REPUBLIC OF KENYA

MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT

KENYA INFORMAL SETTLEMENTS IMPROVEMENT PROJECT

ABBREVIATED RESETTLEMENT ACTION PLAN

THE COUNTY GOVERNMENT OF KISUMU

SWAHILI INFORMAL SETTLEMENT

MAY 2019
The Abbreviated Resettlement Action Plan (ARAP) for Planning and Surveying of Swahili Informal Settlement in Kisumu County has been prepared under Consultancy Services for Planning and Surveying of Selected Informal Settlements in Kisumu and Uasin Gishu Counties – Contract No. MLHUD/KISIP/CS/002/2015-2016 by Jooyato Surveys Limited on behalf of the Kenya Informal Settlement Improvement Project (KISIP)

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MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING AND URBAN DEVELOPMENT
DEFINITION OF TERMS

**Abbreviated Resettlement Action Plan** (ARAP) or Resettlement Action Plan (RAP) is a resettlement instrument (document) 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. ARAPs or RAPs contain specific and legal binding requirements to resettle and compensate/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 ARAP is prepared where project affected persons are less than 200.

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

**Complete/Total 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 compensated/ facilitated.

**Grievance:** Any dissatisfaction or sense of injustice or unfairness felt by a person in this respect a PAP or his/her representative in connection with his/her compensation entitlements, the RAP implementation process, the project and other scenarios related to project implementation.

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

**Open Market Value/Market Rate:** 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.

**Public Participation** is a facilitative process of strengthening the organizational and management capacities of people in such a way that they become self-reliant in solving their own problems. It connotes the organized action of the people towards the resolution of issues or acquisition of what they desire and what may
benefit them. This, then, requires that people, as a group, must have proper ownership of actions and highly organized course of action.

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

**Relocation/Localized displacement** means displacement of a structure owner or institution PAP etc. from one parcel of land to a different parcel of land (within the settlement) due to the planning and survey activities including demarcation of roads.

**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 labor and contractors’ fees; and (c) any registration costs.

**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.

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

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

**Vulnerable Groups** include all those affected by the project that are living below the poverty line, the elderly, women and children headed households, the disabled, indigenous people, ethnic minorities or other Project Affected Person who may not be protected through national land compensation legislation.
LIST OF ABBREVIATIONS AND ACRONYMS

AFD  Agence-Française de Development
ARAP  Abbreviated Resettlement Action Plan
GO  Grievance Officer
GRM  Grievance Redress Mechanism
KISIP  Kenya Informal Settlements Improvement Project
MoTIH&UD  Ministry of Transport, Infrastructure Housing and Urban Development
LCB  Land Control Board
LPDP  Local Physical Development Plan
IoL  Inventory of Losses
NLC  National Lands Commission
NGO’s  Non-Governmental Organizations
OP  Operations Policy
PAD  Project Appraisal Document
PAP  Project Affected Person
PC  Project Coordinator
PCT  Project Coordination Team
RIC  Resettlement Implementing Committee
RPF  Resettlement Policy Framework
SGRC  Settlement Grievance Redress Committee
SEC  Settlement Executive Committees
SIDA  Swedish International Development Cooperation Agency
WB  World Bank
EXECUTIVE SUMMARY

Introduction
The Ministry of Transport, Infrastructure, and Housing and Urban Development is implementing the Kenya Informal Settlements Improvement Project (KISIP) in 14 counties in Kenya. The overall objective of KISIP is to improve living conditions of people living and working in the informal settlements through tenure regularization and infrastructure development. This Project is part of KISIP component two which aims to ensure security of tenure within target informal settlements. The component supports systematization and scaling-up of settlement planning and tenure security in urban informal settlements.

Administratively, Swahili Informal Settlement is located in Muhoroni Town, Muhoroni East sub-location, Muhoroni East Location in Muhoroni Division of Kisumu County. The settlement lies at the heart of Muhoroni town. It borders Muhoroni-Londiani road to the left.

This report therefore presents an Abbreviated Resettlement Action Plan (ARAP) prepared for Project Affected Persons (PAPs) in Swahili Informal Settlement who will be affected by the Planning and surveying (tenure regularization) process undertaken under KISIP component 2. The report also provides applicable entitlements, compensation and livelihood restoration measures to the Project Affected Persons (PAPs) identified as required by the World Bank Operational Policy OP 4.12 on Involuntary Resettlement and Kenya’s Laws and Regulations.

Planning and Surveying Process in the Settlement
The settlement is strategically located along Nairobi-Kisumu highway and passes through Muhoroni town. However, lack of a development plan has led to unregulated plot sub divisions and poorly constructed structures.

In July, 2017, KISIP started a participatory planning and survey process in the settlement which led to tenure regularization and development of Local Physical Development Plan (LPDP) that is expected to lead to issuance of title deeds to beneficiaries.

Land Titling in the Settlement
The planning process was community driven where all beneficiaries and stakeholders were involved from the onset of the project. Initial activities involved reconnaissance survey as well as Settlement Executive Committee (SEC) and community sensitization forums which were aimed at ensuring that the community understands the planning and surveying process. The process also involved mapping and delineation of settlement boundaries, physical mapping of structures, consultative meetings, socio-economic surveys, community visioning and LPDP plan validation processes.
The process led to generation of a register of beneficiaries, base map and Survey Plan of the settlement that informed preparation of the LPDP. The resultant LPDP was presented to the community for verification through a validation process. This was spearheaded by the SEC followed by various community forums that validated the list of beneficiaries and the LPDP. The total number of beneficiaries’ in Swahili Informal Settlement is 94 being (Male 57, Female 37)

To ensure the beneficiaries were sensitized about title registration and the corresponding benefits, meeting will be held for community sensitizations on titling and registration during implementation of this ARAP before titles are issued to beneficiaries as documented in the implementation schedule. Emphasis was placed on the importance of joint titling for spouses as a means to advance women rights to owning land.

During Implementation of ARAP, the National Land Commission as the custodian of Public Land will officially transfer the land from public to individual beneficiaries through issuance of title deeds as per Kenyan Land Laws.

**Tenure Regularization Impacts**

No PAP lost land in the process of tenure regularization in Swahili Informal Settlement. This ARAP identified a total of 37 PAPs composed of 23 males and 14 females.

**Total Number of PAPs losing Structures**

The total number of PAPs losing structures in the Settlement is 22.

**PAPs Losing means of Livelihood among the totals number and tenants**

Twenty-two (22) asset owners run businesses in their own structures and a further fifteen (15) tenants have rented structures which will be relocated.

**Total number of Vulnerable PAPs**

There was no PAP identified as vulnerable in Swahili Informal Settlement.

**Approach and Methodology**

The methodology adopted during preparation of this report was guided by World Bank OP 4.12 on Involuntary Resettlement, KISIP Resettlement Policy Framework (RPF) 2014 and relevant Kenyan Legal and Policy framework.

**Public Consultations**

This phase involved consultations with stakeholders during planning and also ARAP preparation phase within the settlement. Six Meetings were conducted during the planning phase, i.e. (i) at the beginning of the Planning process, socio – economic survey phase, (ii) Community visioning stage (iii) Presentation of Base map stage (iv) Public Baraza meetings to inform the residents of Swahili Informal Settlement about the planned planning, surveying and tenure regularization of the settlement (v) during verification of beneficiaries (vi) LPDP presentation, community validation and land surveying. The meetings were
attended by the PAPs; County Government of Kisumu officials, KISIP National Coordination Team and Local Administration.

**Mitigation of Impacts**
Irrespective of tenure status, all PAPs are eligible for assistance if their assets will be affected by planning and surveying process or engaged in any livelihood income-generating activity within the settlement before the cut-off date set as 13th April 2018. All structures will be compensated at replacement cost while lost livelihoods will be compensated in cash as per the KISIP RPF. Rental income will be compensated at subsistence allowance equivalent to two months’ rental income.

**Grievance Redress Mechanism**
This ARAP provides for a three level Grievances Redress Mechanism (GRM) at no cost to the PAPs. The first level is the Settlement Grievance Redress Committee (SGRC) which already exists within the Settlement Executive Committee (SEC); this committee will be the first level of grievance redress. The second level will be the Resettlement Implementation Committee (RIC) – Please see the full composition in Chapter 9 in this report- which will comprise of KISIP Project Coordinating Team (PCT), Kisumu County KISIP representative and the local administration, while the third level will be the Courts of Law which will be adopted as the last resort. A grievance log will document all grievances and their status and will be used to monitor GRM progress.

**ARAP Implementation Budget**
THIS INFORMATION HAS BEEN REDACTED FOR CONFIDENTIALITY AND TO PROTECT PRIVACY

**Monitoring and Evaluation**
The ARAP Monitoring and Evaluation Framework that has been adopted involve internal monitoring by KISIP; external monitoring to be commissioned to specialized firms; and ARAP Completion Audit as indicated in Chapter 11 in this report.

**Commitments**
The primary responsibility for the implementation of this ARAP remains with KISIP Project Coordination Team (PCT) who will ensure that all PAPs are adequately facilitated according to the entitlements of this ARAP, the budget and within the implementation schedule of this ARAP. Specific KISIP commitments are provided in Chapter 12 in this report.
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CHAPTER 1: BACKGROUND INFORMATION

1.1 KISIP General Information
The Kenya Informal Settlements Improvement Project (KISIP) is a five-year project with the objective of improving living conditions of residents in selected Kenya’s urban informal settlements. The Project Development Objective (PDO) is ‘to improve living conditions of people living in informal settlements in selected Counties in Kenya.’ This Project goal is consistent with Kenya’s Vision 2030 goal of ‘a well housed population living in an environmentally secure urban environment’. The Project is jointly financed by the World Bank, AFD and Sida. The Ministry of Transport, Infrastructure, Housing and Urban Development, is the implementing arm of the Government. The Project’s specific interventions include enhancing tenure security, settlement level planning, infrastructure services provision, and planning for future urban growth to prevent the growth of informal settlements. The KISIP project became effective in June, 2011.

The Project covers the following fourteen (14) Counties: Nairobi City, Mombasa, Kisumu, Nakuru, Uasin Gishu, Nyeri, Kiambu, Embu, Garissa, Kakamega, Kericho, Kitui, Machakos and Kilifi. It has the following four components:

1. **Institutional strengthening/development and program management** - This component assists in strengthening the capacity of the Ministry of Housing, the Ministry of Lands and the participating counties, and also finances program management activities (including preparation of a baseline platform and systems for monitoring and evaluation).

2. **Enhancing tenure security** - this supports scale-up and process systematization of ongoing efforts to regularize tenure in urban slums and includes financing for the following types of activities: 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 and, where necessary, extension of trunk infrastructure to settlements.

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.

In line with the Project’s Component 2 on enhancing tenure security, KISIP prepared a local Physical Development Plan (LPDP) for Swahili Informal Settlement in Kisumu County within Kisumu Town.
1.2 Swahili Informal Settlement

Administratively, Swahili Informal Settlement is located in Muhoroni Town, Muhoroni East sub-location, Muhoroni East Location in Muhoroni Division of Kisumu County. The settlement lies at the heart of Muhoroni town. It borders Muhoroni-Londiani road to the left hand side.

Shauri Yako settlement borders Swahili to the south, Bondeni settlement to the north, Sangoro to the west and the railway station to the west as shown below on the map:

![Location Map of Swahili Informal Settlement](image)

**Figure 1-1: Location Map of Swahili Informal Settlement**
1.3 **KISIP’s interventions in Swahili Informal Settlement**

KISIP Component 2 intervention in Swahili Informal Settlement involved physical planning and surveying of the settlement to ensure the beneficiaries are issued with title deeds for the plots they occupy (tenure security). This involved the development of a Local Physical Development Plan and surveying of the settlement where 94 beneficiaries will be issued with title deeds, these beneficiaries own 94 plots within the settlement.

The planning and survey element which will culminate in the tenure regularization will lead to impacts associated with partial or entire demolition of residential and business structures as well as temporal disruption of business livelihoods. The resettlement impact is particularly related to activities proposed in the approved LPDP which include opening of access leading to improved road network. This ARAP identified a total of twenty-two (22) PAPs losing structures and livelihood sources from business and rental income and 15 tenant PAPs losing shelter.

1.4 **Objective of the ARAP**

The objective of this Abbreviated Resettlement Action Plan (ARAP) is to identify document and mitigate social and economic impacts caused to the affected persons by the tenure regularization of assets and sources of livelihood in Swahili Informal Settlement. ARAP also provides Project Affected Persons with facilitation for their affected assets at full replacement cost, livelihood restoration.

1.5 **Scope of the ARAP**

The planning and survey process which will culminate in the tenure regularization may have impacts associated with partial or total relocation of residential and business structures as well as disruption of business livelihoods among Project Affected Persons (PAP’s). These impacts are particularly related to opening of access through improving road network within the settlement.

The scope of the assignment involved the following:

- Develop ARAP for Swahili settlement in line with national legislation, KISIP Resettlement Policy Framework and World Bank's OP 4.12
- Study the Socio-economic reports undertaken during planning and surveying aimed at identifying data relevance, adequacy and the gaps therein in preparation of the ARAP.
- Develop innovative resettlement options (Legally sound, socially, economically and environmentally sustainable) for the affected persons based on existing situation and context of the settlement as well as best global resettlement practices.
- Conduct extensive and in-depth stakeholder consultations with all project stakeholders.
- Propose an acceptable entitlement matrix to guide compensation and other mitigation actions to Project Affected Persons (PAPs).
- Compile an accurate PAP and Asset register that is acceptable to stakeholders.
CHAPTER 2: LAND TENURE REGULARISATION AND TITLING PROCESS.

2.1 Introduction to Land Titling
KISIP began operations in the settlement in July, 2017, the project focused on component 2 that will culminate to tenure regularization in the settlement. To actualize land tenure regularization, the following activities were undertaken in the Settlement as summarized Table 2.1 below:

Table 2-1: Tenure Regularization and Land Titling Process

<table>
<thead>
<tr>
<th>Stage</th>
<th>Activities</th>
<th>Key Players</th>
<th>Secondary Actor</th>
<th>Indicators</th>
<th>Timelines</th>
</tr>
</thead>
</table>
| Community entry   | • Community Mobilization  
• Community sensitization on the project  
• Introduction of KISIP activities in Swahili Informal Settlement  
• Outlining the objective of Planning and Survey which will lead to issuance of title deeds. | SEC KISIP     | County Government of Kisumu            | • Representation in SEC committee  
• Community acceptance of the project  
• Milestone reports                      | Completed     |
| Planning Stage    | Base Map Preparation  
• Transect walks guided by SEC  
94 (M: 57, F: 37) beneficiaries identified.  
• Existing Plot Boundaries form basis for Planning and surveying  
• 100% Socio economic survey of Beneficiaries | Communit y SEC KISIP | KISIP County Governme nt            | • Base map for the settlement  
• Every Beneficiary is enumerated  
• Participation of SEC ensured that only members of the settlement are the Beneficiaries  
• Beneficiary list representative of women beneficiaries. | Completed     |
| Visioning         | • Participatory visioning process  
• Activities prioritization | Communit y SEC KISIP | KISIP County Governme nt            | • Active Women participation  
• Community approves development of | Completed     |
<table>
<thead>
<tr>
<th>Plan Validation and Approval</th>
<th>Community involved in preparation of plan that best represents their interests.</th>
<th>infrastructure in the settlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan Validation and Approval</td>
<td>A community led validation of plan/vision is presented</td>
<td>Community approval of plan</td>
</tr>
<tr>
<td></td>
<td>Community endorsed and approved Plan</td>
<td>County and Director of Physical Planning</td>
</tr>
<tr>
<td></td>
<td>Plan approved by county and Director of Physical planning</td>
<td>Plan approved of Plan step towards tenure regularization and issuance of titles</td>
</tr>
<tr>
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<td>Emerging concerns addressed</td>
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**Surveying stage**

<table>
<thead>
<tr>
<th>Surveying and beaconing of plots</th>
<th>Actual Survey of Plots</th>
<th>Community SEC KISIP</th>
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<tr>
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<td>Women participating in the process</td>
<td>County Governme</td>
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<tr>
<td></td>
<td>Identification surveying impacts</td>
<td>KISIP</td>
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<td></td>
<td>Grievances resolved</td>
<td>Government</td>
</tr>
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<th>Validation of Beneficiary List</th>
<th>Every beneficiary allowed scrutinizing the beneficiary list to ensure correct details have been input.</th>
<th>Community SEC KISIP</th>
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<td>Women encouraged participating.</td>
<td>County Governme</td>
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<td>Grievances resolved</td>
<td>KISIP</td>
</tr>
</tbody>
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<tr>
<th>Approval of Survey Plan</th>
<th>Survey approval and adjustment of Registry Index Map(RIM) to include individual</th>
<th>Survey of Kenya</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>KISIP</td>
<td>New RIM forwarded to Ministry of Land for Titling process.</td>
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<th>Surveying and beaconing of plots</th>
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<tbody>
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<td>County Governme</td>
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<td></td>
<td>Identification surveying impacts</td>
<td>KISIP</td>
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<td>Grievances resolved</td>
<td>Government</td>
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</tbody>
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<tbody>
<tr>
<td></td>
<td>KISIP</td>
<td>New RIM forwarded to Ministry of Land for Titling process.</td>
</tr>
<tr>
<td>ARAP Preparation</td>
<td>Identified impacts are as a result of planning and survey are identified, documented and mitigated</td>
<td>ARAP Preparation</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>ARAP Approval</td>
<td>• Ensure client commitment to implementation of ARAP. • All safeguards provisions are met and addressed</td>
<td>ARAP Approval</td>
</tr>
<tr>
<td>ARAP Implementation</td>
<td>Implementing ARAP activities as per implementation schedule</td>
<td>ARAP Implementation</td>
</tr>
<tr>
<td>Land Titling</td>
<td>Registrar of Titles Sensitizes Beneficiaries and their spouses on (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</td>
<td>Land Titling</td>
</tr>
<tr>
<td>Change of beneficiary List</td>
<td>Beneficiary list open for final change of names to appear in the title</td>
<td>Change of beneficiary List</td>
</tr>
</tbody>
</table>
2.1.1 Participatory Planning and Community Visioning

Planning of the settlement was done through a continuous participatory process involving the community, the National and County KISIP teams, World Bank and the Consultant on behalf of KISIP. This was done during various forums as summarized in Table 2.2 below:

Table 2-2: Participatory Planning in the Informal Settlement

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
<th>Output</th>
</tr>
</thead>
<tbody>
<tr>
<td>22&lt;sup&gt;th&lt;/sup&gt; September 2017</td>
<td>Visioning: This was a community participatory forum where community members presented their suggestions on how they would wish Swahili settlement to transform into after tenure regularization.</td>
<td>Vision statement based on the priority areas for intervention during planning and survey.</td>
</tr>
</tbody>
</table>
| 7<sup>th</sup> October 2017   | Community planning: this forum entailed involving the community on discussion on advantages and disadvantages of planning options namely; standard planning and adoptive planning. | - Proposed alternative main access into the settlement  
- Proposed 9m access roads within the settlement.  
- Proposed individual titling. Few cases of sharing amongst family members.  
- Adopted community proposals on areas for key community amenities. |
### 2.1.2 Minimizing Potential Impacts

Development of a resettlement plan where physical displacement and loss of other economic assets are unavoidable requires that displacement is minimized as much as possible, and that the displaced persons are provided with assistance prior to, during and following their physical relocation.

