

International Bank for Reconstruction and Development  
International Development Association

**FIRST PROGRESS REPORT**  
**ON THE IMPLEMENTATION OF MANAGEMENT'S ACTION PLAN**  
**IN RESPONSE TO THE**  
**INSPECTION PANEL INVESTIGATION REPORT (REPORT# INSP/97705-KE)**  
**ON THE**  
**KENYA**  
**ELECTRICITY EXPANSION PROJECT**  
**(P103037)**

April 4, 2018

## **ABBREVIATIONS AND ACRONYMS**

CAC	Council of Elders
EIB	European Investment Bank
EIB-CM	EIB Complaint Mechanism
GCHM	Grievance and Complaints Handling Mechanism
GRS	Grievance Redress Service
IPN	Inspection Panel
KEEP	Kenya Electricity Expansion Project
KeRRA	Kenya Rural Roads Authority
MoU	Memorandum of Understanding
MW	Megawatt
NYS	National Youth Service
PAP	Project affected people
RAP	Resettlement Action Plan
RAPIC	RAP Implementation Committee
SCC	Stakeholder Coordination Committee

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## **I. INTRODUCTION**

1. This is the first Progress Report to the Board of Executive Directors (the Board) on the implementation of the Management Action Plan (MAP) in response to the Inspection Panel Investigation Report No. 97705-KE on the Kenya Electricity Expansion Project (P103037).

2. The Kenya Electricity Expansion Project (KEEP or the Project) was designed to increase capacity and efficiency of electricity supply and expand access to electricity in urban, peri-urban and rural areas. KEEP was approved by Executive Directors on May 27, 2010 for US\$330 million equivalent financing. An Additional Financing for the Project for US\$68 million equivalent was approved on June 16, 2016. Component A of the Project involved the construction of the Olkaria IV 140MW power plant, which is situated within the Hells Gate National Park, near Naivasha, in Nakuru County. The component also included construction of another 140MW plant at the existing Olkaria I site; steam gathering facilities to supply 4x70MW units (280MW) at the Olkaria I and IV power plants; a 10-kilometer road to the Olkaria IV power plant within the national park, and laboratories and offices (known as the Geothermal Complex) outside the park. The Kenya Electricity Generation Company Ltd. (KenGen), a partly privately-owned company, is the implementing agency. The Olkaria IV plant was taken over by KenGen from the contractor on September 12, 2014, and was officially commissioned on October 17, 2014. The Project closed on December 31, 2017. KEEP is successfully supplying 280MW of low-cost green energy into Kenya's national grid system.

3. On November 13, 2014, a [Request for Inspection](#) submitted by members and representatives of a Maasai community resettled due to the Project-supported geothermal developments in the Greater Olkaria Geothermal Area was registered by the World Bank's Inspection Panel (IPN Request RQ 14/06). The same concerns brought to the Panel were raised with the European Investment Bank Complaint Mechanism (EIB-CM) as the Project is co-financed by the EIB.

4. Management submitted its [Response to the Request](#) on December 19, 2014. Following Board approval of the Panel's Recommendation on February 13, 2015, the Inspection Panel undertook to investigate the allegations. The Inspection Panel submitted its [Investigation Report](#) to the Board on July 2, 2015. On September 17, 2015, Management submitted its [Report and Recommendation](#) (MRR) in response to the Inspection Panel's findings. Given that EIB had initiated a mediation process to help resolve the identified issues, Management proposed to the Board to participate in the EIB-sponsored mediation process, through the Bank's Grievance Redress Service (GRS) as co-facilitator, instead of undertaking consultations on remedial actions in parallel.

5. On October 20, 2015, the [Executive Directors considered both reports](#) and approved the Bank's participation in the mediation process. The Board welcomed the Bank's commitment to work through mediation to resolve outstanding issues and asked Management to return to the Board within one year to present the results of the mediation and an Action Plan for Board approval.

6. The mediation parties (representatives of the Maasai community and KenGen, the implementing agency) finalized and signed the mediation agreement on May 28, 2016. Fifteen of

sixteen community representatives signed the agreement. One community representative decided not to sign the agreement but did not explain why. After the conclusion of the mediation session, at a *Baraza* (public community meeting) on June 10, 2016, the agreement was presented to the whole community, a clear majority of which supported it, as recorded in the minutes of the meeting and confirmed by observers from the Bank.

7. An [addendum](#) to the Management Report and Recommendation, dated October 30, 2016, was approved by the Executive Directors on February 16, 2017. The addendum contained Management's Action Plan (MAP) to address Panel findings. The addendum also described the preparation for and outcome of the mediation process.

## II. IMPLEMENTATION OF THE MANAGEMENT ACTION PLAN

8. The MAP is aligned with the outcome of the mediation. It addresses issues of noncompliance identified by the Panel, based on the areas Management identified at the time of the MRR, and also includes steps agreed during the mediation. Table 1 below provides the implementation status of the actions covered in the MAP as of end February 2018.

