

## Participatory Project Management: The Olkaria IV Geothermal Project RAP Implementation Case in Kenya

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### ABSTRACT

Olkaria IV was part of the 280 MW Geothermal projects financed by the World Bank (WB) and the European Investment Bank (EIB) and implemented by the Kenya Electricity Generating Company PLC (KenGen). The 140 MW Olkaria IV was one of the Kenya Energy Expansion Projects (KEEP P103037, Olkaria IV).

Prior to implementation, the Environmental and Social Impact Assessments for projects identified the need to relocate the Maasai communities residents, of 4 villages, in the neighbourhood that would have been adversely impacted by high cumulative ground level concentrations of hydrogen sulphide gas emissions and noise levels from the proposed projects. A Resettlement Action Plan (RAP) was formulated as the framework for the relocation of the Project Affected Persons (PAPs), with The World Bank Involuntary Resettlement Policy (OP 4.12) as a guide.

To ensure a structured implementation process of the RAP and meet OP 4.12 guideline requirements to realize a smooth resettlement process, several organizations were formulated. These were Resettlement Action Plan Implementation Committee (RAPIC), the Stakeholder Co-ordination Committee (SCC), Community Advisory Council (CAC) and Projects Implementation Team (PIT) among others. Through these organizations, by following the guidelines, successful negotiations were reached and a Memorandum of Understanding (MoU) was signed in July 2013, between KenGen and PAPs. The main objective of the MoU was to safeguard the interests of both PAPs and KenGen. The community finally agreed to relocate and moved to the Resettlement area (RAPland) in November 2014.

The process provided a lot of experience and great lessons that will be vital in the implementation of future geothermal projects that may require resettlement.

This paper outlines the resettlement journey in the Olkaria VI geothermal project, in meeting and balancing the requirements of the communities, the financiers, the project implementer, and other stakeholders in ensuring a successful resettlement program. The journey was not easy but will ultimately be done to completion, providing great lessons for implementation of similar projects in future.

### 1. INTRODUCTION

In recent years, the electricity demand has been increasing in Kenya, at an estimated annual demand increase of 4.89 % for the period FY 2014/15 to 2018/19 (according to the unpublished Updated Least Cost Power Development Plan, 2020-2040). This increase is influenced by customer connectivity, demography, and growth in Gross Domestic Product (GDP). It is estimated that the demand will increase to about 3350 MW by 2030. The country's current installed capacity is about 2250 MW. Kenya Electricity Generating Company PLC (KenGen) is the leading energy generator in Kenya with an installed capacity of 1803 MW, 703.1 MW being from geothermal. Going forward, KenGen's strategy has been to increase capacity mainly from geothermal which is a departure from the current reliance on hydroelectric power, which is highly influenced by weather patterns and fossil fuels that are costly and have a negative impact on the environment.

Against this backdrop, KenGen embarked on a program to increase its geothermal generation capacity by 280MW by constructing Olkaria IV (140 MW) power plant at Olkaria Domes, and another 140 MW Olkaria I additional units 4 and 5 and associated auxiliaries, and at Olkaria East area. This was done through the Kenya Electricity Expansion Project (KEEP) financed by the World Bank (WB), the European Investment Bank (EIB), and KenGen.

Following Environmental and Social Impact Assessment (ESIA) studies carried out and finalized in 2009 for 140MW Olkaria IV Geothermal Power Plant, it was established that the project's implementation would impact nearby local communities residing in four villages (Cultural Centre, Olo Nongot, Olo Sinyat and Olo Mayana Ndogo) due to noise and hydrogen sulphide emission dispersion. The ESIA was carried out in line with the National Environmental Management Act (EMCA) of 1999. This meant that the communities would have to be relocated to an area safe from the impacts that would arise from the implementation of Olkaria IV Geothermal project. This necessitated the undertaking of a Resettlement Action Plan (RAP), which culminated in the preparation of the RAP Report in 2009 in line with the World Bank Operational Policy 4.12 to facilitate involuntary resettlement of the affected communities. The RAP preparation was a mitigation measure to the anticipated adverse impacts arising out of the expected involuntary resettlement of Projects Affected persons (PAPs), living on and in, the vicinity of the land identified for the proposed Olkaria IV project.

## **2. THE RESETTLEMENT ACTION PLAN AND ITS IMPLEMENTATION**

### **2.1. The resettlement Action plan preparation**

The RAP was prepared by a consultancy firm, Gibb Africa contracted by KenGen. To prepare the RAP, Gibb Africa undertook a census and a social survey in 2009. The census was used to enumerate the PAPs and register them according to location. The social survey was used to collect socio-economic data of the PAPs to establish compensation parameters, design appropriate income restoration and sustainable development initiatives, and identify baseline monitoring indicators. The tools used for the census and the social survey were household questionnaires, interviews with PAPs, representatives, key informants and select groups within the community, and informal discussions with influential informers.

The specific objectives of the RAP were to:

- i) Identify those who would be affected by the project and the expected impacts of resettlement of the PAPs.
- ii) Recommend plausible measures to mitigate the impacts.
- iii) Establish mechanisms of monitoring the RAP implementation and ensure efficacy of the proposed mitigation measures.

The RAP was aimed at ensuring the PAPs would not be left worse off than they were at commencement of implementation of the Olkaria IV geothermal project.

The RAP report was prepared in 2009 in line with the World Bank Operational Policy 4.12 - Involuntary Resettlement (currently Environmental and Social Standard (ESS) 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement) to facilitate involuntary resettlement as a mitigation measure. The legal and policy framework also used Kenyan laws for land acquisition.

The RAP studies were conducted within four months from September to December 2009. This involved site visits and surveys, a census and social survey of the PAPs, site walks and observations by socio-environmentalists, land and asset valuation, public meetings, consultative meetings, interviews with representatives of key government agencies and regulatory bodies within the project area, discussions with the PAPs, and interviews with key informants. The study culminated in the preparation of the RAP report of 2009. The census information was updated in 2012 and validated in 2013.

The update revealed an increase in some of the numbers that were attributed to natural growth. These were identified during the validation exercise and found to be 6 in Cultural Centre, 6 in Olo Nongot and 1 in Olo Sinyat. These would be in the category that would be relocated.

The extent of the population to be resettled was based on the estimated land take required for the proposed Olkaria IV power plant and associated infrastructure. In addition, extra land would be required to ensure the communities were relocated far enough from the area of impact, especially in noise and hydrogen sulphide levels, which were based on the outcome of air and noise modelling studies.

