

REPUBLIC OF KENYA



MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING, URBAN DEVELOPMENT AND PUBLIC WORKS

KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT (KISIP)

**PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION
PLANS FOR 4 NO. INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA
COUNTIES DONE UNDER LOT 2**

CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

**ABBREVIATED RESETTLEMENT ACTION PLAN (RAP)
EMBAKASI INFORMAL SETTLEMENT**



PREPARED BY

LER CONSULT

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OCTOBER 2019

This Abbreviated Resettlement Action Plan (ARAP) for Planning and Surveying of Embakasi Informal Settlement located in Nairobi City County has been prepared under Consultancy Services for Planning, Surveying and Preparation of Resettlement Action Plans for 4 No. Informal Settlements in Nairobi and Mombasa Counties done under Lot 2 by LER Consult Limited on behalf of the Kenya Informal Settlements Improvement Project (KISIP).

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MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING, URBAN DEVELOPMENT AND PUBLIC WORKS

FACT SHEET	
Project Name	Kenya Informal Settlements Improvement Project (KISIP)
Assignment Name	Planning, Surveying and Preparation of Resettlement Action Plans for 4 No. Informal Settlements in Nairobi and Mombasa Counties Done Under Lot 2 Contract No. MTIHUD/KISIP/CS/006D/2018-2019
Lead Implementing Agency	Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works
Funding Agencies	Government of Kenya, World Bank, AFD, SIDA
Consultants	LER CONSULT LIMITED
Start Date	February 2019
Completion Date	November 2019
Team Leader	Plan. Paul Chege
Target Settlement	Embakasi Informal Settlement located in Nairobi City County

LIST OF ACRONYMS

AFD	French International Development Agency
AIDS	Acquired Immunodeficiency Syndrome
ARAP	Abbreviated Resettlement Action Plan
CAD	Computer Aided Design
CEC	County Executive-in-Charge
CGRC	Community Grievance Redress committee
DEM	Digital Elevation Model
EMSF	Environmental and Social Management Framework
GCI	Galvanized Corrugated Iron
GIS	Geographical Information System
GO	Grievance Officer
GoK	Government of Kenya
GPS	Geographical Positioning System
GRC	Grievance Redress committee
HIV	Human Immunodeficiency Virus
KISIP	Kenya Informal Settlements Improvement pProject ,
KMP	Kenya Municipal Program
K-SUP	Kenya Slum Upgrading Program
LP&LUDP	Local Physical Land Use and Development Plan
M&E	Monitoring and Evaluation (M&E)
MTIHUD&PW	Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works
NGO	Non-Governmental Organisation
NLC	National Land Commission
NLP	National Land Policy
NMSP	Nairobi Metropolitan Services Project
OP	Operational Policies
OPCT	Older Persons Cash transfers
PAD	Project Appraisal Document

PAP	Project Affected Persons
PDO	Project Development Objective
PDP	Part Development Plan
RAP	Resettlement Action Plan
RFP	Resettlement Policy Framework
RIC	RAP Implementation Committee
RIM	Registry Index Map
RPF	Resettlement Policy Framework
SEC	Settlement Executive Committee
SGRC	Settlement Grievance Redress Committee
SIDA	Swedish International Development Agency
SRTM	Shuttle RADAR Topographic Mission
UTM	Universal Transverse Mercator
WB	World Bank

DEFINITION OF TERMS

Abbreviated Resettlement Action Plan is a resettlement document prepared to mitigate impacts that has affected less than 200 Project affected persons in accordance to World Bank OP 4.12.

Adoptive planning standards refers to negotiated planning standards that use non-conventional road wayleave widths with the aim of reducing displacement that would result from the use of conventional planning standards (which use road wayleaves of 9m, 12m, 15m, 18m, 25m and 30m).

Complete Displacement means the displacement of a structure owner or institution PAP etc. from one parcel of land to a different parcel of land outside the settlement due to the planning and survey activities including demarcation of roads.

Cut-off date is the date of start of the socio-economic survey/census and asset inventory of PAPs. Persons entering and/or occupying land in the project area after this date and not included in the inventory of PAPs will not be considered eligible for facilitation. Similarly, fixed assets such as structures, established after the cut-off date will not be facilitated.

Facilitation means payments made in cash and/or in kind in recognition of loss of assets and Livelihoods resulting from impacts caused by planning and surveying.

Market rate is the selling price of a commodity in the open competitive market.

Project Affected Person(s) (PAPs) are persons, households, enterprises, and public or private institutions affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.

Rehabilitation Assistance is the additional support, over and above facilitation accorded to the vulnerable or at-risk members of the affected community during implementation of the ARAP e.g. labour support.

Replacement cost means replacement of assets with same quality and quantity with an amount sufficient to cover full cost of lost assets and related transaction costs and taxes. The cost is to be based on Market rate (commercial rate) according to Kenyan law for sale of land or property, without depreciation in addition to other considerations such as (a) transporting building materials to the construction site; (b) any labour and contractors' fees; and (c) any registration costs. Therefore, for Replacement cost for houses and other structures means the prevailing cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures at market rates without depreciation.

Resettlement Action Plan (RAP) or Resettlement Plan is a resettlement instrument (document) to be prepared when program locations are identified. In such cases, planning and survey activities including demarcation of roads leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting on the people and their livelihoods. RAPs contain specific and legal binding requirements to resettle and facilitate the affected party before implementation of the project activities. According to provisions by the

World Bank OP 4.12, RAP is prepared where project affected persons are more than 200 while an Abbreviated RAP is prepared where project affected persons are less than 200.

Resettlement Assistance means the measures to ensure that Project Affected Persons who may require to be physically relocated are provided with assistance during relocation, such as moving/shifting allowances for ease of resettlement, residential housing or rentals, rental allowance whichever is feasible and as required, for ease of resettlement.

KISIP Resettlement Policy Framework (RPF) has been prepared as an instrument to be used throughout the informal settlements improvement project implementation. The RPF was disclosed to set out the resettlement and facilitation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project. The Policy provided that Resettlement Action Plans (“RAPs”) for the project will be prepared in conformity with the provisions the RPF.

Squatters are those who have extended their settlements into Government lands and have no formal right or claim to the portion of the lands.

Survey means a 100% field assessment carried out to identify and determine the number of Project Affected Persons (PAPs).

Vulnerable Groups include all those affected by the project, and include the elderly, women and children headed households, Persons with Severe Disability (PWSD)

EXECUTIVE SUMMARY

Project description

The Kenya Informal Settlements Improvement Project (KISIP) is a five-year project, jointly financed by the World Bank, French International Development Agency (AFD) and Swedish International Development Agency (SIDA). It is implemented by the Ministry of Transport, Infrastructure, Housing Urban Development ad Urban Development, with the aim of improving living conditions in Kenya's informal settlements. This is through specific interventions that include enhancing tenure security, settlement level planning, infrastructure services provision, and planning for future urban growth. KISIP became effective in June, 2011. It is implemented in fourteen (14) Counties including Nairobi City County where Embakasi informal settlement is located, is one of the beneficiary settlements. The settlement is located in Embakasi East Sub-County and measures 2.47 ha with an approximate population of 6,743 people.

Planning and Survey in Embakasi informal settlement

In 2015, KISIP started a participatory planning and survey process in Embakasi informal settlement, which was expected to culminate in tenure regularisation for the residents. The informal settlement did not have any draft LP&LUDP prepared before KISIP's entry.

The first step towards accomplishing the key development objective of regularizing the tenure was to prepare a settlement Local Physical and Land Use Development Plan (LP&LUDP). The plan was prepared through a participatory planning approach where the stakeholders' concerns were taken into consideration. Also, the plan was developed through adoptive planning approach which resulted in 7 Project Affected Persons (PAPs)

KISIP therefore prepared a base map, and its analysis showed that the land uses were not optimally planned. This necessitated planning of the informal settlement to take into consideration the situation on the ground through application of adoptive planning standards. Therefore, the consultant working under KISIP was tasked with preparing a LPDP and undertaking survey which will culminate to issuance of title deeds to beneficiaries. 111 title deeds owned by 289 beneficiaries in the settleemnt comprising of 182 male and 107 female beneficiaries as indicated in table 2.2.

Planning and Surveying Impacts

Planning and Surveying will result in tenure regularization whose positive primary impact is issuance of title deeds to beneficiaries. The beneficiaries were sensitized that the minimum portions of land handed over to road way leaves were necessary to facilitate issuance of titles, as each plot must have access. The implementation of the approved LP&LUDP will result in impacts on 7 Project Affected Persons (PAPs) in the settlement. Therefore, the preparation of this Abbreviated Resettlement Action Plan (ARAP) is directed towards identification, documentation and quantification of all losses/impacts that will result from the implementation of the approved LP&LUDP and to provide adequate mitigation measures in conformity with the World Bank OP 4.12, and the Government of Kenya Policies and Laws.

The tenure regularization impacts in Embakasi informal settlement are limited to total and partial demolition of structures to expand or align road way leaves. The total number of PAPs affected were 7 PAPs who include 5 male PAPs and 2 female PAPs. The number of

affected structures were⁷: This number included 1 fully affected structure and 6 partially affected structures.

Vulnerable PAPs

This ARAP identified 2 female headed households as vulnerable groups. The entitlements to the Vulnerable PAPs has been outline under Section 7.4 of this ARAP.

Community Consultation and Participation

Public participation which is a constitutional requirement was realized through meetings and transects walks. The aim was to identify the interests of the different stakeholders and draw consensus.

Before the ARAP process, five (5) planning meetings had been organized within the settlement with the local Settlement Executive Committees (SECs), beneficiaries, with representation from the County. ARAP related issues such as cut-off date facilitation were also raised in four of the planning meetings. Annex 7, 8, 9 and 14 shows the minutes for the planning meetings where RAP issues were discussed. Two RAP sensitization meetings were also held in the settlement. The RAP meetings were attended by the PAPs; Nairobi City County representatives, KISIP National and the National Government. The cut-off date for this RAP was declared in the meeting held on 4 October 2019 in the informal settlement.

Implementation of the ARAP

The primary responsibility for the implementation of this ARAP remains with KISIP who will ensure all PAPs are adequately facilitated according to the budget provided. The implementation tasks will be carried out by KISIP RAP Implementation Committee (RIC) for Nairobi City County.

All persons affected by the project and meeting the cut-off date of 4th October 2019 will be entitled to a combination of facilitation packages depending on the nature of ownership rights of lost assets and scope of the impacts as outlined in KISIP RPF's entitlement matrix. The facilitation includes cash facilitation at replacement cost without depreciation; repair costs equivalent to 25% of the facilitation; right to salvage material; additional cash support of Kshs 2000/month for the first three months for vulnerable PAPs, and for loss of livelihood,a cash grant equivalent to 1-month average income lost due to shifting of business to a new location, and re-establishing it.

Valuation of structures was based on full replacement cost because the amount facilitated is intended to enable construction of a new structure of similar materials. Facilitation of structures will be done concurrently with issuance of titles.

This ARAP has an estimated budget of **KSh. One Million, Six Hundred and Sixty One Thousand, and Seven Hundred Only** (1,661,700.00)¹.

Grievance Redress Mechanism

A project-based grievance redress mechanism (at no cost to PAPs) has been designed with the objective of solving grievances within the shortest possible time. A settlement GRC has

¹ Details of the budget are provided in section 9.2

been established as the first level of grievance redress while escalation mechanisms include the RAP implementation Committee (with membership from both national KISIP and County government) and the Courts of Law (highly unlikely since the process has been community led). A grievance log documents all grievances and their resolution status and is in use to monitor GRM progress.

Commitments

To ensure this ARAP is fully implemented, This ARAP also provides specific commitments that will be undertaken by KISIP during ARAP implementation phase; these commitments are provided in chapter 12 section 12.2.

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CHAPTER 1. INTRODUCTION

1.1 Introduction

The Government of the Republic of Kenya prepared the Kenya Informal Settlements Improvement Project (KISIP) as part of the national strategy to address inequality and disparities in livelihoods and quality of life within Kenya's urban areas, the latter systematically and increasingly becoming the main population centres of the country. The Strategy comprises of three multi-sectoral programmes namely; - (i) The Kenya Informal Settlements Improvement Project (ii) The Kenya Slum Upgrading Program (K-SUP) and, (iii) the Nairobi Metropolitan Services Project (NAMSIP) to be financed by the World Bank (KISIP RPF, 2014).

The aim of KISIP is to facilitate the improvement of living conditions in the informal settlements through security of tenure and municipal infrastructure development. The Program's activities cover 14 counties each of which benefits from activities targeting slum improvement. KISIP is designed along four components. These are:

- 1 . *Institutional strengthening/development and program management* - This component assists in strengthening the capacity of the participating ministries and counties, and finances program management activities.
- 2 . *Enhancing tenure security* – this supports scale-up and process systematization of ongoing efforts to regularize tenure in urban slums and includes financing: community organization and mobilization, identification and demarcation of settlement boundaries, preparation of Part Development Plans, and issuance of letters of offer/allotment to individuals/groups.
- 3 . *Investing in settlement restructuring and infrastructure*– supports implementation of settlement upgrading plans developed at the community level, investment in settlement level infrastructure.
- 4 . *Planning for growth: Supporting delivery of affordable housing and serviced land* – supports proactive planning to dampen the growth of new slums and mechanisms for delivery of land and housing that can enhance affordability for middle- and low-income households.

KISIP's second component on enhancing tenure security means that planning and surveying of informal settlements creates a basis for titling of land in the selected informal settlements. Enhancing security of tenure of land in the informal settlements is critical in promoting the social wellbeing of the vulnerable inhabitants. Communities in informal settlements have in the past been disenfranchised through illegal alienation and forceful eviction. Tenure regularization will make it possible for the occupiers of the land in informal settlements to make long-term commitment including investment. In addition, it will be possible for County Governments and development partners to allocate resources for infrastructure and services investment in the informal settlements, given the planning creates for public utilities and/or infrastructure. The approved settlement's Local Physical Development Plans and Survey

layouts will provide for way leaves for infrastructure provision and services needed in the informal settlement.

1.2 Embakasi informal settlement

Embakasi informal settlement is in Embakasi Constituency in Nairobi County. It is located near Embakasi Road to the north of the Jomo Kenyatta International Airport. The settlement is linked through North Airport Road/Eastern bypass with Mombasa Road and Outer ring road. The Nairobi City County owns the land where Embakasi informal settlement is located. The settlement is approximately 2.43ha in size and has a population of 6,743. The settlement is a typical urban settlement where the beneficiaries engage in commercial activities. The major land uses are residential 70 percent, transport 16 percent and educational 6 percent. Annex 2 shows the locational map for the informal settlement.

1.3 KISIP's interventions in Embakasi informal Settlement

The land tenure in Embakasi informal settlement is classified as public land. This land is held by Nairobi City County Government in trust for the people and administered on their behalf by the National Land Commission. KISIP's Component 2 intervention in Embakasi informal settlement entailed physical planning and surveying of the informal settlement. This led to the development of a local physical development plan for the settlement. 111 title deeds will be issued to 289 beneficiaries in the settleemnt comprising of 182 male and 107 female beneficiaries.. To achieve the objective of the second component, KISIP is working with relevant national institutions, counties and local institutions. At the national level, these institutions include the Ministry of Lands and Physical Planning, National Land Commission (NLC) and Ministry of Transport, Infrastructure, Housing and Urban Development. The relevant ministry that houses the Physical Planning functions, KISIP County Coordination Teams and the survey department represents the counties. The Settlement Executive Committee (SEC) represents the local community, which is a representation of all stakeholders at the settlement level.

1.4 Objective of the ARAP

The objective of this ARAP is to identify, document and quantify all losses and impacts, which include loss of assets and livelihoods and impacts on vulnerable PAPs because of planning and surveying of the settlement. The ARAP also provide adequate mitigation measures for the lossess in conformity with the World Bank OP 4.12, and the Government of Kenya Policies and Laws. The ARAP provides Projected Affected Persons with facilitation for their loss of structures at full replacement cost, livelihood restoration measures and support for vulnerable groups. Additionally, a Grievance Redress Committee (GRC) has been established, to acknowledge and resolve grievances arising from resettlement issues, facilitation to PAPs and issuance of title deeds.

1.5 Scope of the ARAP

The scope of this ARAP was to:

- a. Develop a ARAP for the settlement in line with national legislation, KISIP Resettlement Policy Framework and world Bank's OP 4.12
- b. Undertake socio-economic survey of PAPs during census with an aim of identifying PAPS socio economic profile required to inform PAPs entitlements
- c. Document acceptable entitlements to guide facilitation and other mitigation actions to Project Affected Persons (PAPs).
- d. Compile an accurate PAP and Asset register (see annex 1).

This ARAP is limited to impacts caused by the planning and surveying of the settlement which resulted in 7 PAPs.. The ARAP does not cover facilitation for any loss of land since the PAPs in Embakasi settlement occupy government land.

CHAPTER 2. LAND TENURE REGULARIZATION AND TITLING IN EMBAKASI INFORMAL SETTLEMENT

2.1 Introduction to Land Titling

KISIP interventions in Embakasi informal settlement began in 2015 where the project's component 2 will culminate to tenure regularization in the settlement. The assignment began with an intention to plan notice in the local dailies and public notice boards. This was to inform the stakeholders on the anticipated planning and surveying of the informal settlement. In the settlement, the assignment began with a reconnaissance survey of the informal settlement, with an aim of familiarising with the stakeholders and the settlement. Key institutions relevant to the study were visited. These are Nairobi City County Government, National Land Commission, KISIP Nairobi and KISIP Nairobi City County. At the local level, Settlement Executive Committee (SEC) represented the local community. This process of tenure regularization and land titling is illustrated in the table below:

Table 2-1 Tenure Regularisation and Titling Process

Stage	Activities	Primary Actor	Secondary Actor	Indicators	Timelines
Mobilization Stage	<ul style="list-style-type: none"> Community Mobilization Introduction of KISIP activities in Embakasi Settlement Outlining the objective of Planning and Survey, which will lead to issuance of title deeds. 	<ul style="list-style-type: none"> SEC KISIP Consultant Working under KISIP 	County Government	<ul style="list-style-type: none"> Equal representation in SEC composition Community welcomed the project as they have been waiting on title deeds for a long time. Community committed to embrace and support the project until completion Community committed to use existing local level governance/management structures to resolve grievances. 	Undertaken
Planning Stage					
Base Map and physical Preparation	<ul style="list-style-type: none"> Transect walks guided by SEC 264 beneficiaries identified. Improving of access while minimising displacement in the settlement cited as objective of the planning process 100 % Socioeconomic survey of Beneficiaries² Mapping of structures as on the ground 	<ul style="list-style-type: none"> Community SEC Consultant Working under KISIP 	<ul style="list-style-type: none"> KISIP County Government 	<ul style="list-style-type: none"> Base map of Embakasi Every Beneficiary is enumerated Participation of SEC ensured that only members of Embakasi are the Beneficiaries Beneficiary list representative of women beneficiaries 	Undertaken
Preparation of LP& LUDP	<ul style="list-style-type: none"> Presentation of the findings of the base map A community led visioning process Community is involved in preparation of plan that best 	<ul style="list-style-type: none"> Community SEC Consultant Working 	<ul style="list-style-type: none"> KISIP County Government 	<ul style="list-style-type: none"> Active women participation in every planning stakeholder meeting Community endorse road hierarchy for the settlement that affects 7 PAPs 	Undertaken

² This included: Identification, enumeration and verification of people against identified structures; Enumeration of structures; Enumeration of structure attributes; and verification of socio-economic data

	represents their interests.	g under KISIP			
Plan Validation	<ul style="list-style-type: none"> A community led validation of proposed plan ensured community vision is represented Every beneficiary allowed to scrutinize the plan to ensure his or her plot is represented. Community endorsed and approved proposed Plan 	<ul style="list-style-type: none"> Community SEC Consultant Working under KISIP 	<ul style="list-style-type: none"> KISIP County Government 	<ul style="list-style-type: none"> Beneficiaries ensure existence of all plots in the plan. Community approval of plan 	Undertaken
Plan Approval	• Proposed Plan approved by Nairobi City County	• Nairobi City County Government	• KISIP	• Nairobi City County approval of Plan step towards tenure regularization and issuance of titles ³	Undertaken
Validation of Beneficiary List	<ul style="list-style-type: none"> Every beneficiary allowed to scrutinize the beneficiary list to ensure correct details have been input. Women encouraged to participate 	<ul style="list-style-type: none"> Community SEC Consultant Working under KISIP KISIP 	County Government	<ul style="list-style-type: none"> Beneficiaries ensure correct details are in the beneficiary list and sign against the details Women ensure correct details are in the beneficiary list and sign against the details 	Undertaken
Surveying stage					
Surveying and beaconing of plots	<ul style="list-style-type: none"> Physical Survey of Plots Women asked to be present during exercise and shown boundaries of new plot where beacons have been placed. Identification of impacts 	<ul style="list-style-type: none"> Community SEC Consultant Working under KISIP 	<ul style="list-style-type: none"> KISIP County Government 	<ul style="list-style-type: none"> Women aware of plot boundaries Impacts and 7 PAPs documented 	Undertaken
Approval of Survey Plan	Survey approval and adjustment of Registry Index Map (RIM) to include individual surveyed Plots numbers	Survey of Kenya	KISIP	New RIM forwarded to Ministry of Land for Titling process.	Not yet undertaken
ARAP Preparation					
ARAP Preparation	Identified impacts are as a result of planning and survey are identified, documented and mitigated	<ul style="list-style-type: none"> Community SEC Consultant Working under KISIP 	<ul style="list-style-type: none"> KISIP County Government 	Entitlements are given to mitigate impacts	Undertaken
ARAP Approval	<ul style="list-style-type: none"> Ensure client commitment to implementation of ARAP. All safeguards provisions are met and addressed 	<ul style="list-style-type: none"> KISIP World Bank 	Consultant	Approved ARAP to guide implementation process and issuance of Titles	Ongoing
ARAP	Implementing ARAP activities as	• KISIP	Consult	• Facilitation of PAPs	Not yet

³ Under the new Physical and Land Use Planning Act of 2019, Local physical development Plans are approved by the CEC at the County level. The plans are only forwarded to the Director of Physical Planning as a formality but not for approval

implementation	per implementation schedule	<ul style="list-style-type: none"> • Comm unity • County 	ant	<ul style="list-style-type: none"> • GRM • Issuance of Title Deeds (undertaken after facilitation) 	undertaken
Land Titling					
Sensitization on Title ownership	Registrar of Titles Sensitizes Beneficiaries and their spouses on <ul style="list-style-type: none"> (i) Joint Ownership of titles (ii) Types of registrations (iii) Benefits of the Titles (iv) Conditions to be granted on leasehold Titles (v) Law requirements in Regulation of land transactions 	<ul style="list-style-type: none"> • Registrar of Titles • Comm unity • SEC • KISIP 	<ul style="list-style-type: none"> • County Govern ment • Consult ant 	<ul style="list-style-type: none"> • More women aware on Joint Titling • Men allow for joint titling with spouses. • Beneficiaries aware of Benefits of the title being issued. • Beneficiary grievances adequately addressed 	Undertaken. However, additional Sensitization will be undertaken during Implementation
Change of beneficiary List	Beneficiary list open for final change of names to appear in the title	<ul style="list-style-type: none"> • Comm unity • SEC • Consult ant Working under KISIP <ul style="list-style-type: none"> • KISIP 	County Govern ment	<ul style="list-style-type: none"> • Increased number on Joint Title between spouses • Beneficiaries on the final beneficiary list forwarded to the Ministry of Lands for Title printing. 	Undertaken
Titles Printing and Signing	The final beneficiary list is the basis of printing of Titles	Ministry of Lands-Chief Land Registrar		Signed Titles are handed over to National Land Commission for Approval.	Not yet undertaken
Gazzettement	The NLC approves transfer of Public land to individual beneficiaries in Embakasi	National Land Commission		The names of Beneficiaries is officially published in the Kenya Gazette as individual title holders securing their tenure	Not yet undertaken
Issuance of Title	Upon facilitation of All PAPs, Titles are issued to respective beneficiaries in a public event.	<ul style="list-style-type: none"> • NLC • KISIP 	County	Beneficiaries finally have individual titles to their land. Tenure regularization is complete	Not yet undertaken

Annex 5 shows the disruption impacts experienced in the settlement.

2.2 Breakdown of Beneficiaries

The breakdown of the plot ownership is shown in table 1-1 below

Table 2-2 Breakdown of plot ownership by gender

No.	Type/ Category of Beneficiary	Total Number of Titles/Plots	Total Number of Beneficiaries by Gender	
			Male	Female
1	Individual (single beneficiary on a title)	40	26	14
2	(Joint ownership) broken down as:			
	Male beneficiaries only	15	52	--
	Female beneficiaries only	3	--	10
	Both male and female	53	104	83
Total		111	182	107

2.3 Community Sensitization on Planning

Seven community meetings⁴ were conducted in the settlement. The first community meeting was particularly key in sensitising the community on a number of issues:

- 1 . The importance of planning and surveying. Through this process, planning was framed as a pre-requisite to titling, to ensure accessibility of homes, as well as providing a basis for future provision and improvement of infrastructure in the settlement, as the planning process would designate road reserves.
- 2 . Gender concerns in land ownership as defined by the Constitution 2010. The community was also sensitized that the Constitution allows for equal access to property (which also includes land). Joint ownership of titles between spouses was encouraged, with both spouses to be registered where there were such agreements, while plots where the woman is the household head (e.g. where the spouse is deceased) were registered in the woman's name.