9. The Bank team has closely followed up on the progress of the Project and this MAP. A Bank mission, including the Bank's [Grievance Redress Service](#), visited the Project site May 1–6, 2017, and February 26–March 1, 2018 to monitor the progress in the implementation of the MAP. Most of the actions have been completed. Selected issues are discussed in detail below.

### Status of Selected Issues

10. ***Identification of Project affected people (PAPs) and post-resettlement clinic results.*** A post-resettlement clinic held October 24 – 28, 2016 reviewed cases of people who claimed to have been excluded during the 2009 census survey. An evaluation committee comprising the three mediators and the Deputy County Commissioner for Naivasha carefully reviewed each of the 236 individual cases and held interviews with the applicants as well as their witnesses in addition to reviewing the available information and evidence applicants submitted together with official records available. In total, the committee reviewed 236 cases. Of these, 114 applicants appeared for an interview in person. The committee also reviewed the information available for the remaining 122 applicants who did not attend the clinic.<sup>1</sup> The evaluation committee determined that out of the 236 cases reviewed, five PAPs were deemed eligible for resettlement compensation in kind (houses) and three for cash compensation for structures, in accordance with the compensation package in the Resettlement Action Plan (RAP) and Memorandum of Understanding (MoU) between KenGen and the PAPs community. There was a significant number of applicants who could not produce any kind of evidence that they ever lived in the affected villages, and there were applicants who previously had already received compensation under the RAP. All applicants received a written notification explaining in detail the decision made in their case as to whether or not they are eligible for further compensation under the RAP. Both Banks have reviewed the final report of the post-resettlement clinic which describes each individual case. The three PAPs eligible for cash compensation for structures were paid on November 21 and 24, 2017. Construction of

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<sup>1</sup> From the documentation reviewed the committee found that out of those 122 applicants 18 had been already resettled under the RAP and one was compensated as a land tenant. None of the 122 applicants were found eligible under the criteria set out in the RAP.

five houses in RAPland (the name designated by the Maasai community for the resettlement site) for those identified as eligible for resettlement compensation in kind is underway. The recent Bank mission visited four of the five houses under the construction to verify progress of works. The contract for the construction was awarded in January 2018; the houses are about 45 percent complete and expected to be completed in May 2018. KenGen is closely monitoring the works to ensure quality of the construction and timely completion.

11. **Livelihood restoration.** Agreed studies related to capacity building of PAPs for livelihood restoration and a feasibility study and business plan for a Cultural Center were completed in December 2017. In January 2018 they were disclosed, and consultations were carried out. Trainings for women traders and PAPs on sustainable production of wares, advertising and marketing were carried out in March 2017. Over 70 PAPs participated in the trainings. KenGen informed the Bank that it would advise and support PAPs to advertise and market their wares when the PAPs reestablish the Cultural Center as their business location. KenGen consulted with each of the eleven households identified as vulnerable in a December 2016 assessment, on the assessment's recommendations, and provided tailor-made support agreed with the families. The assistance included cash grants for starting income-generating activities, which were paid out on November 21-24, 2017, and employment of identified members of the families. Training sessions on available opportunities for vulnerable people, such as a women's empowerment fund, a youth fund, and social security funds, were conducted in March 2017. Additionally, KenGen has continued to provide scholarships for secondary school education of children of PAPs who meet the academic qualification criteria in the MoU.

12. **Water supply.** Damaged sections of the water pipeline constructed by KenGen for water supply to the PAPs were repaired and the measures to protect the pipeline from more damage were completed in 2017. Some water pressure challenges remain in parts of RAPland, however, due to illegal connections to some households. Works to construct a 200,000-liter storage tank dedicated to the community and construction of a redesigned water supply line to the "cultural center" community are underway, with an initial expected completion date of April 2018. However, the works were slowed down by the heavy rainfall received in the area in March 2018 and a change in the water tank design; they are now expected to be completed by June 2018. In the interim, KenGen has been using its water bowser to supply water to PAPs in areas with weak water pressure and to the communal water kiosks (each household has been provided with a 200-liter tank). During its visit to RAPland, the recent Bank mission noted that while water was widely available in some areas, others lacked sufficient water. This is likely linked to water management practices of the community itself. It was observed that water was consistently flowing out of a cattle dip that had been vandalized and no visible repair or water collection measures were put in place by the users. In addition, some houses have crops and gardens that appear to have been heavily irrigated, at the potential expense of water availability for other households. To encourage sound water management practices and enable the community to take full responsibility for the water supply at RAPland, KenGen has facilitated training of the community water sub-committee and the community on water conservation and harvesting, and is assisting the community to form a water management committee.

13. **Roads.** RAPland roads were upgraded to all weather conditions and are under maintenance by KenGen for one year before being handed over to the relevant government authority. Currently,

road repair works to rehabilitate some identified gullies that could cause damage to the road are progressing. No houses in RAPland are now isolated or cut off from access.

