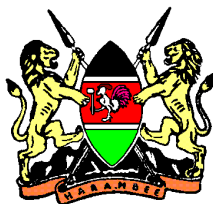


REPUBLIC OF KENYA



MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES DEVELOPMENT

KENYA CLIMATE SMART AGRICULTURE PROJECT

VULNERABLE AND MARGINALIZED GROUPS FRAMEWORK

November 11, 2016

This Vulnerable and Marginalized Groups Framework has been prepared by the State Department of Agriculture under the Ministry of Agriculture, Livestock and Fisheries. The Ministry wishes to thank the many policy and technical officials and staff from the different line ministries who participated in the development of this framework.

Abbreviations and Acronyms

ACHPR	African Commission on the Human and Peoples Rights (ACHPR)
BP	Bank Policy
CDD	Community Driven Development
CDDC	Community Driven Development Committee
CIGs	Community Interest Groups
COE	Council of Elders
CoK	Constitution of Kenya
CPS	Country Partnership Strategy
CSO	Civil society organizations
CRA	Commission on Revenue Allocation
EAs	Environmental Assessments
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FPIC	Free, Prior and Informed Consultation
FS	Feasibility Study
GDP	Gross Domestic Product
GOK	Government of Kenya
GRM	Grievance Redress Mechanism
GRS	Grievance Redress System
ICT	Information and Communication Technologies
IDA	International Development Association
IPO	Indigenous Peoples Organization
KACCAL	Kenya Adaptation to Climate Change in Arid and Semi-arid Lands
KAPSLMP Project	Kenya Agricultural Productivity and Sustainable Land Management
KNCHR	Kenya National Commission on Human Rights
Kshs.	Kenyan Shilling
KFS	Kenya Forest Service
LA	Land Act 2012
LAC	Land Administration Committees
LACT	Land Acquisition Compensation Tribunal
LRA	Land Registration Act 2012
M&E	Monitoring and Evaluation
MDGs	Millennium Development Goals
MEWNR	Ministry of Environment, Water and Natural Resources
MSME	Micro, Small and Medium-scale Enterprises
MoALF	Ministry of Agriculture Livestock and Fisheries
MoE	Ministry of Education
MoPHS	Ministry of Public Health and Sanitation

MOPE	Market-Oriented Producer Enterprise
MoU	Memorandum of Understanding
KCSAP	National Agricultural and Rural Inclusive Growth Project
NCBF	National Capacity Building Framework
NCCAP	National Climate Change Action Plan
NEMA	National Environment Management Authority
NGO	Non-Governmental Organization
NLC	National Land Commission
NLP	National Land Policy
OP	Operational Policy
PAD	Project Appraisal Document
PAP	Project Affected Persons
NPCU	Project Implementation Unit
PDO	Project Development Objective
PIC	Public Information Center
FGM	Participatory Integrated Community Development
PIM	Participatory Impact Monitoring
PIM	Project Implementation Manual
PO	Producer Organizations
PRA	Participatory Rural Appraisal
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RRA	Rapid Rural Appraisal
SA	Social Assessment
SIA	Social Impact Assessment
SLM	Sustainable Land Management
SSE	Small Scale Enterprises
UN	United Nations
UNDRP	Declaration on the Rights of Indigenous Peoples
US\$	United States Dollars
VMG	Vulnerable and Marginalized Groups
VMGF	Vulnerable and Marginalized Groups Framework
VMGOs	Vulnerable and Marginalized Groups Organizations
VMGP	Vulnerable and Marginalized Groups Plan
WKCDD & FMP	Western Kenya Community Driven Development and Flood Mitigation Project
WB	World Bank

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EXECUTIVE SUMMARY

Introduction

- 1) Although poverty rates in Kenya seem to have fallen, formidable challenges at reducing poverty and increasing shared prosperity, in particular in rural areas, remain. Poverty reduction has been driven by solid growth across most sectors of the economy. But improvements in income are not evenly shared amongst people and inequality appears to be rising among regions. According to the World Bank Group Kenya Country Partnership Strategy (CPS 2014-2018), Kenya's poverty rate has been falling—from 47 percent in 2005/06 to about 39 percent based on best estimates in 2012/13. But in the remote, arid, sparsely populated north-eastern parts of the country (Turkana, Mandera, and Wajir), poverty rates are above 80 percent. The scale of consumption poverty in Kenya is staggering, and is concentrated in rural areas. Based on the last national household budget survey, close to half of the population (nearly 17 million Kenyans) was poor in 2005. The vast majority of the poor lived in rural areas and were more likely to depend on income and consumption from crops and livestock, as their main source of livelihood. Revised poverty estimates indicate that in 2013 nearly 4 in 10 Kenyans continue to live in extreme poverty.
- 2) Kenya has a wide spectrum of CSA policies, strategies and plans that would help secure the triple-win. The Vision 2030 recognizes the significance of agriculture to its goal of achieving an average GDP growth rate of 10 percent per year up to the year 2030. This level of growth will be crucial for attaining the SDGs 1 and 2 of ending poverty and hunger, respectively. Kenya's Agricultural Sector Development Strategy (ASDS, 2010–2020) operationalizes the Vision 2030 by focusing on transforming smallholder agriculture from low-productivity subsistence activities to more innovative, agri-business oriented agriculture. Regarding adaptation to climate change, ASDS prioritizes investments in weather information systems, research on drought tolerant crop varieties, soil and water conservation, water harvesting, and strengthening integrated pest management systems. For livestock, it prioritizes improved management of grazing systems, biogas, livestock diversification, and improved breeding of animals.
- 3) The proposed KCSAP will contribute to GoK's Vision 2030 development strategy, launched in 2008. Vision 2030 reiterates the importance of transforming smallholder subsistence agriculture into an innovative, commercially oriented, and modern sector. It identifies the major challenges as low productivity, underutilized land, inefficient markets, and limited value addition. The agricultural sector's response to Vision 2030 was to develop the Agricultural Sector Development Strategy 2010–2020 (ASDS), completed in 2010. The overall target for the ASDS was to attain average agricultural sector growth of 7 percent annually between 2010 and 2015. In line with Vision 2030, the ASDS seeks to address two critical challenges: (i) increasing the productivity, commercialization, and competitiveness of

agricultural commodities; and (ii) developing and managing key factors of production, such as land, water, and rural finance.

- 4) The proposed KCSAP will, therefore, promote sustainable landscape management with coordinated interventions at spatial scales (communities) that attempt to optimize the interactions among a range of land cover types, institutions, and agro-pastoral and pastoral activities. This sustainable landscape management will help: (i) optimize the management of different CSA interventions depending on natural resource (agriculture, livestock, forestry); (ii) take into account the external environment (devolved governance structure, policies, strategic plans, regulations, markets, among others) that might alter the relationship between the stakeholders; and (iii) encourage inclusive stakeholder consultations (common interest groups, vulnerable and marginalized groups, producer organizations, savings and credit societies, service providers, input suppliers, civil society, NGOs, CBOs, and government agencies, among others) to strengthen institutional capacity (at national, county and community levels) and enhance service delivery.
- 5) The project will deliver on CSA's "triple outcomes" through: (i) sustainable increase in productivity and farm incomes (food security); (ii) enhanced resilience to impacts of climate change and variability (adaptation); and (iii) reduced greenhouse gas (GHG) emissions per unit of product, and increased carbon sequestration (mitigation). The utility of CSA then comes in as a way of: (i) explicitly integrating productivity; adaptation; and mitigation planning, implementation and monitoring, which are often done in isolation; and (ii) understanding of expected outcomes of CSA investments on different beneficiaries and locations over time.
- 6) **Project Development Objective (PDO).** The PDO is to **"increase agricultural productivity and build resilience to climate change risks in the targeted smallholder farming and pastoral communities in Kenya, and in the event of an Eligible Crisis or Emergency, to provide immediate and effective response."**
- 7) The proposed program supports Kenya's Vision 2030 whose key element is the development of "an innovative, commercially oriented and modern agriculture, livestock and fisheries sector" in an inclusive way. This is a long-term vision, and would require a series of operations during the next 5 to 15 years.
- 8) **Project Description.** A key premise of the The Kenya Climate Smart Agriculture Project (KCSAP) is the importance of increasing productivity, building resilience to climate risks and reducing Green House Gases (GHGs) emissions. Thus the three technical components of KCSAP are interlinked.
- 9) **Project Components:** The project will comprise 4 components:

Component 1: Upscaling Climate-Smart Agricultural Practices (US\$163.0 million, of which IDA-SUF US\$149.2 million) aims at supporting and incentivizing smallholder farmers to adopt and implement TIMPs that provide triple-wins: increased productivity, stronger resilience and reductions in GHG emissions, as co-benefits. It will have three subcomponents: (i) building institutional capacity and strengthening service delivery; (ii) supporting investments in smallholder agro-pastoral production systems; and (iii) supporting investments in pastoral extensive production systems.

Component 2: Strengthening Climate-Smart Agricultural Research and Seed Systems (US\$60 million, of which IDA-SUF US\$54.0 million) will support building of strong research capacity and seed systems at the national level is critical for achieving the CSA triple-win: increasing productivity, building resilience and reducing GHG emissions per unit of product produced. Strong and sustained support to agricultural research and development (R&D) can have large payoffs as evidenced by R&D's significant contribution to the impressive agricultural growth achieved in Brazil, China and India. More broadly, returns to investment in agricultural research have been high and the benefits will only rise as the losses from climate-induced crop and livestock systems failure increase. Investments in seed and animal breeds research and their market-driven distribution systems will better equip farmers and livestock keepers with timely access to quality, affordable seeds (also for forage crops - grasses, legumes, herbage, fodder trees and regeneration practices) and planting materials; and animal breeds that respond to their specific needs (e.g., higher-yielding, fast maturing, drought resistant, and heat tolerant breeds) and that would help them better manage growing climate change risks. This component will therefore focus on supporting CSA research and innovations to develop and deliver TIMPs to target communities; and build competitive and sustainable seed systems. It will have three subcomponents: (i) supporting CSA research and innovations; (ii) building competitive and sustainable seed systems; and (iii) strengthening technical capacity to coordinate and deliver on research and seed system outputs.

Component 3: Supporting Agro-weather, Market, Climate and Advisory Services (US\$30 million, of which IDA-SUF US\$27 million) This component will finance the development of agro-weather forecasting and dissemination tools, and marketing information system to help farmers address the challenges of climate variability and change; and enhance their resilience. Agro-weather tools will improve long term capacity for adopting CSA TIMPs and sustaining agricultural intensification under the changing climatic conditions. Managing climate variability is fundamental to a long-term strategy for adapting agriculture to climate change in Kenya. Achieving growth among smallholder farmers has always required access to timely, cost-effective, and personally relevant information on improved agricultural practices, markets, prices, inputs, weather—and news of impending disasters. Integrating information on weather and markets into planning for adaptation and sustainable agriculture will entail: (i) use of modern tools for climate data sourcing and analysis, including automatic meteorological

measurements and satellite data products on a near real-time basis; (ii) analysis of weather risks and assessment of impacts using advanced crop–weather interactions modeling; (iii) formulation of highly practical advice that farmers can apply directly to their operations; and (iv) dissemination of weather and market advisories to farmers using modern information and communication technologies. This component will build on infrastructure already provided to KALRO under KAPAP and the Bank-Netherlands Partnership Program (BNPP) funded Agro-weather Tools Pilot Project. It will have three subcomponents: (i) improving agro-meteorological forecasting and monitoring; (ii) developing climate-smart, agro-weather and market information system and advisories using ‘big data’; and (iii) building institutional and technical capacity for agro-meteorological observation, forecasting and market advisory dissemination.

Component 4: Project Coordination and Management (US\$22 million, of which IDA-SUF US\$19.8 million) This component will finance activities related to national and county-level project coordination and management, including annual work planning and budgeting (AWP&B); fiduciary aspects (financial management and procurement); human resource (HR) management; safeguards compliance monitoring; development and implementation of management information system (MIS) and information, communication technology (ICT)-based platforms; monitoring and evaluation (M&E) and impact evaluation (IE) studies; and communication strategy and citizen engagement. In addition, in the event of a national disaster affecting the agricultural sector, the project would respond through this component via a contingency emergency response facility.

Primary Beneficiaries

10) The primary beneficiaries of the project will be rural smallholder and marginal farmers and pastoralists, VMGs¹ and other stakeholders. The smallholder farmers and pastoralists will be organized in common interest groups (CIGs) and Producer Organizations (POs) along the value chains (VC). It is envisaged that KCSAP will be implemented in 24 selected counties with a total of 5 participating wards per each County. A key principle of the project is targeting and inclusion and therefore the Vulnerable and Marginalized Groups Framework (VMGF) will focus on how to ensure that VMGs are aware of the project, involved in decision-making and fully participate through the free prior informed consultation (FPIC) principle leading to broad community support.

Rationale for the use of a Vulnerable and Marginalized Groups Framework

11) This VMGF for the **Kenya Climate Smart Agriculture Project (KCSAP)** has been prepared by the borrower (Government of Kenya) based on the requirements of OP 4.10 of

¹ VMGs are communities targeted by the KCSAP that meet both the World Bank’s criteria for “marginalization” as indicated under OP 4.10 requirements as well as the GoK’s criteria of “vulnerable” and “minority” communities.

the World Bank and the applicable laws and regulations of the Government of Kenya. The OP 4.10 is triggered when it is likely that groups that meet criteria of WB OP 4.10 “are present in, or have collective attachment to, the project area².” The VMGF will guide the preparation of the specific vulnerable and marginalized groups plans (VMGPs) of the KCSAP sub-projects that may affect VMGs in the proposed project counties.

12) WB OP 4.10 ‘contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples. For all projects that are proposed for World Bank financing and that affect Vulnerable and Marginalised Groups (VMGs), the Bank requires the borrower to engage in a process of free, prior, and informed consultation leading to broad community support. The Bank provides project financing only where free, prior, and informed consultation results in broad community support to the project by the affected vulnerable and marginalised groups’. Such Bank-financed projects include measures to:-

- a) Avoid potentially adverse effects on the Indigenous Peoples’ communities; or
- b) When avoidance is not feasible, minimize, mitigate, or compensate for such effects;
- c) Ensure that the vulnerable and marginalized people receive social and economic benefits that are culturally appropriate and gender as well as inter-generationally inclusive; and that the VMGF is based on free, prior and informed consultations with indigenous peoples leading to broad community support³.

13) The objectives of the framework, therefore, are to avoid adverse impacts on vulnerable and marginalised groups, secure broad community support for the project and to provide Vulnerable and Marginalized Groups (VMGs)⁴ with culturally appropriate benefits.

²World Bank, Operational Policy (OP) 4.10 Indigenous Peoples, July 2005.

³ According to the Kenya Country Partnership Strategy (2014-2018) the key gender gaps for agriculture sector are land rights, agricultural productivity as well as women’s access to inputs and agriculture extension. The CPS’s gender focus areas are female education, entrepreneurship and rural women’s groups. However, gender gaps and their prioritization vary in different regions in Kenya but the application of TIMPs along value chains must be appropriate e.g. keeping of local chicken, growing of fruits and vegetables just to mention a few.

⁴ Given particularities with respect to the term *Indigenous Peoples* in Kenya, the 2010 Constitution of Kenya uses the term “vulnerable groups” and “marginalized communities” Since adoption of the Constitution in 2010, the GoK has requested that project instruments related to the implementation of OP 4.10 use the constitutionally-sanctioned terminology. OP 4.10 contemplates that different terminology may be applied in different countries without affecting the application or substance of the policy. It states: “*Indigenous Peoples* may be referred to in different countries by such terms as *indigenous ethnic minorities; aboriginals, hill tribes, minority nationalities, scheduled tribes, or tribal groups.*”

- 14) During project preparation, it has become clear that the sub-project investments under KCSAP might be undertaken in areas where groups that meet the criteria of WB OP 4.10 *Indigenous Peoples are present in or have collective attachment to the project area*. To qualify for funding from the Bank and following best practices documented in the World Bank's policy on Indigenous Peoples (OP 4.10), the Government of Kenya has commissioned the preparation of a Vulnerable and Marginalised Groups Framework (VMGF) to ensure that the development process fully respects the dignity, human rights, economies, and culture of vulnerable and marginalised people and that the KCSAP sub-projects have broad community support from the affected vulnerable and marginalised people.
- 15) *In such cases, and when the Bank's screening indicates that VMGs are likely to be present in, or have collective attachment to, the project area, but their presence or collective attachment cannot be determined until the programs or investments are identified, the borrower (in this case GoK) prepares a Vulnerable and Marginalized Groups Framework (VMGF). The VMGF provides for the screening and review of the proposed sub-projects in a manner consistent with this policy. The KCSAP will integrate the VMGF recommendations into the project design of each sub project based on the community project proposals. The selection of the sub-projects will be guided by the project implementation manual.*
- 16) *A Vulnerable and Marginalised Groups Framework is developed when a proposed project design is not yet finalised so that it is impossible to identify all of the impacts, as is required to prepare a Vulnerable and Marginalised Groups Plan (VMGP). This situation applies to all the related proposed sub-projects under KCSAP. The project will be implemented nationally. At the time of preparation of this VMGF the following issues were outstanding: (a) host sites for sub-projects had not yet been identified; and (b) those vulnerable and marginalised groups whose rights and livelihoods may be affected by the sub-projects had not yet been defined, as the location or alignment of the sub-projects were yet to be decided.*
- 17) *It should be noted that minimal, if any, negative impacts are anticipated as a result of the project. Most of the impacts anticipated will be positive for all communities, including for VMGs. As a result, a key focus of the VMGF and the VMGPs will be to propose pro-active steps for such groups to benefit from the project (citizen engagement, stakeholder analysis, social assessment, gender analysis) through all inclusive participation, effective citizen engagement and use of affirmative strategies where necessary. It is generally envisaged that the Vulnerable and Marginalized communities do not have access to these services in a similar way to other dominant communities in Kenya.*
- 18) The VMGF recognizes the distinct circumstances that expose VMGs to different types of risks and impacts from development projects as social groups with identities that are often distinct from dominant groups in their national societies. VMGs are frequently among the

most marginalized and vulnerable segments of the population. At the same time, this policy, together with the Resettlement Policy Framework (RPF) and Environmental and Social Management Framework (ESMF) already prepared for this KCSAP, recognizes that VMGs should benefit from the TIMPs, value addition, technical assistance and infrastructure investments at the farm, community and county levels which will ensure long-term sustainable management of agricultural and natural resource management.

- 19) This VMGF describes the policy requirements and planning procedures that KCSAP will follow during the preparation and implementation of sub-projects, especially those identified as occurring in areas where VMGs are present. The VMGF outlines the processes and principles of screening to determine if a proposed investment has impacts on vulnerable communities and the preparation of a VMGP, including the social assessment process, consultation and stakeholder engagement, disclosure procedures, communication and grievances redress mechanism (GRM). A detailed VMGP will be prepared for each sub-project once a project location is identified, screening is conducted and a social assessment done to determine if VMGs are present in the project investment area.

Vulnerable and Marginalized groups in the KCSAP Project Area

- 20) Based on the initial assessment at project preparation phase and the screening to be undertaken of the potential sub-projects investment towards increasing productivity and building resilience to climate risks the following WB safeguards policies are triggered:

Table 1: Operational Safeguards triggered for KCSAP

Environmental and Social Safeguards Triggered	YES	NO
OP/BP 4.01 Environmental Assessment	X	
OP/BP 4.04 Natural Habitats	X	
OP/BP 4.36 Forests		X
OP 4.09 Pest Management	X	
OP/BP 4.11 Physical Cultural Resources		X
OP/BP 4.10 Indigenous Peoples	X	
OP/BP 4.12 Involuntary Resettlement	X	
OP/BP 4.37 Safety of Dams		X
OP 7.50 Projects in International Waters		X
OP 7.60 Projects in Disputed Areas		X

- 21) Given the nature of the proposed interventions with specific sub-project designs and locations not known at the time of project preparation, the project will take a framework approach to managing safeguards. There are three framework reports that will need to be developed by GoK.

- a. Environmental and Social Management Framework (ESMF);

- b. Resettlement Policy Framework (RPF); and
- c. Vulnerable and Marginalized Group Framework (VGMF).

- 23) This VMGF is to be used by the MoALF and the implementing agencies and officers at County and community levels in order to ensure that the Vulnerable and Marginalized Groups that meet the criteria established by World Bank Operational Policy OP 4.10 are adequately addressed. The purpose of this VMGF is to ensure that management of issues related to vulnerable and marginalised groups are integrated into the development and operation of proposed investments to be financed under the KCSAP to ensure effective mitigation of potentially adverse impacts while enhancing accruing benefits.
- 24) The VMGF, ESMF and RPF will need to cover the types of activities envisioned, identify potential impacts of these activities and propose a screening mechanism and a process of assessment and design of the mitigation measures for investments once they are identified. The prepared instruments covers the scope and coverage, when they should be applied, implementation arrangements, responsibilities and costs. The VMGF, ESMF and RPF were subjected to a national stakeholder/public consultations' workshop on the September 20, 2016 at Kenya Agriculture and Livestock Research Organization (KALRO) headquarters in Nairobi, Kenya and will be disclosed prior to project appraisal subject to World Bank RSA clearance. During project implementation, based on the screening, ESA/ESIMPs, RAPs and VMGPs will be developed for individual sub-projects and subsequently disclosed appropriately in-country in the MoALF website and World Bank Infoshop.

Vulnerable and Marginalized Groups in the KCSAP

- 24) *Indigenous Peoples (OP 4.10) will be triggered⁵ by proposed investment sub-projects to be implemented under the KCSAP.* The KCSAP targets Counties in which the communities meet the World Bank criteria for indigenous peoples, or have collective attachment to the sub-project areas where component 1, 2 and 3 might be implemented. While the exact sites of the sub-projects remain unknown at this point, a preliminary assessment indicates that the project is likely to be implemented in areas where the following VMGs are present (Table 2).

⁵ See Annex 1 for World Bank Operational Policy (O.P.) 4.10 Indigenous Peoples.

Table 2: Indicative counties with VMGs who may influence the design of sub-projects

Zones	County	VMGs that may be present in the County and could meet OP 4.10
ASAL	Marsabit, Isiolo, Tana River, Garissa, Wajir, Mandera	Rendile, Borana, Somali, Gabra, Malakote, Boni, Waata
Semi-Arid	West Pokot, Baringo, Laikipia, Nyeri, Tharaka Nithi, Lamu, Taita-Taveta, Kajiado	Sengwer, Ogiek, Maasai, Endorois/ Ilchamus, El Molo, Samburu, Ilkonono, Wakifundi, Yaaku
Non ASAL	Bomet, Siaya, Kisumu, Kericho, Busia, Kakamega, Uasin-Gichu, Elgeyo Marakwet, Nyandarua, Machakos	Ogiek, Sengwer

25) In addition to OP 4.10, screening and profiling of marginalized communities and marginal groups will be done in line with the Constitution of Kenya, 2010, section 260, which provides criteria that can be used as a basis for profiling of communities and groups that could possibly be identified as “Marginalized Communities” and “Marginalized Groups”.⁶ *See annex I)*

26) Where the MoALF confirms the existence of VMGs within sub-project operational area, KCSAP will carry out a social assessment and an iterative process of free, prior and informed consultations, for purpose of ascertaining whether the respective VMGs are participating in the sub-projects and leading to broad community support. Where such VMGs exist, KCSAP will proceed to sensitize and support them (Annex 1 and 15). It should be noted that some communities such as *Ogiek, Sengwer, Ilchamus, Boni and Waata, and some specific pastoral communities amongst the Maasai, Yaaku and Samburu* have met the criteria set out in World Bank OP 4.10. In other Bank financed projects, however, site-specific verification is required given the fast pace of urbanization and social-economic change.

⁶ The Constitution states that a marginalized community/groups is one that meet the following criteria: (a) **A community** that are unable to participate in the integrated social economic life of Kenya as a whole due to (i) relatively small population or (ii) any other reasons; (b) **Traditional Community** that has remained outside the integrated social and economic life of Kenya as a whole; (c) **Indigenous community** that has retained a traditional lifestyle and livelihood based on a hunter-gatherer economy; and (d) **Pastoral persons or communities**, whether: (i) **nomadic or** (ii) **a settled community** that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya .

Hence for that reason, the list provided here is indicative. A two-step -process will be applied including (a) screening and (b) field verification.

Types of Sub-project Interventions

27) *While there are different levels and types of CDD projects, community driven development projects can be defined as “projects for which the majority of investment funding is for a large number of small and scattered sub-projects.* Such-sub-projects may be multi-sectoral or may be limited to a single sector, such as agriculture, tend to be homogenous within the sector, with the following characteristics relevant to safeguard issues:

- Overall size – small to medium
- Often aimed at rural development
- Numerous, scattered sub-projects
- Nature and scope of sub-projects not known at the time of appraisal
- Sub-projects selected by a community-driven mechanism
- Implementation governed by an Operational Implementation Manual (OIM) or equivalent
- Monitoring and evaluation (M&E) mechanisms fairly elaborate to capture the quantity and quality of project outcomes.

Other than community based sub projects there will be sub projects which will be inter-community and county governments will play a key role in helping communities identify, implement and sustain through county government work plans and budget after the KCSAP; secondly under component 2 – strengthening climate smart agricultural research and seed systems sub projects will be institutionally led and implemented by the national agricultural research system, and finally, component 3 will be on support to agro-weather , market, climate and advisory services, again institutionally managed.

28) *Identified Project Social Risks:* It should be noted that minimal resettlement is anticipated under this project and is only likely to occur for sub-projects linked to building local *community* infrastructure and assets (e.g. water, transport, off-grid energy? xxxx). The kinds of sub-project activities to be undertaken are anticipated to have minimal adverse social risks and can be sited in such a way as to avoid the physical relocation of people. As a result minimal, if any, physical resettlement is expected under any component of this project.

- 29) Most, if not all, CDD projects fall under category B projects⁷, with site specific, predictable and readily manageable impacts. Given the challenges involved in *managing* environmental and social issues related to Category A projects, it is recommended that CDD projects avoid any type of activities that could lead to a Category A rating. A Category A project is expected to have significant, large-scale irreversible or unpredictable impacts. However, if Category A sub-projects are explicitly excluded from a CDD project, a clear technical justification should be provided to put such sub-projects in the Negative List, such as the lack of capacity by communities to manage significant environment and social risks, high transaction costs to properly manage impacts, etc.
- 30) The exact sub-project sites for the KCSAP are not yet definitively identified. Therefore, at this stage it is neither possible to determine the exact location, demography and impact on assets and/or livelihood of neither the PAPs nor the resettlement related impoverishment risks they might *face*, if any. However, as noted no resettlement is envisaged and the siting of sub-project investments will, as much as possible, take this into consideration. Moreover, the majority of adverse impacts are minimal given the nature of the investments related to CDD projects. The types of sub-projects will be further elaborated during preparation, however the project components that will most likely trigger OP 4.12 and OP 4.10 are: Components 1 and 2.

Vulnerable & Marginalized Groups Requirements

- 31) The World Bank's Operational and Procedural Policies, specifically OP 4.10 requires that the Government of Kenya prepare a VMGF which establishes a mechanism to determine and assess future potential social impacts of KCSAP planned sub-projects under the proposed KCSAP on vulnerable and marginalized groups. Other requirements of the policy are:
- **Consultation and Stakeholder Engagement:** This framework seeks to ensure that VMGs are informed of the impacts, consulted, and mobilized to participate in the relevant sub-projects. The NPCU to be established by MOALF for the oversight and implementation of the project will engage in a wide array of stakeholders at community and county levels, including Non-Governmental Organizations (NGOs) and Cultural Institutions active in the project area to undertake consultations from the very beginning and will continue till end of the project. The project team will undertake prior consultations with any likely impacted VMGs and those who work with and/or are knowledgeable in VMGs development issues and concerns. To facilitate effective

⁷ A Category B project is expected to have site-specific, predictable, and readily manageable impacts; a Category C project is expected to have no adverse material impacts; and a Category FI project involves many components financed through Financial Intermediaries and that can be screened as A, B, or C depending on the nature of the FI portfolio.

participation, the VMGF will follow a timetable to consult VMGs at different stages of the project program cycle, especially during preparation of any civil works program. Also, the NPCU will undertake a social impact analysis (SIA) to gather relevant information on (i) demographic data; (ii) social, cultural and economic situation; and (iii) social, cultural and economic impacts, both positive and negative, on the vulnerable and marginalized groups in the relevant sub-project area.

- Free and Prior Informed Consultation: Projects affecting the vulnerable and marginalized groups, whether adversely or positively, therefore, need to be prepared with care and with the participation of targeted communities. The requirements include social analysis to improve the understanding of the local context and affected communities; a process of free, prior, and informed consultation with the affected vulnerable and marginalized communities to express their views on preferred project design considerations that would lead to broad community support to the project; and development of project-specific measures to avoid adverse impacts and enhance culturally appropriate benefits.

- 32) A grievance redress mechanism (GRM) will be developed for addressing the grievances from the affected VMGs related to sub-project implementation. The procedure for grievance redress will be incorporated in the project information pamphlet to be distributed prior to implementation. Participatory consultation with affected households will be undertaken during project planning and implementation stages.
- 33) The MoALF will establish a mechanism to receive and facilitate resolution of affected VMGs concerns, complaints, and grievances about the project's safeguards performance at each sub-project having VMGs impacts, with assistance from Non-Governmental Organisations (NGO). Under the Grievance Redress Mechanism (GRM), a Grievance Redress Committee (GRC) will be formed for each sub-project with involvement of VMGs representative and local stakeholders. The GRCs are to be formed and during the VMGFs implementation process be wholly involved. The VMGs will be trained and given assistance to document, record and resolve the complaints. The grievance redress mechanisms is designed with the objective of solving disputes at the earliest possible time and at the lowest levels where the VMGs will be operating for quick resolution.
- 34) The community traditional dispute resolution structures existing for each of the VMGs will be used as the first step in resolving grievances. The grievance redress system (GRS) may draw on and be part of that proposed in the Resettlement Policy Framework for the KCSAP project. The grievance mechanisms will include: (a) County Grievance Redress Committees (CGRC), including representatives from the MoALF, county administration representative, sub-county leadership, and two VMGF representatives; and (b) sub-county Grievance Redress Committees (SCGRC) based in each administrative ward where sub-projects are

located and shall be the voice of the project affected persons (PAPs) to include: ward administrator, location chief, assistant chiefs, men and women PAPs, youth and vulnerable groups representatives. The participation of local leaders and PAPs in disseminating information and resolving disputes will be important once VMGP implementation starts. VMG PAP representatives will participate in the sub-project workshops at mid-term and at the end of VMGP implementation. To the extent possible, the VMGP should include social accountability tools to assess the quality of VMGP implementation, and in some cases, assist the VMGP team in tracking expenditures.

- 35) All the grievances will be channeled to the existing structures of the project starting with the CIG, Producer Organization and county levels then to those at a national level, with last recourse being the Kenyan Courts of Law. The VMGF will make the public aware of the GRS through public awareness campaigns.
- 36) Marginalized and vulnerable communities will be provided with a variety of options for communicating issues and concerns, including in writing, orally, by telephone, over the internet or through more informal methods as part of the grievance redress mechanism. In the case of marginalized groups (such as women and youth), a more proactive approach may be needed to ensure that their concerns have been identified and articulated. This will be done, for example, by providing for an independent party to meet periodically with such groups and to act as an intermediary. Where a third party mechanism is part of the procedural approach to handling complaints, one option will be to include women or youth as representatives on the body that deals with grievances. It should be made clear that access to the mechanism is without prejudice to the complainant's right to legal recourse. Prior to the approval of individual VMGPs, the affected VMGs will have been informed of the process for expressing dissatisfaction and seeking redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency. Grievances should be documented.

Disclosure

- 37) This VMGF and sub-project VMGPs will be made available to the affected VMGs in an appropriate form, manner, and language. Before project appraisal, the NPCU will send the Draft VMGF to the Bank for review and approval. Once the Bank accepts the document as providing an adequate basis for project appraisal, the Bank will make them available to the public in accordance with Bank Policy on Disclosure of Information, and the GoK will also make the documents available to the affected communities in the same manner as the earlier draft documents.
- 38) Each sub-project VMGP will be disclosed to the affected VMGs with detailed information of the sub-project. This will be done through public consultation and made available as

brochures, leaflets, or booklets, using local languages. Summary of the VMGP will be made available in hard copies and in a suitable local language at: (i) Offices of the MoALF; (ii) Sub County or County Offices; and (iv) any other local level public offices. Electronic versions of the framework as well as the VMGPs will be placed on the official website of MoALF and the official website of Bank after approval and endorsement of the VMGF and each VMGP by the Bank.

- 39) A national consultative workshop for the ESMF, RPF, and VMGF was organized at the KALRO Headquarters on September 20, 2016 and attended by 56 persons drawn from across the counties, relevant government departments and civil society including representatives of the VMGs/IPOs, smallholder farmers as well as representatives from the pastoral communities (Annex 12). The invited stakeholders included also representatives from national as well as County Governments, several project implementing agencies and other relevant representatives of the development partners/donors. The ESMF, RPF and VMGF for the KCSAP will subsequently be made available at the county, sub-county levels as well as at the sub project or implementing structure levels and will be posted on MoALF's website and disclosed through the Bank's InfoShop before Project Appraisal Mission.
- 40) *Feedback from the consultations was overallly supportive of the project and the participants endorsed the draft VMGF while highlighting areas of enhancement (Annex 11).* With regard to the design, the Participants were expected to comment on the following amongst other issues: (a) channeling of technical assistance and resources directly to communities; (b) the criteria for county selection; (c) the importance of timely dissemination; and the need for clear and appropriate communication channels including the proposed GRM; (d) the CDD approach as well as the TIMPs approach as envisioned *under KCSAP*; (e) *the VMGs and groups that met the criteria for OP 4.10 and the Constitution of Kenya, 2010; and whether the proposed pro-active steps in the framework were adequate in ensuring the VMGs benefit from KCSAP.* The detailed comments from the national stakeholders' consultative workshop and MoALF responses are summarized and annexed (annex 11) as well as the list of participants and institutions (Annex 12).

Capacity Building and Training

- 41) Effective implementation of the VMGF requires that adequate capacity enhancement within institutions and other stakeholders is undertaken, especially in regard to monitoring and evaluation. There is need for capacity building through training to be conducted across the national, county and local project implementation levels with inclusion of the private sector.
- 42) KCSAP will develop and utilize a Farmer Grant Manual (FGM) which will be upgraded to integrate VMGF, RPF, and ESMF and strengthen social inclusion by including relevant tools creating awareness and targeting vulnerable members of the society including minority

ethnic communities and groups (women, youth, person with disabilities and aged citizens within the target community).

- 43) PICD training will be tailored for the various levels to fit within the availability of officers at each level. The National Technical Advisory Committee (NTAC) will undergo a 1 day training clinic –using a reduced version of FGM module; the NPCU will undergo a 2 day training clinic with a slightly elaborated FGM version; CPSC will undergo 1 day training clinic utilizing the version used for the NTAC; the County Project Coordination Units (CPCUs) and Service Providers and any other relevant actor will also undergo a 3 days training; and CTTs (County Technical Teams as well as county technical departments) will undergo a 21 day training spread across the project life cycle to coincide with project implementation schedule.

Monitoring and Evaluation

- 44) The implementation of VMGPs will be monitored. The NPC Unit will establish a monitoring system involving national level staff, the private sector (support organizations), County governments, and VMGs to ensure effective implementation of VMGP. A set of monitoring indicators will be determined during VMGP implementation and will be guided by the indicators contained in table 11. The bulk of the monitoring at the community level will be done by community driven development committees (CDDCs) while the overall monitoring will be done by NPCU with support from consultants. Appropriate monitoring formats will be prepared for monitoring and reporting requirements.
- 45) For any sub-project with significant adverse impacts on VMGs, external experts will be engaged by the MoALF/NPCU to verify monitoring information of the VMGP for such sub-projects. The experts will collect baseline data including qualitative information and analyze the same to assess the impacts of the project on vulnerable and marginalized groups. They will advise on compliance issues and if any significant issues are found, MoALF will prepare a corrective action plan or an update to the approved VMGP. MoALF will follow up on implementing the corrective actions to ensure their effectiveness.
- 46) Several key indicators and topics for monitoring and evaluation of VMGP are (i) process of consultation activities; (ii) appropriateness of affected assets valuation and compensation; (iii) economic status of VMGPs in comparison with pre project condition (iv) status of VMGs as identified in the SA; (v) any disadvantaged conditions to VMGs that were not anticipated during the preparation of VMGPs, that required corrective actions; and (vi) grievance redress issues. The VMGP will collect required data/information and regularly analyze project outputs and impacts considering impact on VMGs, and semi-annually report the results to the World Bank.

