to propel the country into an industrialized nation by the year 2030. The social pillar aims to introduce comprehensive policies that include the "elimination of extreme poverty and hunger; universal primary education; gender equality; reduction in child mortality; improvement in maternal health; lower HIV/AIDS and major disease incidence; environmental sustainability. It further seeks to put in place efforts to promote protection from discrimination, dealing respectively with "Gender, Youth and Vulnerable Groups" and "Equity and Poverty Reduction". The latter is in consonance with the ideals of social and economic justice as espoused in the OP 4.10 on indigenous peoples.

2.2.2 National Policy on Gender and Development

The National Policy on Gender and Development was formulated in 2000 with the general aim of guaranteeing Kenyan men and women equality before the law, and to enable men and women to have equal access to economic and employment opportunities. Specifically, it sought to facilitate the review of laws that hinder women's access to and control over economic resources and improve vocational and technical skills of disadvantaged groups, notably unemployed youth, disabled women, poor urban and rural women, and street dwellers, for improved access to employment opportunities. Tackling gender discrimination is an important step towards the participation of men and women in an equal basis among all the Kenyan societies.

2.2.3 Kenya National Youth Policy

The National Youth Policy aims to address issues affecting young people in all facets of life of communities in Kenya. It envisions a society where youth have equal opportunity to realize their fullest potential, productively participating in economic, social, political, cultural and religious life. The young people are regarded as a component that makes up the VMGs in communities. Any initiatives aimed at addressing the sources of disadvantage within societies must take cognizance of young peoples' special views and needs.

2.2.4 National Land Policy

The National Land Policy aims to "guide the country towards efficient, sustainable and equitable use of land. It takes note that women, children, minority groups and persons with disabilities have been denied access to land rights as a result of discriminatory laws, customs and practices. In relation to the VMGs, the land on which they live and the natural resources on which they depend are inextricably linked to their identities, cultures, livelihoods, physical, and spiritual well-being. The application of the policy, therefore serves to ameliorate the continued marginalization of the VMGs.

2.2.5 Draft National Policy on Older Persons and Ageing

Kenya's National Policy on Older Persons and Ageing aims at facilitating the integration and mainstreaming of the needs and concerns of older persons in the national development process. It also seeks create an environment in which older persons are recognized, respected and empowered to actively and fully participate in society and development. The older people in society are discriminated, neglected, abused and experience extreme violence. Like the children,

women, youth and the PLWDs, the aged in the Kenyan society are more susceptible to the risks of adverse outcomes, especially in the ASAL regions of the country.

2.3 Institutional Framework

Like other countries, the Kenyan government has instituted an elaborate framework to guide the provision of social services to its citizens. Like other citizens, the Dadaab Refugee Host Community have the right to benefit from water and sanitation services which are delivered by the responsible sector institutions. This sub- section presents the sector institutional framework within which the water and sanitation services are to be provided. Additionally, a brief description of the institutional framework upon which the VMGs rights are hinged is elaborated. Lastly, the key supportive strategies and the World Bank operational policies, with particular attention to OP 4.10 are outlined.

2.3.1 Water sector institutional framework

The Kenyan water supply and sewerage sector organization is spelt out in the Water Act No. 43, 2016 whose aim is to harmonize and streamline the management of water resources and sewerage services in the country. In its endeavor to enhance effective coordination, the Act has also created an institutional set up to manage the sector. The following are the various institutions and their accompanying mandates:

a) Ministry of Water and Irrigation

The Ministry's mandate is to ensure adequate availability and accessibility of the water resources to all Kenyan citizens. The foregoing is to be achieved by meeting the following strategic objectives:

- Accelerating the implementation of water sector reforms
- Improving the sustainable management of water resources
- Improving the provision of water and sewerage services
- Improving utilization of land through irrigation and land reclamation
- Strengthening institutions in the Ministry and the water sector
- Mobilizing resources and promoting efficiency in their utilization and
- Improving the management and access to water resources information

The ministry has the over mandate of developing the country's policy and co – coordinating the sector to enhance equitable water provision in the country.

b) The Water Services Trust Fund

The state corporation assists in financing the provision of water and sanitation services to poor and underserved communities. It is mainly involved in resource mobilization from the GOK, bilateral and multilateral organizations, the private sector, foundations and even individuals.

c) The Water Appeals Board

The water appeals Board determines disputes and appeals involving conflicts over water resources.

d) Water Services Regulatory Board

The water services regulatory board is a state corporation which is mandated under the water Act (2002) to oversee the implementation of policies and strategies relating to the provision of water and sewerage services. The corporation sets rules and enforces standards to guide the sector with the aim of ensuring that consumers are protected and have access to efficient, affordable and sustainable services.

e) Water Service Boards

The water service boards are responsible for efficient and economical provision of water and sewerage services within their areas of jurisdiction. In Kenya, there are seven WSBs. Garissa county, in which the Dadaab Refugee Host community WSDP is being implemented falls within the jurisdiction of The Northern water Services board.

f) Water Service Providers

The water service providers, who act as the agents of WCBs oversees, direct water provision on their behalf. These may be CBOs, NGOs or autonomous entities established by local authorities.

2.3.2 Institutional framework informing VMG rights in Kenya

Whereas many institutions can be regarded as sources for informing the rights of the VMGS in the country, the study has outlined the three Key institutions upon which the rights of the VMGs in Kenya are hinged. They include:

a) Ministry of Public Service, Youth and Gender Affairs

The ministry is charged with the coordination of among others the empowerment programmes for the youth, women and PLWDs in the country. It is also the docket charged with promoting gender equity in the country.

b) National Gender and Equality Commission

The commission works with, partners, communities and other stakeholders to promote mainstreaming of issues of minorities and marginalized communities and groups in all spheres of development. Its focus areas include:

- Undertaking public education and information to sensitize minorities and marginalized and stakeholders on integration of the principles of equality and freedom from discrimination.
- Monitoring, auditing, and advising on the development and implementation of affirmative action policies and programmes on issues of minority and the marginalized.
- Enhancing the participation and inclusion of minority and the marginalized in all aspect of county and national development.
- Monitoring the performance levels of public and private institutions, county and national
 governments on mainstreaming issues of minority and the marginalized, including
 representation and involvement in decision making and leadership positions and issue
 advisories.

c) Kenya National Commission on Human rights

The KNHRC is an independent watchdog body established under the constitution of Kenya 2010 to monitor government institutions and carry out investigations on alleged human rights violations. KNCHR works with the indigenous peoples towards the implementation of the decision of the African Commission on Human and People's Rights. More generally, the KNCHR also conducts public education aimed at informing vulnerable and marginalized groups of their rights while engaging the government on its obligations.

2.4 Key supportive strategies on VMGs in Kenya

2.4.1 Vision 2030 Second Medium Term Plan

This is the current development mini – plan covering the 2013- 2017 period. It seeks to accelerate the country's growth gained during the first medium plan implementation by attaining a double digit growth level. It targets to create jobs for young people, and reduce further the high poverty levels experienced in the country. Its social pillar component targets at promoting equitable social development. The proposed activities for implementation include those under gender and vulnerable groups, education, health, environment, urbanization and sports. The strategy paper gives priority to water and sanitation service issues, promoting gender and equity and the protection of vulnerable groups.

2.4.2 Water Resources Management Programme

The management strategy aims at eradicating poverty through the provision of portable water for consumption and other productive uses. It targets at formulating effective mechanisms for promoting equal access of water to all Kenya. It also aims at strengthening the roles of gender in water resources management and promoting the integration of sectoral and regional water policies.

2.5 The World Bank operational policies

The World Bank has designed a set of operational policies and procedures and other instructions for application to bank operations. Among them include the **OP 4.10** on indigenous people.

2.5.1 OP 4.10 indigenous peoples

The OP 4.10 on indigenous peoples contributes to the banks mission of poverty reduction and sustainable development by ensuring that development processes fully respects the dignity, human rights, economies, and cultures of indigenous people. It is required that the borrower engages in FPIC so as to secure broad community support to the project by the affected indigenous people. The Bank advances financial resources, only where the FPIC results in the aforementioned support. In this case then, the financing is inclusive of measures to avoid potentially adverse impacts on the indigenous communities. In addition, the benefits accruing from the projects should be gender sensitive, inter-generationally inclusive and culturally

appropriate. The OP.4.10 aims align well with those enshrined in Kenya's policy instruments regarding the VMGs.

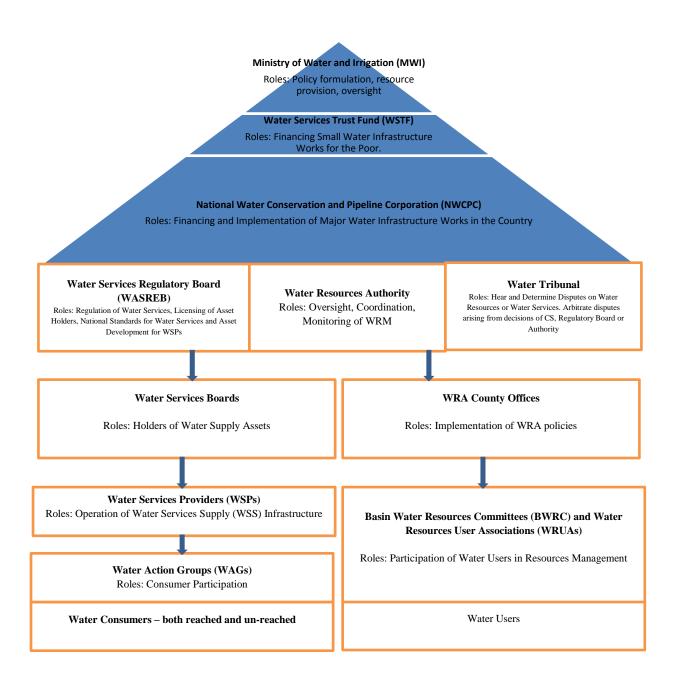
2.6 Water Governance in Kenya

Reforms in the Water Sector in 1999 of National Water Policy that led to the enactment of the Water Act, 2002. Further reforms followed the promulgation of the Constitution of Kenya, 2010 and subsequently the enactment of the Water Act, 2016 in alignment to the constitution. 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 figure below 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 Management Authority (WRMA) in the regulation of water tariffs. The tariffs are proposed by WSPs and ratified by WRMA with input from WSBs, WASREB and WAGs as well as other actors such as the Consumers Association of Kenya (CAK) and Neighbourhood Associations. If there are disputes they are arbitrated by the Water Tribunal.

In Garissa County, which includes the Dadaab Host Community, Garissa Water and Sanitation Company (GAWASCO) is the WSP with mandate from the Northern Water Services Board to implement the project. At water facility level there will be Water Management Committees (WMCs) and Water User Associations (WUA). These are entities at community water facility level mandated in management and administration of water facilities. The present situation is that most WMCs are largely composed of elite males such as retired civil servants, sitting chiefs and local businessmen, a situation that tends to exclude VMGs. WSDP will therefore 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.

Key water governance institutions are summarized in the figure below.



3. POTENTIAL POSITIVE AND NEGATIVE IMPACTS OF WSDP ON VULNERABLE AND MARGINALIZED GROUPS

3.0 Introduction

The implementation of the proposed water and sanitation improvement project is anticipated to trigger social effects and safeguard concerns in all the project components. Both positive and negative impacts are anticipated. Below is a synthesis of potential social impacts during the implementation and operational stages of the water and sanitation improvement project.