14. ***Land productivity assessment, improvement and stabilization study.*** The four major gullies identified by the community were rehabilitated. Rehabilitation works are being undertaken in additional gullies identified by KenGen that required stabilization. The works were initially planned to be completed by March 2018, but were delayed due to heavy rainfall experienced during the month and an increase in the scope of work compared to the volume in the contractual bill of quantities. Currently, 2,800 gabions have been constructed and rehabilitation of nine gullies is over 90 percent complete. Construction of storm water drainage channels and work on one more gulley have recently started and all works are expected to be completed at the end of June 2018.

15. A RAPland Productivity Assessment and Soil Stabilization Study was completed in December 2017. KenGen has expressed commitment to implement the identified activities to stabilize roads and valley road intersections. These actions are in addition to the 2,800 gabions constructed and rehabilitation of nine gullies which are almost complete. Construction of storm water drainage channels and work on additional gullies recently started.

16. ***Status of the land title transfer.*** The title transfer forms for the 1,500 acres in RAPland and the cattle dip were signed by the PAPs' nine trustees on February 16, 2018. Both transfer forms were lodged with the Ministry of Lands on March 5, 2018 for registration and issuance of the new title to the PAPs. These title transfers are expected to be completed by the end of May 2018. The transfer of the 14 acres for the Cultural Center is pending as it took significant time to agree upon the boundaries of the land. Following agreement on these boundaries, a survey was carried out and the survey files submitted to Survey of Kenya in November 2017. KenGen is following up with the Director of Survey and transfer of the 14 acres for the Cultural Center will commence once the approvals are obtained from the Survey. This transfer is expected to be completed by June 2018.

17. ***Request for conversion of the land title from leasehold to freehold.*** The Bank discussed with KenGen's legal department the feasibility of the community's request to convert the land titles from leasehold to freehold, within the existing legal framework in Kenya (particularly, the Constitution, the 2012 Land Act and the 2016 Community Land Act). The Bank also consulted with a Kenyan land rights expert and further obtained the opinion of a reputable Kenyan law firm to advise on this matter. All parties confirmed that the existing legal framework in Kenya does not explicitly foresee the possibility of a title conversion from leasehold into freehold and, as such, they were not aware of any precedent for such a conversion. The land rights expert consulted by the Bank advised that given the legal uncertainties surrounding the possibility of land title conversion and the timelines for such conversion, the community should quickly secure land titles in their current form as leaseholds and, if possible, explore the feasibility of a conversion to freehold afterwards. KenGen also informed the Bank that it is willing to continue to support the community to pursue the possibility of the conversion or waiver of the land rent and rates even after the transfers to the community are completed. In this regard, the Ministry of Energy wrote to the Ministry of Lands on November 22, 2017, requesting the conversion from leasehold to freehold or a waiver of land rents and rates. The Ministry of Energy and KenGen have been following up with the Ministry of Lands, to secure a response, including through a letter of March 12, 2018, but no response has been received so far.



18. ***Fencing of RAPland and the Cultural Center land.*** Fencing of RAPland and the Cultural Center land is advancing, and completion stands at about 65 percent and 45 percent, respectively. The works were initially planned to be completed by April 2018 but were delayed and are now expected to be completed in May 2018.

**Table 1. MAP Implementation as of end February 2018**

Issue/ Action Category	Action	Action implemented/timeline
<b>A) Identification of Project Affected Persons</b>		
Ensure that Project Affected Persons who believe that they have been left out or wrongly categorized understand that they can bring forward such claims	<p>KenGen will convene a post-RAP clinic where the cases of the 200 individuals whose names were submitted by the complainants will be re-examined and a decision on their entitlements made on a case by case basis. This will be witnessed by representatives of: the Council of Elders (CAC), RAP Implementation Committee (RAPIC), KenGen, GIBB Consultants, EIB-CM, World Bank, and Ministry of Energy and Petroleum. The Deputy County Commissioner for Naivasha Sub-county or his representative, will preside over the clinic.</p> <p>KenGen will publicly announce the dates and venue of the clinic in Kiswahili and Maa languages at least 2 weeks in advance to the community through complainants' representatives, RAPIC, Mediators, World Bank, and EIB-CM.</p>	<p><b>Completed</b></p> <p>Notices were issued for the clinic in Kiswahili, English and Maa languages to all the Olkaria villages and announced in all churches on October 9, 2016.</p> <p><b>Completed.</b></p> <p>KenGen convened a post-resettlement clinic on October 24-28, 2016. All the complainants that appeared for the clinic were interviewed individually by the evaluators and given the opportunity to present witnesses and evidence. The evidence and witness statements were evaluated by the panel to reach a conclusion. In total 236 cases were analyzed, including those who appeared during the clinic without their names having been mentioned during the mediation or appearing in the lists presented during the clinic.</p> <p>Evaluators convened a validation session to collect more evidence from complaints of interest from November 28 to December 2, 2016. Eight complainants who were determined to have succeeded in their appeal were interviewed and their names submitted to KenGen. The results of the post-resettlement clinic were communicated to RAPIC on May 5, 2017 and community representatives for the mediation on May 4, 2017.</p> <p>KenGen delivered letters to all the 114 individual complainants who appeared during the clinic; complainants whose names were received during mediation and did not appear for the clinic will receive feedback upon request.</p>
Review claims and confirm or revise the entitlements where justified	KenGen commits to provide additional houses at RAPland for those Project affected people who were found eligible and who were wrongly omitted, based on the outcome of the verification (under A 1).	<p><b>Ongoing.</b></p> <p>Five (5) eligible PAPs wrongly omitted from housing entitlements were identified. The third and final phase of the clinic, which involved interviews with each of the five (5) PAPs eligible for resettlement compensation in kind (houses), was concluded on January 25, 2017. The disclosure of summary report</p>