Details of the other meetings are summarized in chapter 5 table 5.1 which provides schedule of consultative meetings held and key issues discussed

⁴ Table showing the number of meetings is shown in section 4.2

2.2.1 Continuous Community Sensitization on Title Registration

KISIP and the Registrar of Titles will undertake more community sensitisation as per the Implementation schedule on benefits of Title Deed, types of registrations, (table 2-2 below); encourage spouses on Joint Registration of Titles; and avoidance of title related conflicts.

Table 2-3 Types of Title registration

Type Of Title Registration	Details	Emerging issues under KISIP
Absolute Proprietorship	<ul style="list-style-type: none"> Only applies in free hold land Both Husband and wife are absolute proprietors of land 	<ul style="list-style-type: none"> In case of Death, Land is automatically transferred to the spouse. May not appear in KISIP as most land in question is located within former municipals, thus qualifying as leases
Single Ownership	<ul style="list-style-type: none"> Singe person completely owns the Land. If Married, Consent of wife is required before any transaction on the land is undertaken 	<ul style="list-style-type: none"> In case of death, transfer of the land becomes lengthy and costly. Discouraged under KISIP if husband and wife are involved. Husband and wife encouraged to go for joint tenancy/ownership. Consent has to be reached between husband and wife on who will be the single owner of the title. If consent is not reached between husband and wife on absolute ownership, Tenancy in common shares joint ownership is to be explored as the alternative
Co-tenancy <ul style="list-style-type: none"> Ownership of land by two or more persons and both registered in the title. Each co tenant receives a copy of the title, 	<p>Joint Tenancy/Ownership</p> <ul style="list-style-type: none"> These are naturally man and wife. <p>Tenancy in common shares</p> <ul style="list-style-type: none"> These owners are not necessarily man and wife. They can be more than two. If applies to spouses, husband and wife own the land in shares. Common in cases where there is more than one wife and/or children are involved. In non-spousal cases, similar ownership in shares 	<ul style="list-style-type: none"> This type of ownership is encouraged under KISIP; Sensitization is ongoing It is encouraged especially during succession On the death of a joint tenant, that tenant's interest shall vest in the surviving tenant or tenants jointly. Tenant can transfer their interest to the other tenant(s) but not to any other person. <ul style="list-style-type: none"> Of major importance, the shareholding must be stated on the title. This may be in equal shares or respective percentages. Each party decides what to do with his/her shares since they own only a stipulated share of land. The title can only accommodate 5 entries of names In case of more than 5 owners, additional parties to the land are required to nominate one to hold their shares in trust of the others This is explored especially if children are involved. On the death of a tenant, the deceased's share shall be treated as part of their estate
Sectional Title	<ul style="list-style-type: none"> This applies to ownership of Assets like high-rise buildings/apartments 	<ul style="list-style-type: none"> In case a beneficiary builds an asset and decides to share among children/Wives, each floor is entitled to a sectional title. This sectional title can be further subjected to Joint co-ownership among children

Gender inclusivity is one of the guiding principles of this ARAP and the tenure regularization exercise. Land ownership ratio in Embakasi informal settlement is in favour of men (60%

male 40% female). During ARAP implementation, KISIP will undertake more gender empowerment sensitization exercises to build the capacity of women in the settlement to safeguard their land rights. In implementing these exercises, key stakeholders include: Registrar of Titles, KISIP and Nairobi City County Government Gender Department. In particular, the Land Control Board will be a key avenue to safeguard women rights to owning land where the board will regulate every land transaction and spousal consent will be mandatory.

The proposed gender sensitization exercises will include but not limited to the following:

- i Advancing women's legal rights to own and inherit land, which to an extent is ongoing as women heads are already recognized through the titling process, while joint spousal registration was discussed with all settlement beneficiaries during the planning process
- ii Advancing women's decision-making capabilities on land they use, regardless of whether they are a named owner of the land or if their names appear on title deed. For example, women will be sensitised to know that a spouse cannot sell land without their consent and the role that the Land Control Board plays in enforcing the requirement of spousal consent thus acting as an avenue of safeguarding the rights of women on land ownership.
- iii Addressing norms and customs for how women acquire land (e.g., purchase, inheritance), the quality of land they receive, and how land is transferred at marriage or a spouse's death through the sensitization process. Particularly, succession processes when a male spouse dies will be highlighted to ensure women are not dispossessed of their right to ownership of the land previously held by their husbands.
- iv Educating both women and men on the benefits of recognizing women's land rights

CHAPTER 3. POLICY AND LEGAL FRAMEWORK

3.1 Introduction

Land alienation and tenure regularization may trigger project impacts to people's assets and sources of livelihood. These activities may include;

- i. Partial demolitions of structures to expand/re align road reserves;
- ii. Reclamation of encroached way-leaves;
- iii. Displacement of open and mobile shops (kiosks) to expand/realign road reserves, provide drainage canals etc.;
- iv. Displacement of settlements to reclaim public utility land;
- v. Removal of structures to create room for trunk infrastructure such as water mains and hydrant points towards mitigating severity of fire disasters

According to KISIP RPF 2014, there is insignificant potential for displacements within the KISIP project towns since the projects are being undertaken within the public land. However, given the land is public; there is potential risk for evictions especially where it concerns road reserves. Even with minimal displacements, such may result to loss of means of livelihood, disruption of economic activities, persistent land- related conflicts, and displacements to poorly developed areas, inadequate and late facilitation and environmental degradation. In order to mitigate the negative impacts on affected persons, Government of Kenya as well as international institutions have prepared guidelines and safeguard policies to cushion people from the potential negative impacts of forced displacements. Table 3-1 shows the relevant legal and policy framework for undertaking this RAP.

Table 3-1 Relevant legal and policy framework

Policies and Legislation	Relevant provisions to RAP
The Constitution of Kenya of 2010	<ul style="list-style-type: none">• Section 60 of Chapter 5 lays down the principles of land ownership and use as follows:<ul style="list-style-type: none">○ Equitable access to land;○ Security of land rights;○ Sustainable and productive management of land resources;○ Transparent and cost-effective administration of land;○ Sound conservation and protection of ecologically sensitive areas;○ Elimination of gender discrimination in law, customs and practices related to land and property in Kenya; and○ Encouragement of communities to settle land disputes through recognized local community initiative.• The Constitution entrenches the protection of legally acquired land and property rights. However, in Embakasi, planning and surveying is on public land therefore land acquisition is not applicable. The recognition of alternative dispute resolution mechanisms is aimed at expediting issues of land rights, transfer and supporting economic development.
The National Land Policy (2007)	<ul style="list-style-type: none">• Presents policy recommendations on issues of land rights and provides for strategies on dealing with land rights of vulnerable groups, minority groups, refugees and internally displaced persons, informal settlements, children and people living with HIV/ AIDS.

	<ul style="list-style-type: none"> • Section 3.6 provides for ways to deal with informal settlements including: <ul style="list-style-type: none"> ○ Take an inventory of genuine squatters and people who live in informal settlements; ○ Establish appropriate mechanisms for the removal of squatters from unsuitable land and their resettlement; • Sub section (g) guidelines on gender and equity principles relating to land rights on matters to do with land and resettlement. It makes provisions for joint spousal registration and documentation of land rights, and for joint spousal consent to land disposals.
The Environment and Land Court Act, 2012	<ul style="list-style-type: none"> • Establishes a superior court to hear and determine disputes relating to the environment and the use and occupation of, and title to land, and to make provisions for its jurisdiction, functions and powers, and for connected purposes. • This shall be an important institution in case of grievances with regard to displacement that cannot be solved through the proposed ARAP grievance redress system.
Land Act 2012	<ul style="list-style-type: none"> • Provides guidelines on management of public land by the NLC on behalf of both national and county government • In managing public land, NLC is required in section 10(1) to prescribe guidelines for the management of public land by all public agencies, statutory bodies and state corporations in actual occupation or use.
The Valuers Act Cap 532	<ul style="list-style-type: none"> • Provides for the registration of Valuers and the regulation of the valuation profession and practice in Kenya • The valuation report prepared by a person or firm not registered under the provisions of Clause 21 is invalid and cannot be used for the basis of facilitation.
The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012	<ul style="list-style-type: none"> • The provisions of this Act apply to all internally displaced persons that arise either through calamities, social conflict or development projects • Section 5 of the Act lists development projects among the displacement factors and outlines involvement of the affected persons through awareness, sensitization, training and education on causes, impacts, consequences and prevention measures. • Section 6 of the Act provides that displacements because of development project sites will only be justified by compelling and overriding public interest.
KISIP's Resettlement Policy Framework	<ul style="list-style-type: none"> • The main purpose of the RPF is to guide resolution of any displacement anticipated from project activities. • Provides for a policy, legal and institutional framework for responding to all displacement impacts occasioned by activities undertaken under KISIP • Offers choices among, and identify technically and economically feasible resettlement alternatives; and, • Puts in place modalities for providing prompt and effective facilitation at full replacement cost for loss of assets attributable directly to the project and provide support during the transitional period to enable the affected people to improve or at least restore their pre-impact living standards.
World Bank's Operational Manual OP 4.12 on Involuntary	<ul style="list-style-type: none"> • It ensures that project affected population receives benefits from it. • The policy outlines measures to ensure that affected persons are informed about their options, consulted on the choices provided and provided with prompt and effective facilitation at full replacement cost for the losses incurred. <ul style="list-style-type: none"> a. If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the affected

Settlement	<p>persons are: -</p> <ul style="list-style-type: none"> i Provided assistance during relocation; and ii Provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site. <p>b. Ensures that affected PAPs are: -</p> <ul style="list-style-type: none"> i. Offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and Kenya ii. Provided with development assistance in addition to facilitation measures demanded by the policy; iii. Such as land preparation, credit facilities, training, or job opportunities.
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3.2 Comparison between the Government of Kenya (GoK), and World Bank Guidelines

GoK and World Bank requirements are found to converge on some points such as the need for participation of all stakeholders, and consultation with project affected persons at every stage, need for mechanisms for addressing mechanisms for project-affected persons. The table 3-2 below provides a summative comparative analysis of the World Bank guidelines and the Kenyan law context and gap filling measures:

Table 3-1 A summative comparative analysis of the World Bank guidelines and the Kenyan Law context

World Bank OP 4.12	Kenyan Context	Gap filling measures
General ARAP Requirements		
Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives.	Involuntary resettlement possible in contexts of projects of public interest e.g. the Land Act does not stipulate that resettlement should be avoided wherever possible; on the contrary, as long as a project is for public interest, involuntary resettlement is considered to be unavoidable.	Ensure that resettlement issues are considered at the design stage of the project in order to avoid/minimize resettlement and associated issues.
PAPs should be assisted in improving livelihoods etc. or at least restoring them to previous levels.	The Land Act 2012 guarantees the right to fair and just facilitation in case of relocation. Just and fair facilitation as outlined in the Land Act is vague and can only be determined by NLC. In most cases, construed as market prices thus restoring to pre-project status.	Implement World Bank OP 4.12 policy
ARAP Process Requirements		
Grievance Redress Mechanism: The ARAP should provide for appropriate and accessible grievance mechanism will be established. Appropriate and accessible grievance mechanisms are established for these groups.	The Constitution of Kenya, 2010, envisions a prominent role for alternative dispute resolution, including traditional dispute resolution mechanisms. This is in addition to other legislative frameworks which provide for non-formal methods of dispute resolution. For instance, Land Act 2012 clearly outlines the steps and process for grievance redress that includes alternative dispute resolution, and is backed by the judicial system through Environmental and Land Court Act.	Adopt both Kenyan legislation and World Bank.
Consultation: The ARAP process should provide for opportunity for meaningful consultations with affected persons and communities, local authorities, and, Non-Governmental Organizations (NGOs) where appropriate.	The IDP Act internalizes high value safeguards techniques such as the application of a free, prior and informed consent process that emphasizes the quality and meaningfulness of affected community participation including the impact that views obtained during consultations have on the final decision.	Adopt both Kenyan legislation and World Bank.
Information Disclosure: Once approved, the ARAP, is made available to the public through its InfoShop. KISIP is also required to disclose it in line with The World Bank Policy on	Kenyan Legal Framework not clear on Information disclosure of Approved ARAP	Implement World Bank OP 4.12 policy

<p>Access to Information.</p> <p>Eligibility Criteria</p> <p><i>Determined by:</i></p> <p>(a) those who have formal legal rights to land</p> <p>(b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan.</p> <p>(c) those who have no recognizable legal right or claim to the land they are occupying.</p> <p>Therefore, although O.P 4.12's recognizes eligibility as both formal (legal) and informal owners of expropriated land, it does not specifically recognize all users of the land to be compensated.</p> <p>O.P 4.12 describes the cut-off date as the date of the start of the census. Persons entering and/or occupying land in the project area after this date and not included in the inventory of PAPs will not be considered eligible for facilitation or resettlement assistance. Similarly, fixed assets such as structures, established after the cut-off date will not be compensated.</p>	<p>The Land Act 2012 provides that written and unwritten agreements are recognized as valid land right.</p> <p>The Land Act 2012 provides that people eligible for facilitation are those holding land tenure rights</p> <p>The Land Act 2012 also recognizes those who have interest or some claim in the land such pastoralist or who use the land for their livelihood.</p> <p>The constitution recognizes occupants of land even if they do not have titles and payment made in good faith to those occupants. However, this is not mandatory and does not apply to those who illegally acquire land. The Traffic Act which recognises encroaching into e.g. road reserves as illegal is repugnant or encroachers into e.g. road reserves as stipulated under Traffic Act.</p> <p>The Land Act, 2012 is not specific on the cut-off date but proposes a final survey of land (with regard to private land) to be undertaken before facilitation is paid. It does not cover public land.</p>	<p>Ensure ALL users (including illegal squatters, labourers, rights of access) of affected lands are included in the census survey and all facilitation for loss of assets will be at replacement value and measures to restore livelihood undertaken.</p> <p>Those without legal right i.e. all beneficiaries in place of resettlement receive tenure security of land occupied.</p> <p>Implement World Bank OP 4.12 policy</p>
<p>Measures:</p> <p>Cash based facilitation should only be made where (a) land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for lost assets exist and there is sufficient supply of land and housing; or (c) livelihoods are not land-based.</p> <p>World Bank OP4.12 Article 6(a) requires that affected persons are provided with prompt and effective facilitation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an impact, affected persons must be</p>	<p>Land Act 2012 appears to prefer mode of cash facilitation by the Government to the affected population.</p> <p>Land Act talks of prompt, just facilitation before the acquisition of land. However, interpretation of just facilitation is yet to be clearly outlined through a specific schedule defining just facilitation has not been put in place. Therefore, Costs such as attorney's fees, cost of obtaining advice or cost</p>	<p>Ensure that all alternative options are considered before providing cash facilitation.</p> <p>Use World Bank OP 4.12 procedures in determining form of facilitation</p> <p>Implement prompt and effective resettlement assistance.</p>

<p>provided with assistance during relocation and residential housing, housing sites and/or agricultural sites to at least equivalent standards as the previous site.</p> <p>Replacement cost does not take depreciation into account. In terms of valuing assets, if the residual of the asset being taken is not economically viable, facilitation and assistance must be provided as if the entire asset had been taken.</p> <p>Facilitation and other assistance required for relocation should be determined prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. Displacement must not occur before all necessary measures for resettlement are in place, i.e., measures over and above simple facilitation.</p> <p>O.P 4.12 proposes that measures for livelihood restoration are considered during resettlement of PAPs.</p>	<p>incurred in preparing and making written claim not in the Land Act. Similarly, the Act does not out rightly stipulate assistance for relocation but can only be implied.</p> <p>The Land Act, 2012 is not specific on any other assistance to affected persons. Assistance ends at facilitation.</p> <p>The Land Act, 2012 is not specific on livelihood restoration.</p>	<p>Ensure that ALL resettlement options are agreed on with PAPs and put in place prior to impact on affected PAPs</p> <p>Implement World Bank OP 4.12 policy</p>
<p>Valuation:</p> <p>With regard to land and structures, —replacement cost is defined as follows:</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour</p>	<p>Land Act 2012 talks of just facilitation for the lost assets but it is not specific of the exact amount or procedures on the same. Interpretation of just facilitation has not been defined.</p>	<p>Apply the World Bank OP 4.12 valuation measures, as outlined in part 6, in order to fully value all affected assets in a consistent manner.</p>

In case of conflict between OP/BP 4.12 and national laws, OP 4.12 will prevail

3.2.1 Supporting Principles

In approaching rehabilitation assistance within the KISIP, provisions of both GoK and OP 4.12 of the World Bank will apply and where gaps are encountered, additional provisions in mitigation have been identified. Additionally, project development has been firmly anchored on principles aimed at mitigating impact as follows: -

- a) **Avoidance, minimization, mitigation and facilitation of impact:** This project subscribes to the policy of minimization of displacement as follows: -
 - Investments proposed under KISIP within Embakasi are by design quite small and targeted at enhancing quality of life among the settlers. This has and will greatly minimise the need for displacement.
 - To the extent possible, projects will utilize public easements- sewer lines, other linear infrastructures etc. will be routed inside existing right-of-way (roads, streets, and power lines) wherever possible.
- b) **Enhancement of benefits and Livelihood Restoration:** One of the objectives of KISIP RPF is to ensure that livelihoods are improved or restored to pre-impact levels.
- c) **Assistance to vulnerable groups:** The Project recognises the need for providing additional support to vulnerable groups so as to cushion them from impacts associated with the project and to facilitate faster adjustment in the new environment. Vulnerable households may have different land needs from most households, or needs unrelated to the amount of land available to them.
- d) **Gender Empowerment and Inclusivity:** The Constitution of Kenya Advocates for gender inclusivity at every level of decision-making. In this regard, the preparation of Embakasi informal settlement Plan was no exception. To effect this, the composition of SEC accurately met the gender inclusivity principle as it ensured women are involved in decision making. This rule was reflected in stakeholder engagement meetings where women were present, actively participated and raised concerns and deliberations that entrenched their views in the plan preparation.
- e) **Community Consultation and Engagement:** Community consultation is not only a constitutional requirement but is also used to identify the interests of the different stakeholders and draw consensus. This was realised through the seven meetings that were undertaken in the settlement and the community was sensitized on the project and potential impacts

CHAPTER 4. APPROACH AND METHODOLOGY

4.1 Introduction

The preparation of this RAP was guided by the project's RFP. The RPF sets out the process to be undertaken in the preparation of ARAPs, and key components to be included in the RAPs. Environmental and social analysis of the project revealed that the project would lead to alignment of the road and plot boundaries. This triggers the World Bank's safeguards policy OP 4.12 which requires the preparation of ARAP to ensure that all PAPs are adequately facilitated for the loss they are likely to incur.

The following key documents relating to KISIP project were consulted to provide guidance to the preparation of this RAP:

- Project Appraisal Document (PAD) for KISIP which the official project document is
- Environmental and Social Management Framework (EMSF) which provides a framework for identification and mitigation of potential environmental and social impacts arising from any KISIP project intervention
- Resettlement Policy Framework (RPF) which provides a framework consistent with the World Bank's OP 4.12 for mitigating physical and livelihood.
- Socio Economic Report for Embakasi 2019 prepared as part of this consultancy

4.2 Community and stakeholder consultation

Public consultation was realized through community meetings; transect walks, and participatory planning and mapping. The aim of the process was to identify the interests of the different stakeholders and draw consensus. Five (5) community-planning meetings were held in the settlement. RAP issues such as cut off date and facilitation for Public Land (not applicable under KISIP) were discussed in four of those planning meetings. Annex 7, 8, 9 and 14 shows the minutes for the planning meetings where RAP issues were discussed. The details of the meetings are in section 5.3:

4.3 Census of the Project Affected Persons

The ARAP Team conducted a PAP enumeration that included 100% census of the affected persons on 4th October 2019. The local community represented by the SEC was vital in identifying and authenticating the PAPs. The purpose of the census was to enumerate and collect basic information on the affected persons; identify affected assets for each PAP and establish an accurate PAP register. A RAP questionnaire (Annex 6) was used collect inventory of losses information from PAPs about affected assets and livelihoods.

4.4 Inventory of Vulnerable Groups

As part of the enumeration of PAPs, people considered to be disadvantaged as compared to rest of society were inventoried to ensure provision of soft landings in the facilitation process. According to KISIP's RPF, such groups include;

- i. **Persons with severe disability:** Such are usually disadvantaged because their labour is challenged making them often unable to secure employment and other businesses.

- ii. **Elderly persons:** Elderly people without assets or investments and people to depend on suffer numerous vulnerabilities. PAPs that are 70 years and above are considered elderly and thus vulnerable.
- iii. **Orphans and street children:** These children today fall into three categories of care namely (i) those being looked after by close relatives, (ii) those being looked after by the government institutions and (iii) those living alone and other siblings.
- iv. **Widows and women headed households:** women headed households rarely own the land that they farm (rendering them vulnerable to landlessness on divorce or widowhood).

4.5 Inventory of Affected structures and Valuation Methodology

An inventory of all the affected structures was taken to determine the number, their descriptions and size. This was to facilitate the valuation process. The information collected (using tool in annex 6) included the nature of the structure, materials used for construction, its size. As per the cut-off date, all affected structure were still on the ground at the time of conducting the asset inventory.

4.5.1 Valuation of structures

Valuation of structures was based on full replacement cost because the amount facilitated is intended to enable construction of a new structure of similar materials. The rate adopted was inclusive of the cost of site preparation, building materials, labour, transportation and any other associated costs.

4.6 Cut-off date

Establishing this cut-off date is essential in the process, as new inhabitants coming to the project affected areas after the cut-off date will not be considered for facilitation. The RAP Project Cut-off Date for Embakasi settlement was declared as 4th October 2019 in the settlement kick off meeting that was held in the settlement on 3rd October 2019. This meeting was attended by PAPs, Nairobi City County representatives, KISIP National representatives, and representatives of the Ministry of Lands and Physical Planning. Annex 12 shows the minutes of this meeting.

CHAPTER 5. PUBLIC CONSULTATION AND PARTICIPATION

5.1 Introduction

Public participation and consultations were done through community meetings. Community consultations were held during socio-economic surveys to identify and prioritize project interventions based on the needs identified the resources available and the likely impacts of the proposed interventions. Before the ARAP process, 5 planning meetings had been organized within the settlement. Four (4) of the meeting discussed RAP issues. Annex 7, 8, 9 and 14 shows the minutes for the planning meetings where RAP issues were discussed where RAP issues were discussed. Two specific ARAP meetings were further organized with the Project Affected Persons (PAPs)

5.2 Objectives of public participation

Public consultation is not only a constitutional requirement but is also used to identify the interests of the different stakeholders and draw consensus. The objectives of the stakeholder consultations were:

- To sensitize the community on the project and potential impacts.
- Provide a platform for community members to express their concerns related to RAP process.
- Involve them in key processes of census and undertaking affected asset inventory,
- Provide an opportunity for the community to themselves propose the most appropriate mitigation measures for asset and livelihood losses,
- To seek support from the community and other all relevant stakeholders in the preparation and implementation of the ARAP.

5.3 Community Meetings and issues raised

ARAP issues such as cut off date were discussed during the planning meetings (table 5-1).