3.1 Potential positive Impacts

Project Activities	Impact on VMGs and accruing benefits
Component 1: Water supply facilities' improvement	Through the water supply facilities' improvement component, WSDP will result in significant increased quantity, quality and accessibility of water to the VMGs. This will result in improved health, economic status and higher school attendance at the primary and secondary school levels. Furthermore, the social psychological wellbeing of the community will be enhanced.
	Health Realization of sufficient quantity and quality of safe water supply when required and at appropriate distance to the user will lead to: Reduction in incidences of diarrhea Reduction in incidences of waterborne diseases Reduction in fatigue for women Reduction in workload for women Reduction of incidences of post-natal infections Increased availability of water for maternity Reduction on cases of GBV among women Reduction of fatalities among women at water points

- Reduction in Child Mortality
- Reduction in Maternal mortality

Economic status

The livelihoods of the will be boosted due to:

- Time devoted to other activities other than those related to obtaining water will be increased.
- The conditions of the livestock will be improved
- Increased numbers of livestock will be realized.
- Household purchasing power will be enhanced, leading to reduced malnutrition.
- Livelihood diversification such as ration stores (Kiosks), water vendors, Small scale farming, mainly horticultural and aquaculture.
- Improved housing structures and dwelling e.g. corrugated iron roofing and floor material.
- Expenses on medical treatment reduced.
- Initiation and maintenance of Kitchen gardens.

Education

The quality of education for school age children will be improved. Probability of getting to school late, being absent from school occasionally and dropping out of school will be minimized through:

- Increased numbers of learners attending school regularly.
- Availability of time for learners to study in and out of school.

The water improvement component will lead to augmenting of low staffing levels in the local schools as teachers and other personnel for educational institutions will honour postings and transfers to the locality.

Social impacts

The level of family cohesion and interaction will increase substantially. The number of meals in a day and their uptake on time will be realized. The amount of time devoted to the vulnerable and marginalized components of the VMGs such as children, PLWDs and the elderly if any will be increased as a result of:

- More and quality time spend with family
- Increases in community interaction.
- Reduction of time spent in search and collecting water.
- Queuing for water significantly reduced.
- Attendance in Water users and other community organizations' events.

Psychological Impacts

Water and sanitation improvement component will lead to the safe arrival of the female members of the community from ferrying water home and improved hygiene among learners especially with regard to their school uniform. This will result to:

- Reduced tension within and among individual members of the family and community. There is reduced amounts of stress and peace of mind for women and families.
- Improved marital relationships.
- Harmonious relationship among pupils, parents' teachers.
- High self-esteem among learners / youth and

improvement in pride and dignity in community.

Cultural

Cultural relations and richness will prevail and improve in the community as demonstrated by:

- Observance of religious duties is made more convenient as water is readily and conveniently available for religious rites.
- Reduction in quarrels at water points and conflicts with neighboring families and communities.

Gender

The component will create an enabling environment for attaining gender parity among the VMGs by :

- Increasing the number of girls attending school, thereby improving gender inequalities in school enrolment.
- Improving women's literacy levels.
- Increased participation of women and young people in WUA meetings and activities.

Increased participation of women in non-domestic activities.

Sub component 1.1 The drilling of new boreholes

Prior to the drilling of new boreholes, the water master plan design consultant will:

- Conduct an assessment of the water needs
- Design a water supplies system for the Host community, which falls in the category of VMGs.
- Carry out a ground water exploration via Geophysical surveys in order to determine specific borehole sites.

- Make due consideration and identify an efficient and economical water supply system consisting of pumping equipment, Transmission system, storage, Distribution system, communal water points and treatment.

The VMGs will benefit from the process of engagement and ensuring of inclusivity during the project implementation and operation phases.

The VMGs will benefit from the understanding and information on their basic rights as Kenyan citizens. The fact that they will have at their disposal the desired quantities and quality of water will enhance their loyalty and patriotism.

The VMGs will benefit from being informed about and comprehending the full range i.e. Short term, medium term and long term social and environmental impacts that can result from the water and sanitation improvement project.

Local aspirations will be taken into consideration in the project planning, so that the VMGs have ownership of, and participate fully in decisions about this particular and other community development initiatives in the locality. Specifically the role of the community power structure and other segments such as women and youth will be catapulted into limelight.

Subcomponent 1.2
Rehabilitation of existing
boreholes

For the short term ("Quick - fix") this sub component will involve the equipping of existing boreholes. The rehabilitation of the boreholes will benefit the VMGs in

several ways:

- Amelioration of the effects of the current higher levels of drought in the locality.
- Prevalence for use of solar energy sources will cushion the community from incurring high power costs which sometimes lead.
- The designing and construction planning processes will be done in concurrence with the respective communities. This will be beneficial to the VMGs as it will ensure that the facilities will be appropriate and acceptable.

Component 2: Improvement of water storage facilities (Water storage tanks, Water Pans and Water Dams)

This sub - component will involve the rehabilitation of existing water pans and the construction of new ones. The restoration and construction of additional water reservoirs i.e. elevated water tanks to distribute water within the locality will be undertaken. The rehabilitation of existing and putting up of water storage facilities such as dams and pans will benefit the VMGs through maximization of trapping surface water which is usually lost as run off for plant growth and future use. The region is prone to droughts of long duration sometimes lasting durations of several years. The area has also experienced increases in intra- seasonal spells and rain water preservation will come in handy for exploitation.

The initiative is expected to minimize erosion and nutrient loss experienced in the region.

With water reliability, the VMGs who have expressed demonstrable interest in small scale agricultural initiatives in all sites of data collection will be encouraged to venture into diversification activities. Thus irrigated agriculture as opposed to rain fed agriculture which is practically impossible among the VMGs will thrive. This will lead to improved livelihoods and household food security.

Component 3: Community liaison, general training and the strengthening of the operational and maintenance capacity

To improve the water and sanitation services among the VMGs the WSDP will endeavor to refine and strengthen the institutional structures so as boost the accountability and transparency of the institutional, governance, and management framework. This will directly and indirectly benefit the VMGs as follows:

- The acquisition of training and skills by Ministry
 of water and irrigation at the County and sub
 county levels, field staff in relevant ministries
 such as agriculture etc., will lead to effective
 service delivery, which will lead to better life
 among the VMGs
- Members and officials of WUAs and other community organizations whose membership is entirely drawn from the VMGs will benefit from skill enhancement programmes in built into the project cycle. The consultant will be expected to carry out an assessment of skills / training requirement and develop and develop a change management program.
- Capacity of water governance structures i.e.
 WUAs will be enhanced. This will lead to improved efficiency and hence benefit the VMGs.

In ensuring mutual relations especially with regard to

culture and customs of the VMGs the use of a trusted
intermediary such as local community organizations,
religious groups or civil society organizations will be
used for liaison. Probable parties have been outlined in
the institutional analysis section of the social assessment
report.
Throughout the project implementation cycle VMGs will
be involved at the following phases:
- Needs assessment, identification and preparation

3.2 Potential Negative Impacts

3.2.1 Trigger of new migratory trends and settlement patterns leading to overcrowding

The host communities have their own unique social networks, which are deployed as survival mechanisms. These include lending and sharing of natural resources mainly pasture at different periods / seasons in the year(s) stretching far beyond Garissa county to neighboring counties such as Isiolo, Wajir and even beyond the confines of the Kenyan borders in the Republic of Somalia. The installation of new water sources will interfere with these indigenous adaptation methods, which indirectly contributed to strengthening of social bonds among the VMGs whose kinship ties extend to these far flung localities. Harmonious co-existence of the VMGs with the neighboring communities such as the Borana and the Miji Kenya (Tana River, Lamu) may be well be weakened in the absence of shared resources, mainly pasture and water. Similarly concentrating the water sources within the host community may attract t neighboring communities in search of the commodity. This will effectively trigger new in migration scenarios leading to new forms of social conflict.

3.2.2 Exclusion from participation in paid labour during construction phase of the project

The VMGs in the locality are economically marginalized and experience above average levels of poverty with below average rates of participation in mainstream labour markets due to their socio economic disadvantage, geographical location and the cultural preference for traditional pastoral lifestyle. This may lead to a scenario whereby only a small number of VMGs turn up for paid work during the project.

3.2.3 Overreliance on external skills and management capacities leading to ineffective technical maintenance

Lack of community ownership of the water and sanitation improvement project can result in ineffective utilization and raise serious issues of sustainability. Previous infrastructural investments within the host community such as the vocational tailoring project at Alinjugur area have faced challenges of sustainability since their implementation did not involve the VMGs. The skills gap and low capacity of the VMGs in maintenance and sustainability of the WSDP project interventions may lead to the overreliance on external skills and management capacities. This may lead to the risk of ineffective technical maintenance.

3.2.4 Non – affordability of metered water

Majority of the VMGs indicated that water costs are exorbitant and unaffordable. The improvement of the resource may entail putting in place water metering system, which will serve to marginalize the poor component of the VMGs. .

3.2.5 Loss of land, pasture and structures

The project is anticipated to take up land and pasture currently utilized by the VMGs. Some of the people will lose their structures as well.

3.3 Proposed mitigation measures

Based on the potential adverse impacts of the WSDP on the VMGs, the possible mitigation actions are provided below:

- Determination of water point sites jointly with refugee host community and relevant stakeholders to enhance even distribution.
- Negotiation and sensitization programmes for community leaders and VMGs
- Capacity building for the local peace and conflict resolution committees in conflict prevention

- Special consideration for local participation in paid employment within the project
- Develop capacity building programmes for VMG
- Early identification of affected cultural sites such as graves and cemeteries and Sensitization and community education and negotiation and agreement with the local leadership on cultural rituals for relocation
- Extension services in agricultural and livestock production.
- Adequate Corporate social responsibility initiatives
- Provision of affordable micro credit facilities

3.4 Special interventions for most vulnerable social categories

The SA identified the following categories as the most vulnerable categories in the VMG population:

- Women
- Children
- Elderly
- People living with disability

In order to enhance the full participation and equal benefit sharing in the community women should be targeted for informal skills provision especially with regard to subsistence horticultural farming. They should also be targeted for micro – credit and table banking initiatives to enable them carry out the small businesses. The Project design should incorporate specific corporate social Responsibility programmes targeting these components of the population.

3.5 ACTION PLANS FOR VMGs

The VMGs came up with several suggestions on how to enhance their participation and maximum benefits accruing from the WSDP Project. The interventions include:

3.5.1 Water Storage facilities

The VMGs reiterated their desire to see the project design come up with more durable water storage tanks. Indeed during the SA visits in the village water points most of the plastic water tanks were cracked and in a state of disrepair. The participants therefore suggested for the need to install permanent storage water tanks, either made of steel or mortar that could guarantee them prolonged use.

3.5.2 Sources of power for water pumping engines

The VMGs indicated that in most instances available water failed to reach the households due to the frequent breakdown of water pumps but more especially because of the lack of fuel. Moreso, much of the levies raised from the water users was ploughed back to purchase fuel and pay for repairs and maintenance services.

The FGD participants suggested the use of solar power as the solution to this perennial challenge. It is, therefore, imperative that in the absence of visible plans for supply of electricity from the national grid to the locality the water design should take due consideration of this aspiration by the VMG.

