

International Bank for Reconstruction and Development
International Development Association

SECOND 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 30, 2019

ABBREVIATIONS AND ACRONYMS

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

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I. INTRODUCTION

1. This is the second 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). The [first progress report](#) was submitted in April 2018.
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 of International Development Association (IDA) 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 that was 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 was 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](#) 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 the 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 Management Report and Recommendation, and also includes steps agreed during the mediation. Table 1 below provides the implementation status of the actions covered in the MAP as of March 31, 2019.

9. The Bank team has closely followed up on the progress of the MAP, both through meetings with KenGen and site visits made on March 28, 2018, August 28, 2018, September 21, 2018, October 3 and 26, 2018 and March 4, 2019. Nearly all actions, including transfer of the 1,500 acres of land to the Project affected people (PAPs), have been completed. The only remaining activities are the transfer of 14 acres of Cultural Center land and the cattle dip to the PAPs and transfer of the land on which the health clinic, community hall and churches are located to the relevant government ministries/church organizations. The activities that were under implementation as of the date of the last progress report in 2018 are discussed in detail below.

Status of Activities

10. ***Construction of houses for additional PAPs identified during post-resettlement clinic.*** Construction of houses for the five PAPs, determined by the post resettlement evaluation committee to have been eligible for resettlement compensation in kind (houses), out of the 236 cases reviewed, was completed and the houses handed over to the PAPs on September 24, 2018. KenGen supported the PAP families to move into the houses. The Bank team made site visits during the construction of the houses and after the PAPs moved into the houses. Currently, KenGen has undertaken to correct minor defects of some doors after the contractor took unduly long to address the faults during the defects liability period.

11. ***Livelihood restoration.*** All the agreed livelihood restoration activities were completed in 2017 and 2018, except KenGen's obligation to advise and support PAPs to advertise and market their wares when the PAPs reestablish the Cultural Center as their business location. The PAPs have yet to reestablish the Cultural Center but KenGen remains committed to support the PAPs with marketing. Additionally, the company will continue to provide up to four scholarships for

secondary school education of children of PAPs who meet the academic qualification criteria required under the MoU. Since 2015 KenGen has provided scholarships for nine children from the PAP community. KenGen has also been encouraging other geothermal businesses which are active at Olkaria to join in supporting the education of the children of PAPs. Two companies are already providing university education scholarships to some of the children of PAPs.

12. **Water supply.** KenGen completed the repairs of the damaged sections of the water pipeline it had earlier constructed for water supply to the PAPs; measures to protect the pipeline from more damage were completed in 2017. Some water pressure challenges remained in some households in parts of “RAPland” (the name designated by the Maasai community for the resettlement site). Improvement of water supply to the PAPs necessitated construction of a dedicated water tank and improvement in some distribution lines. The construction of a steel-reinforced concrete storage tank with a capacity of 200,000 liters, dedicated to the community, and construction of a redesigned direct water supply line to the Cultural Center community were completed and have been in use since September 30, 2018. KenGen pumps water to the main storage tank three times per week. In addition, each household has been provided with a 200-liter tank.

13. However, water supply to the PAPs has recently been compromised by two incidences of vandalism, the first by some youth from the PAP community who stole about 20 pipes in February 2019. The culprits are known to the community, but the community leaders decided to shield them from prosecution and handle the matter within the community. The community replaced half the stolen pipes. As it took some time for them to raise all the funds needed to purchase the pipes, KenGen responded to their request and purchased the other half of the needed pipes, which have since been installed. The second incident occurred on March 28, 2019 and involved theft of copper cables at the water pump house, rendering the pump that is used to supply the water to RAPland inoperable. The pump house was being guarded by guards from RAPland and the theft is under investigations by the Kenya police. KenGen is preparing to replace the stolen cables so that water pumping can resume. At present, KenGen is using trucks to deliver water to the PAPs. KenGen has also been undertaking the regular maintenance required by the water pipeline distribution system.