Table 5-1 Community Participation Meetings

No.	Meeting Session	Date	Participants			Key issues discussed
				Male	Female	
1.	Stakeholders consultation meeting – Introduction of Consultant to the Settlement	27 th February, 2019	Community	13	6	<ul style="list-style-type: none">• Introduction of consultant to the settlement• Sensitisation on the planning process
			Nairobi City County	1	2	
			KISIP Nairobi	2	0	
			Total	16	8	
2.	SEC sensitization meeting	12 th March 2019	Community members	10	5	<ul style="list-style-type: none">• Sensitisation on the planning process• Scheduling of planning activities
			Nairobi City County	1	0	
			Total	11	5	
3.	Community Meeting	12 th March	Community Members	51	24	<ul style="list-style-type: none">• Sensitisation on the planning process

	sensitization meeting	2019	Nairobi City County	3	1	<ul style="list-style-type: none"> • Sensitization on RAP • Scheduling of planning activities
			Local administration	1	0	
			Total	55	25	
4.	Participatory Planning process	9 th April 2019	Community Members	19	11	<ul style="list-style-type: none"> • Identification of key community issues • Community visioning • Sensitization on RAP
			Nairobi City County	3	2	
			KISP Nairobi	3	3	
			Total	25	16	
5.	LPDP & List of Beneficiaries validation	6 th May 2019	Community	72	47	<ul style="list-style-type: none"> • Presentation, discussion and validation of draft LPDP. • Presentation and validation of socio-economic report • Presentation and validation of base map • Validation of List of beneficiaries • Cutoff date declared
			Nairobi City County	0	1	
			KISP Nairobi	1	1	
			Local administration	0	1	
			Total	73	50	
6.	Launch of survey and sensitization of RAP	3 rd October 2019	Community	57	30	<ul style="list-style-type: none"> • Sensitization on the surveying process • Sensitization on the RAP census • Declaration of Cut-off date of 4th October 2019
			Nairobi City County	5	2	
			KISP Nairobi	2	0	
			Ministry of Lands and Physical Planning	0	1	
			Total	64	33	
7.	PAP sensitization meeting	29 th October 2019	Community	7	3	<ul style="list-style-type: none"> • This recalled the ARAP process • ARAP implementation process • Proposed grievances redress mechanism discussed. • Eligibility criteria • Valuation principles • Re-declaration of Cut-off date (4/10/2019)
			Total	7	3	

The project resulted in tenure regularization impacts on 7 PAPs who own structures and sources of livelihood encroaching into road reserves provided by the LP&LUDP. All impacts were triggered due to expansion of roads in the settlement. In addition, the community were happy that the project will regularise tenure in their settlement, noting that they had lived in fear of eviction. They also noted that secure tenure would enable them undertake investments on the land.

Table 5-2 Community concerns

Concern	Response
In case of displacement of structures, will facilitation be extended to the affected beneficiaries?	Beneficiaries will be facilitated to move in the event of displacements. However, facilitation for land is not possible since the land belongs to the government
One of the memoranda of understanding we have a community is that there should be no encroachment on roads during construction. Will this be respected by the project?	The project is financed by the World Bank that has its own policies on resettlement. If one of the results of this project is displacement, then the World Bank policies will apply
We would like freehold titles	This being an urban area, the beneficiaries will be issued with leases for 99 years.
They are a few disputes that have not been resolved concerning ownership of some plots	Register the grievances with the GRC for determination. If the GRC process does not resolve the issues before the closure of the assignment, the title for the plot would be registered under the Nairobi City County in trust as the GRC process is exhausted. Once resolved, the County government will transfer the title to the rightful owner.
Will land be compensated	There will be no facilitation for land since the land is public land
Can the facilitation be paid through M-Pesa?	All means of payment will be discussed with the PAPs during implementation
Can I rebuild my structure before facilitation	At the moment, due to the verification process, PAPs are advised not to pull down any affected structure until the RAP implementation is finalised

CHAPTER 6. PROJECT IMPACTS

6.1 Introduction

Project Affected Persons (PAPs) are persons that are affected by the impacts caused by the approval of the proposed LP&LUDP of the settlement. These person(s) are affected because they may lose, lose shelter or income sources. These persons are affected whether or not they must move to another location. In Embakasi, the project affected 7 PAPs. There was no loss of private land in the settlement since the land in the settlement is public land and the project is focused on tenure regularization. An asset register (annex 1) has been compiled to show the losses experience by each PAP in the settlement.

6.2 Positive Impacts of the Project

6.2.1 Secure land tenure

The main objective of this assignment is to provide land tenure security in the settlement. Secure land tenure is seen as an important means of improving the standard of living of those living in the informal settlement. With secure land tenure, beneficiaries can make long – term investment commitment on their plots. Embakasi informal settlement is one of the informal settlements dotting Nairobi City County. Despite the long existence of the settlement, the Government has not been able to alienate the land to the settlers and no LP&LUDP had been developed in the settlement. Therefore, the ongoing planning and surveying is seen as a major milestone towards addressing tenure regularization problem.

In relation to the security of tenure, women empowerment in relation to land rights is a key impact of the project. The project lays emphasis on joint titling for spouses. In addition, KISIP allows for changes to the Title beneficiary list before final printing of the titles. The project will also undertake more gender sensitization before title issuance, which may lead to more women beneficiaries.

6.2.2 Improved road infrastructure

The settlement access roads are in poor conditions. They are characterized of potholes, encroachment to road reserve, lack of drainage facilities and they are dusty. Dumping of solid waste along the road is a common feature within the settlement. Due to lack of regular maintenance, the road are impassable during the rainy season. It is expected that with improved tenure, different actors may take an interest in developing the road infrastructure.

6.2.3 Improved access to clean water

The settlement is faced with the issue of water scarcity. According to the social economic survey, it was established that only 7% of the residents are connected to piped water. This force the other members to rely on other water sources such water vendors and kiosks, which are not only reliable but also expensive. The residents during prioritization of community needs ranked the need of piped water as one of the most urgent need in the settlement.

improved tenure will facilitate the key actors in the water sector to invest in water infrastructure in the settlement.

6.3 Negative impacts of the project

Planning and surveying of Embakasi informal settlement resulted in 6 structure owner PAPs and 1 tenant PAP. These included 5 male PAPs and 2 female PAPs. These PAPs own 6 affected structures while 1 is a tenant (operates a shop) in the settlement. The gender distribution of the 7 PAPs is shown in table 6-1 below.

Table 6-1 Project impacts according to gender

Category	Number	Distribution
Male PAPs	5	71%
Female PAPs	2	29%
Total	7	100%

6.3.1 Impact on Plot sizes

The settlement is located on public land; therefore, the beneficiaries did not experience loss of private land. However, beneficiaries experienced minimum reduction of the initial plot sizes due to expansion of roads. However, to minimise significant loss of plot sizes during the planning exercise, the following measures were adopted. In addition, project benefits of security of tenure and improved road network outweigh the minimal reduction in parcels.

- a. The lowest possible road hierarchy was adopted. The road hierarchy of 9m, 6m, 4m and 3.5m footpaths was adopted in the plan instead of 15m and 12m roads. This ensured that the reduction of plot sizes in the affected plots is minimized. The road hierarchy was agreed by KISIP and the Ministry of Lands and Physical Planning.
- b. During the demarcation of the roads, beneficiaries on either side of the road contributed an equal amount of land for the roads. This ensured affected beneficiaries shared the loss of the plot sizes, and no PAP lost a disproportional piece of land.

6.3.2 All beneficiaries validated and approved the LPDP.Loss of Livelihood

1 (one) income generating structure was impacted in the settlement affecting 1 female PAP. This structure is a shop that sells general household goods. Although the affected PAP is a tenant, she loses the business shelter and income. The affected livelihood activities will need time to re-establish to their current position and facilitation for the affected PAP will enable her to rebuild her livelihood to the level that is more or less per with their current status.

On the other hand one Structure owner will lose rental income from the tenant PAP

6.3.3 Loss of Structures

Loss of structures is the main type of loss identified, where the structures that lie on the proposed road reserves provided in the LP&LUDP were lost due to the minimal road expansion in the settlement. The affected structures include 1 wall, 3 dwelling units and 1 shop. The impact on the structures will be two-fold:

- i. Total loss: where the whole structure will be removed or where the residual will not be viable and functional. 1 shop that was affected suffered this type of loss.
- ii. Partial loss: where part of the structure will be affected, and the residual will still be viable and functional with reconstruction/repairs. 6 structures suffered this loss. They include 5 dwelling units and 1 wall.

Table 6-2 Affected structures in Embakasi Informal settlement

Type of development	Number affected
Residential houses	5
Shop	1
Wall	1
Total	7

6.3.4 Increased vulnerability among women headed households

As part of the PAP enumeration, people considered to be vulnerable as defined earlier in Section 4.4 were enumerated to ensure provision for vulnerability support and additional assistance in the facilitation process. 2 female PAPs were identified as vulnerable as they were the heads of their households.

6.3.5 Summary of Losses

In summary, the following are the number of assets affected in Embakasi informal settlement: Table 6-3 below shows the type of losses experienced in the settlement and the number of PAPs in each type of loss.

Table 6-3 Types of losses with number of affected PAPs

Type of PAP	Structure Loss	Livelihood	Vulnerability
Structure owner PAPs	6	1	1
Tenants	0	1	1

Figure 6-1 below shows the PAP diagram.

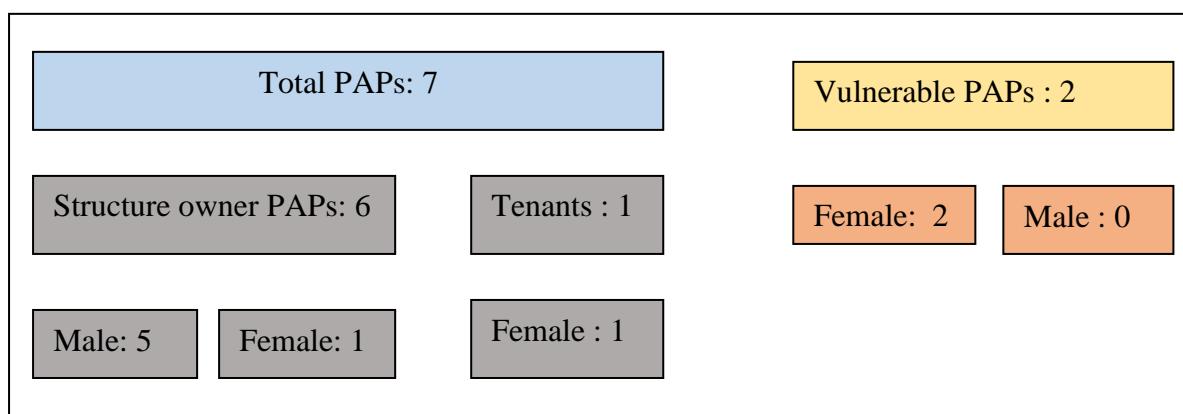


Figure 6-1 PAP diagram



A wall that is encroaching on the road reserve



One of the residential houses affected by the project



A shop that is encroaching on the road reserve



Another residential house encroaching on the road reserve

Plate 6-1 Some of structures affected by planning and surveying of Embakasi informal settlement

CHAPTER 7. MITIGATION OF IMPACTS

7.1 Introduction

World Bank's Safeguard Operational Policy O.P. 4.12 on 'Involuntary Resettlement' requires that displaced persons should be facilitated at full replacement cost prior to the actual move and supported during the transition period, and/or income restoration measures and support to vulnerable groups offered.

7.2 Eligibility Criteria

The entitlement matrix defines the type of facilitation and assistance to be provided to the different categories of project-affected households. The following principles will guide payment of facilitation for lost assets:

- Facilitation shall be paid prior to impact/displacement;
- Facilitation shall be extended to all PAPs irrespective of tenure status;
- Facilitation will be at replacement cost meaning that replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs.
- Facilitation for structures shall include the full cost of materials and labour required for reconstructing a building of similar surface and standing. In other words, the affected person must be able to have their structure rebuilt in a different location using the facilitation paid for the old building. Depreciation will not be taken into account while calculating the cost of affected structures. The Facilitation package will also include cost of moving, such as transport costs.

The affected persons, irrespective of their status, are eligible for some form of assistance if they occupied the land or engaged in any livelihood income-generating activity at the affected sites before the entitlement 'cut-off date' which has been taken as 4th September, 2019 at the start of the census and socio-economic survey of PAPs. All persons affected by the project and meeting the cut-off date requirements will be entitled to a combination of facilitation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts.

As part of the Socio-economic during PAPs census, vulnerable PAPs were enumerated in the settlement as detailed in section 6.3.3. These category of PAPs will be facilitated as provides in the entitlement matrix 8-1 below.

In addition, vulnerable PAPs will be accorded specific assistance or services in the ARAP implementation process e.g. assistance with reconstruction of structures (where such assistance is needed, and on a case by case. This will require the SEC in consultation with the PAP, to identify artisans to be involved in the reconstruction, and in collaboration with the RIC will provide oversight, supervision and quality control of the structures been constructed.

7.3 Notification

After facilitation has been issued, the PAPs will be served with adequate notice of minimum 3-months to self-demolish salvage and rebuild affected structures within their new boundaries. All the stakeholders in the project will also be notified of the self-demolition

notice through a community meeting. The County Government will be allowed to demolish any structures on the roads after expiry of the notice period.

7.4 Facilitation Payment Protocols and Entitlement Matrix

The RIC will verify the correctness of each PAP details. RIC will also carry out a sensitization on opening of joint accounts and appropriate use of facilitation funds for PAPs. Part of this sensitization will include discussions on the importance of disclosure of full facilitation payment to both spouses and the need for both to sign the payments to ensure funds are well utilized. In partnership with the area chief, the RIC will undertake sensitization on gender based violence in relation to the facilitation funds as well as Title Ownership and management.

KISIP will sensitize and allow PAPs to open individual and joint accounts with financial institutions of their choice. It will verify the PAP and Asset registers and acquire more details on the PAPs, which will include their telephone numbers and their bank account numbers. This ARAP also proposes that where possible, KISIP considers alternative mechanisms for remitting facilitation to the PAPs. Mobile money transfer may be adopted for small amounts Ksh. 20,000.00. In both cases (i.e. mobile money or other financial institutions), all transactional costs will be borne by the project.

The PAP register and the PAP details will then be submitted to the implementing agency for processing of funds. The funds will be deposited directly to bank accounts (or via mobile money accounts) provided by the PAPs. KISIP will follow up using phone calls to confirm to the PAPs (including those in joint ownership) that funds have been disbursed. Table 8-1 shows the entitlement matrix that was used to determine the facilitation for the PAPs.

Table 7-1 Entitlement Matrix

NO	TYPE OF LOSS	PAP CATEGORY	ENTITLEMENTS	
A. Loss of structures				
1.	Partial loss but residual viable	Squatter	<ul style="list-style-type: none"> Cash facilitation at replacement cost without depreciation 	
			<ul style="list-style-type: none"> Repair costs equivalent to 25% of the facilitation 	
			<ul style="list-style-type: none"> Right to salvage material 	
2.	Fully affected/part affected and remaining structure is non-viable	Structure owners with/without valid land title	<ul style="list-style-type: none"> Cash facilitation at replacement cost without depreciation 	
			<ul style="list-style-type: none"> One time shifting allowance of Kshs 5000 	
			<ul style="list-style-type: none"> Right to salvage materials. 	
B. Support to vulnerable groups (Women-headed households)				
			<ul style="list-style-type: none"> Additional cash support of Kshs 2000/month for the first three months 	
C. Loss of Livelihoods				
		Business income & Shelter	<ul style="list-style-type: none"> Cash grant equivalent to 1-month average income. One time shifting Allowance of 5000 KES to enable relocation of business 	

		<ul style="list-style-type: none"> • 3 month rent for the new location to re-establish the business to cover for loss of business shelter
	Rental Income	<ul style="list-style-type: none"> • 3 months equivalent of Rent income Lost

CHAPTER 8. GRIEVANCE REDRESS MECHANISM

8.1 Overview

Regardless of its scale, involuntary resettlement inevitably gives rise to grievances among the affected population over issues ranging from rates of facilitation to eligibility criteria. It is important to address these grievances in a timely manner to facilitate the resettlement process and the implementation of the project. Grievance procedures may be invoked at any time, depending on the complaint and on the people involved. Grievances might be triggered due to the following reasons among others.

- a) Grievance related to issuance of Title Deeds to beneficiaries
- b) Misidentification of assets or mistakes in valuing them;
- c) Dispute over the ownership of a given asset (two individuals claim to be the owners of this asset);
- d) Disagreement over the valuation of the asset;
- e) Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset

8.2 Grievance redress procedure

This RAP has identified procedures for people to lodge a complaint or a claim without cost and with the assurance of a timely and satisfactory resolution. The GRM is designed to solve disputes at the earliest possible time, which will be in the interest of all parties concerned and discourages referring such matters to the Courts. The GRM is simple, administered as far as possible at the local levels to facilitate access, flexible and open to various proofs. Further, and in following the principles of simplicity and avoidance of parallel GRMs, the project has a singular grievance redress mechanism for tenure regularization as well as ARAP related grievances. The GRM therefore includes those related to issuance of titles, thus the representation by a surveyor and land administrator in the RIC level.

Grievance redress is anticipated at 3 levels namely: -

- (i) The first tier will allow for amicable review and settlement of the grievance at the settlement level
- (ii) The second tier will involve the RIC in case the grievance cannot be solved at the first level
- (iii) The third tier will be the option of allowing the aggrieved party to seek redress at the court of law.

Levels (i), and (ii) are costs free. The legal redress option however, may incur some costs for the parties involved. Expectations for each level are highlighted in below.

Table 8-1 Levels of grievance redress and expectation

Level	Expectation	Composition
Settlement Grievance Redress Committee (SGRC)	<ul style="list-style-type: none"> • To solve grievances the earliest possible time in the interest of all parties concerned. • 	<ul style="list-style-type: none"> • Grievance Officer who will be a member of the SEC, • 1 additional SEC Member, • 2 respected community members elected by the Community (1 male and 1 female) and the • Location Chief who chairs the committee
Resettlement Implementation Committee (RIC)	<ul style="list-style-type: none"> • In case the grievance is not resolved at first tier, the proposed KISIP RIC and one representative of County Administration (e.g. Assistant County Commissioner) will enjoin the SGRC handling resettlement-related grievances. 	<p>From KISIP National PCT:</p> <ul style="list-style-type: none"> • Head of Component 1; • Environmental and social safeguard specialist; • Community Development specialist; • 3 members from Component 2 – Surveyor, land administrator and valuer; and • KISIP Finance Officer <p>From the City County:</p> <ul style="list-style-type: none"> • County KISIP Coordinator (chairman); • Community Development Officer; • County Surveyor; • County Physical Planner; • County Environmental Officer; • Representative from enforcement department; and • Town Administrator • The MP and MCA as ex-officio members. • County KISIP Coordinator will provide the secretariat for the committee.
Legal redress	<ul style="list-style-type: none"> • PAPs who are not satisfied with the decision of GRC committee and KISIP representatives; may seek legal redress • PAPs will cater for the cost of the legal redress 	

The process of lodging a grievance and the expected turnaround time is shown in figure 8-1. Annex 14 and 15 shows sample grievance redress form and sample grievance register.

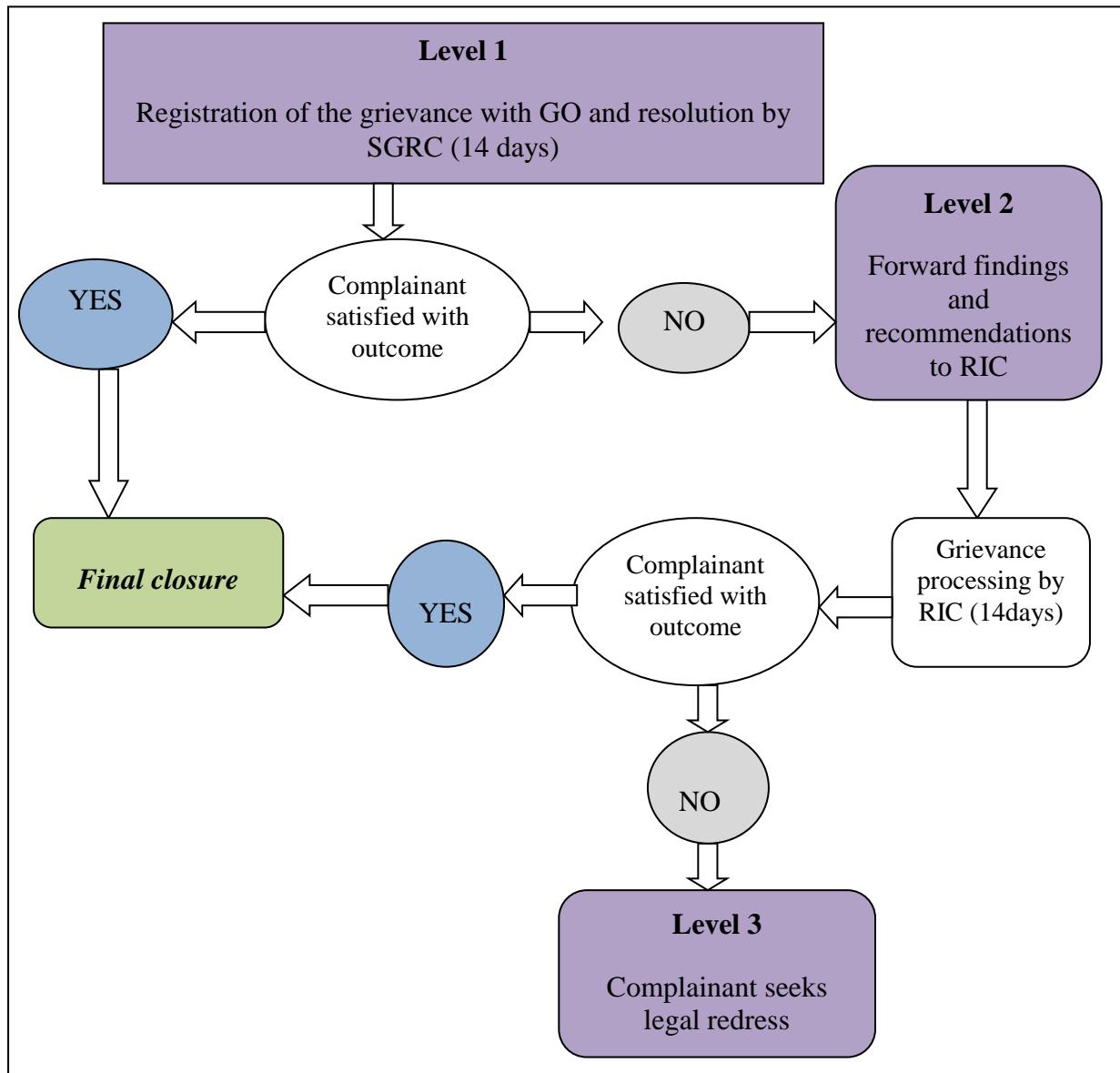


Figure 8-1 Grievance address procedure

CHAPTER 9. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

9.1 Introduction

This ARAP will be implemented within a period of not more than 60 days upon approval from the World Bank. During implementation, KISIP will ensure all PAPs are adequately facilitated according to the provisions of this ARAP concurrent with issuance of Title Deeds to all beneficiaries. KISIP RIC and Nairobi City County Government will carry out the implementation tasks. The ARAP implementing institutions are shown in figure 9-1 below:

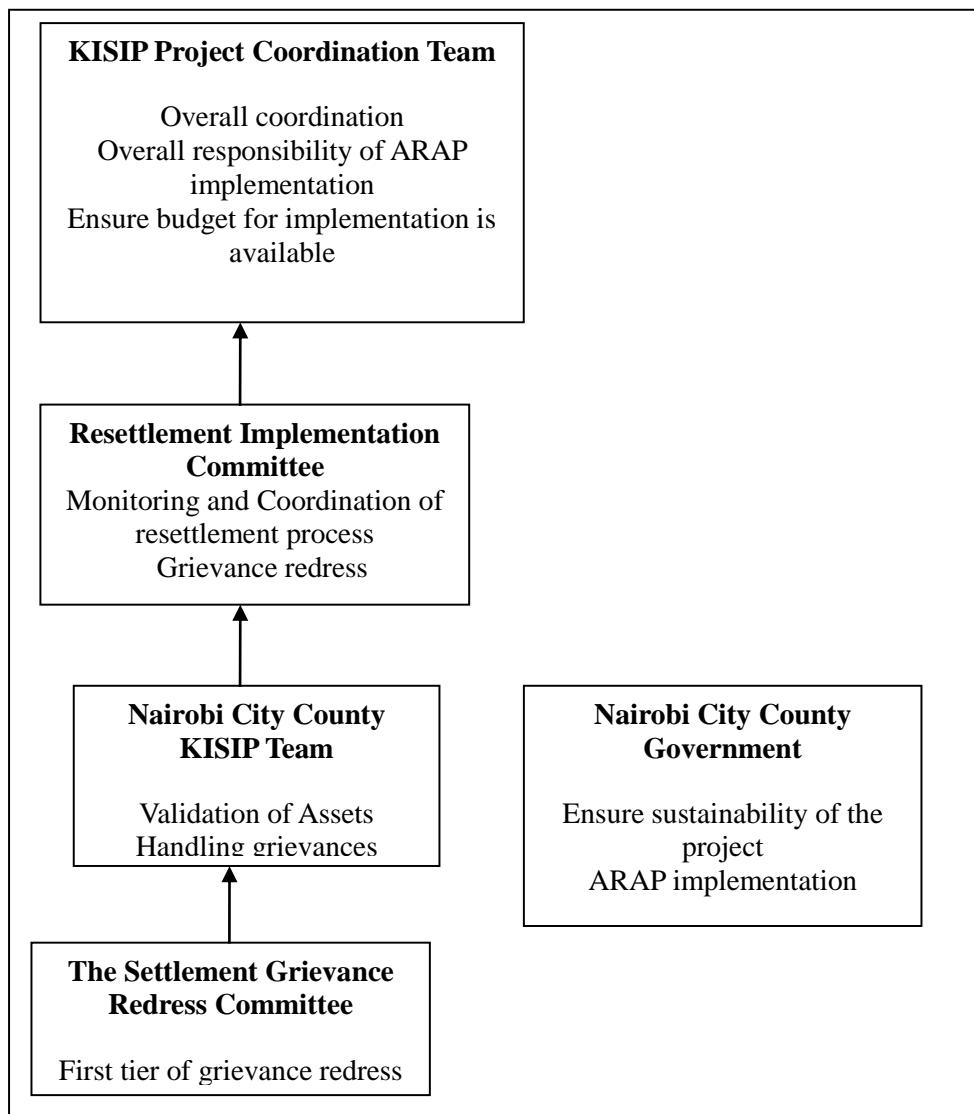


Figure 9-1 ARAP Implementing Institutions

Figure 9-2 summarises the sensitization and information to be shared. Overall, KISIP through the PCT will ensure coordination with the various stakeholders in ensuring the right type of information is given, and in a timely basis.