3.5.3 Water desalination

The water supply and provision in most parts inhabited by the VMGs is hampered by the presence of high saline levels in the water which affects the quality for human consumption. In areas such as Dertu, the VMGs mentioned innumerable effects that this has on the people, especially women and children. The study participants also indicated that previous attempts at desalination have borne little benefits. However, hydrogeological surveys have revealed huge amounts of water in the neighbouring villages such as Boransis. Therefore, the design consultant shall consider locating water sources in neighbouring villages and provide for piping to saline prone areas such as Dertu.

3.5.4 Capacity building for effective water governance

The members of the communities visited indicated that they prefer to take charge of the water project as opposed to being run by an external entity. However, all the participants in the study indicated that the deficiencies were brought about by limited capacity of officials of WUAs had led to poor management. The study participants suggested that enhancement of management skills be given priority. The main target should be skills on basic financial management, especially for women serving as custodians of water kiosks. The officials should also be equipped with basic skills in engine maintenance and mechanics.

3.5.5 Environmental programmes

The study participants voiced their concern regarding the deteriorating nature of the environment within the refugee host community. This has been attributed to the activities of the refugees, whose demand for wood fuel has soared in the recent past. The VMGs suggested that

afforestation activities can be incorporated as part of the CSR programmes for purposes of enhancing environmental protection.

4. SOCIAL ASSESSMENT OF THE VULNERABLE AND MARGINALIZED COMMUNITIES AND GROUPS IN THE PROJECT AREA

4.0 Introduction

This part provides a brief background and the current status regarding the refugee camps in the project area and a comprehensive picture of the socio – economic and cultural characteristics of the VMGs. The section starts with a brief outline of the refugee camps and goes on to offer the definition of the VMG, with the sole purpose of delineating the host community's identity so as to determine whether they satisfy the World Bank's policy for identification as indigenous peoples and the corresponding Kenyan legislations' reference to the former. It then documents the findings of the social assessment. Specifically, the social assessment targeted at synthesizing relevant key variables especially with regard on how they are likely to affect and be affected by the WSDP proposed project interventions. Relevant baseline data obtained during the fieldwork has been presented for future monitoring and evaluation. The following are the Key variables outlined in the section:

- Demographic features, historical, social and kinship organization of the Dadaab refugee camps host community.
- Land tenure systems
- Social cohesion and social network including support systems
- Livelihoods and diversification
- Local social welfare and cultural institutions
- Religious elements
- Gender dynamics, issues and concerns
- Conflict resolution mechanisms and implications for project
- Local leadership, social, cultural and communication systems
- Internal and external trans-border issues

4.1 Refugee Camps in the Project Area

The project area, which is located in a semi-arid town in Garissa County, is also the site hosting refugees in five camps, making it the largest in the world.

4.1.1 Brief Historical background

The Dadaab refugee camps complex emerged as a settlement to accommodate Somali nationals fleeing the civil conflict in the country in 1992. In the subsequent years, more people from the broader eastern African region have moved into the refugee camps complex mainly due to escalation of civil strife and effects of drought in their countries of origin. Most of the displaced persons who found their way into the refugee camps belong to the Bantu Ethnic minority population as well as the Rahanweyn clan. The first camps to be constructed were Dagahaley, Hagadera and Ifo in 1992. Following severe drought in Somalia, two more camps, namely; Ifo II and Kambioos were opened in 2011 to accommodate an estimated 130,000 refugees from Somalia.

4.1.2 Composition and rate of growth and current status

As already pointed out, the Dadaab refugee camps complex is composed of five camps. Hagadera is the largest with over 25,000 households. The others are Dagahaley, Ifo I, Ifo II, and Kambioos is the smallest with fewer than 20,000 refugees. The population of the camps has continued to grow steadily from around 144,000 in 2004 to 275,529 as of December, 2016. According to the UNHCR Dadaab bi- weekly updates, the refugee population was distributed as follows: Hagadera- 84,880, Dagahaley- 71,535, Ifo I – 70,181, Ifo II – 36,561 and Kambioos – 31,112. Presently, returnees to Somali towns of Mogadishu, Kismayo and Baidoa are being supported.

4.2 Definition of the IP and VMG and its application to the Dadaab refugee host community

4.2.1 Indigenous People(s)

There is no universally accepted definition of "Indigenous people". In developed countries, such people are referred to as 'aboriginals' among other terms, while in others various terms such as 'minority communities' and indigenous communities have been used. In Kenya, such communities have been made reference to as "minority ethnic communities" and satisfy the World Bank's policy for identification as indigenous people and include the inhabitants of the northern Kenya's frontier region in which Garissa County is situated. The locality is characterized by unique political and socio - economic context among others being remote, rural and semi-arid outposts. The northern Kenya counties consistently rank among the poorest in Kenya, and with pastoralism central to their local economies, the societies place great value on

mobility and negotiated access to rangeland and water wells. Restricted mobility and the loss of seasonal pasture place great stress on livelihoods. They consider themselves as historically and consistently marginalized in comparison to their counterparts in the wider national arena. The World Bank avers that certain key characteristics are used to identify such groups among them: Collective attachment to geographically distinct habitats in an area, and to the natural resources, a language often different from the official language of the country and possession of customary cultural, economic and social institutions that are separate from those of the dominant society and culture.

It is noteworthy, that although the newly promulgated constitution of Kenya does not explicitly refer to Indigenous people, its adoption of the concept of "vulnerable, minorities and marginalized groups" encompasses the former. In the section of the bill of rights, it provides the state shall put in place affirmative action programmes designed to ensure that this component among others is made to develop their cultural values, languages and practices and have reasonable access to water, health services and infrastructure. Thus, while the World Bank Policy OP 4.10 identifies these groups as indigenous, the Kenyan constitution regards them as Vulnerable and marginalized. Hence, the social assessment report will adopt the term Vulnerable and marginalized Groups in the place of 'Indigenous Peoples'

4.2.2 Vulnerable Groups

Vulnerability refers to a situation of being susceptible to physical or emotional stresses, are helpless, powerless, weak and in need of special care, support or protection because of disability, age or abuse and neglect. According to the Kenyan constitution, the children, persons with disability, youth, Minority and marginalized groups and ethnic communities and older members of society are classified as vulnerable groups. From the findings of the social assessment study, certain vulnerable groups may be hindered from equitably drawing the benefits of the proposed project. This is as a result of the prevailing physical, socio-economic, environmental and cultural conditions in the locality. Therefore, the study has in addition to ethnicity, considered gender, Age, physical, mental state/ status, socio – economic status as important parameters for determining adverse impacts on the VMGs by the WSDP activities. Consequently, it is hypothesized that Women, children, PLWDs, PLWA and the poor component of the community

members will be impacted negatively and there is need to ensure that access to the water and sanitation services are inclusive to all without disadvantage to certain sections of the VMGs.

4. 2. 3 Marginalized Groups

Marginalization refers to individuals or groups that are treated as insignificant, treated peripherally or sidelined with regard to consultations on issues of significance to their wellbeing. Desktop review of relevant literature showed that the VMGs, whose indigenous language is ethnic Somali and are consistently identified so by commissioned and authoritative studies have been persistently "left out" in the nation's development by successive government regimes. Participants in public stakeholder consultations decried the minimal role played by the central government in the provision of basic governance and social services. It was however observed that the state of affairs is drastically changing with the entry of the devolved units in the development scene. Similarly, the data obtained from the area showed that mainly due to the community's social and cultural organization, Women, children, PLWDs, PLWA and the poor component of the community members comprise the marginalized category of the groups within the community.

From the foregoing, it was ascertained that the population inhabiting the project area fulfill the criteria for their consideration as being Vulnerable and marginalized. Furthermore, the disadvantaged components of the VMGs are readily identifiable within the community.

4.3 Demographic, historical, social and kinship organization of the Dadaab refugee camps host community

4.3.1 Defining the refugee host community

The Dadaab region is in the semi-arid Garissa County of North Eastern Kenya. It is the site that "envelopes" the UNHCR base and complex of five refugee camps hosting a total of 272, 850 refugees and 2617 asylum seekers as of October 2016, making it the largest such complex in the world. According to the UNHCR Dadaab bi - weekly update, the refugee population is distributed as follows: Hagadera, 84,641; Dahagey, 70952; Ifo, 69,918, Ifo2 36,813 and Kambios is, 13, 143. A major task confronting the social assessment team was to determine accurately, the area outward from Dadaab town that is occupied by the host community and by extension the size of the population occupying such an area. The review of relevant literature showed that various studies commissioned by international agencies had arbitrarily fixed a radius of 50KMS, which was merely based on the routine interaction between a small proportion of the hosts and

the refugees. A deeper synthesis of the findings of the social assessment showed that in determining the host community for purposes of delineating the scope of location of the water and sanitation services required interrogating the interaction patterns existing between the settlers who are as close to the refugee camps, at a distance one (1 km) at Borehole 5 and Nyanya in Labasigale (2KM) to those in far flung regions, located further beyond the confines of Garissa County boundaries.

Indeed, study respondents reported that majority of their kin had sought residence for prolonged periods to far flung regions in Isiolo and Marsabit Counties, Wajir south and further down in communities located close to the Boni forest, in Lamu County. Thus, given the intricate social networking that the community members were involved in, which led to the dispersal of families and the flexibility in the movement of smaller units as an important livelihood and survival strategy, this study concluded that the host community's location covers Dadaab, Lagdera, and Fafi sub - counties in Garissa County and Wajir South Sub - county in Wajir County. Due to the scope of the social assessment, the study did not focus on finding out the actual population of the host community. However, on the basis of the 2009 Population census, it is possible to extrapolate the data. Hence, the projected population for 2017 showed that Dadaab, Lagdera, Fafi and Wajir South - Sub counties will comprise of 208,048, 126,398, 129,904 and 167,605 people respectively. The WSDP is therefore expected to target a population of approximately 631,955 people.

4.3.2 Historical, social and kinship organization

Prior to 1991, when the UNHCR base was opened, the local area population traditionally consisted of nomadic ethnic Somali pastoralists, who were mainly camel and small stock herders. The Somali intersect Djibouti, The Somali Republic, Kenya and Ethiopia, most of which comprises arid and semi-desert and the Somali practice nomadic pastoralism. Ethnic and clan identities are a major organizing principle in the social and political life VMGs. The dominant clan in Garissa County is the ogaden which is further comprised of three sub clans, namely; Aulihan, Abuudwaq, and Abdalla. In Wajir County, are found the Degodia, Ajuraan, Mohamed-Zubeyr, Bah Geri, Muqabul and Geri Kombe. The Degodia, the majority clan, has presence in at least four of the six Sub - Counties. The Ajuraan have presence in Wajir North and Wajir West, while the three Ogaden sub-clans and the Geri Kombe are concentrated in Wajir South. Other

clans, such as the Garre, are present in smaller numbers. In Mandera, there are the Garre, Murule and the Degodia. In addition to the three dominant clans, the county is also home to at least eight more Somali clans or sub-clans. The Marehan clan – the majority resident across the Somali border (Gedo region) – is also present in significant numbers. The other clans include the Sheekhal, Leisan, Gababweyn, Shirmoge, Jarer and the Warabeye.

With specific regard to the composition of the Dadaab refugee host community, the study informants identified the three Ogaden sub clans as accounting for majority of the occupants i.e. The Aulihan, Abuudwaq, and Abdalla majorly inhabiting Lagdera, Fafi Sub - Counties respectively. The Magarbul occupy vast parts of the Wajir South Sub - County. It was further observed that as much as slightly above 70% of the population is settled in the villages, the remaining proportion usually moves around with their livestock. Overall, the tendency in the host community is to 'juggle' between settlement and mobility, as a strategy to minimize the effects of disaster resulting mainly from prolonged drought situations.