Issue/ Action Category	Action	Action implemented/timeline
		<p>to RAPIC and other stakeholders was done during the week of May 4, 2017.</p> <p>The five plots at RAPland for five additional houses were identified and pegged on May 17, 2017 by RAPIC and CAC. KenGen's Board of Directors also approved construction of the additional five (5) houses and a budget was provided.</p> <p>The contract was awarded on January 5, 2018 for the construction of the five houses, following a competitive procurement process, with a completion period of 4 months. The houses are about 45 percent complete and are expected to be completed in May 2018.</p>
	KenGen commits to provide any cash compensation for those Project affected people who were found eligible and who were wrongly omitted, based on the outcome of the verification (under A 1).	<p><b>Completed</b></p> <p>The 3 PAPs found eligible for cash compensation for loss of structures in accordance with the compensation package in the RAP/MoU were fully compensated on November 21, 2017. Monitoring of the vulnerable PAPs is ongoing until closure of the RAP process.</p>
<b>B) Consultation, Participation and Grievance Redress</b>		
Review the Grievance and Complaints Handling Mechanism (GCHM) and discuss with Project affected people possible adjustments to improve its functionality.	<p>KenGen will update and improve the current grievance redress structure to ensure that it is independent and effective.</p> <p>KenGen will also consider community proposals for the design of the grievance redress structure to ensure that traditional community structures are reflected in such a mechanism. KenGen will reach out to community representatives to obtain such proposals.</p>	<p><b>Completed</b></p> <p>Consultative meetings with the Bank were held to discuss the weaknesses of the GCHM and ways of addressing the gaps to ensure its independence and effectiveness were agreed.</p> <p><b>Completed</b></p> <p>The community presented a proposal for strengthening of the GCHM on February 15, 2018. The proposal was adopted and GCHM will henceforth have 13 members (an increase of 5 members).</p>
Facilitate participation of Project affected people, including women and youth, in community committees and facilitate access to livelihood restoration opportunities	KenGen will promote enhanced representation of youth in future Stakeholder Coordination Committees (SCC) to facilitate communication on job opportunities as they arise. RAPland youth will be	<p><b>Completed</b></p> <p>Elections for members of a new SCC for the upcoming Olkaria V and Olkaria I Additional Unit 6 projects were completed on January 30, 2017. These projects are not Bank financed. The elected members included 7 women and 8 youths. The new SCC was launched on February 2, 2017. An induction</p>

Issue/ Action Category	Action	Action implemented/timeline
	mobilized to nominate their representative and forward the name to KenGen for inclusion into the SCC membership. This will enhance youth participation in Project implementation.	program was implemented on March 17, 2017.
	KenGen will engage with the National Youth Service (NYS) <sup>2</sup> to seek to create a partnership for RAPland youths; the National Youth Service, a government department, will ensure the youth have access to technical skills training and apprenticeships in different fields, leading to job placement opportunities.	<b>Completed</b> Sensitization for RAPland youth by the NYS was done on April 6, 2017. The RAPland youth were offered four (4) positions in NYS, two youths from the RAPland village were picked and are currently undergoing training. Sixty-nine (69) persons from the RAP community attended the sensitization meetings NYS programs.
	KenGen will promote enhanced representation of women in future SCC to enhance their participation and to facilitate communication on job opportunities as they arise. KenGen will reach out to RAPland women to nominate their representative and provide the names for inclusion into the SCC.	<b>Completed</b> The SCC for the Olkaria I and IV had 56 community representatives, out of which seven were women and only one was a youth representative. The current SCC for the Olkaria V project has fewer community representatives at 38. However, the number of women representatives has been maintained at seven, and youth representatives increased to eight.
	KenGen will consider additional Project affected people from existing community sub-project committees for inclusion in RAPIC; these will be drawn from among youth and women to enhance their representation in RAPIC.	<b>Completed.</b> KenGen facilitated community meetings in October, November and December 2016, to discuss the need to submit to RAPIC Chairman, proposals for additional representatives from the existing community sub-project committees to be included in RAPIC, with preference for women and youth. KenGen wrote to the community through RAPIC Chairman on March 15, 2017 to submit additional names, preferably women and youth, for ratification and inclusion in RAPIC membership; so far KenGen has not received any proposal from the community. Since RAPIC will be

<sup>2</sup> The National Youth Service is a government department. The purpose is to alleviate youth unemployment by providing necessary skills.