14. KenGen assisted the community’s water sub-committee to register a water-users self-help group with the Naivasha sub-county. This self-help group now enables the community to manage water supply, including charging user fees, which can be used to meet the operation and maintenance cost of the water distribution network. The community water sub-committee had also received training facilitated by KenGen on water conservation and harvesting, among others, in 2017. As part of the capacity building support, KenGen employed a water technician to work with the community in 2018. However, the sub-committee has since been inactive, although it is important for the PAPs to take over the water management role from KenGen and enforce sound water use practices among its members now that the MAP activities are coming to a close. Individual practices by some PAPs such as heavy irrigation of their farms and the above-cited vandalism of pipes and cables have compromised water supply to some of the community members. KenGen has continued to use its water trucks to supply water to the PAPs affected as a result of these practices.

15. **Road maintenance.** KenGen has continued to maintain the RAPland roads pending their handover to the relevant Kenyan government body for future maintenance since they are public roads. The subdivision scheme of RAPland means that the road network occupies about 41 acres of land, which will be owned by the government. KenGen informed the Bank team that following discussions with the Kenya Rural Roads Authority (KeRRA), which was involved in the approval of the design standards and monitoring of the road construction, it is unclear if this category of feeder/access roads will belong to KeRRA or the county government of Nakuru. KenGen is consulting with the National Lands Commission in this regard. Once it is established which government body should own the roads, KenGen will hand over the roads to that government body and notifying the end of KenGen's commitment to further maintain the roads.

16. **Land productivity assessment, improvement and stabilization study.** The works to rehabilitate gullies, including construction of gabions and storm water drainage, which began in December 2017 were completed on October 30, 2018. In total, eight major gullies and fifteen minor ones were rehabilitated. Planting of grass at the rehabilitated sites started but was postponed due to the drought that the country is currently facing. The activity is planned to continue mid-2019.

17. **Status of the land title transfer.** The 999-year leasehold title for the 1,500 acres in RAPland was transferred to the nine registered trustees of the PAPs' Welfare Society (Ewang'an Sinyati Welfare Society) on February 21, 2019 and was formally handed over to the PAPs on March 14, 2019. The transfer process was expected to have been completed in June 2018 but was delayed for several reasons. First, the increased due diligence on land transactions recently introduced at the Ministry of Lands as part of the government's anti-corruption fight slowed the transfer process. Second, there was a typographical error in one of the reference numbers in the subdivision scheme, which was noticed only during the process and which required a correction. Third, the Ministry of Lands issued the title based on the approved subdivision deed plans first to KenGen to subsequently prepare a second transfer to the PAPs' trustees.

18. The transfers of the titles for the cattle dip and the 14 acres of Cultural Center land are still being processed at the Ministry of Lands. However, it should be noted that while the legal steps move ahead, the community does have full and unfettered access to the cattle dip and the 14 acres of the Cultural Center land. The transfer of the 14 acres for the Cultural Center also involved a change of user of the land from agricultural to commercial based on the PAPs request. However, KenGen was subsequently advised by its lawyers and surveyors that the change of user would significantly reduce the term of the leasehold to be issued because leasehold titles for commercial properties are capped at 99 years (compared to the expected 999 years), and which was not acceptable to the PAPs. As a result, KenGen had to have the earlier subdivision scheme with change of land use type reversed and initiate a new title transfer process without a change of land use type. The subdivision approval was given on February 19, 2019 and the remaining steps are issuance of the deed plan for the land, which will be lodged with the Ministry of Lands, for issuance of the title to KenGen, following which KenGen will transfer the title for the Cultural Center land to the PAPs. The transfer process of the small parcels of land to the community for the cattle dip and social hall has also started. KenGen is following up regularly on the remaining steps to complete the transfers and is also applying lessons learnt in the processing of the title for the 1,500

acres of RAPland. These transfers, though largely outside KenGen's control, are expected to be completed by September 2019.

19. ***Request for conversion of the land title from leasehold to freehold.*** As indicated in the previous progress report, the Bank had consulted a Kenyan land rights expert and obtained the opinion of a reputable Kenyan law firm on the feasibility of the PAPs' community request to convert land titles from *leasehold* to *freehold*,¹ and both had confirmed the legal uncertainties surrounding the possibility of such conversion as well as lack of precedent. Both also advised that the community should first secure the land titles in their current form as leaseholds and explore the feasibility of a conversion to freehold afterwards. The title for the 1,500 acres at RAPland which was transferred to the community is a 999-year leasehold.²

20. ***Fencing of RAPland and the Cultural Center land.*** Fencing of RAPland and the Cultural Center land was completed on August 24, 2018.

