Sarima Village Resettlement Process Information Document

Overview
The Lake Turkana Wind Power project (i.e. ‘the Project’) is located in Loiyangalani District, Marsabit County, Kenya. It consists of 365 wind turbines and a high voltage substation. The energy produced will be connected to the Kenyan national grid through an associated 436km transmission line that is being constructed by the Kenyan Government.

Once operational, the wind farm will provide 310MW of reliable, low cost energy to Kenya’s national grid. The energy will represent around 15% of Kenya’s installed capacity. Kenya Power & Lighting Company Ltd. will buy the energy at a fixed price over a 20-year period in accord with the Power Purchase Agreement.

The Project proponent is the Lake Turkana Wind Power Ltd. (LTWP) consortium, comprising of KP&P Africa B.V., Aldwych International, Investment Fund for Developing Countries, Vestas, Finnfund, Norfund and Sandpiper.

Project Lenders are from Europe and Africa. In addition to Kenyan laws and regulations, the Lenders have environmental, social, resettlement, health, and safety standards and sustainability policies that the Project needs to meet as per the financial agreements.

This summary (i) provides an overview of the resettlement process of Sarima village, from identification to completion, (ii) presents key observations from third parties who monitored and evaluated the process, and (iii) provides an overview of lessons learnt by LTWP.

Community engagement and consent
LTWP started engaging with local communities in the wider project area in 2006. In line with the IFC Performance Standards on Environmental and Social Sustainability (IFC PS), an Environmental and Social Impact Assessment (ESIA) was completed in 2009. The ESIA identified and assessed the Project’s potential positive and negative environmental and socio-economic impacts and how these could be managed.

Sarima village is the only village located on the wind farm. The ESIA process established that the location of Sarima village on the C-77 road would pose health and safety risks to the community from increased road traffic during the Project’s construction phase. From consultations over six years, the Sarima community understood this risk and requested that their village be resettled 600m away from the road. The resettlement location was selected by the community to avoid health and safety harm, while still maintaining easy access to the road. LTWP agreed with villagers that they could move back to the original village site following completion of construction works, if they chose to.

To manage the resettlement process in accordance with community expectations, national laws and lender standards, a Memorandum of Understanding (MoU) was signed by the community and LTWP in 2014. In 2015, LTWP developed the Sarima Resettlement Action Plan (2015) to identify more details about how the MoU would be implemented.

The development and implementation of the Sarima RAP was closely monitored and evaluated by third parties Mott MacDonald Ltd. and Lartech Africa Ltd., as well as the Lenders’ environmental, social and resettlement specialists.

Location and background of Sarima village
Sarima village is located in a larger area known as Sarima, Laisamis Constituency, 15km southeast of Lake Turkana. Its inhabitants overwhelmingly belong to the Turkana tribe, one of Kenya’s 47 tribes. The Turkana are nomadic and are predominantly found in neighbouring Turkana County, located on the western shores of Lake Turkana. The Project and Sarima village are located in Marsabit County, which is located on the eastern shores of Lake Turkana.

The Turkana settled in Sarima in the mid-2000s, after fleeing heightened violence in Turkana County. The area in which they settled was not inhabited by anyone because of its harsh environmental conditions of extreme sunshine, strong winds and lack of rain.

Figure 1: Sarima village, April 2017
August 2017

In 2005, when initial ideas about the Project took shape, roughly 150 people lived in Sarima village. At the start of the resettlement planning process in 2012, this figure had reached 568 (426 of whom were children). During the Project’s construction phase, the population increased to roughly 1,500 due to an influx of people looking for jobs and then dropped to 1,000 as of June 2017 (with more than 70% being below the age of 20), following completion of construction activities.

Overall, the resettlement exercise affected 183 households who owned a total of 394 manyattas (i.e. traditional structures made from sticks).

Planning and implementation of the Sarima RAP

Resettlement specific consultations from 2009 to 2014 led to an agreement with the community that relocating the village was the best approach to mitigate against the Project’s health and safety risks. This resulted in the drafting of an MoU between Sarima village and LTWP, (signed in Aug. 2014) whose contents were subsequently reflected in the Sarima RAP document (finalized in Jan. 2015) in line with the IFC PS on resettlement.