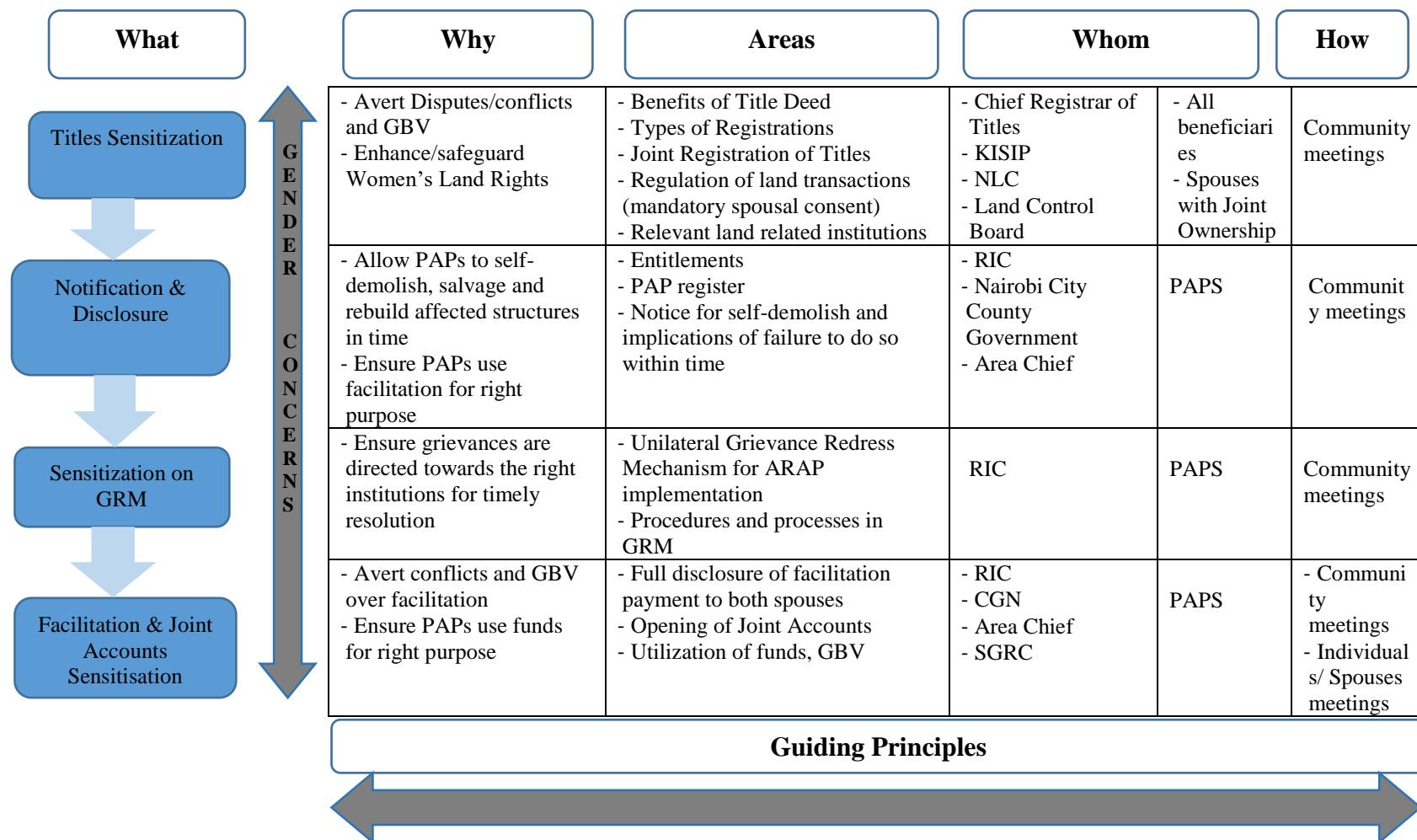


Figure 9-2 ARAP Stakeholder Engagement Strategy

9.2 Budget

Table 9-1 below presents the estimated budget that this ARAP implementation. The estimated cost is **KSh. One Million, Six Hundred and Sixty One Thousand, and Seven Hundred Only** (1,661,700.00).

Table 9-1 ARAP Implementation Budget

No.	Item under facilitation	Amount in Kshs.
1.	Loss of structures due to road expansion	1,472,700.00
2.	Loss of livelihoods	
	Loss of Business income	20,000.00
	Loss of Rental Income	9,000.00
	Shifting Allowance and 3 months Rent to re-establish business	14,000.00
3.	Vulnerability Support and assistance	6,000.00
4.	Awareness raising and sensitization of Beneficiaries and PAPs ⁵	30,000.00
5.	Training and Capacity Building of GRM	30,000.00
6.	Operational & Administrative Costs of ARAP Committees	30,000.00
7.	Monitoring and Evaluation	50,000.00
	TOTAL	1,661,700.00

9.3 ARAP implementation Schedule

The implementation schedule (table 9-2) for this ARAP covers the period from the preparation of the ARAP to the conclusion of the envisaged projects in the settlement. It should be noted that the procedure in the schedule starting from notification of the PAPs before their displacement through facilitation and resettlement will be done in phases to synchronize with the various phases of the project. The ARAP Implementation Schedule presented in table 10-2 below defines the duration and timing of the key milestones and tasks.

⁵ Sensitization of on Title Registration and Benefits, Gender Sensitizations and Training, Bank accounts, use of facilitation money etc.

Table 9-2 ARAP Implementation schedule

Sl. No.	TASK NAME	Actor	Period in Months					
			Implementation to begin within 60 Days of Approval of ARAP					
			1	2	3	4	5	6
1.	Approval of ARAP	World Bank						
2.	Sensitization on Title Registration	KISIP, Chief Registrar of Titles						
3.	Capacity building of Grievance management committees	KISIP, RIC, Beneficiaries						
4.	Sensitisation of Community on Grievance Redress Mechanism	RIC, Area Chief, SGRC, PAPs, Beneficiaries						
5.	Disclosure of ARAP	RIC, SEC. PAPs						
6.	Validation of asset valuation/values,	RIC, Area Chief, PAPs						
7.	Grievance Redress	County KISIP, RIC, PAPs, GRC						
8.	Sensitization of PAPs on bank accounts and use of facilitation funds including joint spousal management of cash as well as titles	RIC, Area Chief, SGRC						
9.	Payment of facilitation	KISIP, RIC, PAPs						
10.	Issuance of notice for self-demolition	RIC, Nairobi City County Government						
11.	Issuance of titles ⁶	Ministry of Lands						
12.	Self-Demolition ans salvaging of Materials	PAPs, SEC						
13.	Demolition of any structures that have not been demolished at the expiry	Nairobi City County						

⁶ Indicated as a continuous process to allow for resolution of grievances on titling if any arises.

Sl. No.	TASK NAME	Actor	Period in Months					
			Implementation to begin within 60 Days of Approval of ARAP					
			1	2	3	4	5	6
	of the notice period							
14.	Monitoring activities	KISIP MoTIH&UD						

CHAPTER 10. MONITORING AND EVALUATION AND IMPLEMENTATION OF THE ARAP

10.1 Monitoring and Evaluation

Monitoring and Evaluation (M&E) procedures establish the effectiveness of all RAP activities and measures to mitigate any adverse social impacts. The procedures include internal track-keeping efforts. The purpose of resettlement monitoring for the project is to verify that: actions and commitments described in the ARAP are implemented; eligible project-affected persons receive their full facilitation prior to the impact; all grievances are resolved in time by the GRM; and all beneficiaries (including PAPs) are issued with title deeds. The primary responsibility for monitoring and evaluation will be under KISIP through its Social Safeguards Team⁷ under the guidance of PCT. At county level, relevant officers from Nairobi City County including the community development officer would join activities. All members of this team are responsible for implementing and monitoring of gender concerns as these are cross cutting issues e.g. the GRM officer reports on resolution of grievances disaggregated by gender, safeguards officers ensure that all community meetings and mobilisation covers both genders. However, the M&E officer acts as the final focal person in compilation of all reports.

10.2 Monitoring and Evaluation Framework

10.2.1 ARAP Monitoring Plan

The ARAP Monitoring Plan and Framework is presented in table 10-1 below:

Table 10-1 ARAP Monitoring Plan

Component Activity	Type of Information/ Data Collected	Source of Information/ Data collection Methods	Responsibility for Data Collection, Analysis and Reporting	Frequency/ Audience of Reporting
Performance Monitoring	Measurement of input indicators against proposed timetable and budget including procurement and physical delivery of goods, structures and services	Monthly or quarterly narrative status and financial reports	MoTIHUD& PW Project Implementation Team	Semi-annual/annual as required by the Proponent (MoTIHUD& PW)
Impact Monitoring	Tracking effectiveness of inputs against baseline indicators	Quarterly or semi-annual quantitative and qualitative surveys	MoTIHUD& PW Project Implementation Team	Annual or more frequently as required by the Proponent (MoTIHUD& PW)
	Assessment of PAP satisfaction with inputs	Regular public meetings and other consultation with people affected by the project; review of grievance mechanism outputs		

⁷ The team includes 3 social safeguards experts; A community development officer (who also doubles as the main person in charge of GRM); 1 Environmental expert; a social safeguards expert who also doubles as the coordinator for the team; an M&E officer; a valuer; and an overall component head.

Completion Audit	Measurement of outcome indicators such as productivity gains, livelihood restoration, and developmental impact against baseline	Project Completion Report based on performance and impact monitoring reports and consultation with affected persons	MoTIHUD& PW Project Implementation Team	On completion of the ARAP time table
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10.2.2 ARAP Monitoring Framework

Table 10-2 below shows monitoring indicators that will be checked during performance monitoring. Evaluation will be done against the existing baseline information identified in the ARAP and indicators identified in table above. Therefore, monitoring (and evaluation) will be undertaken regularly during implementation and post implementation for the purposes of compiling the Project Completion Report. The report will include an evaluation that ascertains whether resettlement facilitation goals and objectives were realised.

Table 10-2 Internal Monitoring Indicators

Activity/Parameters	Indicators
Facilitation and Livelihood restoration	<ul style="list-style-type: none"> • Number of PAPs promptly paid disaggregated by gender • Number and amounts of payments made to PAPs • Number of PAPs with restored assets disaggregated by type of structure • Number of PAPs with restored livelihood enterprises • Number of restored structures disaggregated by type, building/construction material, asset use/purpose and standard • Average income level by source • Employment status of household head • Use of facilitation cash • Number of people/groups with improved livelihoods • Development of settlement triggered by land tenure process • Changes in land values and plot ownership
Access to services	<ul style="list-style-type: none"> • Number of PAPs with access to water services disaggregated by type of water source • Number of PAPs with access to sanitation services disaggregated by type of water source • Number, type of educational establishments and proximity to PAPs • Number, type of religious establishments and proximity to PAPs • Number, type of health facilities establishments and proximity to PAPs
Vulnerability	<ul style="list-style-type: none"> • Status of “vulnerable” households • Structures constructed to PAPs through additional assistance
Community participation and public engagement	<ul style="list-style-type: none"> • Number of local consultative meetings held • Type of issues raised at public consultation meetings • Number of participants attending public consultation meetings related to ARAP disaggregated by gender
Training and	<ul style="list-style-type: none"> • Number of trainings held disaggregated by target group/institutions and issues

Capacity Building	<ul style="list-style-type: none"> Number and type of participants disaggregated by gender Themes discussed in various trainings Perception of PAPs on usefulness and timing of these issues discussed
Gender Concerns	<ul style="list-style-type: none"> Number of women with land ownership disaggregated by type (e.g. sole owners, joint owners) Participation of women in trainings Number of women involved/consulted by spouses on use of facilitation cash
Grievance management	<ul style="list-style-type: none"> Number of grievances received Number of grievances resolved promptly Number of grievances not resolved in time but completed Number of outstanding grievances not resolved Average timelines for resolution of grievances disaggregated by the various levels of GRC Number of grievances referred to Level 3 (Courts of Law) Number of complaints referred to World Bank
Awareness and Access to Information	<ul style="list-style-type: none"> Type of information disclosed to PAPs during each meeting Accessibility of the ARAP document at the local level Accessibility of the ARAP document on the Ministry's website and the Bank's Info shop Awareness on ARAP/Entitlement information Number of people seeking information on displacement and facilitation
Process Management	<ul style="list-style-type: none"> Formation of proposed institutions or better alternatives Census and asset verification/quantification procedures in place Effectiveness of facilitation delivery system by KISIP Efficiency of facilitation delivery system by KISIP Co-ordination between KISIP national, KISIP County, County Government and the community

CHAPTER 11. CONCLUSION AND WAY FORWARD

11.1 Conclusion

The subject of this ARAP Report is for mitigating impacts from the planning and surveying of Embakasi informal settlement that will result to tenure regularisation and issuance of Title Deeds. This ARAP has been prepared consistent with the applicable policy provisions of Kenyan Government and the provisions of the World Bank's Safeguard Policy on Involuntary Resettlement (OP 4.12). It presents an inventory (register) of PAPs, an Asset register of affected assets and the proposed facilitation package. The preparation of this ARAP was community led and all affected persons have been adequately consulted. The implementation of this ARAP is expected to be embraced and owned and by the community.

11.2 Commitments

To ensure this ARAP is fully implemented, KISIP commits to the following:

- KISIP will facilitate all the PAPs according to provisions of this ARAP including the budget for facilitation and timelines as per the implementation schedule.
- KISIP will ensure all grievances are addressed and resolved in a timely manner as indicated in section 9.2 (GRC) during implementation of this ARAP.
- KISIP through the NLC will within 3 months of approval of this ARAP begin issuance of title deeds to beneficiaries and PAPs, concurrently with facilitation.
- KISIP PCT will undertake Title registration sensitization aimed at promoting women land rights as documented in this ARAP, before issuance of titles.
- KISIP will work with the Nairobi City County Government in ensuring the sustainability of the project. The City County will be part of the RIC in implementing this ARAP, part of the grievance resolution mechanism, undertake development control, clearance of structures on road way leaves after the expiry of self-demolition period as well as protecting the road reserves from future encroachment by beneficiaries and/or any other actors.
- KISIP will issue a minimum of three-month notice after facilitation is issued to PAPs to enable them salvage their assets.
- KISIP will undertake Monitoring and Evaluation of this ARAP during and after implementation as indicated in Section 10.0.

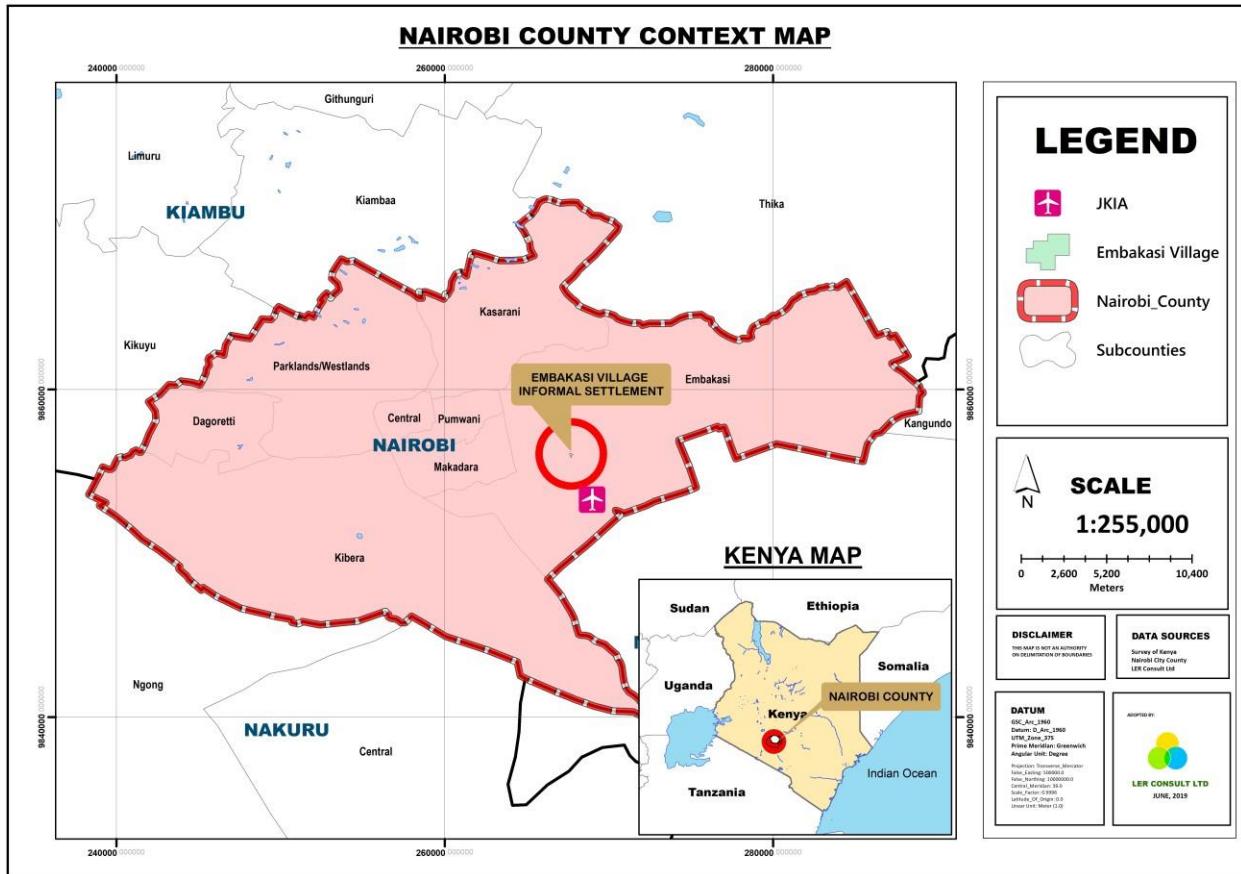
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7. Republic of Kenya (2012): *The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012*
8. World Bank. Operational Policy OP. 4.12 updated 2001 – Involuntary Resettlement.

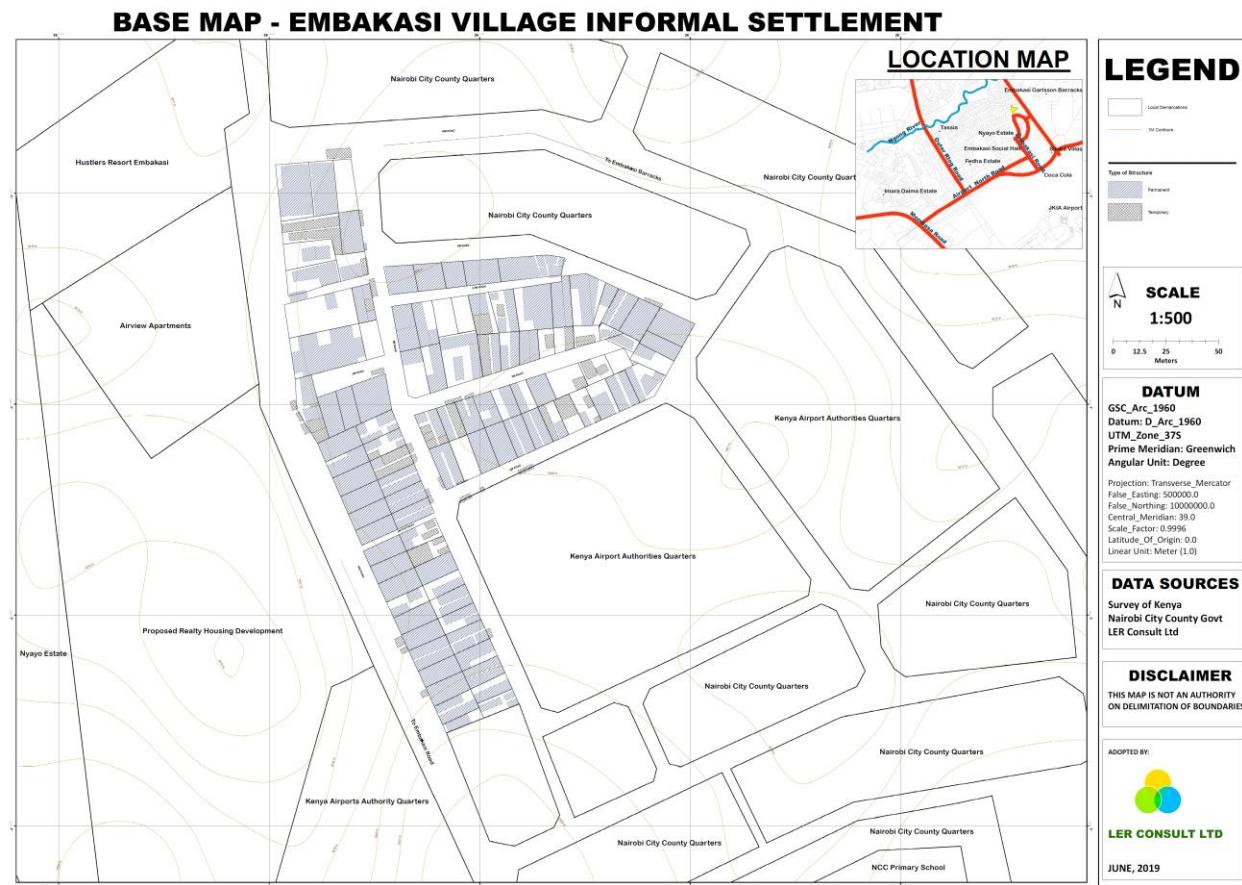
ANNEXES

Annex 1. Asset register (Presented as separate excel file)

Annex 2. Locational Map of Embakasi informal settlement



Annex 3. Base map for Embakasi informal settlement

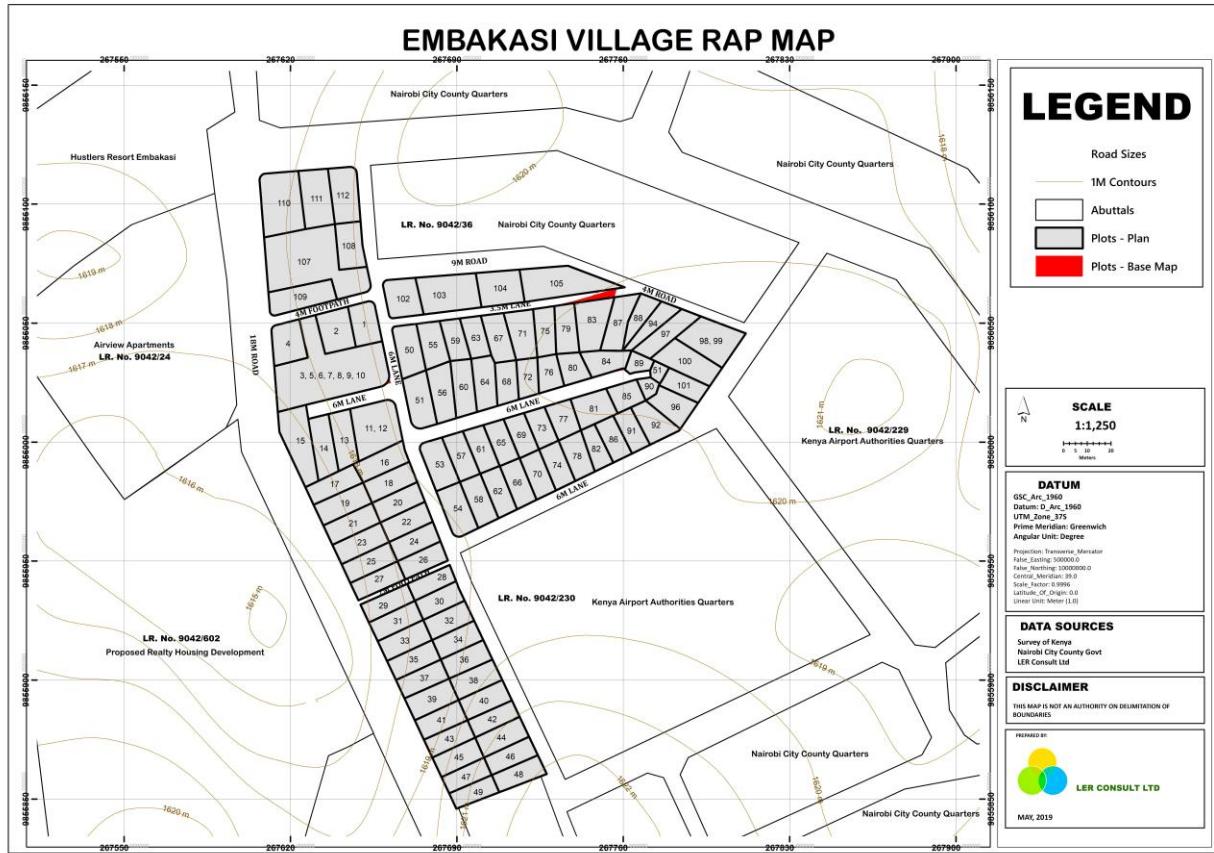


Annex 4. Local physical development plan for Embakasi informal settlement

PROPOSED EMBAKASI VILLAGE INFORMAL SETTLEMENT SCHEME - NAIROBI CITY COUNTY



Annex 5. Embakasi informal settlement disruption map



Annex 6. RAP questionnaire

RAP QUESTIONNAIRE									
									DATE: 4/10/2019
Owner's Details					Structure Details				Verification
S/No.	Plot No.	Name	ID No.	Phone Number	Structure type	Material (Roof Wall)	Claimant	Measurements	Owners Signature
01	5	Joseph Njoroge Mutugi	11074 706	0711 739 207	Terraced building with front shop	Roof: Reinforced slab Wall: Stone Floor: Cement	Joseph Njoroge Mutugi	3mx 4.5m ²	

Annex 7. Minutes of the consultant introduction meeting

LER CONSULT

Striving for a Sustainable Environment

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO. INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2

CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

MINUTES OF THE CONSULTANT INTRODUCTION MEETING TO THE SETTLEMENT HELD IN EMBAKASI SETTLEMENT ON 27TH FEBRUARY, 2019

Agenda

1. Introduction
2. Re-sensitization on planning and surveying process
3. Comments from the consultant
4. Stakeholder comments on the process
5. AOB

PRELIMINARY

The meeting was called to order at 2.30am by Mr Ayieko Ositu, community development officer- housing, City County of Nairobi. It began with prayer from one of the community members present. Mr Ositu welcomed all the members in attendance and called for the community members present to introduce themselves. He further introduced the City County officers in attendance.

