





Good Practices and Innovations from the Regional Pastoral Livelihoods Resilience Project (RPLRP)

TURKANA COUNTY

UNDERTAKING EFFECTIVEIDENTIFICATION OF VULNERABLE AND MARGINALISED GROUPS, CONFLICT SENSITIVITY ANALYSIS AND ESTABLISHMENT OF EFFECTIVE GRIEVANCE REDRESS MECHANISM DURING THE INITIAL COMMUNITY MOBILISATION STAGE



The terms and agreement of the CRF is read out to the baraza and translated into the local language by the area ward administrator. Credit: RPLRP Turkana County, Kenya.

DESCRIPTION OF THE INNOVATION

The innovation involves the use of three social mapping tools during the initial community mobilisation and site entry when identifying and developing a community development sub-project. It is designed to identify vulnerable and marginalised groups (VMGs) in the community, to ensure that are involved in the identification of a development project

or that they benefit from it. The innovation also incorporates the use of a field-level conflict appraisal tool to identify existing and potential conflicts that may be triggered or worsened by the proposed development activity, and identify ways in which these conflicts may be mitigated before the project development process is began. The objective is to identify the dividers and connectors that affect the project under thedo-no-harm approach.

DESCRIPTION OF THE SOCIAL ASSESSMENT TOOLS

1. In-depth VMG assessment

This involved undertaking a more effective identification of the VMG, beyond the broad classification provided for under Section 260 of the Kenya Constitution (2012). The objective was to ensure their effective participation in decision making during the development of community action plans. Using this tool,VMGS and theoptions available to address their vulnerabilities were identified as shown in the table below:

VMG	SOURCE OF VULNERABILITY	MITIGATION ALTERNATIVES
Migratory Turkana pastoralists	Apart from exposure to a myriad of risks, this group is left out of important activities targeting their communities. In Kenya,migratory pastoralists areabsent during consultations meant to allocate resources, cannot access services such as vaccination campaigns, health and educational services, security and other government services. In Uganda they are excluded from accessing services as they are considered outsiders. They are also left out on government engagements like employment.	 Send informants to call them several days before the actual meeting (baraza) to give them time to travel Strategic cross-border investments targeting migrating community such as harmonised vaccination water infrastructures etc. Transform their lifestyle through a formal education programme
Ugandans traders	 Are attacked while travelling to markets in Turkana Kenya. Are also considered to be spies for cattle raiders from Uganda. 	 Bilateral trade negotiations and meetings Cross-border investments, cross-border livestock and produce markets Create peace accords and institute conflict resolution system that will redress grievance raised

Special groups: People Living with Disabilities (PWD), elderly, children, herders, sub-clans, internally displaced persons, political affiliation

- Children, elderly and PWD are affected by lack of transport to attend meetings due to vast distances.
- Herders are normally away grazing their animals when meetings are held.
- Sub-clans are often subtly discriminated in a community where they are a minority.
- Internally displaced, referred to as Ashakun (during tribal clashes) and also local migration from one area to another within the county are considered non-natives and are excluded during resource distribution.
- FPIC
- CRF MOU
- Application/observation of relevant Kenyan policies & law

2. Appraisal checklist for conflict sensitivity and prevention

A field-level checklist form (Annex 1) and a desk review of existing information of the conflict map of the target project area were used to develop an analysis of the conflict dynamics of the project area, which takes a systematic approach to understanding the following:

- The background and history of the conflict
- Identifying all the relevant groups involved
- Understanding the perspectives of these groups and how they relate to each other
- Identifying the causes of conflict
- Determining the programming option for the investment

3. Establishment of a mobile and online grievance redress mechanism (GRM) and adoption of *Tuwajibike* forms

Grievance is an expression of dissatisfaction that requires a response. GRM provide a formal way for affected groups or stakeholders to engage with the project implementers on areas of concern during project implementation. The World Bank requires that grievance mechanisms are provided for projects that they support so as to effectively address grievances from people impacted by the projects. A three-tier Grievance Redress Committee(GRC) was established at the community, sub-county and the county levels to provide a redress structure through which specific grievances could be escalated and addressed by the relevant stakeholders at the different administrative levels. In the project area, communities may voice their grievances to the community GRC on issues that touch on land; environmental and social impacts of investments done in the projects; ethnic tensions arising from use of project investments; or concerns about routine project activities.