A total of four Maasai villages were confirmed to be directly affected by the project although they did not have any documentation to prove land ownership. The affected villages were:

- i) Olo Nongot
- ii) Olo Sinyat
- iii) Cultural Centre
- iv) Olo Mayana (a portion of Small Olo Mayana)

The compensation eligibility criteria were mainly based on the World Bank Policy on Involuntary Resettlement (O.P.4.12). According to the criteria, the following entitlements were identified for the PAPs:

- a) Those who had formal legal rights to the land (including customary and traditional rights recognized under the laws of the country).
- b) Those who did not have formal legal rights to the land at the time the census begun, but had a claim on the land or assets provided that such claims were recognized under the law of the country or become recognized through a process identified in the resettlement plan.
- c) Those who had no recognizable right or claim to the land they occupied.

Those covered under (a) and (b) would be provided with compensation for the land they lost and other assistance.

Person covered under (c) would be provided resettlement assistance in lieu of compensation for land they occupied and other assistance as necessary, if they occupied the project area before the cut-off date, established before the beginning of the study.

All persons included in (a), (b) or (c) would be provided compensation for loss of assets other than land.

Persons who moved to settle in the area after the cut-off date would not be entitled to compensation or any other form of resettlement assistance. In this case the date was set at 16<sup>th</sup> September 2009 after meetings were held with the area provincial administration,

village community chairmen, and PAPs representatives. During the meetings, the Olkaria IV project was introduced, the need for resettlement for the community, the issue of the census discussed, compensation and eligibility, and the need for the village chairmen to communicate to the rest of the community the deliberations of the meetings.

During the census in 2009 revealed that total of one hundred and thirteen (113) land and asset owners would require to be resettled. A total of 136 houses would be built because some of the men were polygamous and each wife and her children would require their own house and her children. The same number was verified and validated in 2012 and 2013 respectively. In the 2012 census, one more person appeared who was not in 2009. In the 2013 validation census, a total of thirty-five people claimed to have been in RAPland in 2012 and 2013, this category was rejected they came into the area way after the cutoff date. Another thirteen persons constructed structures in 2013 arising from natural growth (those who had been minors had become adults and thus moved out of the parents' house and constructed their own structures, as is required culturally) and one man who had two wives living in one house constructed a new house for one of the wives in 2013, yet they lived in one house in 2012. This category was ultimately accepted for resettlement after intense consultations, discussions, and consensus. Some seven persons who were in the 2009 census failed to turn up in 2012 and 2013. These were to be analyzed thoroughly later and decision made on a case-by-case basis.

The following categories were identified based on the eligibility criteria shown below.

**Table 1: Eligibility Criteria for compensation**

Category	Meaning	Compensation
Land tenant asset owner (not landowner)	An individual who occupies a space/land property owned by another individual based on a mutual agreement (rent, fees etc.) but owns the asset established on the land.	Paid financial compensation only for structure occupied.
Land and asset owner	An individual who actually owns the land/space occupied as well as the assets on it such as housing structures.	Resettlement in a new house and has his/her name on the community land title in the resettlement land.
Landowner with no asset	An individual who owns land without being owner of the structures established on the land.	Affected person gets his/her name on the community land title in the resettlement land.
Landlord	An individual who owned a structure he was renting to another individual (tenant)	Paid financial compensation for the structure rented
Housing tenant	An individual who is renting a house	Paid financial compensation
Schools	Schools existent in the area (Olo Nongot and Olkaria primary schools)	Construction of schools with associated infrastructure and teachers' houses.
Churches	Church structures existent in the area	Construction of 3 churches and pastors' houses
Graves	Those with graves for relatives	Paid financial compensation
Fish ponds	Those with fishponds practicing fish farming	Construction of fishponds and provide fingerlings and required materials to restart the activity

Thus, the compensation amounts would depend on the category the individual members belonged to and what they owned. Collectively the community preferred the Land for Land compensation mode for the property owners and squatters of more than 12 years of residence in the area. The community preferred to be settled as a group.

## 2.2 Implementation of the resettlement Action plan

Prior to commencement of the RAP implementation, the PAPs entered into a Memorandum of Understanding (MoU) with KenGen. This together with the updated RAP report of 2012 formed a guide to the RAP implementation process.

Upon identification of those to be compensated, establishment of the criteria for compensation, the mode of compensation and subsequent discussions, agreement on the suitable site for resettlement was next. Six sites initially identified were rejected by the community for being rather far from their former area of residence and outside the then Naivasha District (Naivasha Sub-county currently). These were Kedong Suswa, Sanctuary, Moi Ndabi, Mai Mahiu and Maiella. The community finally settled on the seventh site which was slightly closer to the power project site compared to the rest and one that they were more familiar with since they used to graze their livestock therein while they resided in the old settlement area. Once the community agreed to the location, KenGen had to purchase the land from the private landowner.

To ensure success of the resettlement process the following tools were agreed upon as indicated in table 2.

**Table 2: Summary of tools for Implementation of RAP**

<b>Tool</b>	<b>Aspect</b>	<b>Action recommended</b>
Public Consultations	Continuous Public Consultations.	Through Provincial Administration – Conduct public meetings, Social surveys and focus group discussions, during implementation of the RAP.
RAP implementation Committee (RAPIC) Team, which was part of the larger Stakeholders Co-ordination Committee (SCC).	Participatory approach to RAP implementation.	Composition of the team to include, Provincial Administration, Community leaders, general community representatives and representative members of vulnerable groups among the PAPs (Women, youth and the poor) and KenGen representatives.
Grievance Redress Mechanism	Performance and response after complaints have been submitted.	Targeted recruitment of members to form the responsible organization and setting of deadlines for responses to complaints.
Institutional arrangements	Use of existing institutions.	Using these institutions to ensure quality delivery of services during implementation. For example, Ministry of education for educational matters, ministry of Livestock for livestock matters, Environmental related institutions for Environmental matters, Energy related institutions for energy matters, Provincial administration for matters security, law enforcement and order etc.
Monitoring and Evaluation	Benchmarks for monitoring and evaluation.	Through monitoring of resettlement exercise and impacts and conduct preliminary and completion audits.

### 3. THE FORMATION OF BODIES TO FACILITATE A SMOOTH RESETTLEMENT

To engage the PAPs and implement the RAP report, KenGen established a Stakeholders Coordination Committee (SCC) comprising of four sub-committees namely:

- i) Resettlement Action Plan Implementation Committee (RAPIC).
- ii) Employment.
- iii) Economic Opportunities.
- iv) Environment, Health and Safety (EHS).