Annual Reporting and Performance Review Requirements

- 47) Annual progress reports will be prepared by the NPCU with the support of environmental and social safeguards specialists in the NPCU. These reports will be submitted to the Bank.

Budget

- 48) All costs for implementation of VMGPs will be financed by KCSAP. The costs will be estimated during feasibility based on interviews with VMG members and relevant government officials. This will be updated after the detailed survey and investigation as well as further consultations with VMGs.
- 49) The budget for the implementation of the VMGP will mainly include costs for capacity building for NPCU (national and county), county staff tasked with monitoring environmental and social safeguards, VMG members involved in the approval process of sub-projects to screen for VMGs and prepare VMGPs; consultation/meetings, information dissemination (including translation), NGO/Agency hiring for VMGP implementation & monitoring, service providers, and GRS members amongst others. Once the sub-project has been appraised and finalized in the context of the VMGF, the required budget is to be allocated by the MoALF for proper implementation of the VMGP. The VMGPs budget will also include costs for implementation of VMGPs, such as salaries and travel costs of the relevant MoALF staff. There should be adequate budgetary provisions to implement any VMGP where necessary for the sub-project development.
- 50) **Lessons Learned.** The project builds on lessons-learned and strengths of various existing and on-going operations of the GoK and development partners, including the Bank, especially, the WKCDD/FMP completed 2016; KAPSLMP to conclude by December, 2016; KACCAL to conclude by October 2016 and KAPAP that phased out September, 2016. Good practices will also be drawn from the Accelerating Rural Women's Access to Agricultural Markets (GROOTS-Kenya) project being implemented in Nakuru and Kitui Counties. Overall, project coordination and monitoring would be conducted at the national level at the MoALF. Some of the lessons learnt include: the CDD Service Provider Model which worked well for KAPAP; Beneficiaries ability to administer and account for funds awarded after presentation of feasible community development plans as well as bankable business plans; community-based monitoring instruments and so on.
- 51) However, sub-project level implementation is envisioned to be handled at the County and community level given the CDD focus of the project. While at the national level there is sufficient experience and expertise of handling safeguards related aspects, county, sub-county and local levels entities are not likely to have such capacity. The county level coordination and implementation agencies will be strengthened to provide quality services to the VMG institutions. As the counties were formed relatively recently, there is still a

considerable variation in capacity and resources among the counties including capacity to manage safeguards, which will take a concerted effort to address. The project has made provision for capacity building and training in the safeguards for County and project staff.

1.0 BACKGROUND

1. Agriculture is the mainstay of Kenya's economy and overall contributes 51% of the GDP. The sector employs about 75% of the population and contributes 65% of exports. Land is the main asset in agricultural production but only about 17% of it is of high and medium agricultural potential with adequate reliable rainfall. About 83% of the country is arid and semi- arid and not suitable for rain-fed farming due to low and erratic rainfall.

2. **Extreme weather events, largely droughts and to a lesser extent floods, have been the principal driver behind the volatility in the agricultural sector's performance in Kenya.** The frequency and intensity of severe weather events have increased and this trend will be further amplified in the future as temperatures rise due to climate change⁸. The World Bank's agricultural sector risk assessment (2014) highlighted that recurring drought has profound effects on the agricultural sector, particularly in maize (main staple food) and livestock (in pastoral systems) production. Frequent drought events resulted in precipitous crop losses, livestock deaths, spikes in food prices, increased food insecurity and malnutrition for the poor and led to rural population displacement (temporary migrations).

3. The Government of Kenya (GoK) through the Ministry of Agriculture Livestock and Fisheries and Treasury has requested the World Bank to prepare a project that scales up and integrates successful approaches and lessons from Kenya Agricultural Productivity Programme (KAPP) – Kenya Agricultural Productivity and Agribusiness Project (KAPAP), Kenya Agricultural Productivity and Sustainable Land Management Project (KAPSLMP), Kenya Adaptation to Climate Change in Arid and Semi-Arid Lands (KACCAL); and Western Kenya Community Driven Development and Flood Mitigation Project (WKCDD&FMP) and other initiatives. The vision of the GoK is to support agricultural growth in an inclusive way.

4. **The World Bank 2014-2018 Country Partnership Strategy for Kenya highlighted the need to reduce regional, rural-urban, gender and inter-generational inequities to productive, economic and social assets⁹.** While some social indicators have improved notably, yet inequality is high (Gini of 47.4); there are significant differences in opportunities and outcomes between women and men, for those living in the remote and most underdeveloped regions, and ethnicity remains an important factor in societal development. Kenya holds great potential including from its growing and youthful population; dynamic private sector; a platform for change laid down by the new Constitution; and its pivotal role within East Africa and further afield. To unlock rapid and uninterrupted growth that is sustainable and inclusive, Kenya must

⁸ Producers in mixed crop-livestock systems used to anticipate major droughts once every 10 years, but droughts now arrive every 3–4 years. Similarly, pastoralists—for whom drought is the overwhelming risk—observe that the rains now last 2–3 months rather than 3 full months.

⁹ The World Bank 2014-2018 Country Partnership Strategy

address the key binding constraints of low investment and low firm-level productivity, address persistent poverty and reduce the inequality gaps.

Kenya wants to be a globally competitive and prosperous nation with a high quality of life. “Vision 2030”, a broad-based agenda straddling the current and previous administration, rests on three pillars: economic, social, and political. The economic pillar envisages moving up the value chain in key areas, including agriculture and financial services, to consistently deliver 10 percent annual growth. The social pillar focuses on investing in people, including in education, health, and housing, and with a focus on women, youth, and vulnerable communities. The political pillar seeks to “move to the future as one nation,” including improving the rule of law, transparency, and accountability. The underlying principles of the NAGRIP are consistent with the World Bank CPS and the GoK Vision 2030.

Box 1: Vision 2030, the Government’s Priorities and Medium-Term Strategy

2.0 2.0 PROJECT DESCRIPTION

2.1 Introduction

5. A key premise of the KCSAP is the importance of increasing agricultural productivity, building resilience and reducing Green House Gases (GHGs) emissions. The table below provides indicative activities that will be undertaken.

Table 3: KCSAP indicative activities at sub-project level

	Objective of component	Activities to be undertaken
Component 1	To support and incentivize pastoral and smallholder farming communities to implement Technology, Innovations, and Management Practices (TIMPs) that could generate triple wins: increased productivity, stronger resilience, and reduction in GHG emissions, as co-benefits.	<ul style="list-style-type: none"> (i) Upscaling Climate Smart Agricultural Practices (ii) Building Institutional capacity and strengthening service delivery (iii) Supporting investments for TIMPs implementation
Component 2	To develop and deliver Climate Smart Technologies, Innovations and Management Practices (TIMPS) to farming communities in target Counties.	<ul style="list-style-type: none"> (i) Supporting Climate Smart Agricultural Research and Innovations (ii) Building competitive and sustainable seed systems.
Component 3	To improve farmers’ access to timely and appropriate information for increasing agricultural productivity and resilience.	<ul style="list-style-type: none"> (i) Improving Agro-meteorological weather forecasting and monitoring (ii) Developing integrated climate, agro-weather and market information

		system (iii)Building institutional and technical capacity
Component 4	To supports the national and county level project coordination activities	Finance activities related to: (i) The project coordination, including facilitation of the county level activities; planning, budgeting and management of financial, human resources and procurement (ii) Establishment of a M&E system; communication and citizen engagement mechanisms (iii) Development of contingency emergence response in case of natural disasters impacting the agricultural sector

2.2 Project Area

6. The key principles as discussed as agreed during project preparation to guide the selection of target counties are outlined as follows: (i) regional balance – to ensure equitable sharing of the project benefits across the country; (ii) clustering – to reduce the operations and maintenance costs of project implementation; (iii) security – to guarantee enabling operating environment, supervision and monitoring of project activities; and (iv) data and facts – to ensure that selection is based on available socio-economic data (e.g., production potential, population density, poverty rates, malnutrition levels, and vulnerabilities).

The selection criteria used is as follows: (i) vulnerability to climate change and extreme weather events (ASAL counties are the most adversely impacted by droughts); (ii) volatility in agricultural production and presence of fragile ecosystems (ASALs natural resources are highly degraded); (iii) poverty indices (poverty incidence and poverty rates, whereby ASALs have highest poverty rates); (iv) availability of County Climate Risk Profiles – fifteen are under preparation, of which 11 are in ASALs and the remaining is non-ASAL counties; (v) excluding 21 counties that are under the National Agricultural and Rural Inclusive Growth Project (KCSAPP); and (vi) excluding city counties – Nairobi and Mombasa. On the basis of these criteria the 24 selected counties under KCSAP are provided in Table 1 below.

7. Table 1: Selected 24 KCSAP counties

	Arid Counties		Semi-Arid Counties		Non-ASAL Counties
1	Marsabit	1	West Pokot	1	Busia
2	Isiolo	2	Baringo	2	Siaya

3	Tana River	3	Laikipia	3	Nyandarua
4	Garissa	4	Nyeri	4	Bomet
5	Wajir	5	Tharaka Nithi	5	Kericho
6	Mandera	6	Lamu	6	Kakamega
		7	Taita Taveta	7	Uasin Gishu
		8	Kajiado	8	Elgeyo Marakwet
		9	Machakos	9	Kisumu

2.3 Project Components: The project will comprise of 4 components

8. The proposed project will comprise four components briefly presented below:

Component 1: Upscaling Climate-Smart Agricultural Practices (US\$163.0 million, of which IDA-SUF US\$149.2 million)

9. This component aims at supporting and incentivizing smallholder farmers to adopt and implement TIMPs that provide triple-wins: increased productivity, stronger resilience and reductions in GHG emissions, as co-benefits. It will have three subcomponents: (i) building institutional capacity and strengthening service delivery; (ii) supporting investments in smallholder agro-pastoral production systems; and (iii) supporting investments in pastoral extensive production systems.

Subcomponent 1.1: Building Institutional Capacity and Strengthening Service Delivery (IDA-SUF US\$20 million)

10. Under the devolved government structure counties now play the primary on-the-ground role in delivering agricultural services, including public advisory services, animal health, veterinary services, and disease surveillance and control; while the national government retains the policy-making, regulatory and research roles. But the relatively new county governments have limited technical and financial capacity to deliver on their mandates.

11. Given that Component 1 will be implemented by county governments, there is tremendous need to build their capacity to deliver the agricultural services that will be demanded by smallholder agro-pastoral and pastoral communities. To support community-led development of agricultural sub-projects this sub-component will build institutional capacity at county, ward, and community levels to plan, implement, manage and monitor integrated TIMPs interventions

necessary for scaling up CSA practices in all selected 24 counties. Each county already has a Country Integrated Development Plan (CIDP) which includes the agricultural sector development priorities. The counties would be supported to integrate their CSA Action Plans into existing and the future CIDPs to ensure county ownership and enhance sustainability. CIDPs will set out priorities and strategic plans at the county level, which will guide the prioritization process of integrated TIMPs at ward and community levels.

12. Specifically, this subcomponent will finance project interventions related to: (i) strengthening the capacity for CSA planning and prioritization at county and ward levels; (ii) facilitating county and ward technical departments; (iii) facilitating community institutions; and (iv) payment to advisory service providers.

Subcomponent 1.2: Supporting Investments in Smallholder Agro-pastoral Systems (US\$84.7 million, of which IDA-SUF US\$79.2 million)

13. This subcomponent will finance physical CSA investments in the form of community sub-projects identified through the Participatory Integrated Community Development (PICD) process that help beneficiaries achieve the triple-wins: increased productivity (improving water and soil management, agro-forestry); enhanced resilience (promoting crop diversification and alternative livelihoods, and investing in small-scale farmer-managed irrigation systems); and mitigation (reduced GHG emissions per unit of output and increased carbon sequestration) in the mixed crop-livestock-tree production system (agro-silvo-pastoral system). The subcomponent will finance community CSA investments in 17 counties located in two agro-ecological zones: Semi-Arid Counties (West Pokot, Baringo, Laikipia, Nyeri, Tharaka Nithi, Taita Taveta and Kajiado); and Non-ASAL Counties (Busia, Siaya, Nyandarua, Bomet, Kericho, Kakamega, Uasin Gishu, Elgeyo Marakwet, Machakos and Kisumu).

14. This subcomponent will focus on: (i) improving water and soil management; (ii) promoting livelihoods and crop diversification, including drought-tolerant crops (e.g., legumes - beans, cowpeas, pigeon pea, among others), intensive dairy production and agro-forestry systems; (iii) investing in small-scale irrigation development; and (iv) climate risk mitigation initiatives, including exploring the smallholder adapted crop insurance options.¹⁰

15. This subcomponent promotes sustainable intensification to enhance climate resilience of Kenya's small-scale, rain fed production systems. This will be achieved through myriad, yet mutually-supportive interventions designed to improve yields and reduce losses (pre-and post-harvest) in the near-term, and to mitigate climate change impacts via adaptation over the long-

¹⁰ In partnership with crop insurance companies, CIAT is carrying out research aiming at stimulating private investments in crop insurance schemes adapted to small holders - e.g., looking on willingness to pay and assess the crop losses and farmers investments.

term. Specific interventions will include, inter alia, curbing rainfall run-off, improving soil nutrition and moisture holding capacity, and strengthening fertilizer- and water-use efficiency. This will be achieved via incentivizing farmers to adopt improved water, soil and land resource TIMPs. To promote income diversification, the project will promote take-up of animal husbandry, micro-gardening, agro-forestry and other income generating activities less dependent on rainfall. In more marginal, more variable rainfall zones, greater emphasis will be placed on stimulating farmers' uptake of drought-tolerant crops (e.g., cowpeas, cassava, millet and sorghum).

16. Matching grants will be provided under three windows: (i) Community level investments to CIGs, VMGs and POs organized along the VCs to finance community sub-projects; (ii) Ward level investments to finance sub-project benefiting multiple communities; and (iii) County level investments to finance relatively larger sub-projects covering several wards. The grants will enable smallholder agro-pastoralists adopt TIMPs developed under Component 2. Beneficiaries will be required to contribute at least 10 percent of the cost of their sub-projects. Making direct payments to agro-pastoralists conditional on adoption of climate adaptation and mitigation practices will lead to better CSA outcomes. County and ward level grants will attract a contribution of at least 20 percent of the cost of sub-projects.

Subcomponent 1.3: Supporting Investments in Pastoral Production Systems (US\$58.3 million, of which IDA-SUF is US\$50 million)

17. This subcomponent will support the operationalization of the Northeastern Development Initiative (NEDI) and will cover seven out of the eight NEDI¹¹ counties: Marsabit, Isiolo, Tana River, Garissa, Wajir, Mandera and Lamu. NEDI is a GoK's special program that aims at supporting infrastructure Kisumu and agriculture development, especially the livestock sub-sector in the marginalized counties of northeastern, based on the recently completed needs assessment and investment plan. As part of NEDI, this subcomponent will finance physical CSA investments in the form of community-level sub-projects and county-level (as well as cross-county-level) sub-projects in the pastoral extensive livestock production systems found these arid lands (low potential zones).

18. Livestock production is a key contributor to CSA's three strategic outcomes: (i) **agricultural productivity and food security** - animals contribute directly (through meat and milk output) and indirectly (through fertilization, draft power) to food production and also to income diversification; (ii) **adaptation to climate change** - livestock represents a diversification asset, a coping mechanism for households (risk management tool, that contributes to household

¹¹ Although Turkana is one of the NEDI counties it is not included under KCSAP because it is supported by KCSAPP and RPLRP. One of the county selection criteria was that counties that are under KCSAPP should not be included under KCSAP.

resilience), and a contributor to the management of organic matter in soils (through manure), which improves water retention and drought resistance; and (iii) **mitigation** - there is typically a great potential for reducing GHG emission intensity among low productivity ruminant systems, and carbon sequestration in pastures.¹²

19. This subcomponent will therefore support project interventions aimed at: (a) increasing productivity of livestock (e.g. range management, fodder and pasture production, animal fattening, heat tolerant breeds), animal health (disease surveillance, vaccination, quarantine), herd management and off-take rates; (b) promoting integrated soil fertility and SLM practices based on crop-livestock integration (e.g., manure management,¹³ use of crop residues as feeds)¹⁴ and modern inputs; (c) supporting market access (e.g., stock routes/migratory corridors, watering points, quarantine or holding grounds and animal markets); and (iv) infrastructure for value addition (slaughter houses, abattoirs, milk cooling and primary processing).

20. In these arid lands, ensuring that pastoralists can access feed and water resources at critical times is essential to resilience. Increased pressure on land and water are greatly challenging the traditional arrangements through which pastoralists have managed resources. The project will thus support the development of new management practices and institutional arrangements that can secure pastoralists' access to resources, especially during drought and the dry season.

21. This subcomponent will support: (i) innovative rangeland co-management (between county/ward and local community) approaches that leverage customary forms of collective action and economic instruments to reward sound pasture management; (ii) development of fodder production, storage and marketing; (iii) small-scale fattening operations managed by pastoral communities, to which young animals from mobile herds could be sent for fattening before commercialization; and (iv) sustainable resource use practices, including contour ridges and barriers, cisterns for storing rainfall and runoff water, controlled/rotational grazing, grazing banks, homestead enclosures, residue/forage conservation and other practices ensuring access to feed and water resources during drought.

22. Matching grants will be provided by the project under two windows: (i) Community level investments to CIGs, VMGs and POs to finance community sub-projects; and (ii) County level investments to finance relatively larger landscape and market infrastructure sub-projects

¹² ILRI studying carbon sequestration in pasture through an IFAD project on drylands restoration, as well as USAID funded research on grazing area management.

¹³ ILRI Manure management manual is relevant in this case. Please see www.manurekiosk.org

¹⁴ The use of pastoralists managed tree regeneration, such as land restoration practices, including grazing management and trees for fodder, shade and fuels and in some cases tree fruits will be promoted.

covering several wards and/or cross-county. Beneficiary pastoralists will be required to contribute at least 10 percent of the cost of their sub-projects, while county governments will contribute at least 20 percent of the cost of sub-projects.

Component 2: Strengthening Climate-Smart Agricultural Research and Seed Systems (US\$60 million, of which IDA SUF US\$54.0 million)

23. Building strong research capacity and seed systems at the national level is critical for achieving the CSA triple-win: increasing productivity, building resilience and reducing GHG emissions per unit of product produced. Strong and sustained support to agricultural research and development (R&D) can have large payoffs as evidenced by R&D's significant contribution to the impressive agricultural growth achieved in Brazil, China and India. More broadly, returns to investment in agricultural research have been high and the benefits will only rise as the losses from climate-induced crop and livestock systems failure increase. Investments in seed and animal breeds research and their market-driven distribution systems will better equip farmers and livestock keepers with timely access to quality, affordable seeds (also for forage crops - grasses, legumes, herbage, fodder trees and regeneration practices) and planting materials; and animal breeds that respond to their specific needs (e.g., higher-yielding, fast maturing, drought resistant, and heat tolerant breeds) and that would help them better manage growing climate change risks.

24. This component will therefore focus on supporting CSA research and innovations to develop and deliver TIMPs to target communities; and build competitive and sustainable seed systems. It will have three subcomponents: (i) supporting CSA research and innovations; (ii) building competitive and sustainable seed systems; and (iii) strengthening technical capacity to coordinate and deliver on research and seed system outputs.

Subcomponent 2.1: Supporting Climate-Smart Agricultural Research and Innovations (US\$37 million, of which IDA-SUF US\$34 million)

25. Renewed urgency and commitment at national with support from international research institutions (CGIAR centers) will result in development of improved seeds, planting materials and livestock breeds that are adapted to changing climates to meet rising food demand in Kenya. KCSAP will put significant investment in developing TIMPs and other research aspects necessary to deliver science-based solutions to achieve CSA outcomes.

26. Thus this subcomponent will finance activities aimed at strengthening the capacity of the National Agricultural Research System (NARS) to develop, test and promote context-specific TIMPs that deliver CSA triple-win - increased productivity, enhanced resilience, and reduced GHG emissions per unit of product. Required infrastructure will be enhanced, information and knowledge management systems strengthened, and CSA policy and advocacy improved and reinforced. TIMPs developed and validated under this component will be availed for dissemination and up-scaling in Components 1 and 3. Specifically, this subcomponent will

finance collaborative research programs aimed at developing and promoting TIMPs related to five thematic areas: (i) climate smart crops; (ii) climate smart livestock and aquaculture; (iii) socio-economic research on climate smart agriculture; (iv) land, water and agroforestry; and (v) sustainable bio-energy.

Subcomponent 2.2: Building a Competitive and Sustainable Seed Systems (US\$18 million, of which IDA-SUF US\$15 million)

27. The project will support the crop, livestock and aquaculture breeding programs; and the involvement of private sector and communities in the production and distribution of commercial seed.¹⁵ Kenya has a developed and highly regulated crop seed systems with over 70 registered seed merchants producing over 30,000 tons of seed per annum. But this is only a quarter of the total country's seed needs. The remaining supply mostly comes from recycled seeds. While seed research by KALRO and CIMMYT, among others, have resulted in the release of dozens of improved maize and other varieties (e.g., drought-tolerant, high-yielding, disease-resistant, and short-season) that can help farmers better respond to climate change, adoption among smallholders remains low. Even in ASAL regions that receive less than 500 mm of rainfall per annum, farmers continue to grow maize rather than drought-tolerant crops, such as sorghum and millet. But such areas could benefit more from short duration legumes (beans, cowpea and pigeon pea).

28. KCSAP will work with Kenya Plant Health Inspectorate Services (KEPHIS), Kenya Animal Genetic Resource (KAGRC), Kenya Agricultural and Livestock Research Organization (KALRO) and other stakeholders such as CGIAR centers, Universities, and other NARS members), to finance activities geared towards strengthening and promoting commercially viable seed multiplication and distribution systems. Specifically, this subcomponent will provide financial support to five thematic areas: (i) strengthening seed and inputs retail networks; (ii) strengthening seed production systems; (iii) producing and maintaining early generation seed; (iv) developing and advocating conducive legal framework for seed; and (v) supporting a national Public-Private Dialogue (PPD) platforms on seed.

Subcomponent 2.3: Strengthening Technical Capacity to Coordinate and Deliver on Research and Seed Systems (IDA-SUF US\$5.00 million)

29. This subcomponent will finance costs related to the technical and institutional capacity building of public research institutions. Technical capacity will be strengthened in form of long-term (PhD and MSc) and short-term training in the deficient disciplines, such as animal and pasture breeding, bee science, value addition, economic analysis, social and gender analysis, policy research, statistical analysis, data management, seed science and business development. A

¹⁵ Seed includes dry seed, vegetatively propagated planting materials, fish fingerling and livestock germplasm.

total of 11 PhDs and 20 MSc competitive training opportunities would be provided to KALRO staff. There will also be financial support for re-tooling of scientists and technicians to enhance their skills in a wide range of topics, including value addition, meat science, seed science, product development, GHG emissions measurement from crop, livestock and aquaculture production systems, measurement of carbon sequestration, and scientific writing.

30. This subcomponent will also finance the costs of hiring a few interns in specialized areas to support the existing scientific staff at KARLO. In addition, it will finance the upgrading/refurbishing of infrastructure of selected institutes/centers that are strategically located in ASALs to facilitate the testing, adaptation and delivery of TIMPs. This will include animal experimental structures, refurbishment of seed stores, procurement of small seed processing plants, fish fingerling production structures, laboratory equipment, value addition equipment, motor vehicles and farm machinery.

Component 3: Supporting Agro-weather, Market, Climate and Advisory Services (US\$30 million, of which IDA-SUF US\$27 million)

31. This component will finance the development of agro-weather forecasting and dissemination tools, and marketing information system to help farmers address the challenges of climate variability and change; and enhance their resilience. Agro-weather tools will improve long term capacity for adopting CSA TIMPs and sustaining agricultural intensification under the changing climatic conditions.

32. Managing climate variability is fundamental to a long-term strategy for adapting agriculture to climate change in Kenya. Achieving growth among smallholder farmers has always required access to timely, cost-effective, and personally relevant information on improved agricultural practices, markets, prices, inputs, weather—and news of impending disasters. Integrating information on weather and markets into planning for adaptation and sustainable agriculture will entail: (i) use of modern tools for climate data sourcing and analysis, including automatic meteorological measurements and satellite data products on a near real-time basis; (ii) analysis of weather risks and assessment of impacts using advanced crop–weather interactions modeling; (iii) formulation of highly practical advice that farmers can apply directly to their operations; and (iv) dissemination of weather and market advisories to farmers using modern information and communication technologies.

33. This component will build on infrastructure already provided to KALRO under KAPAP and the Bank-Netherlands Partnership Program (BNPP) funded Agro-weather Tools Pilot Project. It will have three subcomponents: (i) improving agro-meteorological forecasting and monitoring; (ii) developing climate-smart, agro-weather and market information system and advisories using ‘big data’; and (iii) building institutional and technical capacity for agro-meteorological observation, forecasting and market advisory dissemination.

Subcomponent 3.1: Improving Agro-meteorological Forecasting and Monitoring (US\$15 million, of which IDA-SUF US\$13.5 million)

34. One of the main obstacles to effective meteorological forecasting is Kenya's limited agro- meteorological observation network. With more measurement stations, better understanding of weather variability, and enhanced ability to predict shifting weather patterns, Kenya farmers' resilience to climate change would be enhanced with potentially transformative impact on food security. A highly focused approach to investments is required considering the current status of agro-meteorological services. This subcomponent will finance urgently needed interventions to: (i) enhance climate information services; (ii) build core-capacity for observation and forecasting; and (iii) develop the long-term ability to operate and maintain the services. To improve data collection and geographic coverage, this component will finance the upgrading of existing agro- meteorological and hydrological stations. It will also finance the installation of modern, near real time Automated Weather Stations (AWS) in strategic locations.

35. Specifically, this subcomponent will support four key interventions: (i) mapping of existing public and private operated AWS, agro-meteorological, hydrological and rain gauge stations to assess their functionalities for improvement; (ii) establishing agro-meteorological centers in participating counties to improve drought and flood forecasts; (iii) installing new automated agro-weather stations to complement existing infrastructure; and (iv) developing the Early Warning System (EWS) at the Kenya Meteorological Department (KMD).

Subcomponent 3.2: Developing Integrated Weather and Market Information System (US\$5 million, of which IDA-SUF US\$3.5 million)

36. In Kenya, systems that integrate agro-weather and market information are rudimentary. This subcomponent will address this problem by financing activities related to: (a) developing "big data" for CSA; (b) developing Market Information Systems (MIS) and services; and (c) delivering integrated weather and market advisory services using ICT.¹⁶

37. Big data¹⁷ crop-weather analytics will help farmers in making decisions on **what, when, and where** to plant. Support to Big Data for CSA will involve: (i) undertaking situational analysis and developing partnership to support big data for CSA and VC information services; (ii) supporting registration and segmentation of value chain stakeholders for data capture and information use; (iii) collecting agricultural data; (iv) setting-up infrastructure for big-data

¹⁶ ILRI has just begun a project with USAID support to provide a comprehensive market information system that will include forage condition forecasts for pastoral systems.

¹⁷ CGIAR centers have committed to big data - CIAT has been a leader. For example, CIAT is spearheading data collection, organization and sharing for decision-making. CIAT has used big data to help rice farmers in Latin America with site specific recommendations: <https://ccafs.cgiar.org/blog/big-data-big-prospects-crunching-data-farmers-climate-adaptation>.

analytics (e.g. data mining/machine learning algorithms) and a cloud-hosted structured query language (SQL) database; and (v) building capacity of key staff in big data analytics.

38. Access to reliable market information empowers farmers to obtain and negotiate fair market prices for their produce; subsequently improve their income and livelihoods. It also reduces their overall risk and results in greater price stability, and improves overall market transparency. Globally over time, policy makers have relied on market information to formulate policies aimed at addressing issues related to escalating food prices. This subcomponent will strengthen the existing Market Information System, so that it eventually capture: (i) output data – quantities; and wholesale, retail and farm-gate prices for agricultural sector commodities (agriculture, livestock and fisheries); (ii) inputs data – quantities and prices of seed, fertilizers and chemicals; (iii) storage data – capacity of each facility, quantities stored and unit costs; (iv) agricultural insurance services; (v) transport cost and availability; and (vi) match making between producers and buyers. Users will be able to access real-time market information online.

39. Using multiple ICT channel to reach target users will allow bi-directional information exchange - allowing the collection of data from farmers, as well as information delivery to farmers. This subcomponent will finance the dissemination of rapid and geographically targeted agro-weather information using SMS and smart phone applications, and through more conventional radio, television, bulletins and print messages. Interactive Voice Response (IVR) systems that render weather conditions into human speech will also be incorporated.

Subcomponent 3.3: Building Institutional and Technical Capacity (IDA-SUF US\$10 million)

40. This subcomponent will finance the institutional and technical capacity building of the national and county governments to enable them to deliver on their mandates. The main areas for capacity building would include sensitization of stakeholders on CSA concepts and climate change risks; capacity needs assessment; short-term and long-term training; and provision of IT equipment and operations and maintenance budgets.

41. The needs assessment will guide the selection of specialized training courses to be offered to staff to improve their technical capacity in critical areas to bridge the knowledge gap. Thus this subcomponent will finance short-term and long-term local and international training courses. Short-term training courses (including workshops, classroom trainings, demonstrations and backstopping sessions) will be provided on CSA concepts, climate change risks, agro-weather forecast and dissemination, big data analytics, ICT; and tools and methodologies for agricultural production and market data collection, analysis and reporting, among others. Competitive long-term training will be supported for about 10 PhD and 50 Masters Degrees in the areas of climate change science, CSA concepts, agro-weather, crop modeling, research and development (R&D), livestock and aquaculture.

42. This subcomponent will also finance institutional capacity building for key government autonomous agencies and departments such as the Kenya Meteorological Department (KMD) to adjust to the new demands that climate change may be placing on their services, including strengthening the legal and regulatory frameworks, and establishing institutional capacity for business development and Climate Information Services (CIS).

Component 4: Project Coordination and Management (US\$22 million, of which IDA-SUF US\$19.8 million)

43. This component will finance activities related to national and county-level project coordination and management, including annual work planning and budgeting (AWP&B); fiduciary aspects (financial management and procurement); human resource (HR) management; safeguards compliance monitoring; development and implementation of management information system (MIS) and information, communication technology (ICT)-based platforms; monitoring and evaluation (M&E) and impact evaluation (IE) studies; and communication strategy and citizen engagement. In addition, in the event of a national disaster affecting the agricultural sector, the project would respond through this component via a contingency emergency response facility.

Subcomponent 4.1: Project Coordination (US\$15 million, of which IDA-SUF US\$13.5 million)

44. This subcomponent will finance the costs of the national and county-level National Project Coordination Units (National Project Coordination Unit and County National Project Coordination Units), including salaries of the contract staff, and operations and maintenance (O&M) costs, such as office space rental charges, fuel and spare parts of vehicles, office equipment, furniture, and tools, among others. It will also finance the costs of project supervision and oversight provided by the National Project Steering Committee (NPSC), National Technical Advisory Committee (NTAC) and County Project Steering Committees (CPSCs), and any other project administration expenses.

Subcomponent 4.2: Monitoring & Evaluation and Impact Evaluation (US\$5 million, of which IDA-SUF US\$4.3 million)

45. An M&E system will be established to collect and process appropriate information, to verify the output, effects and eventually the impacts of project activities over time. Baseline information for M&E will be collected by project effectiveness. In addition to the routine M&E functions (e.g., data collection, analysis and reporting), it will also finance the baseline, mid-point and end of project impact evaluation of the project; and the development and operation of the ICT-based Climate Smart Agriculture Information System. Where possible, M&E approaches will be harmonized with continental and global efforts (e.g., Global Alliance for CSA

and the Alliance for CSA in Africa) to build robust and harmonized evidence of the impacts of TIMPs supported by the project to achieve CSA triple-win.

Subcomponent 4.3: Contingency Emergency Response (IDA-SUF US\$0 million)

46. This zero cost subcomponent is meant to finance eligible expenditures related to emergency response costs in case of natural disasters affecting the agricultural sector. This contingency facility can be triggered through formal declaration of a national emergency by the government authority; and upon a formal request from GoK to the Bank through the National Treasury (NT). In such cases, funds from an unallocated category or other project components will be reallocated to finance emergency response expenditures to meet agricultural crises and emergency needs. The emergency response would include mitigation, recovery, and reconstruction following natural disasters, such as severe droughts, floods, disease outbreaks, and landslides, among others. It will also finance the training and capacity building for disaster risk management (DRM) at the national and county level; and community-managed disaster risk reduction (CMDRR) interventions. Implementation of this subcomponent will follow the provisions of the DRM Manual to be prepared within six months of project effectiveness.

2.4 Vulnerable and Marginalized groups in the KCSAP Project Area

52) Based on the initial screening to be undertaken of the potential sub-projects investment towards increasing productivity and building resilience to climate risks are likely to trigger the following WB safeguards policies:

Table 4: Operational Safeguards triggered for KCSAP

Environmental and Social Safeguards Triggered	YES	NO
OP/BP 4.01 Environmental Assessment	X	
OP/BP 4.04 Natural Habitats	X	
OP/BP 4.36 Forests		X
OP 4.09 Pest Management	X	
OP/BP 4.11 Physical Cultural Resources		X
OP/BP 4.10 Indigenous Peoples	X	
OP/BP 4.12 Involuntary Resettlement	X	
OP/BP 4.37 Safety of Dams		X
OP 7.50 Projects in International Waters		X
OP 7.60 Projects in Disputed Areas		X

53) Given the nature of the proposed interventions with specific sub-project designs and locations not known at the time of project preparation, the project will take a framework approach to managing safeguards. There are three framework reports that will need to be developed by GoK.

- d. Environmental and Social Management Framework (ESMF);
- e. Resettlement Policy Framework (RPF); and
- f. Vulnerable and Marginalized Group Framework (VGMF).

47. The OP. 4.10 is being triggered for Components 1, 2 and 3 (*see table 1*). Some of the identified counties (Elgeyo Marakwet, West Pokot, Kajiado, Marsabit, and Garissa, among others) have known populations of groups that meet the criteria of OP 4.10. Since the location of the sub-projects are not yet identified, This Vulnerable and Marginalized Framework (VMGF) is being prepared to guide the preparation of plans to mitigate any negative effects and to enhance benefits of the KCSAP sub-projects. The VMGF will be disclosed before project appraisal. It outlines the processes and principles of: (a) screening to determine if a proposed sub-project investment will be undertaken in the vicinity of vulnerable and marginalized communities; and (b) the preparation of a Vulnerable and Marginalized Groups Plan (VMGP), including the social assessment process, consultation and stakeholder engagement, disclosure procedures, communication and grievances redress system. A detailed VMGP will be prepared for each sub-project once the location is identified and screening conducted to determine that Vulnerable and Marginalized Groups (VMGs) are present in the area.

48. This Vulnerable and Marginalized Groups Framework (VMGF) sets out:

- The types of sub-projects likely to be proposed for financing under the project.
- The potential positive and adverse effects of such sub-projects investments on VMGs.
- A plan for carrying out the social assessment for such sub-projects.
- A framework for ensuring free, prior, and informed consultation with the affected VMGs at each stage of project preparation and implementation.
- Institutional arrangements (including capacity building where necessary) for screening project-supported activities, evaluating their effects on VMGs, preparing VMGPs, and addressing any grievances.
- Monitoring and reporting arrangements, including mechanisms and benchmarks appropriate to the project.
- Disclosure arrangements for VMGPs to be prepared under the VMGF.

49. *The VMGF establishes an appropriate gender and inter-generationally inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation and other local civil society organizations (CSOs) identified by the affected Vulnerable and Marginalized Groups. **Free and prior informed consultation of the vulnerable and marginalized communities leading to broad community support will be conducted at each stage of the project, and particularly during project preparation, to fully document their views and ascertain broad community support for the project (Annex 14).***

3. International, Regional and Country Policy and Legal Frameworks on Vulnerable and Marginalized Groups and Communities

Definition and Treatment by the African Commission on Human and Peoples Rights (ACHPR)

50. *The Africa region has also taken important steps to recognize and apply the concept of Indigenous Peoples:* The ACHPR, a sub-body of the African Union, adopted in 2005 the “Report of the African Commission’s Working Group of Experts on Indigenous Populations/Communities¹⁸.” The report recognizes the existence of populations who self-define as Indigenous Peoples, who are distinctly different from other groups within a state, have a special attachment to and use of their traditional land, and who experience subjugation, marginalization, dispossession, exclusion or discrimination because of their cultures, ways of life or modes of production different from those of the dominant society. The ACHPR report concludes that these types of discrimination and marginalization threaten the continuation of Indigenous Peoples’ cultures and ways of life and prevents them from being able to genuinely participate in decisions regarding their own future and forms of development. The report is the ACHPR’s official conceptualization of, and framework for, addressing issues pertaining to VMGs, and as such it is an important instrument for recognizing Indigenous Peoples in Africa, improving their social, cultural, economic and political situation, and for protecting their human rights. The report outlines the following key characteristics, which identify certain social groups as VMGs/IPOs in Africa:

- Their cultures and ways of life differ considerably from the dominant society
- Their cultures are under threat, in some cases to the point of extinction
- The survival of their particular way of life depends on access and rights to their lands and the natural resources thereon
- They suffer from discrimination as they are regarded as less developed and less advanced than other more dominant sectors of society
- They often live in inaccessible regions, often geographically isolated
- They suffer from various forms of marginalization, both politically and socially.