Planning of Swahili settlement considered existing developments and local demarcations within the settlement also determined the outcome of the proposed plan. There was deliberate attempt to incorporate the existing ground conditions to minimize impacts on assets and relocations. Some of the mitigation measure employed included:

(i) Aligning the plan to the existing local conditions, demarcation of plot boundaries, structures alignment and main access and internal access roads alignment. This was through adoptive planning standards that were discussed with the community.

(ii) Minimizing the road sizes to 9m and 6m where possible to avoid more structures being affected.

Table 2-3 provides the options that were considered during the planning phase in an effort to minimize disruption impacts:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>30th October 2017</td>
<td>Technical meeting: this meeting was organized with the County Government of Kisumu to discuss planning challenges and propose recommendations to be included in the LPDP.</td>
<td>Proposed various options to be reviewed like community titling and block titling if possible.</td>
</tr>
<tr>
<td>5th December 2017</td>
<td>LPDP validation forum: this forum was organized with the community; the forum provided an opportunity to community members to validate the LPDP.</td>
<td>Reviewed the list of beneficiaries.</td>
</tr>
</tbody>
</table>
**Table 2-3: Planning Options Considered minimizing disruptions**

<table>
<thead>
<tr>
<th>Options</th>
<th>Option 1: Nil intervention</th>
<th>Option 2: Preferred option (Adoptive planning)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Options</td>
<td>Nil intervention of the settlement without proposing any changes.</td>
<td>Prepare a LPDP based on the planning standards where adoptive planning was opted in place of conventional planning to minimize displacements.</td>
</tr>
<tr>
<td>Strengths</td>
<td>• Shows the plot boundaries, roads sizes mostly footpaths and current land uses in the settlement.</td>
<td>• The LPDP will be aligned to planning minimum standards, road sizes, and re-configuration of the settlement thus reducing redundancies.</td>
</tr>
<tr>
<td></td>
<td>• May inform effective planning.</td>
<td>• Optimize on land use, enhance functionality, i.e. road and plots.</td>
</tr>
<tr>
<td></td>
<td>• It shows actual plots and occupiers, which is important in determining the actual number of plots and eventual beneficiary of planning and surveying.</td>
<td></td>
</tr>
<tr>
<td>Limitations</td>
<td>• The desired form and function of key land uses will not be achieved given that some roads are too narrow, some plots are not properly aligned, there is also encroachment which needs to be addressed, and the redundancies especially on access roads will impair the functionality of the settlement.</td>
<td>• Provision of Access to plots will lead to impact on Assets</td>
</tr>
<tr>
<td></td>
<td>• The needs of the future generations will not be factored.</td>
<td>• It is time consuming as it requires more consultations, redesign and confirmation of several issues.</td>
</tr>
<tr>
<td></td>
<td>• Limits the land tenure to be communal.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The shapes of some plots are irregular</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Some plots have no access roads.</td>
<td></td>
</tr>
</tbody>
</table>

2-10
Base map of the settlement is presented in Figure 2.1 below while the approved LPDP of the settlement is presented in Figure 2.2:

**Figure 2-1: Existing Spatial Map of Swahili Informal Settlement**

**Figure 2-2: Approved Plan of Swahili Informal Settlement**
2.1.3 Gender concerns

During 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 will include:

- Registrar of Titles.
- KISIP and Kisumu County Government.
- Gender Department.

In particular, the Land Control Board is a key avenue to safeguard women rights to owning land where every land transaction will be regulated by the board and spousal consent will be mandatory. The Proposed gender sensitization exercises by the Land Registrar will include but not limited to the following:

i. Enhancing 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. Enhancing 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 PROVISIONS

3.1 General Information
Provisions of both GoK Laws and OP 4.12 of the World Bank will apply in the KISIP project and where gaps are encountered, Gap filling measures have been provided for. Additionally, project development has been firmly anchored on principles aimed at mitigating displacement impact as follows:

(a) Minimization of displacement
(b) Ensure all PAPs are adequately compensated for all losses caused by impacts as a result of the project intervention.
(c) Enhancement of benefits and Livelihood Restoration.
(d) Assistance to vulnerable groups.
(e) Gender Empowerment and Inclusivity.

In order to mitigate the adverse social impacts to the affected persons, the Government of Kenya and the World Bank have legal provisions and safeguard policies (OP 4.12) respectively as summarized in table 3.1 below:

Table 3-1: Legal and Policy Provision in relation to Resettlement

<table>
<thead>
<tr>
<th>Applicable legal and policy provisions</th>
<th>Applicable Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Constitution of Kenya, 2010</td>
<td>The Constitution of Kenya, 2010, protects the sanctity of private property rights and states that no property can be compulsorily acquired by the Government except in accordance with law. Article 40(3). The Constitution entrenches the protection of legally acquired land and property rights, and any acquisition of rights to land and property; whether its voluntary or involuntary, must comply with the applicable law. However, in Swahili Informal Settlement, planning and regularization 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.</td>
</tr>
<tr>
<td>Constitutional Provisions and Disability</td>
<td>The Constitution of Kenya 2010, (Chapter 4, part III), Application of Rights (Clause 54) recognizes people with any disability and provides for their: a) treatment with dignity and respect and to be addressed and referred to in a manner that is not demeaning; for b) reasonable access to all places, public transport and information; c) And to access materials and devices to overcome constraints arising from the person’s disability. This ARAP identified no disabled person among beneficiaries.</td>
</tr>
<tr>
<td>National Land Policy 2007</td>
<td>The National Land Policy (“NLP” or “Policy”) was adopted in August 2009 with the aim of providing an overall framework for new legislation and defining key measures required to address critical issues such as land administration, access to land, land use and restitution related to historical injustices and an outdated legal framework.</td>
</tr>
</tbody>
</table>
Section 3.6 of the Policy is exclusive on Informal Settlements and its provisions deal with the challenges presented by squatters in informal settlements; of importance to KISIP is the provision on regularization of existing squatter settlements found on public and community land for purposes of upgrading or development which is in line with what KISIP seeks to achieve in Swahili Informal Settlement. The same section provides guidelines on gender and equity principles relating to land rights on matters to do with land and resettlement. Land rights for women will be upheld in granting titles in the settlement.

**The Land Act (2012)**

The Land Act 1 (“LA”) was adopted on 2nd May 2012 and provides for sustainable administration and management of land and land-based resources. Part II section 8 of the Land Act, 2012 provides guidelines on management of public land by the National Land Commission on behalf of both national and county government. The land under which the settlement falls is classified as Public land hence invoking some sections of this Act. The Act was amended in 2016; relevant amendments related to involuntary resettlement are presented in the next row below.

**The Land Laws (Amendment) Act 2016 to include Evictions Guidelines April 2017**

According to the Eviction Guidelines, Section 4.9.1 drafted by Ministry of Lands (2010), the Government shall ensure that evictions only occur in exceptional circumstances. Evictions require full justification given their potential negative impacts on a wide range of international recognized human rights.

This policy will be adhered to during implementation of the Project, as indicated no one will be evicted. Rather the project seeks to regularise ownership of the land the informal settlers have settled in. Where assets and livelihoods are affected, the project provides for compensation. The beneficiaries will also be given sufficient notice to self-demolish affected assets (after compensation).

**The Environment and Land Court Act, 2012**

The Act is in line with Article 162(2) (b) of the Constitution; to establish 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.

**The Valuers Act (1985)**

The Valuers Act establishes the Valuers Registration Board, which regulates the activities and practice of registered valuers. As of March 2011, there were 285 registered valuers in Kenya. The ARAP team has made use of the services of registered valuers who are approved by Valuers Registration Board.

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

Part III (Clause 7) states that subject to Section 6 (3), ownership of matrimonial property vests in the spouses according to contributions of either spouse towards its acquisition and shall be divided between the spouses if they divorce or their marriage is
otherwise dissolved. This also includes assets like land. In complying with this Act, this ARAP provides for equal right to information regarding compensation of affected structure and disbursement of compensation funds through a joint account opened by both spouses.

<table>
<thead>
<tr>
<th>The Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act, 2012</th>
<th>The provisions of this Act apply to all internally displaced persons that arise either through calamities, social conflict or development projects and are guided by the Bill of Rights under the Constitution of Kenya. Section 5 of the Act outlines involvement of the affected persons through awareness, sensitization, training and education on causes, impacts, consequences and prevention measures. The Act therefore provides enacted guidelines in the event of displacement in the settlement.</th>
</tr>
</thead>
<tbody>
<tr>
<td>KISIP’s Resettlement Policy Framework</td>
<td>The main purpose of the RPF is to guide resolution of any displacement anticipated from project activities. The World Bank OP 4.12 requires that an RPF be prepared for all projects that anticipate displacement of both settlements and livelihoods. There will be no displacement anticipated from KISIP activities. ARAP has been prepared for the Project and puts in place modalities for providing prompt and effective compensation at full replacement cost for loss of assets attributable directly to the project and provide support during the transitional period to enable the affected persons to improve or at least restore their pre-impact living standards.</td>
</tr>
</tbody>
</table>

### 3.1.1 World Bank Safeguard Policy on Resettlement

The World Bank Operational Policy 4.12 is a common standard of approved principles and guidelines for compensation/resettlement for this type of project. World Bank principles should, however, be harmonized with the national laws of the subject country where the project is to be funded to the extent possible. **In case of conflict between OP/BP 4.12 and national laws, OP/BP 4.12 will prevail.**

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

(a) All viable alternative project designs should be explored to avoid or minimise the need for resettlement and when it cannot be avoided, to minimise the scale and impacts of resettlement.

(b) Resettlement measures are to be conceived and executed as development activities.

(c) Assistance should be given to the community in their efforts to improve former production levels, income-earning capacity and living standards, or at least restore them to the levels at which they would have been without the project.

(d) Displaced persons should be:
   - Compensated at full replacement cost prior to the actual move;
   - Assisted with relocation; and
   - Supported during the transition period.

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

(f) Communities will be given opportunities to participate in planning, implementing and monitoring their resettlement/compensation. This has been complied with; and extensive community and stakeholder consultations were undertaken. Also, the views of the community members and other stakeholders have been considered and integrated into the ARAP.

### 3.1.1 Differences between Kenyan Laws and the World Bank Policy

There are some differences between the World Bank Policy and the Laws of Kenya on resettlement and compensation. In general, where there is a difference between Kenyan Laws and OP 4.12, the latter shall prevail. Table 3-2: World Bank OP 4.12 and Government of Kenya requirements including measures to address gaps:

**Table 3-3: World Bank OP 4.12 and Government of Kenya requirements**

<table>
<thead>
<tr>
<th>OP 4.12</th>
<th>Kenyan Legislation</th>
<th>Gap filling Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL REQUIREMENTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>World Bank OP 4.12 has overall policy objectives, requiring that:</td>
<td>1. The Land Act, 2012 Act outlines procedures for sensitizing the affected population to the project and for consultation on implications and grievance procedures.</td>
<td>1. Ensure that resettlement issues are considered at the design stage of the project to avoid/ minimize resettlement. this includes minimum planning standards adopted for KISIP</td>
</tr>
<tr>
<td>1. Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives.</td>
<td>2. The Land Act 2012 guarantees the right to fair and just compensation in case of relocation.</td>
<td>2. Implement World Bank OP 4.12 policy –affected persons should be assisted in improving their livelihood to pre-project status.</td>
</tr>
<tr>
<td>2. Resettlement programs should be sustainable, include meaningful consultation with affected parties, and provide benefits to the affected parties.</td>
<td>3. 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</td>
<td>3. Livelihood restoration plans should be put in place as guided by World Bank OP 4.12</td>
</tr>
<tr>
<td>3. Displaced persons should be assisted in improving livelihoods etc., or at least restoring them to previous levels.</td>
<td>4. The compensation should be fair as outlined by Land Act 2012. The affected persons should be meaningfully consulted and</td>
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</tr>
<tr>
<td>OP 4.12</td>
<td>Kenyan Legislation</td>
<td>Gap filling Measures</td>
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<td>resettlement is</td>
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<td>inevitable.</td>
<td>concept of open</td>
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<td>4. Just and fair</td>
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<td>compensation as</td>
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<td>Land Act 2012 is</td>
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</table>

**PROCESS REQUIREMENTS**

**Consultation:** Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs, the policy is particular on involving vulnerable and marginalized as well as women in the process.

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

Implement consultation procedures as outlined in both Kenyan legislation and World Bank. For involvement of vulnerable and women, the OP 4.12 will be applicable.

**Grievance:** For physical resettlement, appropriate and accessible grievance mechanism will be established.

Land Act 2012 clearly outline the steps and process for grievance redress that includes alternative dispute resolution, re-negotiation with NLC and is backed by the judicial system through Environmental and Land Court Kenyan legislation meets OP4.12 requirements.

Adopt both by providing for alternative grievance mechanism that are project based. Affected persons also free to seek legal redress if not satisfied.
### OP 4.12 Kenyan Legislation Gap filling Measures

#### Eligibility Criteria
**Defined as:**
(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
(b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan.
(c) Those who have no recognizable legal right or claim to the land they are occupying.

To determine eligibility:
- Carry out resettlement census.
- Cut-off date for eligibility is the day when the census begins.

#### Measures:
Preference should be given to land based resettlement strategies for displaced persons whose livelihoods are land-based. Cash based compensation should only be made where (a) land taken for the project is a small fraction of the affected asset and the residual is

<table>
<thead>
<tr>
<th>OP 4.12 Kenyan Legislation Gap filling Measures</th>
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</thead>
<tbody>
<tr>
<td><strong>Eligibility Criteria</strong></td>
</tr>
<tr>
<td>Defined as:</td>
</tr>
<tr>
<td>(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan. (c) Those who have no recognizable legal right or claim to the land they are occupying.</td>
</tr>
<tr>
<td><strong>To determine eligibility:</strong></td>
</tr>
<tr>
<td>Carry out resettlement census.</td>
</tr>
<tr>
<td>Cut-off date for eligibility is the day when the census begins.</td>
</tr>
<tr>
<td><strong>Measures:</strong> Preference should be given to land based resettlement strategies for displaced persons whose livelihoods are land-based. Cash based compensation should only be made where (a) land taken for the project is a small fraction of the affected asset and the residual is</td>
</tr>
<tr>
<td><strong>Kenyan Legislation</strong></td>
</tr>
<tr>
<td>The Land Act 2012 provides that written and unwritten official or customary land rights are recognized as valid land right. The Law provides that people eligible for compensation are those holding land tenure rights. Land Act also recognizes those who have interest or some claim in the land such pastoralist or who use the land for their livelihood. The constitution recognizes ‘occupants of land even if they do not have titles’ and payment made in good faith to those occupants of land. However, this does not include those who illegally acquired land. Land Act 2012 provides for census through NLC inspection and valuation process but is not clear on cut-off date.</td>
</tr>
<tr>
<td><strong>Gap filling Measures</strong></td>
</tr>
<tr>
<td>Ensure ALL users (including squatters, laborers, rights of access) of affected lands are included in the census survey and compensated appropriately. Implement cut-off procedures as outlined in the RPF, Kenyan law and the WB operational procedures.</td>
</tr>
<tr>
<td>**Land Act 2012:**陆地法2012年</td>
</tr>
<tr>
<td><strong>Land Act 2012 appears to prefer cash for cash as the mode of compensation by the Government to the affected population.</strong></td>
</tr>
<tr>
<td>**Land Act talks of:**陆地法讨论</td>
</tr>
<tr>
<td><strong>OP 4.12 Prevails.</strong></td>
</tr>
<tr>
<td><strong>OP 4.12 Prevails.</strong></td>
</tr>
<tr>
<td>OP 4.12</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>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.</td>
</tr>
<tr>
<td>World Bank OP4.12 Article 6(a) requires that displaced persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an impact, displaced persons must be provided with assistance during relocation and residential housing, housing sites and/or agricultural sites to at least equivalent standards as the previous site. Replacement cost does not take depreciation into account. In terms of valuing assets, if the residual of the asset being taken is not economically viable, compensation and assistance must be provided as if the entire asset had been taken.</td>
</tr>
<tr>
<td>Valuation: With regard to houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes.</td>
</tr>
</tbody>
</table>
CHAPTER 4: APPROACH AND METHODOLOGY

4.1 Introduction
The objective of this Abbreviated Resettlement Action Plan (ARAP) is to identify document and provide measures required to mitigate adverse social and economic impacts caused by the tenure regularization in Swahili Informal Settlement in Kisumu County. The ARAP ensures that:

(i) All types of losses were identified, clearly defined and properly categorized to reflect the nature and scope of the loss suffered by PAPs.
(ii) The Project Affected Persons are compensated for their losses at full replacement cost and provided assistance for disturbance prior to the implementation of the Local Physical Development Plan (LPDP).
(iii) A comprehensive asset register of the affected persons with their assets is developed; this register will be validated regularly at the time of ARAP implementation. The register will also serve as database for monitoring and evaluation of the resettlement process.
(iv) A Grievance Redress Mechanism is established, this mechanism will be used to resolve conflicts arising from Resettlement and facilitation.