¹ *Leasehold* is a form of land tenure that is limited by a term, while *Freehold* is full ownership, not limited by a term.

² The leasehold period for the transferred title starts from the date of first issuance of the title which is May 1, 1950.

Table 1. MAP Implementation as of end February 2019

(Actions completed in the previous reporting period are described in more detail in the [First Progress Report](#) from April 2018.)

Issue/ Action Category	Action	Action implemented/timeline
A) Identification of Project Affected Persons		
1) Ensure that Project Affected Persons who believe that they have been left out or wrongly categorized understand that they can bring forward such claims	<ul style="list-style-type: none"> - 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. - 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. 	Completed (in previous reporting period)
2) Review claims and confirm or revise the entitlements where justified	<ul style="list-style-type: none"> - 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 	Completed Five (5) eligible PAPs wrongly omitted from housing entitlements were identified in 2017. The contract to build the additional houses was awarded on January 5, 2018. The houses, each complete with electricity supply and 200-litre water tank,

Issue/ Action Category	Action	Action implemented/timeline
	outcome of the verification (under A.1).	were handed over to the PAPs on September 24, 2018.
	<ul style="list-style-type: none"> - 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). 	Completed (in previous reporting period)
B) Consultation, Participation and Grievance Redress		
1) Review the Grievance and Complaints Handling Mechanism (GCHM) and discuss with Project affected people possible adjustments to improve its functionality.	<ul style="list-style-type: none"> - KenGen will update and improve the current grievance redress structure to ensure that it is independent and effective. - 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. 	Completed (in previous reporting period)
2) Facilitate participation of Project affected people, including women and youth, in community committees and facilitate access to livelihood restoration opportunities	<ul style="list-style-type: none"> - 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 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. 	Completed (in previous reporting period)

Issue/ Action Category	Action	Action implemented/timeline
	<ul style="list-style-type: none"> - KenGen will engage with the National Youth Service (NYS)³ 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. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> - 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. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> - 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. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> - KenGen will ensure that every PAP has access to the measures proposed above and specifically that the most vulnerable are given priority access to unskilled and semi-skilled employment and 	Completed (in previous reporting period)

³ 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
	training programs conducted by KenGen.	
C) Adequacy of Resettlement Site and Infrastructures and Amenities		
1) Ensure finalization of the land titling process for the 1,700 acres ⁴⁴ at RAPland and for 14 acres for the Cultural Center	Land Titles: <ul style="list-style-type: none"> – 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. 	Completed 1,500 acres Community Land: The signed transfer of title for the 1,500 acres of community land was lodged with the Ministry of Lands for registration and issuance of titles on March 5, 2018. Title was issued on February 21, 2019 and formally handed over to the PAPs on March 14, 2019. Ongoing 14 acres Cultural Center Land: The subdivision of the 50 acre title from which the 14 acres of Cultural Center land were to be taken from was approved on June 20, 2017. The process included a change of user for the Cultural Center land from agricultural to commercial. However, KenGen was subsequently advised that the change of user would automatically reduce the leasehold title from 999 years to 99 years. Thus, the earlier approval for subdivision and change of user had to be reversed and started afresh. The approval for the subdivision was obtained on February 12, 2019. The remaining steps are: <ul style="list-style-type: none"> - Approval of the Deed Plan by the Survey of Kenya and its registration, and issuance of 14-acre title in the name of KenGen. - Application to the Land Control Board for Consent to transfer title of the 14-acre parcel to the Welfare Society. - Lodging documents required for transfer and registration of title. - Valuation for stamp duty by the Ministry of Lands and payment by KenGen. - Transfer and registration of title deed for Cultural Center land (14 acres) in the name of Ewang'an Sinyati Welfare Society through the trustees.