4.3.3 Land Tenure

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

4.3.4 Social cohesion and social networks including support systems

The Key Informant Interviewees stated that an important traditional norm that is to date held dear by the VMGs is that of sharing resources in times of bounty and those of want and scarcity. This norm guides the relations among the host community members. As already pointed out, access to resources is based on clan and family membership and the negotiation over the same enables the members to free entrée into distant territories for pasture and other resources. Of

significance is the fact that the kin network maintained by the host community straddles far beyond the national borders, with many respondents during the unstructured interviews pointing out that they have members of their households living with their extended families in Somalia. Internally, several instances of children and other members of households being enlisted as refugees in the camps were mentioned. The major reasons for this was to enable the concerned reap the benefit of a 'refugee' status by receiving free food rations and non- food items. Interviews with key respondents pointed out that majority of the women and youth have formed registered groups with the local department of social services. On further verification, however, most of these were found to be inactive.

4.3.5 Livelihoods and diversification initiatives

Subsistence and livelihood sustenance in the host community are based on pastoralism activities. The study respondents indicated that 33% of the members of the community were herders, with the main types of livestock owned being goats (57 %). 14 % of the respondents said they owned Sheep, 13% Cattle, 14 % camels while 2% owned Donkeys. The other respondents (56%) indicated that they mainly rely on business to meet their livelihood needs. The findings showed that only 11% relied on other activities and these were mainly among those residing adjacent to the refugee camps. The study shows that the VMGs are rapidly diversifying from the involvement in pastoralism to engaging in small scale trading. The close scrutiny showed that the trade mainly involved pastoral products such as livestock, Nyil nyil (Special meat), milk and firewood among others. The main trading partners are mainly the refugees and the few local people that have settled in the trading centres. Observations made during the field visits showed that in virtually all the areas close to the water points such as Nyanya, Umbrella I and II, Mathegesi (Maalim Mohammed Mega Dam), Dertu, the VMGs had made desperate attempts to venture into horticultural farming. With support from FAO and other development actors, group farms aimed at protecting and restoring food security in the locality had been initiated. However, lack of support in extension service and the ravaging impacts of drought have led to their failure. In Dertu village, the greatest challenge is that of saline water which cannot support plant life. Lack of equipment and storage facilities to provide sufficient water for small scale irrigation was cited as a major hindrance in all the other villages. The following photographs illustrate the potential of the VMGs in various villages within the refugee host community and the challenges that the proposed WSDP will ameliorate:



Photo 1: A maize plant at a farm near Maalim mega dam at mathegesi village



Photo 2: A good yielding apple plant at a farm near Nyany a water point



 $\label{photo:3:pried} Photo \ 3: \ {\tt Dried \ up \ tomatoes \ due \ to \ the \ current \ high \ levels \ of \ drought}$



Photo 4: S.A Team admires a tomato harvested by women VMGs at mathegesi village



Photo 5: Youth farmer struggles to fix his broken down pump at Maalim mega dam.



Photo 6: Men line up to fetch water at sheldub water point to water their livestock

4.3.6 Local social welfare and cultural institutions

4.3.6.1 Social welfare services

The VMGs indicated that the host community has seen an improvement in the provision of basic welfare services such as health, education and transport services. However sources of energy are a big challenge as there is currently no electric supply from the national grid in the host community. All the VMGs rely on the diesel engines to pump water and these are thoroughly unreliable due to frequent breakdowns and lack of money for fuel. The FGD participants pointed out the need for the installation of solar energy sources to augment them from the serious challenge of high energy costs. Majority of the sampled respondents (94%) indicated that they relied on boreholes as the main source of water for domestic use. On the VMGs experiences with water supply in the locality, 86% indicated that they had encountered problems with water supply. The various challenges included: The water being expensive (71 %), Difficult to access (10%), Long distances to the water points (8%), Unclean (4%) and frequent borehole breakdowns (3%). From the responses, it is evident that the greatest challenge among the VMGs with regard to water provision is affordability. Hence, given that 96% of the households in the locality pay as they fetch, the poorer component is unlikely to enjoy the benefits of water improvement services.

The provision of educational services has seen tremendous population increase among the VMGs and according to the respondents, the main reason for settling down in villages, especially those in close proximity to Dadaab town and the refugee camps is to accord their children an opportunity for uninterrupted school attendance. The survey findings showed that 95% of the sampled households reported that their children attend school. Of the 5% that indicated non – attendance, half of the household cited lack of school fees as the main reason for being out of school. The study indicated that there are mainly three types of schools in the locality. In the host community 80% of the school going children goes to Public schools, while those attending madrasa and private academies constituted 17% and 3% respectively. Hence, with high prevalence for public schools in the locality, there is need for concerted efforts to support the strengthening of the existing institutions. The WSDP programme should therefore incorporate CSR component that target the sector. In the KII at Dertu, study participants indicated that although the local secondary school had been elevated to a higher status and was now admitting

bright students from all regions in the country, with some coming from as far as Laikipia, the saline water in the locality has become a persistent problem in maintaining its enrolment.

The health facilities are mainly supported by the government. However, those living close to the refugee camps are allowed to access medical services in the camps' facilities. The greatest challenges are among those residing further away from Dadaab town and its environs. The study respondents informed the study team that the greatest challenges to the provision of health services in the locality were: Lack of medical staff and medicines and water supply to the facilities. Although 94 % of the sample respondents in the survey indicated that no family member had suffered from water borne disease in the last 12 months, qualitative investigations point to anecdotal evidence of water borne diseases among the VMGs. The most common illnesses included: Diarrhea and stomach pains. The study respondents at Dertu Village narrated episodes of frequent still births among women and high blood pressure and related illnesses among local residents. This brings to light the dangers posed by the long term effects of saline water among the VMGs as these are known to expose concerned individuals to cardio vascular diseases.

On sanitation, the study respondents indicated that 66% of the sampled households disposed the human waste in the open field and bushes, while the rest (34%) used pit latrines. In the sampled areas visited, pit latrines put up with the support of the refugee support agencies are visible but the coverage is still very low.

4.3.6.2 Cultural resources and materials

The World Bank OP 4.11 on physical cultural resources defines cultural resource as movable or immovable objects, sites, structures, groups and natural features and landscapes that have archaeological, paleontological, historical, architectural, religious aesthetic or other cultural significance. The cultural resources may be located above or below ground or under water.

In the Dadaab refugee camps host community, the identifiable cultural resources are the grave yards and cemeteries. These need to be given due consideration during the siting phase of the water points by working closely with the community members for identification. The community members also registered their concern with the Merti acquiver, which they believe is a major

sourcing of underground water for the region and beyond, hence an important cultural resource for conservation.

4.3.7 Religious elements

The responses from survey data showed that all the sampled respondents were Muslims. This has far reaching implication for water service provision, because water is an essential ingredient for successful religious practice. According to the local Sheikh, water is important for cleansing and purifying and that Muslims must be ritually pure before approaching God in prayer. In Islam, ritual purity (*Tahara*) is required before carrying out religious duties, especially worship (*salat*). According to the KI, Practicing Muslims are obliged to perform *Wudu* before each of the five daily prayers and *Ghusi* after sex and before the Friday prayer. Conventionally therefore, every Mosque is expected to have running water for the purpose.

4.3.8 Gender dynamics, issues and concerns

A gender analysis in the locality showed that the participation of community members in their day to day life is highly gender based. With regard to division of labour, men and boys are tasked with herding livestock. They are also responsible for watering and selling livestock. On the other hand, women and girls cook, fetch water, collect firewood, sell vegetables, weave mats (mikeka) and build dwellings (manyattas). The implication is that women stand at a disadvantaged position with regard to water scarcity and unavailability. This was for instance manifested when the assessment team arrived at the Arinjugur village; it became impossible to convene an FGD for women because all women had travelled far away in search of water as the local water pump had broken down for two weeks.

It was also observed that majority of the people spotted at water points were women, just as was the case at small agricultural farms. In fact, except for one male farmer at Dertu, all the others in the sampled areas were either owned individually or by registered women groups. Women in the locality have mobilized themselves into groups either informally or formally through registration at the social development office. The KII participants pointed out that women had been incorporated into water users (WUA) management committees in compliance with the gender quota requirement but on further probing, it emerged that they were tasked with care taker responsibilities at some of the water kiosks. It, therefore, shows that most women tend not to participate in leadership and decision making. Interestingly, there were several admissions by

male committee members that women had proved to be good financial managers and at times surrendered huge sums of money collected from the water kiosks. Women participants in FGDs observed that there were numerous cases of misappropriation of funds by male officials from kiosks vested in their custody. The main reasons given for this is the demands on men especially those from polygamous marriages, and involvement in miraa chewing tempted them to divert the money from water levies to personal use.

4.3.9 Peace and conflict resolution mechanisms and implications for project

The KII participants pointed out that instances of misunderstanding and open conflict in the host community were traditionally endemic and often led to disruption of social harmony and co-existence among the local clans and sub-clans. However, although there are sporadic eruptions of conflicts brought about by overcrowding at water points, boundary disputes and minor political issues, the area presently enjoys relative calm and peace. The study identified three areas pointed out by the community as recent hotspots. These are: Harmey, Kokar and the Welhar located on the border with Wajir South Sub County.

According to the community members, the relatively long experience with violent conflict has been harnessed to institute a well-structured conflict and peace building mechanism in the community. The framework comprises 15 Members at the county level under the chairmanship of the Garissa County peace committee Chairman. The committees are replicated within the Host community area at the location and sub location levels. At the Location level and sub - location levels respectively, the area peace committees comprises the Chief or Assistant Chief, together with ten members distributed as follows: 3 Women, 7 men comprising 4 elders, 2 Youths and 1 religious leader.

The peace committees have been effective in resolving emerging peace and conflict challenges because their process is consultative. Transgressors are made to pay heavy fines which have been arrived at through a mutual and inclusive process. For instance for any deaths, the concerned will pay One Million and Half a million shillings for a Man or boy and Woman and girl respectively. The peace committee has also invested in an elaborate intelligence network for information sharing throughout the host community. This was demonstrated by the overall peace committee chairman, whom the social assessment team interviewed on the last day of our fieldwork, gave

us the itinerary and all the detailed activities we had been involved in the host community. The greatest shortcoming in this framework is its lack of requisite financial resources to continuously engage in community outreach and awareness efforts. The other challenge is the highly patriarchal nature of the host community. Experience in successful peace building in similar communities has shown that they derive their success from the local power structure, whose membership (elders) is perceived as comprising the senior most community members. The present attempt to incorporate women and youth is likely to water down the legitimacy and consequently jeopardize the effectiveness of the committees.

4.3.10 Community leadership, power structure and communication systems

Traditionally, the sole leadership among the ASAL communities comprises of the clan elders. Today, the community leadership structure at the grassroots in the host community manifest a hybrid regime comprised of the employees of the Ministry of interior and co-ordination of central government, i.e. Chiefs and their Assistants, elected members of county assembly and the traditional clan elders. The role of the clan elders are of paramount importance in the locality because they are the first ones to receive reports of disputes. They then either deal with them at their level according to locally agreed ways or work jointly with the chiefs and their assistants. Issues especially those involving members of different communities beyond areas of their jurisdiction are usually pushed up the chain of command. The political leaders i.e. the MCAs and MP and the County government are involved in the social service and infrastructural development in the host community. They also represent the host community at the regional (County) and national policy making fora.