4.2 Approach and Methodology of ARAP Preparation
The methodology adopted during preparation of this report was guided by World Bank OP 4.12 on Involuntary Resettlement (ARAP) and KISIP RFP. The following sections therefore detail the participatory methodology applied in the preparation of this ARAP, the ARAP report was prepared in phases summarized below;

i. Literature Review, design of and field testing of survey tools.
ii. Consultations and involvement of the Project Affected Persons and other stakeholders.
iii. Census and Socio-Economic Survey of PAP’s.
iv. Valuation of affected assets and livelihoods.
v. Preparation ARAP report, which included PAP’s Assets Register.
vi. ARAP Disclosure and follow-up consultations will be undertaken by KISIP Project Coordinating Team (PCT) after approval and disclosure of the ARAP by the World Bank.

4.2.1 Phase 1: - Literature Review, Project Planning and Scoping

4.2.1.1 Literature Review
The desktop review assessed relevant information and documents including sector specific policies strategies, put in place by the Government of Kenya related to ARAP.

4.2.1.2 Project Planning and Scoping
The task involved design of an asset inspection questionnaire that was used to identify potential project impacts to people’s assets and sources of livelihood. The
4.2 Asset Inspection Questionnaire

Asset inspection questionnaire assisted in collection of Inventory of Losses information from PAPs which included the following:

(i) Structures by construction type, use, area, ownership/use rights and location, as well as the extent of loss;
(ii) Business losses, by types, amounts and duration of losses (structures, incomes, jobs, etc.);

4.2.2 Phase 2: Consultations with Project Affected Persons

The task involved detailed stakeholder identification and mapping as part of the planning. The aim of this was to ensure that all the stakeholders affected are identified and targeted as part of the planning process. Stakeholders who were engaged in the assignment included but were not limited to:

(i) Kisumu County Government including, Town Administration, County Executive Committee Member and Chief Executive Officer for Lands and Physical Planning, Sub County and Ward Administrators.
(ii) KISIP National Coordination Unit from Ministry of Infrastructure, Housing and Urban Development.
(iii) County Administration including County Commissioners, Deputy County Commissioners, Assistant County Commissioners, Chiefs and Assistant Chiefs in the settlement.
(iv) Land Registrar
(v) Settlement Executive Committee Members.
(vi) Beneficiary Community Members in the settlement.
(vii) Project Affected Persons.

4.2.3 Phase 3: Census Field Activities

This task involved consultations with affected PAPs at household-level in order to come up with a census and inventory of losses (IoL). This involved the following:

(i) Coordination with Kisumu County Government representatives who were tasked to participate in the fieldwork, as agreed in the initial consultations.
(ii) Household surveys with PAPs to collect information for the census and inventory of losses (IOL).
(iii) Replacement cost surveys carried out by the valuation team to establish market rates for affected assets as a basis for compensation.

Details of the Census Field Activities are given below:

Census and Inventory of Losses (IoL)

A field team conducted complete census and inventory of losses (IOL) of all the PAPs identified within the settlement, information gathered was used to develop an inventory of assets likely to be affected by the Project.

Census

A questionnaire was used to collect PAP census information that registered and located the households; and; identified all household members (resident and non-
resident) by age, sex, and relationship to head of household, education and occupation and housing conditions.

**Inventory of Losses**
The process involved collection of information from PAPs about their assets that are affected temporarily or permanently: information gathered included:

(i) Structures by construction type, use, area, ownership/use rights and location, as well as the extent of loss.
(ii) Business losses, by types, amounts and duration of losses (structures, incomes, jobs, etc.); and,
(iii) Other losses not included above, e.g., fencing, where applicable.

**Procedures for conducting Census**
In conducting the census, the team followed the required procedures for notifying people, collecting, validating, approving and disclosing information on eligible PAPs and affected assets, stemming from national laws and regulations and OP 4.12.

The team also ensured the establishment of a “cut-off date” to be **13th April 2018** which was the first day of census.

**Valuation of Assets**
Open market valuation principle determined the value of affected assets. During the fieldwork the valuation team conducted systematic surveys within the Project area to determine the prices of acquiring or reconstruction of similar structures. The prices were used to determine full replacement value of the affected assets.

**4.2.4 Phase 4: Data Processing and Analysis Methods**

**Data Processing**
Processing the data concurrently with data collection allowed for regular monitoring of team performance and data quality. Descriptive statistical analysis and presentations using charts was preferred.

Processing the data concurrently with data collection allowed for regular monitoring of team performance and data quality during field work. Excel tables were generated during data processing to check various data quality parameters. As a result, feedback was given on a regular basis; teams had to maintain high quality of data collection.

**Data analysis**
Quantitative data sets were analyzed using excel data sheets. Upon completion of the data entry transcriptions, qualitative and quantitative data analysis was done for presentations.
4.2.5 Phase 5: Preparation of ARAP Report
This phase involved detailed analysis of the census data and synthesizing the results of consultations, socio-economic survey work and draft Local Physical Development Plan. This was in order to prepare proposals and strategies for compensation packages to be included in the ARAP.
CHAPTER 5: PUBLIC CONSULTATION AND PARTICIPATION

5.1 Public Participation overview
Public consultations were realized through individual meetings e.g. during the socio-economic survey, community meetings; and during census of affected assets. Community consultations were held during planning and survey as well as ARAP preparation e.g. 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.

These meetings included discussions with the local Settlement Executive Committees (SECs), beneficiaries and representation from the County and National Land Commission as detailed below. The Project Affected Persons were engaged in specific meetings organized within the settlement on 13th April 2018. Six meetings were held during planning and survey stages.

5.2 Objectives of Stakeholder Consultations
Resettlement of affected persons needs continuous communication or dialogue with the stakeholders, as such it is a continuous exercise, until implementation of ARAP is complete. There were extensive consultations with the affected persons in the settlement as documented in the Schedule under Table 5-1.

The aim of public consultations was to identify the interests of the different stakeholders and draw consensus. The objectives of the stakeholder consultations were:

- To sensitize the community about the project and potential impacts on people and livelihoods.
- Provide a platform for the community to air views and concerns which are relevant to the ARAP and which must be resolved.
- Involve them in key processes of census and the undertaking of the 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 all relevant stakeholders in the preparation and implementation of the ARAP.
- To discuss the ARAP report and its recommendations.

5.3 Stakeholder Inventory
During the public consultations, multiple groups of stakeholders were consulted. The stakeholders were those who have an interest in the project development, and who will be involved in the further consultative process. The main groups of stakeholders consulted were:
i. **Project Affected Persons**
These are the people who reside in the settlement or derive their livelihood from the affected settlement. These people will partially or fully lose their structures or lose shelter due to the planning and surveying activities in Swahili Informal Settlement.

ii. **Government Agencies consulted**
These included the following:
- KISIP
- National Land Commission
- Area chief’s
- County Government of Kisumu
- Ministry of Lands and Physical Planning

5.4 **Schedule of Stakeholder Consultations**
The consultation with the community in Swahili Informal Settlement on matters related to Social Economic Assessment, including Resettlements Impacts commenced in July 2017 during introduction of the KISIP to the settlement.

The consultations were done through public meeting with the PAP’s and government agencies as indicated above. The main issues discussed in the meetings were related to resettlement impacts focusing on the Project Affected Persons, impact due to the proposed infrastructure development and facilitation provisions, among other issues.

Six (6) planning meetings were held in which ARAP matters were discussed. In addition, one PAPs meeting was held in the settlement making a total of 7 meetings. The schedule of the meetings is presented below:

**Table 5-1: Consultative Meetings in Swahili Informal Settlement**

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting Type</th>
<th>Stakeholder Representation</th>
<th>Participant numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>7th July 2017</td>
<td>Introductory meeting at Kisumu County Government</td>
<td>Kilumu County Government Officials</td>
<td>Female 3 Male 8</td>
</tr>
<tr>
<td></td>
<td></td>
<td>KISIP Representatives</td>
<td>Female 2 Male 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project Consultants</td>
<td>Female 1 Male 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Totals</td>
<td>Female 6 Male 14 Total 20</td>
</tr>
<tr>
<td>7th July 2017</td>
<td>Introductory meeting to Swahili Informal Settlement SEC</td>
<td>Kilumu County Government Officials</td>
<td>Female 1 Male 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>KISIP Representatives</td>
<td>Female 1 Male 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project Consultants</td>
<td>Female 1 Male 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Swahili SEC</td>
<td>Female 5 Male 9</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Totals</td>
<td>Female 8 Male 16 Total 24</td>
</tr>
<tr>
<td>Date</td>
<td>Meeting Type</td>
<td>Stakeholder Representation</td>
<td>Participant numbers</td>
</tr>
<tr>
<td>--------------------</td>
<td>-------------------------------------</td>
<td>-------------------------------------------------------------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>7th July 2017</td>
<td>Community sensitization meeting</td>
<td>Kisumu County Government Officials</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>KISIP National Unit Representatives</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project Consultants</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Settlement Executive Committee Members and Public</td>
<td>15 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td><strong>18</strong> Female Participants</td>
</tr>
<tr>
<td>14th November 2017</td>
<td>Verification of Settlement Beneficiaries Meeting</td>
<td>Kisumu County Government Officials</td>
<td>0 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>KISIP National Unit Representatives</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project Consultants</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Settlement Executive Committee Members and Public</td>
<td>5 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public</td>
<td>14 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td><strong>21</strong> Female Participants</td>
</tr>
<tr>
<td>7th September 2017</td>
<td>Validation of base maps</td>
<td>Kisumu County Government Officials</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>KISIP National Unit Representatives</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project Consultants</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Settlement Executive Committee Members and Public</td>
<td>5 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public</td>
<td>3 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td><strong>11</strong> Female Participants</td>
</tr>
<tr>
<td>7th October 2017</td>
<td>Participatory planning</td>
<td>Kisumu County Government Officials</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>KISIP National Unit Representatives</td>
<td>1 Female Participants</td>
</tr>
<tr>
<td>Date</td>
<td>Meeting Type</td>
<td>Stakeholder Representation</td>
<td>Participant numbers</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------------</td>
<td>---------------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Female Participants</td>
<td>Male Participants</td>
</tr>
<tr>
<td>5th December 2017</td>
<td>Validation of proposals</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7</td>
<td>20</td>
</tr>
<tr>
<td>13th April 2018</td>
<td>PAPs meeting</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6</td>
<td>13</td>
</tr>
</tbody>
</table>
Table 5-2 List of issues discussed and how the recommendations were incorporated in the studies:

<table>
<thead>
<tr>
<th>Issues</th>
<th>Discussion</th>
<th>Way forward</th>
</tr>
</thead>
</table>
| Reconstruction of affected assets | • The PAPs requested for compensation and adequate livelihood restoration to all affected PAPs.  
• The PAPs emphasized support to the tenure regularization project, however, the PAPs were not willing to remove affected structures until compensation process is concluded. | The ARAP report has provided adequate compensation at full replacement cost of all affected assets to enable PAPs reconstruct their structures away from the road and foot path alignment. |
| Compensation of PAPs          | • PAP’s agreed that facilitation should be provided by the Government as their properties will be affected by infrastructure development.  
• Residents suggested certified valuer be contracted to do the valuation of their properties.  
• The Settlement Executive Committee (SEC) chairman will conduct the verification of property and land ownership as he knows all the residents in settlement. | The ARAP report has identified all eligible PAPs who were enumerated prior to Cut off date of 13th April, 2018 |
| Time notice for self-demolition | PAP’s requested for time for self-demolition.                                                    | This ARAP provide for adequate self-demolition notice to be given to the PAPs At least 3 months prior to any demolishing after PAPs compensation. |
CHAPTER 6: PROJECT IMPACTS

6.1 Introduction
The planning and survey element which will culminate in the tenure regularization has potential of triggering impacts on private assets and sources of livelihood. The resettlement impacts are particularly related to activities proposed in the LPDP which include opening of settlement access through improving road network. However, it is good to note that no beneficiary lost land in the process of tenure regularization in Swahili Informal Settlement.

6.2 Positive Impacts of the Project
The project will confer the following benefits to beneficiaries:

6.2.1 Land Tenure Security
The Project will result to enhanced tenure security through provision of Local Physical Development Plans, Registry Index Maps and Land Information System for the informal settlement. The 94 beneficiaries (37 female and 57 male) owning 94 plots identified during planning and survey process will get land title deeds as a proof of ownership of land parcels.

The main objective of KISIP’s Component 2 is to provide secure land tenure in this informal settlement. Therefore, with secure land tenure, those living there can make long – term investments on their land.

6.2.2 Housing
Persons living in informal settlements with no legal ownership of land parcels they occupy do not invest in permanent housing units for fear of demolitions or evictions. However, few of them take the risk and invest in modern structures as witnessed in the settlement. Secured land tenure is associated with improvement in settlement infrastructure, this is evidenced by housing investments by owners, increases in housing values/rents, access to credit, access to housing infrastructure, ownership and titling, increase in household density, among others. With the tenure of the land secured, it is expected that the beneficiaries in the settlement will invest in better housing for their families.

6.2.3 Infrastructure development
Lack of basic infrastructure such as roads, drainage, water, sewer network and security lighting is a major issue in the informal settlement. Accessibility in the informal settlement is a major challenge as roads are not developed due to lack of road reserve. A settlement with good road network is attractive for investment and living.
6.3 **Negative Impacts**
The planning and survey element which will culminate in the tenure regularization has potential of triggering impacts associated with partial or total relocation of residential and business structures as well as disruption of business livelihoods. The resettlement impacts are particularly related to activities proposed in the approved LPDP which include opening of access through improving road network.

### 6.3.1 Total Number of PAPs

This ARAP identified a total of 37 PAPs in the settlement. This information is shown in table 6.1 below:

<table>
<thead>
<tr>
<th>Total PAPs</th>
<th>Male PAPs</th>
<th>Women PAPs</th>
<th>Vulnerable PAPs</th>
<th>Structure owner PAPs</th>
<th>Tenant PAPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>23</td>
<td>14</td>
<td>0</td>
<td>22</td>
<td>15</td>
</tr>
</tbody>
</table>

This information is summarized in PAP diagram below:

- **PAPs**
  - Male: 23
  - Female: 14
  - Vulnerable: 0
  - Non Vulnerable: 37
- **PAPs losing Structures**
  - Male: 15
  - Female: 7
  - Vulnerable: 0
  - Non Vulnerable: 22
- **PAPs losing Livelihood**
  - Male: 15
  - Female: 7
  - Vulnerable: 0
  - Non Vulnerable: 22
- **Tenants**
  - Male: 15
  - Female: 8
  - Vulnerable: 0
6.3.2 Total Number of PAPs losing Structures
The total number of PAPs losing structure in the Settlement was 22 PAPs. This information is presented in Table 6.2 below:

Table 6-2: PAPs losing Structures

<table>
<thead>
<tr>
<th>Total PAPs losing Structures</th>
<th>Women PAPs Losing Structures</th>
<th>Male PAPs Losing Structures</th>
<th>PAPs losing Partial Structures</th>
<th>Vulnerable PAPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>7</td>
<td>15</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

6.3.3 Structures Affected
The structures affected in the settlement were made various materials with walls either made of natural stones, mud or wooden walls on either galvanized iron sheets or grass thatch roof. Floors were either made of cements or mud screed floors as detailed in the asset register. This information is presented on Table 6-3 below:

Table 6-3: Type of Structures Affected

<table>
<thead>
<tr>
<th>Type of Structure</th>
<th>Number Affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial structure</td>
<td>1</td>
</tr>
<tr>
<td>Business kiosks</td>
<td>18</td>
</tr>
<tr>
<td>Rental unit</td>
<td>1</td>
</tr>
<tr>
<td>Latrine</td>
<td>5</td>
</tr>
</tbody>
</table>

6.3.4 Number and Nature of Affected Business

Table 6.5 below provides a summary of nature of businesses affected in the Settlement:

Table 6-4: Nature of Business Affected

<table>
<thead>
<tr>
<th>Nature of Affected business</th>
<th>Number of Affected Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shops</td>
<td>10</td>
</tr>
<tr>
<td>Boutique</td>
<td>1</td>
</tr>
<tr>
<td>Carpentry</td>
<td>1</td>
</tr>
<tr>
<td>Welding shop</td>
<td>1</td>
</tr>
<tr>
<td>Tailoring shop</td>
<td>1</td>
</tr>
<tr>
<td>Hardware business</td>
<td>1</td>
</tr>
<tr>
<td>Spares shop</td>
<td>1</td>
</tr>
<tr>
<td>Salon</td>
<td>2</td>
</tr>
<tr>
<td>Mobile phone products</td>
<td>2</td>
</tr>
</tbody>
</table>

6.3.5 Tenant PAPs
There were fifteen (15) PAPs identified as tenants in Swahili Informal Settlement.

6.3.6 Total number of Vulnerable PAPs
No PAP was considered vulnerable in the entire Swahili settlement.
6.4 Mitigation of Negative Impacts

Table 6.6 below provides mitigation measures adopted by this ARAP for the negative impacts identified:

**Table 6-5: Mitigation of Impacts**

<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of Structures</td>
<td>Loss of Structures will be replaced at full replacement cost; the owners will also be given three months’ notice to remove the affected asset and the right to salvage materials.</td>
</tr>
<tr>
<td>Loss of shelter</td>
<td>Tenants will be facilitated with an equivalent of two months’ rent allowance. One time shifting allowance of Ksh 5,000 to enable them relocate.</td>
</tr>
<tr>
<td>Loss of Business Income/Rental income</td>
<td>Affected businesses will be given two months’ cash grants equivalent to average income as a means of facilitation.</td>
</tr>
</tbody>
</table>
CHAPTER 7:  
SOCIO ECONOMIC PROFILE OF AFFECTED PERSONS IN THE SETTLEMENT

7.1 Socio Economic Survey Context
A household survey was conducted which included 100% census of the PAP’s. The purpose of the census was to:

i. Enumerate and collect information of the affected persons.
ii. Identify affected assets and livelihoods for each PAP.
iii. Register the affected persons.
iv. Establish a list of beneficiaries before the project’s onset that counters spurious claims from those moving into the project area solely in anticipation of benefits.
v. Establish socioeconomic baseline information for the purpose of establishing fair compensation rates.
vi. Provide a basis for monitoring and evaluation of the resettlement interventions.