54) *The ACHPR report concludes that these types of discrimination and marginalization threaten the continuation of Indigenous Peoples’ cultures and ways of life and prevents them from being able to genuinely participate in decisions regarding their own future and forms of development.* The report is the ACHPR’s official conceptualization of, and framework for,

¹⁸See ACHPR, *Report of the African Commission’s Working Group of Experts on Indigenous Populations*

addressing issues pertaining to Indigenous Peoples, and as such it is an important instrument for recognizing Indigenous Peoples in Africa, improving their social, cultural, economic and political situation, and for protecting their human rights. In line with the approach of the United Nations¹⁹, the ACHPR emphasizes the principle of self-identification, and stresses that the criteria for identifying Indigenous Peoples in Africa is not mainly a question of aboriginality but of the above factors of structural discrimination and marginalization. The concept should be understood as an avenue for the most marginalized to advocate their cause and not as an attempt to deny any African his/her rights to their African identity.²⁰ The report emphasizes that the African peoples who are applying the concept include mainly hunter-gatherers and pastoralists.

Definition and Treatment by the World Bank's Policy

51. *The World has a set of "Do No Harm" safeguard policies that are meant to protect project affected persons (PAPs) from impacts and actions of Bank financed projects:* Some of the World Bank's development activities have significant impacts on the rights and livelihoods of VMGs, who worldwide constitute the "poorest of the poor and continue to suffer from higher rates of poverty, lower levels of education and a greater incidence of disease and discrimination than other groups" (World Bank 2010). Since the early 1980s the World Bank Group (WBG) has adopted a number of policies, designed to mitigate harm to indigenous peoples in WBG-financed projects (Mackay, 2005). These have been referred to as safeguard policies.

52. *The World Bank Operational Policy/Bank Procedures Indigenous Peoples (OP/BP 4.10).* The operational policy requirement that Bank-financed projects are designed not only to avoid adverse impacts but equally important to recognize that "the distinct identities and cultures of VMGs remained inextricably linked to the lands they inhabited and the natural resources they depended upon to survive". The policy provides processing requirements for VMGs that include: (i) screening, (ii) social assessment, in consultations with communities involved, (iii) preparation of Vulnerable and Marginalized Groups Plans (VMGPs) or Vulnerable and Marginalized Groups Framework (VMGF) and, (iv) Disclosure. It also requires the borrower to seek broad community support of VMGs through a process of free, prior and informed consultation (FPIC) before deciding to develop any project that targets or affects VMGs.

53. *The World Bank, like the UN, has no definition of IP: because of the varied and changing contexts, in which VMGs live, and because there is no universally accepted definition of IP*

¹⁹E.g. the ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples

²⁰See ACHPR, Report of the African Commission's Working Group of Experts on Indigenous Populations/Communities, Banjul & Copenhagen: ACHPR & IWGIA, 2005; and ACHPR, Indigenous Peoples in Africa: the Forgotten Peoples? The African Commission's work on Indigenous Peoples in Africa, Banju 1 & Copenhagen: ACHPR & IWGIA, 2006.

(paragraph 3), **OP 4.10 presents a set of characteristics for identifying VMGs.** For purposes of this policy, the term “Indigenous Peoples” is used in a generic sense to refer to a distinct, vulnerable, social and cultural groupⁱ possessing the following characteristics in varying degrees:

- self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territoriesⁱⁱ
- customary, cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- An indigenous language, often different from the official language of the country or region.

Treatment of VMGs and 2010 Constitution of Kenya Legal and Policy Frameworks

54. *The CoK, 2010, does not specifically use the term IP*, it is nevertheless robust in articles that define vulnerability and marginalization, including issues that VMGs cite as the reasons for their self-identification. It also addresses social exclusion in general. Article 260 of the Constitution defines a “marginalized community” as: (a) a community that, because of its relatively small population or for any other reason, has been unable to fully participate in the integrated social and economic life of Kenya as a whole;(b) a traditional community that, out of a need or desire to preserve its unique culture and identity from assimilation, has remained outside the integrated social and economic life of Kenya as a whole;(c) an indigenous community that has retained and maintained a traditional lifestyle and livelihood based on a hunter or gatherer economy; or (d) pastoral persons and communities, whether they are (i) nomadic; or (ii) a settled community that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole²¹.

55. *Similarly, the CoK, 2010, defines ‘marginalized group’ as:* a group of people who, because of laws or practices, on, or after the effective date, were or are disadvantaged by discrimination on one or more of the grounds in Article 27 (4) which prohibits discrimination on the basis of ethnic or social origin, religion, conscience, belief, culture, dress or language. In addition, article 27(6) calls on the state to undertake, ‘legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination’. This article prohibits both direct and indirect discrimination.

²¹Ditto

56. *Articles 56 and 260 of the Constitution are a clear demonstration of the intentions of the country to deal with the concerns of minority and marginalized groups:* The definition of marginalized communities and groups by the CoK, 2010, and the provisions for affirmative action programmes for minority and marginalized groups are efforts to provide a legal framework for the inclusion of minority and marginalized groups into mainstream development of the country. These articles present the minority and marginalized groups including groups that fit the OP 4.10 criteria as a unique category of certain segments of the Kenyan population that deserve special attention in order to bring them to par with the rest of the country.

57. *The Constitution of Kenya requires the State to address the needs of vulnerable groups, including “minority or marginalized” and “particular ethnic, religious or cultural communities” (Article 21.3):* The Specific provisions of the Constitution include: affirmative action programs and policies for minorities and marginalized groups (Articles 27.6 and 56); rights of “cultural or linguistic” communities to maintain their culture and language (Articles 7, 44.2 and 56); protection of community land, including land that is “lawfully held, managed or used by specific communities as community forests, grazing areas or shrines,” and “ancestral lands and lands traditionally occupied by hunter-gatherer communities” (Article 63); promotion of representation in Parliament of “...(d) ethnic and other minorities; and (e) marginalized communities” (Article 100); and an equalization fund to provide basic services to marginalized areas (Article 204).

Other Legal and Policy Provisions that Facilitate Operationalization of OP 4.10 within Kenya’s Legal Frameworks

58. *Kenya’s legal and regulatory framework has inclusion of several provisions, policies and instruments that if well developed and implemented hold promise for addressing marginalization and inclusion of VMGs. These include:*

- a) *The National Land Policy (NLP):* The NLP was endorsed in 2009²² while the Land Act, Land Registration Act and National Land Commission Act were adopted in May 2012.²³ According to the policy, a Community Land Act is scheduled to be adopted within five years of the enactment of the new Constitution, along with a number of other land related laws and regulations. The NLP includes a key policy principle for restitution of land rights of minority communities as a way of restoration and protection of land rights which were violated by colonial and post-colonial governments (articles 3.6.1.2 and 3.6.6 on restitution and land rights of minority communities respectively). The policy calls on the GoK to secure community land and to “document and map existing forms of communal tenure, whether customary or non-customary, in consultation with the affected

²² Sessional Paper No. 3 of 2009, Ministry of Lands

²³ The Land Act No. 6 of 2012, the Land Registration Act No. 3 of 2012, and the National land Commission Act No. 5 of 2012

groups, and incorporate them into broad principles that will facilitate the orderly evolution of community land law” (article 3.3.1.2, paragraph 66).

- b) *The Forest Act of 2005 and Forest Policy of 2007 both provide some provisions for the customary rights of forest communities and community forestry*: The Forest Act states, that “nothing in this Act shall be deemed to prevent any member of a forest community from using, subject to such conditions as may be prescribed, such forest produce as it has been the custom of that community to take from such forest otherwise than for the purpose of sale” (Article 22), and “...may include activities such as ‘collection of forest produce for community based industries’” (Article 47.2.e) under a license or management agreement. The Act defines a "forest community" as “a group of persons who: (a) have a traditional association with a forest for purposes of livelihood, culture or religion [...] (Article 3). The Forest Policy recognizes the “traditional interests of local communities customarily resident within or around a forest” (paragraph 4.3).
- c) *The National Policy on Culture and Heritage (2009) aims to promote and protect the cultures and cultural diversity among Kenya’s ethnic communities*. This includes the protection of indigenous languages, the expression of cultural traditions, knowledge, and practices, traditional medicines, and community rights.
- d) *Ministry of Education’s Sessional Paper No. 1 of 2005: A Policy Framework for Education, Training and Research - Meeting the Challenges of Education, Training and Research in Kenya in the 21st Century*. This sessional paper establishes that the language of instruction shall be the mother tongue in lower primary school (classes 1-3) in the rural areas, and that a culturally sensitive approach must be used to address the learning needs of different communities – including the VMGs.
- e) *Policy Framework for Nomadic Education in Kenya (COK, 2010)*: Free and mandatory education was introduced in Kenya in 2003. However, the pastoralist areas have continuously recorded a much lower enrollment and completion rates as compared to the rest of the country. The Government of Kenya formally adopted the Nomadic Education Policy in 2010 to boost *education* access to Nomadic communities. The policy contemplates education terms based on seasons rather than calendar terms. The policy considers use of an academic calendar that would be flexible and factor in climatic conditions and patterns of nomadic livelihood. The policy provides for the development of curriculum that would be useful to pastoral lifestyle. The policy further proposes creation of a National Council for Nomadic Education.
- f) *National Policy for the Sustainable Development of Northern Kenya and other Arid Lands*. The policy states that the Government will put in place an institutional and legal framework for the development of Northern Kenya and other arid lands. The policy thus

calls on the government to establish a range of institutions that will provide long-term continuity in Arid and Semi-Arid Land (ASAL) development, including a National Drought Management Authority and National Drought and Disaster Contingency Fund to increase responsiveness to drought, National Council on Nomadic Education, a Northern Kenya Education Trust, a Livestock Marketing Board, and a Northern Kenya Investment Fund.

59. Kenya's 2010 Constitution provides a rich and complex array of civil and political rights, socio-economic rights and collective rights that are of relevance to indigenous communities. While important, constitutional provisions alone are not enough. They require a body of enabling laws, regulations and policies to guide and facilitate their effective implementation. In 2011, Kenya's parliament enacted 22 laws. In the main, these laws are of general application and will have a bearing on the way in which the state exercises power in various sectors, some of them of fundamental importance to indigenous communities.

60. Additionally, the adoption of a law establishing the Environment and Land Court is important for indigenous communities given that the Court will "hear and determine disputes relating to environment and land, including disputes: (a) relating to environmental planning and protection, trade, climate issues, land use planning, title, tenure, boundaries, rates, rents, valuations, mining, minerals and other natural resources; (b) relating to compulsory acquisition of land; (c) relating to land administration and management; (d) relating to public, private and community land and contracts, chooses in action or other instruments granting any enforceable interests in land; and (e) any other dispute relating to environment and land.

61. The new Revenue Allocation Commission, mandated by Article 204 of the Constitution to earmark 0.5% of annual state revenue to the development of marginalized areas, in addition to 15% of national revenue for direct transfer to county governments. In implementing Article 59 of the Constitution, the government has created a) the Human Rights Commission b) the Commission on Administrative Justice and c) the Gender Commission.

KCSAP's **Inclusive Approach**: To promote inclusive and sustainable agricultural and livelihood development, the proposed project interventions are based on the following key guiding principles of: **participation, inclusion, poverty targeting, productivity, resilience, transparency, accountability, value-for-money, and self-help.**

- g) *First*, to address key aspects of rural development that cut across cultural, ecological, and socioeconomic areas²⁴, the project design will use a holistic, *integrated* landscape approach that looks at all resources: natural capital (land, water, and other natural resources), physical capital (infrastructure) and social capital (communities, institutions.)

²⁴ Such as gender, jobs, nutrition, food security, on-farm natural resources management, climate change, and key small-scale infrastructure (roads and markets).

to develop strong horizontal and vertical collaboration with stakeholders to managing competing demands.

- h) *Second*, to effectively identify and address distinct local needs, the project will use a community-led approach that has been successfully providing services to rural populations in Kenya. Participation of the beneficiary *population* and County governments in all stages of the process would be essential for ensuring ownership and sustainability of the investments.
- i) *Third*, the project will adopt a market-driven approach to ensure that *agricultural* development and livelihood promotion are linked to markets thereby contributing to increased economic transformation and improved livelihoods of the target population. **With focused support, a sizeable group of small-holder farmers and other vulnerable groups can be a source of much needed increased productivity and building resilience to climate change risks in the rural areas.** The project will also place a strong emphasis on sustainability.

2.5 Vulnerable and Marginalized Groups in the Project Area

62. The project area is characterized with communities who are likely to fit in the general understanding of the VMGs. Therefore, the project team will undertake prior consultations with any likely impacted VMGs and those who work with and/or are knowledgeable in VMGs development issues and concerns (see Table 2 below). To facilitate effective participation, the VMGF will follow a timetable to consult VMGs at different stages of the project program cycle, especially during preparation of any civil works program. Also, the NPCU will undertake a social impact analysis (SIA) to gather relevant information on (i) demographic data; (ii) social, cultural and economic situation; and (iii) social, cultural and economic impacts, both positive and negative, on the vulnerable and marginalized groups in the relevant sub-project area.

Table 2: VMGs Present in KCSAP Operational Area that could meet the criteria of OP 4.10

Name	Other Names (derogatory)	Estimated Population ²⁵	Livelihood ²⁶	Counties ²⁷
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²⁵ Internet based – several sites

²⁶ Source: ERMIS Africa Ethnographic Survey of Marginalized Groups, 2005-2012

1. Dorobo	Dorobo	???	HG /Farmers	Laikipia, Nyandarua
2. Sengwer	Charangany	50,000	HG/Farmers	Elgeyo-Marakwet, West Pokot
3. Ogiek	Dorobo	40,000	HG/Farmers	Baringo, Elgeyo Marakwet, West Pokot
4. Waata	Wasanye	13,000	HG/Farmers	Lamu, Garissa, Tana- River, Isiolo
5. El Molo		2,900	Fishing	Marsabit
6. Ilchamus		33,000	Fishing/Farmers/ Livestock Keeper	Baringo
7. Endorois	Dorobo	60,000	Fishing/Farmers/ Livestock Keeper	Baringo
8. Rendille		62,000	Pastoralists	Marsabit
9. Samburu			Pastoralists	Laikipia, Isiolo
10. Gabra			Pastoralists	Marsabit
11. Boni			Fishing Pastoralists	Lamu, Garissa
12. Borana			Pastoralists	Marsabit
13. Yaaku			Pastoralists	Laikipia, Isiolo
14. Malakote			Pastoralists	Garissa, Tana-River
15. Maasai		666,000	Pastoralists	Kajiado, Laikipia

2.6 VMG Screening Tools

63. The social analysis to identify the VMGs²⁸ in the project areas draws mostly from data collected from a desk review of recent existing documents in the public domain about VMGs that meet the criteria of OP 4.10. The Social Analysis gathered information on the views of various categories of VMGs on the potential impacts that the implementation of the various components of KCSAP might have on them. Key informant interviews and focused group discussions with a sample of IPOS drawn from around the country. It was also informed by a national workshop held on December 16, 2015 drawing on representatives of key stakeholders and beneficiaries groups, including farmer organizations, IPOs, country officials, CBOS, women

²⁷ Ibid.

²⁸ Maurice Odhiambo Makoloo, (nd); Kenya: Minorities, Indigenous Peoples and Ethnic Diversity; ECOSOC online <http://minorityrights.org/wp-content...downloaded on September 25, 2016;>

farmer groups, pastoralist organizations. The social analysis collected socio-economic and socio-demographic characteristics of VMGs from the 14 target Counties who are potentially hosting the VMGs.

64. The KCSAP targets increasing productivity and building resilience to climate change risks in all the 24 selected Counties of Kenya. During project development, it became apparent that minority, vulnerable and marginalized groups might be found in the project area, necessitating OP 4.10 to be triggered. For this reason, the project will utilize a:

65. VGM Screening Form (Template 6) that will be applied across the proposed project operational area. The screening relies on existing documentation review—including (VMGF/P, field reports, publications), and key informant interviews.

66. Some of the key factors that continue to affect and maintain the marginalization of VMGs communities in Kenya include:

- *Dispossession of ancestral lands including lack of access and/or no control or legal recognition of such land and other natural resources.*
- *A focus on modern agriculture versus preservation of livelihoods of hunter and gatherers and pastoralist groups.*
- *Limited access to education, resulting in inability to compete for employment opportunities.*
- *Unequal development of health care and other social infrastructure and;*
- *Limited access to justice and increased conflict and a deteriorating security situation and recurrent inter-ethnic conflicts.*

67. Preliminary screening will be undertaken to identify marginalized communities and groups whom are present in 14 of the targeted 24 Counties. Their livelihoods cover forest adjacent communities/hunter gatherers currently transitioning to agro-pastoralism, fishing/farming and pastoralists.

Summary Profiles of VMGPs in the Proposed Counties

68. Kenya is home to a number of groups who self-identify as marginalized communities. Some of these are hunter-gatherers with some transitioning to agro-pastoralism, others nomadic or semi-nomadic pastoralists and other artisanal blacksmiths and fishing communities.²⁹ In the absence of updated and reliable statistics, it is difficult to give precise demographic data of the

²⁹See the Report of the UN Special Rapporteur on Indigenous Peoples in Kenya, UN Doc. A/HRC/4/32/Add.3, 26 February 2007; the Report of the African Commission's Working Group of Experts on Indigenous Populations/Communities; Banjul & Copenhagen: ACHPR & IWGIA, 2005; and the website of the International Working Group on Indigenous Affairs (IWGIA) at <http://www.iwgia.org/regions/africa/kenya>.

various groups. Estimations vary greatly and depend on variable personal or institutional judgments of which group is considered as Indigenous Peoples in Kenya. Some experts have put the total population of groups that self-identify as marginalized communities at around 1.5 million people.³⁰

VMGPs whose livelihoods are linked to Forest/Natural Resources/Forest Adjacent Communities

69. The hunter-gatherer groups are generally found in the forested areas of the central Rift Valley province, in the western part of the country: Moving from south to north, these groups include: the Ogiek (approx. 20,000), who live in the Mau Forests; the Sengwer (30,000) of the Cherangany Hills and Kapolet Forest in Trans Nzoia, Marakwet and West Pokot Districts³¹ and the Yaaku (less than 1,000) who live in the Mukogodo forest -west of Mount Kenya, in the Laikipia District. Two more groups are the Waata (a few thousands) who live dispersed in the southern coastal areas of the Coast region, and the Elmolo (a few hundreds) who are a small fishing community living on the shores of the Lake Turkana.

70. These hunter-gatherers are often derogatorily addressed as Torobbo, Dorobo, Ndorobo, or Wandorobo, which are all Swahili terms deriving from "Il Torobbo," the Maa-term for people without cattle, i.e., in the Maasai understanding "poor people." In the coastal areas, hunter-gatherers are mostly addressed by the Somali term "Boni", which refers to someone without any possessions, and/or "Sanye", which means in Somali "to gather together to use for a general purpose". The people themselves, however, usually refer to themselves by their own names.

71. Communities who are found in the proposed counties and who may meet the criteria OP 4.10 on indigenous peoples and the criteria set in the CoK 2010 of "marginalized communities" are:

- Hunter gatherers include the Dorobos, Sengwer, Ogiek, Waata, WaSanye, and El Molo.
- **Agro pastoralists communities** include the Wasanye, Ilchamus Endorois community living adjacent to Lake Baringo and near Lake Baringo, the El Molo,
- **Pastoralists.** Most of Kenya's pastoralists live in the arid Northern Kenya: They include, moving from east to west, the Somali (500,000) along the border to Somalia; the Borana (150,000) the Rendile (20,000), the Gabra (20,000) and the Turkana (250,000 – 350,000). The Samburu (100,000) live in the southern part of

³⁰Kipuri, Naomi. "Kenya and its Indigenous Peoples" (unpublished paper). This number does not include all pastoral groups in Kenya; all pastoral groups make up about 25% of the Kenyan population.

³¹Rodolfo Stavenhagen, 2006, Mission to Kenya UN Doc. A/HRC/4/32/Add.3, 26 February 2007, para. 39

Northern Kenya. Other pastoralists are found in the southern part of the country, along the Rift Valley: the Maasai (155,000), in the southern part in the Narok and Kajiado districts bordering with Tanzania; the Endorois (60,000), near Lake Bogoria; and the Pokot (100,000) in West Pokot district in the central-western part of the country. A small group of Maasai live in Laikipia, in the center of the county, near Dol Dol. In the counties selected for the KCSAP the following pastoralist groups could meet the Op 4.10 criteria: (Rendile, Samburu, Inkumono and Maasai.

A Two Step Process.

Step 1: Primary Screening --

72. The steps to be undertaken for the preparation of VMGP for each sub-project investment will include a screening process, to determine whether VMGs are present in, or have collective attachment to, the project area. This screening will be conducted by a safeguard specialist with relevant social expertise or an external expert within the National Project Coordination Unit. The screening for VMGs should consider the GoK's framework for identification of Vulnerable and Marginalized Groups (VMGs) according to the Constitution of Kenya (CoK) 2010. However, the Bank criteria for identification of VMGs as per OP. 4.10 will be used to make a final determination.

Secondary Screening: Social Assessment:

73. If, based on the screening, it is concluded that VMGs are present in, or have collective attachment to, the project area, a social assessment/analysis will be undertaken by KCSAP, with direct support of the social specialists in the NPCU to evaluate: the scale appropriate for the sub projects', gathering of baseline information on demographic, social, cultural and political characteristics of affected VMGs, the land and territories that the traditionally owned or customarily used or occupied, and naturally resources they depend on; identification of key project stakeholders and elaboration of a culturally appropriate process for consulting with the VMG at each stage of the sub-project preparation and

implementation; assessment of FPI- Consultation with VMG of potential adverse impacts and risks as well as lack of access to opportunities relative to other social groups; and measure to address the adverse impacts and ensure the VMG receive culturally appropriate benefits under KCSAP. The breadth, depth, and type of analysis in the social assessment will be proportional to the nature and scale of the proposed project's potential effects on the VMGs. Whether such effects are positive or adverse, consultation and participation are required as part of the preparation of the VMGPs which will include engaging in free, prior and informed consultation with the VMGs.

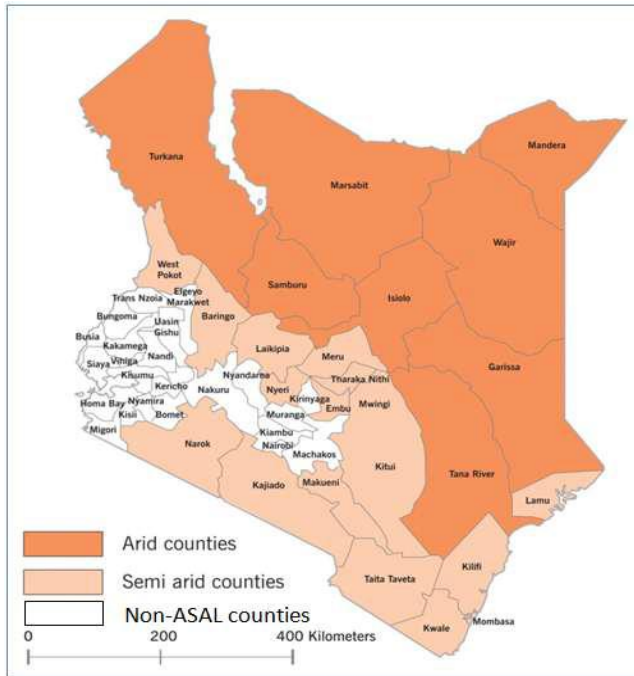


Fig 1: KCSAP project operational areas

74. Preparation of a specific sub-project VMGPs will be done in accordance with the requirements of OP 4.10: utilizing (i) summary information from the social assessment; (ii) results of FPI-Consultation; including (iii) FPI-Consultation framework to be used, (iv) action plan of measures to ensure VMG receive social and economic benefit that are culturally appropriate and measures for enhancing the capacity of MoALF, (v) action plan to address adverse impacts, (vi) a grievance redress mechanism; and (vii) monitoring and evaluation and reporting mechanisms and benchmark. The VMP preparation process will be guided by the FGM process for purposes of ensuring free prior and informed consultation. Each VMGP will be submitted to the Bank for review before the respective investment is considered eligible for Bank financing under the broader project framework. **Annex 6** section of this report outlines the contents of a VMGP.

75. The need for VMGPs will depend on (a) the presence of VMGs and (b) the nature and scale of the sub-project impact groups that meet the OP 4.10 criteria. The VMGPs will capture the nature and scale of the sub-project impact and vulnerability of VMGs, including (i) adverse impacts on customary rights of use and access to land and natural resources; (ii) negative effects on the socioeconomic and cultural integrity; (iii) effects on health, education, livelihood, access to the project benefits, and social security status; and (iv) other impacts that may alter or undermine indigenous knowledge and customary institutions. It will also identify ways in which to bring benefits of the project to VMG communities if technically feasible. The social

assessment will identify requirements for preparing a VMGP and/or incorporation of VMGP elements in other project design documents such as resettlement plan.

76. The VMGPs will set out the measures whereby the NPCU will consult with VMGs and ensure that (i) affected VMGs receives culturally appropriate social and economic benefits; and (ii) when potential adverse impacts on VMGs are identified, these will be avoided to the maximum extent possible. Where this avoidance is proven to be impossible, VMGP will outline measures to minimize, mitigate, and compensate for the adverse impacts.

77. The level of detail and comprehensiveness of VMGP will vary depending on the specific sub-project and the nature of impacts to be addressed. If the impacts are limited to acquisition of customary land, the elements of VMGP will be combined into the RAP. If VMGs are the sole or overwhelming majority of the sub-project beneficiaries, the elements of the VMGP could be integrated into the sub-project design or documents such as community development program to ensure that all VMGs participate in and receive culturally appropriate benefits from the sub-project.

2.7 Proposed project and sub-projects

78. The KCSAP present a wide range of sub-project that could target and benefit the VMG within the project operational area. The sub-projects include: (i) Support and incentivize pastoral and smallholder farming communities to implement Technology, Innovations, and Management Practices (TIMPs); (ii) Support Climate-Smart Agriculture Research, innovations and Seed Systems;(iii) Support access and use of Climate, Agro-weather, Market Information and Advisory Services. For VMGs to benefit from potential sub-projects, they will need strengthening of VMG level institutions through mobilization, awareness creation of the Participatory Integrated Community Development (PICD) process through which priority interventions will be identified; support to identify and develop value chain; fiduciary (i.e., community financial and procurement management); contracting of service providers to offer technical and extension advisory services, sub-projects planning and implementation support, local value addition, and strategies for VMGs forming Common Interest Groups (CIGs) and Producer Organization (POs).

79. The identification of VMG members will be guided by the following criteria: land ownership, asset ownership/perceived value, meals per day, number of dependents, female/child headed households, and advanced age. Among others as well as criteria as spelled out in the OP 4:12.

80. The specific selection of sub-projects for each VMG will be determined by numerous factors some of which will include: available local resources, state of infrastructure, literacy level, agro-ecological settings, and priority county value chain among others.

Table 2: Potential Projects and Sub-projects and respective Stakeholders

sub-projects	Stakeholders
<i>Component 1: Upscaling Climate-Smart Agricultural Practices</i>	
<i>Subcomponent 1.1: Building Institutional Capacity and Strengthening Service Delivery</i>	<i>Actors</i>
<ul style="list-style-type: none"> i. Community mobilisation ii. Awareness creation iii. Development of and training on standardized training modules iv. Contracting competitively selected services providers v. Provision of oversight and quality assurance role of extension services by county technical departments 	<ul style="list-style-type: none"> • CIG • VMG • PO • Advisory Service Providers (SP) • CDDC³² • County Technical Departments (CTDs)³³
<i>Subcomponent 1.2: Supporting Investments in Smallholder Agro-pastoral Systems</i>	
<ul style="list-style-type: none"> i. To identify priority investments through participatory approaches ii. Undertake a capacity needs assessment (CNA) iii. Capacity building of small-holder farmers iv. Here 	<ul style="list-style-type: none"> • County Coordination Unit (CCU) • County Project Steering Committee (CPSC) • CTD • SP

³² Community Driven Development Committee

³³ Includes County Departments responsible for Agriculture, Livestock, Fisheries, Environmental and Natural Resources, Cooperative, Youth, and Women Affairs

	<ul style="list-style-type: none"> • CIG • VMG
<p>i. <i>Market-oriented livelihood interventions</i> Marketing and agribusiness</p> <ul style="list-style-type: none"> - Value addition to crop product - Value addition to livestock products - Other products (<i>packaging honey; fish processing; canning fruits</i>) <ul style="list-style-type: none"> ○ Handicraft ○ Aquaculture ○ Beekeeping ○ Animal food formulation 	<ul style="list-style-type: none"> • CIG • VMG • SP
<p>ii. <i>Targeted support to Vulnerable and Marginalized Groups</i></p> <ul style="list-style-type: none"> - Criteria for identification: <ul style="list-style-type: none"> ○ Land ownership ○ Asset ownership/perceived value ○ Meals per day ○ Number per day ○ Number of dependants ○ Female or child headed households ○ Advanced age 	<ul style="list-style-type: none"> • VMG • PO
<p>iii. <i>Nutrition mainstreaming</i></p> <ul style="list-style-type: none"> - Consumption pathways: <i>home and school-based gardening (Healthy Gardens)</i> – <ul style="list-style-type: none"> ○ Traditional nutrient dense crops (<i>fruits and</i> 	<ul style="list-style-type: none"> • Women groups • Primary Schools • Secondary schools

<p><i>vegetables)</i></p> <ul style="list-style-type: none"> ○ Livestock (<i>poultry and small ruminants</i>) - Income pathways: <i>promote value addition through home-based food processing, storage, preservation</i> - Women empowerment pathways – <i>both on farm and off farm</i> ○ Labor saving initiatives ○ Rural credit scheme - Nutrition education – <i>(i) nutritional assessment tools and manual, (ii) regional dietary guidelines</i> ○ Create awareness and build nutritional capacity, knowledge-base of smallholder farmers ○ Build capacity of the government agencies to implement the nutrition agencies 	
Component 2: Strengthening Producer Organizations and Value-Chain Development	
<i>Subcomponent 2.1: Capacity-Building of Producer Organizations</i>	
<p>i. <i>Organization and capacity building of POs</i></p> <ul style="list-style-type: none"> - CIGs and VMGs constituted under Component 1 will federate into POs (<i>Inter-community cooperatives, farmer associations or other forms of market-oriented farmer organizations (including companies)</i>) <p>ii. <i>Financing for PO enterprise development</i></p>	<ul style="list-style-type: none"> • Producer Organization³⁴ • Indirectly CIG and VMG
<i>Subcomponent 2.2: Value Chain Development</i>	
i. Identification and selection of value chains (at county and	• Producer Organization

³⁴ Those formed by CIG and VMG under Component 1 or existing ones

community levels)	
<ul style="list-style-type: none"> ii. Value chain mapping and strategy development iii. Support to value chain stakeholder platforms iv. Value chain upgrading matching grants v. Value addition and processing 	<ul style="list-style-type: none"> • <i>Indirectly CIG and VMG including women and youth</i> • KARLO • KEPHIS • KEBS
Component 3: Supporting County Community-Led Development	
<i>Subcomponent 3.1: County Capacity-Building</i>	
<ul style="list-style-type: none"> i. Sensitization and awareness creation ii. Capacity-building 	<ul style="list-style-type: none"> • County staff, political leadership and the wider county population • Capacity-building Providers (CTD, KARLO, KEPHIS, KEBS, CSOs, CBOs, NGOs, FBOs, SPs, Academic and research institutions³⁵) • <i>Indirectly CIG and VMG including women and</i>
<i>Subcomponent 3.2: County Investments and Employment Programs</i>	
<ul style="list-style-type: none"> i. <i>Multi-community investments</i> <ul style="list-style-type: none"> - Land-scape wide SLM investments, such as water harvesting and storage facilities and rehabilitation of degraded areas (e.g. water catchments, river banks, gullies, areas affected by landslides, and deforested/degraded 	<ul style="list-style-type: none"> • VMGs and unemployed/out-of-school youth • National Technical

³⁵ like the Kenya School of Government (KSG), the Kenya Institute of Management (KIM) universities and KALRO, as well as and specialized agencies such as NEMA

<p><i>lands);</i></p> <ul style="list-style-type: none"> - VC-related infrastructure investments – at Subcomponent 3.2: County Investments and Employment Programs landscape/catchment levels, such as spot improvements on access and feeder roads, foot bridges across rivers and small-scale irrigation and drainage schemes. - Interventions under the flood control infrastructure will include (i) flood protection works, such as dykes to protect key flood prone areas; (ii) drainage to remove water from regularly flooded land; and storm water sewerage systems; and (iii) watershed/watercourse rehabilitation strategies intended to prevent rapid run-off. 	<p>Advisory Committee (NTAC)</p> <ul style="list-style-type: none"> • National Project Coordination Unit (NPCU) • NTAC • County governments
<p>ii. Employment Programs: - off-season opportunities for VMGs and unemployed/out-of-school youth</p> <ul style="list-style-type: none"> - Cash-for-work opportunities for unemployed/out-of-school youth such as: <ul style="list-style-type: none"> ○ Construction (e.g. irrigation schemes, water pans, cattle dips and small dams) ○ Rehabilitation (e.g. of small-scale county-level infrastructure, rural roads, bridges, market places, office buildings and irrigation schemes). ○ Participation in extension services (e.g. training on Integrated Pest Management, thresholds for using pesticides, AI and tick control); ○ Participatory theater groups to disseminate knowledge on malnutrition, malaria and general hygiene; ○ Collection and analysis of community feedback on the performance of TIMPs for agricultural livelihoods. Provision of startup kits for extension services (e.g. liquid nitrogen containers and semen straws, and knapsack sprayers and acaricides). 	<ul style="list-style-type: none"> • NNPCU • VMGs and • Unemployed/out-of-school youth

Component 4: Project Coordination, Monitoring and Evaluation	
<i>Subcomponent 4.1: Project Management</i>	<ul style="list-style-type: none"> • (NPCU and CCUs)
<i>Subcomponent 4.2: Monitoring & Evaluation and Impact Evaluation</i>	
<i>Subcomponent 4.3: Contingency Emergency Response</i>	
<p><i>i. Support a disaster recovery contingency fund</i></p> <p>- Response on mitigation, recovery and reconstruction following natural disasters, such as severe droughts, floods, disease outbreak, and landslides, among others.</p>	<ul style="list-style-type: none"> • CIG • VMG

2.8 Potential Positive and Negative Impacts on VMG

81. *It should be noted that minimal, if any, negative impacts are anticipated as a result of the project.* Most of the impacts anticipated will be positive for all communities, including for VMGs. As a result, a key focus of the VMGF and the VMGPs will be to propose pro-active steps for such groups to benefit from the project. It is generally envisaged that the Vulnerable and Marginalized Populations do not have access to these services in a similar way to other ethnic communities in Kenya.

82. The KCSAP and its sub-project has a likelihood of precipitating a range of political and governance, institutional, environmental, social, economic, technological, technical skills, fiduciary related positive and negative impacts. The KCSAP is assigned EA category B, based on the screening during project preparation. There are no significant and/or irreversible adverse environmental and social issues anticipated from the investments to be financed under the Project. Civil works (small irrigation infrastructure, community level value addition processing plants) may lead to relatively minor air and water pollution during the construction phases and, once the works are completed, limited loss of non-critical animal and plant habitats.

83. **Environmental Risks.** The envisaged environmental risks at project implementation include: (i) new production technologies which may involve intensified use of fertilizers and pesticide may increase social acidity and water pollution; (ii) skills on safe use of agri-chemicals and fertilizers is also limited among smallholder farmers (iii) technical capacity to handle implementation and monitoring of the projects' safeguards instruments is limited and especially at County level (iv) interventions targeting SLM landscape (v) interventions targeting seed production.