The community-based GRC is mandated by the community to monitor and evaluate the progress of activities and provide feedback during the community gatherings or forums. It helps to resolve complaints and grievances before they escalate to high risk levels and/or lead to stalled major infrastructure projects planned to be implemented in the project counties. Through Community Managed Disaster Risk Reduction

and organisation of each sub-project site, community concerns are expected to be addressed, thus ensuring that the project is successful and owned by the community.

At the county level, the GRC ensures a prompt address to all project operations and governance issues lodged. It submits monthly reports to the County Project Implementation Unit.

The innovation involved the use of an adopted *Tuwajibike* reporting form and the establishment of mobile and online GRM platforms to enhance the prompt reporting and addressing of community grievances.

LEVEL OF ADOPTION AND USE

• The innovation was adopted for all sub-project investment sites in Turkana County.

SCALING/REPLICATION STRATEGY

These innovations are applicable to all issues affecting the community and can be easily replicated in other community development projects using the existing field-level appraisal tools and GRM reporting formats and redress committees.

CRITICAL GAPS AND NEXT STEPS

 The county and national government need to develop policies that will entrench this innovation in all community-based development activities.

KEY PARTNERS FOR SCALING

- RPLRP: Initiating the process of establishing the necessary structures to implement this innovation
- Ministry of Agriculture, Livestock and Fisheries: Drafting the relevant policy concept or cabinet paper
- The Council of Governors: Sharing information on performance of the counties with the objective of learning and promoting best practices; establishing intergovernmental forums
- Other development partners: Building capacity, providing resources, implementing the innovation in their work

 Parliament and county assemblies: Drafting and passing necessary legislations to entrench this innovation as a measure of ensuring participatory development decision making, reducing conflicts and providing GRM.

Annex 1: Sample of a Filled Field-level Conflict Appraisal Form Version 5.0

FIELD-LEVEL APPRAISAL CHECKLIST FOR CONFLICT SENSITIVITY AND PREVENTION FOR THE PROPOSED LOMOTI WATER PAN CONSTRUCTION INVESTMENT

Elements of the checklist	Yes	No	Ref.
Physical and/or functional characteristics of the project are clearly defined			
o Are plans and quotations provided as references	\boxtimes		
 Are surface, size, type of enclosure, equipment, provided in a reference annex? 	\boxtimes		
 Are usage clearly defined: pastoral, agriculture, technical or human? 	\boxtimes		
 Are maximum capacity of animals, per species and per unit of time defined? 	\boxtimes		
o Will data record (animals, owners, finance) be in place with someone in charge?	\boxtimes		
 Is ownership clearly defined (public: national or local; private; associative)? 			
 Is type of management defined (public, public delegated, associative, private)? 	\boxtimes		
 Are working period, days or hours defined? 	\boxtimes		
 Are financial aspects defined on transparent and equitable bases? 	\boxtimes		
 Are all these documents available to public in well-known and accessible place? 	×		
The site selection has been establish on solid bases to avoid conflicts:			
 is the legal basis established and are all required legal documents available? 	\boxtimes		
 does the process include a public inquiry or other formal and organised consultation? 	\boxtimes		
o If yes, was there a group who disagreed with this location?		\boxtimes	
 If yes again, was there a solution found and accepted to reach agreement? 			
 does it come from a public planning decision (state, decentralised, project) 			
 If yes, do planning documents establish the rational for this site selection? 	×		
 If yes again, have rationale and criteria been explained to, validated by public? 	×		
 does it come from a private demand (individual, association, enterprise) 		⊠	
 If yes, is there a consensus with the rest of population (e.g.: non-beneficiaries)? 			
 is a recent socio-economic and historical context analysis available * : 	\boxtimes		
 If the general context is peaceful and satisfactory 	\boxtimes		
 The legal framework is satisfactory and is respected? 	\boxtimes		
 The social agreements are satisfactory and are respected? 			
 Could the project contribute to degrade this context? 		\boxtimes	
 If the general context is violent or not satisfactory 		\boxtimes	
 Could the project contribute to worsen this context? 		\boxtimes	
 Could the project contribute to appease this context? 	\boxtimes		
 Is conflict resolution a prerequisite necessary to implement the project? 			
 has the presence of other similar project been identified correctly? 	\boxtimes		
o Was a similar project abandoned in the area?	\boxtimes		
 Are the causes of abandon known or have been analysed? 			
 Do same causes have been left with the new project? 		\boxtimes	
 Did a similar project caused conflict in the area? Are the causes of conflict known or have been 			
analysed?			П
 Do same causes have been left with the new project? Are similar projects existing in the area and currently 		\boxtimes	
working? • If yes, have the conditions of success, steps or			
difficulties been analysed?			