A questionnaire (annex 1) was used to collect PAP census information including household members by age, sex, relationship to head of household, education and occupation and housing conditions. The census also documented housing conditions, health conditions and economic activities. This information was used (i) to establish a list of PAPs; (ii) to establish a socio-economic profile of PAPs based on existing conditions; and, (iii) to provide a baseline for displacement monitoring and evaluation.

7.2 Demography of Project Affected Persons

7.2.1 Family Size of PAPs
Majority of the families consisted of 6-10 persons 38.2%, families of two people were 7.5% while families with over 10 persons were 6.3%. Figure 7-1 presents a chart on family size in the settlement:

Figure 7-1: Family size of PAPs
7.2.2 Ages of PAPs
Age is an important aspect in determining vulnerability of PAPs. PAPs under the age of 18 years are normally considered as minors and PAPs above the age of 65 years are considered as vulnerable persons. These categories of PAPs require special assistance during ARAP implementation as stipulated by the World Bank OP 4.12. The survey identified that, majority of the PAPs were aged between 37-43 years at 39%. The age bracket of 25-31 years was 19% while those above 49 years represented 7%. This is illustrated in Figure 7-2 below:

![Age of PAPs](image)

**Figure 7.2: Age of PAPs**

7.2.3 Gender of PAPs
Gender inclusivity is one of the guiding principles of this ARAP as stipulated by The National Gender and Equality Commission Act of 2011 and World Bank OP 4.12. The following initiatives will be undertaken to ensure women inclusivity:

i. Joint accounts between spouses for disbursement of compensation funds.
ii. Inclusion of women representatives in the grievances committee.
iii. Sensitization in the settlement about the importance of women participation in the project.

A majority of the PAPs were males at 62.2% and 37.8% were women as shown in the Figure 7-3 below:
7.2.4 Marital Status of Persons
This ARAP also provided that measures will be put in place to ensure that spouses of the PAP’s are included in the opening of bank accounts such that compensation monies are channelled to the joint accounts. 72% of the PAPs were married. Less than 10% were separated.

7.2.5 Education level of PAPs
There are high literacy levels in the settlement as the majority of the PAPS at 88%, had attained formal education. Forty three percent (43%) of the PAPs had attained Primary School education while 32% had Secondary School education. The literacy levels can be associated with the origin of the settlement to have been a major transit point for the Nairobi Kisumu railway line. A number of the settlers had their kin working at Kenya Railway. Only 8% of the respondents did not have any form of formal education.

7.3 Economic Assessment

7.3.1 Income Streams of PAPs
Majority of the PAP’s were unemployed which ranged from civil servants (1%), private sector employees (2%), casual laborers (10%) and self-employed (70%). Seventeen percent (17%) were not employed. This is presented in Figure 7-4 below:
7.3.2 PAPs Income
The average monthly PAP's income in the settlement was Ksh 5,000.

7.3.3 Health Status of PAPs
The PAPs seek medical services in public hospitals outside the settlement but within Muhoroni town as shown in figure 7.5 below. Some opt to travel to Kisumu and Kericho for medical attention.

7.4 Water and Sanitation infrastructure
The most prevalent diseases in the area are malaria and respiratory infections. Medical attention is provided by public hospitals outside the settlement. The findings reveal that a majority of the PAP population (53%) had spent between Ksh. 500- Ksh 1,000 during the last time their household member sought treatment. Another source of water within the settlement is shallow wells. The residents also rely on roof catchment during the rainy days.
CHAPTER 8: ELIGIBILITY AND COMPENSATION

8.1 Eligibility for Compensation
The affected persons, irrespective of their tenure status, are eligible for assistance if their assets will be affected by planning and surveying or engaged in any livelihood income-generating activity in the settlement.

Upon completion\(^2\) of the census and asset inventory surveys, and in order to avoid an influx of additional persons, the cut-off date was disclosed to the PAP’s through the SEC during PAP’s meetings held within the settlement on 14\(^{th}\) May, 2018. Those who encroach on the area after the established cut-off date will not be eligible for compensation or assistance.

The following categories are eligible for compensation and were identified among the PAPs in the settlement.

(i) PAP’s whose structures used for business or residential purposes will be partially or total affected.
(ii) PAP’s whose business or sources of livelihood will be affected.
(iii) Tenants who reside in structures that will be totally affected.

8.2 Principles Guiding Compensation
The entitlement matrix defines the type of compensation and assistance to be provided to the different categories of Project Affected Persons. The following principles will guide payment of compensation for lost assets

- Compensation shall be paid prior to displacement.
- Compensation shall be extended to all PAPs irrespective of tenure status.
- Compensation 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.
- Compensation for structures shall include the full cost of materials and labor 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 compensation paid for the old building. Depreciation will not be taken into account while calculating the cost of affected structures.

8.3 Vulnerable Groups
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, (iv) Households headed by elderly persons with no means of support.

\(^2\) This ARAP was prepared using the KISIP RPF which considers the Cut off date as the date of commencement of Census and Socio Economic Surveys.
This ARAP assessment further analyzed vulnerability using several indicators which included:

(i) Gender dimension with regard to ensuring equal right to knowledge and decisions on ARAP process and management of compensation funds eligible to a household.

(ii) This ARAP provides that PAPs will open joint account with their spouses in order to ensure collective management of compensation funds.

(iii) The rights of dependants especially children to be involved in the ARAP process and management of compensation funds eligible to a household.

There was NO vulnerable PAP in Swahili Informal Settlement.

8.4 Preferred Compensation Option

The resettlement measures and strategies have been developed in close consultation with community members, the PAPs, institutional stakeholders and in reference to the national legal regimes, the World Bank OP 4.12. PAPs in Swahili Informal Settlement expressed the preference for cash compensation as opposed to the option of in-kind reconstruction of a similar structure by the Project for the PAPs losing structures.

8.5 Entitlement Matrix

The Entitlement Matrix developed for this Assessment is presented in Table 8-1 below:

<table>
<thead>
<tr>
<th>Loss</th>
<th>Category of PAP</th>
<th>Entitlement</th>
</tr>
</thead>
</table>
| Fully affected / partly affected remaining structures not viable | Squatter | • Cash compensation at replacement cost for the structure.  
• One time shifting allowance of Ksh 5,000.  
• Right to salvage materials. |
| Part affected structures with remaining portion viable | Squatter | • Housing allowance for two month equivalent rental value.  
A one-time shifting allowance of Ksh 5,000. |
| Loss of Income | Business operators | • Cash compensation based on a calculated average loss of income over an appropriate period |
| Loss of rental income | | • Subsistence allowance equivalent to 2 months rental income. |
CHAPTER 9: GRIEVANCE REDRESS MECHANISM

9.1 Grievance Procedure and Rationale

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.

i) Misidentification of assets or mistakes in valuing them. Dispute over the ownership of a given asset (two individuals claiming to be the owners of this asset).

ii) Disagreements over the valuation of the asset.

iii) Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset.

iv) All grievances related to titling Process in the Settlement

The grievance will be brought to the attention of the person(s) in charge, referred to in this ARAP as the Grievance Officer (GO). This grievance procedure is intended to put in place and facilitate accessible, prompt and cost-effective handling of grievances at the nearest points of service to community members and the PAPs.

The aim and purpose of this mechanism is to make the grievance handling procedures accessible, prompt and affordable to the PAPs given the generally low values of some of the properties to be affected; thus providing an alternative to the costly and time-consuming formal court procedures for handling grievances and disputes.

The objective of the grievance handling systems and procedure is to establish for the PAPs mechanism for raising complaints related to compensation for loss of structures and livelihoods as well as properties and assets and having such complaints resolved as amicably as possible through acceptable and binding corrective actions. This grievance management system will be in place throughout the LPDP implementation including the exit period.

Grievance mechanism for this ARAP is proposed as a 3 tier arrangement as follows:

i) The first level will allow for amicable review and settlement of the grievance at the settlement level by the Settlement Grievance Redress Committee (SGRC).

ii) The second level will involve the Resettlement Implementation Committee (RIC) in case the grievance cannot be solved at the first level.

iii) The third tier will be the option of allowing the grieved party to seek redress at the Court of Law.

Levels (i), and (ii) are costs free. The legal redress option however, may lead to incurring of some costs for the parties involved.
9.2 Grievance Redress Mechanism Structure
The settlement has an established Settlement Executive Committee (SEC) and Grievance Redress Committee (GRC), therefore this ARAP has enhanced the GRM through the three-tier Grievance Mechanism described below:

9.2.1 Settlement Grievance Redress Committees (SGRC)
It is desirable to resolve all the grievances at the community level to the greatest extent possible. The community or settlement level grievance mechanism must be credible and generally acceptable. The grievance redress mechanism will aim to solve disputes at the earliest possible time in the interest of all parties concerned.

The Settlement Grievance Redress Committees (SGRC) is already established and operational in the settlement. The committee comprises of 2 Community Elders, 1 Women’s Representative, 1 Youth Representative, 1 Representative of Vulnerable Groups (all elected by the community during KISIP entry into the settlement) and the Location Chief who chairs the committee. The SGRC addressing Project related grievances will give opportunity to the local communities and the public to express any grievances related to project.

9.2.2 Resettlement Implementation Committee
In case the grievance is not resolved at first tier, the SGRC handling resettlement-related grievances will be forwarded to the Resettlement Implementation Committee (RIC) of KISIP. In addition, while the RAP proposes an elaborate composition for RIC; for the relevance of this ARAP on planning and survey, the following are the recommended members the committee is comprised of the following:

From KISIP National PCT:
   a) Head of Component 1
   b) Social Safeguard Specialist
   c) Community Development specialist
   d) 3 members from Component 2 – Surveyor, Land Administrator and Valuer
   e) KISIP Finance Officer

From the County
   a) County KISIP Coordinator who will be the chairman
   b) Community Development Officer
   c) County Surveyor
   d) County Physical Planner
   e) Assistant County Commissioner
   f) Representative from Enforcement Department
   g) Town Administrator
The Members of Parliament and Members of the County Assembly (MCAs) may be co-opted as ex-officio members. Kisumu County KISIP Coordinator Office will provide the secretariat for the committee.

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3 Settlement grievance redress committee was formed during KISIP’s entry into the Settlement and was elected by the community during Planning, Survey period and ARAP preparation to handle settlement grievances.
9.2.3 Courts of Law
If complainants are not satisfied by the decision of the first two tiers of the Grievance Mechanism, they can seek redress from the Courts of Law at their own cost.

9.3 Procedure of Receiving and resolving of Complaints

9.3.1 Step 1: Receipt of complaint/grievance
A verbal or written complaint from a PAP or community member will be received by the Grievance Officer (GO) on behalf of the SGRC. The role of Grievance officer is described below:

a) Recording the grievances, both written and oral, of the affected people, categorizing and prioritizing them for handling within the specified time period. He will sort the grievances as those:
   • Those that need clarifications.
   • To be handled by SGRC.
   • To be forwarded to RIC/KISIP Headquarters directly e.g. complaints on compensation amounts.

b) Discussing grievances on a regular basis with the SGRC and coming up with decisions/actions regarding issues that can be resolved at that level.

c) Reporting to the aggrieved parties about developments regarding their grievances and the decisions of the SGRC and RIC.

d) Providing inputs into the monitoring and evaluation process.

The grievance team will hold meetings at site level based on grievances received by the GO. The GO will record the grievance and progress into the grievance register. The grievance register will indicate grievances, date opened/lodged, actions taken to address them or reasons why the grievance was not acted upon (e.g. the grievance was not related to the resettlement process), information provided to complainant and date on which the grievance was closed.

Grievances can be lodged at any time directly to the GO based at the settlement level. The process of lodging complaint is outlined in the steps below:

a) The GO will receive a complaint from the complainant.

b) The GO will ask the claimant questions in their local language write the answers in English and enter them in English onto the grievance form.

c) The local leader (or representative of an independent local Civil Society Organization) and the complainant both sign the grievance form after they have both confirmed the accuracy of the grievance.

d) The GO lodges the complaint in the grievance register.

9.3.2 Step 2: Determination of Corrective Action
If in their judgment, the grievance can be solved at this stage; the GO and SGRC will determine a corrective action in consultation with the aggrieved person. A description of the action, the time frame within which the action is to take place, and the party charged with implementing the action will be recorded in the grievance register.
Grievances will be resolved and the status reported back to complainants within 14 days. If more time is required, this will be clearly communicated in writing and in advance to the aggrieved person. In cases that are resolvable within the stipulated time, site investigations will be undertaken and results discussed with the PAP's. In some instances, it may be appropriate to appoint independent third parties to undertake the investigations.

9.3.3 Step 3: Meeting with the complainant
The proposed corrective action and the time frame in which it is to be implemented will be discussed with the complainant within 14 days of receipt of the grievance. Acceptance of the agreement and corrective action will be documented, with the complainant appending their signature. If no agreement is reached, Step 2 will be revisited.

9.3.4 Step 4: Implementation of Corrective Action
Agreed corrective actions will be undertaken by the parties as agreed by SGRC within the agreed time frame. The date of the completed action will be recorded in the grievance register.

9.3.5 Step 5: Verification of corrective action
To verify settling of grievance, the aggrieved person will be required by the GO and SGRC to verify that the corrective action has been implemented. A signature of the complainant will be obtained and recorded in the grievance register (see Step 3). If the complainant is not satisfied with the outcome of the corrective action, additional steps may be undertaken to reach agreement between the parties. If additional corrective action is not possible, the matter is referred to the RIC.

9.3.6 Step 6: Action by RIC
If the complainant remains dissatisfied and a satisfactory resolution cannot be reached, the complaint will be handled by the RIC, whose membership has already been discussed under earlier sections of this chapter. This committee however must have a quorum of at least five persons. Decisions will be reached by simple majority. The Grievance Committee should be constituted for as long as grievances are being lodged, and a register (annex 6) kept tracking progress on the resolution of grievances maintained.

Once the RIC has determined its approach to the lodged grievance, this will be communicated to the GO, who will communicate this to the complainant. If satisfied, the complainant signs to acknowledge that the issue has been resolved satisfactorily. The RIC has 14 days to resolve the grievance. If the complainant is not satisfied, however, the complainant notes the outstanding issues, which may be re-lodged with the Grievance Committee or the complainant may proceed with judicial proceedings.

9.3.7 Step 7: Alternative Action/Judicial Recourse
In case this mechanism will not lead to resolution of the grievance, the complainant is free to seek redress at the courts of law at any given time. After
redress at this level, the decision arrived at is communicated to the Grievance Officer and file closed.

9.4 Terms of Reference for the Grievance Redress Mechanism Committee

The Terms of Reference for the Grievance Redress Mechanism Committees will be as follows:

- Address all forms of grievances relating to the implementation of this ARAP expeditiously and impartially.
- To consult with all the relevant parties involved in the disputes in the process of seeking solutions, and further to seek technical advice where necessary with an aim to reach a verdict.
- Document the grievance handling process from the time a complaint is received to the final determination. To this end, the committee shall maintain a grievance register, minutes of all meetings held to address grievances, and correspondences.
- To notify the concerned parties promptly once a verdict has been reached, and the next steps to be followed.

9.5 Effectiveness of the Grievance Redress Mechanism

The following measures are proposed to ensure the effectiveness of the Grievance Redress Mechanism:

- The SGRC and the RIC will be trained on their roles and the process flow before the start of ARAP implementation, training of the SGRC and RIC is to be undertaken by the KISIP Social Safeguards Team, and where necessary with support from the World Bank.
- Necessary technical and financial support will be extended to the SGRC to enable them function effectively.
- The SGRC and the RIC will make monthly reports on the progress in addressing grievances e.g. grievances received and how they were handled.
- The committees will maintain records such as: grievance registers, minutes of meetings, and correspondences for reference and inspection.