Issue/ Action Category	Action	Action implemented/timeline
		dissolved with the completion of the resettlement process, this action is no longer relevant.
	KenGen will ensure that every Project affected person has access to the measures proposed above and specifically that the most vulnerable are given priority access to unskilled and semi-skilled employment and training programs conducted by KenGen.	<p><b>Completed.</b></p> <p>KenGen has identified vulnerable PAPs and created a database, with priority given to them on employment opportunities. KenGen arranged extensive trainings of PAPs by several government ministries, departments and bodies and a financial institution on a wide variety of topics such as livestock management, entrepreneurship and business management skills, welfare and cooperative societies management, water systems operations, opportunities in youth and women government funds, youth opportunities under NYS, government safety nets for the vulnerable, public health, available government procurement opportunities for youth and women, among other aspects. The trainings were carried out by the ministries/departments such as Labour and Social Protection; Youth Enterprise Development Fund; Women Enterprise Fund; Industrialization, Trade and Co-Operatives; Water; Livestock; Veterinary; Health; NYS; and Equity Bank. The vulnerable PAPs were also trained on financial literacy by the consultancy firm that was engaged for capacity building programs.</p>
<b>C) Adequacy of Resettlement Site and Infrastructures and Amenities</b>		
Ensure finalization of the land titling process for the 1,700 acres <sup>3</sup> at RAPland and for 14 acres for the Cultural Center	<p><b>Land Titles:</b></p> <p>KenGen will transfer titles for 1,500 acres at RAPland and 14 acres at the Cultural Center to the Project affected people. KenGen will complete the process of title transfer once the community has nominated and registered the trustees holding the land on behalf of the community.</p>	<p><b>Ongoing.</b></p> <p><b>1,500 acres Community Land:</b></p> <p>The title for the 1,500 acres of community land has been ready for transfer to the community since November 2016. The transfer process was awaiting the PAPs' Welfare Society's election of its registered trustees, which took place in January 2018. The Welfare Society trustees signed the transfer forms for the 1,500 acres and for the cattle dip on February 16, 2018. The transfers were lodged with the Ministry of Lands for registration and issuance of titles on March 5,</p>

<sup>33</sup> 1,500 acres of community land and 200 acres of social amenities, e.g., roads, school, dispensary, social hall, etc.

Issue/ Action Category	Action	Action implemented/timeline
		<p>2018. Titles are expected to be issued by May 2018.</p> <p><b>Ongoing.</b></p> <p><b>14 acres Cultural Center Land:</b></p> <p>The title for the 14 acres of community land has been ready for transfer to the community since November 2016. The Cadastral Survey and placement of beacons have been completed and the data survey files were submitted to the Survey of Kenya for approvals and production of deed plans.</p> <p>Next steps by May 2018:</p> <ul style="list-style-type: none"> <li>- Approval of the Deed Plan by the Survey of Kenya</li> <li>- Application to the Land Control Board for Consent to transfer title for the 14-acre parcel to Welfare Society</li> <li>- Lodging documents required for transfer and registration of titles.</li> <li>- Transfer and registration of title deeds for Cultural Center land (14 acres) in the name of Ewang'an Sinyati Welfare Society through the trustees.</li> </ul>
	KenGen will process and hand out subdivided titles for public facilities on RAPland, such as road network, health facility, school, and other registered social amenities (e.g., churches).	<p><b>Ongoing.</b></p> <p>Olkaria primary school, Baptist church, and dispensary have applied to National Land Commission for allotment of land.</p> <p>Olkaria secondary school, Gospel assembly and Open Gate church have not applied as they are still pursuing registration of the respective institutions.</p>
	KenGen will provide RAPIC with the RAPland map sheet and accounts for the 200 acres of social amenities.	<b>Completed.</b>
	KenGen will revisit and confirm with surveyors and community members the boundaries of the 14 acres of Cultural Center land.	<b>Completed.</b>
	KenGen will fence the 14 acres of the Cultural Center and provide signs to protect against	<p><b>Ongoing.</b></p> <p>The works are 45 percent complete; as of March 2018. Initial completion date was April 2018, but has now been revised to May</p>