84. The project impacts will be assessed through a screening process and appropriate mitigation measures will be proposed in the ESMF prepared by MoALF. The ESMF also contains an environmental and social screening process, including impacts related to natural habitats, pest management and physical cultural resources, as well as mitigation guidelines at the sub-project level.

85. **Social Risks.** The main social risks is that of exclusion of the VMGs. Social risks envisioned in the implementation process include: (i) possibility of elite capture at the community and county levels thus excluding target groups; (ii) political capture as the project is being launched in the lead up to the national elections in 2017; (iii) leakages of inputs and resources as funds are to be channeled to community groups. These risks will be mitigated through the following: sequencing of project so that in first year focuses on building capacity of farmer organizations at community levels, lobbying and advocacy skills to understand and influence the country integrated development plans use of PICD approach, application of social accountability tools at community and county levels for transparency.

86. A key principle of the project is inclusion and therefore the VMGF will focus on how to ensure that VMG are aware of the project and can participate. The project is therefore triggering the OP 4.10 Indigenous Peoples which will require the preparation of a Vulnerable and Marginalized Group Framework (VMGF). The VMGF will include: (i) screening to determine presence of Vulnerable and Marginalized Groups (Indigenous Peoples per OP 4.10 criteria) in the project areas and, if present, (ii) measures to ensure they benefit from the project activities through the preparation of a Vulnerable and Marginalized Group Plan (VMGP).

87. **Other risks at the county level include weak capacity to implement and monitor safeguards at the county level as this is a recently devolved function.** A training component is included into the project design targeting counties to address this as well training for communities and provision for the ESMF, RPF and VMGF to guide development of plans and legal requirements for national gender policy. Socio-cultural issues in some target communities hinder resource allocation/sharing, resource access and use, and equity issues in project implementation, particularly the inclusion of women and youth in decision making structures and access to project benefits. For example in some communities a woman can not own a cow. The project will require gender analysis as part of the PICD process and development of the action plan. The functions of managing land acquisition have been devolved to the county land boards resulting in delays in some counties related to land transactions. In addition, compensation for community land and/or donations of community land for investments may also be challenging. The project has prepared an RPF which lays out the principles for compensation. As noted, the bulk of the investments are CDD, small in size and their impacts are not likely to result in physical resettlement or land acquisition. The investments for value chain addition will also be sited in a way as to avoid resettlement. The key challenges associated with the KCSAP that might impact the VMGs are summarized in the table below.

Table 5: Summary of Strength, Opportunities, Risks and threats (SORT) analysis

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
Component 1: Supporting Community-Driven Development		
Subcomponent 1.1: Strengthening Community Level Institutions		
i. Community mobilisation ii. Awareness creation iii. Development of and training on standardized training modules iv. Payment to the competitively selected services providers v. Facilitation of county technical departments to provide oversight and quality assurance for service providers	<ul style="list-style-type: none"> • VMG would get an opportunity to: <ul style="list-style-type: none"> ○ Reflecting of the locally and county-wise available resources ○ Discover external capacities that they require for self-determination ○ Learn and integrate development model within their traditional economies towards livelihood improvement ○ Partnership required with Service providers and other stakeholders e.g. national and county government that they required to optimize their development opportunities ○ Promotion of non-commercial value chains ○ Enhanced participation in decision making 	<p>Exclusion of VMG from the project due to:</p> <ul style="list-style-type: none"> • Limited understanding of VMG by national and county government officers, Service Providers, FBO and NGO • Language barriers due to low literacy and competence in national language • Cultural barriers that exclude women and youth from certain economic activities and assets • Livelihood style like pastoralism, hunting and gathering, fishing • Women on-farm and household chores • Logistical issues like remoteness, distance, and transport cost from and to VMG sites • Lack of institutional frameworks (saving and

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
	processes	credit)
Subcomponent 1.2: Supporting Community Investments		
<ul style="list-style-type: none"> ○ <i>Sustainable land management and value chains</i> 	<ul style="list-style-type: none"> • Increases SLM knowledge, skills and appropriate practices • Improved VMG production bases through: <ul style="list-style-type: none"> ○ Improved micro-climate of farms (reduced soil erosion, improved soil moisture retention, soil nutrients, ○ Increased farm produce (crop and livestock) due to increase food base (livestock, cereal, pulse, tubers and roots crops, fruits) and reduce crop failure (early maturing, drought resistant and deep rooting crops, fodder crops and planting fruit trees) • Improved nutrition through variety of crops (cereals, pulses, vegetables, and fruits) 	<ul style="list-style-type: none"> • Lack of incentive to undertake SLM initiatives: <ul style="list-style-type: none"> ○ Lack of Land titles among hunter-gatherers, fishing communities ○ Group ownership of land e.g. Group Ranches which suffer tragedy for the commons, community driver for sub-division ○ Land conflict between different land users (pastoralist and farmers) ○ VMG have low incomes might require exemption from 10% contribution or do so in kind
<ul style="list-style-type: none"> ○ <i>Market-oriented livelihood interventions</i> 	<ul style="list-style-type: none"> • Increased income base by creating off-season job opportunities such as: <ul style="list-style-type: none"> ○ Handcraft, aquaculture, and animal feed 	<ul style="list-style-type: none"> • The remoteness of VMG site might limit the market-oriented opportunities • VMG cultural believes and perceptions might

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
	<p>formulation</p> <ul style="list-style-type: none"> • Increase income base by extending production base to processing and marketing through value addition: <ul style="list-style-type: none"> ○ Packaging honey, fish processing, and canning fruits 	<p>limit the market-oriented opportunities, these include:</p> <ul style="list-style-type: none"> ○ Fish farming is considered an exclusive activity for fishing communities ○ Beekeeping is considered a hunter-gatherer livelihood by pastoral communities
<ul style="list-style-type: none"> ○ <i>Targeted support to Vulnerable and Marginalized Groups</i> 	<ul style="list-style-type: none"> • Targeted support on VMG that is based on baseline survey will inform an inclusive socio-economic benefits that are culturally relevant. 	<p>1. Lack of targeting due to the following limitation</p> <ul style="list-style-type: none"> ○ Stringent criteria for identification of VMG that might not target ○ Lack capacity among project actors (national and county government officers, Service Providers) due to limited understanding of the application context of OP.10 and Constitution of Kenya, 2010 Article 260 <p>2. Raising expectation too high</p> <ul style="list-style-type: none"> ○ Transference of unsettled historical land injustices to NARGI project context ○ Overreliance on NAGRI project to address historical marginalized and exclusion from the integrated social and economic life of Kenya as

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
		a whole
<ul style="list-style-type: none"> ○ <i>Nutrition mainstreaming</i> 	<ul style="list-style-type: none"> • Women groups among the VMGs’ will be able to access: <ul style="list-style-type: none"> ○ Labor saving initiatives ○ Credit schemes ○ Household food home-based gardening (“<i>Healthy Garden Program</i>”); • Schools (primary and secondary) have access to food through school- based gardening (“<i>Healthy Garden Program</i>”); 	<ul style="list-style-type: none"> • Exclusion of VMG in nutritional benefits <ul style="list-style-type: none"> ○ Unregistered schools to participate in health gardens ○ Limited rural credit scheme among the VMG ○ Language barriers in utilizing nutritional education – need for translation of manuals in Kiswahili and local dialect
Component 2: Strengthening Producer Organizations and Value-Chain Development		
<i>Subcomponent 2.1: Capacity-Building of Producer Organizations</i>		
<ul style="list-style-type: none"> ○ <i>Organization and capacity building of POs</i> 	<ul style="list-style-type: none"> • PO provides VMG with a stronger say in the following: <ul style="list-style-type: none"> ○ Determining the VCs that they participate in 	<ul style="list-style-type: none"> • Limited VMG to federate into PO’s <ul style="list-style-type: none"> ○ Limited VMG’s with similar value chains for effective federation into PO’s ○ Incompatibility of VMG’s value chain with

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
	<ul style="list-style-type: none"> ○ Negotiate for improved access to farming inputs and technologies, agricultural services (including finance and extension); ○ Markets for their produce 	<p>those from dominant societies for inter-community federation</p> <ul style="list-style-type: none"> ○ Resistance by VMG to federate within the CIG from dominant societies ○ Slow pace for VMG to develop their value chain at the pace of NARGI project cycle ○ Slow transition of VMG based PO across the MOEP1, MOEP 2 and MOEP 3
○ <i>Financing for PO enterprise development</i>	<ul style="list-style-type: none"> ● VMG will, through the PO's be in a position to sustain their progress to profitable enterprise operations with reliable trading relations (MOPE 3). 	<ul style="list-style-type: none"> ● Exclusion of very vulnerable VMG members <ul style="list-style-type: none"> ○ Most VMG PO remain at MOPE 0 and 1 groups which do not have the organizational capacity to viably operate a business and therefore key required support will be capacity building support to first improve organizational structures and capacity.
<i>Subcomponent 2.2: Value Chain Development</i>		
<ul style="list-style-type: none"> ○ <i>Identification and selection of value chains (at county and community levels)</i> ○ <i>Value chain mapping and</i> 	<ul style="list-style-type: none"> ● VMG through the PO's will be able to identify and upgrade competitive VCs for integration and economic empowerment by <ul style="list-style-type: none"> ○ Focusing on competitive nutrition-sensitive 	<ol style="list-style-type: none"> 1. Service Providers has low social development and safeguards expertise and as such can lead to exclusion of VMG in value chain development: 2. County government and other development

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
<p><i>strategy development</i></p> <ul style="list-style-type: none"> ○ <i>Support to value chain stakeholder platforms</i> ○ <i>Value chain upgrading matching grants</i> ○ <i>Value addition and processing</i> 	<p>VCs</p> <ul style="list-style-type: none"> ○ Targeted investments in VC upgrading through a matching grant mechanism aimed at addressing key constraints, including: (a) strengthening of inputs supply system (e.g. foundation seed by research institutions, commercial seed production by private sector, and community-based seed multiplication); (b) developing farm mechanization technologies for climate smart-agricultural practices; (c) adding value through processing; and (d) post-harvest management technologies and facilities (drying, storage and warehousing receipt system). 	<p>partners have limited capacity on VMG and thus might opt to concentrate on CIG's</p> <ol style="list-style-type: none"> 3. The pace for establishing value chain stakeholder platforms might be slow than for CIG as the market forces that accelerate this pace are not fully operational, thus more time might be required than the 2 years 4. VMG lifestyle is characterized by socialism where competitiveness is attributed with dominant societies, this might limit their participation competitive grant 5. The VMG might not be able to provide matching grants due to their low capital base
<p>Component 3: Supporting County Community-Led Development</p>		
<p>Subcomponent 3.1: County Capacity-Building</p>	<ul style="list-style-type: none"> • Understanding of VMG by the county government and other development will: <ul style="list-style-type: none"> ○ Draw attention to the marginal status of the VMG and attract ○ Attract development resources from 	<ul style="list-style-type: none"> • Support for community-led development is based on the understanding of the socio-economic and cultural context of the respective community and their geographies. County government and their development partners often overlook remotely located areas, communities with small population

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
	alternative sources like the county development funds and other donor or development partners	especially those with traditional economies. Capacity development should include principles of inclusive development, bill of rights and fundamental freedoms, and VMG context.
Subcomponent 3.2: County Investments and Employment Programs		
○ <i>Multi-community investments</i>	<ul style="list-style-type: none"> • Landscape SLM investments improve production system for many farmers /producers such provision of water for irrigating farms, controlling floods, utilizing run-off • Improved infrastructure leads to good and accessible feeder roads and foot bridge that link VC production site with market sites 	<ul style="list-style-type: none"> • Often infrastructure development project is highly politicized
○ <i>Employment Programs</i>	<ul style="list-style-type: none"> • Cash for work will offer VMG off-season opportunities for earning incomes and consequently livelihood improvement for unemployed and out-of-school 	<ul style="list-style-type: none"> • VMG often associate intensive labor to members of dominant societies and as such they might be reluctant in undertaking activities in this component. There would be need to mobilize and sensitize then youths on the purpose and benefits on this component
Component 4: Project Coordination, Monitoring and		

Component	Positive Impacts (Strengths & Opportunities)	Negative Impacts (Risks and Threats)
Evaluation		
<i>Subcomponent 4.3: Contingency Emergency Response</i>	<ul style="list-style-type: none"> Localized disaster with likelihood of disrupting VC production base would be addressed to ensure and that would 	<ul style="list-style-type: none"> Most VMG live in localities that experience localized disasters such as drought incidences, floods, fires, human-wildlife conflicts, disease outbreak, and landslide which could disrupt their local economies. KCSAP should prompt ensure contingency emergency response provision is availed.

88. In addition to the above impacts the following risks have been envisaged as being likely to influence the outcome of the project.

Table 6: Potential risks for KCSAP

Risk Category	Rating (High, Substantial, Moderate, Low)
1. Political and Governance	S
2. Macroeconomic	M
3. Sector Strategies and Policies	M
4. Technical Design of Project	M
5. Institutional Capacity for Implementation and Sustainability	S
6. Fiduciary	S
7. Social Safeguards	M
8. Environmental Safeguards	M
9. Stakeholders	M
10. Other	
OVERALL	S

- **Political profile and Governance** – SUBSTANTIAL. The risk rating is based on current devolved structure of government. County governments now play the primary role of delivering agriculture services, with national government retaining a policy making and research roles. The capacity of County governments to deliver these services and is currently inadequate.
- **Macroeconomic** – SUBSTANTIAL. Kenya remains vulnerable to production and price shocks in its most important sectors. Climate shocks remain a serious threat to agriculture production. KCSAP will increase agricultural productivity and build resilience to climate change hence contributing to inclusive growth and shared prosperity.

- **Sector Strategies and Policies** – MODERATE. There is moderate risk of adverse impact on the project implementation stemming from sector strategies and policies. KCSAP is consistent with the country's main agricultural policies and strategies, but their coordination needs to be strengthened.
- **Technical Design of Project**– MODERATE. The project design aims to address the low agricultural productivity, rural employment and the climate change risks facing the agriculture sector. This risk relates to the capacity of county governments to deliver advisory service. KCSAP will deploy the contracted extension service delivery model, which was pioneered by KAPAP.
- **Institutional Capacity for Implementation and Sustainability** – SUBSTANTIAL. This risk is related to the uncertainty regarding the county governments' capacity to sustain the outcomes of KCSAP beyond the project period. However, investing towards increasing productivity and building resilience is among the top priorities at the national and county levels.
- **Fiduciary** – SUBSTANTIAL. The overall fiduciary environment has inherent weaknesses associated with inadequate the financial management and procurement control systems both at the National and County levels. Detailed assessment of the financial and procurement system will be finalized during project appraisal.
- **Social Safeguards** - MODERATE. Communities are highly influenced by the political and social conditions, thus decisions could be driven by political agenda. To minimize the possibility of certain groups being excluded from the project, a participatory targeting approach to identify and support VMGs, including IPs, will be adopted.
- **Environmental Safeguards** - MODERATE. The project has triggered the OP 4.01 and OP 4.09 Pest Management Policy as chemical fertilizers will be used at the community level where technical capacity for use and safe disposal of such chemicals (and chemical containers) is limited. This risk will be mitigated using the Integrated Pest Management Framework (IPMF) and the screenings under the Environmental and Social Management Framework (ESMF), which will guide the preparation of sub-project specific Environmental Management plans (EMPs).
- **Stakeholders** – MODERATE. Counties selected to participate in the project may include those with IPs. Opposition from IP representatives is not uncommon in Kenya. Community members will be actively engaged in local level planning and implementation of project activities.

Proposed Mitigation Measures

89. To avoid or minimize adverse impacts and, at the same time, ensure enhancement of benefits and full participation of the vulnerable groups, several measure shall the instituted including:

Disclosure Mechanism

90. KCSAP will ensure that all project design frameworks and consecutive processes and activities will be disclosed in culturally appropriate and accessible manner using FPI- Consultation guidelines stipulated in this document.

Capacity Development of VMG and Stakeholders

91. KCSAP will finance and support the development of and training on standardized training modules on the following subjects:

- j) ***FGM Module:*** The VMG, national and county government, services providers and other development actors whole will interface with the VMG's will be capacity build on the FGM process and VMGF principles and elements
- k) ***VC analysis and development Module:*** The VMG, PO's, Service Providers and national and county government will be trained on the ***VC analysis and development*** with examples drawn from success stories from VMG's supported through WKCDD/FM and KAPAP.
- l) ***Fiduciary Module.*** VMG's will be trained on community procurement and financial management to improve their relevant capacity on project implementation and management.
- m) ***Environmental and social safeguards Module.*** Relevant County government staff, Servicer Providers and VMG will be trained on how to use checklists and development of environmental management plans where applicable),
- n) ***Agri-business and financial services Module:*** Relevant County government staff, Servicer Providers, PO's, VMG and other relevant development actors will be trained on agri-business and financial service principles and skills to ensure that the KCSAP integrated business model in the design of value change development and implementation.
- o) ***Climate Change Adaptation measures module:*** relevant county technical teams, service providers and target beneficiaries as well as other stakeholders will be trained on this to ensure quick adoption of proposed TIMPs under KCSAP.

- p) ***Sustainable land management (SLM) Practices and Technologies module:*** lessons learnt from KAPSLMP will be up scaled to capture the envisioned aspirations under KCSAP. Again relevant county technical teams, service providers and target beneficiaries as well as other stakeholders will be trained.

VMGs and Community Contribution

- a) **Special consideration for VMG on community contribution and matching grants:** KCSAP will develop a criteria for assessing and appraising VMG that require exemption or lower contribution or matching grant level to ensure all the VMGs participate and benefit from the KCSAP.
- b) **Contingency plans and pegging for funds for mitigating local disasters.** Most VMG live in localities that experience localized disasters such as drought incidences, floods, fires, human-wildlife conflicts, disease outbreak, and landslide which could disrupt their local economies. KCSAP should promptly ensure contingency emergency response provision is availed.

Table 7: Potential negative challenges/Impacts ((and mitigation measures for KCSAP

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
Component 1: Supporting Community-Driven Development	Land use is likely to be changed due to adoption of more TIMPs that promote cropping and livestock systems. VMGs and especially pastoralists are likely to lose grazing grounds for their livestock through adoption of for example irrigated systems and this may lead to resource use conflicts.	Undertake a comprehensive stakeholder as well as citizen engagement to ensure that solutions are arrived at in a participative manner. Undertake SA to ensure community support and implement the safeguard tools.	NPCU, CCUs, Service Providers, County governments and beneficiaries
Subcomponent 1.1: Strengthening Community Level Institutions	Disruption of socio-cultural fabric may lead to inequality aspects like gender and inter-generational disparities in community sub project memberships. non-inclusivity to community sub-projects may also led to complaints	Adequate community mobilization and sensitization mechanisms must be employed. Undertake simple cost benefit analysis along the proposed value chains for the respective TIMPs so that target beneficiaries see the outright benefits within these community level institutions	NPCU, CCUs, Service Providers, County governments and beneficiaries
i. Community mobilization ii. Awareness creation iii. Development of and training on standardized	Exclusion of VMG from the project due to: <ul style="list-style-type: none"> Limited understanding of VMG by national and country government officers, Service Providers, FBO, NGO, etc. Language barriers due to low literacy 	Capacity Development of VMG and Stakeholders(Annex 15) KCSAP will finance and support the development of and training on standardized training modules on the following subjects:	NPCU SP CTD

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
<p>training modules</p> <p>iv. Payment to the competitively selected services providers</p> <p>v. Facilitation of county technical departments to provide oversight and quality assurance for service providers</p>	<p>and competence in national language</p> <ul style="list-style-type: none"> • Cultural barriers that exclude women and youth from certain economic activities and assets • Livelihood style like pastoralism, hunting and gathering, fishing • Women on-farm and household chores • Logistical issues like remoteness, distance, and transport cost from and to VMG sites • Lack of institutional frameworks (saving and credit) 	<p>1. <i>FGM Module:</i></p> <p>2. <i>VC analysis and development Module:</i></p> <p>3. <i>Fiduciary Module.</i></p> <p>4. <i>Environmental and social safeguards Module.</i></p> <p>5. <i>Agri-business and financial services Module:</i></p>	
Subcomponent 1.2: Supporting Community Investments			
<p>○ <i>Sustainable land management and value chains</i></p>	<ul style="list-style-type: none"> • Lack of incentive to undertake SLM initiatives: <ul style="list-style-type: none"> ○ Lack of Land titles among 	<ul style="list-style-type: none"> • Targeted support on VMG that is based on baseline survey that integrates such information as: 	<ul style="list-style-type: none"> • NPCU • SP

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
	<p>hunter-gatherers, fishing communities</p> <ul style="list-style-type: none"> ○ Group ownership of land e.g. Group Ranches which suffer tragedy for the commons, community driver for sub-division ○ Land conflict between different land users (pastoralist and farmers) ○ VMG have low incomes might require exemption from 10% contribution or do so in kind 	<ul style="list-style-type: none"> ○ Traditional and merging social, economic, political and cultural institution ○ Land tenure ○ Conflicts and peace building ○ Socio-economic status ○ Land used planning 	<ul style="list-style-type: none"> • CTD
<ul style="list-style-type: none"> ○ <i>Market-oriented livelihood interventions</i> 	<ul style="list-style-type: none"> • The remoteness of VMG site might limit the market-oriented opportunities • VMG cultural believes and perceptions might limit the market-oriented opportunities, these include: <ul style="list-style-type: none"> ○ Fish farming is considered an exclusive activity for fishing 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • NPCU • SP • CTD

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
	<p>communities</p> <ul style="list-style-type: none"> ○ Beekeeping is considered a hunter-gatherer livelihood by pastoral communities 		
<ul style="list-style-type: none"> ○ <i>Targeted support to Vulnerable and Marginalized Groups</i> 	<p>1. Lack of targeting due to the following limitation</p> <ul style="list-style-type: none"> ○ Stringent criteria for identification of VMG that might not target ○ Lack capacity among project actors (national and county government officers, Service Providers) due to limited understanding of the application context of OP.10 and Constitution of Kenya, 2010 Article 260 <p>2. Raising expectation too high</p> <ul style="list-style-type: none"> ○ Transference of unsettled historical land injustices to NARGI project context 	<ul style="list-style-type: none"> • Targeted support on VMG that is based on baseline survey will inform an inclusive socio-economic benefits that are culturally relevant. • Managing expectation 	<ul style="list-style-type: none"> • NPCU • SP • CTD

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
	<ul style="list-style-type: none"> ○ Overreliance on NAGRI project to address historical marginalized and exclusion from the integrated social and economic life of Kenya as a whole 		
<ul style="list-style-type: none"> ○ <i>Nutrition mainstreaming</i> 	<ul style="list-style-type: none"> ● Exclusion of VMG in nutritional benefits <ul style="list-style-type: none"> ○ Unregistered schools to participate in health gardens ○ Limited rural credit scheme among the VMG ○ Language barriers in utilizing nutritional education – need for translation of manuals in Kiswahili and local dialect 	<ul style="list-style-type: none"> ● Purposeful targeting based on social assessment that identifies schools, women groups, and existing rural credit scheme ● Translation of some of the relevant manuals into Swahili (a popular version of the English version) 	<ul style="list-style-type: none"> ● NPCU ● SP ● CTD
Component 2: Strengthening Producer Organizations and Value-Chain			

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
Development			
<i>Subcomponent 2.1: Capacity-Building of Producer Organizations</i>			
<ul style="list-style-type: none"> ○ <i>Organization and capacity building of POs</i> 	<ul style="list-style-type: none"> ● Limited VMG to federate into PO's <ul style="list-style-type: none"> ○ Limited VMG's with similar value chains for effective federation into PO's ○ Incompatibility of VMG's value chain with those from dominant societies for inter-community federation ○ Resistance by VMG to federate within the CIG from dominant societies ○ Slow pace for VMG to develop their value chain at the pace of NARGI project cycle ○ Slow transition of VMG 	<ul style="list-style-type: none"> ● Baseline survey related to: <ul style="list-style-type: none"> ○ Value chain mapping and analysis within the VMG areas ○ Inter-community value chain linkages to determine federation dynamics across the VMG and dominant society ● Positive citizen engagement to cross perception gaps between VMG and member of the dominant society with project operational areas 	<ul style="list-style-type: none"> ● NPCU ● SP ● CTD

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
	based PO across the MOEP1, MOEP 2 and MOEP 3		
<ul style="list-style-type: none"> ○ <i>Financing for PO enterprise development</i> 	<ul style="list-style-type: none"> ● Exclusion of very vulnerable VMG members <ul style="list-style-type: none"> ○ Most VMG PO remain at MOPE 0 and 1 groups which do not have the organizational capacity to viably operate a business and therefore key required support will be capacity building support to first improve organizational structures and capacity. 	<ul style="list-style-type: none"> ● Affirmative support for VMG CIG formation and transition from MOPE 0 and 1 to MOPE 3 and 4 based on social economic and value chain survey 	<ul style="list-style-type: none"> ● NPCU ● SP ● CTD
Subcomponent 2.2: <i>Value Chain Development</i>			
<ul style="list-style-type: none"> ○ <i>Identification and selection of value chains (at county and community levels)</i> ○ <i>Value chain</i> 	<ol style="list-style-type: none"> 1. Service Providers has low social development and safeguards expertise and as such can lead to exclusion of VMG in value chain development: 2. County government and other 	<p>Capacity Development of VMG and Stakeholders</p> <p>KCSAP will finance and support the development of and training on standardized training modules on the</p>	<ul style="list-style-type: none"> ● NPCU ● SP ● CTD

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
<p><i>mapping and strategy development</i></p> <p>○ <i>Support to value chain stakeholder platforms</i></p> <p>○ <i>Value chain upgrading matching grants</i></p> <p>○ <i>Value addition and processing</i></p>	<p>development partners have limited capacity on VMG and thus might opt to concentrate on CIG's</p> <p>3. The pace for establishing value chain stakeholder platforms might be slow than for CIG as the market forces that accelerate this pace are not fully operational, thus more time might be required than the 2 years</p> <p>4. VMG lifestyle is characterized by socialism where competitiveness is attributed with dominant societies, this might limit their participation competitive grant</p> <p>5. The VMG might not be able to provide matching grants due to their low capital base</p>	<p>following subjects:</p> <ul style="list-style-type: none"> • <i>FGM Module:</i> • <i>VC analysis and development Module:</i> • <i>Fiduciary Module.</i> • <i>Environmental and social safeguards Module.</i> • <i>Agri-business and financial services Module:</i> <p>Affirmative support for VMG CIG formation and transition from MOPE 0 and 1 to MOPE 3 and 4 based on social economic and value chain survey</p>	
<p>Component 3: Supporting County Community-Led Development</p>			

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
Subcomponent 3.1: County Capacity-Building	<ul style="list-style-type: none"> Support for community-led development is based on the understanding of the socio-economic and cultural context of the respective community and their geographies. County government and their development partners often overlook remotely located areas, communities with small population especially those with traditional economies. Capacity development should include principles of inclusive development, bill of rights and fundamental freedoms, and VMG context. 	Capacity Development of VMG and Stakeholders KCSAP will finance and support the development of and training on standardized training modules on the following subjects: <ul style="list-style-type: none"> <i>FGM Module:</i> <i>VC analysis and development Module:</i> <i>Fiduciary Module.</i> <i>Environmental and social safeguards Module.</i> <i>Agri-business and financial services Module:</i> 	<ul style="list-style-type: none"> NPCU SP CTD
Subcomponent 3.2: County Investments and Employment Programs			
○ <i>Multi-community</i>	<ul style="list-style-type: none"> Often infrastructure development 	<ul style="list-style-type: none"> Advisory support in target all areas 	<ul style="list-style-type: none"> NPCU

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
<i>investments</i>	project is highly politicized	equally based on Constitution of Kenya, 2010 and CRA Act	<ul style="list-style-type: none"> • SP • CTD
<ul style="list-style-type: none"> ○ Employment Programs 	<ul style="list-style-type: none"> • VMG often associate intensive labor to members of dominant societies and as such they might be reluctant in undertaking activities in this component. There would be need to mobilize and sensitize then youths on the purpose and benefits on this component 	<ul style="list-style-type: none"> • Positive citizen engagements with VMG and attribute changing using FGM process 	<ul style="list-style-type: none"> • NPCU • SP • CTD
Component 4: Project Coordination, Monitoring and Evaluation			
Subcomponent 4.3: <i>Contingency Emergency Response</i>	<ul style="list-style-type: none"> • Most VMG live in localities that experience localized disasters such as drought incidences, floods, fires, human-wildlife conflicts, disease outbreak, and landslide which could disrupt their local economies. 	<ul style="list-style-type: none"> • Training of VMG on monitoring and reporting of disaster risk detection and reduction strategies 	<ul style="list-style-type: none"> • NPCU • SP • CTD • NDMA³⁶

³⁶ National Disaster Management Authority

Component	Negative Impacts	Possible Actions	Responsibilities and Issues
	KCSAP should prompt ensure contingency emergency response provision is availed.		

3.0 FRAMEWORK FOR FREE, PRIOR, INFORMED CONSULTATION

Overview of application of Free Prior Informed and Accessible (FPIA)-Consultation

92. FPIA-Consultation refers to a process whereby affected vulnerable and marginalized communities, freely have the choice, based on sufficient information concerning the benefits and disadvantages of the project and how these activities occur.

93. The WP 4.10 requires that a process of FPI-consultation leading to broad community support, with the affected vulnerable and marginalized communities throughout the KCSAP design and implementation process. The framework will be infused into the PICD process in all the steps which utilizes high level consultation and participatory tools at every stage of project design, implementation and monitoring and evaluation. The FPIA-Consultation will be used in conjunction with the ESMF/p and RAF/p to ensure that any potential negative impacts are avoided, minimized and/compensated, and further that they share benefits accruing from KCSAP and sub-project.

94. The PICD process will ensure that gender, youth, persons with disabilities in the respective VMG are targeted, any negative impacts are addressed and they share benefits accruing from the KCSAP. FPI consultation of the vulnerable and marginalized communities will be conducted at each stage of the project, and particularly during project preparation, to fully identify their views and ascertain their broad community support for the project (para. 101, Annex 15 and the Framer Grant Manual).

FPI-Consultation Tools

95. KCSAP will utilize an evidenced approach and tools to ensure FPI-Consultation is observed throughout the life of project. The proposed FPI-Consultation tools will include: stakeholders' attendance list using Template 1 and VMG members list using Template 2 (both attached in Appendix I), photographic evidences and minutes and/or back-to-office report.

Box 2. The Elements of Free, Prior and Informed Consultation

- Free – people are able to freely make decisions without coercion, intimidation or manipulation
- Prior – sufficient time is allocated for people to be involved in the decision-making process before key project decisions are made and impacts occur
- Informed – people are fully informed about the project and its potential impacts and benefits, and the various perspectives regarding the project (both positive and negative)
- Consultation – there are effective uses of consultation methods appropriate to the social and cultural values of the affected Indigenous Peoples' communities and their local conditions and, in designing these methods, gives special attention to the concerns of Indigenous women, youth, and children and their access to development opportunities and benefits.

Box 2: The Elements of Free, Prior and Informed Consultation

Indian Treaty Council and others.

4.0 Vulnerable and marginalized groups Plans

96. This VMGF contains specific measures to ensure that the VMGs receive social and economic benefits that are culturally appropriate, including measures to enhance the capacity of the project implementing agencies and other stakeholders. This VMGF calls for the preparation of a Vulnerable and Marginalized Group Framework (VMGP) for each sub-project screened and found to be implemented in areas where VMGs are present or have a collective attachment. The VMGP will be prepared through a participatory, flexible and pragmatic manner, and its step-wise details will be provided in a PICD Manual as part of Project Implementation Manual.

4.1 Elements of a Vulnerable and Marginalized Groups Plan

97. All the VMGPs that will be prepared by REA will include;

- a) A summary of a scale appropriate to the marginalized community. Relevant baseline information on the demographic, social, cultural characteristics of the affected marginalized communities (including governance structures) and the natural resources on which they depend within project affected area.
- b) A summary of the social assessment findings
- c) A summary of the framework for free prior informed consultation and evidence of community input to the framework.
- d) Results of the the FPI-consultation with the affected VMGs including considerations for whether broad community support has been achieved
- e) An action plan of measures to ensure that the VMGs receive social and economic benefits that are culturally appropriate, including measures to enhance the capacity of the project implementing agencies.
- f) When potential adverse effects on VMGs are identified, appropriate action plans of measures to avoid, minimize, mitigate or compensate for these adverse effects.
- g) The cost estimates and financing plan for the VMGP.
- h) Accessible procedures appropriate to the project to address grievances by the affected VMGs arising from project implementation. When designing the grievance procedures, the borrower takes into account resolution of grievances at lowest levels possible; the availability of judicial recourse and customary dispute settlement mechanisms among the VMGs'.

- i) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the VMGP. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected VMGs’.

5.0 The Participatory and integrated Community Development Process (PICD)

99. PICD is a combination of different participatory methodologies for starting and sustaining ‘community conversations’ that enable community groups to reflect on their development needs, prioritize those needs, draw up community action plans (CAPs), design, implement and monitor their own projects. The background of PICD is based on the project cycle management (PCM) as illustrated in Figure 2. PICD integrates participatory tools in the various stages of a PCM approach. During the training of VMG an introductory session will be devoted in providing an overview of PCM upon which the attitude changing, skills impacting and output delivering PICD will be built on. The PCM/PICD infusion will include the following steps and tools:

- i) awareness creation and attitude change will be delivered through 6 attitude change tools;
- ii) situation analysis of the VMG context such as the extent of the locality, socio-economic, cultural and governance status that need to be addressed and/or that support communities development, available resources that can be utilized in increasing productivity and building resilience for livelihood improvement including land, human resource, financial sources among other contextual issues; and visioning where households and entire community would be after successful utilizing the available development resources to address the existing underdevelopment issues;
- iii) planning stage process that will lead to the generation of VMP plans – this will entail selection of a community planning committee from the participating community members who are selected based on publicly established criteria such as gender, intergenerational (youth), elders, persons with disabilities, professionals within the community, development of long term and short term goals, depicting how the community locality would be after implementation of the goals, and developing VMG action plans to achieve these goals and bring about the desired future map, identifying resources and institutions that would be required to implement the goals based on such consideration as wealth ranking and stakeholder mapping, and finally development of the proposals:

- iv) implementation of proposed plans based on establishment of various implementation committees such as procurement, financial, monitoring and conflict resolution and grievance redress structures and actual implementation of activities; and
- v) Monitoring and evaluation using several participatory performance scorecards for tracking inputs, performance, services providers and interface meetings.

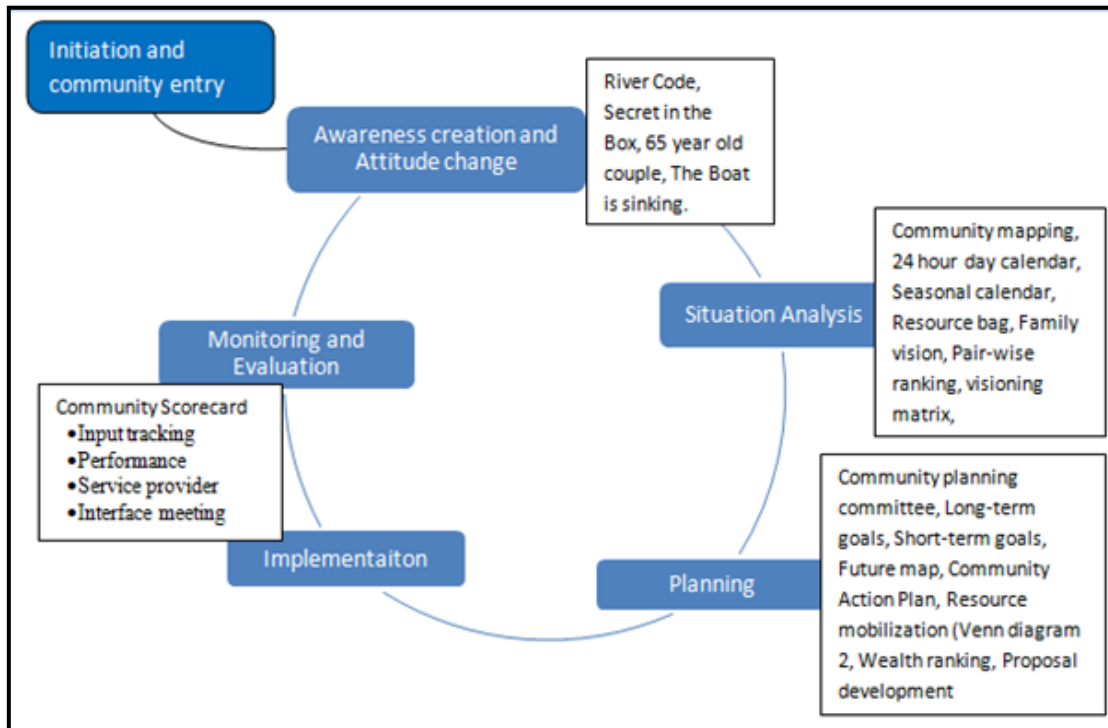


Figure 1: PICD Process

100. The VMG framework elements will be infused into the PICD process for ease for implementation of the framework which will ensure free, prior and information consultation that lead to board community support of the KCSAP. The infusion of the VMGF and PICD is summarized and demonstrated in Table 7.