9.6 Capacity-Building for the Grievance Officer and Grievance Committees

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

The Grievance Committee members will also need to be oriented to the Grievance Redress Mechanisms suggested in the ARAP. The capacities of the Grievance Committee members will also need to be built around issues of grievance...
identification, documentation, analysis and resolution as provided for in the Land Act 2012 and OP 4.12. Figure 9-1 shows a presentation of the grievance redress mechanism:

![Grievance Redress Procedure Diagram](image)

**Figure 9-1 : Grievance Redress Procedure**
CHAPTER 10: INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS

10.1 Resettlement Implementation Principles
The main objectives of resettlement and compensation are to ensure that the PAPs get fair and prompt compensation. In this way it is expected that their income, productivity and standards of living will be improved, or at least restored to their previous levels or even better.

The guiding principles for the implementation of the ARAP will be as follows:

a. Resettlement or relocation has been minimised by taking into consideration all possible alternative measures.
b. Compensation will be paid before project works start in a specific project area and in a manner that does not curtail the livelihoods of the PAPs in terms of access and utilisation of such compensation.
c. The compensation values awarded are fair to restore the livelihoods of PAPs.
d. All other activities related to the ARAP will be communicated in advance to the PAPs using the preferred channels of communication.
e. Where grievances arise, the respective PAPs will be given an opportunity to be heard, fairly and promptly.

10.2 Resettlement Implementation Institutions
This ARAP will be implemented within a period of not more than 60 days upon approval from the World Bank. At implementation phase, KISIP will ensure all PAPs are adequately facilitated according to the provisions of this ARAP before Title Deeds are issued to all beneficiaries. The implementation tasks will be carried out by KISIP Resettlement Implementation Committee (RIC) for Kisumu County whose composition is outlined in this ARAP. Table 10-1 below indicates the County and National Government role in this ARAP implementation:

Table 10-1: National and County Government ARAP Implementing Institutions

<table>
<thead>
<tr>
<th>No.</th>
<th>Institution</th>
<th>Role</th>
<th>Capacity</th>
</tr>
</thead>
</table>

10-9
<table>
<thead>
<tr>
<th>No.</th>
<th>Institution</th>
<th>Role</th>
<th>Capacity</th>
</tr>
</thead>
</table>
| 1.  | Ministry of Transport, Infrastructure, Housing and Urban Development. | • It houses the KISIP project and provides for policy direction.  
  • It handles land tenure matters and issues titles. | • The Ministry has the capacity for implementation of this ARAP  
  • The Ministry has the capacity for infrastructure improvement in the planned settlements  
  • The Ministry has experts in the necessary key areas: land management, land administration and physical planning. |
| 2.  | Ministry of Finance                             | • Financial management on behalf of the Borrower (GoK).  
  • Provision of counterpart funding – part of which is used to settle compensation claims by PAPs. | Capacity exists and funds will be made available. |
| 3.  | National Land Commission                        | • Custodian of all public land on behalf of the County Governments.  
  • Ensures Issuance of Title Deeds to beneficiaries. | The commission has the capacity on this mandate. |
| 4.  | Land Control Board                               | • Regulating all transaction on the Land at the county Level | Has the Capacity |
| 5.  | County Government                               | • Ensures that all PAP’s are authentic  
  • Ensures that there is no re-encroachment or any new development after cutoff date and before compensation process is completed. | • The county has capacity in the enforcement department.  
  • The county has a functional social development office that has been collaborating with KISIP national office.  
  • There is a functional KISIP County office existing. |
| 6.  | Ministry of Lands and Physical Planning          | • Processing of title deeds  
  • Community Sensitization on Titling through the Land Registrar | • Exist capacity to handle the tasks |
In addition to the above government institutions, several structures have been established to ensure effective implementation of this ARAP

10.3 **ARAP implementation at KISIP**

10.3.1 **KISIP Project Coordination Team**
The overall coordination of the whole process is provided by the KISIP Project Coordinating Team (PCT). The National KISIP Coordinating Unit has the following roles:

a. Coordinate the effective implementation of the RAP as provided for by the RPF.
b. Prepare Progress Reports on the implementation of the Social Safeguards.
c. Procure and supervise consultants for Social safeguards.
d. Build the capacity at all levels to implement the RAP.
e. Supervise RAP implementation during and after project implementation.
f. Ensure integration of RAPs into Contract and Bid Documents.
g. Ensure adequate community participation.

The Project Coordinator is the overall technical coordinator in the Project Coordinating Team (PCT) and implementation of KISIP. She/he will supervise the project team and ensure that project implementation activities and reports are done on schedule and in compliance with the financing agreement. The coordinator will report to the Principal Secretary in the Ministry of Infrastructure, Transport Housing and Urban Development and will from time to time draw the attention of the PS to all emerging policies issues for decision at that level or a higher level.

The PCT is responsible for routine implementation and technical aspects of the KISIP project. It therefore comprises of a Safeguards Team which has Social Safeguard Specialists responsible for ensuring that the Social Safeguards are implemented.

10.3.2 **KISIP ARAP Implementing Committee**
A Resettlement Implementations Committee, appointed by the Project Coordinator is has been incorporated in the GRM and has the overall responsibility of Monitoring and Evaluation of the resettlement process. The following are the recommended members:

*From KISIP National PCT*
The committee works with the Project Affected Persons for each settlement. The committees’ roles are as presented below.

a. The Resettlement Implementation Committee shall ensure the list of all PAPs has been verified and documented in the PAP register. The register shall have, among other parameters, (1) the name of the person, (2) type of loss (structure / Livelihood) (3) identification number of the PAP, (3) Compensation Amount (3) Bank Details or M-pesa details of the PAP.

b. The Resettlement Implementation Committee will verify the identity of each PAP as stated in the register and ascertain that every identity card holder is correctly documented in the register.

c. Resettlement Implementation Committee and SEC will carry out sensitization about opening of joint accounts and appropriate use of compensation funds for households. RIC will support PAPs in opening individual and joint accounts with financial institutions of their choice. RIC will follow up on PAPs to ensure they have received their compensation.

d. On completion of the PAP Audit and resolution of any grievance, the committee shall recommend compensation. Payments will be made according to locations and adequate information will be made available to all affected persons prior to payment. Such information will include: dates and locations of payment, list of eligible people and mode of payment, etc.

10.3.3 County KISIP teams
For effective implementation of the project, Counties have established County KISIP Teams whose composition is a replica of the national team. The county team was crucial in development of this ARAP and they will also be important during implementation of the ARAP prior to commencement of civil works.
The role of the County KISIP Team includes:

i. Validation of assets and PAPs before compensation.
ii. Formation of the Grievance Redress Committee.
iii. Capacity building of ARAPs committee.
iv. Sensitization of PAPs on bank accounts and use of compensation funds.
v. Gender based violence sensitizations in use of compensation funds.
vi. Monitoring of ARAP activities.
vii. Oversight and supervision of rebuilding of structures owned by vulnerable PAPs who need assistance.

10.3.4 Kisumu County Government

The county’s role includes:

i. Facilitate implementation of ARAP and ensuring project success.
ii. Delivery of other assistance to PAPs will be the responsibility of County Government under the coordination of respective RIC.
iii. Responsibility for appropriate and suitable measures to prevent further encroachments after the cut-off date and before facilitation is made.
iv. Oversight and quality control of rebuilding of structures for vulnerable PAPs identified for this additional assistance.
v. Clearance of structures after expiry of self-demolition period and compensation.
vi. Part of Grievance Redress Mechanism through County KISIP office.
vii. Maintaining infrastructure and safeguarding them from encroachment after ARAP Implementation.

10.2.1 Settlement Executive Committee

This was instrumental in mobilizing the community and providing a link between KISIP and the community. The Committee has been involved in all stages of ARAP development and is expected to continue playing an active role in monitoring its implementation.

The Settlement Executive Committee role in the ARAP process as follows:

i. It provides an entry point into the informal settlement.
ii. It is the crucial link between the community and other institutions.
iii. Plays an important role in the formulation of the community resettlement committee and other engagement structures.
10.2.2 **The Settlement Grievance Redress Committee**
This will be formed to address all grievances related to the development and implementation of this ARAP at settlement level.

10.4 **ARAP Implementation Process Flow**
The ARAP provides for coordination of relevant institutions discussed above during ARAP implementation, figure 10-1 below presents a Flow Chart which illustrates roles of institutions involved in ARAP implementation while Figure 10.2 below presents information sharing and Stakeholder Engagement Strategy:
**KISIP Project Coordination Team**
- Overall coordination
- Overall responsibility of ARAP implementation
- Ensure budget for implementation is available

**Resettlement Implementation Committee**
- Monitoring and Coordination of resettlement process
- Grievance redress

**KISUMU County KISIP Team**
- Validation of Assets
- Handling grievances

**County Government of KISUMU**
- Ensure sustainability of the project
- ARAP implementation

**The SEC and Settlement Grievance Redress Committee**
- First tier of grievance redress, validation of plans

Figure 10-1: ARAP Implementing Institutions
Figure 10-2: Stakeholder Engagement Strategy

**Guiding Principles**
- Proactive Engagement
- Clear and Open Information Sharing
- Learning & Modifying performance

**Whom**
- All beneficiaries
- Spouses with Joint Ownership

**How**
- Community meetings

**Areas**
- Chief Registrar of Titles
  - KISIP
  - NLC
  - Land Control Board

- RIC
  - County Government of KISUMU (CGM)
  - Area Chief

- PAPS

**Why**
- Benefits of Title Deed
  - Types of Registrations
  - Joint Registration of Titles
  - Regulation of land transactions (mandatory spousal consent)
  - Relevant land related institutions

- Entitlements
  - PAP register
  - Notice for self-demolish and implications of failure to do so within time

- Unilateral Grievance Redress Mechanism for ARAP implementation
  - Procedures and processes in GRM

- Full disclosure of facilitation payment to both spouses
  - Opening of Joint Accounts
  - Utilization of funds, GBV

**What**
- Avert Disputes/conflicts and GBV
  - Enhance/safeguard Women’s Land Rights

- Allow PAPs to self-demolish, salvage and rebuild affected structures in time
  - Ensure PAPs use compensation for right purpose

- Ensure grievances are directed towards the right institutions for timely resolution

- Avert conflicts and GBV over compensation
  - Ensure PAPs use funds for right purpose
10.5 Gender Empowerment Activities

Gender mainstreaming is one of the guiding principles of this ARAP and women rights are important in this ARAP, to enhance these rights, initiatives tailored to sensitize women on tenure rights, Land Laws and enhancing land related decision making for women within the settlement was done.

In implementing these initiatives, key stakeholders including KISIP, Chief Lands Registrar and Kisumu County; Gender Department; local women and men based organizations; SEC; and local community will participate. In addition, the Land Control Board will play a role in safeguarding women rights to owning land by regulating any transaction on Land. The law prohibits a husband from selling family land without the consent of the wife. These Sensitization exercises during implementation of this ARAP will include but not limited to:

i. Enhancing women’s landownership rights, which to an extent is ongoing as women heads are already recognized through the titling process, while joint spousal registration will enhance women land ownership rights.

ii. Enhancing women’s decision-making on land use and Land Laws. For example, women will be sensitised to know that a spouse cannot sell land without their consent and the role of Land Control Board in enforcing the requirement of spousal consent thus acting as an avenue of safeguarding the rights of women on land ownership.

iii. Sensitization on land transfer processes e.g. in the event of a spouse’s death or transfer to children.

iv. Educating community on the benefits of recognizing promoting women’s land rights.

v. Sensitizations on sexual and gender-based violence in use on Compensation Funds.

10.6 ARAP implementing Budget

THIS INFORMATION HAS BEEN REDACTED FOR CONFIDENTIALITY AND TO PROTECT PRIVACY

10.7 ARAP Implementation Schedule

The implementation schedule for this ARAP covers the period from the preparation of the ARAP to the conclusion of the envisaged projects in Swahili Informal Settlement. It should be noted that the procedure followed in the schedule starting from notification of the PAPs before their displacement through compensation and resettlement will be done in phases to synchronize with the various phases of the project.

The ARAP Implementation schedule defines the duration and timing of the key milestones and tasks. The major component tasks for the schedule include:

- Disclosure of ARAP: Meetings will be organized at settlement level and coordinated by the KISIP Resettlement Implementation Committee. The meetings will disclose information related to main ARAP findings and recommendations. The ARAP will be made available on the Ministry of
Transport, Infrastructure, Housing and Urban Development website and the World Bank’s Info shop. Copies of the report will also be made available to the SEC, Grievance Committees, and the County offices. The executive summary in the ARAP will also be translated to ensure all PAPs are aware of the ARAP implementation process.

- Audit of PAP register and compensation package due to each PAP.
- Resolution of emerging grievances.
- Notification and sensitization of PAPs prior to the commencement of the activities that will affect them.
- Commencement of project operations including issuing of titles.
- Monitoring and Evaluation, including baseline information update.

Table 10.4 presents ARAP implementation schedule prepared for the settlement.
### Table 10-2: ARAP Implementation Schedule

<table>
<thead>
<tr>
<th>S/. No.</th>
<th>TASK NAME</th>
<th>Actor</th>
<th>Period in Months</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Approval of the ARAP</td>
<td>World Bank</td>
<td>Implementation to begin immediately after approval of ARAP</td>
</tr>
<tr>
<td>2</td>
<td>Sensitization on Title Registration (including Gender Empowerment on land ownership)</td>
<td>KISIP, Chief Registrar of Lands</td>
<td>1 2 3 4 5 6</td>
</tr>
<tr>
<td>3</td>
<td>Disclosure of ARAP</td>
<td>KISIP, RIC</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>capacity building of Grievance Management Committees</td>
<td>KISIP, RIC, Beneficiaries</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Validation/Disclosure of asset valuation/values</td>
<td>KISIP, County Government,</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Grievance Redress</td>
<td>KISIP, RIC, PAPs, GRC</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Sensitization of PAPs on bank accounts and use of compensation funds including joint spousal management of cash and against GBV</td>
<td>KISIP, RIC, County Government, Women Based Organizations (if present), SEC</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Payment of compensation</td>
<td>KISIP, RIC</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Titling</td>
<td>MoTIH&amp;UD</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Issuance of notice for self-demolition</td>
<td>KISIP, RIC</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Self-Demolition of Affected Structures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Demolition of any structures that have not been demolished at the expiry of the notice period</td>
<td>Kisumu County</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Monitoring activities</td>
<td>KISIP, MoTIH&amp;UD</td>
<td></td>
</tr>
</tbody>
</table>
CHAPTER 11: MONITORING AND EVALUATION

11.1 Introduction

Periodic monitoring activities is necessary to determine whether the PAPs have been assisted to get alternatives before implementation of component two of the project; and whether the PAPs enjoy the same or higher standard of living than before. Specific attention was given to the requirements of vulnerable people. However, in Swahili Informal Settlement, there were no vulnerable persons affected by the plan.

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

i. Actions and commitments described in the ARAP are implemented.

ii. Eligible Project Affected Persons receive their full compensation prior to the displacement.

iii. ARAP actions and compensation measures have helped the people who sought cash compensation in restoring their lost incomes and in sustaining/improving pre-project living standards.

iv. Complaints and grievances lodged by Project Affected Persons are followed up and, where necessary, appropriate corrective actions taken.

v. Changes in ARAP procedures are made, if necessary, to improve delivery of entitlements to Project Affected Persons.

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

Monitoring and evaluation activities and programs will be adequately funded and staffed. In-house monitoring will need to be supplemented by independent monitors to ensure complete and objective information gathering. The primary responsibility for monitoring rests with proponent i.e. KISIP which already has a Social Safeguards Team which will work in collaboration with the RIC, and other external actors, where needed.

11.2 Monitoring and Evaluation Framework

11.2.1 ARAP Monitoring Plan

The ARAP Monitoring Plan and Framework is presented below. It involves:

i. Internal monitoring by KISIP.

ii. Impact monitoring commissioned to specialized firms; and

iii. Resettlement Completion Audit.

The following ARAP Monitoring Plan will be adopted:
**Table 11-1: Monitoring Plan**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Monitoring Parameters</th>
<th>Means of verification</th>
<th>Responsibility</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact Monitoring</td>
<td>Tracking effectiveness of inputs against baseline indicators</td>
<td>Quarterly or semi-annual quantitative and qualitative surveys</td>
<td>Project safeguards and RIC or contracted external monitoring agency</td>
<td>Frequently as required by the (KISIP)</td>
</tr>
<tr>
<td></td>
<td>Assessment of PAP satisfaction compensation proposals of the affected assets and livelihood sources.</td>
<td>Regular public meetings and other consultation with people affected by the project; review of grievance mechanism outputs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Completion Audit</td>
<td>Measurement of output indicators such as productivity gains, livelihood restoration, and developmental impact against baseline</td>
<td>External assessment of ARAP implementation, independent surveys and consultation with affected persons</td>
<td>Contracted external auditing and evaluation agency</td>
<td>On completion of the ARAP time table</td>
</tr>
</tbody>
</table>
11.3 ARAP Monitoring Framework

ARAP Implementation Reports will be verified by a field check of the following:

- Payment of compensation
- Adequacy of training and other developmental inputs.
- Structure repair, relocation or replacement for the partially affected structures to be repaired ones properly realigned.
- Livelihood relocation, compensation and its adequacy.
- Transition allowances.
- Number of Titles Issued Within the Implementation Schedule.