The SCC comprised of representatives of government ministries, KenGen, Provincial administration (currently County Commissioner), Kenya Wildlife Service (KWS), the PAPs, and Non-governmental organizations. RAPIC was charged with the task of resettling the project affected population and re-establishment of livelihoods. The RAPIC was chaired by the Deputy County Commissioner, Naivasha District (currently a Sub County). The initial consultative meetings were held on 16 May 2012 and 24 May 2012 to discuss the entitlement matrix and the census results. RAPIC would henceforth meet regularly and ensure their involvement in the day-to-day activities of RAP implementation.

In addition to the above, other organizations were also involved in implementation of the project, providing one of the most participatory managed projects ever undertaken by KenGen. The various bodies and their roles are presented in Section 5.

### 4. THE COMPENSATION PROCESS

#### 4.1. Census and survey

Once the census and the socio-economic survey were done and the community decided that they wanted land for land compensation, the next stage was the valuation process, more so for the assets that were owned by community members. The census and survey clearly captured the number of PAPs and what they owned.

The resettlement would include construction of Residential units, Educational institutions, Community water supply, Access roads, Health centre and associated facilities, Community hall, two fishponds, Cash depending on the category of the PAPs, and the assets owned, if any.

Land based income streams to be restored at the resettlement site (RAPland) would include those related to livestock keeping. While those from tourism activities from the Cultural Centre activities, would continue at the Cultural Centre. Income based on employment and trade would be maintained at the previous locations although the distance to the businesses would increase slightly from RAPland. There were also two persons who had fishponds, these would be constructed in the new location.

Although the RAP was based on in-kind compensation for land and structures there were those entitlements that would be paid on cash namely:

- i) Disturbance allowance for all resident PAPs.
- ii) Cash compensation to non-resident landlords for rental structures.
- iii) Transitional assistance for landlords.
- iv) Transitional assistance for tenants.

In compensating the land for land, the total area covered by the community was 35 hectares (86.48 acres). This involved a total of 150 households comprising about 1000 people.

Compensation of assets would depend on the structures owned in the previous settlement area by the various individuals or the community.

- a) These mainly included community houses (Manyattas). These were further classified into:
  - i) Housing consisting of corrugated iron sheet walls and roofing, internal plywood insulation and cement floors.
  - ii) Housing consisting of corrugated iron sheet walls and roofing with cement floors.
  - iii) Housing consisting of brick walls, cement floors and corrugated iron roofing.
- b) There was also a Olo Nongot Primary school buildings and teachers houses.

#### **4.2. Valuation process**

Land – Land was valued as guided by the Ministry of Land valuation policy. However, the land was not to be compensated to the community since they were squatting on that land that was officially under a private ownership title, Kedong Limited. The purpose was to ensure the landowners would get into an agreement with KenGen, for purposes of compensation, once the community agreed to vacate the area.

Assets – This was mainly on the housing structures (Manyattas).

#### **4.3 Compensation**

The households would be resettled in the RAPland site with each household occupying a 2 bedroomed house (3 roomed) within a 0.41 ha plot within the 1500-acre plot. To allow for pastures, the compensation land was agreed at 1500 acres. An additional 200 acres was set aside for infrastructure development. Later, the community negotiated for an additional 14 acres for the Cultural Centre for preservation of the community culture and continuation of the tourism business in the future.

The compensation would include an expanded school with 4 pre-school classes and associated sanitary facilities, in addition to the 8 classrooms which would be of better building materials and quality.

Compensation for the community residing in the Cultural Centre was a little bit different in that the community livelihoods were dependent on income emanating from tourism industry at Hells Gate National Park. Discussions between the community and KenGen were reached on not relocating the few Cultural Centre structures, except that the remaining structures would purely be for business purposes only at daytime and not for residential use. Thus, the community negotiated to have KenGen purchase fourteen acres in the area where the Cultural Centre village stood, which was done accordingly. Re-establishment of the business would depend on collaboration with Kenya Tourism Board, National Museums of Kenya, and Kenya Wildlife service (KWS).

### **5. THE RESETTLEMENT PROCESS**

#### **5.1. Institutional Framework for Implementation**

The resettlement process necessitated a participatory approach through the creation of several bodies to ensure a smooth resettlement process. Key amongst the organizations formed was the SCC under which the Resettlement Action Plan Implementation Committee RAPIC was one of the sub-committees, Community Advisory Council of elders (CAC), the Project Implementation Team (PIT), key government ministries, and Financiers (lenders). Each of the organizations had specific tasks yet they all complemented each other along the resettlement journey. The bodies and their functions are as outlined hereunder:

##### (i) The Ministries of Energy (MoE) and Ministry of Finance

The MoE was the overall Government Ministry in charge of all aspects of the energy sector in Kenya. The Ministry had to be briefed on all aspects of Olkaria RAP implementation process by KenGen and the Independent Evaluation Panel (IEP) and through the

Regulatory Affairs Director (RAD). In case of high-level government intervention being required by the financiers regarding any aspect of the RAP, it would be brought to the attention of the Permanent Secretaries (currently Principal Secretaries) of the Ministries of Energy and Finance to deal with on behalf of the Government of Kenya.

(ii) KenGen, represented by the Regulatory Affairs Director (RAD) was the implementing agency

The KenGen RAD played an interface and coordination role in the RAP implementation process and linked the process with KenGen's top decision-making organ – the Executive Committee. In addition, he made direct consultations with the Lenders for the project, as well as the Government, through the Ministry of Energy, under whose docket the Olkaria 280MW Geothermal Development Project was being implemented. Most importantly, the RAD was responsible for giving Government/KenGen policy guidelines to the RAP implementation process and made the overall KenGen's commitment to implement the agreed RAP interventions/entitlements to the PAPs.

(iii) The Project Implementation Team (PIT)

The RAD was supported in the RAP implementation process by several offices/departments in KenGen, both at the headquarters and Olkaria site levels by the PIT.

The PIT was comprised of KenGen officers from different disciplines. Their role was mainly to facilitate and monitor the construction process, from beginning to the end, and ensure the project was delivered on time and of the required quality. The disciplines included were Engineering, Environment, Health and Safety (EHS), Finance, Community Liaison (CL), Legal, and procurement, each with their specific roles but complementing each other during the project implementation. The team met regularly (monthly) for site visits and deliberations, and sometimes when the need arose, they would meet on call. In addition to the team the resident engineer, the EHS officer, and CL Officer undertook daily inspections.