The women KII participants affirmed the important role played by the umbrella women body i.e. MYWO, which has structures and representation at the ward, sub county and county levels. The youth are also represented at the three levels by elected officials. The sampled youth participants at the FGDs, except those at Kulan village observed that the youth organization is the legitimate channel for reaching out to the youth in the host community.

From the above, it is noteworthy that the host community has special regard for all its leaders and according to a KII, all cadres (indigenous, administrative, political and religious) of the community leadership carry equal mandate and should be sufficiently consulted on community initiatives.

4.3.11 Internal and external trans-border issues

The VMGs are highly mobile. As pastoralists, their movements are unrestricted as they move within one local area (internally) such as Wajir, Isiolo, Tana River and Lamu or countries (externally) such as Somalia and Ethiopia. Review of related literature and respondents in the host community observed that these movements have been a source of conflicts between the host community and their neighbours. Any infrastructural initiatives especially those related to water products and pasture must take cognizance of the impact that this will have in triggering migratory trends within and towards the host community. This, coupled with lack of clear and formal land ownership framework in the host community may result in overcrowding and fresh disputes over territorial boundary claims.

4.3.12 Stakeholder and Institutional analysis

The SA sought to identify key stakeholders and involved in activities and programmes among the VMGs. The table below shows the key stakeholders and the major programmes they undertake in the area:

S/No.	Stakeholder	Major activities and Programmes
1	Ministry of Education	 Management of schools Provision of education at primary and secondary school levels
2	MYWO	 Gender equality and women's empowerment Civic education Women leadership skills provision Income generating activities
3	Garissa County Government	Water trucking servicesHealth services provision
4	National Government	 Administrative services at grassroots level Peace building and conflict management Dissemination and implementation of government policy mainly by chief and assistant chiefs
5	JICA	Drilling of boreholesProvision of water bowsers
6	Red Cross (Kenya)	Medical outreach support
7	WFP	Food assistance
8	ALRMP	Food security improvement

		Sustainable livelihoods
9	PIDAD	Environment
		• Energy
10	FaIDA	Education
		• Environment
		• Water
11	PPRO	Water and Sanitation
		 Environment
		Education
12	UNHCR	Education
		Skills training
		 Communal assets
		• Water
		 Sanitation
		Tree planting
		Security initiatives
13	Religious Institutions	 Worship
	(Mosques)	Cultural services

4.3.13 Grievance Redress Mechanism (GRM)

During the project implementation and operation phase, the procedure to be followed in handling complains derives from both formal and informal indigenous institutions existing within the cultural set up of the VMGs. The VMG grievance redress mechanism which has been elaborated in section (4.2.9) derives its principles from the Quran and has been widely embraced by the community because of its prudent discharge of the mandate. In addition, the formal justice system represented by the courts of law will come in handy for grievance redress for those who opt out of the former.

5. PROCESS OF FREE, PRIOR AND INFORMED CONSULTATION

5.0 Introduction

This section outlines the details of the free, prior and informed consultation with the VMGs carried out during the project preparation with the aim of evaluating the project's potential positive and adverse effects on the VMGs and enhancing broad community support for the WSDP from the representatives of major sections of the community.

5.1 Objectives of the FPIC

The objectives of the free, prior and informed consultation with the Dadaab Refugee Host Community were to:

- a) Fully inform the Dadaab Refugee Host Community about the proposed project
- b) Evaluate in a participatory manner the potential impacts and benefits, and the various perspectives regarding the project.
- c) Accord the VMGs in a fair and culturally appropriate way the opportunity to be engaged and determine how they wish to involved throughout the project cycle.
- d) Solicit and secure the support of the VMGs for the proposed project.
- e) Determine the nature of the local power structure and document the procedures for the entry and access into the community.
- f) Obtain accurate and detailed data on local customs and historical traditions for information to all WSDP and partner agencies and agents.
- g) Determine through careful consultation with the VMGs the preferred representative of the Dadaab Refugee camp Host community in decision making.

In the next section, a clear description on how Free, Prior and informed consultation was conducted is outlined.

5.2 Free, Prior and Informed Consultation with the VMGs

5.2.0 Introduction

This sub – section describes the process of free, prior and informed consultation with the VMGs during the Social assessment study exercise. In the subsequent section, the preferred participatory consultation methods leading to broad community support will be outlined.

5.2.1 Courtesy call and introductory meeting

The assessment team commenced by calling on the office of the Northern Water Services Board for introduction and performing a general courtesy call. Upon deliberation with the CEO on pertinent issues that are of relevance to the scheduled assessment process, the team was permitted to freely hold discussions with the relevant staff in the organization (See summary of proceedings in appendix 1). The team was then issued with an introductory letter, which made it possible for timely dissemination of information about the project and the objectives of the consultations prior to the encounters with the VMGs.

5.2.2 Consultation with National and County Government Authorities.

The assessment team did initial consultations with the national government leaders, specifically the office of the County Commissioner at the county level and the Garissa County Government with the objective of providing them with the information about the proposed project and soliciting their opinions concerning the WSDP. Although the FPIC entails free and voluntary consultations with the VMGs themselves, it was important to start at this level mainly because of these reasons: Firstly, based on the knowledge and wide experience of the assessment team, Kenyan citizens, more so the VMGs embrace the norm that before any change agent makes contact with an individual or a section of the community members, formal authorization or at least approval is sought from the leadership structures from the County level to the village level. Secondly, from the literature review, the assessment team was able to form an opinion that the VMGs have entrusted the guardianship and trusteeship of their lands and development agenda on the county government. This therefore contributed to the promotion of free consultation devoid of any external manipulation, interference and coercion.

The other reason for the initial entry via the county leadership was the need to forestall the eventuality of finding difficulties in conducting public stakeholder consultations in the targeted jurisdictions. As a matter of conventional practice, public stakeholder consultations, commonly referred to as *Barazas* cannot be convened in any locality without prior knowledge of the local leadership, mainly the village elders, assistant chiefs and chiefs. In actual fact, once this information is provided at the County level, it is promptly relayed downwards through established communication channels and the VMGs are able to receive it in a timely manner.

This again enhances effective and speedy delivery of the project information in time for the community members to approve or withhold their consent.

The county government (including national government) officials consulted included: Acting CEC for water and Sanitation, CO - Water and sanitation, Director- Water & Sanitation, SWE, SCWO- Design and planning, Social Development Coordinator – Garissa County, SCA- Dadaab, SCA- Lagdera, D.C.C – Dadaab, Laison Officer – Dadaab, WA – Damajale, ACC- Dertu, DCWO – Dadaab and A.C.C – Jarajira (see Appendix 3 for summary of issues raised). The officers accorded the assessment team valuable support in disseminating the information about the proposed project and the formulation and implementation of logistical details. The SCA-Dadaab and WA- Damajale moved to the host community and provided information on planned exercise prior to the arrival of the assessment team. Similarly, the SCWO- Design and planning, worked jointly with the assessment team in identifying water points which served as population for sampling.

A meeting was also held with the host community political representatives viz Members of the County Assembly (MCAs). The assessment team provided information on the proposed project. The participants were encouraged to submit both oral and written memorandum for consideration if need arose. The MCAs raised issues and pledged to relay the information concerning the project and the planned social assessment to the VMGs. The minutes of the meeting are attached to the report.

5.2.3 Consultation with the Vulnerable and Marginalized Groups

The consultations with the Dadaab Refugee Host community members were held in the project area with the support and active participation of the elders and other components of the local community power structure. The consultations were held at appropriate sites, which were often determined by the concerned participants. Therefore, although the assessment team prepared an itinerary of the areas to be visited, the identification of the group members in the case of the FGD participants was left for the community to freely avail those they felt would represent their views and perceptions. The same case applied for the KII participants. However, it became necessary for the team leader to identify randomly at the scheduled, some subjects for inclusion in further unstructured interviews.

The community members had been informed in advance of the objectives of the meetings, location, the time and the stakeholders to be expected at the event. During the actual consultations, irrespective of the procedure adopted i.e. whether KII, SI, UI or FGD, prayers were conducted, followed by the introduction of team members and community members by the local elder, assistant chief or Chief. The turn was then handed over to the local Sub - County water officer who again introduced the team. The Sociologist then took up the session by informing the participants of the project details, objectives of the social assessment and the procedure to be followed to enhance constructive engagement in line with the expectations of FPIC. In all sessions with the VMGs, a full time interpreter who was part of the social assessment team was at hand to ensure that all the communication is relayed in the language of the VMGs. The consultation took various forms as described below:

5.2.3.1 Sample survey

The sample survey was undertaken to obtain relevant demographic, social and economic data regarding the characteristics of the VMGs. Locally based research assistants were recruited and trained on the content and basic skills on questionnaire administration. The administration of the questionnaire in 145 randomly sampled households took place in twelve villages.

5.2.3.2 Key Informant Interviews

A total of 23 Key informant interviews were conducted by the consultant in Garissa Town, Dadaab town and 10 Villages within the Dadaab refugee host community. The choice of respondents for participation in KII was done consultatively with community members and their leaders to pick respondents knowledgeable in the project processes, culture, traditions and indigenous institutions of the VMGs. The WUA officials, Women, youth, religious and political leaders were also interviewed.

5.2.3.3 Focus Group Discussions

Focus Group discussions were conducted among community elders, women and youth at 9 villages within the Dadaab refugee host community. They aimed at obtaining the views of the members of the groups on project impacts, various stakeholders involved with the groups within the community, their preferred channels of communication, Kinship organization, cultural

resources located within the project area, economic livelihoods, gender issues and their support or opposition to the proposed project activities.

5.2.3.4 Public and stakeholder Consultations

During the PSHC, a session was set aside for community members to raise issues of concern to themselves as individuals or collective ones. They did this in local language, and then it was translated into English or Kiswahili for the understanding of the assessment team members. For the general issues, whose concerns did not border on local circumstances, the assessment team provided answers while those that demanded indigenous technical knowledge were relayed back to the elders. The elders were tasked with floating their suggestions on matters that touched on tradition and culture. Ample time was provided for brainstorming and eventually the community members were required to use acclamation in affirmation or objection.



Photo 7: FPIC: Consulting with local leadership was important. Here sociologist consults with local elder at Kulan



Photo 8: Adequate Explanation: SA Team explains the project details & SA objectives at Mathegesi village



 $\begin{tabular}{ll} Photo 9: The VMGS listen keenly to the SA Team at Mathegesi before embarking on PSHC \end{tabular}$



 $\begin{tabular}{ll} Photo 10 Enough opportunity and adequate time to air views: A local elder raises issues and concerns \end{tabular}$





Photo 13: Women FGD Participants at Kulan The culture of the VMGs require them to stand behind in community gatherings



Photo 14: At Welhar village: Issues & concerns raised by VMGs addressed exhaustively by SA Team.



Photo 15: Separate sessions for VMGS categories. An FGD Session in progress at Alinjugur village



Photo 16: The youth were engaged separately. Here an FGD in progress at Kulan village



Photo 17: The Sociologist in an FGD session with women VMGs at Kulan. Translation was necessary for understanding



 $\boldsymbol{Photo~18:}~ \textbf{Women follow keenly at an FGD session}$



Photo 19: Women talk freely on issues affecting them when engaged separately and confidentially.