The mechanism of the above shown field check includes the following:

i. Public Consultations with affected people at the community level will be observed.
ii. The resettlement operation at all levels will be observed to assess its effectiveness and compliance with the ARAP.
iii. The type of grievance issues and the functioning of Grievance Redress Mechanisms will be checked by reviewing the processing of appeals at all levels and interviewing aggrieved PAP’s.
iv. The standards of living of the PAP’s before and after implementation of resettlement will be surveyed to assess whether the standards of living of the PAP’s have improved or been maintained.
v. Project management will be advised regarding necessary improvements in the implementation of the ARAP, if any.

The Table 11-2 below shows Internal Monitoring Indicators that will be checked during Internal Performance Monitoring by KISIP:

<table>
<thead>
<tr>
<th>Activity/Parameters</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation and Livelihood restoration</td>
<td>• Number of PAPs promptly paid disaggregated by gender.</td>
</tr>
<tr>
<td></td>
<td>• Number and amounts of payments made to PAPs.</td>
</tr>
<tr>
<td></td>
<td>• Number of PAPs with restored assets disaggregated by type of structure.</td>
</tr>
<tr>
<td></td>
<td>• Number of PAPS with restored livelihood enterprises.</td>
</tr>
<tr>
<td></td>
<td>• Number of restored structures disaggregated by type, building/construction material, asset use/purpose and standard.</td>
</tr>
<tr>
<td></td>
<td>• Average income level by source.</td>
</tr>
<tr>
<td></td>
<td>• Employment status of household head.</td>
</tr>
<tr>
<td></td>
<td>• Use of compensation cash.</td>
</tr>
<tr>
<td></td>
<td>• Number of PAP’s with improved livelihoods.</td>
</tr>
<tr>
<td></td>
<td>• Development of settlement triggered by land tenure process.</td>
</tr>
<tr>
<td></td>
<td>• Changes in land values and plot ownership.</td>
</tr>
<tr>
<td>Activity/Parameters</td>
<td>Indicators</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Access to services</strong></td>
<td>• Number of PAPs with access to water services disaggregated by type of water source.</td>
</tr>
<tr>
<td></td>
<td>• Number of PAPs with access to sanitation services disaggregated by type of water source.</td>
</tr>
<tr>
<td></td>
<td>• Number, type of educational establishments and proximity to PAPs.</td>
</tr>
<tr>
<td></td>
<td>• Number, type of health facilities establishments and proximity to PAPs.</td>
</tr>
<tr>
<td></td>
<td>• Length of roads that is newly constructed or expanded.</td>
</tr>
<tr>
<td><strong>Community participation and public engagement</strong></td>
<td>• Number of local consultative meetings held.</td>
</tr>
<tr>
<td></td>
<td>• Type of issues raised at public consultation meetings.</td>
</tr>
<tr>
<td></td>
<td>• Number of participants attending public consultation meetings related to displacement disaggregated by gender.</td>
</tr>
<tr>
<td><strong>Training and Capacity Building</strong></td>
<td>• Number of trainings held disaggregated by target group/institutions and issues.</td>
</tr>
<tr>
<td></td>
<td>• Number and type of participants disaggregated by gender.</td>
</tr>
<tr>
<td></td>
<td>• Themes discussed in various trainings.</td>
</tr>
<tr>
<td></td>
<td>• Perception of PAPs on usefulness and timing of these issues discussed.</td>
</tr>
<tr>
<td><strong>Gender Concerns</strong></td>
<td>• Number of women with land titles disaggregated by type (e.g. sole owners, joint owners).</td>
</tr>
<tr>
<td></td>
<td>• Participation of women and men in trainings.</td>
</tr>
<tr>
<td></td>
<td>• Number of Joint accounts opened for facilitation funds.</td>
</tr>
<tr>
<td><strong>Grievance management</strong></td>
<td>• Number of grievances received.</td>
</tr>
<tr>
<td></td>
<td>• Number of grievances resolved promptly (within the duration allowed in the Grievance Redress Mechanism).</td>
</tr>
<tr>
<td></td>
<td>• Number of outstanding grievances not resolved.</td>
</tr>
<tr>
<td></td>
<td>• Average timelines for resolution of grievances disaggregated by the various levels of grievance redress mechanism/institutions.</td>
</tr>
<tr>
<td></td>
<td>• Number of grievances referred to Level 3 (Courts of Law).</td>
</tr>
<tr>
<td></td>
<td>• Number of complaints referred to World Bank.</td>
</tr>
<tr>
<td><strong>Awareness and Access to Information</strong></td>
<td>• Type of information disclosed to PAPs during each meeting.</td>
</tr>
<tr>
<td></td>
<td>• Accessibility of the ARAP document at the local level.</td>
</tr>
<tr>
<td></td>
<td>• Accessibility of the ARAP document on the relevant Ministry’s website and the Bank’s Info shop.</td>
</tr>
<tr>
<td></td>
<td>• Awareness on ARAP/Entitlement information.</td>
</tr>
<tr>
<td>Activity/Parameters</td>
<td>Indicators</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------</td>
</tr>
<tr>
<td></td>
<td>• Number of people seeking information on displacement and compensation.</td>
</tr>
<tr>
<td>Process Management</td>
<td>• Formation of proposed institutions or better alternatives.</td>
</tr>
<tr>
<td></td>
<td>• Census and asset verification/quantification procedures in place.</td>
</tr>
<tr>
<td></td>
<td>• Effectiveness of compensation delivery system by KISIP.</td>
</tr>
<tr>
<td></td>
<td>• Efficiency of compensation delivery system by KISIP.</td>
</tr>
<tr>
<td></td>
<td>• Co-ordination between KISIP national, KISIP County, County Government and the community.</td>
</tr>
<tr>
<td></td>
<td>• Availability of adequate funds for the process.</td>
</tr>
</tbody>
</table>

The indicators presented above will be revised and appropriate Terms of Reference (ToR) established for the external monitoring consultant. Evaluation will be done against the existing baseline information identified in the 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 ARAP implementation and Completion Report. The report will include an evaluation that ascertains whether resettlement compensation goals and objectives were realized.

11.4 Resettlement Completion Audit

The purpose of the completion audit will be to verify and ascertain that the resettlement process at the end of ARAP implementation has complied with resettlement commitments as defined by the ARAP. This audit will be done at end of ARAP implementation either internally by KISIP PCT or by an external audit firm to be hired by KISIP. Reference document for the completion audit will be this ARAP Report and the legal framework lay therein. The Completion Audit will have following specific objectives:

i. Assessment of compliance of implementation with laws, regulations and safeguard policies.

ii. Assessment of the adequacy and promptness of the compensation and resettlement procedures as implemented.

iii. Evaluation of the impact of the compensation and resettlement program on livelihood restoration, measured through incomes and standards of living, with an emphasis on the “no worse-off if not better-off” requirement; and

iv. Identification of potential corrective actions necessary to mitigate the negative impacts of the program, if any, and to enhance its positive impacts.

The Completion Audit will be based on documents and materials generated by internal and external monitoring persons. In addition, auditors will make their own assessments, surveys and interviews in the field and with Project Affected Persons.
CHAPTER 12: CONCLUSION AND COMMITMENTS

12.1 Conclusion
The objective of this ARAP was to identify and quantify all losses impacted on assets and sources of livelihood of PAPs as a result of the implementation of the approved LPDP. The ARAP also provides adequate mitigation measures in conformity with the World Bank OP 4.12, the Government of Kenya Policies and Laws and KISIP RPF.

Therefore, this objective was achieved by ensuring that all affected persons are enumerated, consulted and given alternatives, implementation committees are constituted and made aware of their roles, an implementation budget and schedule is provided and a monitoring and evaluation framework is in place. This paves way for issuance of title deeds to beneficiaries ultimately achieving Component 2 Objectives.

The resettlement impacts are particularly related to activities proposed in the approved LPDP which include opening of access through improving and widening of road network. This ARAP identified a total of 22 PAPs losing structures and livelihood sources with 15 tenant PAPs. Appropriate mitigation measures to safeguard the PAPs have been provided in detail in this ARAP. KISIP will implement the provisions and commitments contained in this ARAP report for Swahili Informal Settlement.

12.2 KISIP Commitments
For the successful implementation of the proposed project, KISIP commits to undertake the following:

i. Facilitate all the Project Affected Persons according to provisions of this ARAP including the budget for compensation and timelines as per the implementation schedule.

ii. Ensure all Grievances are addressed and resolved in a timely fashion as indicated in grievance redress section of this ARAP.

iii. Issuance of title deeds to beneficiaries and PAPs, concurrently with compensation.

iv. Organize and carry out sensitization exercises aimed at enhancing women land rights and against any form of GBV in use of compensation funds as documented in this ARAP.

v. KISIP will work with the County Government of Kisumu in ensuring the sustainability of the project. The County Government will be part of the RIC in implementing this ARAP, part of the Grievance Redress 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.

vi. Issue a 3-month self-demolition notice after compensation to PAPs to enable them salvage their assets.

vii. Monitoring and Evaluation of this ARAP during and after implementation as indicated in chapter 11 in this report.
ANNEXES
ANNEX 1: MAP OF SWAHILI INFORMAL SETTLEMENT
# ANNEX 2: STRUCTURE VERIFICATION SHEET

Household No: 
General information

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Location</th>
<th>Sub County</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Plot Number</th>
<th>PAP category</th>
<th>Ownership</th>
<th>GPS coordinates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Demographic Data of PAP

<table>
<thead>
<tr>
<th>Name of the Structure owner</th>
<th>ID</th>
<th>Telephone</th>
<th>Gender</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Spouse Details</th>
<th>ID</th>
<th>Telephone</th>
<th>Gender</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Family Size
Household size
Education Level
Livelihood

## Vulnerability (Marginalized and Vulnerable Groups (VMG))

<table>
<thead>
<tr>
<th>No</th>
<th>Vulnerable Parameter</th>
<th>Tick</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Is the HH headed by child under 18yrs</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Is the HH headed by a disabled Person</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Is the HH headed a chronic ill person</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Is the HH headed by elderly over 65yrs</td>
<td></td>
</tr>
</tbody>
</table>

Yes (1) or No (2)

## Land Affected (Yes/no)......Size (acre/square meters)

## Structure .................(partial / total) tick appropriately

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE affected</th>
<th>NATURE OF MATERIAL</th>
<th>Size in sqft</th>
<th>GPS coordinates</th>
<th>PHOTO NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1. Main house</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A2. Kitchen</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A3. Store</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A4. Fixed Business shed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A5. Mobile business shed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A6. Goat shed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A7. Poultry house</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A8. Latrine</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A9. Bathroom</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A10. House 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A11. Community water point</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A12. Community mosque</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A13. Others indicate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Codification of Asset structures is as shown below**

<table>
<thead>
<tr>
<th>Relationship to Household head</th>
<th>Type of wall</th>
<th>Type of roof</th>
<th>Floor</th>
<th>Size in meters</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Head</td>
<td>1. Stone not plastered.</td>
<td>1. Iron Sheets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Spouse</td>
<td>2. stone and plastered</td>
<td>2. Grass thatched.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Parent.</td>
<td>5. Iron sheets.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. other indicate</td>
<td>6. Wooden</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Mud</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>8. Mud + plastered</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>9. Other</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**LOSS OF LIVELIHOOD**

<table>
<thead>
<tr>
<th>S/ NO</th>
<th>Type of Business</th>
<th>Average Daily Income</th>
<th>Affected</th>
<th>Owner of the business</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ksh.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Code Business type</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ 1- grocery / shop</td>
</tr>
<tr>
<td>☐ 2- Beauty shop / salon / barber</td>
</tr>
<tr>
<td>☐ 3- retail shop kiosk</td>
</tr>
<tr>
<td>☐ 4- cereals kiosk .....</td>
</tr>
<tr>
<td>☐ 5- cloth stall</td>
</tr>
<tr>
<td>☐ 6- food kiosk / hotel</td>
</tr>
<tr>
<td>☐ 7- mpesa shed</td>
</tr>
<tr>
<td>☐ 8 shoe vendors stand</td>
</tr>
<tr>
<td>☐ 9- local chemist</td>
</tr>
<tr>
<td>☐ 10- hardware shop</td>
</tr>
<tr>
<td>☐ 11- domestic bakery .......</td>
</tr>
<tr>
<td>☐ 12- Movie shop .......</td>
</tr>
<tr>
<td>☐ 13- Other (s) (please specify)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of ownership:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ 1- Head of household</td>
</tr>
<tr>
<td>☐ 2- Spouse</td>
</tr>
<tr>
<td>☐ 3- Other member of the household</td>
</tr>
<tr>
<td>☐ 4- Tenant</td>
</tr>
<tr>
<td>☐ 5- Other (please specify)</td>
</tr>
</tbody>
</table>

**CROPS GROWN**

<table>
<thead>
<tr>
<th>TYPE OF CROP</th>
<th>AREA IN SQUARE FEET</th>
<th>Name (ID and address if not member of the household)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

See codes below

- 3-Maize
- 4-Sweet potato
- 5-Sugarcane
- 6-Beans
- 7-Nippier grass
- 8-Peas
- 9-Cassava
- 10-arrowroots
- 11-kales
- 12-Bananas
- 13-Irish potatoes
- 14-Pumkins
- 15-Passion fruits
- 16-Other (s) (please specify)
### TREES GROWN

<table>
<thead>
<tr>
<th>NAME</th>
<th>AGE OF TREES</th>
<th>TYPE OF TREE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>YOUNG</td>
<td>MEDIUM</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**See codes below**
- Mango 2 Orange 3 Guava 4 Avocado 5 Eucalyptus 6 Cypress 7 Bamboo 8 Pawpaw 9 Pine 10 Gravellia 11 Other(s) (please specify)

### Tenants

List the Names and Telephone Numbers of Residents Tenants in the Structure

**TENANT'S / EMPLOYEE INFORMATION USING STRUCTURE OR BUSINESS**

<table>
<thead>
<tr>
<th>Name of Tenant</th>
<th>Gender</th>
<th>Rent Amount (Kshs)</th>
<th>Telephone</th>
<th>ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ANNEX 4: MINUTES AND LISTS OF ATTENDANCE OF CONSULTATIVE MEETINGS

Community Entry Meeting

**MINUTES OF COMMUNITY ENTRY MEETING AT SAWHULI SETTLEMENTS**

**Agenda:**
1. Welcome remarks by the local administrator
2. Remarks by the Member of the County Assembly
3. Remarks by KISP Team
4. Introduction of the consultant, Jovoyo Surveyors
5. Parony
6. Way forward

**Participants:**
1. C. M. Akok
2. Dan Ogunja
3. Dorothy Addinambo
4. Mwenya Okeno
5. Jacob Ooko
6. R. M. Mbuya
7. Apollo Lui
8. Eric Ona
9. Ben Ondie
10. Alihino Onyango
11. C. M. Akok
12. Geoffrey Milia
13. Geoffrey Ochenge
14. Bobbea Okena
15. Semwata Senda
16. Nyambo Cwili
17. Nancy Adime
18. SEC Member
19. Ward Community Members
20. Head Teacher Community Members

**KISP Nakuru:**
- KISP Nakuru Coordinator
- KISP Nakuru County
- MCA, Nakuru County
- Ward Administrator
- Assistant Chief
- Nakuru Sugar Representative
- SEC Chairman
- SEC Secretary
- SEC Org Sec

**votes:**

- **1.0 Welcome remarks by Area Chief**
  - Chief introduced the need for the community to support the planning process.
  - He emphasized the need for the community to actively participate in the process.

- **2.6 Hon. MCA**
  - He noted the initiative by the government through KISP and fully supported it.
  - He emphasized the need for the community to actively participate in the planning process.

**Facilitator:**
- Area Chief
- Dan Ogunja

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[Disclosure Note]
Information during data collection and to support in evaluation.

(c) The ward administrator encouraged the community to embrace the project. He said unnecessary disputes would jeopardize the process with a high likelihood of being relocated elsewhere.

1) The area chief clarified that he has never interfered with any survey work on the ground. The allegations brought before the meeting were ridiculous.

1.2 There being no other business the meeting was adjourned at 4.30pm.

SIGNATURES
Chairman (SEC)  
Secretary (SEC)  
Joystar Rap  
7/1/2019  
7/1/2019  
7/1/2019

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**KENYA INFORMAL SETTLEMENT IMPROVEMENT PROJECT**

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*Community meeting in progress*
Minutes of beneficiary list validation

Consultancy Services for Planning and Surveying
Selected Informal Settlements in Kisumu and Busia Gishu Counties-Lot 1

Minutes of Meeting during Beneficiary List Validation at Swahili Settlement

Date: 14th November 2017
Venue: Mosque, Muhoroni
Time: 10.00 am

Discourse on the Initial Beneficiaries

1. Dorothy Achumboma
2. Titus Ochiro
3. George Omari
4. Reen Onyango
5. Raymond Mijago
6. Moses Ngari
7. Were Muchol
8. Abdissa Hamis
9. Mohammed Marse
10. Geoffry Mikeli
11. Eric Aigi
12. SEC Members
13. Social Community Members

Welcome remarks by SEC Chairman

1. Remarks by Kisumu County officials
2. Discourse on the Initial Beneficiaries
3. Emerging issues
4. Way forward

Details of Discussion

SEC Chairman

Welcome Remarks by SEC Chairman:

The Chairman then welcomed the members to the meeting and apologized for the delay in start of the agreed upon time. He explained the purpose of the meeting was to go through the list of beneficiaries with specific focus on land owners since in Swahili, the plot owners are known.