⁴⁴ 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
		Due to the extra diligence being exercised at the Ministry of Lands, the process is expected to take about 6 months and to be completed in September 2019.
	<ul style="list-style-type: none"> – 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>Ongoing</p> <p>Olkaria primary school, dispensary, church, social hall, dispensary, local administration, have applied to National Land Commission for allotment of land. The titles will be issued to the relevant government ministries/organs. The Baptist Church has also applied for a title which will be issued to the church.</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>
	<ul style="list-style-type: none"> – KenGen will provide RAPIC with the RAPland map sheet and accounts for the 200 acres of social amenities. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> – KenGen will revisit and confirm with surveyors and community members the boundaries of the 14 acres of Cultural Center land. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> – KenGen will fence the 14 acres of the Cultural Center and provide signs to protect against encroachment, unauthorized access and theft. 	<p>Completed</p> <p>The fence was completed on August 24, 2018.</p>
	<ul style="list-style-type: none"> – KenGen will support community efforts to ensure complete vacation of the Cultural Center, and jointly inspect the situation upon completion. 	Completed (in previous reporting period)
2) Ensure finalization of RAPland infrastructure, including water supply and roads	<p>Water supply:</p> <ul style="list-style-type: none"> – KenGen will continue to ensure reliable interim water supply through 	<p>Completed</p> <p>The water line re-routing and rehabilitation works were completed in January and February 2018, which improved water</p>

Issue/ Action Category	Action	Action implemented/timeline
	KenGen water bowzers while the RAPland waterline is being restored.	supply significantly. However, low water pressure continued to be a challenge due to inadequate storage and illegal connections by households. To address this challenge, KenGen constructed a 200,000-liter storage tank dedicated to PAPs, which was completed on October 26, 2018, filled with water on October 27 and 28, followed by testing of the distribution pipes on October 29, 2018. KenGen has continued to undertake routine repairs of the water distribution system as needs arise. Recently, however, two cases of theft of parts of the water infrastructure have adversely affected water supply to the PAPs. These are pipes that have been stolen by some people from the PAP community and theft of cables at KenGen's pump house used to pump water to RAPland. The PAPs took responsibility for the stolen pipes and replaced half of them while KenGen assisted them to replace the balance. The company plans to procure the stolen cables in order to resume water pumping as the pump house theft is being investigated by the police. In the meantime, water supply to the PAPs is being provided by KenGen through mobile trucks. KenGen will hand over the water infrastructure to the community once the stolen pump house cables are replaced for ownership and management and hopefully incidences of theft by some delinquent PAPs will be controlled.
	– KenGen will repair and extend a permanent water pipeline in RAPland.	Completed (in previous reporting period)
	– 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.	Completed (in previous reporting period)

Issue/ Action Category	Action	Action implemented/timeline
	<ul style="list-style-type: none"> – 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. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> – KenGen will re-route main water pipeline away from the road sides and build bridges to support the pipes over the gullies to avoid recurring damage to the line. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> – KenGen will repair the main water storage tank at Olkaria IV and install one additional water tank. 	Completed Construction by KenGen of a 200,000-liter water storage tank for the community were completed on October 29, 2018.
	Roads: <ul style="list-style-type: none"> – KenGen will repair the road to unreachable houses beyond the school. 	Completed The unusually heavy rainfall experienced in Kenya from late April to June 2018 caused damage to the road network in RAPland and created additional gullies. A number of the roads that link the PAPs' villages with the main link road were cut off and the roads became unmotorable as culverts and gabions were swept away, severing some homes from the network. The damage to roads was not limited to RAPland but affected other parts of the country as well, however, it was worse in some parts of the rift valley due to the loose nature of the soils. As soon as the rains stopped, KenGen engaged a new contractor to repair the roads and the eroded gully passes, using new design that would ensure the pass structures can withstand flash floods while minimizing the siltation of the culverts that can lead to their failure. Overall, a total of eight major gullies and fifteen minor ones have been rehabilitated. The repair of gorges and rehabilitation of gullies were completed by October 30, 2018. Planting of grass at the sites commenced, was paused during the