The RAP objective was to reflect the MoU commitments by providing an implementation roadmap to ensure that the resettlement process fully respected the dignity, human rights, economies, and cultures of the Sarima community. The RAP aimed to avoid potentially adverse effects, provide appropriate safeguards for women and vulnerable members of the community, and ensure that affected people would not be worse off due to the Project and the resettlement process. Simply said, the Sarima RAP aimed to improve the livelihoods of the Sarima village community.

Sarima resettlement activities commenced in February 2015 and were fully completed by October 2016. Figure 2 provides a timeline of activities linked to the relocation of Sarima village.

A detailed explanation of the resettlement process, compensation packages and community benefits is provided in the Sarima RAP. These were developed and agreed through active and regular consultations with Sarima village. The approach met obligations mandated in the Kenyan Constitution, the Environmental Management and Coordination Act (EMCA, 1999) and other national laws and regulations. The approach was also in line with good international industry practice required by lenders’ standards and reflected LTWP’s own social aspiration values and its management plans’ mitigation measures.

In addition to relocating structures, the Sarima RAP contained obligations in line with the signed MoU. These included:

- Payment of salvaged material.
- Payment of 15% disturbance allowance.
- Payment of labour needed to construct structures.
- LTWP to act as ‘Banking Agent’.
- Compensation for loss of income to business owners.
- Provision of tarpaulins and solar lights to 187 residential structures.
- Provision of training on subjects including financial management; banking procedures and business.
- Provision of drinking water to Sarima community.
- Construction of a community store and first stocking.
- Construction of six toilets and washrooms.
- Construction of boundary fence for new Sarima village.
- Construction of a classroom.
- Provision of medical support to Sarima community.
- Provision of employment.
- Supporting of vulnerable community members.
- Construction of a shelter for elders.
- Provision of transport, tools and material for construction of structures.

Upon signing of the MoU and finalization of the Sarima RAP document, the priority became to relocate the manyattas from the old to the new village location in an efficient and effective way possible to have minimal disturbances on the community.

The location of the new village and of the new manyattas was decided by elders in conjunction with community members: A similar layout to the old village was desired, but in a more spacious manner. As per tradition, family members wanted their structures in clusters, while in-laws located their structures away from one another, and traditional medicine men located their homes at the entrances to the village and at the perimeters of the village. The images overleaf illustrate the key steps to constructing a residential manyatta.
August 2017

In terms of process, structures were moved in groups, whereby manyatta clusters were moved simultaneously. By October 2015, the relocation of all structures was completed. The focus then turned towards improving livelihoods by completing the agree community projects, including the community store, toilets and elder’s shelter.

LTWP had a dedicated team of 11 staff who provided oversight throughout the relocation implementation period. This team was involved in drafting the Sarima RAP document and were present in Sarima village on 81% of the days it took to complete the relocation of Sarima village. By October 2016 all Sarima RAP obligations were fulfilled.

**Grievance mechanism**

In addition to the Project’s Grievance Mechanism, LTWP set up a dedicated grievance mechanism for the Sarima resettlement process. This dedicated mechanism was mainly used to raise questions related to the resettlement process and to provide feedback on progress to LTWP. In effect, it provided a dedicated communication channel on matters related to the Sarima resettlement process. Today, the Sarima community can raise grievances through the Project’s Grievance Mechanism, while LTWP’s engagement with the community continues.
Key observations from third parties

LTWP had internal resettlement monitoring responsibilities and produced quarterly reports about resettlement progress, achievements, and challenges. In addition, the resettlement process of Sarima village, from development of the Sarima RAP to its implementation, was monitored by external third parties who observed progress, collected data, held consultations, and conducted socio-economic surveys with household heads.