He then introduced the SEC members.

The meeting also agreed that all the structures left behind be included in the final list.

6.5. There being no other business the meeting was adjourned at 1.00pm with a word of prayer from a volunteer.

Signatures:

Chamber (SEC) Date: 17th Dec 2017
Secretary (SEC) Date: 17th Dec 2017
Chief, Muhoroni Location
Land Administrator

Remarks by County Team:

County welcomed everyone and gave a brief progress update on the exercise. He then introduced the team from Kisumu County and Busia County consultants.

Discussion on list of beneficiaries:

Geoffrey representing county government gave an update on the progress of the exercise prior to the introduction of the meeting.

The list had reached the third list, but this was as far as they had gone and would be completed in good time.

He had randomly selected the names of the beneficiaries as documented during the socio-economic survey.

The draft list included the names of the land owners.

The list of the structure and land owners was read out for the community. The community confirmed the names, as one name was not known, it was marked for follow up.

4.3. Motion:

After all the presentations, the community had an opportunity to raise questions and observations.

- The community agreed the list was ready with names of land and structure owners though a few may have been left out.
- There were structure owners who were left out during enumeration and who wanted their details captured.
- There were residents whose plots were not fully captured as the boundaries cannot be seen as the area was flooded.

6.5. Way forward:

Secretary:

The Chief adjourned the meeting as the lists were not yet finalized and directed the team to continue working on the list and to finalize by Wednesday of next week.
MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT  
Kenya Informal Settlements Improvement Project (KISIP)  
Consultancy Services for Planning and Surveying Selected Informal Settlements in Kisumu and Uasin Gishu Counties-Lot 1

MINUTES OF PROJECT AFFECTED PERSONS METING HELD AT CHIEFS OFFICE SWAHILI

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**PROJECT AFFECTED PERSON’S MEETING**

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<td>1. Raymond Mbogo</td>
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<td>2. Geoffrey Mirasi</td>
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<td>3. Samuel Odondi</td>
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<td>4. SEC Members Swahili</td>
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<td>5. Affected Community Members, Swahili</td>
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**Agenda:**

1) Welcome remarks by the local administrator
2) Remarks by Jooyato team
3) Questions and Answers
4) Way forward

**Agenda 1: Welcome remarks by the area chief.**

The area chief welcomed all the members present and thanked KISIP for the tremendous progress made in terms of planning and survey.

He said that the local community were happy about the progress and hoped to benefit from titles. He noted that the grievance committee of SEC should be dealing with complains promptly.

**Agenda 2: Remarks by Jooyato Team**

Mr. Mirasi on behalf of Jooyato thanked the area Chief and the persons who made it to the meeting. The purpose of the meeting was to meet the project affected persons.

The meeting was informed that as indicated in the earlier meetings, KISIP would not
compensate for structures built on way leaves. However, enumeration was necessary for future decisions and to assess the level of impact of the projects.

**Agenda 3: Question and Answers**

**Musa Juma:** He had issues with beaconing which he said were not straight. Asked Jooyato to align the beacons well to avoid creating paps out of poor alignment. He said his pit latrine is likely to be affected.

**Charles Obuya Otieno** Complained that his plot is severely affected his plot right in the middle yet this was allocated by the former council. Wondered why this is now on the road.

**Angeline Achieng:** Wanted to know if they will be compensated after the structures are demolished.
Validation of Socio-Economic Report

The meeting was reconvened by the SEC Chairperson, Mr. Migada at 12.20pm. He then handed over the meeting to the consultants to continue with the program.

Overview by Consultant

Dr. Msheme explained to the participants the link between socio-economic and base maps in the preparation of the local physical development. He said that the findings of the socio-economic survey together with the base maps would make it possible to come up with planning interventions that are workable. He then handed over to the sociologist Mr. Sam Odondi to make his presentation.

Presentation of socio-economic survey

Mr. Odondi presented to the participants the findings of the socio-economic survey conducted through household interviews, key informant interviews and focus group discussions. Using graphs, charts and tables he outlined the findings on household size, education levels, household income levels, land ownership and project priorities among others. He also told the members that a list containing all names of beneficiaries in Swahili settlement would also be made available for everyone to look at make the necessary adjustments.

Reactions

Agenda of the meeting

1. Validation of the socio-economic survey report
2. Plenary session

The members accepted the content of the socio-economic report and allowed the consultant to use it for planning purposes. It was also agreed that the socio-economic team would organize for a field visit to give the residents an opportunity update their details as appropriate.

The list of the beneficiaries would be made public through the SEC leadership.

Swahili SEC members (see attendance list attached)

The participants were asked to prepare for the final session that would begin after the break.

There being nothing business the meeting ended at 3.22pm.

George Obiny Kieni County Survey department

Sam Odondi JOYOATO Surveys

Erick Agoi JOYOATO Surveys

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Reactions
Joint Validation meeting

BASE MAP VALIDATION JOINT MEETING HELD AT KISUMU SOCIAL HALL ON 7TH SEPTEMBER 2017 AT 11:00AM

ATTENDANCE
1. SEC executive members from the (See Attendance List)
2. Cornel Akach KISIP liaison Officer
3. Daniel Ogada KISIP County coordinator
4. Dorothy Adhiambo Sociologist Kisumu County
5. Jacob oyanto JOOYATO
6. Emmanuel Midheme JOOYATO
7. Maxwell Otieno JOOYATO
8. David omollo JOOYATO
9. Felix Ottoo JOOYATO
10. Geoffrey Mirasi JOOYATO

Agenda
1. Mobilization of community members
2. Validation of Base maps
3. Way forward
4. AOB

Preliminaries:
The meeting was called to order by the KISIP coordinator MR. Akach. He explained that the meeting was called discuss the way forward following the failed meeting that had been scheduled for 5th of September 2017. He also informed the members present that following what happened, the Deputy Governor had agreed to hold a mobilization rally on Tuesday September 12, 2017 to rally support for the project.

Min 2/17: Agenda[1]; Mobilization of community members

Mr. Midheme urged the SEC members to stand firm in support of the project especially when the Deputy Governor will be visiting Muhoroni Town as planned. He also urged the officials to intensify mobilization within their settlements to ensure the success of the project.

In the course of discussions it emerged that there was misunderstanding between some elders and the SEC members hence politicizing the KISIP agenda. The member representing special groups in the Shauri Moyo SEC reported to the meeting that the Chairman of the Boda boda said they had been incited to disrupt the September 5th meeting by people feeling sidelined by the current office holders.

A member also stated that some of the questions asked during the socio-economic survey especially on demographics were never understood properly by some of the respondents. Some residents wanted to know why certain information on number of household members, age, level of education etc. was being captured by the survey. Mr. Mirasi explained that the information captured during the socio-economic survey was important in bringing out the needs of the people so as to inform planning interventions.
The Chairman of Shauri Moyo SEC apologized on behalf of his community members saying that the youths who disrupted the meeting are not residents within Shauri Moyo settlement. He promised to talk to the Boda Boda leadership to maintain peace during future meetings.

It was agreed that the following need to be done to ensure effective mobilization:

- Those with dissenting opinion to be involved effectively for them to fully understand the project.
- The SEC members must work with the planning team to ensure fairness at all times to minimize confrontations.
- The SEC members to mobilize the residents to attend the planned rally.

Min 3/17: Agenda 3; Validation of Base Maps

A member wanted to know what the maps represented. In response, she was told that the maps represented the situation as is. Mr. Mitham asked the SEC executive members to go through the maps and point out areas where they identified discrepancies. Each SEC executive together with the planner responsible for the settlement discussed in detail the map of each settlement, pointing out various issues that needed amendment. The settlements covered were Shauri Moyo, Shauri Yaiko, Bondeni, Swahili Village and Kopera.

Min 4/17: Agenda 3; Way Forward

Mr. Mitham asked each SEC to identify people from their communities to help in raising planning issues in their settlements according to the following thematic areas:

- Infrastructure
- Public utilities
- Public facilities
- Environmental
- Social issues

This information should be made available when the planning team will be visiting each settlement for further stakeholders consultation.

Min 5/17: Agenda 4; AOB

Mr. Mirai expressed gratitude following the success of the meeting. He also presented the SEC members present with minutes of previous meetings for them to confirm and sign. He also presented them with a list of beneficiaries for them to go through and highlight amendments where necessary. Mr. Akach explained to the members that the process will be followed so that all beneficiaries are captured as is required.

Adjournment

The meeting was called to adjourn after closing prayers were offered by a volunteer member.
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Date: 17/11/2018
Venue: TOM MBOTYA LABOUR COLLEGE
MINUTES OF VISIONING WORKSHOP FOR SWAHILI VILLAGE HELD ON 22ND OF SEPTEMBER 2017 AT MASJID NOOR MOSQUE FROM 3.00PM

Agenda of the meeting
1. Guide on how the visioning will be done.
2. Visioning.
3. Plenary session.

Attendees
1. Swahili Community members (see attendance list attached)
2. Swahili SEC members (see attendance list attached)
3. Area MCA representative
4. Area Ass. chief
5. George Obiny
6. Comel Akach
7. Rachel Mugo
8. Maxwell Otieno
9. Felix Oriwo
10. Dr. Emmanuel Midheme
11. Sam Odondi
12. Erick Agoi

Kisumu County Survey department
KISIP Liaison officer
Ministry of Lands and physical planning
JOYATO Surveys
JOYATO Surveys
JOYATO Surveys
JOYATO Surveys

Preliminaries
The meeting was reconvened by the SEC Chairperson, Mr. Migada at 3.00pm. He then handed over the meeting to the consultants to continue with the final session.

Overview by Consultant
Dr. Midheme explained to the members that the session was meant for them to come up with a vision for Swahili settlement. This would help in generating planning proposals that when implemented would make Swahili better place. The vision he said, is a mental picture of a desired end state that the community had to come up with and work towards by implementing the project proposals. The members would be organized into four thematic groups with facilitation from the consulting team. The vision should be community generated. After the presentation, the members were asked to be in four groups to check if the maps were okay, discuss the proposals and come up with vision statements.

Discussion in groups
Maxwell then organized the residents of Swahili Settlement present into four (4) thematic groups.
- Infrastructure
- Public utilities
• Public facilities
• Environment/social issues

In each group a chairperson and a secretary were selected to ensure that all views are recorded and proposals indicated on the provided map. This was done under the guidance of the consultants. Once the discussions were concluded, each group was given a chance to present their findings during a plenary session so that all members could seek clarification and also make additional proposals. After discussions during the plenary session, the following were adopted as true issues and proposals made.

Plenary

Proposals from infrastructure thematic group:
• Proper drainage channels with culverts to be constructed along all roads as proposed
• All roads in the settlement to be tarmacked to reduce mud
• The existing road widths to be maintained
• Unblock and extend roads that have been blocked by developments
• Security lights to be installed along all roads to improve security
• Roads to be opened up to recommended width

Proposals from Public utilities thematic group:
• Piped water to follow the roads so as to access all plots
• Sewerage system to be constructed in the settlement
• Provide alternative technology for the construction of toilets that can stand the soil type

Proposals from Public facility thematic group:
• Social hall located close to the market to be completed so as to serve residents
• Access road from Shalo to Muhoroni Sub-county Hospital (Niyaga) to be improved to ease access
• The chief’s office to have an AF camp to improve the state of security
• The group was however satisfied with the number of education facilities they have access to

Proposals from Environment thematic group:
• Proper solid waste dumping holding site
• Provide solid waste skips along the road
Construction of drainage system

Generation of vision statement

Each group then presented their vision for the settlement. Members were also given a chance to react to the vision statements, make changes and also propose other statements to cater any area not addressed. The statements were recorded as follows:

- A place with tarred roads, street lights, proper drainage and good security.
- A place with minimum plot size of 50 feet by 100 feet.
- A place with regularized plot ownership and proper documentation of land ownership.
- A settlement with tenure security for all residents.
- A place with modern housing structures and great beauty.
- A settlement with proper development control and respect for building lines and plot breaks.

Overall vision statement

The following was agreed as the overall vision for the settlement:

To have modern, secure and properly planned settlement village that has proper development control, decent and affordable housing, tarred roads, and tenure security for all residents.

Way Forward

Dr. Msheme informed the residents that another stakeholder meeting would be held for the community to show the consultants the sites for the proposals.

Adjournment

There being no other business, the meeting was called to adjourn at 6.15pm.

[Signature]
MINUTES OF SWAHILI SETTLEMENT PARTICIPATORY PLANNING WORKSHOP 2 HELD ON 15TH OCTOBER 2017 AT SWAHILI SETTLEMENT

Agenda of the meeting

1. Identifying Persons Affected by the Project
2. Plenary.
3. AOB

Attendees

1. Swahili SEC members (see attendance list attached)
2. Swahili Community members (see attendance list attached)
3. Area Ass. chief
4. George Obiny  Kisumu County Survey department
5. John Simuuyi  Kisumu County Planning Department
6. Titus Ochieng  Kisumu County Planning department
7. Judith Okere  Kisumu County Government
8. Dorothy Adhiambo  Kisumu County Government
9. Maxwell Otieno  JOOYATO Surveys
10. Felix Oriwo  JOOYATO Surveys
11. Dr. Emmanuel Midihene  JOOYATO Surveys
12. Sam Odondi  JOOYATO Surveys
13. Severiano Odhiambo  JOOYATO Surveys

Introduction

The meeting was called to order by the SEC chair who went ahead to introduce the SEC members and community members present. Dr. Midihene then led the introduction of the consulting team together with officials of the county government present. After the introduction he went ahead to explain to the members present the agenda of the meeting. He said the exercise was meant to identify those likely to be affected by the project proposals, especially those touching on roads.

Identification of people likely to be affected by the project

Dr. Emmanuel explained to the community members how the whole process will be done. He emphasized that the process will be participatory and will involve walking across the settlement to identify those who will be affected by the project i.e those on the road reserve or have blocked the road or on the proposed land use. He added that the planning team will be helping in reading the proposed plan as the SEC members together with the community members will be helping the planning team to identify those likely to be affected by the plan.

After a brief presentation on the proposed road network in the settlement highlighting areas where the affected people could be located. The team took a transect walk in the settlement to have a look at the situation of the people likely to be affected by the project. From the transect walk five structures were identified as those to be affected by the project. Four of the individuals were found to have blocked a 6m service lane while one had blocked a 9m wide road. Among
the boy who had blocked the road was a barber shop owner who admitted that he knew his structure was on the road and would remove it should there be need to open the road.

The other three were also on temporary occupation license and would easily relocate with the help of the county government. Though the owner of the structure blocking the road was away, the community members present, together with the SEC officials confirmed that he was aware of the encroachment onto the road and would remove it should there be need. In the course of the field work, the planning team was informed that the settlement as delineated on the maps had excluded some members of the Swahili community. With the help of Mr. John Simiyu, a boundary that included all Swahili residents was identified.

Pleary

The complaint was asked to amend the settlement boundary to include all Swahili members within the settlement’s boundary. The community members also resolved that the SEC members would work for and talk to those likely to be affected so that they can voluntarily give way for the proposed developments.

Way Forward

The SEC Exp. Chairman inquired the next step after this activity. Dr. Emanuel explained to the community that the next step will be validation of the draft plan with the community.

Adiimum

After walking round the settlement ensuring that all issues have been addressed, the planning exercise was called to adjourn at 3.45pm.
A cross-section of participants during the Entry Baraza in Swahili

PAPs meeting in Swahili
MINUTES OF CONSULTATIVE MEETING ON DEVELOPMENT OF RESETTLEMENT ACTION PLANS (RAPs) AND VALUATION RATES FOR THE AFFECTED ASSETS HELD ON 6TH FEBRUARY, 2018 AT KISIP BOARDROOM UPPER HILL

PRESENT

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Agenda

- Introduction
- Preparation of RAP- contents
- Valuation and Asset register
- Conclusion and way forward
**Introduction**

The chair called the meeting to order at 10:00am and asked for self-introduction of the present persons. He then introduced Kenya Informal Settlements Improvement Project (KISIP) as the government project within the state department of Housing and Urban development in the Ministry of Transport, Infrastructure, Housing and Urban Development. KISIP as a Kenyan Government Project supported by the World Bank, Agence Francaise de Development and Swedish Development Cooperation Agency, aims at improving informal settlements by investing in infrastructure and strengthening tenure security as well as planning for urban growth. The project commenced in 2011 and has four components i.e.

- Component 1 deals with institutional development and programme management,
- Component 2 deals with enhancement of tenure security,
- Component 3 deals with an investing in settlement restructuring and infrastructure,
- Component 4 deals with planning for growth.

KISIP is headed by the KISIP National Coordinator and we have the same mirror of KISIP structure in the 14 selected Counties namely: Nakuru, Nairobi, Mombasa, Kisumu, Kakamega, Kericho, Garissa, Kilifi, Machakos, Kilifi, Embu, Nyeri, Uasin Gishu and Kiambu.

KISIP component two deals with tenure regularization. It involves planning and surveying activities through consultants in order to improve the livelihood of the communities in the informal settlements. Planning and Survey did not focus on Resettlement Action Plans initially due to being public land but later became necessary due to relocation/movement of structures to pave way for proposed infrastructure in accordance with World Bank safeguard OP 4.12.

The project requires that all the affected assets affected by planning of these settlements be facilitated, hence the consultants have come up with Resettlement Action Plans reports that contains different valuations on affected assets.

Our objective in our discussions is to come up with a guideline on valuation of asset affected by the project hence have a uniform asset register and cost ranges.