Mr Anthony Kimosop, a senior housing officer at KISIP introduced the team from KISIP and the national government and welcomed the consultant, LER Consult, to introduce themselves.

MIN 27/02/19/1 RE-SENSITIZATION ON PLANNING AND SURVEYING PROCESS

Mr Kimosop reminded the community that the planning of their settlement had begun earlier in 2016. He noted that the draft LPDP had been drafted and validated by the community. The list of beneficiaries, stakeholder engagement report and the socio-economic survey report had been done and also validated by the community. However, he noted the implementation of the draft LPDP would have resulted in displacement of some of the beneficiaries in the settlement. Therefore, the process for finalising the planning and

surveying component would not proceed due to World Bank regulations on social safeguards. He said that the Bank, which is the financier of the project, has a social safeguards policy whose aim is to ensure that projects have positive impacts on the welfare of the beneficiaries. He noted that the social safeguards policy basis is to leave communities either as they were before the project or better than before the project. He reiterated that projects should never leave communities more vulnerable than they were before the project. This policy, he said, was the reason the project was not completed. He asked the community to offer their cooperation to the consultant since the period for the assignment is only 10 months. However, he said all community activities and fieldwork should be completed in seven months while three months would be for approval procedures.

Mr Godwin Sakwa, social safeguards specialist at KISIP informed the community that KISIP currently employs negotiated and adoptive planning standards. This means where roads are normally 12 or 15m, it is possible to designate smaller sizes. The adoptive standards have been applied to reduce disruptions in the settlements. In some instances, he said, some boundaries may be re-aligned to fit standard shapes for plots. This process, he said, the World Bank's Involuntary Resettlement Policy (Operational Policy 4.12) would be triggered in the event a beneficiary is displaced during the planning and surveying process. This policy, he noted, will be applied to any beneficiaries who will be affected negatively by the project to facilitate their resettlement within the settlement. In this case, he clarified, the loss of structures may be facilitated but not loss of land since the land belongs to the government. However, he said some facilitation may be extended to such beneficiaries to help them with resettlement process.

MIN 27/02/19/2 COMMENTS FROM THE CONSULTANT

Planner Paul Chege the Principal Consultant and the Project Planner introduced the process of physical planning to the community. He said that physical planning is a process of designating and regulating the use of land to improve the community's physical, economic and social welfare. By considering a number of factors such as topography, physical planning helps in identifying the preferred land uses that will support the development of the community. He said that physical planning is done to identify alternatives for land use and to select and adopt the best land use options. He reiterated that the main objective of the physical planning process is to allocate land uses to meet the economic and social needs of people while safeguarding future resources. For instance, through the physical planning exercise the community will be able to place utilities in their settlement to serve them better and address the challenges that will be identified through a participatory process. He further said that the outcome of such a process is a Local Physical Development Plan (LPDP) that shows the various land uses in the area. He noted that they, the beneficiaries, the county government and the Ministry of Lands and Physical Planning at the national level would approve the LPDP that will be developed. He said that

the plan must however meet certain standards for it to be approved. For instance, all roads must be of certain width and all plots must have minimum access and be of acceptable size. He said that in during the planning process, if it is revealed that some roads are too narrow and some plots do not have access, some plots may have to be reduced, although minimally, to expand the said roads and create necessary access. He informed the community that if such an incident may occur, the affected individuals would not be compensated since the land is government/public owned. However, some facilitation may be extended to such beneficiaries to help them with resettlement process. He asserted that all possible avenues would be explored to limit the occurrence of such cases.

He further noted that physical planning of their settlement is important, as it will create a basis for surveying and government investment in their area. For instance, he noted, through the planning process, the community would be able to prioritize their challenges and propose measures to address them. If the challenge were poor accessibility within the settlement, for instance, the plan would clearly propose how to address this through strategies of improving of the road network. This will give government a basis to invest in the road network in the settlement, or other investments such as drainage. He requested for their cooperation during the entire process and urged the community to own the process, as they will be the consumers of the plan and the benefits that will come from titles and the LPDP.

MIN 27/02/19/3 STAKEHOLDER COMMENTS

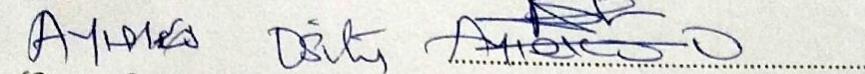
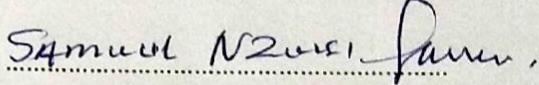
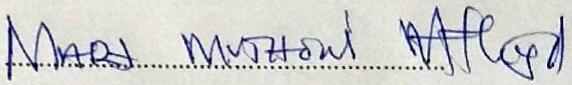
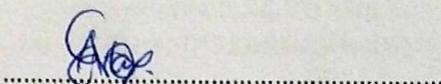
Mr Samuel Nzuki, the SEC chairperson, noted that the settlement is very peaceful and looks forward to the completion of the project. He informed those in attendants that before the project began, the community had approached the city county to designate roads within the settlement. This was done and all developments that have happened in the settlement have respected the beacons placed by the county government. He said that the previous consultant has proposed a connector road to link the settlement to the main road leading to the settlement. This road would displace a number of residents. However, he said, the beneficiaries had agreed to this suggestion since it would result to increased value of their properties.

The chairperson further said that they would offer the required cooperation to the consultant for the realisation of the objectives of the assignment.

MIN 27/02/19/4 ADJOURNMENT

The meeting was closed with prayer from Ms Sabina Mongina at 2.40pm.

Signatures

1. 
(County Government/KISIP Representative)
2. 
(SEC Chairman)
3. 
(SEC Secretary)
4. 
LER (Consult Representative)



**OFFICE OF THE GOVERNOR
URBAN RENEWAL, HOUSING AND BUILDING SERVICES**

Kenya Informal Settlements Improvement Program (KISIP)

INTRODUCTION OF CONSULTANT TO EMBAKASI VILLAGE RESIDENTS

DATE : .. 27/2/2019 ..

VENUE: Global Mission Ministry

ATTENDANCE REGISTER

S/NO	NAME	ORGANIZATION/ POSITION	TEL. NO	SIGN
1	PETER GITAU	PSL	0722-535351	PL
2.	JOHN NJUE	NGO	0711482491	John
3	DAVID MWANGI		0720996606	David
4	G. KAMOTHIO		070031903	Paul
5	JARRET Mwendwa		0725894883	Jarret
6	Joseph Mlonzo		0721869789	Joseph
7	KHALO MDCMG		0716125698	Khalo
8	ANDREW MWINGAZI		0720-093793	Andrew
9.	ANNASTASIA KEMUNTO		0710440741	Anastasia
10	FROLLENCE NDUNGU		0700554112	
11	Samuel Wanjohi	Tenant	0720 890026	SW
12	Sabina Mwangi	Tenant)	0727649131	Se
13	MARY WOTOWI, K	Secretary	0722779603	Mary
14	Christin Ndila	Stakeholder	0724113424	Ndila
15.	Juliana Muleya Thiong'o	CB	0720228573	Juliana
16-	Margot Ngen	CEO (NCC)	070711093	Margot
17.	Julius Ondiek	Fruther owner	0721567844	Julius
18.	Jacinto Charles	NCCG	0722323232	Jacinto
19	Anthony K. Karanja	KISIP NPOT	0717841536	AKD
20	Samuel Neku, K.	KISIP char.	0721831683	Sam
21	DENNIS NGURE	youth np	0711740157	DENNIS
22	AMBROSE CHOGO	Youth rep.	0712706808	AMBROSE
23	MATTHEE Aloys	NCCG - KISIP	0723857116	ALOYS
24	Paul Chege	LER - consult	0722509244	Paul

Annex 8. Minutes of the SEC sensitization meeting

LER CONSULT 

Striving for a Sustainable Environment

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO. INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2 CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

MINUTES OF SEC MEETING HELD IN EMBAKASI INFORMAL SETTLEMENT ON 12TH MARCH 2019

Agenda

1. Introduction
2. Re-sensitization on planning and surveying process
3. Sensitization on importance of physical planning and surveying
4. Sensitization on RAP
5. Stakeholder comments on the process
6. A. O. B

PRELIMINARY

Mr Aiyeko Ositu, community development officer- housing, City County of Nairobi called the meeting to order. It began with prayer from Mr Charles Mwirigi one of the SEC members present. Mr Ositu welcomed all the members in attendance. Mr Ayieko Ositu, represented County Government of Nairobi. He called upon the chairperson, Mr Nzuki to introduce the members of SEC present.

MIN 12/03/19/1 RE-SENSITIZATION ON PLANNING AND SURVEYING PROCESS

Paul Chege, the principal planner reminded the community that the planning of their settlement had begun earlier in 2016. He noted that the draft LPDP had been drafted but had not been validated by the community. The list of beneficiaries, stakeholder engagement report and the draft socio-economic survey report had also been done.

Mr Nzuki, one of the SEC members present informed the consultant that the draft LPDP had been done and the list of beneficiaries had been generated. He further noted that one new structure was developed but is not occupied.

MIN 12/03/19/2 SENSITIZATION ON IMPORTANCE OF PHYSICAL PLANNING OF THE SETTLEMENT

Paul Chege, the principal planner LER Consult Limited introduced the process of physical planning to the SEC members. He said that physical planning is a process of designating and regulating the use of land to improve the community's physical, economic and social welfare. By considering a number of factors such as topography, physical planning helps in identifying the preferred land uses that will support the development of the community. He said that physical planning is done to identify alternatives for land use and to select and adopt the best land use options.

He reiterated that the main objective of the physical planning process is to allocate land uses to meet the economic and social needs of people while safeguarding future resources. For instance, through the physical planning exercise the community will be able to place utilities in their settlement to serve them better and address the challenges that will be identified through a participatory process. He further said that the outcome of such a process is a Local Physical Development Plan (LPDP) that shows the various land uses in the area.

He noted that they, the beneficiaries, the county government and the Ministry of Lands and Physical Planning at the national level would approve the LPDP that will be developed. He said that the plan must however meet certain standards for it to be approved. For instance, all roads must be of certain width and all plots must have minimum access and be of acceptable size. He said that during the planning process, if it is revealed that some roads are too narrow and some plots do not have access, some plots may have to be reduced, although minimally, to expand the said roads and create necessary access. He informed the community that if such an incident may occur, the affected individuals would not be compensated since the land is government/public owned. However, some facilitation may

be extended to such beneficiaries to help them with resettlement process. He asserted that all possible avenues would be explored to limit the occurrence of such cases.

He further noted that physical planning of their settlement is important, as it will create a basis for surveying and government investment in their area. For instance, he noted, through the planning process, the community would be able to prioritize their challenges and propose measures to address them. If the challenge were poor accessibility within the settlement, for instance, the plan would clearly propose how to address this through strategies of improving of the road network. This will give government a basis to invest in the road network in the settlement, or other investments such as drainage. He requested for their cooperation during the entire process and urged the community to own the process, as they will be the consumers of the plan and the benefits that will come from titles and the LPDP. He further indicated the importance of titles noting this means ownership and thus there will be no more fear of eviction. He also noted that with the tenure of the secured, they could improve their dwelling units and their environment. He said that the titles would also give them a sense of belonging to their community and contribute to the wellbeing of their community.

MIN 12/03/19/3 SENSITIZATION ON RESETTLEMENT ACTION PLANNING

Ms Amile, social safeguards specialist at LER Consult Limited noted that the World Bank, which is the financier of the project, has a social safeguards policy whose aim is to ensure that projects have positive impacts on the welfare of the beneficiaries. She noted that the social safeguards policy basis is to leave communities either as they were before the project or better than before the project.

She informed the community that KISIP currently employs negotiated and adoptive planning standards. This means where roads which were normally 12 or 15m, it is possible to negotiate for smaller sizes. The adoptive standards have been applied to reduce disruptions in the settlements. In the unfortunate event that the planning process leads to some displacements within the beneficiaries, she said, the World Bank's Involuntary Resettlement Policy (Operational Policy 4.12) would be triggered. This policy, she noted, will be applied to any beneficiaries who will be affected negatively by the project to

facilitate their resettlement within the settlement. In this case, she clarified, the loss of structures may be facilitated but not loss of land since the land belongs to the government. However, she said some facilitation may be extended to such beneficiaries to help them with resettlement process.

Mr Nzuki raised a concern that there was proposed road dividing the settlement into two. This will cause displacement and was requesting this to be reconsidered. The members of SEC agreed that there was no land marked for demolition within the settlement.

MIN 12/03/19/4 STAKEHOLDER CONCERNS AND COMMENTS

Mr Nzuki noted that there are some developments that have happened since the last exercise. These include:

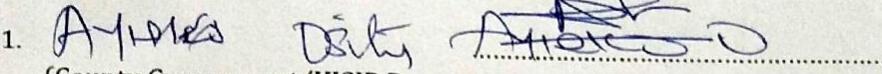
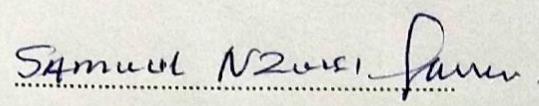
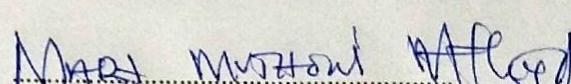
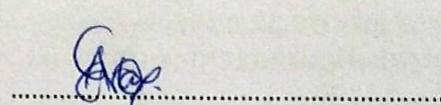
- 1 There is increase of tenants after enumeration since most of the houses were vacant during previous enumeration are currently occupied. There is one new development of a structure after the previous plan but is not yet occupied
- 2 Name of some of the beneficiaries have changed since some have sold their structure to others members within and outside the settlement.
- 3 One plot within the settlement had been proposed as dumping area. This plot is someone's plot and has already been built up and requested to be rectified since they have a private company collecting waste.
- 4 The members listed the most pressing services as follows, There is no water, poor environment, no drainage, no sewer, poor and impassable roads during rainy season, no dumping area, poor lightening, drug peddling

Ms Amile responded that these would be considered during the planning session in the settlement and as for the elections the SEC can meet with the entire settlement members and elect a new member to replace the one who opted out and forward the name for purpose of documentation.

MIN 12/03/19/5 ADJOURNMENT

The meeting was closed with prayer from Ms Sabina at 2:00pm

Signatures

1. 
(County Government/KISIP Representative)
2. 
(SEC Chairman)
3. 
(SEC Secretary)
4. 
LER (Consult Representative)

NAME OF SETTLEMENT: EMBAKASAI VILLAGE

ATTENDANCE SHEET

DATE: 12th MARCH 2019

ACTIVITY:	NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1	AMBROSE COTTAGE	EMBAKASAI	0712706908	Amo
2	ANACCO OSCA	NCCQ	0722380977	Anacco
3	DEHANIE ALIWARE	Yatta Rep	0744740152	Dehanie
4	Samuel Kanyabu	Tembo Rep	0720290026	Kanyabu
5	Julius Mulengo	CBO REP	0713603424	Mulengo
6	Lyall Nande Fungu	Emba Kasai	0713603424	Fungu
7	Christina Ndira	Emba Kasai	07124113424	Ndira
8	Dorcas W. Mungeni	Emba Kasai	07222809127	Mungeni
9	MARY MUSIGA	Emba Kasai	072227729602	Musiga
10	JOHN NJUE	Emba Kasai	0711482491	Njue
11	CHRISTIANUS NYAGUTHIKA KIBRICK	Emba Kasai	0722492995	Nyaguthi
12	BISHOP CHAPALIE KIBRICK	EMBAKASAI	07214691361	Bishop
13	PETER GUTAI	EMBAKASAI	0722535351	Gutai
14	MUGENDWA MUVENGA	Emba Kasai	07227969161	Mugenya
15	JULIUS Ondemu Nzuru	Chamunyai SEC	0721567844	Ondemu
16	SAMUEL Nzungu	LER CONSULT	07221536531	Nzungu
17	Evelynne Amile	LER CONSULT	0722489910	Amile
18	Paul Chege	LER CONSULT	0722509244	Chege
19	MUSANDA MUNYANGA	LER CONSULT	0722240322	Musanda
20	MARY MUNYANGA	LER CONSULT	0722257348	Mary

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTTHUD/KISIP/CS/006D/2018-2019

LER CONSULT



Sida AFD



Sida
Q AFD

NAME OF SETTLEMENT: LITTLE BUCKS VILLAGE ATTENDANCE SHEET

DATE: 12/03/2019

ACTIVITY: SEC		MEETING	ADDRESS	VILLAGE	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1	Epihean	Mayer	Ler	Coasale	0212023557		
2							
3							
4							
5							
6							
7							
8							
9							
10							
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**PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019**

LER CONSULT

Annex 9. Minutes of community sensitization meeting

LER CONSULT 
Striving for a Sustainable Environment

**PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR
4 NO. INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER
LOT 2**

CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

**MINUTES OF COMMUNITY SENSITIZATION HELD IN EMBAKASI INFORMAL
SETTLEMENT ON 12TH MARCH 2019**

Agenda

1. Introduction
2. Re-sensitization on planning and surveying process
3. Sensitization on importance of physical planning and surveying
4. Sensitization on RAP
5. Schedule of activities
6. Stakeholder comments on the process
7. A. O. B

PRELIMINARY

Ms Sarah Karanja, community development officer- housing, City County of Nairobi called the meeting to order. It began with prayer from one of the members present. Ms Sarah Karanja, Alloys Matoke and Mr Ositu represented County Government of Nairobi. Ms Karanja called upon the chairperson, Mr Nzuki to introduce the members of SEC present and further introduced the consultant.

MIN 12/03/19/1 RE-SENSITIZATION ON PLANNING AND SURVEYING PROCESS

Paul Chege, the principal planner at LER Consult Limited reminded the community that the planning of their settlement had begun earlier in 2016. He noted that the draft LPDP had been drafted but had not been validated by the community. The list of beneficiaries, stakeholder engagement report and the draft socio-economic survey report had also been done. However, she noted the implementation of the draft LPDP would have resulted in displacement of a high number of the beneficiaries in the settlement. Therefore, the process for finalising the planning and surveying component would not proceed due to World Bank regulations on social safeguards.

MIN 11/03/19/2 SENSITIZATION ON IMPORTANCE OF PHYSICAL PLANNING

Paul Chege, the principal planner at LER Consult Limited introduced the process of physical planning to the community. He said that physical planning is a process of designating and regulating the use of land to improve the community's physical, economic and social welfare. By considering a number of factors such as topography, physical planning helps in identifying the preferred land uses that will support the development of the community. He said that physical planning is done to identify alternatives for land use and to select and adopt the best land use options. He reiterated that the main objective of the physical planning process is to allocate land uses to meet the economic and social needs of people while safeguarding future resources. For instance, through the physical planning exercise the community will be able to place utilities in their settlement to serve them better and address the challenges that will be identified through a participatory process. He further said that the outcome of such a process is a Local Physical Development Plan (LPDP) that shows the various land uses in the area. He noted that they, the beneficiaries, the county government and the Ministry of Lands and Physical Planning at the national level would approve the LPDP that will be developed. He said that the plan must however meet certain standards for it to be approved. For instance, all roads must be of certain width and all plots must have minimum access and be of acceptable size. He said that during the planning process, if it is revealed that some roads are too narrow and some plots do not have access, some plots may have to be reduced, although minimally, to expand the said roads and create necessary access. He informed the community that if such an incident may occur, the affected individuals would not be compensated since the land is government/public owned. However, some facilitation may be extended to such beneficiaries to help them with resettlement process. He asserted that all possible avenues would be explored to limit the occurrence of such cases.

He further noted that physical planning of their settlement is important, as it will create a basis for surveying and government investment in their area. For instance, he noted, through the planning process, the community would be able to prioritize their challenges and propose measures to address them. If the challenge were poor accessibility within the settlement, for instance, the plan would clearly propose how to address this through strategies of improving of the road network. This will give government a basis to invest in the road network in the settlement, or other investments such as drainage. He requested for their cooperation during the entire process and urged the community to own the process, as they will be the consumers of the plan and the benefits that will come from titles and the LPDP.

He further indicated the importance of titles noting this means ownership and thus there will be no more fear of eviction. He also noted that with the tenure of the secured, they

could improve their dwelling units and their environment. He said that the titles would also give them a sense of belonging to their community and contribute to the wellbeing of their community.

MIN 12/03/19/3 SENSITIZATION ON RESETTLEMENT ACTION PLANNING

Ms Amile, social safeguards specialist at LER Consult Limited noted that the World Bank, which is the financier of the project, has a social safeguards policy whose aim is to ensure that projects have positive impacts on the welfare of the beneficiaries. She noted that the social safeguards policy basis is to leave communities either as they were before the project or better than before the project. She reiterated that projects should never leave communities more vulnerable than they were before the project. This policy, she said, was the reason the project was not completed.

She informed the community that KISIP currently employs negotiated and adoptive planning standards. This means where roads which were normally 12 or 15m, it is possible to negotiate for smaller sizes. The adoptive standards have been applied to reduce disruptions in the settlements. In the unfortunate event that the planning process leads to some displacements within the beneficiaries, she said, the World Bank's Involuntary Resettlement Policy (Operational Policy 4.12) would be triggered. This policy, she noted, will be applied to any beneficiaries who will be affected negatively by the project to facilitate their resettlement within the settlement. In this case, she clarified, the loss of structures may be facilitated but not loss of land since the land belongs to the government. However, she said some facilitation may be extended to such beneficiaries to help them with resettlement process.

MIN 12/03/19/4 SCHEDULE OF ACTIVITIES

Ms Chege informed the community members on the planned schedule of activities in their settlement. He reiterated that the overarching principle for the entire process is participatory planning where all stakeholders are involved throughout the process. The following is the schedule of activities that the community members were informed:

1. Boundary re-verification
2. Socio-economic survey (This will include both tenants and structure owners)
3. Updating of socio-economic survey report
4. Updating and validation of the list of beneficiaries
5. Preparation of draft LPDP
6. Validation of proposed LPDP
7. Surveying
8. Preparation of Resettlement Action Plan
9. Approval of reports, LPDP, RAP, and survey plans.

10. Issuance of security of tenure document.

Mr Chege encouraged the community to consider all the vulnerable groups in the settlement. These groups, he said, included the women, disabled and children headed households. He noted that the constitution pushes for women empowerment in all facets of community development. He encouraged the women to speak up during all the deliberations that would be held in the settlement and encourage the men to register their wives as co-owners (where applicable) during the updating of the list of beneficiaries.