Issue/ Action Category	Action	Action implemented/timeline
	encroachment, unauthorized access and theft.	2018. Signage design, fabrication and mounting is expected to be completed as soon as fencing works are complete.
	KenGen will support community efforts to ensure complete vacation of the Cultural Center, and jointly inspect the situation upon completion.	<b>Completed.</b>
Ensure finalization of RAPland infrastructure, including water supply and roads	<b>Water supply:</b> KenGen will continue to ensure reliable interim water supply through KenGen water bowzers while the RAPland waterline is being restored.	<b>Completed.</b> The water line re-routing and rehabilitation works were completed in January and February 2018, which improved water supply significantly. However, low water pressure continues to be a challenge due to inadequate storage and illegal connections by households. To address this challenge, KenGen is constructing a 200,000-liter storage tank dedicated to PAPs, which will be completed by June 2018.  KenGen supplies water to RAPland when supply challenges occur.
	KenGen will repair and extend a permanent water pipeline in RAPland.	<b>Completed.</b>
	KenGen will support the establishment of a Water Resource Users Association in the community to ensure sustainability of the water lines and systems and ownership by Project affected people of water management and conservation initiatives.	<b>Completed.</b> RAPland water sub-committee trained on March 15, 2017 and awareness created for the wider PAP community on water conservation initiatives.
	KenGen will procure a consultant to train Project affected people on water harvesting (e.g., collection from roofs and storing in tanks) and conservation, and on maintenance of water line systems.	<b>Completed.</b> The RAPland water sub-committee has been trained on maintenance and management of the water line, and the wider community sensitized on water conservation and harvesting.
	KenGen will re-route main water pipeline away from the road sides and build bridges to support the pipes over the	<b>Completed.</b> Repair and extension works are completed.



Issue/ Action Category	Action	Action implemented/timeline
	gullies to avoid recurring damage to the line.	
	KenGen will repair the main water storage tank at Olkaria IV and install one additional water tank.	<b>Ongoing.</b> KenGen is constructing a 200,000-liter water storage tank dedicated to the community and a diversion for the Cultural Center, which is expected to be completed by June 2018.
	<b>Roads:</b> KenGen will repair the road to unreachable houses beyond the school.	<b>Ongoing.</b> Gully rehabilitation is ongoing. There have been 2,800 gabions constructed and rehabilitation of nine gullies is over 90 percent complete. Construction of storm water drainage channels and work on one more gully have recently started. Completion of all works is expected by June 2018.
	KenGen will provide short-term solutions for flood related road conditions, such as creating temporary routes while the main road is under repair.	<b>Completed.</b>
	KenGen will upgrade RAPland roads to all-weather condition, according to the standards of Kenya Rural Roads Authority (KeRRA).	<b>Completed.</b> The rehabilitation works for the carriage way are complete.
	KenGen will register and hand over the roads to KeRRA to ensure government maintenance 1 year after receipt of the completion certificate.	<b>Ongoing.</b> KenGen initiated discussions with KeRRA on inspection, handover and maintenance program upon receipt of completion certificate.
	KenGen will review feasibility of using box culverts across gullies, as suggested by community.	<b>Completed.</b> The review suggests there may be some scope for box culverts in selected locations, and this is being discussed further.
	KenGen will maintain roads for at least one year after completion of works (receipt of the completion certificate), prior to handing over to KeRRA.	<b>Ongoing.</b>
	KenGen will identify the areas where additional road repairs	<b>Completed.</b> Repairs have been carried out in high priority locations and others are being scheduled.



Issue/ Action Category	Action	Action implemented/timeline
	are needed and carry out such repairs.	
	<b>Others</b> KenGen will provide bookshelves for school library.	<b>Completed.</b> The Bookshelves were delivered and installed.
	KenGen will deliver remaining medical clinic equipment.	<b>Completed.</b> The remaining medical clinic equipment was delivered.
	KenGen will provide clinic shelves, repair fence, fabricate and install Kraal gates, and discuss staffing issues with county government to achieve improved staffing of the county-run clinic.	<b>Ongoing.</b> Clinic shelves were completed. Works for fabrication of 345 Kraal gates and fence repairs at RAPland were completed on July 30, 2017. KenGen wrote to the Ministry of Health, Naivasha Sub-county to consider providing additional support staff to the clinic and a response is still awaited. An additional clinical officer had been posted to the clinic in late March 2018.
Ensuring rehabilitation/restoration of land at resettlement site	KenGen will identify four major gullies that require stabilization and procure a contractor to undertake the required works.	<b>Ongoing.</b> 2,800 gabions were constructed and rehabilitation of nine gullies is over 90 percent complete. Construction of storm water drainage channels and work on one more gulley recently started. Completion of all works is expected in June 2018.
	KenGen will undertake studies with technical experts to assess and recommend practical and sustainable interventions to improve soil stability, erosion prevention, productivity of pasture and smallholder agriculture, as well as the below actions:  Procure a Consultant to undertake RAPland Improvement Studies.	<b>Completed.</b> RAP productivity assessment done and activities for implementation by KenGen, community and the local government recommended.
	Mapping of key environmental problematic areas (highly eroded areas/ unstable areas).	<b>Completed.</b> The study, which was completed in December 2017 has identified additional measures that KenGen, the community and the local government could implement to improve land productivity and soil stabilization. KenGen has expressed commitment to