RAPs are developed due to beneficiaries who have been affected by the proposed wayleaves(roads) and those affected by inter-boundary. KISIP proposes wayleaves in the plan and this is implemented by undertaking ground survey. Later, component three constructs the infrastructure.

There is also difficulty in developing RAP in environmental sensitive areas and the policy applied is not clear. On roads, minimizing displacement has been taken care by adopting innovative planning ways to allow gradual increment of the road size. For environmental

<table>
<thead>
<tr>
<th>Minute</th>
<th>Deliberation</th>
<th>Action By</th>
</tr>
</thead>
</table>
| MIN/01/02/2018 | **Introduction**
The chair called the meeting to order at 10:00am and asked for self-introduction of the present persons. He then introduced Kenya Informal Settlements Improvement Project (KISIP) as the government project within the state department of Housing and Urban development in the Ministry of Transport, Infrastructure, Housing and Urban Development. KISIP as a Kenyan Government Project supported by the World Bank, Agence Francaise de Development and Swedish Development Cooperation Agency, aims at improving informal settlements by investing in infrastructure and strengthening tenure security as well as planning for urban growth. The project commenced in 2011 and has four components i.e.
- Component 1 deals with institutional development and programme management,
- Component 2 deals with enhancement of tenure security,
- Component 3 deals with an investing in settlement restructuring and infrastructure,
- Component 4 deals with planning for growth.
KISIP is headed by the KISIP National Coordinator and we have the same mirror of KISIP structure in the 14 selected Counties namely: Nakuru, Nairobi, Mombasa, Kisumu, Kakamega, Kericho, Garissa, Kilifi, Machakos, Kilifi, Embu, Nyeri, Uasin Gishu and Kiambu.
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The project requires that all the affected assets affected by planning of these settlements be facilitated, hence the consultants have come up with Resettlement Action Plans reports that contains different valuations on affected assets.
Our objective in our discussions is to come up with a guideline on valuation of asset affected by the project hence have a uniform asset register and cost ranges.
RAPs are developed due to beneficiaries who have been affected by the proposed wayleaves(roads) and those affected by inter-boundary. KISIP proposes wayleaves in the plan and this is implemented by undertaking ground survey. Later, component three constructs the infrastructure.
There is also difficulty in developing RAP in environmental sensitive areas and the policy applied is not clear. On roads, minimizing displacement has been taken care by adopting innovative planning ways to allow gradual increment of the road size. For environmental | Client |
### Preparation of RAP

The RAP report should be in tandem with the KISIP RPF, World Bank’s OP 4.12 and OP 4.12, Annex A on - Involuntary Resettlement Instruments and IFC’s Handbook for Preparing a Resettlement Action Plan. The Initial pages will include a cover page, List of Abbreviations, List of Tables, List of Figures, List of Maps, Executive Summary, Table of Contents etc.

Other contents include:

- **Executive summary** which provide the crucial elements of the whole RAP like: Brief introduction to the project and the concerned settlement, What is KISIP doing in the settlement and how this causes/leads to the need for RAP, methodology, summary of positive and negative impacts, budget and costs etc.

- **Introduction** chapter, including a proper description of the project, the settlement, KISIP interventions in the settlement (including tenure regularization) and how this leads to the need for a RAP, proper setting of the objectives, scope and purpose of the RAP, as well as a summary of the assignment given to the consultant i.e. the tor.

The scope of the RAP should cover the displacement from the inter boundary alignments within the settlement as well as the associated with the road wayleaves. Clear indication of whether this is a full or abbreviated RAP.

- **A Project Description** chapter which explains KISIP components in the required detail level and then pays attention to component 2 on tenure regularization and land alienation, including explaining that process in the particular settlement.

- **The Methodology** - should be a separate chapter and not part of the introduction, since this is a crucial element of the RAP and needs to be given proper attention. Here at minimum, the ‘how’ of processes like the census (enumeration and registration), inventory of affected assets, socioeconomic survey/baseline should be explained (if sampling was done, how? sample size, information collected; methods; personnel Etc.), how digital (GIS) mapping was done, valuation process and methodology, and the project cutoff date. The valuation methodology should be written by a valuer.

- **The Policy and Legal Framework** chapter should relate to relevant provisions on RAP matters such as right to property, land acquisition (where necessary), settlements, displacement, grievances and dispute resolution etc.

- **Public Consultation and Participation** should be a stand-alone chapter that details the objectives of the process, the process, details of numbers that attended, key
groups/categories consulted (gender disaggregated) and how (consultation methods), and a summary of issues/views raised in the various platforms (and responses) disaggregated using major groups categories (e.g. PAPs, County government). The minutes should be signed by SEC and other stakeholders and attendance register signed.

- **Project Impacts** chapter which needs to provide clear working definitions of key terms used such as PAPs, vulnerable households/groups etc. in the context of a particular settlement.

- **Socio economic status/baseline.** Indicate the objectives of the socio-economic survey, and provide the results of the census, assets inventories - natural resource assessments, and socioeconomic surveys.

- **Mitigation** chapter that clearly defines eligibility criteria for compensation and resettlement, an entitlement matrix, compensation process (as well as what that entails) etc. The matrix should define compensation for all types of impacts identified previously, as well as all categories of PAPs.

- A **Grievance Redress** chapter should detail the need and objectives for GR mechanism, a forecast of some grievances that may arise, and the mechanisms and structures/institutions and processes.

- **Institutional and Implementation arrangements** chapter should explain the disclosure process and avenues (both internal to KISIP, the WB and among the community), and how the RAP will be implemented, managed and by who. In line with the RPF, involvement of the local people and NGOs in planning, implementation and monitoring resettlement should be highlighted. Institutions proposed should include a description of composition and roles, ensuring each item/activity in the entitlement policy is captured under an institution). The budget indicated here should be consistent with previous sections. No new items should be introduced.

- **Monitoring and evaluation** chapter should include both internal and external monitoring as well as the role of the community in these processes, indicators (and variables to be measured), and institutional arrangements/proposals for monitoring.

- **Annexes: Include but not limited to**
  - Copies of census and survey instruments, interview formats, and any other research tools
  - Information on all public consultation including announcements and schedules of public meetings, meeting
minutes, and lists of attendees.
- Any proposed tool for use in implementation e.g. a grievance form,
- GIS maps clearly showing accurate location of the affected structures
- PAP and Asset Register

On issues of tenants, there could be tenants on commercial or residential. In Mombasa, there could be tenants at will and sub tenants. This should be very clear in the report. The use of photographs of the affected structures/assets is very important. The open traders may not be considered unless they are in a fixed location.

The socio-economic survey report should be able to give a history of the settlement in Chapter 2 on Project description.

In the asset register, it’s important to note where the structure has already been moved or reconstructed.

**See attached outline for details.**

<table>
<thead>
<tr>
<th>MIN/03/02/2018</th>
<th>Valuation and Asset register</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The valuer is required to attend the public meetings to explain how valuation will be done. He/ she is also required to sign the Asset register as a commitment. In the asset register, the accommodation (rooms) of the structure and other items like poultry needs to be indicated. The valuer needs to check the entitlement matrix and ensure this corresponds with his considerations. The assets which are already been moved/relocated, reconstruction needs to be done where possible. Photographs may not be needed since the structures are not existing and if they are, is just an indication of the earlier one. Valuation is done based on two items:</strong></td>
<td>All</td>
</tr>
<tr>
<td><strong>- Instructions – valuation of structures/assets on government land but are not compulsory acquired.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>- Basis of valuation is on resettlement in undepreciated value</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Valuation considerations is based on the above items which requires laws governing the client’s operation. For example, disturbance allowance should not be included because it does not involve compulsory acquisition where 15% disturbance allowance is applied. For KISIP projects, valuation on trees on the inter boundary should be done and not for trees on the road reserve.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Actual Rates</strong></td>
<td></td>
</tr>
<tr>
<td><strong>How is valuation done on a metal gate that is affected by the project and needs to be relocated? The participants agreed that normally it is costing at the rate of Ksh. 8000 per square meter. But the issue is, is the valuation based on the relocation of the same gate or having a new gate of similar size and material?</strong></td>
<td></td>
</tr>
<tr>
<td>MIN/04/02/2018 WAY FORWARD</td>
<td>All</td>
</tr>
<tr>
<td>----------------------------</td>
<td>-----</td>
</tr>
<tr>
<td>The continuation of the meeting to be held again on 15th February 2018 from 9am at KISIP offices, upper Hill.</td>
<td></td>
</tr>
<tr>
<td>Form a WhatsApp group to allow members contribute to the discussions on rates for valuation</td>
<td></td>
</tr>
<tr>
<td>The RAP specialist to prepare a sample asset register outline as well as a schedule indicating the various types of structures encountered by KISIP to be filled by the members</td>
<td></td>
</tr>
</tbody>
</table>

Minutes confirmed by:
Client Representative (George Arwa)…………………………………Date………………….  
Consultant representative (………………………..)…………………………..Date………………….  
NLC representative (Joash Oindo)…………………………………………….Date………………….

12-60
## ANNEX 5: GRIEVANCE REDRESSES FORM

<table>
<thead>
<tr>
<th>Grievance Form</th>
<th>Grievance Number</th>
<th>Name of the Recorder</th>
<th>Sub-County</th>
<th>Date</th>
</tr>
</thead>
</table>

### INFORMATION ABOUT GRIEVANCE
Define The Grievance:

### INFORMATION ABOUT THE COMPLAINANT
Forms of Receive

<table>
<thead>
<tr>
<th>Name-Surname</th>
<th>Telephone Number</th>
<th>Address</th>
<th>Village</th>
<th>Sub-County</th>
<th>Signature of Complainant</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### DETAILS OF GRIEVANCE

<table>
<thead>
<tr>
<th>1. Access to Land and Resources</th>
<th>2. Damage to Land and Resources</th>
<th>3. Damage to Infrastructure or Community Assets</th>
<th>4. Decrease or Loss of Livelihood</th>
<th>5. Traffic Accident</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Fishing grounds b) Lands c) Pasturelands d) House e) Commercial site f) Other</td>
<td>a) House b) Land c) Livestock d) Means of livelihood e) Other</td>
<td>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</td>
<td>a) Agriculture b) Animal husbandry c) Beekeeping d) Small scale trade e) Other</td>
<td>a) Injury b) Damage to property c) Damage to livestock d) Other</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
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<td></td>
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</tbody>
</table>


<table>
<thead>
<tr>
<th>GRIEVANCE RESOLUTION</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Explosions
- Misconduct of the project
- Personal/worker
- Complaint follow up
- Other
ANNEX 6: MAP OF AFFECTED ASSETS
## ANNEX 7: LIST OF PAPS

<table>
<thead>
<tr>
<th>NO</th>
<th>PAP NO</th>
<th>PAP NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>KISIP/SWA/1</td>
<td>MORRIS ONYINO</td>
</tr>
<tr>
<td>2</td>
<td>KISIP/SWA/2</td>
<td>MOHAMED KARIM</td>
</tr>
<tr>
<td>3</td>
<td>KISIP/SWA/3</td>
<td>SELFA ANYANGO OCHOLLA</td>
</tr>
<tr>
<td>4</td>
<td>KISIP/SWA/4</td>
<td>STEPHEN MUKHWANA</td>
</tr>
<tr>
<td>5</td>
<td>KISIP/SWA/5</td>
<td>JUDITH ATIEN ODHIAMBO</td>
</tr>
<tr>
<td>6</td>
<td>KISIP/SWA/6</td>
<td>MANASE OKELLO</td>
</tr>
<tr>
<td>7</td>
<td>KISIP/SWA/7</td>
<td>MARY MOINDI</td>
</tr>
<tr>
<td>8</td>
<td>KISIP/SWA/8</td>
<td>BENARD OTIENO NGESA</td>
</tr>
<tr>
<td>9</td>
<td>KISIP/SWA/9</td>
<td>GABRIEL OPOONDO</td>
</tr>
<tr>
<td>10</td>
<td>KISIP/SWA/10</td>
<td>ABIUD NDONGA OUKO</td>
</tr>
<tr>
<td>11</td>
<td>KISIP/SWA/11</td>
<td>ANOLDA OBADHA</td>
</tr>
<tr>
<td>12</td>
<td>KISIP/SWA/12</td>
<td>JOHN ODHIAMBO</td>
</tr>
<tr>
<td>13</td>
<td>KISIP/SWA/13</td>
<td>HALIMA ALI ABDULAHI</td>
</tr>
<tr>
<td>14</td>
<td>KISIP/SWA/14</td>
<td>KENNEDY OCHIENG AGOLA</td>
</tr>
<tr>
<td>15</td>
<td>KISIP/SWA/15</td>
<td>SAM OKELLO</td>
</tr>
<tr>
<td>16</td>
<td>KISIP/SWA/16</td>
<td>JUDITH OPOONDO</td>
</tr>
<tr>
<td>17</td>
<td>KISIP/SWA/17</td>
<td>KEVIN OTIENO</td>
</tr>
<tr>
<td>18</td>
<td>KISIP/SWA/18</td>
<td>GEORGE OWUOR</td>
</tr>
<tr>
<td>19</td>
<td>KISIP/SWA/19</td>
<td>JOHN OGALO 1</td>
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<tr>
<td>20</td>
<td>KISIP/SWA/20</td>
<td>BARNABAS ADINO</td>
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<tr>
<td>21</td>
<td>KISIP/SWA/21</td>
<td>MOREEN ATIENO</td>
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<td>22</td>
<td>KISIP/SWA/22</td>
<td>HUMPHREY BETHWEL OKOTH</td>
</tr>
<tr>
<td>23</td>
<td>KISIP/SWA/23</td>
<td>Samwel Odongo Owiti</td>
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<tr>
<td>24</td>
<td>KISIP/SWA/24</td>
<td>Jane Atieno Onyango</td>
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<tr>
<td>25</td>
<td>KISIP/SWA/25</td>
<td>Gladys Mokeira Nyangau</td>
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<tr>
<td>26</td>
<td>KISIP/SWA/26</td>
<td>Samwel Odhiambo Otieno</td>
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<td>27</td>
<td>KISIP/SWA/27</td>
<td>Caleb Ochieng</td>
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<tr>
<td>28</td>
<td>KISIP/SWA/28</td>
<td>Rehema Suleiman Biringi</td>
</tr>
<tr>
<td>29</td>
<td>KISIP/SWA/29</td>
<td>MILLICENT OMOLLO ADHIAMBO</td>
</tr>
<tr>
<td>30</td>
<td>KISIP/SWA/30</td>
<td>SAIDI JUMA</td>
</tr>
<tr>
<td>31</td>
<td>KISIP/SWA/31</td>
<td>JAMES OCHIENG WAYODI</td>
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<tr>
<td>32</td>
<td>KISIP/SWA/32</td>
<td>RAJAB OSMAN KAMIS</td>
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<td>33</td>
<td>KISIP/SWA/33</td>
<td>LINA AKINYI MWANDA</td>
</tr>
<tr>
<td>34</td>
<td>KISIP/SWA/34</td>
<td>DENIS OSITO KINGORI</td>
</tr>
<tr>
<td>35</td>
<td>KISIP/SWA/35</td>
<td>JUMA NANYOLO MOHAMMED</td>
</tr>
<tr>
<td>36</td>
<td>KISIP/SWA/36</td>
<td>Mary Otieno</td>
</tr>
<tr>
<td>37</td>
<td>KISIP/SWA/37</td>
<td>JOYCE TUITOK</td>
</tr>
</tbody>
</table>
ANNEX 8: LIST OF TENANTS

<table>
<thead>
<tr>
<th>ID</th>
<th>NAME</th>
<th>Type Of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>23509179 SAMWEL ODONGO OWITI</td>
<td>Welding Shop</td>
</tr>
<tr>
<td>2.</td>
<td>26365632 JANE ATIENO ONYANGO</td>
<td>Tailoring</td>
</tr>
<tr>
<td>3.</td>
<td>28127808 GLADYS MKEIRA NYANGAU</td>
<td>Hardware</td>
</tr>
<tr>
<td>4.</td>
<td>21816165 SAMWEL ODHIAMBO OTIENO</td>
<td>Spare Shop</td>
</tr>
<tr>
<td>5.</td>
<td>Not Provided CALEB OCHIENG</td>
<td>Carpenter</td>
</tr>
<tr>
<td>6.</td>
<td>8908039 REHEMA SULEIMAN BIRINGI</td>
<td>Second Hand Clothes</td>
</tr>
<tr>
<td>7.</td>
<td>Not Provided MILLICENT OMOLLO ADHIAMBO</td>
<td>Boutique</td>
</tr>
<tr>
<td>8.</td>
<td>21663905 SAIDI JUMA</td>
<td>Cosmetics shop</td>
</tr>
<tr>
<td>9.</td>
<td>11664828 JAMES OCHIENG WAYODI</td>
<td>Dwelling</td>
</tr>
<tr>
<td>10.</td>
<td>10547317 RAJAB OSMAN KAMIS</td>
<td>Dwelling</td>
</tr>
<tr>
<td>11.</td>
<td>31938281 LINA AKINYI MWANDA</td>
<td>Dwelling</td>
</tr>
<tr>
<td>12.</td>
<td>27854915 DENIS OSITO KINGORI</td>
<td>Dwelling</td>
</tr>
<tr>
<td>13.</td>
<td>23524841 JUMA NANYOLO MOHAMMED</td>
<td>Dwelling</td>
</tr>
<tr>
<td>14.</td>
<td>27892323 MARY OTIENO</td>
<td>Dwelling</td>
</tr>
<tr>
<td>15.</td>
<td>24236349 JOYCE TUITOK</td>
<td>General shop</td>
</tr>
</tbody>
</table>