Issue/ Action Category	Action	Action implemented/timeline
		drought, and will continue after the next rainy season, expected in April-May 2019.
	<ul style="list-style-type: none"> – KenGen will provide short-term solutions for flood related road conditions, such as creating temporary routes while the main road is under repair. 	Completed
	<ul style="list-style-type: none"> – KenGen will upgrade RAPland roads to all-weather condition, according to the standards of Kenya Rural Roads Authority (KeRRA). 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> – KenGen will register and hand over the roads to KeRRA to ensure government maintenance 1 year after receipt of the completion certificate. 	Ongoing KenGen initiated discussions with KeRRA on the inspection, handover and maintenance program upon receipt of the completion certificate. KenGen excised the land taken up by roads from the PAPs' land and the deed plan for this land had been surrendered to the Government. KenGen has confirmed that titles are not issued for public roads. However, it is currently uncertain whether KeRRA or the county governments will own the feeder roads. KenGen is consulting with the National Lands Commission and the county government and once ownership is clarified, will write to the relevant body communicating the end of its road maintenance commitment.
	<ul style="list-style-type: none"> – KenGen will review feasibility of using box culverts across gullies, as suggested by community. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> – KenGen will maintain roads for at least one year after completion of works (receipt of the completion certificate), prior to handing over to KeRRA. 	Ongoing KenGen has an ongoing obligation to maintain the roads until they are taken over by KeRRA (or the county government). KenGen is planning to undertake minor maintenance of roads within RAPland again, including repair of a depression in a road next to the Cultural Center.

Issue/ Action Category	Action	Action implemented/timeline
	<ul style="list-style-type: none"> – KenGen will identify the areas where additional road repairs are needed and carry out such repairs. 	Completed (in previous reporting period)
	Others <ul style="list-style-type: none"> – KenGen will provide bookshelves for school library. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> – KenGen will deliver remaining medical clinic equipment. 	Completed The remaining medical clinic equipment was delivered.
	<ul style="list-style-type: none"> – 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. 	Completed 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.
3) Ensuring rehabilitation/restoration of land at resettlement site	<ul style="list-style-type: none"> – KenGen will identify four major gullies that require stabilization and procure a contractor to undertake the required works. 	Completed Please see update on gullies above.
	<ul style="list-style-type: none"> – 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: <ul style="list-style-type: none"> a) Procure a Consultant to undertake RAPland Improvement Studies. 	Completed (in previous reporting period)
	<ul style="list-style-type: none"> b) Mapping of key environmental problematic areas (highly 	Completed (in previous reporting period)

Issue/ Action Category	Action	Action implemented/timeline
	eroded areas/ unstable areas).	
	c) Soil testing for purposes of determining appropriate vegetation and fodder crop species for the area.	Completed (in previous reporting period)
	d) Raising of fodder crops and other plant species at KenGen tree nursery.	Completed (in previous reporting period)
	e) Identification of land rehabilitation and improvement measures, including soil stabilization and soil control measures, and land productivity improvement measures.	Completed (in previous reporting period)
	f) Technical assessment of soil stability and recommendations on sustainable interventions (productivity of pasture and smallholder agriculture) and supervision.	Completed (in previous reporting period)
D) Livelihood Restoration		
1) 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.	Completed (in previous reporting period)
	– 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.	Completed (in previous reporting period)
2) Formulate tailor-made programs to ensure livelihood activities for the vulnerable and the	– KenGen will continue support of RAPland Olkaria Primary Pupils through scholarships.	Ongoing Since 2015 KenGen had granted a total of nine secondary school scholarships that cover school fees, uniforms and other

Issue/ Action Category	Action	Action implemented/timeline
<p>very poor among the Project affected persons (as identified through the survey) are enhanced.</p>		<p>expenses to the RAP community for students who met the criteria agreed in the MoU. In 2018, only one student met the requirements for the scholarship and he was supported.</p>
<p>3) Continue to work with disabled Project affected persons to ensure accessibility of houses and facilities provided at RAPland</p>	<ul style="list-style-type: none"> – KenGen will support the vulnerable Project affected 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. 	<p>Completed (in previous reporting period)</p>
	<ul style="list-style-type: none"> – 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. 	<p>Completed (in previous reporting period)</p> <p>Completed (in previous reporting period)</p>
<p>4) Formulate training and other programs and advise Project affected people on income restoration options, including for youth and women</p>	<ul style="list-style-type: none"> – 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 	<p>Completed (in previous reporting period)</p>