Issue/ Action Category	Action	Action implemented/timeline
		implement the activities specifically identified for KenGen.
	Soil testing for purposes of determining appropriate vegetation and fodder crop species for the area.	<b>Completed.</b>
	Raising of fodder crops and other plant species at KenGen tree nursery.	<b>Completed.</b> KenGen will provide seedlings by mid-2018.
	Identification of land rehabilitation and improvement measures, including soil stabilization and soil control measures, and land productivity improvement measures.	<b>Completed.</b>
	Technical assessment of soil stability and recommendations on sustainable interventions (productivity of pasture and smallholder agriculture) and supervision.	<b>Completed.</b>
<b>D) Livelihood Restoration</b>		
Have an independent post-relocation survey done to determine the overall post-relocation impacts on the Project affected persons, in particular, vulnerable and poor people affected by the Project	KenGen will share with the community representatives the criteria used for assessing vulnerability with RAPIC by June 30, 2016.	<b>Completed.</b>
	KenGen will reassess the status of the six individuals whose names were submitted in addition to the eight individuals already identified by KenGen and communicate the result of this re-assessment.	<b>Completed.</b> KenGen received nine names from the community and vulnerability assessment was completed on December 2, 2016; only three met the vulnerability criteria. This was disclosed to RAPIC on May 4, 2017.
Formulate tailor-made programs to ensure livelihood activities for the vulnerable and the very poor among the Project affected persons (as identified through the survey) are enhanced.	KenGen will continue support of RAPland Olkaria Primary Pupils through scholarships.	<b>Ongoing.</b> As of 2017, KenGen had granted six secondary school scholarships that cover school fees, uniforms and other expenses to the RAP community: three girls and three boys who met the criteria agreed in the MoU. In 2018, only one student met the requirements for the scholarship and he was supported.
Continue to work with disabled Project affected	KenGen will support the vulnerable Project affected	<b>Completed.</b> Targeted information session by the

Issue/ Action Category	Action	Action implemented/timeline
persons to ensure accessibility of houses and facilities provided at RAPland	people by linking the elderly and orphans to the national government social safety nets as well as linking the Naivasha Sub-county Medical Officer Health with the Kenya Palliative Care Society to train and build capacity of the local health unit and community to administer palliative care.	Government line ministries on existing opportunities – such as the social safety programs, Uwezo funds, Women Empowerment trust fund, Youth Fund – was conducted between March 14 and 18, 2017.  The community members were also advised about the offices where they can obtain more support.
	KenGen will consult with every vulnerable household head and identify sustainable actions for the identified vulnerable Project affected people and agree to implement them.  KenGen will review the access issues raised by handicapped community members at RAPland with a view to either relocate them inside RAPland or make needed adjustments to their housing, for better access.	<b>Completed.</b> The recommendations of the vulnerability assessment reports have been implemented (November 21–24, 2017).  <b>Completed.</b> KenGen received only one access issue from a handicapped PAP, and a ramp from her house to the toilet was constructed.
Formulate training and other programs and advise Project affected people on income restoration options, including for youth and women	KenGen will procure a consultant to undertake a feasibility study to assess potential business and employment opportunities. Based on the study's findings the consultant will carry out training needs assessments, develop and deliver the required training for:	<b>Completed.</b> The feasibility study and proposed business plan has been completed and provided to the PAPs
	<b>Women.</b> Train, advise and support women traders and Project affected people on sustainable production of wares, advertising and marketing of wares, and alternative incomes beyond livestock and tourism, e.g., agricultural production, entrepreneurships, craftworks, etc.	<b>Completed.</b> The trainings are complete, final training report has been submitted to the Bank.
	<b>Cooperatives.</b> KenGen will deliver the training for forming	<b>Completed.</b>

Issue/ Action Category	Action	Action implemented/timeline
	trading groups and cooperatives.	An officer from the Cooperative Department was brought in by KenGen to conduct the training for groups on March 16, 2017.
	<b>Marketing.</b> KenGen will advise and support Project affected people to advertise and effectively market their wares.	<b>Ongoing.</b> Once the PAPs reestablish the Cultural Center, KenGen will advise and assist in marketing.
	<b>Micro-finance facility.</b> KenGen will explore possibilities of starting a micro finance facility to ensure access to small business finance at RAPland	<b>Completed.</b> Preliminary discussions with microfinance banks occurred. PAPs were informed about possibilities to access the Youth Fund and the Women Empowerment Fund on March 16, 2017.  Equity Bank, a local microfinance institution, sensitized the RAPland community on available microfinance opportunities.
Support provided to the Cultural Center	KenGen will fence the Cultural Center land and provide signage to protect from encroachment.	<b>Ongoing.</b> Works are 45 percent complete. Signage design and fabrication is expected to be completed on completion of fencing,
	KenGen will support community efforts to ensure Cultural Center is vacated and facilitate a joint inspection of the situation at the Cultural Center.	<b>Completed.</b>
	KenGen will support preparation of a feasibility study on potential business development plan for the Cultural Center (i.e., identify existing businesses, their performance, challenges, and ways of improving, and identify feasible ecotourism business options).	<b>Completed.</b> The final report has been submitted to the Bank and KenGen.  The reports have been disclosed to PAPs.
Offer support to manage the funds generated from leasing out the bus to ensure cost effective and affordable transportation for those	KenGen will provide awareness raising among Project affected people about the Welfare Society to promote ownership and participation among the community.	<b>Completed.</b> Information session carried out for wider PAP community and Welfare Society committee members on March 27, 2017.  The Welfare Society has been trained and sensitized by the Cooperatives officer.