Feedback, recommendations and observations from these external parties have been productive and fair, with many positive and some critical comments. Overall, they agree that LTWP managed the Sarima village resettlement process in accordance with the Sarima RAP and in line with good international industry practice. Although resettlement is often categorised as being a negative impact, the Sarima village relocation process brought positive changes to the community, improving people’s socioeconomic conditions and livelihoods. The following list presents an overview of the third parties’ main comments, while Table 1 overleaf compares the RAP obligations versus what LTWP delivered:

1. The construction of replacement structures was well conceived, culturally appropriate and in line with the terms agreed for a like-for-like replacement housing. This meant that the community’s social networks, ties and cultural identities were largely respected, preserved and retained post-relocation.

2. The choice of the relocation site was done in a highly participatory, transparent and empowering manner based on agreed criteria with the community members. The final location was identified by the community. Ninety percent of affected households are satisfied with the new relocation site, while 10% do not like being 600m farther away from the C-77 road.

3. LTWP has improved the living standards of the affected population. As the relocation was for the whole group and 600m from the original village site, the Sarima community’s social networks were unaffected. The relocation activities led to a diversification of livelihood sources, some improved income security, improved access to water and sanitation, enhanced village security, and better food security. The constructed residential structures are spacious and of better quality [see Fig. 3.]. The rehabilitated access road, has improved access to and from other parts of the region.

4. Resettlement of Sarima village was a relevant and an appropriate intervention to mitigate health and safety risks associated with construction activities. The new village is less dusty and no accidents associated with the increased construction traffic have been reported. The relocation achieved the desired outcome of protecting the health and safety of Sarima village residents.
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<thead>
<tr>
<th>Ref.</th>
<th>RAP Obligation</th>
<th>Delivered?</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>1.</td>
<td>Payment of salvaged material.</td>
<td>Yes</td>
<td>LTWP paid more for salvaged material than was originally budgeted because PAHs salvaged more material than was envisaged.</td>
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<td>2.</td>
<td>Payment of disturbance allowance.</td>
<td>Yes</td>
<td>Following discussions with the community during which higher disturbance allowance compensation values were agreed on, LTWP paid a total disturbance allowance that was 13 times above the original budget.</td>
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<td>4.</td>
<td>Payment of labour.</td>
<td>Yes</td>
<td>LTWP paid casual labour rates as stipulated in the RAP at a rate of KES 500 per person per day.</td>
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<td>5.</td>
<td>LTWP to act as 'Banking Agent'.</td>
<td>Partially</td>
<td>LTWP was to act as a bank and hold money that PAHs could withdraw as needed. PAHs were initially keen on this approach, but as soon as the first payments were due, they communicated that they preferred cash payments in full to savings. LTWP then adapted the payment approach to meet the community's desire.</td>
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<td>6.</td>
<td>Compensation for loss of income to business owners.</td>
<td>Partially</td>
<td>LTWP did not pay for loss of income as business owners were unknown. Instead, LTWP gave the same value (KES 81,000) to the village chairman for community emergency uses.</td>
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<td>7.</td>
<td>Provision of 187 tarpaulins.</td>
<td>Yes</td>
<td>LTWP provided a total of 211 tarpaulins.</td>
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<td>8.</td>
<td>Provision of 187 solar lights.</td>
<td>Yes</td>
<td>LTWP provided a total of 211 solar lights.</td>
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<td>9.</td>
<td>Provision of training.</td>
<td>Yes</td>
<td>LTWP provided training to 281 community members during two main phases: (i) at the outset of the relocation process in Feb. 2015 and (ii) after completion of structure relocation activities in Oct. 2016, focusing on hygiene, sanitation, environment; financial and stock management; business ideas; and, sustainability.</td>
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<td>10.</td>
<td>Provision of drinking water to Sarima community.</td>
<td>Yes</td>
<td>LTWP drilled and equipped a dedicated borehole for Sarima village, installed a water storage tank and constructed livestock troughs. LTWP’s Winds of Change Foundation (WoC), which supports local development activities in Laisamis Constituency, installed a reverse osmosis system in the middle of the village which cleans the water to a drinkable level.</td>
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<td>11.</td>
<td>Construction of community store &amp; provision of stock.</td>
<td>Yes</td>
<td>LTWP constructed a community store and provided the first stock of goods.</td>
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<td>12.</td>
<td>Construction of six toilets and washrooms.</td>
<td>Yes</td>
<td>LTWP constructed a total of 11 pit latrines and four washrooms. Changes in quantities were the result of a request from the community to construct more traditional pit latrines and fewer washrooms (which were not being used).</td>
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<td>13.</td>
<td>Construction of village boundary fence.</td>
<td>Yes</td>
<td>LTWP constructed a boundary fence around the new Sarima village site. As requested for by the community, this perimeter fence was constructed using strands of barbed wire and chain link, which the community felt represented a more modern and sturdy design.</td>
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<td>14.</td>
<td>Construction of classroom.</td>
<td>Yes</td>
<td>LTWP constructed a classroom at the new Sarima village site. Later in the year, after RAP implementation was completed, WoC constructed an additional building which contains a teacher’s office, a teacher's bedroom and a storage room.</td>
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<td>15.</td>
<td>Provision of medical support to Sarima community.</td>
<td>Yes</td>
<td>LTWP did not provide a mobile clinic as stated in the RAP document, but provided medical support since construction commenced in Oct. 2014 by acting as an ambulance for the community and providing some access to its own clinic services. Presently, WoC is working to construct a dispensary in the village.</td>
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<td>16.</td>
<td>Employment.</td>
<td>Yes</td>
<td>LTWP hired and trained 10 facilitators from the community to help implement the RAP, and occasionally hired up to five people to help with digging soil needed for construction of the structures. All PAHs worked as labourers while relocating their structures, for which they were paid. The Project hires community members to work on non-RAP related wind farm activities.</td>
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<td>17.</td>
<td>Support vulnerable PAHs.</td>
<td>Partially</td>
<td>LTWP did not provide dedicated support to vulnerable PAHs because the community stated that they were best placed to help the vulnerable from knowing them personally. Instead, all PAHs received support as necessary.</td>
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<td>18.</td>
<td>Shelter for elders.</td>
<td>Yes</td>
<td>LTWP constructed a shelter for elders.</td>
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<td>19.</td>
<td>Provision of transport, tools, sticks soil for construction.</td>
<td>Yes</td>
<td>LTWP provided these throughout the duration of relocation activities.</td>
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Lessons learnt