At the KenGen Head office, the RAD was assisted in the RAP implementation process by:

- a) The **Environment and Clean Development Mechanism (CDM) Manager's Office** headed by the Environment and CDM Manager. This office was responsible for all environmental aspects of the RAP and held fort for the RAD in most of the consultations with PAPs. In addition, this was the office responsible for the day-to-day reporting to Financiers on the status of RAP implementation, on behalf of the RAD. This was also the office responsible for the Social Safeguard – **OP 4.12 aspects of the RAP**. As the safeguard issues were at the centre of the RAP implementation involvement and participation of PAPs in all aspects of the RAP process, as well as ensuring that their entitlements were respected and fulfilled, this office could be said to be the engine that drove the RAP implementation process. For smooth implementation of the RAP, the Environment and CDM Manager consulted closely, on a needs basis, with the Property and the Legal Managers' offices, which were responsible for the purchase of the resettlement land and its transfer to the PAPs.
- b) The **Project Execution office** was responsible in implementation of the technical/infrastructural aspects of the RAP.

At the **Olkaria site level**, there were corresponding offices that were responsible for the actual RAP implementation. They included:

- a) The Geothermal Development Office was headed by the Geothermal Development Manager who was responsible for all administration aspects of all projects being implemented in Olkaria, including the RAP. The Geothermal Development Manager was supported in the administrative duties by the Chief Environment, Safety and Liaison Officer who was in turn assisted by the Community Liaison Officer. In addition to administrative duties, the Environment, Safety and Liaison Office was also responsible for all environment, safety and liaison aspects of the project.
- b) The Project Execution Office headed by the Chief Engineer for Geothermal Projects was responsible for all technical/infrastructure aspects of RAP implementation, including site layout, infrastructure design, tendering and supervision of Contractors during implementation of the infrastructure projects, and the Environment, Safety and Liaison Office. To ensure the involvement of PAPs, and that their concerns were considered in the site layout plan, the Project Office worked closely with the Social Safeguards office.
- c) Environment, Safety and Liaison Office headed by the Chief Environment, Safety and Liaison Officer was responsible for all environment, safety and liaison aspects of the project. For purposes of RAP implementation, the Environment, Safety and Liaison Office was designated as the Focal Point for RAP implementation and Grievance and Complaints Handling Mechanism (GCHM) process.
- d) The Social Safeguards Office was being managed by the Social Safeguards Advisor, who was responsible for the day-to-day implementation of the safeguard aspects of the RAP, including consultations with the PAPs, and coordination with RAPIC, the PAPs and the relevant district level government offices. In this regard, the Social Safeguards Advisor was responsible for the following RAP implementation activities on a day-to-day basis:
  - Overall coordination of the RAP implementation process, (including coordination of the primary stakeholders and to some extent, the secondary stakeholders on a need-to-know basis).
  - Analysis of emerging community issues and presenting them for discussion at RAPIC meetings, as well as to the senior management team of KenGen.
  - Compilation and sharing of the monthly progress reports of the RAP implementation process, especially to the IEP, KenGen and the Provincial Administration. (The secretary could also share such reports with the group of financiers if requested to do so).

- Convening and facilitating all RAPIC meetings, including a production of a focused agenda for each meeting and compiling minutes of each meeting for sharing amongst the primary stakeholders, (and the secondary stakeholders if requested to do so).
- Acted as the RAPIC Secretary and Focal Point for GCHM on behalf of the Chief Environment, Safety and Liaison Officer. All grievances, complaints, disputes, and conflicts related to, or arising from the RAP implementation, were first reported to the GCHM office for recording and submission to the relevant office for resolution. Every step and aspect regarding how the matter in question was handled was also recorded, and the complainant kept informed about the resolution status. The office was responsible for ensuring the timely resolution of issues by ensuring that the appropriate institution was informed in a timely manner and facilitated to carry out its work, also in a timely manner.

In addition, the Social Safeguards Advisor was also responsible for coordinating the following key activities:

- Training of RAPIC and CAC on their mandate, roles and responsibility, including their place within the GCHM.
- Coordination of the identification of, and balloting for, locations within the RAPland for each PAP village<sup>16</sup>, the wider families within each village, and the individual households within each wider family.
- Coordination of the identification of the wider family groups within each RAP village, to inform the project engineer on where to construct a given number of houses.
- Undertake a training needs assessment for the community social groups, and train community institutions on sustainable management of community projects such as the cattle dip, the livestock watering troughs, the community social hall, and the community bus.
- Preparation of the monitoring and evaluation document, and producing monthly monitoring reports.
- Compilation of the final RAP Implementation report after the PAPs are relocated to the new site.
- Records all complaints and keeps all parties to the complaint and RAPIC informed about the status of resolution.

Owing to the responsibilities assigned to the Social Safeguards Office, this office was considered the engine that drove the RAP implementation process on a day-to-day basis. It was the coordinating office that was responsible for ensuring that the RAPIC level institutions worked in harmony.

#### (iv) Stakeholder co-ordination committee (SCC)

The SCC comprised of both primary and secondary stakeholders identified by the project. It was formed in 2012 under a set of guidelines to ensure smooth running of its activities. It comprised various PAP representatives, contained RAPIC as one of its sub-committees, CAC representatives, KenGen, the provincial administration, key line ministries at district level, KWS and non-governmental organizations (NGOs) resident in the area. The SCC had a membership larger than any of the institutions involved in the RAP process.

The role of this body was to provide a bridge platform and between KenGen, the PAPs and other stakeholders to ensure a harmonious relationship during the RAP implementation.

#### (v) Resettlement Action Plan Implementation Committee (RAPIC)

The RAPIC was the key and one of the most important layers of the RAP implementation structures. This was formed in 2012 before the physical construction of the RAPland facilities begun. This was meant to be the most participatory organ of them all.

It played a key oversight role to ensure that the process was implemented in a manner that safeguarded the entitlements to the PAPs, as contained in the updated RAP report (June 2012), while observing the various government and safeguard policies of the lenders that were triggered during an involuntary resettlement exercise.

The RAPIC was meant to perform its role until all the resettlement was completed and then be disbanded. It would be involved on matters concerning among others the agreement on the suitability of the site (terrain), its adequacy in terms of size, physically inspected the site boundaries, agree on resettlement patterns of each village, participate in land transfer matters from KenGen to the Community Land holding Society (with the help of the community lawyer), ensure all those with entitlement are compensated before relocation and that they were ready to move when the time came, do inspections during construction and provide input or raise concerns, update other members of the community on the progress of the construction, be involved and resolve within the committee any issues that may arise between the contractor and the community on matters employment, environment, employment and economic opportunities through respective sub-committees.