Issue/ Action Category	Action	Action implemented/timeline
	deliver the required training for:	
	– Women. 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, entrepreneurship, craftworks, etc.	Completed (in previous reporting period)
	– Cooperatives. KenGen will deliver the training for forming trading groups and cooperatives.	Completed (in previous reporting period)
	– Marketing. KenGen will advise and support Project affected people to advertise and effectively market their wares.	Ongoing Once the PAPs reestablish the Cultural Center, KenGen will advise and assist in marketing.
	– Micro-finance facility. KenGen will explore possibilities of starting a micro finance facility to ensure access to small business finance at RAPland	Completed (in previous reporting period)
5) Support provided to the Cultural Center	– KenGen will fence the Cultural Center land and provide signage to protect from encroachment.	Completed Completed on June 28, 2018.
	– KenGen will support community efforts to ensure Cultural Center is vacated and facilitate a joint inspection of the situation at the Cultural Center.	Completed (in previous reporting period)
	– KenGen will support preparation of a feasibility study on potential business development plan for the	Completed (in previous reporting period)

Issue/ Action Category	Action	Action implemented/timeline
	Cultural Center (i.e., identify existing businesses, their performance, challenges, and ways of improving, and identify feasible ecotourism business options).	
6) Offer support to manage the funds generated from leasing out the bus to ensure cost effective and affordable transportation for those Project affected persons whose income depends on commuting	– KenGen will provide awareness raising among Project affected people about the Welfare Society to promote ownership and participation among the community.	Completed (in previous reporting period)
	– 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).	Completed (in previous reporting period)
	– 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.	Completed (in previous reporting period)
	– 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.	Ongoing KenGen has continued to participate in discussions initiated by the community or Welfare Society on bus utilization. KenGen, through the SCC for the power plant projects, has supported the PAPs in having the bus hired by the contractor constructing the new Olkaria I Unit 6 project at commercial rates.

Issue/ Action Category	Action	Action implemented/timeline
E) Bank Safeguards Capacity and Supervision		
1) Ensure strengthened safeguards coverage of the entire portfolio	<ul style="list-style-type: none"> - 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; - Management will hire additional specialist consultants to ensure effective supervision of safeguards; - Management will intensify training of safeguards specialists, specifically to strengthen skills in managing complex social issues; 	Completed (in previous reporting period)

III. CONSULTATIONS WITH REQUESTERS ON MAP IMPLEMENTATION PROGRESS

Community Consultation on MAP Implementation

21. The progress in the implementation of the MAP as described in this Report was presented to and discussed with the Requesters and a broad representation of the community in consultation meetings that took place April 12-17, 2019.

22. **Participation.** Representatives of the following community groupings were targeted to participate in consultations: (a) Requesters' representatives at the Mediation Table; (b) women and youth who work at the Gorge – Cultural Center; (c) CAC Elders and leaders of RAPIC representing the four affected Villages; (d) leaders or officials of Welfare Society and Members of Water, Roads and Education Committee; and (e) five Requesters who were resettled through mediation.

23. **Summary.** The response was generally positive. The community expressed satisfaction that MAP issues have been addressed. Participants were particularly happy that the issue of land titles will soon be fully resolved, with only the 14 acres at the Cultural Center outstanding. Youth are

experiencing some difficulties in participating in elections, but the skills development training is appreciated.

Feedback on Key Issues

24. **Land titles.** All but one respondent (who questioned the authenticity of the signatures on the transfer documents) approved the actions on land titles. There were no longer any concerns expressed about the outstanding issuance of title to the Cultural Center land. The community noted that when processing titles for churches, KenGen should ensure that it is conveyed to the registered church. It was also suggested that land for the primary and secondary schools should be vested with the Ministry of Education. The community anticipated that the title process would be completed by June 30, 2019, although KenGen may have no control over this.

25. **Land productivity/soil stabilization.** The response was generally positive. The community commended KenGen for the gabions and stone pitching along the roads and river crossings but had doubts this would withstand torrential rains in future. The community also recognized that it will need to plant trees and other vegetation to improve ground cover over time. The participants noted that the study report on land productivity improvement had been provided to the Welfare Society. There was a general view that KenGen has done its best, although a few felt that the promise to establish a tree and shrubs nursery should have been kept.