	 If yes, will the new project enter into competition with the existing one? 			
	 If yes, is the sustainability of the network of similar projects ensured? 			
	 If no to above, is such situation susceptible to create conflict or losers? 		\boxtimes	
	Technical choice has been established on solid basis to avoid conflicts:			
	as the technical choice and its rational been presented to the ublic?	×		
	o Is there a group of the public which is opposed to this technical choice?		\boxtimes	
	o Have other technical choices been discussed?	\boxtimes		
	 If yes, have they been eliminated with the consensus of public? 	×		
	oes technical choice take into account previous technical kperience of public?	\boxtimes		
	this technical choice compatible with local practice, usage, aditions?	×		
	oes this technical choice present advantages, inconveniences r innovations?	×		
	 Have they been explained to beneficiaries and non- beneficiaries 	×		
	 Do beneficiaries need to change behaviour, and have accepted it? 		×	
	 Do non-beneficiaries need to change behaviour, and have accepted it? 		×	
	Selection of contractor has been established on solid basis to avoid conflicts			
	o Are the modalities of the tenders and selection of contractors established on a legal basis, transparent and accessible to all easily?	×		
	 Are the mission and requirement statement of the contractors published? 	×		
	o Have the background of contractors been analysed?	\boxtimes		
	o Is the monitoring committee composed of recognised and trusted persons?	\boxtimes		
	 Are the modalities of selection (required competence, availability, status) of the manpower transparent and know from public? 	×		
	o Does the selection of manpower favour local employment if relevant?	×		
	o Are modalities of conflict mediation established during the implementation?	\boxtimes		
	Beneficiaries are clearly identified with relevant CSP to avoid conflicts			
	 Is an actors analysis ** (losers/profiteers/predators) available to sustain this? 	×		
	\circ Is the selection of beneficiaries been inclusive of all actors?	\boxtimes		
	 Is there a conflict resolution mechanism in place for the project? 	×		
	o Is implementation or results of project inclusive of all stakeholders?	×		
	Area of impact and CSP are assessed from a wide and professional perspective	\boxtimes		
	o Is the zone of influence geographically and sociologically clearly defined?	×		
	 Is the cumulative impact of all elements of this checklist been assessed? 	×		
	o Project staff are trained on conflict sensitivity and prevention approaches?	\boxtimes		
	• Technical guidelines have been used by the field staff to fill this checklist?	\boxtimes		
	 Are field staff aware of entry and exist strategies of the project? 	×		
	 Are field staff aware of donor's theory of change and expectations? 	\boxtimes		
	o Are field staff aware of funding/resources limitations?	\boxtimes		
	Management of environmental and social safeguards			
>	7.1. Resources of the area			
	Does the project needs important volume of local natural resources?	×		
	 If yes, is the effect on specific resources quantity and availability assessed as acceptable? 	×		
	 If yes, has this assessment been published and communicated to public? 	×		
	Will the project induce an important tree clearing?		×	
	o If yes, has this been communicated to public and is there a planting plan?			