It was composed of Provincial Administration, Community leaders, general community representatives, and PAPs representative members of various groups (vulnerable, women, men, youth and the elders), District heads of relevant line ministries/departments (Social Services, Veterinary, Education, Provincial Administration, Planning & Development, Fisheries, Roads, Kenya Wildlife Services) and KenGen representatives, and was chaired by the Naivasha District Commissioner. This was responsible for the day to day running of RAP implementation activities. The committee met regularly, monthly for detailed deliberations, and reflections of the monthly happenings and progress.

(vi) The Community Advisory Council of elders (CAC)

The CAC was formed in July 2012 and launched in September 2012. It had equal membership representation from all the four villages. The CAC comprised eight Elders elected from amongst their peers, two each from the four PAP villages. The members were issued with appointment letters by the District Commissioner for its legitimacy and authority, to undertake its role well. It was the lowest and most important structure of the GCHM, for the resolution of any complaints that arose during the RAP implementation process. The CAC was expected to solve dispute conflicts and complaint cases among the PAPs, and to recommend difficult cases to RAPIC for resolution. In addition, the CAC played a key role, in an advisory capacity and as automatic members, of the land holding institution that was later registered by the PAPs (Ewangan Sinyati Welfare Society), and in whose name KenGen would later transfer the resettlement land, as well as the land occupied by the Cultural Center, to the PAPs.

The Social Safeguards Advisor would develop and operationalize, in consultation with CAC, the GCRM. This would include putting in place the grievance and complaints office, development of the grievance logging tool for the registration, recording and reporting of grievances, sensitizing the community on the mechanism and strive to have its acceptability by all those involved, and train CAC and RAPIC on its usage.

(vii) Ewangan Sinyati Welfare Society – The land holding entity

This Ewangan Sinyati Welfare Society was the instrument that the PAPs formed and used to register the community's land in their name. It was the entity through which KenGen used to transfer the resettlement land title to the PAPs. It was established following the training of PAPs representatives on the various land registration options.

(viii) PAPs

The whole RAP process was about the PAPs. They had the obligation of monitoring the entire RAP implementation process, holding their elected RAPIC and Land Holding institution representatives to account, and following the laid down procedure for grievances and complaints resolution.

(ix) The Independent Evaluation Panel (IEP)

The IEP was a professional independent body that was contracted by the Ministry of Energy to monitor, evaluate and make appropriate recommendations regarding implementation of RAP in the various KEEP Projects in the country, of which the Olkaria RAP was one. The work of the IEP was to ensure that RAP was implemented within the given policy guidelines, and that the PAPs were fully involved in the decision making and implementation processes of RAP. The IEP reports would be sent directly to the Ministry of Energy, of which, it was expected would call upon the attention of KenGen to the recommendations/findings on the Olkaria RAP implementation activities.

(x) The Lenders

The lenders were regularly updated on the progress being made in the RAP implementation process by KenGen. They were also free to monitor and observe the RAP implementation process directly, by either participating in the RAPIC deliberations or holding meetings directly with the PAPs.

(xi) Independent Arbitrator and the Law Courts

The independent Arbitrator would be called upon to moderate and resolve any difficult cases that the RAPIC was not able to handle. Should arbitration fail, the aggrieved party would be free to seek resolution from the law courts, whose decision would be final in the grievance handling process. The law court was therefore seen as the final arbiter in any dispute that may have arisen during the RAP implementation.

## **5.2. The Memorandum of Understanding (MoU)**

On 1st July 2013, an MoU was entered between KenGen and the PAPs directly affected by the 280 MW Geothermal Power Development Project. The MoU was specifically for PAPs resident in the four villages of Olo Nongot, Olo Sinyat, Cultural Centre, and Olo Mayana Ndogo situated in Olkaria Domes Naivasha District.

The MoU was limited to only the provisions of RAP as contained in the updated RAP report of June 2012, prepared by Gibb Africa and any addendums thereto. The obligations contained in the MoU were to end after successful relocation of the PAPs to the RAPland, and a closedown audit to be undertaken by KenGen and the World Bank after relocation. The MoU was signed by Legal representatives of both KenGen and the PAPs.

The purpose of the MoU was to safeguard the interests of both KenGen and the PAPs during the Olkaria 280 MW geothermal power project, of which resettlement of PAPs was a sub-project of Olkaria IV, and also to ensure that each party performed its obligations as spelled out in the MoU and updated RAP report and any addendums thereto.

Both parties envisioned the RAP to be a sustainable development program, which provided sufficient resources and skills to enable the PAPs benefits in terms of their socio-economic wellbeing through consultations and participation in planning, and implementing of the agreed upon resettlement activities.

The MoU also contained both mutual and individual obligations to ensure RAP was implemented smoothly. The mutual obligations included:

- i) Execution of the RAP in an open and fair manner, through free, prior, and informed consultations, and through the already constituted RAPIC.
- ii) Treating each other with mutual respect, fairness, understanding, and truthfulness in executing the RAP.



- iii) In the execution of the RAP, in case of any grievances and complaints, both parties agreed to amicably resolve the grievances using the lowest level provided by the GCRM, as contained in the updated RAP.
- iv) Both parties agreed to respect the GCRM as the mechanism for resolving any grievances and complaints that may arise during the execution of the RAP.
- v) Both parties agreed that 1700 acres parcel of land, from an already identified registered specific parcel of land, be bought for resettlement of the PAPs, and that a wire fence would be erected all-round the entire parcel with provision for animal corridors of a given width.
- vi) Both parties agreed that 150 houses would be constructed for the PAPs, with electrical wiring being included for each residential house, and access to electricity ensured. However, the PAPs were to individually process and pay electricity connection fees to Kenya Power.
- vii) Legal representatives of both parties were to endorse the MoU as a legal and binding document.