26. **Transportation.** The bus has been made serviceable and leased out to a third party by the Welfare Society, and the community is largely supportive of this, given how long the bus had been idle. Only one participant suggested that the Welfare Society should sell the bus and buy small vans for the women traders to use as transport. During the consultation it was noted that several private transport players have entered the market offering services to RAPland. This has also contributed to reducing tensions concerning transportation.

27. **Water Distribution.** The majority of the community is satisfied with the actions thus far, in particular the large water tank and the distribution system which allows water to be made available at least twice a week in RAPland. These actions were taken in part to address water pressure issues and all the villages at RAPland now reported good water pressure. There have been several vandalism and theft incidents concerning water pipes and copper piping at the pump house, even though the latter was guarded by a private company engaged by KenGen. Once repairs are made, KenGen should move with speed to handover the tank and piping infrastructure in RAPland to the Welfare Society Community Water Committee. KenGen would then be responsible for the pump house and the community for the distribution infrastructure.

28. **RAPland roads.** The roads are passable and all the damaged bridges, river crossings and steep embankments have been repaired. The community expressed satisfaction with the works especially the building of the drifts instead of bridges, installation of culverts, stone pitching and gabions on steep embankments as well as building of water runoff trenches to stop soil erosion along the roads. The community noted that until the measures taken have been through the heavy rains, it is difficult to rate their efficacy. Some community members thought KenGen would do a better job than KeRRA in terms of upkeep and repairs, whereas others preferred the road agency.

29. ***Vulnerable PAPs.*** The process of identifying vulnerable persons was discussed. Almost all participants approved of the selection process and were grateful for KenGen's continued support to this group.

30. ***Youth Empowerment and Employment.*** Despite assurances of a proactive effort to ensure that young people are engaged in project SCCs, most youth felt that KenGen was unable to convince RAPIC and community leaders to allow the youth to participate by nominating them to the SCCs. They have thus felt disadvantaged and powerless since they are not comfortable standing against their elders in SCC elections. Some participants were also concerned that SCC positions could be bought, leading to control of decision making on who to recommend for project positions.

31. The participants also thanked KenGen for organizing training programs in skills development and in particular the National Youth Service skills training. There are six graduates of this program and most of those who complete the course have good chances of employment.

32. ***Conclusions.*** Overall, the community is supportive of MAP implementation and aware of the challenges that KenGen faces in implementing the MAP given RAPland's physical terrain, which makes it difficult or expensive to achieve the desired goals. The community sees the resettlement as a blessing over the long term, given RAPland's proximity to KenGen and Olkaria.

IV. NEXT STEPS

33. ***The next Progress Report to the Board.*** The next Progress Report will be submitted in 12 months, or when the MAP is completed, whichever occurs first.

ANNEX 1: PICTURES



*Picture 1.
One of the
five
additional
houses being
constructed*



*Picture 2.
One of the
five
additional
houses being
constructed*



*Picture 3.
One of the
five
additional
houses being
constructed*



*Picture 4.
One of the
five
additional
houses being
constructed*



*Picture 5.
One of the
five
additional
constructed*



*Picture 6.
One of the
five
additional
constructed*



*Picture 7.
Construction
of dedicated
200,000 liter
water tank*




*Picture 8.
Construction
of dedicated
200,000 liter
water tank*



*Picture 9.
Completed
dedicated
200,000 liter
water tank*



*Picture 10.
Repaired
cattle trough*

	<p><i>Picture 11. Water Kiosk</i></p>
	<p><i>Picture 12. Road and Gully Rehabilitation — Rehabilitated Gorge 6</i></p>



*Picture 13.
Rehabilitated
Gorge 4
downstream*



*Picture 14.
Rehabilitated
Gorge 4
upstream*



*Picture 15.
Rehabilitated
Gorge 3*



*Picture 16.
Completed
Gorge 10*



*Picture 17.
Gorge 10
upstream*



*Picture 18.
Gorge 10
upstream*



*Picture 19.
RAPland and
Cultural
Center fences*



*Picture 20.
RAPland and
Cultural
Center fences*



*Picture 21.
RAPland and
Cultural
Center fences*



*Picture 22.
RAPland
health clinic*