1	If yes, is this planting plan endorsed by relevant authorities and public? 7.3 Biological dispersity.			
>	7.2. Biological diversity Is there a risk that the project causes side-effects on rare, vulnerable and/or important species from an economical, ecological or cultural point of view?			
	 If yes, is there a mitigation plan endorsed by authorities and the public? 			
	Are there zones environmentally sensitive that could be affected negatively by the project such as forest, humid zones (rivers, lakes, flood zones)?		×	
	 If yes, is there a mitigation plan endorsed by authorities and the public? 			
>	7.3. Protected areas			
	Does the area of project (or its components) include protected areas?		×	
	If the project is outside, but at short distance, of protected areas, could it negatively affect the ecology of the area (e.g.: bird flights, migration, etc)		×	
	 If yes, is there a mitigation plan endorsed by authorities and the public? 			
>	7.4. Geology and soils			
	Is there instable areas or soils from a geological point of view (erosion, collapse, and landslide)?		\boxtimes	
	Is there a risk of salinisation?		\boxtimes	
>	7.5. Landscape / Esthetical Could the project have an adverse effect on esthetical value			
	of the landscape? o If yes, is there a mitigation plan endorsed by authorities	_		_
	and the public?			
>	7.6. Historical, archaeological and cultural sites Could the project change one or several historical,			
	archaeological or cultural sites, or require excavations?			
	 Are the contractor and the committee informed of regulations in case of discovery of archaeological elements during implementation? 	×		
>	7.7 Loss of assets and other			
	Will the project induce temporary or permanent loss of habitat, crops, agricultural lands, pastures, fruit trees or domestic infrastructures?		×	
	 If yes, is the legal procedure respected, including legal recourse? 			
	o If yes, has the compensatory indemnity been established and formally accepted by concerned people?			
	o If yes, has a supporting paper about public ownership been provided by the competent authority?			
	o If yes, has a modification of usage right been analysed and accepted by concerned people?			
>	7.8. Pollution			
	Could the project induce an important level of noise during construction or running?	⊠		
	o If yes is the site of the project far enough from living areas to avoid any impact?	×		
	 If not far, have the concerned people been informed and consulted, and is it accepted because of short duration or other reasons? 			
	Could the project generate solid and liquid wastes during building or running phases?	⊠		
	o If yes, will building waste be eliminated/used in relevant and approved sites?	×		
	o If yes, will the project have a collecting and treatment plan for regular waste?	×		
	o If yes, are there relevant equipment, infrastructure, staff and organisation for safe efficient waste management?	×		
	Could the project affect the quality of surface or underground water, or sources of potable water?		\boxtimes	
	o If yes, is there a regular plan to assess, survey and control water quality?			
	If yes, is there also a treatment plan/infrastructure to maintain water quality?			
	Could the project affect atmosphere (dust, various gas or smell)?	×		
	o If yes, is there a mitigation plan endorsed by authorities and the public?	×		
>	7.9. Way of life			
	Can the project induce alterations of way of life of local populations?		×	

If yes, is there mitigation/compensation endorsed by authorities and public?			
Can the project induce an increase of social inequality?		\boxtimes	
O Do the physical or functional characteristics exclude some potential beneficiaries?			
 Could certain actors take over the project ownership or use for their single profit? 			
o If yes, is there mitigation/compensation endorsed by concerned people?			
Can the project induce incompatibility of use or social conflicts between different users?		⊠	
7.10. Santé / Security			
Could the project induce risks of accidents for workers and population?	☒		
warning against accidents?	×		
insurance certificate?			
warning against accidents?			
and emergency kits?			
population?			
health issues?			
project?			
o If yes, is a system in place to control health issues potentially induced?			
o Have staff and population been sensitised to STD/HIV/AIDS?			
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Community Land Registration sensitization for RPLRP Nalapatui, Turkana West. Credit: RPLRP Turkana County, Kenya