5.3 PARTICIPATION AND CONSULTATION APPROACHES

This section elaborates on the culturally appropriate consultation approaches preferred by the VMGs. The strategy for participation is presented in two parts covering the pre-project and project implementation phases. The third part covers the consultation procedures to be adopted during the SA disclosure. Lastly, the section outlines the recommended methods for consultation with VMGs so as to enhance maximum participation in the project cycle.

5.3.1 Strategy for consultation and participation during project preparation phase

Within the Dadaab refugee host community, one of the Kenyan communities that have historically been excluded from socio economic development, there exist further intra community marginalization inclinations. Each of the sub categories within the VMGs will require a distinct consultation approach in order to participate and obtain the project benefits equally. Therefore, the WSDP project components must be designed in such a way that all the community sub groups have an equal voice in the project implementation, management and decision making. The following guidelines should be enlisted to enhance inclusivity of VMGs throughout the project cycle:

- i. It is imperative to deliberate with the community at the outset on how they wish to be engaged.
- ii. Seek to understand and respect local entry protocols when contacting the VMGs. 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.
- iii. Some subgroups among the VMGs that are likely to be exposed to the risk of exclusion should be identified during the initial risks analysis prior to project commencement. An excellent indicator of this is the aspect of affordability of water and sanitation services. For instance, among the sampled respondents in the Dadaab refugee host community, 71% of the respondents cited the high cost of water as their main problem with structured water supply.
- iv. The laid down project rules and procedures should be structured to promote the participation of all sub-groups, especially those at risk of exclusion. This will be attained

- by committing to open and transparent communication and engagement from the initial stages.
- v. Use preferred methodologies of consultation such as mosques, bula meetings, chiefs' barazas, women group gatherings etc.
- vi. Ensure regular monitoring of the performance in engagement and so far as possible, strive for consistency of approach so that relationships can be built and trust maintained.
- vii. The services of a reputable local **liaison officer** with good local knowledge should be enlisted.

5.3.2 Consultation during project implementation

Regular consultation with the VMGs should take place during the project implementation period. The liaison office to be set up immediately the project activities kick off should operate scheduled consultation programmes for the VMGs in line with the following key elements:

- i. Present project designs to VMG representatives, provide regular information on project processes including how VMGs will participate in these.
- ii. Target an informed understanding of project progress by the Dadaab refugee host community and the community leadership through routine engagement.
- iii. Ensure that the consultation is inclusive and captures different categories and the diversity of views within the community.
- iv. Maintain a record of decisions reached with the VMGs including the results of monitoring and evaluation or reviews.
- v. Come up with a mutually agreeable mechanism to resolve grievances and disputes.

5.3.3 Consultation during the Social assessment and disclosure to the VMGs

The contents of the Social assessment will be disclosed nationally at the Sub-County headquarters of the host communities and at the World Bank infoshop to allow the public and interested stakeholders to be informed and provide feedback. Similarly, copies of the document will be displayed strategically in public establishments within Garissa County for wide circulation and public scrutiny.

A disclosure, which will be supported by the Garissa County government, will be held on site in close proximity to the VMGs so as to enhance unlimited accessibility to all vulnerable groups. The procedure will involve:

- Presentation of an executive summary, which will also be translated to the local language for ease of communication by VMGs. A popular version will also be presented.
- Public event dissemination in form of presentations and explanations to the VMGs.
- During the actual consultation event, all concerns brought up will be recorded down and the answers to the questions given.

5.3.4 Culturally appropriate methods for meaningful participation with VMGs

In order to enhance inclusion and effective consultation with the VMGs, it is imperative that the existing communication channels are adopted during the project cycle. This will ensure that the segments of the community that are traditionally underserved such as women, youth, the disabled and other vulnerable groups are fully heard and their interests and aspirations are reflected in all project activities. The various components of the VMGs will be consulted in the following manner:

a) General stakeholder consultation meetings

The meetings will be convened in consultation with the local leaders such as chiefs, Assistant chiefs and local village and clan elders. The purpose and key matters to be discussed should be revealed to the local leaders well in advance so as to be passed on to the VMGs. The convenient venue and time of the meeting will be mutually agreed upon in close consultation with the local leaders. Separate meetings shall be held for men and women. The SA study findings showed that all the respondents were Muslims who regularly attend prayers in the mosque. This can be used as an important forum to disseminate relevant information as well.

b) Meetings for women VMGs

The SA study identified that the role of women as decision makers is very limited even on issues on water and sanitation that directly affect their rights. It was also observed that they stand or sit at the back of gatherings during the mixed stakeholder consultation forums. This means that their voices are unlikely to be captured, unless meetings specifically targeting them are arranged. Separate meetings targeting women are recommended. These can be organized under Maendeleo ya Wanawake Organization (MYWO), existing Women groups or simply meetings targeting women in identifiable clusters of households.

c) Meetings for youth

The male youth indicated their preference to be consulted in meetings involving young people only. This is justifiable given the effects of the gerontocratic authority of elders among pastoralists through the functioning age-class system. Separate meetings should, therefore be held for this component of the VMGs. However, female youth can freely be reached in meetings organized for women.

5.4 Strategy for enhancing broad community support

While there widespread support for the proposed project in all of the project sites that were surveyed, it is imperative for the project to devise ways of continued community support, mainly by providing sufficient information to the VMGs concerning the benefits and disadvantages (if any) of the subprojects. This should be in form of:

- i. Regular dissemination of project information to inform the VMGs regarding the timing of the project activities.
- ii. Further disclosures during the design of the project to further ensure responsiveness and inbuilt of unforeseen situations.
- iii. Adoption of consultative processes in deliberating sensitive aspects of the project such as employment plans, operational issues such as regulations and rules of engagement, tariff determination among others.
- iv. Taking due regard to the influence of village elders, assistant chiefs and chiefs, Leaders of the various segments of the VMGs population such as youth and women leaders as already shown in the preceding section.
- v. Engaging closely with the local political leadership, especially the county government elected leadership.

6. PROJECT IMPACT MONITORING AND EVALUATION FRAMEWORK

6.0 Introduction

This section outlines the contents of the proposed monitoring and evaluation framework for the project to monitor the adverse impacts of the project on VMGs. It includes the objectives, approach and the adverse impacts and proposed mitigation measures.

6.1 Monitoring and Evaluation (M&E) components

The M&E will constitute the verification of attainment of targets regarding the mitigation measures and the provision of anticipated project benefits to the VMGs.

6.2 Objectives of Monitoring& Evaluation

The objectives of the M&E will be to

- a) Track the perception of the VMG towards the project during the implementation phase.
- b) Track the project' compliance with proposed mitigation measures with regard to socio cultural and environmental aspects.
- To determine the impact of the WSDP on the wellbeing of the Dadaab refugee
 Host community

6.3 M&E Approach

Participatory approaches will be adopted in order to accord the VMGs the opportunity to participate to the maximum in project organization. Thus, the VMGs will be involved in the M&E process.

6.4 Potential Adverse Impacts and Mitigation Measures

The potential adverse impacts and proposed mitigation measures are as indicated in the Table below:

S/ No.	Potential Adverse Impact	Proposed mitigation Measure
1	Trigger of new migratory trends and settlement patterns leading to overcrowding	Determination of water point sites jointly with refugee host community and relevant stakeholders to enhance even distribution.
2	Conflict and water sharing disputes	 Negotiation and sensitization programmes for community leaders and VMGs Capacity building for the local peace and conflict resolution committees in conflict prevention

3	Exclusion from participation in paid labour during construction phase of the project	 Special consideration for local participation in paid employment within the project. Sensitization
4	Overreliance on external skills and management capacities leading to ineffective technical maintenance	Develop capacity building programmes for VMGs
5	Loss of cultural resources • Graveyards and cemeteries • Aquifer depletion (Merti)	 Early identification of affected sites Sensitization and community education Negotiation and agreement with the local leadership on cultural rituals for relocation Constant surveillance on recharge ability and involvement of views of VMGs on project viability.
6	Strained capacity for VMGs to tap water resources for livelihood diversification	 Extension services in agricultural and livestock production. Adequate Corporate social responsibility initiatives Provision of affordable micro – credit facilities
7	Non – affordability of metered water	Subsidized water rating for poor households
8	Loss of land, pasture and structures	CompensationRestoration of livelihoods

6.5 Monitoring & Evaluation Plan

The M&E plan will be developed jointly with VMGs during the project design so as to formulate mitigation measures that are culturally compliant to their situation.

6.6 Compliance and completion audits and outcome evaluation

The client (CWSB) will engage an independent auditor to ascertain the project compliance with relevant frameworks including the SA, ESIA and RAP. The evaluation process should be participatory involving the VMGs. in all aspects.

7. CONCLUSIONS AND RECOMMENDATIONS

7.0 Introduction

This section outlines the conclusions of the study and recommendations for project design and implementation, appropriate mitigation measures, capacity building and institutional strengthening among the Dadaab refugee host community. Lastly, the recommendations for participation and FPIC during the project implementation and monitoring and evaluation phases are provided.

7.1 Conclusions

The evidence based evaluation of the extent of broad support by the key stakeholders and the Dadaab refugee host community for the WSDP implementation in the locality point to its immense approval. The project investments have significant prospects to transform the VMGs in the locality. The importance and urgency of water services provision to the community was summed up in the words of a local sage, who in a local narrative equated the delivery of the water services to "a surgeon attending to an arrow which is stuck in the buttocks, while that in the eye awaits a later turn".

However, it is imperative that for all project components the exercise of inclusion, maximum engagement and participation of VMGs be enhanced. It can be deduced that this social assessment has commenced the intermittent consultative decision making process, which the concerned parties ought to commit to execute in a fair, timely and culturally appropriate manner. The feasibility study and the preliminary design of the water supplies consultant should continue with the process of free, prior and informed consultation with the VMGs and incorporate the aspirations and wishes of the Dadaab refugee host community as safeguard measures to address and mitigate vulnerability.