Besides the mutual obligations, there were individual obligations to the parties. The PAPs' individual obligations were that they would fully participate in the RAP implementation process through the following:

- i) Actively participate, in an orderly manner, in RAPIC meetings where RAP matters were deliberated and decisions made.
- ii) Monitor the progress of RAP implementation and report any dissatisfaction with the process, either through the GCRM or directly to RAPIC for deliberation and resolution.
- iii) Take charge of the management of the "Community good" sub-projects (cattle dip, cattle watering troughs, Community social hall, and Community bus) through their own institutions.
- iv) The Maasai Cultural Centre, which is a cultural conservation site, would strictly be used a business centre and residing in the centre was prohibited.
- v) PAPs would relocate to the RAPland once reasonably satisfied that all entitlements as contained in the matrix in the updated RAP report had fully been implemented.
- vi) Collectively and individually undertake, not at any given time, to attempt to dispose of through sale, any property acquired as entitlement from RAP. Any PAP or PAP institution was free to report immediately such attempts made to the Deputy County Commissioner (RAPIC chairperson) and PAP leadership for appropriate action against the individual.

KenGen's individual obligations were that KenGen would fully participate in the RAP implementation process through the following:

- i) Actively participate in RAPIC meetings where RAP matters were deliberated and decisions made.
- ii) Commit to undertake housing construction work using specified standard materials.
- iii) To construct the residential houses as per the specific agreed design and size, and construct the specified Community Social hall and the three churches as per the agreed specifications.
- iv) Allocate 14 acres of land for the Maasai Cultural Centre, have the title deed processed and transferred to the registered PAPs' Land holding entity.
- v) Construct a main access road, as well as internal access roads, to the villages to a quality provided by for in the government specifications and standards, three churches, a modern single stream primary school, a social hall, a cattle dip, two animal watering troughs, a health dispensary, and two fishponds.
- vi) Implement all that is contained in the entitlement matrix of the updated RAP report, of which the extract was appended in the MoU.

In addition to the above, KenGen committed to implement the following entitlements that aimed at restoring and enhancing the socio-economic livelihoods of the PAPs once they moved to the resettlement site:

- a) Construction of the institutional facilities and social infrastructure at the resettlement site. These included:
  - i) One modern primary school and Early childhood Development (ECD) school with access to electricity connection and complete with specified amenities (detailed specifications).
  - ii) Three churches of specified sects and with detailed specifications, and any other accompanying structures as agreed on with the pastors of those churches.
  - iii) A social hall with detailed specifications. This never existed before but was negotiated for as a livelihood enhancing project.
  - iv) One Health facility – dispensary furnished and complete with detailed specified associated structures and two three roomed staff houses. In addition, KenGen would also liaise with the Ministry of Health to facilitate the provision of medical personnel, equipment, and supplies for the health facility.

- b) KenGen would construct the following Economic and Livelihood infrastructure projects at the RAPland, in collaboration with and according to standard design and specifications in-line with the ministries:
  - i) Site access roads to all weather government standards and specifications.
  - ii) Electricity connection to the school, dispensary, and social hall with accessible lines to enable PAPs to make connections to their houses at their own cost if they so wished.
  - iii) One cattle dip located at a convenient location within the settlement area with a water supply point.
  - iv) Two cattle watering troughs located at agreed watering points at a central location within the settlements.
  - v) Two fishponds at agreed locations.
  - vi) Have the Cultural Centre provided with piped water in addition to an access road to the 10 km tarmac road to Olkaria IV.
- c) KenGen, to motivate the pupils in the school to be built, would offer four education scholarships annually, 2 for the best performing girls and 2 for the best performing boys for 14 years. These would be based on stepped up performance as agreed upon between the PAPs and KenGen starting with 250 marks (year 1), 300 marks (year 2) and 350 marks and above (years 3-14).
- d) KenGen, to empower community institutions, would undertake to conduct a 3-day training for up to 6 members per each sub-project to build the capacity of community institutions to enable them sustainably manage “community good” projects.

The MoU also had general provisions regarding the MoU being governed by the Kenyan law and ensuring no negative publicity of the document, unless the parties mutually agreed in writing on such publicity. There was also the requirement of the representatives who would sign the MoU in addition to the legal representatives, these were KenGen Managing Directors and four community representatives from each village. Additionally, KenGen’s letter of confirmation, Kedong’s letter of confirmation, Names of Land and housing beneficiaries, Floor plan of residential houses, and 3D images of residential houses were appended to the MoU.

The MoU was amended in August 2014 upon the realization that the relocation date agreed upon in the MoU of 21<sup>st</sup> August 2014 may not be achieved, and certain obligations would not be met by KenGen under the prevailing circumstances. Once signed, the amendment was deemed to have been incorporated in the original MoU and would be read and construed as part of the MoU. In the amendment, clause B (2) (e) was deleted in its entirety and substituted with the following:

“..... to relocate to the resettlement site, once reasonably satisfied that all entitlements, save for those itemized as outstanding under item 4 herein, as itemized in the entitlement matrix of the updated RAP report, have been fully implemented”. The outstanding items are as listed below:

- i) Construction of the main access road, as well as the internal access roads, to the villages – KenGen to maintain the roads until such a time that the roads would be ready to be handed over to the government.
- ii) Electricity connection to the school, health dispensary, and social hall with accessible lines to enable KenGen to make electricity connection to the PAPs housing units, and finalize within three months from the relocation date. The cost of connection would be recovered from the PAPs movement allowance entitlement.
- iii) Processing of the community land title in respect of the 1700 acres resettlement land and 14 acres for Cultural Centre, amounting to a total of 1714 acres. KenGen to finalize processing of the title deeds within six months from the date of relocation. KenGen to safeguard the interest of the PAPs regarding the land until the title deeds were issued.

### **5.3. The Resettlement Process activities**

The resettlement process was guided by the MoU and the Updated RAP report of June 2012.

Once the land was identified and agreed upon by the community, the following was done to kickstart the resettlement process:

- i) KenGen had to purchase the land in accordance with the Kenyan laws pertaining to matters land. Prior to the purchase, the land was surveyed and boundaries delineated accordingly. The processes of land transfer from the vendor to the purchaser was then initiated.
- ii) The next stage was to plan and have the road network in place, to make the place accessible for necessary development of the resettlement.
- iii) In the meantime, the community in consultation with KenGen agreed on the resettlement plan per village. Each of the four villages identified the area, within the 1700 acres, where they wanted to settle.
- iv) The village locations, once agreed on, were surveyed and plans prepared on where each homestead would be located. The house plans were later prepared. These were a three roomed house with a detached kitchen and a separate block for the toilet and bathroom, located a short distance from the homestead. Within the homestead compound were cattle and sheep/goats kraals that would later be fenced with chain link and secured with metallic gates. The house would also have gutters installed round the roof for rainwater harvesting, whose water would be collected in an installed 3000 litre plastic tank.