MIN 12/03/19/5 STAKEHOLDER COMMENTS

1. The chairperson requested one member to read a MOU of the settlement that they had agreed to meet as landlords. They included:
 - No encroachment of the road during building
 - No renting of the houses to drug peddlers
 - To keep the environment clean and up to standard
 - No leasing of premises to pub businesses
2. Mr Obengo was concerned on how plots that are shared by more than one person will be issued title and the custody of the title.
3. What will happen to the displaced persons

The following are the stakeholder concerns and their responses:

	Concern	Response
1.	In case of displacement of structures, will compensation be extended to the affected beneficiaries?	Beneficiaries will be facilitated to move in the event of displacements. However, compensation for land is not possible since the land belongs to government.
2.	The plots are owned by more than two people	Different tenure options will be considered and the ideal one will be arrived at. It may not necessarily be individual titles. Other options will be explored.

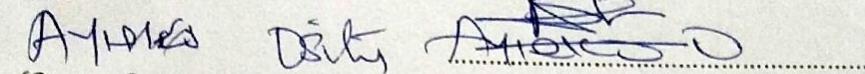
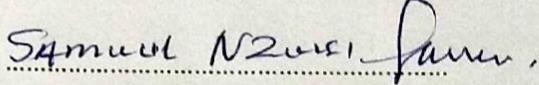
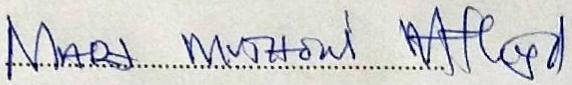
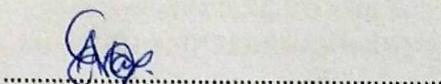
MIN 12/03/19/6 DECLARATION

After some discussions, the community members agreed that the planning and surveying process should proceed in the Embakasi informal settlement. Ms Miriam Wamuraithi proposed and was seconded by Mr Peterson Obengo. The community members present at the meeting echoed these sentiments.

MIN 12/03/19/7 ADJOURNMENT

The meeting was closed with prayer from one of the community members at 4:00pm

Signatures

1. 
(County Government/KISIP Representative)
2. 
(SEC Chairman)
3. 
(SEC Secretary)
4. 
LER (Consult Representative)



NAME OF SETTLEMENT: EMBAKA VILLAGE

ATTENDANCE SHEET

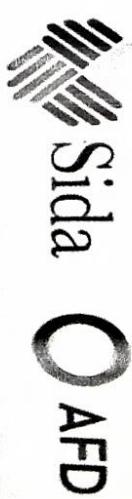
DATE: 12/03/2019

ACTIVITY:

ACTIVITY:	NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1	Sasale Karusajie	Merc Housing Kisumu	0422651943	MC
2	Motomo Rose	NADA-KISIP	0223852126	M
3	Everline Amile	LER Consult	0722485970	F
4	BEDYAHIS MUSA	ACHER-Emakasi	0726-042478	CH
5	Paw Chege	LER-Consult	0722501444	PC
6	Mwangi Mwangi	LER - CONSULT	0722857348	LM
7				3
8				4
9				5
10				6
11				7
12				8
13				9
14				10
15				11
16				12
17				13
18				14
19				15
20				16

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

LER CONSULT



NAME OF SETTLEMENT: Embakasi

ATTENDANCE SHEET

DATE: 12th March 2019

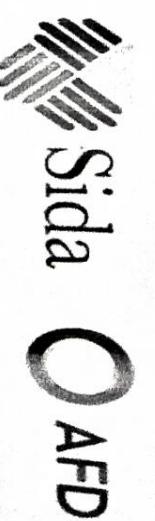
ACTIVITY: Community meeting Embakasi

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 CHARLES MAINA MUGUJI	EMBAKASI	0712057265	✓
2 JAMES WAMBUA KIENG'OE	EMBAKASI	0725894883	✓
3 STANLEY CATURA NTUMIA	EMBAKASI	0724790380	✓
4 GIDEON NAREGWA MURITHI	EMBAKASI	0712693082	✓
5 MARY KAGRI KIBUBU	EMBAKASI	0711900500	✓
6 Ephraim Kibuni Kipkemboi	EMBAKASI	071831638	✓
7 Lucy NYAMBURA MUSANGI	EMBAKASI	07222391532	✓
8 ABIBA MOSES	EMBAKASI	0726717528	✓
9 JOSEPH MILONDE MBUMBWI	EMBAKASI	07218691789	✓
10 GEORGE WANABA MATIWNA	EMBAKASI	0723155322	✓
11 KASITIKA MACHINIGA	EMBAKASI	071327234	✓
12 LIOIA ODOU MABURIRI	EMBAKASI	0726909265	✓
13 RIMUKA GULLE MUYEGA	EMBAKASI	07144746457	✓
14 RONALD W Mungai	EMBAKASI	07122809127	✓
15 Sosphey Kinyomo	NCCG	071430661	✓
16 AMERBOSSE CHOGO	EMBAKASI	0712706808	✓
17 THOMAS MUTUGA	EMBAKASI	07123430251	✓
18 MARY MUSINKI KIMULU	EMBAKASI	07121926422	✓
19 MARY MUSINKI KIMULU	EMBAKASI	07121948534	✓
20 JAMES KARIMI	EMBAKASI	07121230634	✓

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR NO. 4
 INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
 CONTRACT NO. MTHUD/KISIP/CS/0060/2018-2019

LER CONSULT

Kenya Institute of Public Administration and Governance



NAME OF SETTLEMENT: Embakasi ATTENDANCE SHEET

DATE: 22nd March 2019

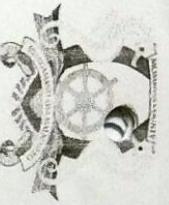
ACTIVITY: Community Meeting Embakasi

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 PETER MAMA WAGENE	EMBAKASI	07223958836	PETER M-1 F-
2 ITUS MWANGI	EMBAKASI	0722306698	ITUS F-
3 JOE MUIGA	EMBAKASI	0711737207	JOE CON M-
4 RICHARD MASINA	EMBAKASI	0720273686	RICHARD MASINA CON M-
5 Justas N. Muthuria	EMBAKASI	0722832765	JUSTAS MUTHURIA CON M-
6 CHARLES OMATICO ODONGO	EMBAKASI	0722738893	CHARLES OMATICO ODONGO CON M-
7 FREDERIC JEBEY OBIKA	EMBAKASI	07222232685	FREDERIC JEBEY OBIKA CON M-2 F-0
8 SOSIAKA	EMBAKASI	07222257445	SOSIAKA CON M-2 F-0
9 Julian Mulembo Kinyanjui	SEC Membury	0720228573	JULIAN MULEMBO KINYANJUI CON M-2 F-0
10 JEFFREY STYLUS	NGO ENTRA	0711482451	JEFFREY STYLUS CON M-2 F-0
11 SIMON MUSSEI MWAKWA	EMBAKASI	0721531178	SIMON MWAKWA CON M-2 F-0
12 JSA	EMBAKASI	0726120107	JSA CON M-2 F-0
13 ONE KARANI	EMBAKASI	0707224761/0733414700	ONE KARANI CON M-2 F-0
14 George Awuor	EmbaKasi	0721271288	George Awuor CON M-2 F-0
15 Dan Anthony Mule	LER CONSULT	0722240322	DAN ANTHONY MULE CON M-2 F-0
16 MARK NYAMWE	Ler Consult	0722023852	MARK NYAMWE CON M-2 F-0
17 GEMMA WEGTHUM	NCCG	0722691571	GEMMA WEGTHUM CON M-2 F-0
18 OSCAR OGWENO	NCC	0726126109	OSCAR OGWENO CON M-2 F-0
19 Oliver Laram			OLIVER LARAM CON M-2 F-0
20			

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MITHUD/KISIP/CS/006/0/2018-2019

LER CONSULT

REF ID: 00250000000000000000

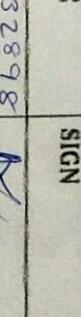
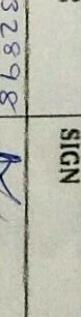
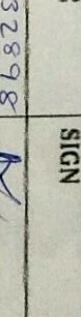
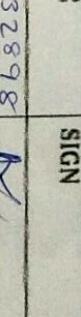
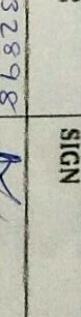
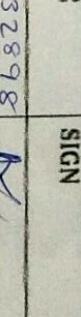
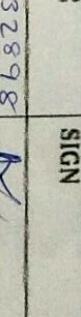
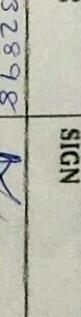
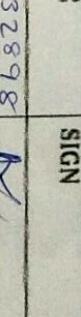
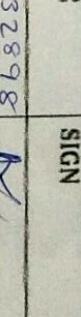


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ATTENDANCE SHEET

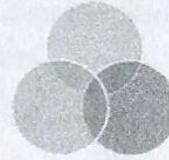
DATE: 12/05/2019

NAME OF SETTLEMENT: EMBAKASI

ACTIVITY:	COMMUNITY	MEETING	EMBAKASI	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1	MANC-1	MUKONDO MUTEKI	EMBAKASI	0726032898		
2	JACINTA Sgambuse	MUSGUMI	EMBAKASI	0727548937		
3	Rosario Nyendo	KIMANI	EMBAKASI	0722475962		
4	DENNIS KUBONGO		EMBAKASI	0725879429		
5	RENATH BIKISA		EMBAKASI			
6	CHRISTINE M. MUTUA		EMBAKASI	0722987357		
7	TITUS KENE M. MWANGI		EMBAKASI	0720835897		
8	Jacinta Waijimbo NJOROGO		EMBAKASI	0724329100		
9	JULIUS KIPATO		EMBAKASI	0722485298		
10	Frances Ndiriwa		EMBAKASI	071809102		
11	SIMON MUNIGAI MWAJURA		EMBAKASI	0721531128		
12	Lucy Wangari Ngai		EMBAKASI	0723-242858		
13	CORNELIUS LITO SOMBIA		EMBAKASI	0721-639897		
14	HANÇALAH WERARA TUGSGE		EMBAKASI	0711945700		
15	ROSENBERT KACHANDO OLUCHINA		EMBAKASI	0723948097		
16	ER. BERT K. KIYODAGADWA		EMBAKASI	0722053293		
17	PATRICK K. KIYODAGADWA		EMBAKASI	0720646602		
18	KRICK OBARG ALOO		EMBAKASI	072437165		
19	Julius Ondiend		EMBAKASI	0721507844		
20	Nesthus D'sina		EMBAKASI	072668712		

Annex 10. Minutes of community participatory planning meeting

LER CONSULT



Striving for a Sustainable Environment

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS
FOR 4 NO. INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES
DONE UNDER LOT 2: CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

MINUTES OF THE EMBAKASI INFORMAL SETTLEMENT COMMUNITY
PARTICIPATORY PLANNING SESSION HELD IN EMBAKASI SOCIAL HALL ON 9TH
APRIL 2019

Agenda

1. Introduction
2. Comments from KISIP Team
3. Comments from the City County
4. Comments from the Consultant
5. Thematic Group Discussions and Presentations
6. Closing Remarks
7. AOB

Introduction

Mr Ayieko, the Nairobi City County Community Development officer called the meeting to order at 1115hrs. KISIP officials and Nairobi City County staff introduced themselves. Members of the consulting team then introduced themselves.

Min: 09/04/19/1: COMMENTS FROM KISIP TEAM

Ms Zenah Kurui from KISIP reminded the community that KISIP is a National Government project funded by World Bank and Nairobi City County is one of the 14 counties where informal settlements improvement projects were being undertaken. The main objective of the project was to improve the livelihood of the slum dwellers by ensuring the security of tenure and infrastructure upgrading. Another important objective that KISIP sets out to achieve is institutional strengthening. She further said that the previous planning of the settlement stalled because the previous consultant was not able to complete the work within the stipulated timelines.

She reiterated the issues of social safeguards as provided for by the World Bank that the project should have a minimum or zero displacements. She also emphasizes the need for the consultant to identify PAPs during the surveying

period. She encouraged the community to document all disputes and grievances and to follow the right mechanism when solving any disputes.

Ms.Zenah Kirui also noted the need of the community to cooperate with the consultants and emphasised the role of KISIP is to facilitate the settlements to get the issues but the mandate of issuing the Title Deed still lies with the Ministry of Lands. She also indicated the importance of undertaking enumeration of the tenants for planning purposes only but not as part of the list of beneficiaries.

Mr Kaburu from Ministry of Lands and Physical Planning enlightened the community on titling issues. He notified the members that the title deeds will only be issued once the planning exercise is over and plans have been approved. He, however, notified the community the need to use the names as they appear in their National Identity when being enumerated. He also requested each structure owner to provide their physical address, which will be used when generating the title deeds. He also noted that any public facility within the settlement would be given its own title deed. He also notified the community members to provide three current passports, copy of ID and KRA PIN Number to facilitate the generation of titles. In case of group ownership, he said that the certificate of incorporation would be required. He also reminded the community that widows and orphans have the rights to own land and should not be discriminated.

The SEC Chairperson wanted to know how to handle a case where more than two structure owners come together to get a joint title. Mr Kamburu responded that it was possible to have a joint title deed where all the structure owners are listed as trustees and each share person share clearly indicated in the title deed. The original title deed can be kept at the lands registry while each trustee gets a copy of the title deed and the original search. He further notified the community that the expected nature of the title deed would be a lease of 99 years.

MIN: 09/04/19/2: COMMENTS FROM THE CITY COUNTY

Planner Analo Akivanga representing the Nairobi City County Department of Urban Planning in noted the need to have a vision of the settlement for the next 20-30 years. He also noted that initially the settlement had 103 plots owners and wanted to know whether the number has increased.

The planner also highlighted the need of the following facilities within the village for future growth; standard road sizes, access to water, access to education facilities

such as schools, playgrounds, open spaces, drainage systems, public toilets, garbage collection points, fire access routes. He also indicated that the county was also willing to consider adopting planning standards as the area is a special planning area if the need arises.

Min: 09/04/19/3: COMMENTS FORM THE CONSULTANT

Planner Joakim Nyarangi highlighted the key activities of the assignment. The activities are updating of the socio-economic survey, updating the list of beneficiaries, and undertaking surveying exercise and updating the local physical development plan. He also noted that the consultant is very keen on ensuring minimal displacement if any. He said that in the event that the settlement experiences displacement due to the planning exercise, a RAP would be prepared.

Dr Otiato, the project sociologist requested the beneficiaries to provide accurate socio-economic He requested the assistance of the SEC members during the data collection exercise to identify the beneficiaries within the settlement.

MIN: 09/04/19/4: THEMATIC GROUP DISCUSSIONS

Planner Joakim Nyaragi took the community through community planning approach and grouped the community into four thematic groups to discuss the planning issues affecting them. The thematic group included; environment, infrastructure and economic, governance, land and housing group.

1. Environment

Challenges	Solutions
Poor solid waste management	<ul style="list-style-type: none"> • Every tenant to keep their waste until the collection day by the relevant authority • Recycling of waste
Lack of drainage and sewer-line	<ul style="list-style-type: none"> • Expansion of the current drainage system • Regular cleaning of drainage • No dumping of garbage in the drainage system
No water	<ul style="list-style-type: none"> • To provide new water piping system to cater for increased population • To increase the pressure of water • To be provided by water reservoir by Nairobi Water and sewerage company • Alternative water sources e.g. boreholes • Regular maintenance of water pipes.
Flooding	<ul style="list-style-type: none"> • Construct proper drainage system • Regular cleaning of drainage channels

Industrial pollution	<ul style="list-style-type: none"> Enforcement of county government bylaws on industrial waste disposal Eradicate corruption
Vision	To stay and live in a clean and peaceful environment

2. Infrastructure and Economy

Challenges	Solutions
Infrastructure	<ul style="list-style-type: none"> Poor roads Untarmacked roads Encroachment on road reserves
	<ul style="list-style-type: none"> No sewer line
	<ul style="list-style-type: none"> No water connection to the plots
	<ul style="list-style-type: none"> There is no dumping site
	<ul style="list-style-type: none"> There are no streetlights
	<ul style="list-style-type: none"> Upgrade the roads Include drainage system Remove kiosks along the road
Economy	<ul style="list-style-type: none"> Construct a sewer line in Mother's Estate
	<ul style="list-style-type: none"> Provide water from Nairobi Water
Vision	<ul style="list-style-type: none"> Create site if possible
	<ul style="list-style-type: none"> Install streetlights Provide floodlights for security
	<ul style="list-style-type: none"> Improve the economy by providing good roads, security lights, cash and enough security
	<ul style="list-style-type: none"> No market space
<ul style="list-style-type: none"> Upgrade the building standards of houses and infrastructure Create a 24-hour economy 	

3. Governance

Challenges	<ul style="list-style-type: none"> Weak administration Corruption Poor policing
Potentials	<ul style="list-style-type: none"> Proper representation of all genders Good communication between villagers and administration Good leadership by village elders within our area
Social issues	<ul style="list-style-type: none"> Peaceful coexistence Good behaviour amongst the neighbours
Threats	<ul style="list-style-type: none"> Joblessness Drug abuse and addiction (bhang, changaa) Insecurity

Vision	<ul style="list-style-type: none"> • Prostitution • Develop the area to an estate • Have good roads, electricity and security • Well build drainages
Strategies & objectives	<ul style="list-style-type: none"> • Have or get titles first so as to build good or standard houses • Improve economically through getting loans if provided with the titles
Main issues	<ul style="list-style-type: none"> • Drainage systems and sewerage • Security • Guidance and counselling centre • Need for fresh water

4. Land

Problems	<ul style="list-style-type: none"> • Lack of security of tenure • No clear way of paying taxes and rates • Land border disputes (extensions)
Strengths	<ul style="list-style-type: none"> • Good soil conditions for construction • Good terrain for construction • Social amenities are within close proximity (hospitals, schools, police post)
Threats	<ul style="list-style-type: none"> • Height controlled development due to proximity to the airport • Rural-urban migration
Potentials	<ul style="list-style-type: none"> • Close proximity to the airport • The area is within the capital city – land has value • The settlement is surrounded by fully developed estates (Kenya Airways, Nyayo Estate) • Good security as the settlement is near a police post
Plot sizes	<ul style="list-style-type: none"> • Most are 30 by 60 feet
Solution	<ul style="list-style-type: none"> • Issuance of title deeds
Proposed land tenure systems	<ul style="list-style-type: none"> • Individual title • Joint titles
Vision	<ul style="list-style-type: none"> • Clean environment (sewer, electricity)
Priority needs	<ul style="list-style-type: none"> • Title deeds • Sewer and water • Roads and drainage • Street lighting

MIN: 09/04/19/5: CLOSING REMARKS

KSIP made the following comments:

- The MCA, area chief and other community leadership should be invited in the subsequent meeting.
- SEC members should brief the area chief and the MCA on the outcome of the meeting.
- The structure owners present should be ambassadors of KISIP and to inform the rest members on the meeting.
- Since there lacks a grievance redress committee (GRC), the SEC members should form one to deal with any grievances arising as the project progresses. The committee to documents any disputes arising and the solution made.

The City-County emphasized the need to include the area administrators such as MCA, Ward Administrator and chief in the subsequent meetings and the formation of the GRC.

MIN: 09/04/19/6: A. O. B

The meeting ended at 1330 hrs with a word of prayer from one of the community members present.

Signatures

1. *A. J. Okiyedi*..... Date *6/6/2019*
(County Representative)

2. *Samuel Mwiri*..... Date *6/6/2019*
(SEC Chairman)

3. *Julius Onsieki*..... Date *6/6/2019*.
(SEC Secretary)

4. *Joakim Ngaranen*..... Date *6/6/2019*
LER (Consult Representative)



ATTENDANCE SHEET

NAME OF SETTLEMENT: EMBAKAI VILLAGE

ACTIVITY: COMMUNITY PARTICIPATORY PROCESS

DATE: 9/4/2019

NAME	ORGANIZATION/SETTLEMENT	TELEPHONE NUMBER	SIGN
1. Florence Muthoni	SOKONI	0416189102	OK
2. Margaret Njoroge	NCC-Housing Dept	0210539812	MAT
3. Margaret Wawira	NCC-Housing Kiseri	0720711093	MAT
4. Hawaak Mpyanya	SOKONI	07455700	MAT
5. JOHN NJURE	SOKONI	0711482491	MAT
6. DENNIS NJURE - M	Mother ESTATE	07220890026	MAT
7. SAMUEL JUMA - M	V.Chairman mother Estate	0724113425	MAT
8. AMBROSIE CHOGO	Mother ESTATE	0721768200	MAT
9. MARY MUTHONI - E	Mother ESTATE	0722462033	MAT
10. CUNSHIA NELIA	MOTHER ESTATE	0724113425	MAT
11. JACKLINE NGINA KIUCHOKA	MOTHER ESTATE	0721382739	MAT
12. NELLICENT HOJI NBONGU	MOTHER ESTATE	0723851501	MAT
13. GALESTIO KABUBU	KISIP	0722853907	MAT
14. SWANJA AS S.	"	0724235201	MAT
15. SAMUEL KUMONI	KISIP	0722460995	MAT
16. FAZER QIRI	KISIP	0722462989	MAT
17. BONIFACE KASANDI KUTUMA	KISIP	0724534069	MAT
18. BEVIND K MUSANGI	Musangai	0720746664	MAT

M-8

F-10

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO. INFORMAL SETTLEMENTS
IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2 CONTRACT NO. MTIHUD/KSIP/CS/006D/2018-2019

LER CONSULT

(1)



NAME OF SETTLEMENT: EMBAKAI VILLAGE

ATTENDANCE SHEET

DATE: 9th April 2019

ACTIVITY: COMMUNITY PARTICIPATORY PROCESS

NAME	ORGANIZATION/SETTLEMENT	TELEPHONE NUMBER	SIGN
1. Julius Ochukui	Org/Secretary	0721567844	Muthiga
2. GERALD M KAMOTHO	Member	0700379039	Kitu
3. GARY KARUMI	Member	0721230637	Kitu
4. ANASTASIA KEMUNDO	Member	0710440741	Amanah
5. DAN	Member	0721271222	D
6. GRACE NYAMAI	Member	0729038191	Gant
7. Edwin Kithinji Muthuri	Member	0721473093	DK
8. PAUL KICILU KUSILO	Member	0711551342	DK
9. RICHARD MUENDO KIMANI	Member	0722475962	DK
10. Sabina WANGINI	Secre member	0727649131	S
11. Rose Mutinda	Member		
12. TAPETH W. MUYENO	Member	0725894888	Bego
13. PETERSEN D MBEKO	Member	0721787857	Bego
14. LUCAS N YALICKA O LAO	Member	0722493245	DK
15. ALEXANDER MUSEMBI	Member	0722552340	DK
16. MARYATI MUREGI	Member	0726413426	DK
17. JOSE MURIGI	Member	0711339202	DK
18. ELIJAH M'BOMUNYGA	Member	07202028660	DK

N7-11
F-7

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO. INFORMAL SETTLEMENTS
IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2 CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

LER CONSULT

(2)



ATTENDANCE SHEET

DATE: 9th April 2019

NAME OF SETTLEMENT: EMBARKA VILLAGE
ACTIVITY: COMMUNITY PARTICIPATORY PROCESS

NAME	ORGANIZATION/SETTLEMENT	TELEPHONE NUMBER	SIGN
1. <u>Cyprian Mwanga</u>	<u>LER CONSULT</u>	<u>0720235887</u>	<u>T</u>
2. <u>Osiyo Mwanga</u>	<u>LER CONSULT</u>	<u>0720235721</u>	<u>Osmany</u>
3. <u>Patricia Karanja</u>	<u>LER CONSULT</u>	<u>0721244735</u>	<u>P</u>
4. <u>Karenis Lekutu</u>	<u>LER CONSULT</u>	<u>07150442302</u>	<u>K</u>
5. <u>Hudson Onyango</u>	<u>LER CONSULT</u>	<u>0726351129</u>	<u>H</u>
6. <u>Aron Kecut</u>	<u>LER CONSULT</u>	<u>0420544355</u>	<u>A</u>
7. <u>SALÉSIO KABURU</u>	<u>LER CONSULT</u>	<u>0722853904</u>	<u>S</u>
8. <u>Zonal Kumu</u>	<u>KISIP</u>	<u>0725989352</u>	<u>Z</u>
9. <u>ANALO AKWAGA</u>	<u>KISIP/NCCG</u>	<u>0721242989</u>	<u>A</u>
10. <u>Malone Akwaga</u>	<u>KISIP/NCCG</u>	<u>0723852126</u>	<u>M</u>
11. <u>Jessica Chiles</u>	<u>KISIP/Housing NCCG Planning</u>	<u>0720235832</u>	<u>J</u>
12. <u>Mathia Mathion</u>	<u>NCCG Planning</u>	<u>0719670312</u>	<u>M</u>
13. <u>Peter Mwangi</u>	<u>LER Consult</u>	<u>0712214966</u>	<u>P</u>
14. <u>Alice Obiri</u>	<u>NCCG Housing</u>	<u>0723947777</u>	<u>A</u>
15. <u>Titus Fransh</u>	<u>Community Manager</u>	<u>0723947777</u>	<u>T</u>
16.			
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Annex 11. Minutes of validation of LPDP, socio-economic survey report and the list of beneficiaries

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**PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS
FOR 4 NO. INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES
DONE UNDER LOT 2 CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019**

**MINUTES OF SOCIO-ECONOMIC REPORT PRESENTATION, BASE MAP AND
DRAFT PLAN PRESENTATION IN EMBAKASI INFORMAL SETTLEMENT HELD AT
EMBAKASI SDA CHURCH CONFERENCE HALL ON 6TH MAY 2019**

Agenda

- 1 . Introduction
- 2 . Socio Economic Survey output presentation
- 3 . Planning outputs presentation
- 4 . Feedbacks/Reaction from presentation
- 5 . Verification of List of Beneficiaries
- 6 . AOB

Preliminary

The SEC chair brought the meeting to order at 1100 hours. The SEC members introduced themselves and it was noted that the official name of the settlement is Mother Estate from the initial name 'Embakasi Sokoni.' KISIP team, the City County and the consultant introduced themselves.