7.2 Recommendations

In order to avoid or minimize adverse impacts, while at the same time ensuring equitable benefits for VMGs a variety of measures will be taken into consideration during the various phases of the project:

a. During the project design phase, the feasibility and needs assessment teams should consider inclusion and participation of the VMGs. Their engagement will inculcate community ownership of the WSDP. This can be in a form a joint preparatory

- survey/reconnaissance visits covering all the mutually agreed upon subprojects in the target host community. The activity will accord the team an opportunity to obtain real time facts on the water supply and sanitation situation, existing infrastructure, target population, hydrogeology issues and concerns among others.
- b. There should be concerted efforts to involve the VMGs in the screening of the activities of all project components for an advance understanding of the nature and enormity of the potential impacts of the projects. The teams together with the relevant county government and VMGs should jointly explore alternatives to avoid, minimize or mitigate the impacts appropriately. This should be informed as much as possible by the prevailing indigenous technical knowledge.
- c. During the feasibility, needs assessment and siting and distribution stages, the VMGs should be involved adequately in determining the scope of the host community. This is important as it will inform the ways of forestalling the occurrence of conflicts for water resources.
- d. The indigenous community based organizations such as PIDAD, FaIDA and PPRO which have been operating in the host community as implementing partners with the UN agencies should be identified and brought on board project processes. Their experiences and interaction with the VMGs will be instrumental in trust building. It will also ensure consistency and curb duplication in service provision to the host community.
- e. The VMGs should be involved and consulted adequately during the key phases of the project cycle specifically tendering, groundbreaking, and hand over processes. This will enhance transparency and cultivate mutual trust among the various stakeholders. There should be special consideration in giving priority to the local competitors and the vulnerable members of society such as the youth, women and special interest groups.
- f. In order to overcome the inconveniences and inefficiencies incurred because of the overreliance on petrol and diesel for pumping water, alternative energy sources should be explored such as installation of solar energy panels for use at water provision points.
- g. The maintenance capacity of WUAs should be given priority so as to fill up the inherent skills gap and promote the competency of the VMGs in water governance. There is need to break the dependency on external skills and expertise which often leaves the VMGs

- desperate on occasion of its lack. The offering of basic technical and machine maintenance skills will come in handy.
- h. Owing to the high illiteracy levels among the VMGs, there is need to design friendly approaches in capacity building initiatives. The use of workshops should be conducted within the community to enable female participants to attend conveniently. The training material should be designed in a manner that takes consideration of the literacy competence of the beneficiaries such as materials in local language. The use of exchange visits so that the members of local WUAs go on to learn from the experiences in other regions.
- The planning of training should bear in mind the gender dynamics in the host community.
 The need to target specific components such as men, women and youth should be given due consideration.
- j. Involvement of women in the decision making of WUAs should be emphasized. With free consultation and consent of VMGs, special consideration should be given to women in handling financial dockets for prudent and accountable financial management.
- k. Owing to the demonstrated desire by the VMGs at livelihood diversification, there is need to consider water service for economic purposes alongside the use for domestic and livestock consumption. The provision of water for farming and other uses should be considered and included in the water design.
- 1. GAWASCO, the only Water service company in Garissa County, mandated under the Water Act, 2002 to make water and sewerage services available and sustainable at present covers only the urban regions/areas. There is need to establish a regional office in Dadaab to serve the refugee host community. This will among others augment the current gap created by the existent of water users associations, which are mostly ineffective in discharging their mandate. The Water service provider will oversee delivery of water supply and sanitation. It will also institute reforms by instituting water tariffs, a metering and billing system and mobile water bowsers.
- m. The WSDP project can contribute to uplifting the standards of living of the VMGs through the incorporation of CSR activities during the project development cycle. This will be in form of assistance to local health facilities, schools, social welfare and agricultural programmes.

- n. The greatest trigger of conflict in the region is water. The consultation with the VMGs revealed that the Dadaab refugee host community, like other communities within the region has an elaborate indigenous peace restoration and conflict resolution framework. This mechanism can be targeted for capacity building to include elements of peace education. These efforts should be recognized within the WSDP components to enhance sustainability
- o. Launch of massive behavior change campaigns on utilization of modern sanitation and hygiene facilities to discourage open defecation in the community.
- p. There is need to institute a consultancy on socio-cultural determinants of sanitary behavior so as to provide a well-informed basis for behavior change campaigns.
- q. Installation of public sanitation facilities to serve markets, schools, dispensaries and other public facilities.

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County profile, Garissa County.

APPENDIX 1

WAJIR TOWN/DADAAB REFUGEE HOST COMMUNITY WATER MASTERPLAN VMG HOUSEHOLD QUESTIONNAIRE

Er	numerator (Name)	Date	Sub-locati	on
Cl	lan Location		Sub-county _	
1.	Water Scheme/Site Name:			
	DEMOGRAPHIC INFORMATION			
	Name of respondent			
3.	Age (years)			
4.	Gender: Male Female			
5.	<u> </u>			
6.	Head of the Household : MH	FH		Other
7.	How many:			
	a) Children (0-14) do you have in			
	b) Other members : 15- 34:			
8.	Religious Affiliation: a) Muslim	_ b) Christian	_ c) Other	
9.	What level of formal education have	•	• .	• • •
	Tertiary Certificate d) Diplor	na e) Degree	f) Masters _	g) PhD
10.	What materials is your MAIN HOU	SE made of? Floo	or:	Walls
		Roof :		
	LIVELIHOODS: OCCUPATION	I, ASSETS AND	INCOME SOU	RCES
11.	What is your main occupation? a) H	· ·	· ·	ner d) Civil servant e)
	Private sector worker f) Other (sp	pecify)		
12.	If you are a herder, how many lives	stock do you own	?	
	Type of Livestock	1	Number	
	Cattle			
	Camels			
	Donkeys			
	Goats			
	Sheep			

13. What are your sources of income and how	w much in KES do you earn per month?
Source of Income	KES per month
Farming/Herding	
Business	
Employment	
Other (specify)	
Total	
14. Household Assets	
Asset	Owned?
Bed	
Chairs	
Tables	
Transistor Radio	
Television Set	
Refrigerator	
Bicycle	
Motor bike	
Three Wheeler	
Motor Vehicle	
Lagrantian Lagrangian	acres
EDUCATION & HEALTH	
16. Do all your children go to school?a) Yes (Go to 18)	b) No
17. Why don't some of your children go to:	
18. Which school(s) do your children go to	
a) Public b) Private academy c) Madra	
19. Does any household member have a per	
a) Yes (Please explain) b) No	-

a) Yes b) No.
WATER AND SANITATION
21. Do you have any problem with water supply
a) Yes b) No (If No Go 18)
22. What are your problems with water supply (Tick as much as relevant)
a) Not clean
b) Expensive
c) Difficult to access
d) Low quality
e) Other (Please state)
23. What is the main source of water for domestic use? a) Shallow well b) bore hole c) Piped to your
home d) Other (specify)
24. Do you pay for your domestic water? a) Yes b) No
25. If yes, how much in KES per month?
26. How do you dispose of human waste? a) Open field and bushes b) Pit latrine c) Other (specify)

20. Did any of the household member(s) suffer from any water borne diseases within the last 12 Months?

APPENDIX II

WAJIR TOWN /DADAAB REFUGEE HOST COMMUNITY WATER MASTER PLAN VMG

Focus Group Discussion Guide for Members of the Community

Demographic profile

- 1. Which community (ies) live in this locality. What specific criterion is employed to identify the members? Probe for ethnicity, clan or geographic boundaries
- 2. How many different (ethnic /clan) groups are there in this village
- 3. What are the cultural differences if any?
- 4. Which languages are spoken in your community?
- 5. What is the main religion in your community? Are there any other religions?
- 6. Has the population of the village increased or decreased in the last 10 years? What reasons led to the former.
- 7. Have there been any migration into the area. Where have migrants come from and why?
- 8. What were the positive/ negative effects of migration?
- 9. Has there been any conflict between residents and migrants?

Economic livelihood

10. What are the major sources of livelihood for the members of this community? Do these activities rely on local or external economy? Do members of the community rely on external remittances

Community cultural resources

- 11. What are some of the most important physical resources located in your locality?
 - *Probe for religious, archaeological and sacred sites; Landscapes, graves etc.*
 - -How will they affect the proposed project?
 - -How will the proposed project affect the cultural resources?
 - What measures can be instituted to avoid the above?

Community power structure and appropriate consultation approaches

- 12. Are there any groups, organizations, associations and cooperatives in the village? *Probe for existence of youth, women and men's clubs*
- 13. Other than the above, are there any influential people, groups or representatives of interest groups in the village? *Probe to obtain local names*
- 14. If an individual wishes to freely consult the people in this community?
 - Who could he approach first?
 - How will he approach him/her?
 - What will be the ideal medium of exchange for this purpose?
 - Where will he /she be consulted from?

- What gender aspects should be borne in mind?
- What religious considerations should be observed?

Social cohesion, level of social integration and conflict resolution mechanisms

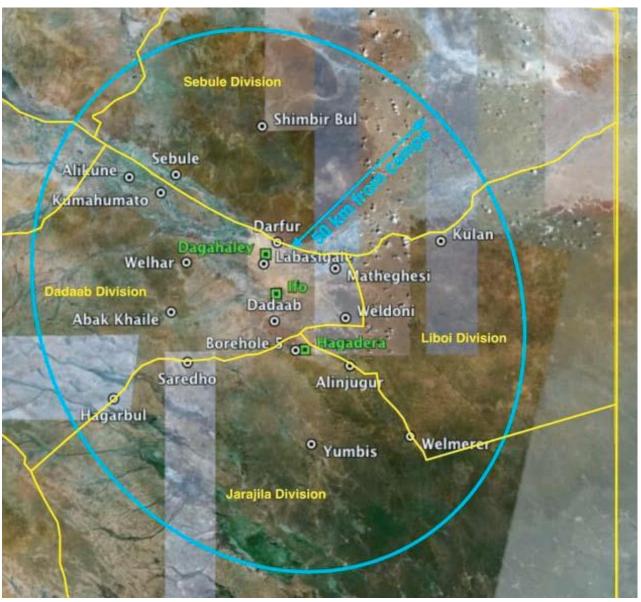
- 15. Has there been any conflict in your village over the following issues? If yes, what were the causes and how were these disputes solved.
 - Natural resources e.g. water, land
 - Employment opportunities
 - Issues related to cultural, religious differences
 - Others
- 16. Do you think you/ the community will have good relationships with the people who might come for working purposes in the project? What circumstances may determine the outcome.

Potential impacts of the project and stakeholders (Community members) Perceptions

- 17. What do you consider as the benefits of the project?
 - To the various categories of community members e.g Youth, Women, elderly and to any other special and vulnerable populations
 - -What do you consider as the negative social effects and your suggestions for Corrective action.
 - -To what degree are you in support of the proposed project?

APPENDIX III

Figure 2: Map of project area showing the relative location of the refugee camps and the Dadaab refugee Camps host community



Key

White = host community villages,

Green = camps,

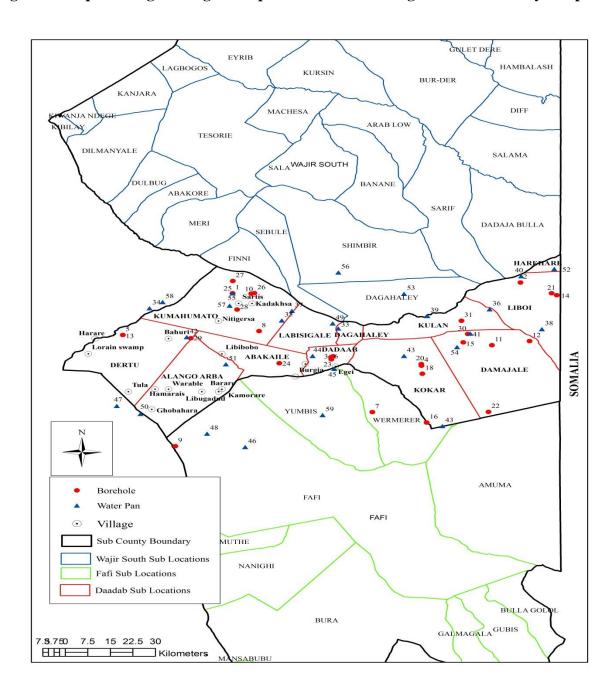
Yellow = Divisional boundaries,

Straight yellow = International border

Source: Enghoff et.al, 2010

APPENDIX IV (a): MAP SHOWING EXISTING WATER POINTS IN DADAAB REFUGEE HOST COMMUNITY COMPLEX

Figure 3: Map showing existing water points in Dadaab refugee host community complex