- v) In addition to the homesteads, the plans included the location schools and residential houses for the teachers and all the associated school infrastructure, health facility and residential houses for the health workers, three churches, community social hall, cattle dip, cattle watering troughs, and common water kiosks and tanks.
- vi) Once the roads were done the water pipeline system was put in place. The water pipeline system comprises of a main pipeline from the Lake Naivasha pumping station to two large storage tanks referred to as 700 and 900 series, respectively. The water from the 700 series flows by gravity to the 900 series after which it is pumped to the 200,000 litre tank, which is at the highest point in the area, before it flows down to RAPland by gravity. The smaller pipeline network from the 200,000 litre tank serves four villages, each village being served by a common 5,000 litre tank placed at an elevation above the ground. The tanks are sited in such a way that no household member should walk beyond a kilometre to the tank. In addition, the pipeline serves two livestock watering troughs per village. The churches, social hall, and school are also provided with similar tanks.
- vii) The next stage was the construction of all the structures set out in the plan. The construction begun in 2013 and was completed in 2014. At the end of the process 150 houses for 136 PAPs were completed. The houses totaled 150 because some of the families were polygamous. A primary school and all the associated structures, teachers' houses, churches, social hall.

The community also negotiated further after completion of the houses, to have electricity installed in their houses, something which they said they would forgo their resettlement allowance for. This was done before they moved into the new resettlement site.

- viii) Finally, the PAPs were relocated towards the end of 2014 with facilitation especially on logistics being provided free of charge by KenGen. The process took about two weeks to complete.

By the end of 2014 almost all obligations of KenGen were met, except for the following of which official handover was delayed:

- Land title processing and transfer to the PAPs and this was because the processes were out of KenGen's control since they lay in the hands of the Ministry of Lands, which delayed the processing. The delays stretched for a quite a length of time. However, the title processing and transfer of the 1700 acre was completed and transferred to the PAPs in March 2019. There were still delays on the 14-acre Cultural Centre title. However, the certificate of title was issued in the name of KenGen in 2019 and consent to transfer to the EWANG'AN SINYATI Society already granted. The transfer process was delayed by the COVID-19 pandemic effects, but hopefully the process should be completed in 2021.
- There was also a delay in handing over the roads to the relevant government authority. This was because of the lack of acceptance of responsibility between the Central and County government authorities dealing with road matters, despite the roads having been completed. With the passage of time and the nature of the terrain in the area, the roads were partially damaged and thus handover was further delayed. A contractor for repairs of the roads was procured in 2018 and work completed in 2019, but had no sooner were the works completed than some of the roads experienced damage due to the heavy rains that pounded the area. Currently there is a contractor who has been procured to undertake further repairs. KenGen has continued to maintain the roads under the CSR program. It is planned that once the repairs are completed, KenGen will finally hand over the roads to the Nakuru County government.
- The other items that have not been handed over officially is the water pipeline network, despite having been completed. During the heavy rains in 2016, some of the pipes were damaged thus causing challenges concerning water access to part of the RAPland community. It was also realized that the initial design had challenges in that the community at the Cultural Centre village could not receive water consistently in their common kiosk due to low pressure challenges while the rest of the villages received water. Thus, alternative means had to be employed to provide them with water, which was expensive and unsustainable. A contractor was procured to undertake some water pipeline system improvements which included construction of a 200,000 litre water tank located at the highest point, so that once water was pumped into the tank, it would flow to RAPland by gravity. This tank was solely dedicated to the PAPs and this solved the pressure issues that were being experienced by the Cultural Centre village. The water system will soon be handed over.

The close down audit was not achieved at the intended period. The process was supposed to have taken place soon after the relocation, however, this could not happen because of the outstanding issues and the complaints by the PAPs that lead to the mediation process between the PAPs and KenGen between 2015 and 2016. Currently, the close down audit by a consultant is ongoing. It is KenGen's plan that the process will be completed by mid-2021 since by then, hopefully, there will be no outstanding issues.

## 6. THE POST RELOCATION/RESETTLEMENT ISSUES AND SOLUTIONS

Once the PAPs were resettled, soon murmurs began to emerge with some of them expressing discontent on certain aspects of the resettlement process. After the murmurs, in October and November 2014, the World Bank Inspection Panel (WB-IPN) and the European Investment Bank Complaints Mechanism (EIB-CM) received some complaints alleging that because of the resettlement that took place, in the context of the construction of the Olkaria IV power station, the Project Affected People (PAPs) were suffering from, among others, the following adverse impacts:

- i) Exclusion of some PAPs during the census - Identify PAPs that may have been omitted in the compensation.
- ii) Lack of adequate livelihood restoration measures.
- iii) Poor quality of the infrastructure.

iv) Consultations, participation and Grievance Redress.

Following the complaints, the WB-IPN and EIB-CM carried out an investigation of the complaints. Per its procedures, EIB-CM recommended that a mediation process be proposed to the PAPs and KenGen to resolve some of the issues raised. The World Bank joined this mediation process.

Subsequently the mediation took place over several sessions between August 2015 and May 2016, culminating in the signing of a mediation agreement. This was done through a committee comprising representatives from KenGen, three mediators, and community representatives (selected by the community). The parties agreed, among others, to hold a clinic to find solutions to the issues related to the exclusion of PAPs during the census. A list of 200 names that had possibly been excluded had been provided by the representatives of the community during the mediation. As part of the mediation, a mediation action plan had been developed to address issues of non-compliance identified by the Inspection Panel, and included additional steps agreed upon during the mediation process.

The clinic was held October 24-28, 2016. An evaluation committee was established, composed of the Deputy County Commissioner and the 3 mediators. The clinic was advertised in RAPland with posters indicating the dates and venue, and the representatives of the community at the mediation were also asked to advertise the clinic in the village.

The criteria for determining eligibility of PAPs were the same as for the initial census with a cut-off date of September 16, 2009, as originally agreed. The PAPs were attributed to different categories with different entitlements, as per the original Resettlement Action Plan. The categories were as defined in the Memorandum of Understanding (MoU) between KenGen and the PAPs and used by the committee to analyze the cases and make recommendations.

Although the original number of complaints received by the two Banks was 54, the Committee, in accordance with KenGen, decided to review any individual case that was brought forward by the community or by the individuals themselves.

To carry out its work, of the 200 names that had been provided, the Committee interviewed individually all those who attended. In addition, 29 individuals were present whose names did not appear in the list of 200; the Committee decided to interview them and review their cases as well.