Table 8: Elements of a PCM and FGM and their meaning

FGM Process Details		VMGF/P
Project Assistance Document		<ul style="list-style-type: none"> • VMG Framework [Elements: - policy context; outline process primary and secondary screening; Impact (positive & negative); Framework for Free, Prior, Informed and Accessible Consultation; Stakeholder Mapping and Analysis; Capacity Development Plan for government and IPOs'; Grievance Redress Mechanism; Monitoring and Evaluation that is affirmative to VMG's; Disclosure Arrangements for VMG Plans]
		<ul style="list-style-type: none"> • Disclosure Arrangements for VMGF <ul style="list-style-type: none"> ○ National meeting with government and known IPO's in the proposed project operational area
Project Implementation	1. Initiation and Community Entry <ul style="list-style-type: none"> ▪ Making contact with the community leadership and members to familiarize oneself, cultivate trust and introduce the development processes 	<ul style="list-style-type: none"> • Identify, consult with legitimate IPO's are identified consulted, cultivate trust and introduce the development process • Conduct a Primary Screening using the proposed VGM Screening Form and VMG Mapping Template
	2. Awareness creation and attitude Change <ul style="list-style-type: none"> ▪ A process of making the community aware of their development status and influencing the changing of precarious conditions that causes the status. 	<ul style="list-style-type: none"> • Free Prior, Informed, Accessible Consultation with screened VMG's
	3. Situation Analysis <ul style="list-style-type: none"> ▪ Determine the existing conditions regarding the 	<ul style="list-style-type: none"> • Social Analysis/ Social Assessment scope depending on impacts <ul style="list-style-type: none"> ○ Review appropriate Legal and institutional

	target beneficiary and project area	<p>framework for VMG</p> <ul style="list-style-type: none"> ○ Baseline information on demographic, social, cultural and political characteristics of VMG, land they traditionally or customary owned and accessed and natural resources they depend on ○ Identifying key stakeholder ○ Elaboration of cultural appropriate and gender sensitive process for meaningful consultation with VMG's at each stage for implementation ○ Gender sensitive assessment of perception about the project ○ Plan for avoiding, mitigating, mitigating adverse effects ○ Plans for ensuring VMG receive culturally appropriate benefits under the project
	<p>4. Planning</p> <ul style="list-style-type: none"> ▪ A process of making decision based on the information derived from the situation analysis 	<ul style="list-style-type: none"> • Development of VMG Plans <ul style="list-style-type: none"> ○ Identifying types programmes and sub-projects appropriate for VMG's
	<p>5. Implementation</p> <ul style="list-style-type: none"> ▪ A process through which beneficiaries and their partners undertake to work on the project activities as planned 	<p>Developing VMG Plans</p> <ul style="list-style-type: none"> • Capacity Development for government and IPOs'; • Utilizing of Free, Prior, Informed and Accessible Consultation framework • Screening Impacts (positive & negative); <ul style="list-style-type: none"> ○ <i>Utilizing ESMP</i> • Grievance Redress Mechanism;
Monitoring and Evaluation	6. Monitoring and Evaluation	<ul style="list-style-type: none"> • Monitoring and Evaluation that is affirmative to VMG's;

- | | | |
|--|---|---|
| | <ul style="list-style-type: none">▪ It's a systematic collection and analysis of information as the project progresses towards improving the efficiency and effectiveness of a project or organization. | <ul style="list-style-type: none">○ Social impact assessments (capturing and documenting VMG's impacts and concerns) |
|--|---|---|

101. The VGMF framework was prepared and disclosed as a part of the KCSAP PAD preparation process. However, its elements will be developed and/or elaborated during the project implementation time. The implementation of the VMGF will utilize 7 tools for data collection, analysis, planning, monitoring (Table 8).

Table 9: Data collection and presentation tools

Tools	Approach of their application
1. Project Appraisal Form	This will provide an approach for identifying potential types of programmes and sub-projects that could be considered for financing under the project. This will be based on Participatory Integrated Community Development approach
2. VMG's Screening Form	This will provide a criteria for identifying VMG's based on World Bank, Kenya Government and other adopted policy and legislative framework
3. Mapping Template	This will be used to demonstrate locations: <ul style="list-style-type: none"> i. Area where VMG's, specifically (marginalized communities), are likely to be present ii. Areas with high poverty index³⁷
4. Social Assessment Questionnaire	Provide a pilot application of social assessment tool for already identified VMG's
5. Impact Assessment Matrix	Provide an impact screening forms and pilot results of potential benefits and negative that might result from programmes and sub-projects on the VMG's
6. Stakeholders Analysis Matrix	This will used to provide logical basis for identifying proposed programmes and sub-projects as well as beneficiaries related issues and needs and relevant existing and potential actors in addressing these issues and needs including their interests, capacities and the roles they can play in the implementation of the programmes and sub-projects
7. Participatory Action Plan	This will be used during the consultative meetings to develop the six tools enumerated below: <ul style="list-style-type: none"> i. Free Prior, Informed and Accessible Consultation Action Plan

³⁷ The factors to be considered in calculating this index will be determine through consultation with the relevant government ministries, departments, and agencies

	ii. Stakeholder Capacity Development Plan iii. Grievance Redress Mechanism iv. VMGP Disclosure Arrangement v. Consultation and Participation Process vi. Complaints /Concerns Handling Process
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Possible Types of Interventions

103. The table below shows counties that were beneficiaries of the KAPAP project (now closed). It shows the value chains that were selected and ranked by the various CIGs and how they are similar or different from those selected by the VMG CIGs. All these counties are target counties under the KCSAP. In most cases, the value chains selected by the VMGs differed from those of the main value chains for the county.

5.1 Phases of implementing the VMGF

104. The VMGF will be implemented in three phases:

- i. **County and VMG sites disclosure of the VMF:** This will entail sharing the VMGF details through county fora and specific VMG sites. During these disclosure fora and meetings, additional comments and views will be gathered and included in the VMGP design process as well as ensuring broad support of the KCSAP by the County Governments and VMGs. Continued disclosure will be required as the VMGF has been disclosed at the national level and there remains many stakeholders from Counties and community levels who are not able to attend these disclosure fora.
- ii. **Development of standardized Capacity Development Manuals.** The manuals will be developed to include both PICD process, Participatory Monitoring Impact (PIM), Conflict Redress Process and Grievance Redress Mechanism; and Value Chain Analysis Mapping and Development.
- iii. **Capacity Development and Coaching of relevant Stakeholders:** This will entail training sessions for various stakeholders such as NPCU, CPSC, CPCU, CTD, CDDC, Subcommittee: SAIC, PMC's, IAC's, service providers, VMG CIGs' and VMGPO, CSO, NGO, FBO's among others. In addition, during the VMGF implementation coaching session will be mounted on the project activities to ensure any negative impact on the VMG are mitigated and/or avoided and that they share benefits that accrue from the KCSAP.

6.0 PLANS FOR CARRYING OUT SOCIAL ASSESSMENT

105. The social assessment will be conducted after the National and County launching of the KCSAP and disclosure at VMG sites based on primary screening. The social assessment will utilize PICD process and tools for project initiation and community entry which entail consultations with VMG elders and other opinion leaders and VMG organizations' (VGMOs).

6.1 Social Assessment Process

Analysis: If, based on the screening, the NPCU concludes that VMGs are present in, or have collective attachment to, the project area; the executing agency of that sub project will undertake a social assessment to evaluate the project's potential positive and adverse effects on the VMGs, and to examine project alternatives where adverse effects may be significant. The breadth, depth, and type of analysis required for the social assessment will be proportional to the nature and scale of the proposed sub-project's potential and effects on the VMGs present, whether such effects are positive or adverse (see Annex xxx for details). The NPCU will prepare detailed Terms of Reference (ToR) for the social assessment study once it is determined that VMGs are present in the project area. (*Annex 8 contains draft sample ToRs for the development of a VMGPs*).

106. **Consultation and participation:** Where the project affects VMGs, the NPCU will engage in FPI consultation with them. To ensure such consultation, the NPCU:

- a) establishes an appropriate gender and inter-generationally inclusive framework that provide opportunities for consultation at each stage of project preparation and implementation among the implementation structures, the VMGs, the VMGOs if any, and other local Civil Society Organizations (CSOs) identified by the affected VMGs;
- b) uses consultation methods³⁸ appropriate to the social and cultural values of the affected VMGs and their local conditions and, in designing these methods, gives special attention to the concerns of VMGs and their access to development opportunities and benefits; and
- c) Provides the affected VMGs with all relevant information about the project (including an assessment of potential adverse effects of the project on the affected VMGs communities) in a culturally appropriate manner at each stage of project preparation and implementation.

107. In deciding whether to proceed with respective sub-project, initially under component 1, NPCU will ascertain, on the basis of social analysis, FPI Consultation, whether the affected

³⁸ Such consultation methods (including using indigenous languages, allowing time for consensus building, and selecting appropriate venues) facilitate the articulation by VMG of their views and preferences.

VMG communities provide their broad support to the project. Where such support will be provided, the NPCU will prepare a detailed report that will document:

- a) the findings of the social assessment;
- b) the process of FPI consultation with the affected VMG communities;
- c) additional measures, including project design modification, that may be required to address adverse effects on the VMGs and to provide them with culturally appropriate project benefits;
- d) recommendations for FPI consultation with and participation by VMGs during project implementation, monitoring, and evaluation; and
- e) Any formal agreements reached with VMGs and/or the vulnerable and marginalized groups' organizations (VMGOs).

108. The NPCU will submit the social assessment report for inspection by the World Bank and advice based on the outcome of the FPI Consultation with the VMGs as a basis for determining whether there is such report.

109. The social assessment will be conducted using documentation review, interviews with key informants and focused group discussion with the VMGs, the VMGOs if any, and other local CSOs identified by the affected VMGs. The process will utilize PICD tools and will generate the data and information based on the indicators summarized table 13 below.

Table 10: Methodology for addressing the various tasks pertaining to the ToR

Tasks	Indicative Data and Information
• Identification of Potential projects and sub-projects for proposed financing	<ul style="list-style-type: none"> - Identify Types of programmes and sub-projects: <ul style="list-style-type: none"> - <i>Agriculture</i> - <i>Livestock</i> - <i>Resilience to Climate Change risks</i> - <i>Others</i>
• Initial Screening	<ul style="list-style-type: none"> - Documentation review to identify already documented IP's/Vulnerable groups and marginalized communities - <i>Review reports of past IPP/F and VMG/F from World Bank</i>

	<p><i>financed projects in Kenya</i></p> <ul style="list-style-type: none"> - <i>NRM & WKCDDD/FM; KAPAP/KAPSLM/ KACCAL; KCDP; TOA and KYEP</i>
<p>• Potential positive and adverse effects of proposed programmes and sub-projects</p>	<ul style="list-style-type: none"> - Subject the prototype programmes and sub-project to environmental, social and Health impact assessment - <i>(screening,</i> - <i>Preliminary Assessment</i> - <i>Recommendations</i> <ul style="list-style-type: none"> - <i>Develop a screening and initial assessment process</i> - <i>Institutional framework for impact assessment</i>
<p>• Social Assessment [Secondary Screening]</p>	<ul style="list-style-type: none"> - Review of applicable legal and institutional framework - Baseline information for characterizing VMGs <ul style="list-style-type: none"> - <i>Demography</i> <ul style="list-style-type: none"> - <i>(Population size: gender disaggregated population, composition by age; population growth and distribution; sex ration)</i> - Social economic indicators <ul style="list-style-type: none"> - <i>Health (life expectancy by and age; Maternal, infant & under 5 mortality rate, child bearing-adolescent and total fertility)</i> - <i>Housing</i> - <i>Education</i> - <i>Work</i> - Representation in decision making platform <ul style="list-style-type: none"> - <i>(governance system and structures and linkage with government – county and national levels)</i> - Relative geographic location - Traditional lifestyle (traditional dressing, rituals, belief system,

	<p>language) governance</p> <ul style="list-style-type: none"> - Livelihood - <i>(food and income generating activities)</i>
<p>• Framework for Free, Prior, Informed and Accessible consultations Framework</p>	<ul style="list-style-type: none"> -Governance structures -Local consultation process and protocol -Communication channels /spaces -Language -Gaps analysis -Recommendation for strengthening the process by government and target VMG's
<p>• Identify the main actors/stakeholders (formal and informal) for screening project supported activities</p>	<ul style="list-style-type: none"> -Actors/Stakeholders mapping (<i>identification</i>) within the project operational area - <i>Identify the actors and their roles</i> - <i>Capacity assessment to support the screening of activities</i> <ul style="list-style-type: none"> ○ <i>Technical support</i> ○ <i>Capacity development</i> - <i>Evaluating their effect on the VMG (+ve & -vet)</i>
<p>• Capacity development plan for government institutions and VMG organizations for project effectiveness</p>	<ul style="list-style-type: none"> -Training needs assessment for project implementation and impact monitoring - Social and Technical <ul style="list-style-type: none"> ○ <i>Project planning and management;</i> ○ <i>Community mobilization; group dynamics, participatory integrated community development;</i> ○ <i>Complaints handling and grievance redress mechanism; participatory impact assessment, procurement;</i> ○ <i>Financial and accounting, value chain analysis and value</i>

	<p><i>addition, business development skills, etc.)</i></p> <ul style="list-style-type: none"> - Legal (<i>constitutional referencing, policy analysis, legislative interpretation. Registration of CIGs</i>)
• Grievance Redress Mechanism & Complain Handling Process	<ul style="list-style-type: none"> - Governance process and structures - Local grievance redress mechanism - Communication channels /spaces - Complaint uptake - Complaints sorting - Complaints handling organs - Feedback mechanism - Redress process for grievances including
• Monitoring and reporting arrangements	<ul style="list-style-type: none"> - Participatory Impact monitoring process - Definition of impact boundaries - Definition of types of impacts - Identification of impacts indicators - Composition of PIM Teams - Data collection and analysis - Triangulating results - Feedbacks mechanism to project beneficiaries - Utilization of PIM results
• Disclosure arrangements	<ul style="list-style-type: none"> - Documentation disclosure process of the resultant draft and final VMGPF - Process for participation, information disclosure and consultation with affected VGMP - Consultation and participation mechanisms to be used during

	project implementation
	- Process of capturing and documenting VMGs concerns with respect to social impact assessment results
	- Actual disclosure for draft and final VMGPF

7.0 Institutional and Implementation Arrangements

110. **Implementation of KCSAP will involve a three-tiered institutional arrangement (national, county, and community).** At the first-tier, national level, the National Treasury (NT) will represent the Government of the Republic of Kenya (“the Borrower”) and the MoALF will be the main implementing agency. Within the MoALF, the project will be anchored in the State Department of Agriculture (SDA). The second tier will be the county level, with the county governments as the executing agencies of the project. The third tier will be the community level, where beneficiaries will implement their community-led interventions. The three-tier institutional arrangement aims to: (a) lessen the approval layers for faster decision-making and consequently efficient project implementation; and (b) utilize mostly the constitutionally mandated governance structures at the national and county levels, to the extent possible.

111. **National level:** The overall project oversight and policy guidance will be provided by the National/Project Steering Committee (NPSC), which will be chaired by the Cabinet Secretary (CS), MoALF. The members of the NPSC will include PSs from the relevant state departments (NT; Agriculture, Livestock and Fisheries; Environment and Natural Resources; Water and Irrigation; Industrialization and Enterprise Development; Devolution and Planning), the Chair of Agricultural Sector in the Council of Governors (CoGs), two Governors representing participating counties, Chief Executive Officer (CEO) of the Kenya National Farmers Federation (KENAFF), the World Bank representative (*ex officio*), and members of agricultural and rural development donors group. NPSC will also be responsible for approving the project’s Annual Work Plans and Budgets (AWP&B).

112. The National Technical Advisory Committee (NTAC), comprising among others, directors of relevant line ministry departments (Climate Change, Irrigation, Meteorology), director generals of the relevant government agencies (KARLO, NEMA), Chair of Inter-governmental Technical Working Group (ITWG) responsible for Projects/Programs, Chair and Secretary of County Executive Committee (CEC) Caucus, and representatives of the Kenya Plant Health Inspectorate Services (KEPHIS) and Seed Trade Association of Kenya (STAK), will be chaired by the Director of Planning, MoALF. NTAC will be responsible for providing technical

support to the overall project implementation; and approving the national and county level investment and CSA research proposals. The number of members of NTAC attending each meeting will depend on the agenda or technical advice sought the NPCU.

113. The National Project Coordination Unit (NPCU) to be embedded in the SDA, MoALF, will be responsible for managing day-to-day project implementation. NPCU, to be headed by the National Project Coordinator (NPC), will comprise Component Coordinators (Components 1-3), M&E Coordinator, Finance Officer/Project Accountant, Procurement Officer, Internal Auditor, Human Resource and Administration Officer, Education and Communication Officer/Public Relations Officer, ICT Officer, and Environmental and Social Safeguards Compliance Officer. The national government, through NPCU will be responsible for implementing project Components 2, 3 and 4.

114. **County level:** The County Project Steering Committee (CPSC) to be chaired by the County **Secretary** (CS) will provided project implementation oversight in the respective counties. The CPSC will comprise Chief Officers of the relevant county ministries, county director of environment; and representatives from the private sector, and civil society. CPSC will be responsible for approving the project's AWP&Bs at county level, as well as ward and community micro-project proposals. Wards will be responsible for implementing interventions that cut across several communities. In such cases, Ward Development Plans (WDP) will be prepared. CPSC will also ensure that project activities are incorporated in their respective County Integrated Development Plans (CIDP).

115. The County Project Coordination Units (CPCUs) will be embedded into the respective county government structures – in the agriculture department. CPCUs to be headed by the County Project Coordinators (CPCs) will be responsible for the day-to-day operations of the project in each county. CPCU will comprise the CPC, County Component Leaders (Components 1–3), County M&E Assistant, County Finance Assistant/Project Accountant, County Procurement Assistant, and Internal Auditor. CPCs will serve as the secretary to the CPSC. The county governments will be responsible for implementing Component 1.

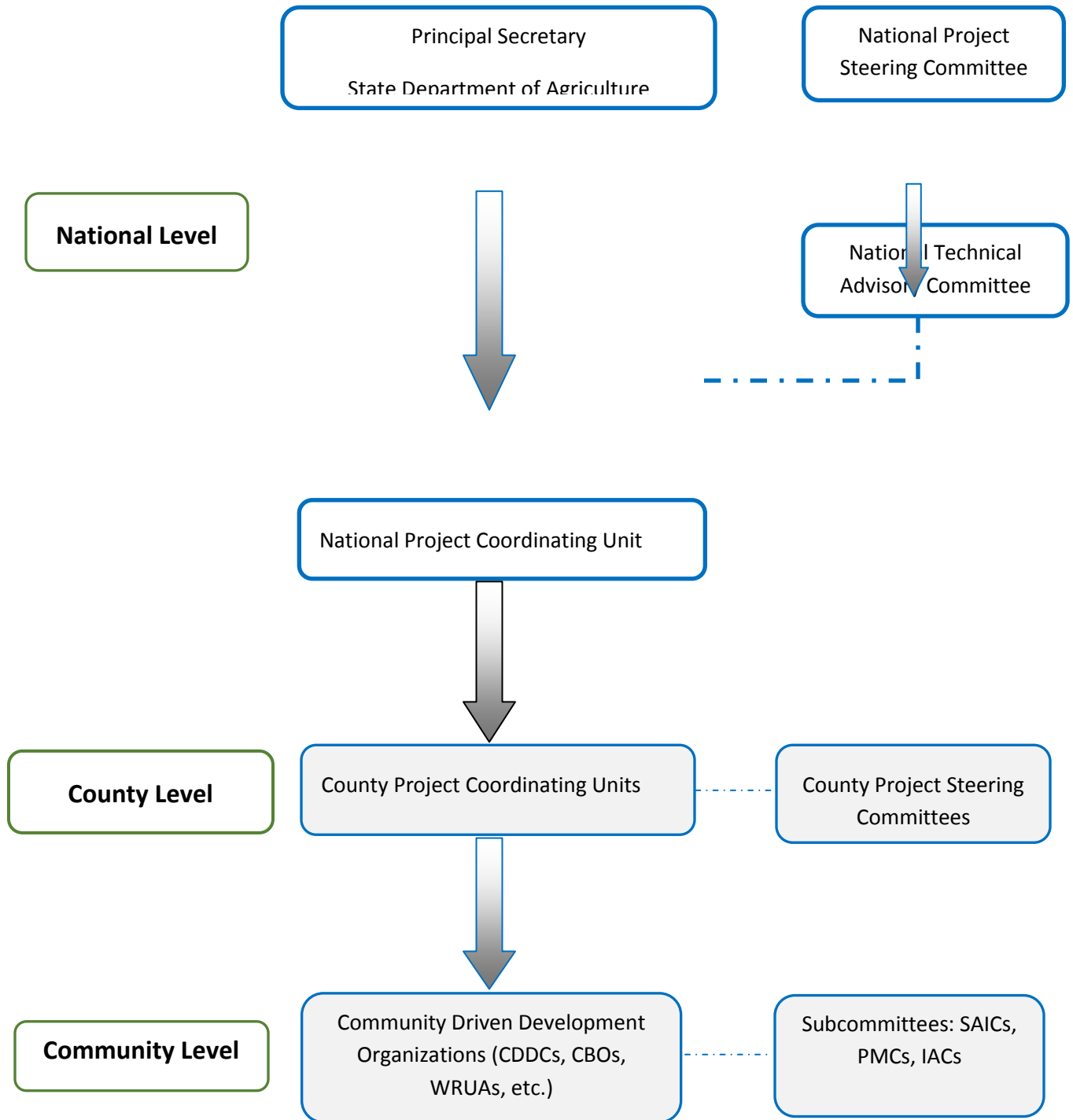
116. **Community level:** The Community Driven Development Organizations (CDDOs) with elected leaders (chair, secretary, treasurer and board members) will represent beneficiaries in the targeted communities. With facilitation from SPs, the CDDOs will be responsible for mobilizing communities into CIGs and VMGs, through participatory approaches. CDDOs will facilitate the preparation of the prioritized Community Development Plans (CDPs) and community micro-projects, as well as their implementation, community participatory monitoring and reporting. Other community-level groups and subcommittees, including Water Resource Users' Associations (WRUAs), CBOs, SACCOs, and Social Accountability and Integrity Committees (SAICs) will also participate in the project.

Screening for sub-projects

117. The screening for sub-projects start with identifying community needs through the PICD process which enables the VMGs to assess their local needs and challenges, prioritize these needs, suggest possible solutions, and develop action plans in order to address the prioritized needs.

118. The outputs of the PICD process are the institutions including VMG Driven Development Committee (VMG DDC), that coordinates the implementation of the VMG action plan (VMGAP), and identification of VMG Common Interest Groups (VMGCIGs), and producer groups to implement prioritized VMG projects, selection of the VMG Procurement Sub-committee (VMG-PSC) to procure goods and services, VMG Project Management Committee (VMG-PMC) to oversee the implementation of the sub-projects and the VMGAP which details the prioritized needs of the implementing communities. The VMGAP are the source of the developed sub-projects proposals.

Figure 3: Institutional Implementation Arrangement



Capacity Building

119. Social inclusion starts from good communication and social awareness actions using various media, combined with capacity building and training. A module on social inclusion will be included in the capacity building for relevant stakeholders and VMGs.

120. **County capacity building:** County governments will be supported to use census and other databases to identify and target VMGs (for example, ward administrators tend to have the ward profile with the data on people with disabilities, widows, etc.). County governments are encouraged to create (if it does not exist yet) a database that includes youth and VMGs in the concerning County.

121. **County-level capacity building:** The sub-component will further support safety net programs (e.g. cash or food for work) to generate jobs or create employment during off-season, targeting VMGs but mainly youth. Counties will be supported to review existing targeting mechanisms and programs for VMGs (see sub-component 3.1) to move towards targeting mechanisms that combine data available to the national and county governments with the participatory identification of VMGs under Component 1 through the PICD process.

122. **Supporting Community-Driven Development:** For community-level institutions, general capacity building on an inclusive PICD process and participatory identification of VMGs will be essential. In addition to having modules on cross-cutting themes like inclusion, it is also important to have conflict resolution as part of the training and awareness creation for communities.

123. ***Social Inclusion-informed selection of investments.*** Menu of goods and services available within CDD projects must include those that are of relevance and interest to **women** and VMGs. e.g., if the plan only has activities that need a large piece of land, it would not be helpful for landless members and physically challenged people.

Specific capacity-building for VMGs

124. As the target groups become clearer and awareness of the social and economic inclusion principle of the project is widely shared, the VMG's members will be invited to participate in training and capacity building sessions. The VMG's may have specific capacity building needs, and dedicated skills training funded through potentially dedicated funding. Youth from the VMG's like in other communities, may need separate training programs, tailored to their needs and lifestyle.

- ***Social inclusion:*** The stakeholder will be trained on strategies for enhancing social inclusion such as: (i) good communication, (ii) social awareness actions, (ii) creation and utilization of databases on vulnerable communities and groups such as:

marginalized communities, women, youth, person with disabilities, aged members of the community. (iv) group dynamics among others. The skills gained will be used to mobilize and create awareness among the VMGs, develop Community Development Plans, build capacity on VMG and support the VMG to implement, monitor and evaluate their action plans

- **PICD Module:** The VMG, national and county government, services providers and other development actors who will interface with the VMGs will be capacity build on the PICD process and VMGF principles and elements
- **VC analysis and development Module:** The VMGs, PO's, Service Providers and national and county government will be trained on the **VC analysis and development** with examples drawn from success stories from VMG's supported through WKCD/FM and KAPAP.
- **Climate Risks Module:** The VMGs, CIGs, POs, Service Providers, National and County Government will be trained on the use of tools and methodologies for assessing climate risks
- **Fiduciary Module.** VMGs will be trained on community procurement and financial management to improve their relevant capacity on project implementation and management.
- **Environmental and social safeguards Module.** Relevant County government staff, Servicer Providers and VMGs will be trained on how to use checklists and development of environmental management plans where applicable),
- **Agri-business and financial services Module:** Relevant County government staff, Servicer Providers, PO's, VMG and other relevant development actors will be trained on agri-business and financial service principles and skills to ensure that the KCSAP integrated business model in the design of value change development and implementation

125. **Target trainees:** KCSAP will develop a training program targeting relevant project actors at the national, county, sub-county and community levels with each target with relevant training module and **knowledge**, skills and practice areas (see table 10).

National and County Institutions: The institutions to be trained will include: NTAC, NPCU, CPSC, CPCU, CTD, CDDC, CDDCs, CBOs, WRUAs

SAICs, PMCs, IACs

- a. **Sub-committee:** SAIC, PMC's, IAC's, service providers, VMG CIGs' and VMGPO, CSO, NGO, FBO's among others.
- b. **VMG:** The training will focus on whole community with awareness creation session and the VMG CIGs with the respective training modules (see table 10).

126. **Facilitators/trainers and modes of training.** Terms of Reference and the selection process for facilitators and trainers will ensure that candidates who can deliver training modules in an inclusive way will be hired. Also, language and tools to be used in documents and training should factor in potential barriers these training media can pose to the participation of certain excluded groups in capacity building measures. The County Governments should explore the possibility and ensure the language and modality of training provision would not exclude certain groups of members. Similarly, the facilitators of the trainings should take into account the background and profile of the trainees.

Areas of focus for Training for Environmental and Social frameworks under the KCSAP

Table 11: Proposed Areas of capacity building for Environmental and Social Safeguards

Level	Key target groups	Type of Training
National level	<ul style="list-style-type: none"> • NPCU • National Steering Committee • National Technical Advisory Committee 	<p>Sensitization on the</p> <p>PICD</p> <p>Social and Environmental safeguard framework</p>
County level	<ul style="list-style-type: none"> • County Project Steering Committee, • County Project Technical Team with line department and ministries at the county level) 	<p>PICD</p> <p>Social and Environmental safeguard framework</p> <p>Application of the screening checklists, manuals and tools</p> <p>Conflict Resolution and the grievance mechanism</p> <p>Social Audits</p> <p>Report Writing</p> <p>Citizen and Stakeholder Engagement</p> <p>Group dynamics</p> <p>Gender awareness</p>
Community level	<ul style="list-style-type: none"> • Community level structures Value chain producer organizations, • Community interest groups, Vulnerable and Marginalized Groups, and the • Community Development Committees). 	<p>PICD Social Skills on screening and use of the Environment & Social Check List</p> <p>Checklist for the RFP and RAP implementation</p> <p>VMGF and Plan training</p> <p>Group dynamics</p> <p>Conflict Resolution and GRHC</p> <p>Participatory M& E and reporting</p>

		Gender awareness Gender Screening Training on the CIDP Lobby and Advocacy Building Farmer organizations
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Budgets

Table 12: A Budget for the proposed areas of training for the Environmental and Social Safeguards

Level	Type of Training	Budgets [KES]
National level	Sensitization on the PICD Social and Environmental safeguard framework	<u>1 Training Sessions</u> Training Subsistence – KES 2,000,000 Facilitation = KES 700,000 Transport = KES 500,000 Consultant = KES 3,000,000
County level	PICD Social and Environmental safeguard framework Application of the screening checklists, manuals and tools Conflict Resolution and the grievance mechanism Social Audits Report Writing Citizen and Stakeholder Engagement	<u>5 Training Sessions (County)</u> Training Subsistence – KES 12,000,000 Facilitation = KES 4,200,000 Transport = KES 3,000,000 Consultant = KES 22,500,000

Level	Type of Training	Budgets [KES]
	Group dynamics Gender awareness	
Project implementing Staff	PICD Social and Environmental safeguard framework Application of the screening checklists, manuals and tools Conflict Resolution and the grievance mechanism Social Audits Report Writing Citizen and Stakeholder Engagement Group dynamics Gender awareness	<u>5 Training Sessions (County)</u> Training Subsistence – KES 12,000,000 Facilitation = KES 6,000,000 Transport = KES 3,000,000 Consultant = KES 22,500,000
Community level	PICD Social Screening and use of the Environment & Social Check List Screening RFP and RAP implementation VMGF and Plan training Group dynamics Gender awareness Conflict Resolution and GRHC Participatory M& E and reporting Gender Screening Training on the CIDP Lobby and Advocacy	<u>5 Training Sessions Community level)</u> Facilitation = KES 10,000,000 Transport = KES 6,000,000

Level	Type of Training	Budgets [KES]
	Building Farmer organizations	
Total		<u>107,400,000</u>

Grievance Redress Mechanisms

127. A grievance redress mechanism will be developed for addressing the grievances from the affected VMGs related to sub-project implementation. The procedure of grievance redress will be incorporated in the project information pamphlet to be distributed prior to implementation. Participatory consultation with affected households will be undertaken during project planning and implementation stages.

128. KCSAP will establish a mechanism to receive and facilitate resolution of affected VMGs concerns, complaints, and grievances about the project's safeguards performance at each sub-project having VMGs impacts, with assistance from Non-Governmental Organizations (NGO). Under the Grievance Redress Mechanism (GRM), a Grievance Redress Committee (GRC) will be formed for each sub project with involvement of VMGs representative & local stakeholders. The GRCs are to be formed and activated during the VMGPs implementation process. Assistance to VMGs will be given to document and record the complaint. The grievance redress mechanisms is designed with the objective of solving disputes at the earliest possible time and at the lowest levels where the PAPs reside for quick resolution. The traditional dispute resolution structures existing for each of the VMGs will be used as the first step in resolving grievances.

129. The VMGs will be provided with a variety of options for communicating issues and concerns, including in writing, orally, by telephone, over the internet or through more informal methods as part of the grievance redress mechanism. In the case of marginalized groups (such as women and young people), a more proactive approach may be needed to ensure that their concerns have been identified and articulated. This will be done, for example, by providing for an independent person to meet periodically with such groups and to act as an intermediary. Where a third party mechanism is part of the procedural approach to handling complaints, one option will be to include women or youth as representatives on the body that deals with grievances. It should be made clear that access to the mechanism is without prejudice to the complainant's right to legal recourse. Prior to the approval of individual VMGPs, the affected VMGs will have been informed of the process for expressing dissatisfaction and seeking redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency.

Citizen Engagement

130. CE is the two-way interaction between citizens and governments or the private sector that gives citizens a stake in decision-making with the objective of improving the intermediate and final development outcomes of the interventions. The implicit theory of change in promoting CE in Climate Smart Agriculture is that communities with a participatory stake in the functioning of the climate smart agriculture TIMPs are more likely to adopt, use and support them and be greater champions of the working TIMPs and of their own needs. CE can also help hold service providers accountable for results. For this reason, CE mechanisms are designed to make target communities including VMGs more aware of the services and technologies provided, more involved in the choice and application of such TIMPs, better able to communicate with service providers and, in turn, feel more responsible and accountable for the success of the project results.

131. For example, between 2011 and 2013, the MOH, with support from the World Bank, tested integration of approaches, which is part of CE, in selected health facilities across the country. The pilot demonstrated that the model holds considerable promise for achieving better local governance and health service delivery. Following the pilot, the MOH developed a manual to assist service providers and communities in adopting and implementing the tested practices in service delivery. This underscored the fact that until recently service provision has largely been supply driven with little or no input from the citizens. KCSAP will draw good practices and lessons and leverage on these guidelines to integrate CE in service delivery as a means of ensuring that citizens have a greater voice; that the project system will be accountable to its citizens. Indicators that support and enhance CE should be included.

132. CE will contribute to achievement of the PDO through: (i) improved demand for TIMPs for productivity and resilience to climate change risks as a result of enhanced community participation in decision-making and management processes; (ii) improved governance as a result of strengthened governance and institutional structures; (iii) empowered communities as a result of demand for up scaled climate change agricultural practices by smallholder farmers and pastoral communities and increased community participation in service delivery accountability and (iv) improved quality of service provision as a result of feedback systems and grievance Redress Mechanism (GRM). Activities will be centered on the three components of CE:

133. Information sharing. The extent to which research, meteorological and value chain operational information is made publicly and interactively available. Community participation. The improved functionality of community units as well as establishing community-based monitoring (CBM) mechanisms while also strengthening existing mechanisms such as inclusion and empowerment of community representatives on the decision-making structures of the project implementation units.

134. GRM. The extent to which feedback and GRM are available at the community level and whether/how the feedback loop is closed.

135. The proposed CE activities are expected to be led by two key actors, (i) National Project Management Unit that should not only have key safeguards specialists (Environment and Social) but ideally assist in the appointment of focal persons for not only CE but also Safeguards within each of the county teams to guide the process at county level as well as within the larger community umbrella/committees, producer and farmer organizations at CIG levels (specifically to guide safeguards in their entirety including CE/GRM, and (ii) All Community smallholder/pastoral based groups/institutions are expected to designate their CE/GRM focal persons/Committees at the existing community fora.

136. Communities and individuals who believe that they are adversely affected by a World Bank supported project may submit complaints to existing project-level grievance redress mechanisms or the World Bank's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project-affected communities and individuals may submit their complaint to the World Bank's independent Inspection Panel, which determines whether harm occurred, or could occur, as a result of World Bank non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate GRS, please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

Stakeholders Engagement

137. The term "stakeholder engagement" is emerging as a means of describing a broader, more inclusive, and continuous process between a sponsor and those potentially impacted that encompasses a range of activities and approaches, and spans the entire life of a project cycle. In this context, good stakeholder relations are a prerequisite for good risk management. Tips for successful stakeholder engagement include: (i) Start early -relationship-building takes time. Many of the hallmarks of good relationships – trust, mutual respect, and understanding – are intangibles that develop and evolve over time, based on individual and projects should design their engagement strategies in line with the needs of their respective activities; (ii) Take a proactive approach - this means fighting the instinct to delay consultation because it is still early days and you don't have all the answers yet or are worried about raising expectations. The reality, most likely, is that people's expectations are already raised in some form or other, and that speculation about the project is beginning to circulate. Early engagement provides a valuable opportunity to influence public perception and set a positive tone with stakeholders early enough; (iii) In the high-pressure context of getting a project up and running, interacting with

stakeholders when there doesn't seem to be any urgent need to do so can be viewed as a low priority and not a particularly good use of scarce time and resources. However, if a conflict or crisis does occur, the absence of established relationships and channels of communication puts the project at an immediate disadvantage in trying to manage the situation; and (iv) Establish and maintain good relationships - this requires a long time-horizon. Projects who take this view tend to make different types of decisions. They invest in hiring and training community liaison staff and see the value of consistently following through on their commitments to stakeholders.