Source: Directorate of water & Sanitation, Garissa County Government

APPENDIX IV (b): NAMES OF EXISTING WATERPOINTS

- 1. Hagarbul
- 2. Liboi
- 3. Bulla Sudi
- 4. Banana Kokar
- 5. Labisigale
- 6. Dadaab
- 7. Mathagesi
- 8. Morothila
- 9. Boransis
- 10. Libahlow
- 11. Damajale
- 12. Hamey
- 13. Bahuri
- 14. Deg Elema
- 15. Kiwanja Yaley
- 16. Kadagso
- 17. Godliye Farm
- 18. Sheldub
- 19. Ali Qarsade
- 20. Kokar
- 21. Kulan
- 22. Bulla Nyanya
- 23. Dadaab
- 24. Saretho
- 25. Hagarbul B/H 2
- 26. Kumahumato
- 27. Alikune
- 28. Dertu
- 29. Dertu
- 30. Maleyle I
- 31. Maleyle II
- 32. Deg Elema
- 33. Damajale
- 34. Orah
- 35. Welhar
- 36. Wellburo
- 37. Lander
- 38. Deg Adey
- 39. Kadagso

- 40. Almagan
- 41. Alyeey
- 42. Ahmed Qalow
- 43. Maleyle II
- 44. Guba Qibir
- 45. Egge
- 46. Wel- har
- 47. Bahuri
- 48. Ali Qarsade
- 49. Dagahley
- 50. Dertu
- 51. Gurow
- 52. Harhar
- 53. Haluka
- 54. Qot Qot
- 55. Hagarbul
- 56. Fafi Kalala
- 57. Alikune
- 58. Dertu
- 59. Dagahaley

APPENDIX V: INTRODUCTORY LETTER



NORTHERN WATER SERVICES BOARD

Tel: 046-2103598 Fax: 046-2103197 E-mail: info@nwsb.go.ke www.nwsb.go.ke

Maji House Kismayu Road P. O. Box 495-70100, Garissa

Ref: No. NWSB/WASSIP-2/96Vol.I/(14)

Date: 28th October, 2016

RE: INTRODUCTORY LETTER

Zamconsult Consulting Engineering Ltd. has been contracted by World Bankto conduct a SOCIAL ASSESSMENT OF VMGPs FOR THE WATER AND SANITATION IMPROVEMENT PROJECTS FOR DADAAB REFUGEE CAMP HOST COMMUNITIES, GARISSA COUNTY.

The experts will be on ground to conduct the tasks between 24/10/2016 to 14/11/2016 to gather views of key stakeholders as well as members of the communities.

Kindly offer them any assistance that they may require for successful accomplishments of the exercise.

Yours sincerely,

Abdikadir N. Osman, HSC CHIEF EXECUTIVE OFFICER

(C) SGS

NWSB is ISO 9001:2008 Certified

APPENDIX VI: ATTENDANCE LISTS

	PROJECT Water and	Santation Service	Improvement)	Project Dadab	Refugee Can	up Host Communities
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		8/10/16.				
lo.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
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-	Rashid K. Siyat	scholbes plan	G C WATER	CARRYSSA	0716446881	00
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Wassipii DADAAB REFUGEE CAMP HOST COMMUNITIES PROJECT NYANYA VENUE DATE

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	MALI MOHAMUR	ADEN	MILLA GER	TANYA	YANTA	070427759	A
	I CHILINGS		VILLAGER	TANYA	TANTA	0704233961	
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3	SHEKIDA Bashir	nohamed	Village	Mary	Neary	0) 29 90 8457	Tus
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)	Honda Gasan	Noon	Villadie	Nyany	Nyang	0701898536	THE
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	Halino Molymed	Saga	Village	Neary	Mans	OALL	ilm
?	Mading Guliat	gsman	village	Ny Cury	Nyany	0729519141	At
}	Maryan Bashir	Husen	VIllage	NI Tany	Nyang	0701892115	The
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PROJECT

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Wassip ii - DADAAB REFRIGE CAMP HOST COMMUNITIES

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No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	CICNATURE
1	ABOIHAKIM DEKOW BORLE	CHANGE YOUTH LEADER		Kylan		SIGNATURE
2	YUSSUF MULTUMED SHEIKH	TOUTH MONEY	Kway	Kulan	0791954334	-
3	AFTIN HUSGEN MOHAMOUD	memse	Idula-	Kula	0725362563	Lower
ł	ABDIANLY ABBITALYANI	nomiser	Kula	Kyla	0725725973	AHOWAS
	DOTTING SCHENKH MUTHOURD	Member	Kula-	Kub-	6729029600	Kul
	ABOI ANKIN ABON HOUSE	nemser	Kula-	Kyle_	0726971463	
	ABBRY BILE HOW	member	Kulan	Kulan	0791954248	110
	RASIM BURD KANTIN	nems	Kylan		67/8836539	110
)	MOHAMED ISMAIL NOOR	ne mer	Kulan	1 Lula	0729217817	
0	ABDIKHEIR ABOW ABDIEGOR.	menser	- Kulan	Kuler	0706286226	
1	ABDIRIASIR ABDIRDOR BAKE	nomber	Kylan	Kilan	0722154028	Mund
2	MOHAMED MARES SPIAN	nember	Kulan	Kula -	0720892552	
3	RIYAG ABDI RURIYE	nomber	Kular	Kulon		
4	ABDIRISME ALL ABOI	mentre	1xular	Kulan	07/2803087	
5	MUHURD YUSSUF MOHOMUD	menter		Kulan	07260/9967	
6	KALTUMA SUBOW DOON		Kulau	(4)94	0717915153	MYHAMEO
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9	KALTUMA SUBON Adon	member	Boholes Boholes		072162589	
0	ADEY MUTUMED IBRATION	member	Bananey	Boholess	0713149889-	
1	ISTINO ALI CIARANE	Member		Bananey	0720131462	Auto Bee
2	HARIED ABDULLANT DUBON	Member	Baneney	Bananey	071134562	Dec
3	NUMBON YUSSUF		Bangnen	Bananey	0707101312	
4	Amina Madim Forest	Member	Dadgas	durigado	0701209002	H
5	Zeanab Misdaf Shrevet	Members	Dayseels	Dadaab	070560751	-
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PROJECT

Wassip 2 - DADAAB RETYGET CAMP HOST COMMUNITIES

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No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	CICNIMILE
1	ABSTRASHED MOTTANESS OLAT		WECKER	The state of the s		SIGNATURE
2	HARRAN BUTHOL	1		LABORIGALE	0717364083	Ablows
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PROJECT

Wassip 2 - FOODADAAG REFYGEE CAMP HOST COMMUNITIES

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No.	NAME			DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
2	MOHAMED	NONBUN	KASIM	VILLA GER	MADAHGI SI	MADAHGUSI	THOME NO.	SIGNATURE
3	ADEN	1BRPHIM	KHEKE	VILLA GER	MADAHOUSI	IVIADANCH SI		
1	ALI	MASSAN	TUSSUF	VILLA GED	MADAH GICI			
2	4	OMAR	SIGHLE	VILLAGER	MADAHOUS			
	MOHMMED		SALAI	VILLA CIER	MADAH GICI			
7	ALI	DUBOW	SAUAL	VILLA GIER	MADAHGISI			
3	MUHUMON	ABDI	BRANN	VILLA GER	MADAH GISI			
)	MBD:1	AMBRAHM	Mounted	VILLA GGR	MADAHGISI			
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1	HASSAN	Mutrimos	20Hos	VILLA GIER	MADAHGISI			
2	BILOW	SHAT	BUTUL	VILLA GER	MADAH GISI		0725409128	
.3	ABDI	GEN	TAK	VILLAGER	MADAY CAISI			
4	MOHAMED	FARAH .	LA MOMBO	VILLA GER VILLA GER	MADAHQUSI			
5	SIYAT	PIGALE	ABIDI	VILLA GER	MADAH CILSI			
6	HABIBA	MOHAMUD	ABDI	VILLAGER	MADAN GIST	-		
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WASSIP 2 DADAAB REFYGEE CAMP HOST COMMUNITIES

VENUE DATE BOREHOLES & ALINJUGUR

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	GEGEL CONTRACT
L	TARAH ABSULLAH KIDIYE		PORCHILES		PHONE NO.	SIGNATURE
2	ADEN NOTUENE MULTAS		CONT HICE >	BOREHOLE 5		
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PROJECT	WASSIP 2 - DADAAB REFLIGGE CAMPS HOST COMMUNITIES
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.3	BISHARU HARET ADEN					
4	ALI IDLE MOHAMUD					
5	ARDUILBUTI BROW MULTINETIN					
6	DEK KORANE 7/TH	,				
7	HIRE ISMAIL HEID					
8	HASAN BILLOW KHALIF					
9	ARDI ARDILE MALONE					
0.0	1 Bhalton AMRET ADEN					
1	GINIA NADE MAAIM					
2	DEKA MOHAMEN DAIM					
3	OMAR ADEN DRIVE					
24	MOHAMED GUDE SHEIKHOW					
5	BILLOW MOHAMED FARMY.					

PROJECT

Wassip 2 - DADAAB REFIGGE CAMPS HOST COMMUNITIES

VENUE

DATE

No.	NAME	DESIGNATION	VILLAGE	LOCATION	PHONE NO.	SIGNATURE
2	Cini Abdi Maalin		Kulan	Kulan	0711990737	
3	Fatuma mondadato		KULGA	KULAA	- MITOTST	=
	Babia Bare Ryon Bukia Ada Abdi		Kulan	Kuhan	6716607078	Pa
5	RUKIA ADMU Abdi		Kulan	KULG	1	2
)	Milga Forah Brahim		KVLan	KULON	0720503302	Aca
,	KCIOIJO HEWI Garage		KYLAN	1xvLan	0/20303302	Kal
_	Hobiya Abdı Aden		Kulan	KULAN	0790995694	
1	Ayan Abdullati ag 5.		Kulan	KOLON	67230563-37	AN
0	Hallma Hamid Sheik Margan Abdi Tahman Sylobo Amin ALI		Irulan	Kulan	0727356843	110
1	maggan Abdi Jahman		Kulain	KULAA	0766878990	
1	SOLOSO HMIN ALI		Kulan	KULAA	1005 161 10	
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3	Ebla ALI	1-1	1 - 2066	Manuguy		
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7	Mayan Mohamed			Man Jugar		
	Dool Jamac			Alanjuguv		
8	Moramos HUTLE ROVE.		CHIA	Sheldub	1072	
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3	Arbollan Civilys					
24	ENERDY HUSSON HASCAN.					
	TABLAS YOLOW					
8	KASSEM SHEIKH RAG					
17:	KASSE BANE					
28	ABOLKADIN OW AZI	(
29	MASSAN (AROW ABD)					

PROJECT VENUE WASSIP - ERDADARD REFLIGE CAMPS HOST COMMUNITIES
DERTU & ALANGO ARBA

DATE

No. NAME DESIGNATION VILLAGE LOCATION PHONE NO. SIGNATURE Bastin Daliabs Hassan Derko Villager Dertou Halima Dakare Abdi Villager Dertu Dertu Sacdya Hassan Buul Villager Dertu Derhu NIA 4 Halima Ahmed Villager Dertu 0722778108 Fozia 5 Hussein Bulle Dertu 6 7 Dertu 0701229894 Ahmed Villager Dertu Derto Sahan 0734051066 Sirat Abdi Villager 8 Dertu Derty 0734051066 Ati Maglim Manyo Alango arba Mage Aden 0728318927 9 Aden 10 77 0729851087 ac O mar Mahat HILLOW Alango 11 Alango the Hussein Sizet 12 Shuab Sheine Tawakal Alango 13 Alango A moge Hassan hun 14 Amina Dalin 15 Usuba Hassan Alango Vtol 16 Ar fo Muhumed Modi 17 18 19