KISIP reminded the stakeholders that the assignment is a National Government project funded by World Bank and Nairobi is one of the 14 counties where informal settlements improvement projects were being undertaken. The main objective of the project was to improve livelihood of the slum dwellers by; ensuring security of tenure and infrastructure upgrading. Other important objective that KISIP sets out to achieve is institutional strengthening. It was further noted that the previous planning of the settlement stalled because the previous consultant was not able to complete the work within the stipulated timelines.

The area chief urged the structure owners should not allow tenants to use their premises to do illegal activities. She later requested all members to apply for *Huduma* number that was an ongoing National Government Initiative.

MIN: 06/05/19/1 PROJECT OVERVIEW

Ms Amile, the project Social safeguards specialist gave project overview and the key milestones the consultant has done since the inception of the project. She noted that in a period of two months, the consultant has achieved the following;

- Completion of introductory meeting of the consultant to the SEC members
- Boundary verification of the settlement by the consultant with the help of the SEC members

- Community participation meetings
- Conducting social economic survey
- Preparation of the draft list of beneficiaries
- Preparation of the draft base map

The remaining aspects of the assignment were the validation of the base map, list of beneficiaries and presentation of the draft plan.

MIN: 06/05/19/2 PRESENTATION OF THE DRAFT SOCIO-ECONOMIC SURVEY REPORT

It was noted that the socio-economic survey of the settlement was undertaken between 15th and 18th April 2019. It was noted that the objective of the presentation was to present the findings of the survey.

The following were the highlights of the socio-economic survey analysis:

- i. Plot ownership situation in Embakasi informal settlement is impressive as it tended towards gender parity in land ownership given that 58 percent of the beneficiaries are male.
- ii. Literacy level of plot owners is high at 98 percent.
- iii. The occupation profile of Embakasi informal settlement reveals that the returns to their labour is high given that a sizeable proportion of them are self-employed.
- iv. Over 50% of the beneficiaries acquired the plots through purchasing and 21 percent of the beneficiaries were allocated the plots by local administration.
- v. The settlement is well served by a motorable road connection, which are earth roads within the settlement
- vi. Ten percent of beneficiaries in Embakasi informal settlement had no electricity indicating inadequate electricity connection in the settlement.
- vii. LPG is the most popular cooking energy in the settlement. This is supplemented by kerosene and biofuels.
- viii. 51% have access to WC/Sewer (51%), a further 34% reported to having access to pit latrines. A significant number of residents do not have access to toilet. This poses serious health and sanitation risks to the residents in the settlement.
- ix. The main source of water is communal water point in the community whose safety cannot be guaranteed.
- x. Dwelling units are permanent with stone walls, cement floors and iron sheet roofing being the dominant building materials.
- xi. The most prevalent disease that was reported was common cold, followed by diarrhea mainly due to poor sanitary conditions in the area.

There were discussions on the planning needs priorities listed in the socio-economic report. It was agreed that the following priorities needs to be listed

- 1 . Title Deed
- 2 . Road
- 3 . Water

Florence Musyoki and Mr Martin Musangu proposed for the adoption of the socio-economic report. The community, by a show of hands, adopted the report subject to updating of the priorities list as discussed during the meeting.

MIN: 06/05/19/3 PRESENTATION OF THE SETTLEMENT BASE MAP AND PROPOSED LOCAL PHYSICAL DEVELOPMENT PLAN

Planner Paul Chege made the initial introduction remarks on the need of planning within the settlement. He highlighted the following planning needs of the settlement: insecure land tenure inadequate survey and planning data, inadequate provision of infrastructure services, poor sanitation and loss of aesthetic and high population density.

Planner Joakim Nyarangi highlighted the planning process that had been undertaken in the settlement. He started by reminding the community the vision they adopted in the previous meeting: The vision of the settlement was "A Clean, Safe and Secure Estate with good Infrastructure to Support Economic Growth of all its residents." He also indicated that currently the settlement has a total number of 111 plots and approximately 6743 people. He later presented the proposed development scenario for consideration by the community.

Three development alternatives were presented to the community:

- 1) The nil intervention where the base map is retained as it is. This proposal will not make any improvements in the settlement and the existing planning needs in the settlement would persist.
- 2) The standards intervention, which was guided by the original part development plan for the area that was not officially approved but used to allocate the parcels. This proposal would witness the expansion of roads for improved access in the settlement. However, this proposal would witness the displacement of some beneficiaries who did not obey the original part development plan.
- 3) The minimal displacement alternative. This plan would witness compromise of the planning standards in some sections of the settlement especially where the community has encroached on the initial plot boundaries.

The settlements members were very keen on the proposed development scenario and several issues were raised. The SEC Chairman Mr Nzuki wanted a clear clarification of the merits and demerits of the proposed standard plan intervention and the minimal displacement plan intervention. Mr Martin Musangu also requested the consultant to convert the road measurements into feet, which the local understands instead of using metres. He also said he was supporting the standard plan intervention considering the future needs of the estates.

One of the SEC members raised his support for the standard plan intervention indicating that very few people will be affected and it will retain a proper urban character. He also proposed opening of the six (6) metres road within the settlement, which was supported, by the 5 of the affected people by the road while two were against the proposal but the community members agreed to open the road.

One of the settlement members had a concern on the proposed minimum number of the floors in the settlement which was three floors building. She wanted to know in case the structure owner is not in a position to construct what will be repercussions. Mr Martin replied and explained that the proposed minimum number of floors is for approving purposes when the development is submitted for approval purposes by the county.

Ms Emily Wangari requested for freehold tenure system of the title deed to be generated. She also requested for assistance from the consultant to help them contact Nairobi Water and Sewerage Company in regards to water connection in the area. Planner Paul Chege indicated that the Title Deed could only be provided under leasehold tenure system for a term of 99 years. Nairobi City County assured Emily that they will ensure that the officials of Nairobi Water and Sewerage Company and the area MCA will be in attendance in the next meeting in case of any issues which requires their intervention.

After a lengthy discussion, the community members adopted option 2 of the three options presented to them. The other community agreed to this proposal by a show of hands.

MIN: 06/05/19/4: VERIFICATION OF LIST OF BENEFICIARIES

The community then were called one by one to verify their details as captured during the socio-economic survey. The details that were verified include the name of the beneficiary (as captured in the ID), their ID number, PIN number, plot number and phone number. All the structure owners present were given a chance to verify their detailed.

Ms Faith from KISIP informed the community that in the event that any of the beneficiary is dead, the family members should follow the succession process by appointing an administrator with the knowledge of the area chief.

RESOLUTION

The community resolved the following:

- 1 . The base map should be adopted as it is.
- 2 . The socio-economic report should be adopted based on the corrections on the priorities list
- 3 . The standards plan (option 2) should be adopted and prepared for approval by the Nairobi City County and the Ministry of Lands and Physical Planning

MIN: 06/05/19/5 ADJOURNMENT

The meeting ended at 4:00pm with prayer from one of the community members.

Signatures

1. Faith Birir Birir 6/6/2019

(KISIP National representative)

2. Margaret Wachira Wachira 6/6/2019.

(Nairobi City County Representative)

3. Samuel Nzuki, Nzuki. 6/6/2019

(SEC Chairman)

4. Any. Everlyne Amile 6/6/2019.

LER Consult Representative



ATTENDANCE SHEET

NAME OF SETTLEMENT: Embarakasi

DATE: 06/05/2019

ACTIVITY: PRESENTATION OF BASE MAP DRAFT LIST OF BENEFICIARIES			
NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1			
2	Joskin Njirung' IECMA	LER CONSULT LTD 0721224735	
3	AZON	LEE Consult LTD 0720571379	
4	BENKIS KIMOTI	0725120288	
5	IVY NJERI	0726849004	
6	Githae Njogu	LER Consult 0712023887	
7			
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PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTHUD/KISIP/GS/006D/2018-2019

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MAME - 4
FEMALE - 1



NAME OF SETTLEMENT: EMBAKASI
 ATTENDANCE SHEET

DATE: 06/05/2019

ACTIVITY: PRESENTATION OF BASEMAP DRAFT LPDP & LIST OF BENEFICIARIES

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 Everline Amile	LER Consult	0792485970	
2 Dorcas W. Mungai		0722809127	
3 MARY MUTHONI K	SEC Secretary	0722774603	
4 Ruth K. Kosas	EmbaKasi Project	0720646807	
5 GEORGE ODINGA ANDUPA	EmbaKasi London	0722422791	
6 Antonia J. Punyu	EmbaKasi	0720498936	
7 Joseph N. Gacage	EmbaKasi	0708331965	
8 THOMAS MUIA MUTHIA	EmbaKasi	072245051	
9 NELIOUS MBITHE MWOLLO	EmbaKasi	0720724615	
10 CHRISTINE NDILA	EmbaKasi	0724113424	
11 Grace Muriuki Njambi	EmbaKasi	072903819	
12 Jane Mburu	EmbaKasi	0727283228	
13 Sevestra Juma	EmbaKasi	0725540032	
14 Simeji Muswoki Ndombo	EmbaKasi	0716447864	
15 Ndoni Kamamboka Aruya	EmbaKasi	0720739826	

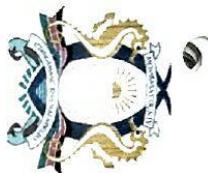
PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
 INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
 CONTRACT NO. MTIHUD/KSIP/CS/006D/2018-2019

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Female - 6

Male - 6



ATTENDANCE SHEET

NAME OF SETTLEMENT: Embaress

DATE: 06/05/2019

ACTIVITY: PRESENTATION OF BASE MAP, DRAFT LPP & LIST OF BENEFICIARIES

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 JESNAH KIREKOE	MOTHER ESTATE	0722596618	Athen
2 SAVAGE NGUMBA	MOTHER ESTATE	0720281467	Wanjiru
3 MARGARET NIBIHE MUTHOKA	MOTHER ESTATE	0714056939	Karen
4 PATRICK KIRANYI KARIUKI	MOTHER ESTATE	0726-213164	Lunyu
5 ACNES WAMBU, WANGOMBE	MOTHER ESTATE	0734 781351	Darby
6 JOSEPH KMONDO MBURUA	MOTHER	0721869789	JORDIE
7 HANNAH WARINDA	MOTHER ESTATE	0719457200	Hanen
8 BETTER SW OMBOGO NYAKO	EMILY KAREN	0721 781862	Omoko
9 HELLEN OKUNDA	MOTHER ESTATE	0722 431885	Theresa
10 ADRIOT KUTANZI NAFUA	MOTHER ESTATE	0705048601	Tutu
11 JEANE KHARIO	MOTHER ESTATE	0735962736	Bon
12 JANE WACHUMA MUNENE	MOTHER ESTATE	0740 822503	Afie
13 LILIAN BOSIBORU OCHIENG'ENGE	MOTHER ESTATE	0726479187	Lillian
14 RAY MOTHON KARICHI	MOTHER ESTATE	0720434366	Muthuri
15 ROBERT KANDELO KULE	MOTHER ESTATE	0722733691	Okello

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.

INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2

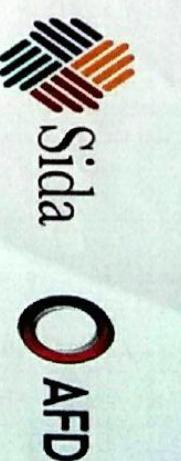
CONTRACT NO. MTHUD/KSIP/CS/006D/2018-2019

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m - 5



ATTENDANCE SHEET

NAME OF SETTLEMENT: EMBAKASIDATE: 06/05/2019ACTIVITY: PRESERATION OF BASEMAP, DRAFT LDP & LIST OF BENEFICIARIES

NAME	ORGANISATION/SETTLEMENT	TELEPHONE NO.	SIGN
1 Mary Klangari		0725209170	Mary
2 Monica Nyawira Thoro	MOTHER ESTATE	0720290026	Nyawira
3 Samuel Wanjiru Muchiki	Embakasi	0724938347	Samuel
4 JANE KARIMI KANGETHI	MOTHER ESTATE	072601185	Jane
5 BEATRICE JUNA OMBIGU	MOTHER ESTATE	0744631871	Beatrice
6 SAMUEL GYOKA KEBATTI	MOTHER ESTATE	0744631871	Samuel
7 THOMAS MUNGUZA	MOTHER'S ESTATE	0716189102	Thomas
8 Peter Kipiano MUSANGO	Embakasi	0720744864	Peter
9 ESPETH N. KIRIKA	CHIEF	0722783529	Esperance
10 Sackina Ndonjina KENYA	STRUCTURE NATION	0724749131	Sackina
11 Margaret Ngwenya	NC Housing	0720711093	Margaret
12 Maureen Muthoni Mwendwa	LER CONSULT	0722555334	Maureen
13 CHRISSANTUS NYABUA ODE	MASTER ESTATE	0711493995	Chrisantus
14 Dennis Kimathi	DESIGN TEAM	07251203394	Dennis
15 Samuel Nithy	MOTHER ESTATE	0758255284	Samuel
16 Daniel Mwanduki	MOTHER ESTATE	0721731250	Daniel
17 Robert Mbande Morema	MOTHER ESTATE	0728272355	Robert

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.

INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2

CONTRACT NO. MTHUD/KISIP/CS/006D/2018-2019

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County - 2

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ATTENDANCE SHEET

NAME OF SETTLEMENT: EMBAKASIDATE: 06/08/2019ACTIVITY: PRESERATION OF BASEMAP, DRAFT LDDP & LIST OF BENEFICIARIES

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 BENTAKA JATEND ONSARIGO	MOTHER ESTATE	0718-800729	John
2 JONATHON MUTHUVI MUDOKO	"	0744-262874	J.
3 Emmanuel Muthuri JOEL	MOTHER ESTATE	0722-242640	Emmanuel
4 MARYAM MUSABAHO	MOTHER ESTATE	0742-236000	Maryam
5 CHRISpus MUTHKA NAWODA	MOTHER ESTATE	0722-648396	Chrispus
6 DANIEL MULE AHIHUNYI	MOTHER ESTATE	0731271288	Daniel
7 JOHN NJUSE NJOGO	MOTHER ESTATE	0711482451	John
8 Elizabeth MULIRI Karithi	Mother Estate	0725861462	Elizabeth
9 MARYMO OLWACH	MOTHER ESTATE	0713527271	Marymo
10 Edwin Kithini MUTHUVI	MOTHER ESTATE	0722233470	Edwin
11 EMILY WANGARE KAFURIA	MOTHER ESTATE	0722263902	Emily
12 CORNELIAS SOMBAT	MOTHER ESTATE	0721629887	Cornelias
13 GRACE KITOKO	MOTHER ESTATE	0724605138	Grace
14 ROSE LA THEU	MOTHER ESTATE	0721465506	Rose
15 Sarah Mumbua	Mother Estate	0705822125	Sarah

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR NO.

INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2

CONTRACT NO. MTIHUD/KSIP/CS/006D/2018-2019

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ATTENDANCE SHEET

NAME OF SETTLEMENT: EMBAKASI

DATE: 06/05/2019

ACTIVITY: PRESIDENTIAL PRESENTATION OF BASEMAP, LER & LIST OF BENEFICIARIES.

NAME	ORGANISATION/SETTLEMENT	TELEPHONE NO.	SIGN
1 EFE BIRIX	KCSP	072462989	
2 Philip Dale Warner	KISIP	07222801	
3 Dr. Okeyo Warisa	LER	072027771	
4 TERRY OKEMWA	LER	0715042392	
5 Peter Mwangi	LER	0712214966	
6 SAKIE G. KONYO	LER	0716309501	
7 JONATHAN N. WASHINGTHOL	0723518812		
8 GERSOMI M. WATANGI	07		
9 RICK NYAMO	WER	0721140322	
10 Richard Kensi	GER	0724979828	
11 CAROLINE MWANZA MALENCI	EMBAKASI	0715265832	
12 NASEMWA MUNYANGA	LIP	0725327281	
13 JANE MODERA	0717640340		
14 HANON ONGERI	LER	0726351129	
15 CIRIANA K. AMITHO	EmbaKasi	0782839365	
16 FRANCISCO MULUNGU	KISIP	0701220356	
17 Peter Thiong' Roth	KISIP	0724170675	
18 KENNEDY RAPENO	15/05/18	0701757106	

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

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KISIP - 62
MAYE - 7+1



ATTENDANCE SHEET

NAME OF SETTLEMENT: EMBAKASI

DATE: 06/05/2019

ACTIVITY:	PRESENTATION OF BASEMAP DRAFT LPOP, & LIST OF BENEFICIARIES	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1	Daphne K. Koko	EmbaKasi	0720646807	
2	GEORGE ODINGA AYANDA	EmbaKasi	0722422791	
3	Anthony Mwangi WACHAGU	EmbaKasi	0720494955	
4	Joseph M. Gacage	EmbaKasi	0708331962	
5	Thomas Muia MUTHIA	EmbaKasi	0723430251	
6	DELLIOUS MOHITE MWOLODO	EmbaKasi	0720724611	
7	CHRISTINE NDILA	EmbaKasi	0724113424	
8	FLORENCE KAMINI MASHOKI	EmbaKasi	0726029767	
9	MARY MUSIKI KIRUBELU	EmbaKasi	0721326927	
10	VICIDRI M. MUSYOKI	EmbaKasi	0722311447	
11	JOSEPHINE NZUKI MUNGETE	EmbaKasi	0724562664	
12	Hannah Nyanabura MAMA	EmbaKasi	0722107513	
13	JACKLINE NGINA MUTHOKA	EmbaKasi	0721382739	
14	RUTH MBULA JOSOPHINE MUSEU	EmbaKasi	0726344709	
15	YODIA WARURIRI	EmbaKasi	0726999865	

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTIHUD/KSIP/CS/006D/2018-2019

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Maine - 5
Gammie - 10



ATTENDANCE SHEET

NAME OF SETTLEMENT: EMBAKASI

DATE: 06/05/2019

ACTIVITY: PRESENTATION OF BASEMAP DRAFT LDDP, LIST OF BENEFICIARIES

NAME	ORGANISATION/SETTLEMENT	TELEPHONE NO.	SIGN
1 COLLINS M. HERUTIO	EMBARKASI MOTHER ESTATE	0722 852470	
2 Richard M. CHEPPO	Embakasi Mother Estate	0721 897324	
3 VICTOR JEPKOI (Chairman)	Embakasi Mother Estate	0722 831424	
4 FRANCIS MUSCUMBA	EMBAKASI MOTHER ESTATE	0724 387953	
5 Rose MAMA NAMENE	MOTHER LAND ESTATE	0702 958836	
6 ALBERT KARANI MURITHI	EMBAKASI MOTHER ESTATE	0724 032018	
7 TITUS KEEN MACHIGI	MOTHER ESTATE	0720 830857	
8 Jane Muthoni Kamunya	EMBAKASI MOTHER ESTATE	0724 282627	
9 ELIZABETH ATTENDA ANWER	EMBAKASI MOTHER ESTATE	0723 595564	
10 SULLIVAN J. TONYA	EMBAKASI MOTHER ESTATE	0710 6784	
11 BEATRICE OBIKE MARYA	MOTHERLAND ESTATE	0711 240152	
12 BONIFACIO KESANGA	EMBAKASI MOTHER ESTATE	0744 634609	
13 RICHARD MTEREKA	EMBAKASI MOTHER ESTATE	0721 937180	
14 THOMAS MWANGI	EMBAKASI MOTHER ESTATE	0722 290608	
15 ROSEMARY H. KARUA	EMBAKASI MOTHER ESTATE	0726 705464	
16			
17			

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTHUD/KISIP/CS/006D/2018-2019

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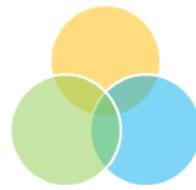
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Annex 12. Minutes for sensitization on surveying and RAP meeting

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PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS
FOR INFORMAL SETTLEMENTS IN NAIROBI, NAKURU AND MOMBASA COUNTIES
CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

MINUTES OF SENSITIZATION ON SURVEYING AND RESETTLEMENT ACTION
PLANNING FOR EMBAKASI INFORMAL SETTLEMENT MEETING HELD AT VICTORY
CHURCH EMBAKASI ON 3RD OCTOBER, 2019

Stakeholders present

1. Nairobi City County representatives
2. KISIP
3. National Department of Physical Planning
4. Community
5. Consultants

(As attached)

Agenda

- 1 . Introduction
- 2 . Project review
- 3 . Sensitization on surveying and titling
- 4 . Sensitization on RAP
- 5 . Survey methodology
- 6 . Verification of list of beneficiaries
- 7 . A.O.B

Min 03/10/2019/01 Preliminary and introduction

The meeting started at 10:30 a.m. SEC Chair welcomed all members present and requested one community member to do opening prayer. The Nairobi City County representatives, KISIP National representatives, representative from the Ministry of Lands and Physical Planning representative and the consultant introduced themselves. The apologies of the Principal Consultant was noted. The agenda of the

meeting was noted as project review; sensitization on surveying and titling; and sensitization on RAP.

Min 03/10/2019/02 Project Review

KISIP team reminded stakeholders that the project phase 1 will be closing by end of November. This therefore calls for cooperation so as to achieve the intended objective of securing land tenure to the beneficiaries. The consultant noted that the project had made considerable progress within the shortest time. The team further said the process had been rigorous participatory planning processes involving all stakeholders. Not notwithstanding few challenges, the progress was commendable. The project has so far achieved the following milestones:

- i. Community mobilisation and sensitization on the project
- ii. Boundary verification
- iii. Socio-economic survey of the beneficiaries
- iv. Planning process
- v. Endorsement of the proposed LPDP by the community

The remaining aspects of the assignment are:

- i. Adoption of the proposed LPDP by the City County Government of Nairobi
- ii. Cadastral surveying of individual plots
- iii. Resettlement Action Planning (RAP)
- iv. Approval of the proposed LPDP and survey plans
- v. Amendment of the RIM
- vi. Issuance of titles

The community was urged to be patient and continue supporting the project to its completion.

Min 03/10/2019/03 Sensitization on Surveying and Titling

The community was then sensitized on the importance of surveying and titling. KISIP representative noted that surveying enables the community know their boundaries and those of the utilities within the settlement. Surveying will be done based on the Plan prepared through Consultative meetings and validated by stakeholders. Planning and surveying is important as this will enable the community members to live in peace and safeguard their community utilities. Community was told to ensure they sign beacon certificates and ensure they know where beacons are placed. It was further indicated that a provisional number will be given, which might differ once RIM is amended; therefore should not be a worry to community. The RIM Number is what will ultimately appear on the title.

Sensitization was also done on the list of Beneficiaries. Community was informed to check and confirm accuracy of details provided. Any disputed parcel will be marked so until resolved.

Representative from the Ministry of Lands and Physical Planning sensitized on benefits of titles noting its key role of confirming legal ownership; and thus there will be no more fear of eviction. It was noted that with security of land tenure, community could improve their dwelling units and their environment. Community was informed on the following forms of title registration, each giving advantages and disadvantages:

- i. Sole proprietorship: This title is held by one person. In the event of the sole proprietor, the next of kin go through a lengthy process in appointing an administrator of the land.
- ii. Joint proprietorship : 2 people owning 1 piece of land. Each person owns an equal share. If one party dies, title automatically transfers to the survivor.
- iii. Co-ownership: Tenants in common share possession equally but may own equal or unequal shares of the property. If one party dies, unless the surviving party is named in the will, the decedent's interest passes to heirs. Tenants in common share one unity. All tenants in common have the right to occupy the property, and neither party can exclude the other.

It was noted that most of the plots in the settlement are co-owned and thus co-ownership registration of the titles will be done in these cases. It was further agreed that there will be no indication of shares since the area is an informal settlement.

Min 03/10/2019/04 Sensitization on Resettlement Action Plan (RAP)

Social safeguards specialist at KISIP National office noted that the World Bank, which is one of the financiers of the project, has a social safeguards policy whose aim is to ensure that projects have positive impacts on the welfare of the beneficiaries. It was noted that the social safeguards policy basis is to leave communities either as they were before the project or better than before the project. Therefore projects should never leave communities more vulnerable than they were before the project. This policy was the reason why Resettlement Action Plan is being prepared. It was noted that the LPDP prepared by Voyants in 2014 was not implemented due to anticipated displacement.. The current Plan has considered the nature of the settlement therefore used adoptive approaches to minimize displacement.