Gender Mainstreaming And Inclusion Of Youth, Vulnerable And Marginalized Groups In Climate Change TIMPS

138. The social pillar of Kenya's Vision 2030 aims at ensuring equity in power and resource distribution between the sexes, improved livelihoods for all vulnerable groups, and responsible, globally competitive, and prosperous youth. Specific strategies involve: increasing women's participation in all economic, social, and political decision-making processes; improving access to all disadvantaged groups (e.g., business opportunities, health and education services, housing and justice); and minimizing vulnerabilities through prohibition of retrogressive practices (e.g., female genital mutilation and child labour) and up scaling training for people with disabilities and special needs (Annex 15).

139. Gender is the collective social difference between males and females, as determined by culture. Gender is one of the many components of vulnerability to climatic change. Changes in the climate affect genders differently, magnifying existing gender inequality. Both women and men are affected by and vulnerable to climate change and global warming, but women often bear more of the burden. This increased vulnerability is mostly not due to biological or physical differences, but is molded by the social, institutional and legal contexts. Therefore, vulnerability is less an intrinsic feature of women and girls but rather a product of their marginalization. When women have fewer rights and less power in society, more of them suffer due to climate change related aspects, but when there are equal rights, access and empowerment for all groups, climate change impacts are more equally matched.

8.0 MONITORING AND EVALUATION

140. All project results indicators will be disaggregated by gender and age to monitor women and youth participation in the project interventions. The project will also enhance inclusion of most vulnerable groups including female headed households, child-headed households and those from marginalized communities.

141. Monitoring for implementation of VMGPs: The NPCU at the MoALF will establish a monitoring system involving the NPCU staff at national and county level, as well as community groups of VMGs to ensure effective implementation of VMGP. A set of monitoring indicators will be determined during VMGP development and will be guided by the indicators contained in the VMGF document. The NPCU support consultants will carry out monitoring as will the World Bank social staff. Appropriate monitoring formats will be prepared for monitoring and reporting requirements.

142. For any sub-project found to have significant adverse impacts on VMGPs, external experts will be engaged by the NPCU to verify monitoring information of the VMGP for those sub-projects. The NPCU and external experts will collect baseline data including qualitative information and analyze the same to assess the impacts of the project on groups that meet the OP 4.10. The experts will advise on compliance issues and if any significant issues are found, the NPCU will prepare a corrective action plan or an update to the approved VMGP. The NNPCU will follow up on implementing the corrective actions to ensure their effectiveness.

- a) **Monitoring Indicators:** several key indicators and topics for monitoring and evaluation of VMGP are (i) process of consultation activities; (ii) appropriateness of affected assets valuation and compensation; (iii) economic status of VMGPs in comparison with pre project condition (iv) status of VMGs as identified in the SA; (v) any disadvantaged conditions to VMGs that was not anticipated during the preparation of VMGPs, that required corrective actions; and (vi) grievance redress issues. The VMGP will collect required data/information and regularly analyze project outputs and impacts considering impact on VMGs, and semi-annually report the results to the Bank.
- b) **Annual Reporting and Performance Review Requirements.** Annual progress reports will be prepared by the NPCU and the preparation of the progress reports will be supported by the environmental and social safeguards specialists in the project at the county and community levels. These reports will be submitted to the Bank.
- c) **Budget.** All costs for implementation of the safeguards instruments (RPF, ESMF, and VMGF) will be financed by KCSAP. The costs of the VMGF, RPF and EMSF will be estimated during appraisal based on interviews with community members and

relevant government officials. This will be updated after the detailed survey and investigation as well as further consultations with VMGs.

- d) *Assessment of capacity and preparedness for appraisal.* MOALF has the requisite capacity to undertake the preparation of the safeguards instruments. The county staff will be trained on the required policies and use of the social and environmental screening tools.

143. All the plans will include a Consultation and Stakeholder Engagement strategy to ensure that PAPs are informed, consulted, and mobilized to participate in the relevant sub-projects. **Grievance Redress Mechanisms** related to sub-project implementation; and a process for Bank and Government Disclosure to the public in accordance with Bank Policy on Disclosure of Information will be affected. Consultations with local stakeholders from the relevant national and county line Ministries and representatives of VMGs will be undertaken during the preparation of the social and environmental documents.

Table 13: Monitoring and Evaluation Indicators for KCSAP VMGF

Component	Indicator	Responsibility	Data Sources
Component 1: Upscaling Climate-Smart Agricultural Practices			
Subcomponent 1.1: <i>Building Institutional Capacity and Strengthening Service Delivery</i>			
<ul style="list-style-type: none"> i. Community mobilisation ii. Awareness creation iii. Development of and training on standardized training modules iv. Payment to the competitively selected services providers v. Facilitation of county technical departments to provide oversight and quality assurance for service providers 	<ul style="list-style-type: none"> • No of VMG screened • No of VMG's mobilized and sensitized • List of VMG members participating in the mobilization and sensitization meetings • No of Training modules developed • No of CTA and SP and other stakeholder trained on PICD and other module with respect to targeting VMG's 	<p>KCSAP NPCU</p> <p>CTD</p> <p>SP</p> <p>VMG CIG's</p>	<p>Field meetings and workshops</p> <p>PIM report</p> <p>M&E reports</p>
Subcomponent 1.2: Supporting Investments in Smallholder Agro-pastoral Systems			
<ul style="list-style-type: none"> o improving water and soil management 	No of grants approved in VMG sites.	<p>KCSAP NPCU</p> <p>CPCU</p>	<p>Progress reports/ Project MIS</p>

Component	Indicator	Responsibility	Data Sources
		CTD SP VMG CIG's	
○ promoting livelihoods and crop diversification	<ul style="list-style-type: none"> • No of VMG's benefiting from promoted livelihood options and crop/ livestock diversification • 	KCSAP NPCU CPCU CTD SP VMG CIG's	Field meetings and workshops PIM report M&E reports
○ investing in small-scale irrigation development	No of irrigation structures in VMG areas	KCSAP NPCU CPCU CTD SP WRUA SAICs IACs IWUA	

Component	Indicator	Responsibility	Data Sources
○ climate risk mitigation initiatives(including crop insurance options)	• No of VMG members benefiting from the climate risk mitigation initiatives	KCSAP NPCU CTD VMG CIG's SP	Capacity building workshops Progress Report
Component 2: Strengthening Climate-Smart Agricultural Research and Seed Systems			
<i>Subcomponent 2.1: Supporting Climate-Smart Agricultural Research and Innovations</i>			
○ <i>On farm trials for TIMPs on CSA</i>	• No of TIMPs that are socially and culturally appropriate for VMGs agricultural activities	Researchers	Progress reports
<i>Subcomponent 2.2: Building a Competitive and Sustainable Seed Systems</i>			
○ Community mobilisation ○ Development of and training on standardized training modules ○ Facilitation of county technical departments to provide oversight and quality assurance for service providers	• No of VMG's mobilized and sensitized • No of Training modules developed • No of supervision visits by CTD • No of VMG members contracted • Amount of seed produced (kgs for crops	Researchers KEPHIS KAGRC CPSC CTD	Field meetings and workshops Progress reports

Component	Indicator	Responsibility	Data Sources
○ Contracting farmers for seed bulking	and numbers for livestock)	SP VMG CIG's	
Component 3: Supporting County Community-Led Development			
Subcomponent 3.1: County Capacity-Building	<ul style="list-style-type: none"> • No of stakeholder sensitized and/trained on VMG status, value chain development and financing issues • No of VMG's support by County government and other development actors on upgrading and operating their value chains 	KCSAP NPCU CTD SP VMG CIG's PO's CCU	Field meetings and workshops PIM report M&E reports Training reports
Subcomponent 3.2: County Investments and Employment Programs			
○ <i>Multi-community investments</i>	<ul style="list-style-type: none"> • No of VMG sites covered by landscape SLM investments • Level (no, length, area) of enabling infrastructure improved for purposes of value chain development 	KCSAP NPCU CTD SP VMG CIG's PO's	Field meetings and workshops PIM report M&E reports Baseline

Component	Indicator	Responsibility	Data Sources
		CCU	survey
○ <i>Employment Programs</i>	• No of VMG members (unemployed and out-off school) benefiting from cash for work programmes	KCSAP NPCU CTD SP VMG CIG's PO's CCU	Cash for work report PIM report M&E reports
Component 4: Project Coordination, Monitoring and Evaluation			
<i>Subcomponent 4.3: Contingency Emergency Response</i>	• No of potential local disasters addressed within VMG localities	KCSAP NPCU CTD SP VMG CIG's PO's CCU	Cash for work report PIM report M&E reports

9.0 STAKEHOLDERS' CONSULTATIONS AND PUBLIC DISCLOSURE

144. This VMGF and sub project VMGPs will be made available to the affected VMGs in an appropriate form, manner, and language. Various project design, launching, implementation; monitoring and evaluation completion sessions will be disclosed and/or communicated throughout the project phase. Once the documents are reviewed and cleared as providing an adequate basis for project compliance, the borrower will make them available to the public in accordance with Bank Policy on Disclosure of Information, and the Bank will also make the documents available on the World Bank infoshop.

- a. Each sub-project VMGP will be disclosed to the affected VMGs with detailed information of the sub-project. This will be done through public consultation and made available as brochures, leaflets, or booklets, using local languages. Summary of the VMGP will be made available in hard copies and in language at: Offices of the MoALF; Sub County or County Office; and any other local level public offices.

145. Electronic versions of the framework as well as the VMGPs will be placed on the official website of MoALF and the official website of Bank after approval and endorsement of the VMGF and each VMGP by the Bank.

146. The national stakeholder/public consultative workshop for the Vulnerable and Marginalized Frameworks, (VMGF), Environment and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) was held at the Kenya Agriculture and Livestock Organization, Headquarters on **September 20, 2016**. Participants were drawn from the 24 project Counties, The National Government (Ministry of Agriculture Livestock and Fisheries and Ministry of Devolution and Planning, Youth and Gender Affairs, Ministry of Environment, NEMA, Ministry of Information, Communication and Technology), several project implementing agencies (*KAPP, Accelerating Rural Women's Access to Markets and Trade*); Water Resource Management Authority (WRMA), Rural Water Users Associations; members of Value Chain Common Interest Groups; Representatives of VMGs/IPOs (Ogiek, Sengwer, Maasai, Samburu, Waata, Rendile, Gabra, Somali, Boni) and NGOs undertaking community-based value chain activities (ICT and gender and youth initiatives). A total of 56 persons attended the national consultative workshop and the comments made by the participants is in Annex 11.

147. The objective/Agenda of the national consultative workshop was to;

- Create awareness about KCSAP by MoALF with special emphasis on institutional and implementation arrangements
- Consult and validate the Environmental and Social Safeguards Frameworks
- Agree on the way forward

10.0 REFERENCES

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11.0 ANNEXES

Annex 1: Summary Profiles of VMG Identified in the Proposed Counties through Screening for the KCSAP

The Social Analysis draws mostly from data collected from a desk review of recent existing documents in the public domain about VMGs that meet the criteria of OP 4.10. Obtained information on the views of various categories of VMGs on the potential impacts that the implementation of the various components of KCSAP might have on them. Key informant interviews and focused group discussions with a sample of IPOS drawn from around the country. It was also informed by a national workshop held on December 16, 2015 drawing on representatives of key stakeholders and beneficiaries groups, including farmer organizations, IPOs, country officials, CBOS, women farmer groups, pastoralist organizations. The social analysis collected socio-economic and socio-demographic characteristics of VMGs from the 21 target Counties. Finally, the SA suggested mitigation measures and alternative support to the VMGs livelihood bases. Below is a summary of the findings of the SA.

Kenya is home to a number of groups who self-identify as Indigenous Peoples. Some of these are hunter-gatherers, others nomadic or semi-nomadic pastoralists and other blacksmiths and fishing foraging communities.³⁹In the absence of updated and reliable statistics, it is difficult to give precise demographic data of the various groups. Estimations vary greatly and depend on who one considers as Indigenous Peoples in Kenya. Some experts have put the total population of groups that self-identify as Indigenous Peoples at around 1.5 million.⁴⁰

VMGPs whose livelihoods are linked to Forest/Natural Resources/Forest Adjacent Communities

The hunter-gatherer groups⁴¹ are generally found in the forested areas of the central Rift Valley province, in the western part of the country: Moving from south to north, these groups include: the Ogiek (approx. 20,000), who live in the Mau Forests; the Sengwer (30,000) of the Cherangany Hills and Kapolet Forest in Trans Nzoia, Marakwet and West Pokot Districts;⁴² and

³⁹See the Report of the UN Special Rapporteur on Indigenous Peoples in Kenya, UN Doc. A/HRC/4/32/Add.3, 26 February 2007; the Report of the African Commission's Working Group of Experts on Indigenous Populations/Communities; Banjul & Copenhagen: ACHPR & IWGIA, 2005; and the website of the International Working Group on Indigenous Affairs (IWGIA) at <http://www.iwgia.org/regions/africa/kenya>.

⁴⁰Kipuri, Naomi. "Kenya and its Indigenous Peoples" (unpublished paper). This number does not include all pastoral groups in Kenya; all pastoral groups make up about 25% of the Kenyan population.

⁴¹The project through the FPIConsultation principle will ensure these communities benefit from the sub projects that will be utilizing TIMPs along value chains. Based on their nature some of the value chains may border on local chicken, apiculture, and others. The VMGs will also be capacity build in order to be more efficient uptake of project benefits.

⁴²Rodolfo Stavenhagen, 2006, Mission to Kenya UN Doc. A/HRC/4/32/Add.3, 26 February 2007, para. 39

the Yaaku (less than 1,000) who live in the Mukogodo forest west of Mount Kenya, in the Laikipia District. Two more groups are the Waata (a few thousands) who live dispersed in the southern coastal areas of the Coast region, and the Elmolo (a few hundreds) who are a small fishing community living on the shores of the Lake Turkana, in the northwestern part of the country.

These hunter-gatherers are often derogatorily addressed as Torobbo, Dorobo, Ndorobo, or Wandorobo, which are all Swahili terms deriving from "Il Torobbo," the Maa-term for people without cattle, i.e., in the Maasai understanding "poor people." In the coastal areas, hunter-gatherers are mostly addressed by the Somali term "Boni", which refers to someone without any possessions, and/or "Sanye", which means in Somali "to gather together to use for a general purpose". The people themselves, however, usually refer to themselves by their own names. Communities who are found in the proposed counties whom may meet the criteria OP 4.10 and the Constituion of Kenya 2010 as marginalized and vulnerable groups are the Dorobos, Sengwer, Ogiek, Waata, WaSanye, El Molo.

Sengwer

Sengwer (though referred differently by different sections of the community as Cherangany or Dorobo) is an ancient hunter-gatherer marginalized group area former hunter-gatherers, who live in the Trans-Nzoia, Marakwet and West Pokot Districts in and around the Cherangany Hills. The community is characterized by non-recognition, marginalization, oppression, mal-representation, illiteracy, poverty, torture, powerlessness and discrimination. "...The Cherangany is a nickname given to us by the Maasai. Sengwer acquired cattle from the Maasai through blackmail."⁴³ "...We were robbed of our cattle by the Karamojong and then the Maasai laughed at us because we had no cattle, and called us Cherangany (ni)."⁴⁴ Besides, there's belief that Sengwer who survived after the fall of Kipteeperr are called in contempt the Cherangany⁴⁵. We are also referred to as Dorobo⁴⁶. "...The Dorobo problem has risen because these people, living in small scattered groups, spread over large areas without any property...lived from hand to mouth by hunting and bee keeping..."⁴⁷

Sengwer Indigenous Peoples traditional governance is made of sub-tribes⁴⁸, clans⁴⁹, totems⁵⁰, and *orkoi*⁵¹. Each sub-tribe had their own portion of the ancestral territory whose boundaries were marked either by rivers, hills, trees, etc. The sub-tribe territories covered the plains of

⁴³ Kenya Land Commission report 1932

⁴⁴ Kenya Land Commission report as stated by Sengwer chief Arap Katusseini at A.C.Hoey's farm on 2nd October 1932.

⁴⁵ District Commissioner Elgeyo/Marakwet, Tambach, Report dated 11th October 1927

⁴⁶ Kenya Land Commission of 1932 and colonial District Commissioners monthly and yearly reports

⁴⁷ Evidence given by Mr. C.H. Adams acting Provincial Commissioner Rift Valley Province before the Kenya Land Commission in 1932

⁴⁸ Kaplema, Kamengetiony, Kipsirat, Kapteeteekkee, Kapsormei,, Kimarich, Kaamosus, Kaasango, Kaptoo, Kaptapkitiny, Kapkutung, Kaptongon, Kapumpo, Kaptoyoo, Kapcheper, Kapchepororwo, Kitony, Maron, Kimala, Kaptokol

⁴⁹ Toyoi, Kapon, Tul, Talai, Moi, Kopil, Songom, Sot, Saniak, Teriki,

⁵⁰ Ilat, Morooroch nyipo pei, morooroch nyipo sang, soo kaapumpai, soo kaptieny, chepkarak nyi lel kat, asis, sese, cheptipi, cheptuke, chepsireree, tora, etc

⁵¹ Overseers

Kapchepkoilel and highlands of Cherangany Hills i.e. each of them had a portion of *soi* the plains and *mosop* the forests which forms the Cherangany Hills. Hunting, gathering and bee-keeping was well coordinated. It was illegal for a member of one sub-tribe to either hunt or gather or harvest honey or fetch herbs in another sub-tribes territory

Significant parts of the ancestral lands have been demarcated as forests: Kapkanyar 70,000 acres; Kipteber 57,000 acres; Kapolet 10,800 acres; Chemurgoi 9,800 acres; Sogotio 8,800 acres; Kerer 5,340 acres; Kaisingor 2,680 acres and Embobut 8,000 acres. Access to land and forest resources has been an issues highlighted by the Sengwer.

Adjacent to the Embobut forest in the Marakwet district live, according to local sources, approximately 5,000 Sengwer, which claim to have arrived in the area in the 1930s when they were displaced from the plains of Trans-Nzoia. The settlements are located right on top of the highest lines of the Cherangany hills, with a view into the Rift Valley and the plains of Trans-Nzoia on either side, but without roads, schools, health infrastructure as it is officially considered as forest. . Many of the Sengwer who lived in the forest, along with Marakwet (victims of landslides) and internally displaced people were relocated out of the forest under a Government program targeted at IDPs in 2012/2013. They continue to advocate for access the forests and participate in co-management of the forest.

Ogiek

The Ogiek. The Ogiek (Ogiot - sing.) ethnic group consists of 20-30 groups of former hunters and honey-gatherers, mostly living in forested highlands in west and central Kenya. Local groups have more specific names, e.g., Kaplelach, Kipsang'any, Kapchepkendi etc. Ogiek, a Kalenjin language of the Southern Nilotic group, is the mother tongue of most Ogiek people, but several groups now speak Maasai as their first language. Five groups in the extreme west of the Yala river catchments near the villages Serengoni, Senghalo and in the Kipkurere forest south-west of Burnt Forest (the last one has been visited) and one group in the Enosupukia forest southwest of Maiella in the Kinale- Kikuyu catchments (this one has also been consulted) (see areas circled in red in the maps. Traditionally the Ogiek had occupied the forests of the upper Yala catchments and the higher areas of the eastern rift valley escarpment. Precise demographic figures are not available as the Ogiek are not captured as an independent group within the last national census. The African Commission on Human and Peoples' Rights estimated their total population to be between 15,000 and 20,000 individuals (ACHPR 2005:15) while the Ogiek themselves estimate their total number to be between 20,000 (Kobei 2002:60) and 60,000 (Ogiek.org).

Dorobos /Ltorobo Community of Samburu

In the Forest of Mathews ranges, in North-eastern parts of Wamba area of the larger Samburu district, there are a group of Dorobo community who were ancestrally hunter-gatherers. The

community is composed of 5 clans or family lineages namely: Lngwenya, Soei, Lmaron, Warges, and Lgoyo. However, the Dorobo community were evicted by the Kenya Government from the Mathew ranges forest. The clans now live in several villages around the Mathew ranges which included (Muchemi, 2015).

The Waata

Watha

The Watha people are mostly found in the rural arid and semi-arid lands of the country. A minority of them live in thick forests scattered all over the country. This people are traditionally hunters and gatherers. In Malindi Sub-County a Watha community is found in four divisions (i.e. Malindi, Langobaya, Marafa and Magarini). In Tana River Sub-County the Watha are found in Sombo and Laza divisions while in Mandera the Watha are found in Central division. The population of Watha community in the Sub-Counties is estimated at approximately 30,000 persons. This is only 2.7% of the entire Malindi, Mandera and Tana River Sub-County population.

The Watha people are traditionally hunters and gatherers. However since the government abolished unlicensed hunting of game and wild animals, the Watha people now live in permanent settlements, some of them along the river and where there are forests, mainly in the mixed farming and livestock farming zones. The forests afford them an opportunity to practice bee keeping while those along the river practice crop production.

The land tenure system in the Sub-County is communal ownership. Most of the land in the three Sub-Counties of Malindi, Mandera and Tana River are currently under trust land by the county councils. Few influential people in the Sub-County have however managed to acquire title deeds from the land offices in Nairobi. However, most of this trust lands are controlled by the majority tribes and becomes a point of conflict if the smaller tribes and outsiders get involved. This is what has pushed the small and marginalized tribes like Watha deep into the forests.

Agro Pastoralists/Fishing

Wasanye

Originally, Mpeketoni and its surroundings were inhabited by Swahilis called Wabajuni and a small hunting and gathering tribe by the name of Wasanye or the Sanye who are almost extinct. In the early 1970s Mpeketoni was transformed into a settlement area for landless Kenyans. Most of those who settled there were Kenyans from up country who had been living in Tanzania but decided to return home due to changing political climate. It emerged during these consultative meetings that the Saanye currently occupy the areas of Mapenya, Mkunumbi, Ndambwe, Witu and Kipini in Mpeketoni.

They are currently doing subsistence farming, fishing at Kizuke beach as well as harvesting honey in the forest in the Witu forest. There has been a debate on whether the Sanye are part of the Watha community that occupies parts of Kwale, Kilifi, Tana River and Taita Taveta within the Kenyan coast. Currently, the community has three young men who have completed form four and a young girl who is now in form two. This community claims to have been dominated by the neighbouring Bajuni and the landless settlers from up country who settled in Mpeketoni area in the 1970s.

El molo

The **El Molo**, also known as **Elmolo**, **Dehes**, **Fura-Pawa** and **Ldes**, are an ethnic group mainly inhabiting the northern Eastern Province of Kenya. They historically spoke the El Molo language as a mother tongue, an Afro-Asiatic language of the Cushitic branch. The El Molo today primarily inhabit the northern Eastern Province of Kenya. They are concentrated in Marsabit District on the southeast shore of Lake Turkana, between El Molobay and Mount Kulal. In the past, they also dwelled in parts of the Northern Frontier District.

El molo is a community or a tribe that lives along the shores of Lake Turkana on the southeastern side of the lake. They are the smallest community in Kenya because they have a population of about 300 people. The name of this tribe (El molo) originated from a phrase of Maasai community meaning “those who make a living from other sources other than cattle”. The original homeland of El molo is not known because some people are saying that they came from Somalia while others are saying that they came from Ethiopia. With increase in the intermarriages between the El molo and Samburu and Turkana people, there is increase chance of extinction of the El molo community. In fact there are few people from El molo community who speak the language purely. The language is only spoken well by the elders.

The life of the El Molo is generally based on fishing, using spears or harpoons, fishing rods (made from the roots of an acacia with doupalm fiber and a forged iron point or hook) and nets (made from doupalm fiber).

Currently the El Molo are affected by increased pollution of the Lake, lack of sanitary facilities and lack of access to fresh drinking water.

Ilchamus of Baringo

Ilchamus are ma-speaking plain Nilotes closely related to the Samburu. Originally, the community practiced pastoralism but due to cattle rustling by the Pokot community, they have started farming through irrigation with water drawn from Lake Baringo and fishing within the same lake. They are originally a pastoralist people who used to live on the mainland but due to clashes they have been forced to migrate to an island in Lake Baringo. It is a very traditional and culturally bound society, hierarchical and male-dominated. They live from fishing in small boats

made of balsam tree that dates back maybe a thousand years. They also make some souvenirs and have some livestock. Many are uneducated and with little or no formal education. They communicate mainly in their local language. Their population is estimated at 34,000. They are located in the Country: Southeast and south shore of Lake Baringo, and southwest shore as far north as Kampi ya Samaki.

Livelihood: The majority of the Ilchamus practice both livestock rearing and agriculture, but on the islands in Lake Baringo there are about 800 Ilchamus who live nearly entirely from fishing. The mainland Ilchamus are semi-pastoralists with a long history of small scale agriculture. The main types of livestock owned by the Ilchamus are cattle (zebus), sheep (red maasai and dopper cross) and goats (small east African), but their herds are significantly smaller than those of their neighbours. The key problems here are the insufficient security against aggressions from their neighbours, access to water and pressure of other people on their land due to the non-existence of land titles. The nearest markets are at Marigat and Kiserian.

The Ilchamus fishing communities, on four of the seven islands of Lake Baringo, has a total population of around 800 people. Due to the absence of significant rains and irrigation systems, they don't cultivate anything and the grazing areas on the island sustain only very limited numbers of livestock. The only source of income is fishing (Ol Kokwai), jobs in the Baringo island camp. Income from fishing (Tilapia, Catfish and Mudfish) has reduced significantly over the last years as industrial fishing carried out in 70s and 80s from the mainland and by migrants from other areas have significantly reduced the stocks. As they are unable to stop fishing to allow the stock to recover, even their very limited fishing reduces the stocks further. The ever reducing stocks are associated by the villagers to environmental degrading (sedimentation from erosion along the contributors) and overexploitation in the 70s and early 80s, and on the other hand to the increasing population of crocodiles, which are totally protected and are said to affect not only the fish stocks, but also cause significant losses of livestock and even human lives.

Agriculture is carried out at very small scale and nearly entirely for subsistence due to limited rainfalls in the area and due to the fact that the Ilchamus have been displaced from their former land in which they had established small scale irrigation schemes. Two modern irrigation schemes (with small dams) at the Perkerra and Molo Rivers have enhanced the situation and enable the families involved to produce enough to even commerce parts of it. The main products cultivated are maize, beans and millet.

Cultural Profile: Traditionally the Ilchamus don't seem to have any central authority, but are ruled by the elders of the patrilineages. The Ilchamus claim that structures above the level of the clan were first introduced in the 60s in preparation of independence. The first sub-chief was elected around 1970. Presently, Ilchamus chiefs and councillors have been elected in all six locations where they constitute the majority, but in none where they are in the minority. Because of their being considered as a Maasai subgroup and due to that as nomadic herders, their relation

to and dependence on land for their small scale agriculture have not been considered when “developing” the area. The Ilchamus have been moved around by all kinds of people and for all kinds of activities and interests. The last major displacement took place in the 40s and 50s, when significant Ilchamus populations were moved away for the Perkerra Irrigation scheme near Marigat.

Endorois

Endorois community is a minority community that was living adjacent to Lake Baringo. However, the Government of Kenya forcibly removed the Endorois from their ancestral lands around the Lake Bogoria area of the Baringo and Koibatek Administrative Districts, as well as in the Nakuru and Laikipia Administrative Districts within the Rift Valley Province in Kenya, without proper prior consultations, adequate and effective compensation. Endorois are a community of approximately 20,000 people who, for centuries, have lived in the Lake Bogoria area. They claim that prior to the dispossession of Endorois land through the creation of the Lake Hannington Game Reserve in 1973, and a subsequent re-gazetting of the Lake Bogoria Game Reserve in 1978 by the Government of Kenya, the Endorois had established, and, for centuries, practiced a sustainable way of life which was inextricably linked to their ancestral land.

At independence in 1963, the British Crown’s claim to Endorois land was passed on to the respective County Councils. However, under Section 115 of the Kenyan Constitution, the County Councils held this land in trust, on behalf of the Endorois community, who remained on the land and continued to hold, use and enjoy it. The Endorois’ customary rights over the Lake Bogoria region were not challenged until the 1973 gazetting of the land by the Government of Kenya. The act of gazetting and, therefore, dispossession of the land is central to the present to their current predicament.

The area surrounding Lake Bogoria is fertile land, providing green pasture and medicinal salt licks, which help raise healthy cattle. Lake Bogoria is central to the Endorois religious and traditional practices. The community’s historical prayer sites, places for circumcision rituals, and other cultural ceremonies are around Lake Bogoria. Although the High Court recognized that Lake Bogoria had been Trust Land for the Endorois, it stated that the Endorois had effectively lost any legal claim as a result of the designation of the land as a Game Reserve in 1973 and in 1974. It concluded that the money given in 1986 to 170 families for the cost of relocating represented the fulfillment of any duty owed by the authorities towards the Endorois for the loss of their ancestral land. Since then, Endorois have not owned until recently, when African Human Rights courts passed judgment to force Government to compensate them. To date, however, the Endorois community are yet to receive compensation for this eviction. They are no longer able to freely access the lake or land. This has impacted on site they can access to sustain their former cattle rearing and bee-keeping livelihood. The eviction of the Endorois people by the Kenyan

government and the 'gazetting' (or public declaration of state ownership) of their land began in 1973 and continued until 1986.

Livelihood: Dependant on land and fishing from Lake Bogoria. Critically, land for the Endorois is held in very high esteem, since tribal land, in addition to securing subsistence and livelihood, is seen as sacred, being inextricably linked to the cultural integrity of the community and its traditional way of life. Land, they claim, belongs to the community and not the individual and is essential to the preservation and survival as a traditional people. Endorois health, livelihood, religion and culture are all intimately connected with their traditional land, as grazing lands, sacred religious sites and plants used for traditional medicine are all situated around the shores of Lake Bogoria. At present the Endorois live in a number of locations on the periphery of the Reserve.

Pastoralists

Most of Kenya's pastoralists live in the arid Northern Kenya. They include, moving from east to west, the Somali (500,000) along the border to Somalia; the Borana (150,000) the Rendile (20,000), the Gabra (20,000) and the Turkana (250,000 – 350,000). The Samburu (100,000) live in the southern part of Northern Kenya. Other pastoralists are found in the southern part of the country, along the Rift Valley: the Maasai (155,000), in the southern part in the Narok and Kajiado districts bordering with Tanzania; the Endorois (60,000), near Lake Bogoria; and the Pokot (100,000) in West Pokot district in the central-western part of the country. A small group of Maasai live in Laikipia, in the center of the county, near Dol Dol. In the counties selected for the KCSAP the following pastoralist groups could meet the Op 4.10 criteria: (Rendile, Samburu, Inkumono and Maasai.

Rendille

The Rendille are a Cushitic tribe that inhabits the climatically harsh region between Marsabit hills and Lake Turkana in Northern Kenya where they neighbor the Borana, Gabbra, Samburu and Turkana tribes. They (Rendile) consist of nine clans and seven sub clans. They are culturally similar to the Gabbra, having adopted some Borana customs and being related to the Somali people to the east. Rendille are semi-nomadic pastoralists whose most important animal is the camel. The original home of the Rendille people was in Ethiopia. They were forced to migrate southwards into Kenya due to frequent conflicts with the Oromo tribe over pasture and water for their animals. Being pastoralists, the lifestyle of the Rendille revolves around their livestock. In the northerly areas, camels are their main source of livelihood. This is because camels are best adapted to the desert conditions that prevail in the northern Kenya. The camels are an important source of milk and meat for the Rendille people. When migrating to new pastures, the camels are also used to carry all the family possessions in a specially designed saddle. The Rendille people living in the southern and less dry part of their region have had a good relationship with their Samburu neighbors where intermarriage with the Samburu has led to the emergence of a hybrid culture. Their ceremonies are similar to the Old Testament Jewish traditions, providing a basis for discussion of Christ's sacrifice and an opportune introduction to personal salvation.

Traditionally the Rendille are a very religious people, believing in one God, an omnipresent creator and provider who answers prayer and cares for the poor. They practice many magical rituals, involving their camels or sheep. For example, the way a certain bull camel approaches a proposed new settlement area is taken as a good or bad omen. A propitious camel may be placed outside the camp facing the direction of an expected enemy attack in order to prevent the attack. Age-sets are the main component of Rendille society.

The oral history of this Cushitic tribe indicates they are of Jewish descent. They traveled through the Suez Canal through Ethiopia to their present homeland. They descended through the Cushitic family lines with the Somali people. When the Somali people were traveling from the Suez Canal through Ethiopia the Somali people chose to go toward Somalia for good pastures. The Rendille people refused to go with them and separated to their present homeland around Marsabit.

They had rejected the land of the Somali's and were thereafter called Rertit. The Somalis consider them rejected people. Their name "Rendille" is a colonial misinterpretation of the word "rertit", which means separated, refused or rejected in the Somali and Rendille languages. The Rendille occupy an area in Northeastern Province of Kenya from the Merille River and Serolivi in the South to Loyangalani in the North from Marsabit and Merti in the East to Lontolio in the West. The climate of their homeland is semi-arid. The Rendille people speak Rendille, which is very close to Somali but is spoken more slowly. Many Rendille also speak Samburu (the tribe neighboring them to the South). Those of the Rendille language are called Rendille and those who speak Samburu are called Arielle Rendille.

There are about eight or nine sub clans including the Urowen, Dispahai, Rongumo, Lukumai (Nahgan), Tupsha, Garteilan, Matarbah, Otol, and Saale with an estimated population of 63,000. They are located in the country in: Eastern Province, Marsabit District, between Lake Turkana and Marsabit Mt. The primary towns include Marsabet, Laisamis, Merille, Logologo, Loyangalani, Korr, Kamboi, Ngurunit, and Kargi.

Livelihood: The Rendille people are traditionally pastoralists keeping goats, sheep, cattle, donkeys, and camels. Their nomadic lifestyle has become more prominent in the areas which are exposed to little urbanization and modernization. In the recent past though, their livelihood has experienced constant competing interests from the Samburus and Gabras leading them to constant conflict over land and water resources particularly at the borderline of the boundary districts. In the most cases, the raids and conflicts have had the objective to replenish their herds depleted by severe droughts, diseases, raiding or other calamities. Elders often sanction the raids blessing raiders before they set off. During draught some take little lambs to the raga or laga (dry river bed) and sacrifice them to god asking for rain. Others go to Mount Moile where the women sing and pour milk and men offer sacrifices of goats to the gods and ask for rain

Cultural Profile: In terms of creed, many Rendille practice a traditional religion centered on the worship of Waaq/Wakh. In the related Oromo culture, Waaq denotes the single god of the early pre-Abrahamic, monotheistic faith believed to have been adhered to by Cushitic groups. Some Rendille have also adopted Islam or Christianity. Initiation rituals take place precisely every seven or fourteen years, creating a series of generational age-sets, each with its own role in society. In the common Kenyan practice, the first initiation is circumcision. Men have many stages of warrior-hood, but women are simply married or unmarried.

Traditional dress includes beautiful beads worn by the women around the neck, wrists, and **ankles**. Children can often be seen without clothing. The moran wears colorful shukas (clothes wrapped around their bodies) and colors their hair with a mud/mineral mixture. Men often wear a wrapped cloth rather than trousers. Western clothing is becoming more popular, but more among the men than the women.

Ancestral spirits of deceased men must be appeased. Among some of the Rendille, after a man dies, the manyatta will be burned, a sheep slaughtered, and the family must move to another place. Rites of passage include the young men (moran) living in the bush, learning traditional skills, and undergoing traditional circumcision. Men marry after circumcision and the time of becoming a moran is as young as about eighteen to twenty years.

The Rendille are organized into an age grade system of patrilineal lineage groups (keiya), which are subsumed under fifteen clans (goup). Of those, only nine are considered authentic Rendille. These Northern Rendille or Rendille proper are consequently the only ones that are included in the traditional Rendille moiety (belesi). The remaining six clans that are excluded from the moiety consist of mixed individuals. Five of those clans are of Rendille (Cushitic) and Samburu (Nilotic) descent. Collectively, the latter hybrid groups are referred to as the Ariaal or Southern Rendille.