In total, the Committee reviewed 236 cases. Of these, 114 individuals were interviewed (85 from the list of 200 and the 29 others who attended). To be as thorough as possible, the Committee also reviewed the information available for another 122 individuals who did not attend (the remaining 115 from the list of 200 and 7 individuals whose names were provided during the clinic).

The Committee complemented the information it obtained during the interviews with information from the 2009 census database and its modified versions, as well as from the databases of the 2012 and 2013 censuses. The Committee also reviewed a first evaluation of the 200 names that had been prepared by GIBB Africa, as well as the Resettlement Survey Report prepared by the World Bank consultants.

The Committee undertook a second round of interviews with some individuals and called on witnesses, as necessary. GIBB Africa provided responses to many requests for information and explanations whenever an issue was not clear. The Committee also sought independent accounts from neighbours and other community members.

KenGen was requested to provide its views for cases where a more in-depth evaluation was considered necessary. Separate sessions were held with those responsible for the resettlement program to verify some of the issues arising from the process.

The Committee maintained its independence and carried out its work without hindrance. It cross-checked information to ensure credibility and maintained close contact with three community elders, who also assisted in verification and cross-checking.

As the cut-off date was September 16, 2009 and the original villages no longer existed, physical verification by the Committee was not possible. The Committee therefore focused on reviewing any inconsistencies between the information contained in the censuses databases and the declarations made by individuals, and any proof they provided in support. As noted above, the Committee also conducted additional interviews, interviewed witnesses, and requested further information from GIBB and KenGen as needed.

After having analyzed all the cases, the Committee made recommendations on eight cases. Of these, five were found eligible for resettlement, two were found eligible for compensation as tenants, and one was found eligible for compensation for a structure. The two tenants and one structure owner were fully compensated by 2018.

The five houses were constructed between 2018 and 2019 and the PAPs took occupation in 2019. As a result, a total of 155 houses have been constructed for the PAPs' resettlement program. Thus, noncompliance issue (i) was closed. The issue (ii) was also closed after KenGen engaged consultants to carry out the necessary feasibility studies and developed a Business Plan for the Cultural Centre to benefit the PAPs, feasibility study on land productivity improvement, and training of the PAPs on livelihood improvement between 2018 and 2019. On item (iii), this was also closed when KenGen procured a contractor to undertake the necessary repairs, unfortunately part of the infrastructure was damaged by heavy rains in 2019. Another contractor has since been procured to undertake further repairs and work has commenced. Once this is completed, hopefully in 2021, the road network will be handed over to the Nakuru County Government since the RAPland roads fall under the classification of County roads. On item (iv) The community was given the opportunity to make suggestions on how to improve the CGRM and they decided to enhance the membership in order to have more inclusive participation of the community members, thus the issue was closed.

## 7. LESSONS LEARNT AND CONCLUSIONS

- i) All the necessary information should be captured accurately, documented, and stored properly. This is critical in ensuring future monitoring will be accurate and in case of any dispute during and after the resettlement program, the information

can easily be retrieved, and can be accepted by all parties as reliable. Proof of existence of properties, structures or entitlements should be captured, documented, and stored well for future reference in case of need. This could be made even more reliable by affixing the GPS co-ordinates to each structure, as well as, possibly obtaining high resolution satellite images and preserving the information well. It is important to identify the vulnerable groups early, document them, and think of measures of bettering their lives in the resettlement. It is important to note that communities do change with time as the program progresses, it is important to factor the likelihood of changes and need for consultations, which will likely consume more time and other resources. To prevent late comers and opportunists getting into the area and making false claims, it may be necessary, after verification and validation census of the PAPs requiring resettlement, to involve legal parties on either side. This was not done in the Olkaria IV case because both parties relied on good faith after the verification was done and signed off by the village chairmen for the four villages, affirming that they were all deserving PAPs.

- ii) Involvement of all the stakeholders, and more so the affected community, should be planned early, i.e. there should be a good length of planning time before implementation, with consultations beginning early with all the necessary procedures being explained to the affected persons in detail to allay any fears, and clearing misunderstandings and cultivating confidence between the parties for smooth running of the resettlement. Critical dates, such as cut-off and relocation, should be stated, documented, and stored properly. Any changes should be communicated and explained immediately, and consensus sought between the parties. It is also important for project proponents to strive to prepare well in advance, so that the period between the cutoff and implementation dates are not too far apart to prevent opportunists settling and making claims way after the cutoff date.
- iii) The community should be involved in selecting the resettlement area of their choice as much as possible, with guidance from the resettlement program implementors. This should be done after determination of the total land area and all the other entitlements that the affected persons require. Consideration should include potential for additional geothermal or other developments, suitability of the resettlement area, the impacts likely to arise, and acceptability of host communities in that area.
- iv) To ensure that consultations are orderly, effective, and acceptable it is important to establish a Grievance Redress mechanism that is transparent, reliable, respectable, and easily accessible when need be. Formation of the GCRM should involve the affected, taking into consideration the existing social structures so that the affected own and respect the organization and its functions, to ensure effectiveness and timely resolution of disputes, and thus smooth implementation of the program.
- v) Where compensation of structures, crops or any other properties are concerned, the valuation process should be well understood, transparent, solid, and be applied uniformly to avoid controversies and discrepancies on values to the different individuals.
- vi) Having an organized well-known platform for consultations and participation in matters resettlement are crucial for successful resettlement. In the Olkaria IV RAP case, the Stakeholders Co-ordination Committee (SCC) and Resettlement Action Plan Implementation Committee (RAPIC) presented such platforms. Formation of the SCC and RAPIC should be transparent, consultative, and involve all the stakeholders. Consultations through these platforms should be regular and transparent.
- vii) Livelihood restoration is very important in a resettlement program. This can be achieved through accurate and proper identification, valuation, documentation, and timely implementation of individual entitlement. Compensation, especially where building structures and land use are concerned, should take into consideration the suitability, as per the existing cultural practices and norms. It will also be important to identify the vulnerable and provide special assistance to enable the vulnerable to adjust and fit to the new resettlement site.
- viii) It is also critical to ensure the vulnerable persons are identified early in the resettlement process using a criterion accepted by the majority, and that should be explained well to the PAPs so that no misunderstanding arises.

Resettlement is a complex process requiring a long period of time to accomplish. It is vital to plan well, especially on time, and financial resources to take care of any unanticipated demands that may arise in the course of the resettlement process. Requisite skills, patience, and understanding, as well as commitment by the involved parties, is key to a successful resettlement.

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