Issue/ Action Category	Action	Action implemented/timeline
Project affected persons whose income depends on commuting	KenGen will provide training in corporate governance and accountability to the Project affected people's Welfare Society to enhance its capacity to manage their assets (including bookkeeping, accounting, annual reporting trusteeship, society elections).	The Welfare Society was trained on accountability and governance by the capacity building consultants in March 2017.
	KenGen will convene a meeting with the participants of the mediation process to consider community proposals to resolve the transport issue. Submit proposals to the mediators to resolve the transport issue at the June 3, 2016 meeting.	<b>Completed.</b> The Welfare Society and the Cultural Center Management Committee had an agreement which was implemented for only two months. The transport issue (not part of the MAP) remains unresolved, due to the continued deadlock in the Maasai Community, discussed below.
	KenGen will participate in all further discussions and meetings as may be convened and required to resolve the issue of maximizing the availability of transport facilities for the community.	<b>Ongoing.</b> There is a stalemate on the transport issue. KenGen will participate in any discussions initiated by the community or Welfare Society.
<b>E) Bank Safeguards Capacity and Supervision</b>		
Ensure strengthened safeguards coverage of the entire portfolio	<p>Management will retain Lead Safeguards Specialist based in Nairobi to advise on complex social safeguards issues, support quality control, and advise on the country program. The specialist will also support coordination and monitoring of the safeguard performance of the country portfolio;</p> <p>Management will hire additional specialist consultants to ensure effective supervision of safeguards;</p> <p>Management will intensify training of safeguards specialists, specifically to strengthen skills in managing complex social issues;</p>	<b>Completed.</b>

### III. COMMUNITY COMMITMENTS UNDER THE MEDIATION AGREEMENT (NOT PART OF THE MAP)

19. ***Nomination of Welfare Society trustees.*** In January 2018, the community elected nine trustees who would hold the land titles on behalf of the Welfare Society once the transfer is processed. The recent Bank mission spoke to two trustees about the selection process. The nine trustees were first each nominated by their respective groups/villages and their nomination later endorsed by the whole community in a public baraza. One of the trustees told the mission that he understands the role and function the trustees are expected to have, as well as their responsibilities vis-à-vis the community.

20. ***Grievance redress.*** The PAPs submitted a proposal to KenGen for revising the project-level GCHM. The community proposal entailed adding 5 members of the CAC to the GCHM committee, thus increasing the total number to 13. Based on the community's proposal, however, the structure of the GRM would remain unchanged.

21. ***Transport (bus).*** The transport issue remains outstanding. As part of livelihood restoration activities under the Project, a 60-seater bus for the transportation of Project-affected people to and from their place of work was acquired. The community then decided to lease the bus to a private company, following which disputes arose regarding the use of the income generated. There appears to be a continued deadlock in the Maasai Community on resolving this issue, while at the same time the involvement of any external party on the matter has been repeatedly rejected. For the second consecutive year, the bus has remained parked inside the school premises and is not being used by PAPs. Allegedly, this was due to lack of insurance. The bus has not been appropriately maintained and is in deteriorating condition. The failure to resolve this issue affects primarily the Maasai women, some of whom are obliged to walk for 1.5 to 2 hours each way to the gorge site daily in order to sell their products and generate income. The recent Bank mission actively examined the issue but was not informed of any proposal or solution being discussed by the PAPs to solve this issue. Even though offers of external parties to help resolve this issue have been rejected to date, the Bank remains willing to provide suggestions as to how the issue could be resolved.

### IV. NEXT STEPS

22. Management will continue to monitor the outstanding items and will report back within 12 months, or once all are completed, whichever comes first.



**ANNEX 1: PICTURES**



*Picture # 1:  
Construction of one  
of the five additional  
resettlement houses*



*Picture # 2:  
Construction of one  
of the five additional  
resettlement houses*





*Picture # 3:  
Construction of one  
of the five additional  
resettlement houses*



*Picture # 4:  
Slope and road  
stabilization works*





*Picture # 5:  
Slope and road  
stabilization works*



*Picture # 6:  
Slope and road  
stabilization works*





*Picture # 7:  
Fencing of Cultural  
Center land*



*Picture # 8:  
Heavily irrigated  
vegetable garden in  
one section of  
RAPLand*





*Picture # 9:  
Vandalized cattle  
dip*



*Picture # 10:  
Water in vandalized  
dip runs  
continuously for the  
cattle, with  
significant amounts  
of unused run-off*



*Picture # 11:  
The bus provided to  
the community  
remains parked  
outside the school,  
its condition  
deteriorating*