Samburu

The Samburu people live in northern Kenya, where the foothills of Mount Kenya merge into the northern desert. As cattle-herding Nilotes, they reached Kenya some five hundred years ago, moving southwards along the plains of the Rift Valley in a rapid, all-conquering advance. The Samburu are related to the Maasai although they live just above the equator where the foothills of Mount Kenya merge into the northern desert and slightly south of Lake Turkana in the Rift Valley Province of Kenya. They are semi-nomadic pastoralists whose lives revolve around their cows, sheep, goats, and camels. Milk is their main stay; sometimes it is mixed with blood. Meat is only eaten on special occasions. Generally they make soups from roots and barks and eat vegetables if living in an area where they can be grown. Most dress in very traditional clothing of bright red material used like a skirt and multi-beaded necklaces, bracelets and earrings, especially when living away from the big cities.

The Samburu developed from one of the later Nilotic migrations from the Sudan, as part of the Plains Nilotic movement. The broader grouping of the Maa-speaking people continued moving south, possibly under the pressure of the Borana expansion into their plains. Maa-speaking peoples have lived and fought from Mt. Elgon to Malindi and down the Rift Valley into Tanzania. The Samburu are in an early settlement area of the Maa group. Those who moved on south, however (called Maasai), have retained a more purely nomadic lifestyle until recently

when they have also begun farming. The expanding Turkana ran into the Samburu around 1700 when they began expanding north and east.

The language of the Samburu people is also called Samburu. It is a Maa language very close to the Maasai dialects. Linguists have debated the distinction between the Samburu and Maasai languages for decades. Generally between five and ten families set up encampments for five weeks and then move on to new pastures. Adult men care for the grazing cattle which are the major source of livelihood. Women are in charge of maintaining the portable huts, milking cows, obtaining water and gathering firewood. Their houses are of plastered mud or hides and grass mats stretched over a frame of poles. A fence of thorns surrounds each family's cattle yard and huts.

Their society has for long been so organized around cattle and warfare (for defense and for raiding others) that they find it hard to change to a more limited lifestyle. The purported benefits of modern life are often undesirable to the Samburu. They remain much more traditional in life and attitude than their Maasai cousins. Duties of boys and girls are clearly delineated. Boys herd cattle and goats and learn to hunt, defending the flocks. Girls fetch water and wood and cook.

Social Organization. The Samburu are a gerontocracy. The power of elders is linked to the belief in their curse, underpinning their monopoly over arranging marriages and taking on further wives. This is at the expense of unmarried younger men, whose development up to the age of thirty is in a state of social suspension, prolonging their adolescent status. The paradox of Samburu gerontocracy is that popular attention focuses on the glamour and deviant activities of these footloose bachelors, which extend to a form of gang feuding between clans, widespread suspicions of covert adultery with the wives of older men, and theft of their stock.

Economy. Traditionally the Samburu economy was purely pastoral, striving to survive off the products of their herds of cows, goats, and for some, camels. However, the combination of a significant growth in population over the past 60 years and a decline in their cattle holdings has forced them to seek other supplemental forms of livelihood. Some have attempted to grow crops, while many young men have migrated for at least short periods to cities to seek wage work. Many work in Kenya's capital, Nairobi, as watchmen, while it is also popular to go to Kenya's coastal resorts where some work; others sell spears and beaded ornaments.

Food and society. Traditionally Samburu relied almost solely on their herds, although trade with their neighbors and use of wild foods were also important. Before the colonial period, cow, goat, and sheep milk was the daily staple. Oral and documentary evidence suggests that small stock were significant to the diet and economy at least from the eighteenth century forward. In the twenty-first century, cattle and small stock continue to be essential to the Samburu economy and social system. Milk is still a valued part of Samburu contemporary diet when available, and may be drunk either fresh, or fermented; "ripened" milk is often considered superior. Meat from cattle

is eaten mainly on ceremonial occasions, or when a cow happens to die. Meat from small stock is eaten more commonly, though still not on a regular basis. Today Samburu rely increasingly on purchased agricultural products—with money acquired mainly from livestock sales—and most commonly maize meal is made into a porridge.[8] Tea is also very common, taken with large quantities of sugar and (when possible) much milk, and is actually a staple of contemporary Samburu diet. Blood is both taken from living animals, and collected from slaughtered ones. There are at least 13 ways that blood can be prepared, and may form a whole meal. Some Samburu these days have turned to agriculture, with varying results.

Maasai

Kenya's most well-known ethnic tribe, the Maasai is semi-nomadic people located primarily in Kenya and northern Tanzania. They are considered to be part of the Nilotic family of African tribal groups. The Maasai probably migrated from the Nile valley in Ethiopia and Sudan to Maasai land (central and south-western Kenya and northern Tanzania) sometime around 1600 AD, along the route of lakes Chew Bahir and Turkana bringing their domesticated cattle with them. The Maasai speak the Maasai language, an Eastern Nilotic language closely related to Samburu (or Sampur), the language of the Samburu people of central Kenya, and Camus spoken south and southeast of Lake Baringo. Maasai's population is about 684,000 and is located in the Rift Valley Province, Kajiado and Narok districts.

Livelihood: The Maasai are cattle and goat herders, their economy almost exclusively based on their animal stock, from which they take most of their food: meat, milk, and even blood, as certain sacred rituals involve the drinking of cow blood. Moreover, the huts of the Maasai are built from dried cattle dung.

Cultural Profile: In spite of their reputation as fierce warriors, Maasai culture revolves around their cattle. One of their spiritual beliefs is that their rain god Ngai gave all cattle to the Maasai people, and therefore anyone else who possesses cattle must have stolen them from the Maasai. This has led to some fatal altercations with other tribes of the regions over the centuries when they attempt to reclaim their "property". Despite the growth of modern civilization, the Maasai have largely managed to maintain their traditional ways, although this becomes more challenging each year. Circumcision is performed on both sexes, with the elder men circumcising the teenage boys (who are not permitted to make a noise during the ceremony), and the elder women circumcising the teenage girls (for whom crying is permitted). Attempts by the Kenyan government to stamp out female circumcision have failed, primarily due to the fact that it is the Maasai women who defend the practice, not the men.

Natural Environment: The ability to graze their cattle over large territories, for example, has diminished considerably in recent years, due to increased urbanization and the increased privatization of land.

Traditional Artisanal Blacksmith

Inkunono Community of Samburu County

The Inkunono are a small population living among the Samburu and Rendille within Samburu and Marsabit districts. The views from the Samburu and Nkunono community indicated that the Nkunonos who are currently scattered around the villages within Samburu and Marsabit district are the remnants of the first peoples within the areas from whom the Samburu community ancestrally evolved.

The Nkunono culturally relied solely on blacksmith as a source of livelihood. The main tools produced from the artisanal occupation include: (i) cutting instruments: (Axes, household knives, circumcision knives, swords); (ii) security objects: Spear (Short for Morans and long one for Elders) and arrows. In addition, the Nkunono make ornaments which include: hand and foot bangles, necklaces, headgears. These objects are mostly destined for use by the dominant Samburu community for rituals and economic purposes. Currently, the Nkunono have started diversifying their sources of livelihood by embracing some economic activities practiced by their neighbours (Muchemi, 2015).

Annex 2: VMG Screening Sheet for Ascertaining Presence of VMG's

The NPCU will utilize the screening sheet (**Template 1**: to ascertain whether the screened VMG's meet the criteria stipulated by World Bank OP 4.10 and Constitution of Kenya, 2010. The documented characterization of the groups will be scrutinized against indicators in this screening sheet.

Template 1: VMG Screening Sheet using (Muchemi J. et al., 2015⁵²)

	Criteria	Details
World Bank OP 4.10	1.0 Identity	
	Self-identification	
	Recognition of this identity by others	
	2.0 Collective attachments	
	Distinct habitats	
	Ancestral territories	
	Natural resources	
	3.0 Distinct Customary institutions	
	Cultural Institutions	
	Economic Institutions	
	Social Institutions	
	Political Institutions	
	4.0 Indigenous Language (provide example)	

⁵² Muchemi Julius, Joyeeta Gupta, Karin Pfeffer; and Mike McCall. 2016, Devolved Governance in Kenya: Participation of Vulnerable and Marginalized Communities in County Planning and Development Agenda (*forthcoming*)

	Indigenous language	
	Neighboring languages	
	National Language	
Constitution of Kenya, 2010	5.0 Social assessment	
	Population (small)	
	Unique culture	
	Traditional lifestyle	
	Traditional Livelihood	
	Geographic location	
	Distinct Language	

Annex 3: FGM Process and Tools

The main role play will include river code, secrete in the box, the diamond farm, take a step, the boat is sinking, and the 65-year old couple.

Awareness Creation and Attitude Change phase

The VMG will be taken through this phase with the aim of changing the community members' attitude towards their own development by assisting them to identify enabling and disabling development approaches. This will be achieved by guiding the community to play relevant role plan as a part of the learning, investigating the learning points from the role play through structured questions and diverse answers and drawing lessons learned on enabling and disabling development approaches.

Facilitator /Trainer Notes:

Purpose: Getting acquainted with the community, building trust and relationship, Collection of basic data and Introduction/initiation phase.

Consult Local Leaders: The local leaders including the local civic leaders, administration offices (chief), village elders and traditional leaders should be consulted.

The leaders should support the development initiative including:

- Relating the new development initiative with overall development initiative in the area
- Identifying local institutions and their leadership
- Linking the facilitator with the leadership of these institution
- Mobilizing local communities

The leadership should be consulted at two levels with consultative meeting at each level

- a. Civic Leaders level
- b. Local Institution leadership level

Situation Analysis and Visioning Phase

The participants are asked to draw a map of their village on the ground using locally available materials.

- Step1: Draw an outline of the boundary of your village
- Step 2: Draw the linear features including: main roads, pathway, rivers and valleys etc.
- Step 3: Draw the main area features such as forests, swamps, flood plains, farmland, etc.
- Step 4: Populate the map with point features such as schools, health facilities, market or trading centers, water points, cultural sites, police/security post etc.

Facilitators /Trainers Notes:

Venue: This role play is done outside by all community members ensuring locally available materials

Purpose: The mapping tool is used to get a physical picture of the community, the surrounding landscape and its boundaries.

The tool shows the resources in a community, which include infrastructure, houses, water sources, schools, churches, crops, hills and other important aspects that can be mapped.

Learning points

Development Context

- Village boundaries,
- Resources available
- Project satisfactorily completed and functioning
- Resources or project that are a source of conflict among community members

Lessons Learned

- Create ownership of the development project
- Help communities to learn from successful and failed projects
- Enable the community to analyze development gaps

- Step 5: Emphasize resources or facilities that are a source of conflict
- Step 6: Emphasize available resources that the community could use for their own development

Possible Types of Interventions

The table below shows counties that were beneficiaries of the KAPAP project (now closed). It shows the value chains that were selected and ranked by the various CIGs and how they are similar or different from those selected by the VMG CIGs. All these counties are target counties under the KCSAP. In most cases, the value chains selected by the VMGs differed from those of the main value chains for the county.

Election of the CDDC

Supervision of the Community driven development committee (CDDC) elections should be done by the relevant implementing team and the local leadership or any person within the government administration.

Step 1: Supervision of the CDDC elections should be done by the Lead and/or Pool MAT and the local chief or any person within the government administration.

- i. Ensuring all the community members in the village are invited and specifically the ones who attended the FGM process.
- ii. Explain the role of the CDDC
- iii. Provide eligibility criteria for people to be elected to the CDDC.

- **Step 2:** Share the criteria could include:

- Must have participated in the entire FGM process and understands the CAP/YAPs of the community.
- Trusted and respected in the community.
- Identified with successful activities, projects or campaigns in their community in past
- Willing and available to volunteer and commit their time to community work without expecting to be paid any money/allowances
- Willing and available to be trained to build his/her capacity to implement CDD activities.
- Able to communicate in Kiswahili or English
- Have community mobilization skills.

- **Step 3:** Provide guidance that the community should not elect community members with the following characteristics

- Current and aspiring politicians
- Chiefs, councilors and government extension staff who can only serve as ex-official members.
- People involved in past fraud in any community project or venture
- **Step 4:** Indicate that constitution requires the following to be observed:
 - Gender proportionality (no more than 2/3 should be of the same gender)
 - Inclusion of vulnerable groups (marginalized communities, person with disabilities, youth, minority groups)
- **Step 5:** Indicate the number of elected offices for a CDDC
 - A minimum of 13 members of which not more than 2/3 are of the same gender
 - Executive committee of 5 people selected from the 13 members
 1. Chair person
 2. Secretary
 3. Treasurer
 4. 2 members
- **Step 6:** MAT announce results on both the CDDC and its executive committee
- **Step 7:** The elected CDDC assumes office and immediately start co-coordinating the process of sub-project proposal development.

Action Plan for the VMGP for KCSAP

The action planning goes through 4 steps as explained below.

- Step 1: Construct a matrix and organize the 5 elements what (to be done), who (to do it), when (to do it), where (to do it) and what (resources are required) on the first row. The number of columns is equal to the number of activities to be implemented
- Step 2: Determine the main activities
 - i. Training
 - ii. Construction
 - iii. Establishment of village committees
 - iv. Launching sub-project
- Step 3: Based on these main activities
 - i. Determine sub-activities that will enable the accomplishing of the main activities
 - ii. Determine who will be involved
 - iii. Estimate when the main and sub-activities will be done
 - iv. Indicate where the activity will take place
 - v. Determine what resources will be required
 - vi. Estimate the budget for accomplishing the sub-activity
- Step 4: Invite the large community to discussion, comments and make any necessary adjustments.

Facilitators /Trainers Notes:

Although a single CAP can be developed for each short-term goal, it is advised to develop a CAP for each short term goal.

Purpose: The aim of a CAP is to organize the project elements in a logical manner for easy planning, implementation and monitoring.

The CAP is organized around 5 elements that include what (to be done), who (to do it), when (to do it), where (to do it) and what (resources are required) and organized in matrix format to allow logical flow during planning, implementation and monitoring.

The Community action plan is a tool for project planning, implementation, and monitoring.

The CAP helps the community to confirm whether the plans are within their means and thus if they are achievable or are way beyond their means. The CAP is not primarily as tool for seeking donor assistance but a tool for guiding the community in mobilizing and utilizing own resources. The role of the facilitating organization is to ensure that the community has the capacity to develop their own plans.

The facilitating organization could contribute resources towards the community's efforts if they, or to could assist the community in linking them to other organizations and people who could support them.

Learning points

Development Context

- CAP elements (to be done), who (to do it), when (to do it), where (to do it) and what (resources are required)

Intended Lessons Learned

- Development of a CAP

Election of VMG Development Committee:

This will entail development of a criteria through a consultative processes with the VMG community assembly in each project pilot area.

Annex 4: SOME VMG Templates

4.1 List of people consulted during the development of the VMGP

Date:

Project Title:

.....

Responsible Ministry /Department/Directorate/agency:

.....

Address:

.....







Name	Organization	Designation	Contact	Signature
1.				
2.				
3.				
.				
.				
N				
Prepared by:				
Administered by:				
Approved by:				










4.2 List VMG people involved and participants consulted in the VMGP preparation process

Date:

Project Title:				
Implementing Ministry /Department/Directorate/agency:				
Address:				
Venue:				
Name	Marginalized Community Identity	Designation	Contact	Signature
4.				
5.				
6.				
.				
.				
n				
Prepared by: Administered by: Approved by:				

4.3 Visioning Matrix

<i>Period</i> <i>Issue (aspect)</i>	<i>Past (40 years)</i>	<i>Present</i>	<i>Preferred future (5 years with action)</i>
1. Education		 	  

2. Water			
3. Crop Production		 	  

4.4. Framing of Long Term Goals from Visioning Matrix

Issue	Long-Term goal statement (examples)
Water	By the end of 10 years the community shall ensure every household has access to clean and safe drinking water
Education	By the end of 10 years, we should have one primary per village, one secondary school per two villages and one youth polytechnic
Crop Product	By the end of 10 year the community shall have adequate food per household

4.5 Framing of Long Term Goals from Visioning Matrix

<i>What?</i>		<i>Who?</i>	<i>When?</i>	<i>Where?</i>	<i>Resources required</i>	
<i>Main activity</i>	<i>Sub-activities</i>				<i>Description</i>	<i>Cost (KES)</i>
1	a.					
	b.					
	c.					
2.	a.					
	b.					
	c.					
n	a.					

Annex 5: ToR for a TA on VMG Plan and Social Assessment Formulation

The TOR should also describe the overall methodology for carrying out each component of the ToR, including desk and field studies, and data collection and analysis methods; and provide an initial detailed plan of work, outputs, and staff assignments with levels of effort by task.

- a) Identify the types of programs and sub-projects likely to be proposed for financing under the project.
- b) Outline the procedure for conducting the primary screening of the VMGs within the project areas likely to be affected by project interventions.
- c) Identify potential positive and adverse effects of proposed programs or sub-projects on VMGs.
- d) Develop a plan for carrying out the secondary screening (detailed social assessment) for each of the identified VMGs in the projects' operational area including but not limited to the following:
 - A review of the legal and institutional framework applicable to VMGs in the project context;
 - Provision for baseline information on the demographic, social, cultural and political characteristics of the affected VMGs, the land they traditionally or customarily owned and accessed and the natural resources they depend on.
 - Process of identifying key stakeholders and elaboration of a culturally appropriate and gender – sensitive process for meaningful consultation with VMGs at each stage of project preparation and implementation, taking the review and baseline information into account
 - Process of assessing potential adverse and positive effects of the project based on meaningful consultations with the affected VMGs.
 - Inclusion of a gender sensitive assessment of the affected VMGs perceptions about the project and its impact on their social, economic and cultural status

Recommendations on the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the indigenous peoples receive culturally appropriate benefits under the project

- a) Develop a plan for ensuring free, prior, informed and accessible consultation with the affected VMG communities at each stage of project preparation and implementation.
- b) Outline considerations and indicators for assessing broad community support

- c) Identify the main actors/stakeholders (formal and informal) for screening project supported activities, evaluating their effects on VMG and recommendation for strengthening their capacity.
- d) Describe measures to strengthen the social, legal and technical capabilities of (a) government institutions to address VMG issues in the project area and (b) VMG organizations in the project area to enable them to represent the VMGs more effectively.
- e) Describe the procedures to redress grievances by affected VMG communities and how these procedures are accessible to VMGs, their cultural appropriateness and gender sensitivity.
- f) Clearly outline the monitoring and reporting arrangements, that ensure the participation of the affected VMGs and confirm that VMG benefit equally compared to other dominant groups
- g) Describe the disclosure arrangements for VMG to be prepared under the VMGP including but not limited to:
 - The process of participation, information disclosure and consultation with the affected VMGs;
 - Consultation and participation mechanisms to be used during project implementation ensuring participation of the VMGs
 - The process of capturing and documentation of VMGs concerns with regards to the social impact assessment results and how these will be addressed in the project design.
 - The disclosure of this VMGPF – both draft and final.

Qualification and Experience the Consultant

- a) Type: Individual Consultant
- b) Qualifications: The Team Leader must be a Social Specialist or Anthropologist, accompanied by Stakeholder Engagement Specialist and a Community Development Expert.
- c) Experience: The expert is required to:
 - have demonstrated experience in undertaking similar engagement either locally or internationally, knowledge and/or familiarity with the social dynamics in Kenya and/or of VMG communities such as those where the works may be located;
 - ability to work well with National and County Government officials and community personnel; and

- Possession of an understanding of the World Banks’ operational policies on VMG is considered an added advantage.

Reporting

- 103) The consultant will be reporting to the National Project Coordinator (or equivalent appointed by the relevant Ministry) during the course of this assignment, who will also be coordinating the process of the consultancy.

Services, Facilities and Materials to be provided by the Client

The Client will make available relevant project documents background documentation and studies; sample VMGPs that have been developed for similar projects in Kenya such as those for NRM, WKCDD&FMP, KWCR projects. The client will also make all necessary arrangements for facilitating the work of the Consultant and to provide access to government authorities, other Project stakeholders, and Project sites.

Proposed Payment Schedule

This consultancy is expected to cost not less than KShs. ____xxxxx____ and not more than KShs. ____xxxxx____

The consultant will be paid as per the following schedule:

- 10% on submission of the technical proposal⁵³;
- 50% on submission of the draft VMGPF report and validation of the information collected;
- 40% on submission of the final (hard copy and electronic versions) VMGPF report including the training plan.

Social Screening Forms

To be filled by KCSAP /NPCU Team

⁵³ The Technical Proposal should demonstrate that: the Consultant understands the overall scope and nature of the VMGP preparation work, and what will be required to respond satisfactorily to each component of the ToR; and that his proposed team have relevant and appropriate experience to carry out all components of the ToR. Inclusion of detailed curriculum vitae for each team members is a must. The TP should also describe the overall methodology for carrying out each component of the ToR, including desk and field studies, and data collection and analysis methods; and provide an initial detailed plan of work, outputs, and staff assignments with levels of effort by task.

5.1 Social Screening Form for KCSAP Activities

A. BACKGROUND INFORMATION	
A 1. Type/description/justification of proposed activity	
A 2. Location of activity	
A3. Duration of activity	
A 4. Focal point and person for activity	
B. EXPECTED BENEFITS	
B1. Benefits for local people	
B2. Benefits to Vulnerable and Marginalized Groups (VMGs)	
B3. Total Number of expected beneficiaries	
B4. Total Number of expected Vulnerable and Marginalized Peoples beneficiaries	
B5. Ratio of B4 and B5; Are benefits distributed equitably?	<input type="checkbox"/> YES <input type="checkbox"/> NO If NO state remedial measures
C. POTENTIAL ADVERSE SOCIAL IMPACTS	
C1. Will activity entail restriction of access of VMP to lands and related natural resources	<input type="checkbox"/> YES <input type="checkbox"/> NO If yes exclude from project
C2. Will activity entail commercial development of natural and cultural resources critical to VMGs	<input type="checkbox"/> YES <input type="checkbox"/> NO If yes exclude from project
C3. Will activity entail physical relocation of Vulnerable and Marginalized Peoples <input type="checkbox"/> YES <input type="checkbox"/> NO If yes exclude from project	<input type="checkbox"/> YES <input type="checkbox"/> NO If yes exclude from project
D. CONSULTATION WITH IP	
D1. Has VMP orientation to project been done for this group?	<input type="checkbox"/> YES <input type="checkbox"/> NO

D2. Has PRA/RRA been done in this area?	<input type="checkbox"/> YES <input type="checkbox"/> NO
D3. Did the VMP give broad support for project	<input type="checkbox"/> YES <input type="checkbox"/> NO

Prepared by: _____ Verified by: _____

Date: _____ Date: _____

Note: Attach sketch maps, PRA/RRA results and other relevant documents.

Annex 6: Contents of the Vulnerable and Marginalized Groups Framework (VMGF)

OP 4.10, Indigenous Peoples Planning Framework	These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject.
<p>1. The Indigenous Peoples Planning Framework (IPPF) sets out:</p> <p>(a) The types of programs and sub-projects likely to be proposed for financing under the project.</p> <p>(b) The potential positive and adverse effects of such programs or sub-projects on Indigenous Peoples.</p> <p>(c) A plan for carrying out the social assessment for such programs or sub-projects.</p> <p>(d) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities at each stage of project preparation and implementation (see paragraph 10 of this policy).</p> <p>(e) Institutional arrangements (including capacity building where necessary) for screening project-supported activities, evaluating their effects on VMGs, preparing VMGPs, and addressing any grievances.</p> <p>(f) Monitoring and reporting arrangements, including mechanisms and benchmarks appropriate to the project.</p> <p>(g) Disclosure arrangements for VMGPs to be prepared under the VMGF</p>	

Annex 7: Contents of Vulnerable and Marginalized Groups Plan (VMGP)

Prerequisites

Prerequisites of a successful development plan for indigenous peoples are as follows:

- a) The key step in project design is the preparation of a culturally appropriate development plan based on full consideration of the options preferred by the indigenous people affected by the project.
- b) Studies should make all efforts to *anticipate adverse trends* likely to be induced by the project and develop the means to avoid or mitigate harm.
- c) The institutions responsible for government interaction with indigenous peoples should possess the social, technical, and legal skills needed for carrying out the proposed development activities. Implementation arrangements should be kept simple. They should normally involve appropriate existing institutions, local organizations, and nongovernmental organizations (NGOs) with expertise in matters relating to indigenous peoples.
- d) Local patterns of social organization, religious beliefs, and resource use should be taken into account in the plan's design.
- e) Development activities should support production systems that are well adapted to the needs and environment of indigenous peoples, and should help production systems under stress to attain sustainable levels.
- f) The plan should avoid creating or aggravating the dependency of indigenous people on project entities. Planning should encourage early handover of project management to local people. As needed, the plan should include general education and training in management skills for indigenous people from the onset of the project.
- g) Successful planning for indigenous peoples frequently requires long lead times, as well as arrangements for extended follow-up. Remote or neglected areas where little previous experience is available often require additional research and pilot programs to fine-tune development proposals.
- h) Where effective programs are already functioning, Bank support can take the form of incremental funding to strengthen them rather than the development of entirely new programs.

Contents of VMGP

The development plan should be prepared in tandem with the preparation of the main investment. In many cases, proper protection of the rights of indigenous people will require the implementation of special project components that may lie outside the primary project's

objectives. These components can include activities related to health and nutrition, productive infrastructure, linguistic and cultural preservation, entitlement to natural resources, and education. The project component for indigenous people's development should include the following elements, as needed:

- a) *Legal Framework.* The plan should contain an assessment of (i) the legal status of the groups covered by this OD, as reflected in the country's constitution, legislation, and subsidiary legislation (regulations, administrative orders, etc.); and (ii) the ability of such groups to obtain access to and effectively use the legal system to defend their rights. Particular attention should be given to the rights of indigenous peoples to use and develop the lands that they occupy, to be protected against illegal intruders, and to have access to natural resources (such as forests, wildlife, and) vital to their subsistence and reproduction.
- b) *Baseline Data.* Baseline data should include (i) accurate, up-to-date maps and aerial photographs of the area of project influence and the areas inhabited by indigenous peoples; (ii) analysis of the social structure and income sources of the population; (iii) inventories of the resources that indigenous people use and technical data on their production systems; and (iv) the relationship of indigenous peoples to other local and national groups. It is particularly important that baseline studies capture the full range of production and marketing activities in which indigenous people are engaged. Site visits by qualified social and technical experts should verify and update secondary sources.
- c) *Land Tenure.* When local legislation needs strengthening, the Bank should offer to advise and assist the borrower in establishing legal recognition of the customary or traditional land tenure systems of indigenous peoples. Where the traditional lands of indigenous peoples have been brought by law into the domain of the state and where it is inappropriate to convert traditional rights into those of legal ownership, alternative arrangements should be implemented to grant long-term, renewable rights of custodianship and use to indigenous peoples. These steps should be taken before the initiation of other planning steps that may be contingent on recognized land titles.
- d) *Strategy for Local Participation.* Mechanisms should be devised and maintained for participation by indigenous people in decision making throughout project planning, implementation, and evaluation. Many of the larger groups of indigenous people have their own representative organizations that provide effective channels for communicating local preferences. Traditional leaders occupy pivotal positions for mobilizing people and should be brought into the planning process, with due concern for ensuring genuine representation of the indigenous population. No foolproof methods exist, however, to guarantee full local-level participation. Sociological and technical advice provided through the

regional environment divisions (REDs) is often needed to develop mechanisms appropriate for the project area.

- e) *Technical Identification of Development or Mitigation Activities.* Technical proposals should proceed from on-site research by qualified professionals acceptable to the Bank. Detailed descriptions should be prepared and appraised for such proposed services as education, training, health, credit, and legal assistance. Technical descriptions should be included for the planned investments in productive infrastructure. Plans that draw upon indigenous knowledge are often more successful than those introducing entirely new principles and institutions. For example, the potential contribution of traditional health providers should be considered in planning delivery systems for health care.
- f) *Institutional Capacity.* The government institutions assigned responsibility for indigenous peoples are often weak. Assessing the track record, capabilities, and needs of those institutions is a fundamental requirement. Organizational issues that need to be addressed through Bank assistance are the (i) availability of funds for investments and field operations; (ii) adequacy of experienced professional staff; (iii) ability of Indigenous Peoples' own organizations, local administration authorities, and local NGOs to interact with specialized government institutions; (iv) ability of the executing agency to mobilize other agencies involved in the plan's implementation; and (v) adequacy of field presence.
- g) *Implementation Schedule.* Components should include an implementation schedule with benchmarks by which progress can be measured at appropriate intervals. Pilot programs are often needed to provide planning information for phasing the project component for indigenous peoples with the main investment. The plan should pursue the long-term sustainability of project activities subsequent to completion of disbursement.
- h) *Monitoring and Evaluation.* Independent monitoring capacities are usually needed when the institutions responsible for indigenous populations have weak management histories. Monitoring by representatives of Indigenous Peoples' own organizations can be an efficient way for the project management to absorb the perspectives of indigenous beneficiaries and is encouraged by the Bank. Monitoring units should be staffed by experienced social science professionals, and reporting formats and schedules appropriate to the project's needs should be established. Monitoring and evaluation reports should be reviewed jointly by the senior management of the implementing agency and by the Bank. The evaluation reports should be made available to the public.
- i) *Cost Estimates and Financing Plan.* The plan should include detailed cost estimates for planned activities and investments. The estimates should be broken down into unit costs by project year and linked to a financing plan. Such programs as revolving credit funds that provide indigenous people with investment pools

should indicate their accounting procedures and mechanisms for financial transfer and replenishment. It is usually helpful to have as high a share as possible of direct financial participation by the Bank in project components dealing with indigenous peoples.

Annex 8: Sample Terms Of Reference (ToR) For Developing a VMGP

Note: the VMGP will be developed in detail commensurate to the impacts. Minimal adverse impacts are anticipated and VMGPs will focus on how to broaden reach of benefits to VMGs.

Executive Summary of the Vulnerable and Marginalized Groups Plan

This section should concisely describe the critical facts, significant findings, and recommended actions.

Description of the Project/Background Information

This section provides a general description of the project; discusses project components and activities that may bring impacts on indigenous people; and identify project area.

The ToR should provide pertinent background for preparing the VMGP. This would include a brief description of:

- Statement of the project objectives,
- Implementing agency/sponsor and their requirements for conducting a VMGP,
- Project components, especially those that will finance sub-projects;
- Anticipated types of sub-projects/components, and what types will not be financed by the project;
- Areas of influence to be assessed (description plus good map)
- Summary of environmental/social setting
- Applicable Bank safeguards policies, and consequent Project preparation requirements.

The ToR should also include a brief history of the project, including alternatives considered, its current status and timetable, and the identities of any associated projects. Also include a description of other project preparation activities underway (e.g., legal analysis, institutional analysis, social assessment, baseline study).

Social Impact Assessment

This section should among others entail: Review of the legal and institutional framework applicable to indigenous people in the project context where relevant.

- i. Provide baseline information on the demographic, social, cultural, and political characteristics of the affected Vulnerable and Marginalized Groups (VMGs); the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- ii. Identify key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with VMGs at each stage of

project preparation and implementation, taking the review and baseline information into account.

- iii. Assess, based on meaningful consultation with the affected indigenous people's communities, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected indigenous people's communities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- iv. Include a gender-sensitive assessment of the affected VMGs perceptions about the project and its impact on their social, economic, and cultural status.
- v. identify and recommend, based on meaningful consultation with the affected indigenous peoples communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the indigenous peoples receive culturally appropriate benefits under the project.

Information Disclosure, Consultation and Participation

This section of the ToR should:

- i. Describe the information disclosure, consultation and participation process with the affected VMGs that was carried out during project preparation;
- ii. Summarize their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design;
- iii. in the case of project activities requiring broad community support, document the process and outcome of consultations with affected indigenous people's communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities.;
- iv. Describe consultation and participation mechanisms to be used during implementation to ensure indigenous people's participation during implementation; and
- v. Confirm disclosure of the draft and final VMGP to the affected VMGs.

Beneficial Measures

This section should describe and specify the measures to ensure that the VMGs receive social and economic benefits that are culturally appropriate, and gender responsive.

Mitigation Measures

This section should specify the measures to avoid adverse impacts on indigenous people; and where the avoidance is impossible, specifies the measures to minimize mitigate and compensate for identified unavoidable adverse impacts for each affected indigenous people groups.

Capacity Building

This section should provide measures to strengthen the social, legal, and technical capabilities of (a) government institutions to address indigenous people's issues in the project area; and (b) indigenous people's organizations in the project area to enable them to represent the affected indigenous peoples more effectively.

Grievance Redress Mechanism

This section should describe the procedures to redress grievances by affected indigenous people's communities. It also explains how the procedures are accessible to VMGs and culturally appropriate and gender sensitive.

Monitoring, Reporting and Evaluation

This section should describe the mechanisms and benchmarks appropriate to the project for monitoring, and evaluating the implementation of the VMGP. It also specifies arrangements for participation of affected indigenous people in the preparation and validation of monitoring, and evaluation reports.

Consulting Team

The general skills required of VMGP team are: Social Specialist or Anthropologist, Stakeholder engagement specialist, Community Development expert.

Services, Facilities and Materials to be provided by the Client

The ToR should specify what services, facilities and materials will be provided to the Consultant by the World Bank and the Borrower, for example:

- a) The Project ISDS and draft PAD;
- b) Relevant background documentation and studies;
- c) Example VMGPs that demonstrate best practice, especially from the region or country;

- d) Making all necessary arrangements for facilitating the work of the Consultant and to provide access to government authorities, other Project stakeholders, and Project sites.

Schedule and Deliverables

Specify dates for the consultancy deliverables (e.g. detailed work plan within 2 weeks, interim report within 7 weeks, and final draft report within 10 weeks of contract signature), and the overall duration of the consultancy (e.g. 15 weeks from contract signature).

Technical Proposal Contents

The ToR should require a technical proposal that at least:

- a) Demonstrates that the Consultant understands the overall scope and nature of the VMGP preparation work, and what will be required to respond satisfactorily to each component of the ToR;
- b) Demonstrates that the Consultant and his proposed team have relevant and appropriate experience to carry out all components of the ToR. Detailed curriculum vitae for each team member must be included;
- c) Describes the overall methodology for carrying out each component of the ToR, including desk and field studies, and data collection and analysis methods; and
- d) Provides an initial plan of work, outputs, and staff assignments with levels of effort by task.

Budget and Payments

The ToR should indicate if there is a budget ceiling for the consultancy. The ToR should specify the payment schedule (e.g. 10% on contract signature, 10% on delivery of detailed work plan, 40% on delivery of interim report, 30% on delivery of final draft VMGP, 10% on delivery of final VMGP).

Other Information

Include here lists of data sources, project background reports and studies, relevant publications, and other items to which the consultant's attention should be directed.

Annex 9: Sample Fact Sheet for VMGPS; VMGP Review

To be filled by NPCU Team and World Bank as part of review and monitoring

[Country] – [Project ID #] – [Project Name]

Last Update: [11/20/ 2008] A.	PROJECT DATA AND RECOMMENDED ACTIONS
Reviewer:	Date of Mission:
Country:	Project Loan Amount:
Project title:	Total Project Cost:
Project ID:	Appraisal Date:
IPP #:	Effectiveness Date:
Task Manager:	Closing Date:
Environment Spec.	Last PSR/ISR
Social Spec.	
MTR	Last Aide Memoire
REVIEW SUMMARY (Based on Desk and Field Review)	
Issues / Observations	
Proposed Actions (short term / long term, for TTL, SD, etc.)	
B. SAFEGUARD IDENTIFICATION AND COMPLIANCE AT PREPARATION	
1 Environmental Safeguard Classification:	
2 Safeguard Policies Triggered at Preparation According to the ISDS, EDS, ESDS, PAD:	
What safeguards have been triggered?	
Source	
Environmental Assessment (OP/BP 4.01)	

Natural Habitats (OP/GP 4.04)
Forestry (OP 4.36)
Pest Management (OP 4.09)
Cultural Property (OP 4.11) – OPN 11.03
Indigenous Peoples (OP 4.10)
Safety of Dams (OP/BP 4.37)
Projects in Disputed Areas (OP/BP 7.60)
Involuntary Resettlement (OP 4.12) – OD 4.30
Projects on International Waterways (OP/BP 7.50)
3 Project Objective and Components
Project Objectives
Project Description
4 Social Safeguard Triggers: Are there any social safeguard policies which should have been triggered but were not?
C. SOCIAL MANAGEMENT PLANS AT PREPARATION
This review is based on IPP PAD SA RAP ISDS (check all that applies)
SCREENING
Have all IP groups in project area been identified (is screening by the Bank adequate)?
SOCIAL ASSESSMENT
Has a social assessment taken place (is baseline data given)? Provide summary of social assessment.
Has the legal framework regarding VMGs been described?