It was said that the World Bank's Involuntary Resettlement Policy (Operational Policy 4.12) will be applied to any beneficiaries who will be affected negatively by the project to facilitate their resettlement within the settlement. In this case, it was clarified that the loss of structures may be facilitated but not loss of land since the land belongs to

the Government. However facilitation may be extended to such beneficiaries to help them with resettlement process.

Sensitization on Grievance Redress Mechanism was done. Community said the GRC was active and handling the grievances. The community said they were aware of the GRM tier. KISIP emphasized that Grievances must be recorded first in the Register at the settlement; also resolutions. In case they are not handled at settlement level, the case should be forwarded to County.

It was noted that any grievance not relating to the project planning area will not be addressed by the project, rather channelled to the relevant authority.

The following steps will be used during the RAP.

- i. During the surveying process, PAPs will be identified during placement of beacons. Disruptions to structures will be noted.
- ii. There will be a census of all PAPs. Aspects to be captured during the census include gender, age, education status and income.
- iii. Special attention will be given to vulnerable groups ie. Elderly, child headed households, women headed households, and the disabled. These groups will be given extra cushioning during the facilitation process.
- iv. All PAPs are advised not to move their structures until a notice is given.
- v. A PAPs meeting will be held in the settlement at the end of survey, to inform the PAPs on the resettlement process.
- vi. Salvage of materials will be allowed to enable the PAPs to reuse them
- vii. Disclosure of RAP will be done through community meeting and by KISIP and WB.

Social safeguards from LER Consult noted that during the planning phase, efforts were made to reduce the number of Project Affected Persons (PAPs) through adoptive planning process. This means that where the access road would normally be 12m, 6m or less was used. It was further noted that during the community planning sessions, the community agreed that those who had encroached on the initial road reserves would remove them at their own cost. However, it was noted that this was against the principles of the World Bank's Involuntary Resettlement Policy (Operational Policy 4.12). a RAP would be prepared for those who would be encroaching on the proposed road reserves.

The Consultant encouraged the community members not to build or pull down any structures in the settlement until the planning, surveying and resettlement action planning are completed within the settlement.

The RAP cut off date was declared as the start of PAP survey/census. This was declared as 4/10/2019. After this day, the community was informed that there would be no considerations of structures built after the said date.

Min 03/10/2019/05 Survey Methodology

Consultant's Surveyor outlined methodology to be used in survey exercise and RAP. They noted that assistants/ Casuals and materials including wheelbarrow will be sourced from the community. The exercise will be led by Surveyor and SEC. the community was told to wait for the surveyors in their plots.

The community was informed that the exercise would begin the following day. Beacons would be mounted according to the community endorsed plan. In the event the position of the beacons cannot be placed e.g falling inside a structure, painting of the structure will be done. The community was urged to safeguard the beacons in their plots since replacing them will be done at their own costs.

Min 03/10/2019/06 Verification of the list of beneficiaries

The community was informed that the draft list of beneficiaries is available in the settlement for further verification. The community will also have a chance to verify their details during the surveying process since the consultant would move from plot to plot undertaking the verification process.

Min 03/10/2019/07 Community comments and concerns

The following concerns were raised by the community

	Concern	Response
1 .	They are a few disputes that have not been resolved concerning ownership of some plots	Register the grievances with the GRC for determination. If the GRC process does not resolve the issues before the closure of the assignment, the title for the plot would be registered under the Nairobi City County in trust as the GRC process is exhausted. Once resolved, the County government will transfer the title to the rightful owner.

Min 03/10/2019/08 Next Steps and Adjournment

- Community were told to be ready to participate in the planned exercise starting the following day.
- Other community members not present in the meeting should be informed to be present during beaconing of plots, as it is expected that all beneficiaries should be present.
- Survey exercise will cover areas in delineated planning area
- PAPs meeting will be organized after completion of survey exercise

The meeting was adjourned with prayer from one of the community members at 2:15pm.

Minutes confirmed by:

1.

(KISIP National representative)

2.

(Nairobi City County representative)

3.

(SEC Chairman)

4.

(LER Consult Representative)



NAME OF SETTLEMENT: EMBAKAS

ATTENDANCE SHEET

DATE: 31/10/2019

ACTIVITY: <u>SENSITISATION ON SURVEYING AND RAP</u>			
NAME	ORGANISATION/ SETTLEMENT	TELEPHONE	SIGN
1 Tolau Chicho	Momb. County Government	0710390125	✓
2 Joseph Mwiri	DR Housing NCSC	0717135952	✓
3 KIOKO KELVIN	NCCG LAND REGIS	0729367710	✓
4 GARRE KASSI MUWERU	NCCG SURVEYLALS	0736375137	✓
5 HIRON ONGERA	LER	0786351129	✓
6 Edwin Kithinji Muthuri	Embaress	0721423043	✓
7 Henry Mutua Karuki	Embaress	0720434366	✓
8 DSCC Nene Muanganya	Embaress	0720-711917	✓
9 ROBERT Kambogo MULIEN	Embaress	0722233691	✓
10 PETER MAMA WANGIC	Embaress	072937832	✓
11 FAITH T. BIVU	ICSIPI-NBI	0722462189	✓
12 Zewah Kurui	KUSIQ - National	0725989357	✓
13 Maurice Muma	LER - CONSULT	0722857348	✓
14 Salesio Kaburu	KISIP	0722853909	✓
15 NILEGENP Nsouli	Embaress	0703861509	✓

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTHUD/KISIP/CS/006D/2018-2019

1-1 Embakasi - M - H
-0
-2 F - 2

LER CONSULT

Surveying & Surveying Consultancy

NAME OF SETTLEMENT: EMBAKASI

ATTENDANCE SHEET

DATE: 3/10/2019

ACTIVITY: SENSITISATION ON SURVEYING AND RAP

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 Florence Muthoni	EMBAKASI, N. ESTATE	0746189902	✓
2 MARGARET MBITHIE MUTHOKA	EMBAKASI, MOTHER ESTATE	0714056939	✓
3 PAUL K MUSILIMI	EMBAKASI, MOTHER ESTATE	0711551342	✓
4 COLLINS KIRUBAO CHERUIYOT	EMBAKASI, MOTHER ESTATE	0722857470	✓
5 JOHN GIKHUHUA KIRUMI	EMBAKASI	0714839142	✓
6 JOTTER ITTOE	EMBAKASI	0711482451	✓
7 FRIBAH KISAMI	EMBAKASI	0711202568	✓
8 SELESSESS TANAS	EMBAKASI	0723540032	✓
9 MUSOKA MUTHINDA	EMBAKASI	0745327281	✓
10 HERBERT KABARUA	EMBAKASI	0733155338	✓
11 MOSES ELIOLOI KOMULEN	EMBAKASI	0721818098	✓
12 PETERSON OMBOGO NYAKEGO	EMBAKASI	0721787862	✓
13 NANCY MUTHONI KIRUBAO	EMBAKASI	0722779602	✓
14 JULIUS KIRUBAO	EMBAKASI	0722485298	✓
15 FRANCIO KATHURIA WANGARE	EMBAKASI	0729168895	✓

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
 INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
 CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

LER CONSULT

Striving for a sustainable environment





NAME OF SETTLEMENT: Embakasi

ATTENDANCE SHEET

DATE: 3/10/2019

ACTIVITY: SENSITIZATION ON SURVEYING AND RAP.

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 CAROLINE TENDERA	LER CONSULT	0711 787 405	CA
2 PLAN. JOAKIM NYARANGI	LER CONSULT	0721 224735	JN
3 Everlyne Amile	LER CONSULT	0722 485970	EV
4 MARYA MUTHONI	NCCG / Planter	0711 967031	MARYA
5 Matoko Aloye	NCCG - KISIP	0923 857176	Matoko
6 Terry Oremu	LER CONSULT	041 5423 92	Terry
7 JESSIE OPIALECS	NCCG - KISIP	0722 383232	JESSIE
8 Samwel Kungfu	Embakasi	0722 284026	Samwel
9 Sabina Mwangi	Embarkasi	0722 764913	Sabina
10 CHARLES MURIGA	EMBAKASI	0721 1469361	CHARLES
11 Shukraah Gitonga	Gitaruki	0721 565672	Shukraah
12 Josephine M. Muthia	Embakasi	0722 456114	Josephine
13 Elvied K. OTEROPO	Embakasi	0721 297324	Elvied
14 CHRISTINE M. MUTUA	Embakasi	0722 987357	Christine
15 SACKSI KIGUMBI	Embakasi	0720 28469	SACKSI

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

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NAME OF SETTLEMENT: EMBAKASI

ATTENDANCE SHEET

DATE: 31/10/2019

ACTIVITY: SENSITISATION ON SURVEYING AND RAP

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 JAMES A. LOKONYA	LER	0712 465178	
2 CAMUEL MIRUNU	LER	0724673136	
3 BRIAN SIMINYU	ALIANTE LER	07108305446	
4 ERICK MUTOMA	LER	0102178453	
5 GACHEMA JOSEPH	LER	0724833525	
6 PETER MISSOKA	LER	0740108222	
7 JANET KIRITH	EMBAKASI	0725-711022	
8 RICHARD M. KIMANI	EMBAKASI	0722-475962	
9 DANIEL MIRE	EMBAKASI	0721271288	
10 Joseph Oshriek Ligeni	EMBAKASI	0723 367487	
11 Philip Kipkemboi Mbog	EmbaKasi	0722 453498	
12 Francis Muigai	EmbaKasi	0725994731	
13 MUSIMENTA TOWWA	EMBAKASI	0716676784	
14 Dorcas Ong'ang'o	ZEC MEMBER	0712809127	
15 Titus Kere Ndalangi	EmbaKasi	0720 835 857	

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.

INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2

CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

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NAME OF SETTLEMENT: EMBAKASI

ATTENDANCE SHEET

DATE: 31/10/2019

ACTIVITY: SENSITISATION ON SURVEYING AND RAP

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 DAVID KAMAU WANYOKI	EMBAKASI	0721680763	
2 S. TANLEY DATURIA	"	07224790380	
3 GEORGE OLUOCOK OMARIO	"	0714787674	
4 Simon MUSYOKI NAMBUKI	"	0716447864	
5 ANNASTA KEMUNDE MAGAKI	"	0710440741	
6 BENJAMIN RATEMO ONSTRIGO	"	0718800729	
7 GERALD MUTURI KAMITHO	"	0400379038	
8 ANTHONY MUKOTA SAYA	"	0706427610	
9 FRANCIS KAMENYWA CHEGE	"	072247158	
10 JOEDH NUNENE KURIA	"	07227722338	
11 Emma WAMBUA NUNENE	"	0722846395	
12 JACKLINE Ngingi Muthoka	EMBAKASI	071382739	
13 HONORAH NYAMBURA	"	072107513	
14 ZACHARIA MICKANGU	"	0719488834	
15 HELLEN KIRISIA	"		

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTHUD/KISIP/CS/006D/2018-2019

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NAME OF SETTLEMENT: EMBAKAS 1

ATTENDANCE SHEET

DATE: 3/10/2019

ACTIVITY: SENSITISATION ON SURVEYING AND RAP

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 Nakoshon Mwene Ngotho	EMBAKAS 1	0722457207	WANGAIDI
2 Cornelius Kiso Sombra	EMBAKAS 1	0721639887	CHIENG'OMBI
3 ERIC OBARE ALSTON	EMBAKAS 1	0724371065	OBARE
4 FRANCIS MUCHIRIA	EMBAKAS 1	0724387193	MUCHIRIA
5 MAKINA LAGIE	EMBAKAS 1	071140066	LAGIE
6 STEPHEN KATU	EMBAKAS 1	072641337	KATU
7 RICHARD M. MACHARGO	EMBAKAS 1	0721932180	MACHARGO
8 JOSEPH JMWENGA ASANTE	EMBAKAS 1	0722873915	JMWENGA
9 LESMORE WESONOK OCHIENG	EMBAKAS 1	0723511810	OCHIENG'
10 THOMAS NDAYA	EMBAKAS 1	0723430251	NDAYA
11 MUTHUA INANI	EMBAKAS 1	072028867	INANI
12 HANNAH WARRA THOMAS	EMBAKAS 1	0711945700	THOMAS
13 FANCY JERCI POLICE	EMBAKAS 1	0722233685	JERCI
14 RUTH MBULA JOSEPH MUNGU	EMBAKAS 1	0726344709	MUNGU
15 JENNIFER KANGAULI KIMWETE	EMBAKAS 1	0723718442	KANGAULI

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.

INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2

CONTRACT NO. MTHUD/KSIP/CS/006D/2018-2019

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NAME OF SETTLEMENT: EMBAKASI

ATTENDANCE SHEET

DATE: 31/10/2019

ACTIVITY: SENSITISATION ON SURVEYING AND RAP

NAME	ORGANISATION/SETTLEMENT	TELEPHONE NUMBER	SIGN
1 Jacinta Wainiwo	EMBAKASI	0724329100	
2 Alvan Temed	EMBAKASI	0728297556	
3 Maria Yidzluoch	EMBAKASI	0715522271	
4 Nancy Wambua Karuri	EMBAKASI	0721-397763	
5 Japheth Wambua Kyeng'eo	EMBAKASI	0725894883	
6 Boniface Kibunge Muthuri	EMBAKASI	0724534069	
7 Lydia Mwendo Munyoro	EMBAKASI	0713603434	
8 Mwendwa Muveng'i	EMBAKASI	0722796816	
9 Jellious N. Mwolo	EMBAKASI	0720724601	
10 Naomi Kuhambula Apuya	EMBAKASI	0722886219	
11 Joseph M. Gachige	Embaekasi	0708331965	
12 Nicholas Mwambua	EMBAKASI	0722-935286	
13 Benard K. Mwendwa	Embaekasi	0720744660	
14 Clotistus Ndege	Embaekasi	0734413424	
15 Mohamed Salim Mwalonya	Embaekasi	0724542335	

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
CONTRACT NO. MTHUD/KSIP/CS/006D/2018-2019

LER CONSULT

Striving for a sustainable environment





NAME OF SETTLEMENT: Embakasi
 ATTENDANCE SHEET

DATE: 3/10/2019

ACTIVITY: SENSITIZATION ON SURVEYING AND RAP

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 DENNIS GAKUDE MKOYA	SEC member	0711240157	
2 BEATRICE JUNCA OBENG	METHACESTE	0720201111	
3 BERYL ONUNDA ACHIENG	other estate	0722431839	
4 CHRISSANES NYABUA OLIET	Embakasi	0726888763	
5			
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PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
 INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2
 CONTRACT NO. MTHUD/KISIP/CS/0060/2018-2019

LER CONSULT

Surveying for a sustainable environment



Annex 13. Minutes of PAP meeting in Embakasi informal settlement

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Striving for a Sustainable Environment

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS
FOR INFORMAL SETTLEMENTS IN NAIROBI, NAKURU AND MOMBASA COUNTIES
CONTRACT NO. MTIHUD/KISIP/CS/006D/2018-2019

**MINUTES OF PAPs MEETING HELD IN EMBAKASI INFORMAL SETTLEMENT ON
TUESDAY 30TH OCTOBER 2019 AT EMBAKASI SETTLEMENT**

Present

1. Project Affected Persons and Community
2. Consultant

(See attached list)

Agenda

- 1 Introduction
- 2 RAP introduction
- 3 Objectives for RAP
- 4 RAP impact
- 5 Entitlement and Valuation principles
- 6 Vulnerable PAPs
- 7 RAP implementation
- 8 Grievance redress mechanism
- 9 Sensitization on Titles
- 10 PAPs comments
- 11 A. O. B

MIN 30/10/2019/01 INTRODUCTION

The meeting started at 10:30 a.m. SEC Chair welcomed all members present and requested one community member to do opening prayer. In the remarks, the consultant appreciated attendance of PAPs. The agenda of the meeting was noted as sensitization of PAPs on the resettlement process.

MIN 30/10/2019/02 RAP INTRODUCTION

The consultant noted that during the planning phase, efforts were made to reduce the number of Project Affected Persons (PAPs) through adoptive planning process. This

means that where the access road would normally be 12m, 6m or less was used. It was further noted that during the community planning sessions, the community agreed that those who had encroached on the initial road reserves would remove them at their own cost. However, it was noted that this was against the principles of the World Bank's Involuntary Resettlement Policy (Operational Policy 4.12). A RAP would be prepared for those who would be encroaching on the proposed road reserves. It was noted that a total of 7 PAPs had been recorded during the surveying phase.

The RAP is anchored on World Bank policies and Kenyan Laws. World Bank's Operational Manual OP 4.12 on Involuntary Settlement requires safeguarding of Project Affected Persons (PAPs) from economic and social impacts that result from Bank-assisted investment projects. The policy provides for avoidance, minimisation and mitigation of such impacts during project preparation. . The policy outlines measures to ensure that affected persons are informed about their options, consulted on the choices provided and provided with prompt and effective facilitation at full replacement cost for the losses incurred.

Some of the applicable Kenyan laws and policies that were cited to support RAP include the Kenya Constitution 2010, Land Act (2012) and the National Land Policy (2007).

MIN 30/10/2019/03 OBJECTIVES FOR RAP

The PAPs were informed that the objective of the RAP was to identify and quantify all losses from displacement of people, assets, and livelihoods because of the road expansion and provide adequate mitigation measures in conformity with the World Bank requirements, and the government of Kenya policies and laws. The RAP would ensure that affected Persons would be facilitated to move their structures from the proposed road reserves and construct them appropriately within their plots following conclusion of beaconing exercise in the settlement.

MIN 30/10/2019/04 RAP IMPACT

It was noted that the RAP would be limited to structures and livelihoods impacted by KISIP planning and survey activities in the settlement planning and survey boundary. Following conclusion of PAPs census exercise, it was identified that eligible impacts were limited to the categories list below.

- i. Total or partial impact to structures which include; residential houses, a shop and a wall.
- ii. Loss of livelihoods due to loss of rented shops

However, it was noted that structures and livelihoods established after the cut-off date of (4/19/2019) would no be eligible for facilitation. It was further reiterated that there is no loss of land since the land is owned by the Nairobi City County government. Thus, there will be no facilitation for loss of land.

MIN 30/10/2019/05 ENTITLEMENT AND VALUATION PRINCIPLES

The PAPs were informed that facilitation will be extended to all PAPs irrespective of tenure status at full replacement cost of affected structure. The project valuer noted that the facilitation would be enough to cover costs of replacing the affected structure. This would include cost of materials and labour required for reconstructing a building of similar surface and standing. Depreciation will not be taken into account while calculating the cost of affected structures. PAPs losing livelihood will be facilitated with cash facilitation calculated based on a three month average income derived from the affected business.

MIN 30/10/2019/06 VULNERABLE PAPS

PAPs were informed that vulnerable PAPs are a distinct groups of people who might suffer disproportionately or face the risk of being marginalized as a result of resettlement and specifically include: (i) female-and-child-headed households, (ii) disabled household heads, (iii) Households headed by elderly persons with no means of support.

This category of PAPs would receive extra assistance as provided by KISIP RPF such extra facilitation and linkage to existing government social programs among others. It was also noted that only 2 PAPs had been identified as vulnerable.

MIN 30/10/2019/07 RAP IMPLEMENTATION

The PAPs were informed that they would be served with adequate notice of minimum 30 days to self-demolish and relocate their structures upon facilitation. After this period has expired, the City County will be free to undertake the demolitions for PAPs who will not have removed their structures from proposed road reserves.

Further, PAPs were told that after the RAP has been approved by the World Bank, KISIP through assistance of the County would implement the RAP. The activities under this task will include further PAPs meetings and verification of PAPs details as provided in the asset register prior to facilitation. At this stage, PAPs were reminded that more grievances would emerge and that they should engage the existing settlement GRM to amicably resolve such grievances.

MIN 30/10/2019/08: Involvement of Women in RAP Process

The meeting discussed provisions of involving women in the RAP process as provided by World Bank Operation Policy (OP 4.20) Gender and Development, OP 4.12 on Involuntary Resettlement and provisions of the National Gender and Equality Commission Act 2011. PAPS were informed that planning and tenure regularization including RAP process has provided measures of enhancing women's rights to own and inherit land, which to an extent is ongoing as women heads are already recognized through the titling process. Also, joint spousal registration was encouraged. PAPs were also advised to consider opening of joint spousal accounts for disbursement of facilitation funds.

MIN 30/10/2019/09 GRIEVANCE REDRESS MECHANISM

The PAPs were made aware of the existing settlement GRM and their role in addressing complaints resulting from the resettlement process. The mechanism is designed to ensure majority of the grievances are resolved at settlement level with only isolated cases being escalated to second level of GRM.

The second tier will involve a mediation committee in case the grievance cannot be solved at the first level and if still the person is not satisfied they can seek the assistance of the court. In the meantime, if any issues, the PAPs were informed to use the existing GRC for solving any issues given these were in a position to verify any information and where not possible to see the KISIP county coordinator.

MIN 30/10/2019/10 ADJOURNMENT

The meeting was adjourned at 11:20am with prayer from one of the members.

Minutes confirmed by:

1.

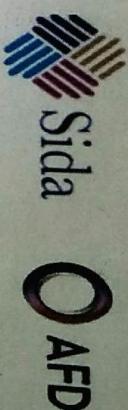
(SEC Chairman)

2.

(SEC Secretary)

3.

(LER Consult Representative)



ATTENDANCE SHEET

NAME OF SETTLEMENT: ENBAKASIDATE: 29/10/2019ACTIVITY: PAP MEETING

NAME	ORGANISATION/ SETTLEMENT	TELEPHONE NUMBER	SIGN
1 Samuel Njuki	Embakasi	0721231653	Dave.
2 Gilbert Munya	"	0722232771	Gille.
3 Elizabeth Kariuki	"	0725861462	Edith.
4 Mutua Ndene	"	0722755598	Mutuwa
5 Kanyoike Kinuthia	Embakasi	072504294	K.K.
6 DAVID MBITHI	"	0726327281	DAVID.
7 JOSEPH NSOROGO	"	0721739207	Joe.
8 Christine Ndege	"	0724113424	Ndila
9 Samuel Nanyon	"	0720840026	Samuel.
10 Everline Amile	LER Consult	0720485970	Ever.
11 Judy Mbula	Embakasi	0721476529	J.M.
12 Bernard Nbau	LER Consult	072147732	Bernard.
13			
14			
15			

PLANNING, SURVEYING AND PREPARATION OF RESETTLEMENT ACTION PLANS FOR 4 NO.
INFORMAL SETTLEMENTS IN NAIROBI AND MOMBASA COUNTIES DONE UNDER LOT 2

CONTRACT NO. MTHUD/KISP/GS/006D/2018-2019

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Serving for a sustainable environment



Plate 13-1 Representative of the Nairobi City County addressing the community during the official launch of surveying and sensitization on RAP



Plate 13-2 Representative of the Ministry of Lands and Physical Planning sensitizing the community on importance of titles

Annex 14. Sample Grievance Redress Form

Grievance Form				
Grievance Number				Copies to forward to:
Name of the Recorder				(Original)-Receiver Party
Sub-County				(Copy)-Responsible Party
Date				
INFORMATION ABOUT GRIEVANCE				
Define The Grievance:				
INFORMATION ABOUT THE COMPLAINANT				Forms of Receive
Name-Surname				<ul style="list-style-type: none"> • Phone Line • Community/ Information • Meetings • Mail • Informal • Other
Telephone Number				
Address				
Village				
Sub-County				
Signature of Complainant				
DETAILS OF GRIEVANCE				
1. Access to Land and Resources	2. Damage to	3. Damage to Infrastructure or Community Assets	4. Decrease or Loss of Livelihood	5. Traffic Accident
a) Fishing grounds b) Lands c) Pasturelands d) House e) Commercial site f) Other	a) House b) Land c) Livestock d) Means of livelihood e) Other	a) Road/Railway b) Bridge/ Passageways c) Power/Telephone Lines d) Water sources, canals and water infrastructure for irrigation and animals e) Drinking water f) Sewerage System g) Other	a) Agriculture b) Animal husbandry c) Beekeeping d) Small scale trade e) Other	a) Injury b) Damage to property c) Damage to livestock d) Other
6. Incidents Regarding Expropriation and Facilitation (Specify)	7. Resettlement Process (Specify)	8. Employment and Recruitment (Specify)	9. Construction Camp and Community Relations	10. Other (Specify)
			a) Nuisance from dust b) Nuisance from	

			noise c) Vibrations due to explosions d) Misconduct of the project personal/worker e) Complaint follow up f) Other	
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Annex 15. Sample grievance register

The following provides a sample of a register for grievances and/or complaints and the actions undertaken. This will provide the Committee with a record of the types of complaints received (any trends), the effectiveness of resolution strategies and a record of what was done.

Date Received	Complainant Name	Contact s	Complaint Description	Outcome Sought	Actions Taken to address the grievance	Closure Date	Signature of the Complainant