Key learnings from the Sarima resettlement process are:

▪ Investing nine years of time to learn about and understand Sarima village, and to discuss the Project and its impacts was crucial to building trust, and essential to the successful completion of the resettlement process.

▪ Maintaining documented evidence is key to enabling smooth implementation of any RAP process. Documentation helps to justify and support actions and decisions. An example was the elder’s shelter for which LTWP consulted community elders about the dimensions and location.

▪ Flexibility to address issues and concerns as they arise is necessary. LTWP was willing to be flexible on how it implemented the RAP and certain obligations. For instance when the community came forward and requested it, LTWP changed the type of toilets that were being constructed from more permanent cement structures to more traditional corrugated iron ones. As well, although a cut off date for eligibility was clearly established and communicated, because of a community request, an additional 22 households involving 165 people and 46 structures received entitlements. LTWP recognised the relocation process as an evolving activity, with needs, demands and opinions that changed as RAP planning and implementation progressed.

▪ Piecemeal compensation payments were the ideal procedure, rather than lump sum payments. This approach did not overflow the village with large sums of money at any one point. The payments encouraged recipients to carefully plan their spending, especially towards meeting their own day-to-day needs.

▪ To enhance the likelihood of sustainability of the facilities that LTWP handed over to the community, LTWP trained Sarima villagers on how to maintain and manage them. An example of this is the reverse osmosis water system that is still working today.

Going forward, LTWP will continue to engage with Sarima village through its Community Liaison Team, and to help improve livelihoods through development projects, implemented by LTWP’s Winds of Change Foundation.

The Sarima RAP and more information about LTWP and its community projects is available on the LTWP website: www.ltwp.co.ke