Have benefits/ adverse impacts to VMGs groups been identified?
CONSULTATION, PARTICIPATION, COMMUNITY SUPPORT
Have VMGs been involved in free, prior and informed consultation (at the project's preparation stage)? Are there any records of consultations? Is there a description of steps for increasing VMG participation during the project implementation?
Does the project have verifiable broad community support (and how has it dealt with the issue of community representation)?
Is there a framework for consultation with VMGs during the project implementation?
INDIGENOUS PEOPLES PLAN
Is there a specific action plan (implementation schedule)?
Does the VMGP include activities that benefit VMGs
Are activities culturally appropriate?
Have institutional arrangements for VMGs been described?
Is there a separate budget earmarked for VMGs?
Are there specific monitoring indicators? If yes, are these monitoring indicators disaggregated by ethnicity?
Has a complaint/conflict resolution mechanism been outlined?
Disclosure: Were VMGs/VMGF disclosed at the <i>Infoshop</i> ? Y / N Was VMGP/VMGF disclosed in Country and in a form and language accessible to VMGs? Y / N What's missing: _____
SPECIAL CONSIDERATIONS
If applicable, what considerations have been given to the recognition of the rights to lands and natural resources of VMGs
If applicable, what considerations have been given to the VMGs sharing of benefits in

the commercial development of natural and cultural resources?
Does the project involve the physical relocation of VMGs (and have they formally agreed to it)? If yes, has the project prepared a resettlement instrument (resettlement policy framework, process framework, resettlement action plan)?
D. IMPLEMENTATION AND SUPERVISION (Based on initial desk review and verified by field assessment)
1 Social Safeguards
a. Have issues (anticipated and unexpected) been monitored and reported systematically in Aide Memoires and ISRs? Have appropriate actions been taken?
b. Were social specialists included in supervision missions and how often?
c. What are the project impacts on VMGs culture, livelihoods and social organization?
d. In terms of consultation process, are there ongoing consultations with the VMG communities? Are there records of carried out consultations?
e. Have any social risks been identified? Have appropriate risk management strategies/actions been recommended to the Borrower?
f. Are VMG organizations (beyond the community level) actively engaged throughout the life of the project?
g. Does the project contribute to the respect of VMGs rights as recognized by the country's legal and policy systems?
2. Effectiveness
a. Are VMGF and/or VMGP implemented satisfactorily? Are they effective? Is funding adequate?
b. In relation to the implementation of VMGP/VMGF, were problems identified, if any? If yes, how were they resolved by the Borrower?
Effectiveness of Monitoring Program
3.1 Has the monitoring program been adequately supervised? Are performance indicators effective?
3. Effectiveness of Institutional Responsibilities/Training as outlined in the project

documents
4. Effectiveness of relevant Legal Covenants: Is compliance with legal covenants being adequately supervised?
E. SITE VISIT(s) - Date - Location
1.1 Activity
1.2 Observations
F. OVERALL ASSESSMENT (including desk and field reviews)
1 Overall Assessment and Risk Rating
1.1 To what extent is the OP4.10 relevant in delivering effective development to VMGs?
1.2 To what extent has OP4.10 (and previously OD4.20) been applied and how?
1.3 To what extent has OP4.10 been efficacious (cost effective) in achieving its objectives?
2 Recommendations
3.1 Project specific
3.2 Country / Program specific
3 List of Attachments - <i>Key People Met</i> - <i>photos</i> -etc.
G. FEEDBACK FROM TTL / SD - Date of feedback received

Annex 10: Checklist for Tracking VMGP Implementation

To be filled by KCSAP NPCU at community and county level projects and World Bank as part of review and monitoring

Criterion		Y/ N	Explanation
Screening			
1. Have all VMGs in project area been identified (is screening adequate)?			Not stated
			The names of some groups have been mentioned; baseline survey has been proposed; Aggregates all groups together
			Detailed description of all indigenous groups is given
Social Assessment			
2. Has a social assessment been done (Is baseline data given)?			Not stated. Follow up and verify. Must be commensurate to impacts.
			Proposed to collect all relevant data - no specifics; data briefly stated; or not updated, data not disaggregated
			Disaggregated population data of IP; relevant socio-economic indicators have been stated; data that needs to be collected are listed;
3. Has legal framework been described?			Not stated. Verify and include.
			Brief mention of framework given. Expand on relevant sections.
			Constitutional provisions, legal statutes and government programs in relevant sectors related to indigenous peoples stated
Have benefits/ adverse impacts to VMGs groups been identified?			Not Discussed
			Potential impacts have been briefly discussed
			Potential positive and negative impacts identified and discussed
Consultation, Participation, Community Support			

Have VMGs been involved in free, prior and informed consultation at the project implementation stage? Are there any records of consultation?			Not determinable. Follow up.
			Brief mention that consultations have taken place; no details provided. Verify and secure documentation and follow up.
			Detailed description of process given; appropriate methods used, interlocutors are representative
Does project have verifiable broad community support (and how has it dealt with the issue of community representation)?			Not stated
			States that VMG groups will be involved in preparing village/community action plans; participation process briefly discussed
			Detailed description of participation strategy and action steps given
7. Is there a framework for consultation with VMG during the project implementation?			No
			Passing mention
			Detailed arrangements
Vulnerable and Marginalized Groups Plan			
8. Is there a specific plan (implementation schedule)?			Not stated. Develop one.
			Flexible time frame (activities need to be proposed); given activity wise; year-wise distribution; mentioned but integrated into another project document (RAP, etc.); no separate treatment; combined with RAP;
			Detailed description given
9. Does the VMGP include activities that benefit VMGs?			Not stated
			Activities stated but not detailed
			Activities clearly specify
10. Are activities culturally appropriate?			Not stated
			Cultural concerns noted but not explicit
			Activities support cultural norms
11. Have institutional			Not stated

arrangements for the VMGP been described?			Mentioned but integrated into another project document RAP, etc.); no separate treatment
			Detailed description of agencies involved in implementation of plan, including applicable IPO's or tribal organizations.
12. Is a separate budget earmarked for the VMGP?			Not stated
			Mentioned but integrated into another project document (RAP, etc.); not broken down activity-wise
			Detailed description given
Are there specific monitoring indicators?			Not mentioned
			Proposed that monitoring indicators shall be designed later; Project outcomes that need to be monitored are stated
			Monitoring indicators disaggregated by ethnicity
Has a complaint/conflict resolution mechanism been outlined?			Not mentioned. Needs to be effected.
			Passing mention of mechanism in document
			Detailed description and few concrete steps of mechanism given
Were the VMP/VMGF disclosed in Infoshop and in Country in an appropriate language?			No, then need to consult and disclose.
			Disclosed in Infoshop make it available at county and community level
			Detailed Summary in appropriate form, manner and language
Special Considerations			
17. What other consideration can be taken to be pro-active to assure that VMGs are aware of the project, participate and benefit from of benefits in the commercial development of natural			None
			Passing mention
			Detailed considerations

and cultural resources?			
18. Does the sub-project require the physical relocation of VMGs?.		N	The project will NOT physically relocate families and/or individuals under the CDD component. Should a proposed sub-project require physical relocation other options should be considered as there will be no relocation undertaken for the CDD projects at community level.

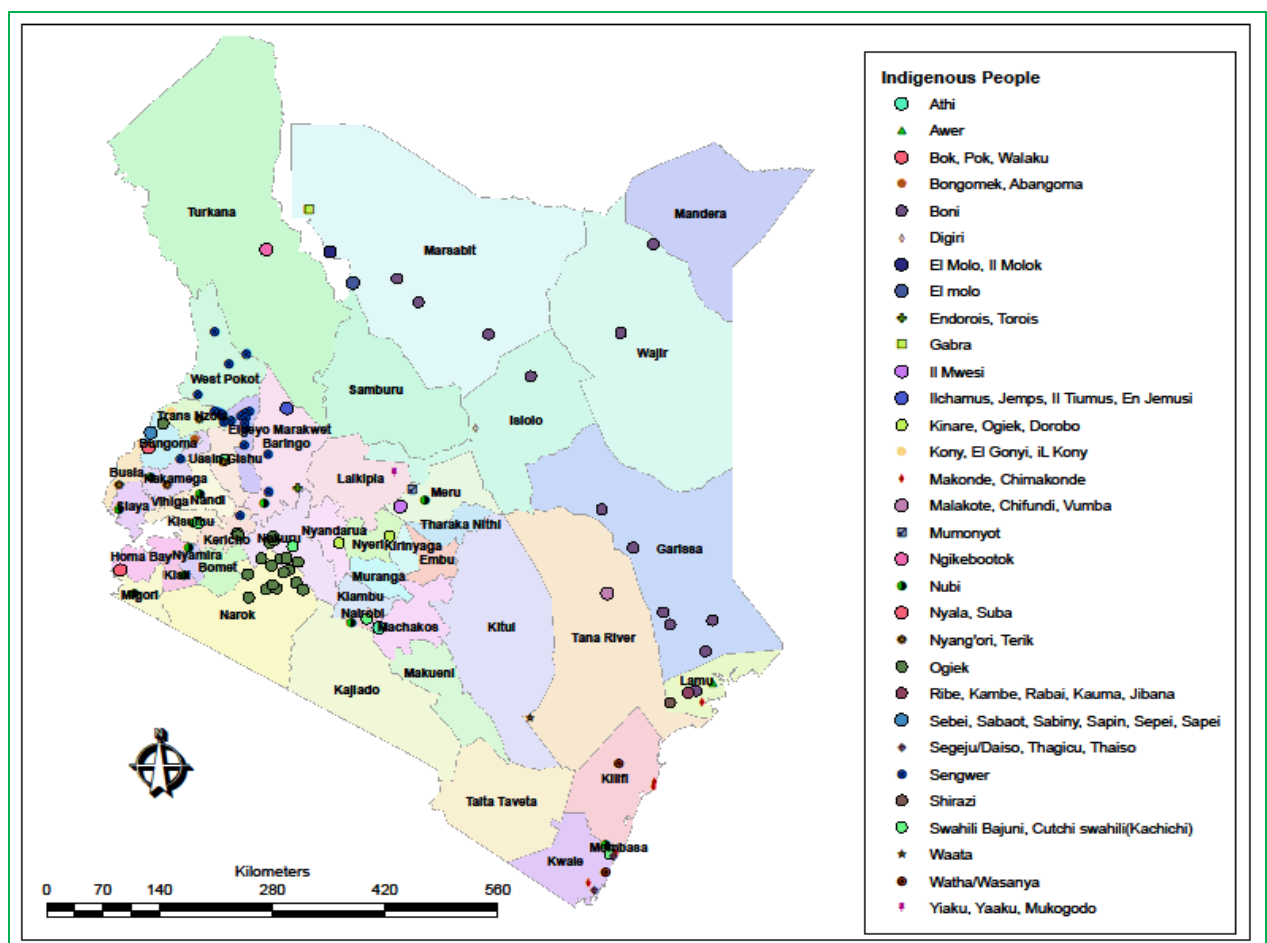


Figure 4: showing locations of the Vulnerable and Marginalized Groups in Kenya (ERMIS Africa, 2012)

Annex 11: Summary of comments/issues raised by the stakeholders and responses from the government team

Comments raised by Participants	MoALF response
General Comments	
<ul style="list-style-type: none"> <i>Consultation with the counties on other ongoing projects.</i> Participants noted that there was need for MOALF to consult with the KCSAP targeted counties prior to implementation to avoid duplication of efforts 	MoALF project team informed participants that selection of project wards will be consultative, counties will also undertake baseline surveys to inform where various interventions will be undertaken
<ul style="list-style-type: none"> <i>Concerns on the content of the presentations and summaries of frameworks provided were not explicit on the role of various county departments in implementation of the project.</i> Participants wished to see the county departments of Agriculture, livestock and fisheries, departments of Environment among other county departments in the frameworks clear articulated. 	MoALF project team explained participants that these were summarized versions and that the detailed version clearly spells out the institutional arrangements and their roles intandem with the PAD.
<ul style="list-style-type: none"> <i>What is service provision and consortia?</i> 	MoALF project team responded that the project is anchored on the national agriculture sector extension policy that advocates for PPP in service delivery thus synergies are built through use of consortia i.e a team of professionals from public and private sector with diverse expertise. KCSAP built on lessons and success from ongoing and previous projects KAPAP, KAPSLM, KACCAL which uses the same system
<ul style="list-style-type: none"> <i>Role of county departments of Agriculture and cooperatives on implementation of community level interventions: why service providers? What is the role of county departments of Agriculture and cooperative in relation to service providers?</i> 	MoALF project team responded that Project implementation manual will be developed to guide all processes will clearly articulate the roles of various players in implementation of the project activities, Further NASEP stipulate a pluralist approach in extension service delivery and Government will be key in ensuring quality standards
<ul style="list-style-type: none"> <i>Eligibility in funding mega irrigation.</i> Why can't World Bank fund mega irrigation projects? 	About the sub-project to be funded is what has been agreed upon by the Government of Kenya and World Bank
<ul style="list-style-type: none"> Responses on the inclusion of the county departments in implementation of frameworks should not be merely verbal. 	The participants were re-assured by MoALF project team that their concerns were taken seriously and the detailed framework documents clearly show the role of all

Comments raised by Participants	MoALF response
	players including that of concern county departments
<ul style="list-style-type: none"> The MoALF project team was urged to ensure relevant county government departments are consulted in all stages of the project cycle including preparation to avoid failure 	County government and other relevant stakeholders will continue to participate in KCSAP preparation and subsequent stages of the project
<ul style="list-style-type: none"> <i>What is the implementation period for KCSAP</i> 	5 years starting in 2017
Comments on the draft ESMF	
<ul style="list-style-type: none"> <i>Why IPMF is an annex:</i> There were concerns that IPMF is very significant especially due to the anticipated quantities of agrochemical that would be used in both crops and livestock enterprises therefore should have been a framework on its own and not an annex of EMSF. 	The team concurred that IPM is very significant, thus why though an annex is detailed in content and is also a standalone annex. Further, in broader perspective, IPM is part of environmental impacts mitigation.
<ul style="list-style-type: none"> <i>On environmental and social impacts:</i> Need to capture the conflicts arising from scarce natural resources like water or pastures 	Noted
<ul style="list-style-type: none"> <i>Conflicts on project resource allocation:</i> Participants also suggested that social conflicts by participating groups will arise as a result of projects investments 	Noted
<ul style="list-style-type: none"> Ensuring the comprehensive ESMF version captures county departments in the institutional arrangement. in the implementation safeguard framework . 	Noted
<ul style="list-style-type: none"> <i>Communication channels:</i> Participants expressed the need for a communication strategy to address project challenges 	This was noted and to fast track, MoALF project team suggested that the strategy that was developed for KAPAP may be reviewed.
<ul style="list-style-type: none"> Capacity building on the safeguard frameworks is pertinent at all levels of implementation 	Noted
Comments on the draft Resettlement Policy Framework	
<ul style="list-style-type: none"> <i>Compensation:</i> The participants concurred that compensation can be done as the last resort to reduce litigation risks 	MoALF project team responded that KCSA RPF advocates for that and therefore the projects are to be designed in such a way that avoids or minimises displacements.

Comments raised by Participants	MoALF response
<ul style="list-style-type: none"> participants indicated that, the process of land acquisition if left at MOU level may lead to future conflicts 	<p>MoALF project team responded that the project has timelines and therefore MOU may be a initial step but county Governments will eventually be expected to legalize the land acquisition processes.</p>
<ul style="list-style-type: none"> <i>Subproject land:</i> The participants suggested that sub project land should have title deeds 	<p>Noted</p>
<ul style="list-style-type: none"> The participants suggested that the service providers and county project coordinator should work very closely with county government in such a way that the county Governments monitors the implementation to ensure the project objectives are fully achieved. 	<p>MoALF project team informed participants that, since the component is to be implemented by counties they will undertake supervisory role on the implementation including the service providers.</p>
<ul style="list-style-type: none"> The participants suggested the need to include a precautionary clause in the RPF framework on areas that are exempt from compensation especially where communities agree on the citing of the infrastructures. 	<p>Noted</p>
Comments on draft Vulnerable and Marginalized Group Framework	
<ul style="list-style-type: none"> <i>Are groups (CIGs) sustainable?</i> Participants suggested that collaboration with the cooperative department was necessary for the producer groups to be converted into cooperatives for the purpose of marketing and would also cater for the environmental concerns in actualizing one of the cooperative principles 	<ul style="list-style-type: none"> MoALF project team responded that the overall objective of targeting farmers groups or CIGs is to systematically enable them to graduate into farmer cooperatives has been achieved by KAPAP. As such the role of cooperative department will be mandatory
<ul style="list-style-type: none"> How will the voice of the people be heard? 	<ul style="list-style-type: none"> MoALF project team responded that The CDD projects design provides participatory structures at all levels of implementation and the stakeholders, joint supervision, M&E are mechanisms to ensure implementers adhere to the processes.
<ul style="list-style-type: none"> Vulnerability goes beyond constitutional level or VMGP framework provisions. It is about the context of the sub-project 	<ul style="list-style-type: none"> MoALF project team responded that at sub project level the target groups will be involved in deciding the location of sub-projects and also deliberate targeting is done in cases of VMGs.
<ul style="list-style-type: none"> The need to specify the roles of specific stakeholders in VMGF 	<ul style="list-style-type: none"> Noted

Annex 12: Institutional Public Consultation

List of Institution Consulted [CSO/NGO/IPO, Government, Funding Agencies, UN]

ACRONYM	FULL NAME OF ORGANISATION	TYPE OF INSTITUTION
Government		
MOALF	Ministry of Agriculture Livestock and Fisheries	Government
NEMA	National Environmental Management Authority	Government
UNEP	United Nations Environmental Programme	
SSC	Shimoni Slave Caves	
CIPDP	Chepkitale Indigenous People Development Programmes	IPO
EWC	Endorois Welfare Council	IPO
WRUA	Water resources Users Association	CSO
CDTF	Community Development Trust Fund	Funding Intermediary
ILEPA	Indigenous Livelihoods Enhancement Partners	
ITUMBU CDDC	Itumbu Community Driven Development Committee	CSO (WKCDD/FM)
FAHAMU	FAHAMU	
WARMA	Water Resources Management Authority	
W/GATE	Samburu West Gate Conservancy	
ENH	Elburgon Natural Heritage	
OPATLIS	Ogiek People Ancestral Territories Livelihood Initiatives	
MARINDA CDDC	Marinda Community Driven Development Committee	
RVHGA	Rift Valley Hay Growers Association	Farmers Association
UON	University of Nairobi	
MAHANGA	Mahanga Community Driven Development	

CDDC	Committee	
CHEBOMBAL WRUA	Chebombai Water Resources Users Association	
CEMIRIDE Kenya	Center for minority Development	
ERMIS AFRICA	Environmental Research Mapping and Information System in Africa	
BWG	Balacha Waata Group	
NGBA	1. NGBA Nursery	

Annex 13: Strategy for Participation and Consultation with Vulnerable & Marginalized Groups Youth

Participation of VMGs in selection, design and implementation of the project components will largely determine the extent to which the VMGF objectives would be achieved. To ensure benefits have as wide a reach as possible and where adverse impacts are likely, the KCSAP/PCU will undertake prior and informed consultations with the likely affected VMG youth and those who work with and/or are knowledgeable of VMGs development issues and concerns. To facilitate effective participation, the VMGF will follow a timetable to consult VMG communities at different stages of the project/sub project cycle, especially during preparation and implementation of the specific VMGFs. The primary objectives would be to examine the following:

- ☐ To seek their inputs/feedback on how to maximize benefits, accessibility and how to avoid or minimize the potential adverse impacts associated with the project;
- ☐ Identify culturally appropriate impact mitigation measures; and
- ☐ Assess and adopt economic opportunities, which the SA could promote to complement the measures required to mitigate the adverse impacts.

Consultations will be carried out broadly in two stages. First, prior to final selection of any project component located in an area inhabited by VMGs, the KCSAP/PCU will consult the VMGs about the need for, and the probable positive and negative impacts associated with the project execution. Second, prior to detailed impact assessment, ascertain how the VMGs in general perceive the need for increasing employment and opportunities for targeted youth project and gather any inputs/feedback they might offer for better outcomes, which would eventually be addressed in VMGF s and design of the project.

The VMGFs communication strategy will;

- ☐ Facilitate participation of VMGs with adequate gender and generational representation; Youth leaders, customary/traditional VMG organizations; community

elders/leaders; and civil society organizations, CBOs and FBOs on VMGs development issues and concerns.

- Provide them with relevant information about the project components, including knowledge on potential adverse impacts, organize and conduct the consultations in a manner to ensure free expression of their views and preferences.
- Document details of all consultation meetings, with VMGs perceptions of the proposed project and the associated impacts, especially the adverse ones and any inputs/feedbacks offered by VMGs; and an account of the broad community support by VMGs.

The SA will examine the detailed impacts at individual and community levels, with a particular focus on the adverse impacts perceived by VMGs and the probable (and feasible) mitigation measures. To ensure continuing informed participation and more focused discussions, the communication strategy will provide affected VMGs with the impact details of the proposed project. Consultations will cover topics/areas concerning value chains, TIMPs, sharing of benefits, cultural and socio-economic characteristics, as well as those issues which VMGs consider important along the project. Consultations will continue throughout the preparation and implementation period, with focus on the VMGs directly affected. Consultation stages, probable participants, methods, and expected outcomes are process worth consideration and application.

The following strategies should also be included in the project to support the participation of the VMGs:

1. The project should explore how to accommodate the most vulnerable and destitute youth of VMGs.
2. Encourage VMGs to get involved in various project designing, planning, and implementation activities in the project through arranging related training.
3. Assist VMGs to develop their capacity and capability to enable them to participate in proposed project components;
4. Explore avenues for creating employment opportunities for VMG youth; Ensure adequate resources and technical support for the implementation of the action Plan for VMG youth.
5. At all stages culturally appropriate communication methods (verbal and nonverbal, in local language) should be used to ensure meaningful consultation.

Provision to ensure involvement of VMGs in various training activities as part of the project to enhance employability.

Once the VMGs are identified in the project area, the VMGPs will ensure mitigation of any adverse impact of the Sub project. The project components should ensure benefits to the VMGs by providing (in consultation with the VMGs youth themselves) opportunity to get them involved in various income earning opportunities and activities;

The following issues need to be addressed during the implementation stage of the project;

- Provision of an effective mechanism for monitoring implementation of the VMGF;

- ☐ Development of accountability mechanism to ensure the planned benefits of the project are received by VMGs;
- ☐ Ensuring appropriate budgetary allocation of resources for the VMGs development.
- ☐ Provision of technical assistance for sustaining the VMGF;
- ☐ Ensure that VMGs traditional social organizations, cultural heritage, traditional political and community organizations are protected;

Annex 15: Action Plans by Subcomponent – Gender Mainstreaming and Social and Economic Inclusion of Youth and VMGs

<i>Gender Mainstreaming</i>	<i>Social and Economic Inclusion of Youth and Vulnerable and Marginalized Groups (VMGs)</i>
Cross-cutting:	
<p>Closing the gender gaps starts with increasing awareness of gender and changing the mindset among county governments and technical staff, especially male stakeholders, is critical. Therefore, a module on capacity building and training on gender mainstreaming (across the 3 technical components) will be provided to all stakeholders, including NPCU, CPCUs, county governments, sub county and ward administrators, SPs/facilitators, extension workers, and community members.</p> <p>Gender analysis (GA) at the outset of the project implementation. GA will give an analysis of who has what and why, who does what and why, who makes decisions and why, and who needs what and why is carried out to develop an understanding of the site specific gender, cultural and socio-economic context. This analysis will explore differential vulnerability of men and women, youth and VMGs to risk, opportunities and benefits, power relations within the household and the community, willingness to take on risk, and modes of access to sources of information. Findings of this analysis will inform the application of any TIMP/ practice.</p>	<p>Social inclusion, like gender mainstreaming, also starts from good communication and social awareness actions using various media, combined with capacity building and training. A module on social inclusion will be included in the capacity building of all stakeholders, including communities, POs, and counties.</p>
Component 1: Upscaling Climate Smart Agricultural Practices	
Subcomponent 1.1: Building Institutional Capacity and Strengthening Service Delivery	
A. Capacity Building at Community Level	

ⁱⁱ OP 4.10 Footnote 7: ‘Collective attachment’ means that for generations there has been a physical presence in and economic ties to lands and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites. ‘Collective attachment’ also refers to the attachment of transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.

The Component 1 will contribute in closing the gender gap in productivity, increase women's groups' capacity and promote female entrepreneurship. The participatory process is part of gender analysis and creates basis for finding relevant ways to address the gender gaps. Sub-component 1.1 will build capacity at different levels to enable men, women and VMGs to participate in CSA investments' planning and prioritization. Special attention is paid to Service Providers' capacity to address gender issues.

PICD process: PICD is an important process that allows community members to identify the difference between men's and women's roles and assets, time allocation for work, and other activities. The PICD process will be conducted through a gender mainstreaming and social inclusion lens. Implementation of the PICD process will form part of the SPs' ToR. Detailed PICD approach will be further described in the PIM. *Modalities of capacity building:* Studies and on-the ground experience have shown that it is not easy for women to participate in meetings and training for development projects, due to their wide range of responsibilities, from caring for the family welfare (food preparation, cleaning, and child care) to economic activities (such as small commerce and markets). Therefore, the project will select the timing and venue of key meetings and information sharing to ensure both men and women can participate and access information (e.g., avoiding market days and male-dominated gathering places when planning training sessions).

Content and targets for capacity building within the community: Men and women have different comparative advantages in agricultural production.ⁱⁱ It is observed that women are good at managing grassroots activities when trained and equipped with skills and some inputs. However, certain activities are still managed by men, such as planting that requires heavy machinery, large

Decision making: At the community level, capacity building using an inclusive PICD process and participatory identification of VMGs will be essential. In addition to having modules on cross-cutting themes like inclusion, it is important to have conflict resolution as part of the training and awareness creation for communities. Capacity building delivered by SPs will ensure that marginalized groups are meaningfully included in decision-making processes for micro-projects. The use of quotas, in combination with capacity building for these groups, can be one approach.

Facilitators/trainers and modalities of training: Selection of qualified facilitators and trainers who can deliver training modules using an inclusive approach will be dependent on well-developed ToRs. The training modules that are developed for the communities should ensure that language and tools should not create barriers that could exclude the participation of certain groups in capacity-building measures. It is important to recognize that different groups may be more receptive to different modes of capacity building and means of communication. For example, effective use of ICT, existing social media networks, and cultural events and performances could be ways to better reach and communicate with youth.

CDP formation: Community Development Plans will be required to include a Social Inclusion (including Gender) dimension to ensure certain funds are channeled and secured for youth and marginalized groups.

Specific capacity building for VMGs: As the target groups become clear and awareness of

B. Capacity Building at County Level	
<p><i>Gender-sensitive sensitization and awareness creation:</i> As part of gender sensitization and awareness creation campaigns for counties, the project will use techniques to ensure that project information is accessible to both men and women with different skills and literacy levels. With guidance from NPCU, a tailored communication plan that takes into consideration varying capacities and access to project information will be developed in each county that draws upon existing local radio programs and media, information boards, text messages, meetings, and faith-based organizations.</p> <p><i>Capacity building for county technical staff:</i> Capacity building for county technical staff will include training on gender modules. Relevant staff in county departments for Gender and Social Development will also receive similar capacity building and training.</p>	<p><i>Inclusive sensitization and awareness creation:</i> For sensitization and awareness creation campaigns for counties under subcomponent 3.1, the project will use techniques to make project information accessible for VMGs with different skills and literacy levels.</p> <p><i>Capacity building for county technical staff:</i> Capacity building for county technical staff will include training on social inclusion modules. Relevant staff in the county departments for Gender and Social Development will also receive similar capacity building and training.</p>
Subcomponent 1.2: Supporting Investments in Smallholder Agro-pastoral Production Systems Subcomponent 1.3: Supporting Investments in Pastoral Production Systems (Window I)	
<p>Subcomponents 1.2 and 1.3 have a key role in closing the gender gap in productivity through community level investments, value chain development and enterprise development.</p> <p><i>VMG grants:</i> This subcomponent provides targeted grants for VMGs, including women. The use of such grants, especially by marginalized women, for example, could be used to purchase water tanks, organize training programs, and hire technical advisors to start their own business and use applications and mobile devices as needed.</p>	<p><i>VMG grants:</i> This subcomponent includes targeted grants for VMGs, including youth. VMGs will be exempted from the community cash contribution requirement. The menu of goods and services available must include those that are of relevance and interest to VMGs and should not include activities that discourage their participation.</p>

<p><i>Value chain selection:</i> Under KAPAP, gender issues were used as a criterion for the selection of priority commodities, and gender was explicitly considered in the design of training and dissemination of technologies. Women are shown to be good at certain areas of the VC process, including processing and marketing. The project will identify and provide customized support to high potential VCs that are conducive to the roles of women. More generally, social aspects will be considered in VC selection to ensure that the poor and vulnerable also benefit.</p> <p>Women tend to have more limited access to key assets and services. Therefore each participating county will need to be innovative in addressing such challenges. As communities and POs identify key commodities and VCs, SPs will help to identify gender gaps and opportunities in selected key commodities, and include them in capacity-building measures accordingly.</p>	<p><i>Value chain selection:</i> Similar to the gender dimension, social aspects will be considered in the selection of VCs to ensure that VMGs participate and benefit under this subcomponent.</p> <p>Assessment of POs: POs will need to pay attention to inclusion dimensions. For existing POs, some relevant questions to ask include: Which community members/ farmers/ smallholder producers organize in POs, which ones do not, and why? Who receives support from POs, who does not, and why? For new POs, it will be important to incorporate the principles of inclusion.</p>
<p>Subcomponent 1.3: Supporting Investments in Pastoral Production Systems (Window II)</p>	
<p><i>Employment during the construction phase of the infrastructure:</i> Under this subcomponent, the project will support vulnerable women to join employment programs. Counties will also be encouraged to link vulnerable women to other county-level support programs e.g., safety net programs like cash transfers for the poor.</p>	<p><i>Employment programs and other support programs:</i> Employment programs for VMGs, including youth, will be supported. Counties will also be encouraged to link VMGs to other county-level support programs.</p>
<p>Component 2: Strengthening Climate-Smart Agricultural Research and Seed System</p>	
<p><i>Subcomponent 2.1: Supporting Climate-Smart Agricultural Research and Innovations</i></p>	

<p>Component 2 will assist in reducing the gender gap especially in women's access to agricultural extension that eventually will lead to reducing gender gap in productivity.</p> <p>Amongst other initiatives, this sub component will support development and dissemination of TIMPs that deliver CSA triple-wins. This sub-component therefore, will also emphasis on TIMPs that suit women, youth and the vulnerable and marginalized groups (VMGs), for example those reducing the drudgery or saving on household time for other productive ventures.</p> <p>Beyond CSA practices, the project community investments in climate change adaptation and mitigation will need to partner with women's, youth and VMGs community based organizations to go beyond a focus on agricultural productivity and support income generation, access to savings and nutrition services.</p> <p>.</p>	<p>Activities to ensure gender is mainstreamed in CSA may include: on seeds and breeds- breed the ones favored by the youth, women and the VMGs for example vegetables, fruits, for crops and small ruminants (rabbits, goats and sheep) and local poultry for livestock.</p> <p>Other activities that may require research packages and mapping are: tree nurseries are becoming an important source of income, particularly for VMGs, women and youth therefore, it should be encouraged; tree-based land scape initiatives e.g. Agro-forestry systems; Conservation agriculture on vegetables, fruits; Apiculture ; Promote Flexi-biogas technology that provides cooking gas, lighting, and even electricity for smallholder farmers with livestock.</p> <p>Mapping gendered farm management Systems - provides a method for classifying gendered farm management systems with approaches to collecting and geo-referencing information on the dominant pattern in each area. It will also provide an approach for analysing and integrating gender in value-chain analysis and development: mapping gender roles and relations along the value chain; moving from gender inequalities to gender-based constraints; assessing the consequences of gender-based constraints; taking action to remove gender-based constraints; and measuring the success of action.</p>
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At the same time, to better address the problems that do exist, gender-disaggregated data are needed on the access to and use of technologies. Because documentation and strong evidence are needed to guide decisions about investments	Supporting the collection of gender-disaggregated statistics and indicators related to key technologies. Such data are lacking and can be complemented by research on the contextual and locally-specific factors that limit VMGs access, such as laws pertaining to property rights and women's ability to obtain credit.
Labor-saving technology: Analysis has shown that women tend to work longer hours compared to men. Introduction of labor-saving technologies through POs can help to reduce women's workload.	In terms of tools and equipment – the project may consider those that will ease labor-intensity i.e. ox ploughs that are gender friendly so that these vulnerable groups move away from traditional methods which undermine their agricultural productivity
Component 3: Supporting Agro-weather, Market, Climate and Advisory Services	
<i>Subcomponent 3.1: Improving Agro-meteorological Forecasting and Monitoring</i>	
<i>Subcomponent 3.2: Developing Integrated Weather and Market Information System</i>	
<p>The component 3 contributes to closing the gender gap in productivity by ensuring that the channels of distribution of data are available for women.</p> <p>One of the main obstacles to effective meteorological forecasting is Kenya's limited agro- meteorological observation network. With more measurement stations, better understanding of weather variability, and enhanced ability to predict shifting weather patterns, farmers' resilience to climate change would be enhanced with potentially transformative impact on food security in Kenya</p>	

<p>In Kenya, systems that integrate agro-weather and analyze large amounts of existing crop, pasture, soil, climate and market data are rudimentary. This subcomponent will address this problem by financing activities related to: (a) developing “Big Data” for CSA; (b) strengthening the Market Information Systems (MIS) and services; and (c) delivering integrated weather and market advisory services using ICTⁱⁱ and existing agricultural extension networks.</p>	<p>Weather-related information is accessed and used differently by men and women if available. For example, about women and men farmers: where they farm, how they source water, what crops they grow, what inputs and extension services they receive, whether they market surplus produce, and what their needs are. Without baseline data about VMGs, women, youth and men farmers, there is no way to measure how much change (quantitative change) and what kinds of change (qualitative change) may happen. Therefore, the project will strive to have an information hub.</p> <p>Develop entertaining and educational shows (in local languages) that engage youth, VMGs, male and female farmers in the local media forms/types.</p>
<p><i>Subcomponent 3.3: Building Technical and Institutional and Capacity</i></p>	
<p>This subcomponent will finance the institutional and technical capacity building of the national and county governments to enable them to deliver on their Component 3 mandates. The main areas for capacity building would include sensitization of stakeholders on CSA concepts and climate change risks; capacity needs assessment; short-term and long-term training; and provision of IT equipment and operations and maintenance budgets.</p>	<p>Work with the private sector and women’s, youth and VMGs producer groups to develop technology and services that meet their needs.</p> <p>Address resource constraints and poor incentives while keeping down the costs of using ICTs for female, youth and VMGs farmers.</p> <p>Support women’s, youth and the VMGs participation in decision-making related to climate change, particularly at the local level.</p>
<p>Component 4: Project Coordination and Management</p>	
<p><i>Subcomponent 4.1: Project Coordination</i></p>	

It will also finance the costs of project supervision and oversight provided by the National Project Steering Committee (NPSC), National Technical Advisory Committee (NTAC) and County Project Steering Committees (CPSCs), and any other project administration expenses.	It will be ensured that all the decision making bodies at national, county and community level include both men and women. Also all the other stakeholders as enumerators (market information) must include both men and women
<i>Subcomponent 4.2: Monitoring & Evaluation and Impact Evaluation</i>	
An M&E system will be established to collect and process appropriate information, to verify the output, effects and eventually the impacts of project activities over time. Baseline information for M&E will be collected by project's effectiveness.	<p>To the extent possible, performance indicators were disaggregated by gender and by social subgroup</p> <p>Indicators for closing the gender gap may be:</p> <p>Percentage change in crop yield per hectare and year as result of the CSA intervention (disaggregated by male or female-headed households and household members).</p> <p>Number of farmers who have access to and use (i) weather and climate information services; (ii) price information on a regular basis (disaggregated by sex).</p>
<i>Subcomponent 4.3: Contingency Emergency Response</i>	
This zero cost subcomponent is meant to finance eligible expenditures related to emergency response costs in case of natural disasters affecting the agricultural sector. This contingency facility can be triggered through formal declaration of a national emergency by the government authority; and upon a formal request from GoK to the Bank through the National Treasury (NT)	